



## JUDICIARY COMM. NO. 33

Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII

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January 21, 2025

The Honorable Ronald D. Kouchi  
President of the Senate  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Nadine K. Nakamura  
Speaker of the House of Representatives  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kouchi and Speaker Nakamura:

It is our privilege to submit an annual report on the work and programs of the Hawaii State Judiciary from January to December, 2024.

The public may view electronic copies of this and other reports on the Judiciary's website at the following link: [http://www.courts.state.hi.us/news\\_and\\_reports/reports/reports](http://www.courts.state.hi.us/news_and_reports/reports/reports).

Should you have any questions regarding this report, please feel free to contact Andrew Laurence of the Judiciary's Communications and Community Relations Office at 808-539-4911, or via e-mail at [john.a.laurence@courts.hawaii.gov](mailto:john.a.laurence@courts.hawaii.gov).

Sincerely,

A handwritten signature in blue ink that reads "Rodney A. Maile".

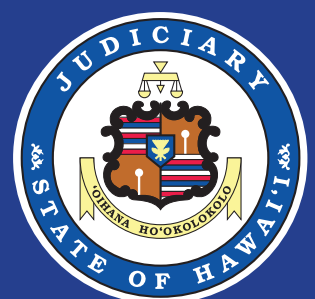
Rodney A. Maile  
Administrative Director of the Courts

c: Members of the Thirty-Third Legislature  
Legislative Reference Bureau Library



# 2024 ANNUAL REPORT

## HAWAI'I STATE JUDICIARY

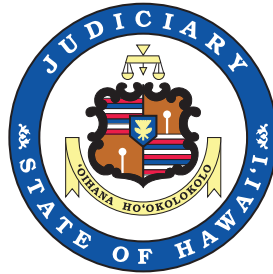


*Cover: Aliʻiōlani Hale in Honolulu, home of the Hawaiʻi Supreme Court.*

*In April, the Hawaiʻi State Judiciary commemorated the 150th anniversary of the construction of Aliʻiōlani Hale, which was completed in April 1874. Story on page 123.*

# Hawai'i State Judiciary Annual Report 2024

This report describes the ongoing efforts of the Hawai'i State Judiciary to administer justice for the people of Hawai'i.



*The mission of the Judiciary, as an independent branch of government, is to administer justice in an impartial, efficient, and accessible manner in accordance with the law.*

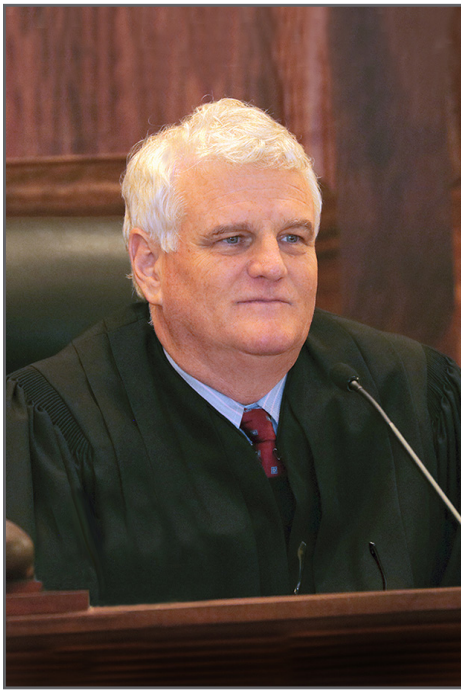
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# Message from the Chief Justice



*Aloha,*

I am pleased to present our 2024 Annual Report, which highlights the work of the State Judiciary during the past year. As an independent branch of government, the Judiciary's role is to administer justice in a fair and impartial manner.

In furtherance of this mission, we strive to ensure the continued vitality of Hawai'i's justice system and its effectiveness in responding to the current and future needs of our communities.

This report provides information about our ongoing initiatives to enhance and modernize court procedures, operations, and facilities. It also includes updates on innovative projects designed to increase access to justice, especially for those who cannot afford an attorney to represent them in civil legal matters.

The accomplishments described herein reflect the remarkable dedication of the individuals who work in the judicial branch. Each day, they strive to fulfill the promise of fair and equal justice for all, knowing that their efforts have far-reaching impacts upon the lives of those who depend on our courts to resolve disputes and ensure justice.

On behalf of the Judiciary, I extend our sincere appreciation to the Legislature for its continuing support of our budgetary needs and legislative initiatives. I also thank Gov. Green and our executive branch partners; for their cooperation and collaboration on important initiatives.

I also want to express my sincere gratitude to the Hawaii State Bar Association and county bar associations, Hawai'i's civil legal services providers, volunteers, and our community partners. Their valuable contributions over the years have been instrumental in helping us create a dynamic and responsive judicial system for the people of Hawai'i.

With heartfelt aloha for all your support,

*Mark E. Recktenwald*

Chief Justice Mark E. Recktenwald  
Hawai'i Supreme Court

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# Achievements in the Administration of Justice in Hawai'i 2010 – 2024

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*Recognizing the evolving needs of Hawai'i's communities over the past 14 years, the State Judiciary has focused on anticipating future challenges while creating systems, facilities, and services that enhance the administration of justice, making it easier for people to manage their legal affairs through the courts.*

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*The following would not have been possible without the support and assistance of the legislative and executive branches, the county governments, the Hawaii State Bar Association, the county bar associations, the state's civil legal services providers, volunteers, community partners, and many others too numerous to name in this limited space.*

## Increasing Access to Civil Justice

### **Courthouse Self-Help Centers**

Self-help centers in state courthouses were established as part of the Judiciary's commitment to increasing access to justice in civil legal matters for all people, especially low- and moderate-income Hawai'i residents. The success of the first self-help center, which opened in the Kaua'i courthouse in 2011, led to centers being opened in Hilo, the Honolulu District Court, Kapolei courthouse, and Wailuku in 2012, followed by Kona in 2013. Since then, volunteer attorneys have provided more than 38,000 free legal consultations on a variety of district and family court civil legal matters.

### **Hawai'i Self-Help Interactive Forms**

Beginning in 2013, the Judiciary partnered with the Legal Aid Society of Hawai'i (LASH) to develop interviews for an interactive software that helps the public complete certain civil legal forms. Similar to TurboTax®, the "A2J Author" software asks users plain-language questions about their case, and prepares court forms with their responses. The Judiciary set up work stations at courthouse

self-help centers across the state to provide access to the forms by court users. From 2014-2015, the Judiciary and LASH worked together to expand the number of forms as well as increase public awareness of the forms through a partnership with the Hawai'i State Public Library system. Thirty-nine civil legal forms and petitions have since been made available through the Hawai'i Self-Help Interactive Forms on the [LawHelp.org/ HI](http://LawHelp.org/HI) website.

### **Top Court Website in the Nation**

The Hawai'i State Judiciary website was voted America's No. 1 court website in the National Association for Court Management's *2016 Top 10 Court Technology Solutions Awards*. A panel of judges attributed the website's success, in part, to innovations that significantly improved access to the courts – especially for self-represented litigants and those with limited English proficiency. They noted that Hawai'i includes information in more languages than the majority of courts in the United States, and the website is easy to navigate.



*Former Kaua'i County Prosecutor Justin Kollar, Fifth Circuit District Court Judge Trudy Senda (ret.), and former Fifth Circuit Chief Court Administrator David Lam prepare for the opening of Hawai'i's first state courthouse self-help center. (Photo: September 13, 2011.)*

### **Volunteer Court Navigators at Maui District Court**

The Judiciary recognizes that many in our community do not understand the legal system, nor do they know how court processes and procedures work. Judges must remain impartial and cannot advise individuals involved in court matters, however, the Judiciary can give general assistance to people seeking court services to help them exercise the rights afforded to them by law.

In 2018, an in-person Volunteer Court Navigator Program was established for the Maui District Court at Hoapili Hale. Volunteer Court Navigators provide immediate assistance to individuals who go to court without a lawyer for civil cases such as landlord-tenant, debt collection, and non-family temporary restraining orders (TROs). They answer questions concerning court resources, locations, and procedures.

While Navigators cannot provide legal advice, inside the courtroom they can assist with such things as reminding self-represented litigants to stand and approach the court when their case is called.

Thanks to the outstanding dedication of the volunteers, Navigators have served thousands of people and regularly assisted parties since the program began. Navigators received ratings of 'excellent' from those who completed an evaluation form.

Our system of justice works best when serving a well-informed population. The Volunteer Court Navigator program helps bridge the gap for those who are unfamiliar with the courts, and creates greater opportunities for everyone to avail themselves of the rights and liberties provided by law.

*Continued on page 8*

**Hawai'i Ranks among the top states in Nationwide Access to Justice Studies**

Hawai'i was ranked among the top states in the country for best practices that ensure access to the civil and criminal justice systems. In 2014, 2016, and 2021, the Justice Index findings published by the National Center for Access to Justice at the Fordham University School of Law placed Hawai'i among the top six states for providing support to self-represented litigants. In 2014 and 2021, Hawai'i was ranked first for providing support and access for people with disabilities. In 2016 and 2021 Hawai'i was first and seventh (respectively) in the country in providing support for people with limited English proficiency. In 2016, Hawai'i placed among the top three states in the country for progress towards making access to justice a reality for all people, and in 2021, the Hawai'i State Judiciary was ranked sixth overall in the nation.

The Justice Index is a periodic comprehensive study providing an in-depth review of each state's performance in key policy areas that ensure access to justice for all people.

Hawai'i's top 10 ranking reflects a tremendous collaborative effort by many parties, including the Judiciary, the Hawai'i Access to Justice Commission, the Hawaii Justice Foundation, legal service providers, and community partners, including the University of Hawai'i at Mānoa William S. Richardson School of Law, the Office of Language Access, and the Hawaii State Bar Association and its members.

**Online Dispute Resolution**

The Small Claims Online Dispute Resolution Pilot Project was launched in 2021 to improve access to the courts by providing a means for people who are not represented by a lawyer (sometimes

called self-represented litigants or pro se litigants) to resolve small claims disputes online using TurboCourt. The easy-to-follow format is free of complex language and provides interactive guided preparation of court forms, and e-filing capabilities. Users may initiate a small claims case, make a payment or request a filing fee waiver, submit documents to the court, and negotiate to resolve a dispute entirely online using TurboCourt.

Because the system is available 24 hours a day, seven days a week, users can complete their court forms at a time that is most convenient for them, from the comfort of home, or other setting that most conveniently meets their particular needs.

The system has seen high usage at nights and on weekends, and almost half of all initial filings have been submitted outside of courthouse business hours, a true example of access to justice.

(See pages 30 – 31)

**Rural Paternity Advocate Pilot Project**

The Rural Paternity Advocate Pilot Project enables paralegals employed by the Legal Aid Society of Hawai'i in Hilo to serve as advocates for individuals who do not have an attorney in paternity or other types of cases. Participating advocates are supervised by a Hawai'i-licensed attorney and in accordance with the Hawai'i Rules of Professional Conduct.

The Hawai'i Supreme Court authorized the pilot project, which was launched in 2023. If successful, it will provide another resource for increasing access to justice for the people of Hawai'i.

(See pages 25 – 26)



*Members of the Task Force on Civil Justice Improvements. Front left: Judge Summer M. M. Kupau-Odo; Judge Jeannette H. Castagnetti; David M. Louie, Vice Chair; former State of Hawai'i Attorney General Clare E. Connors, Vice-Chair; Chief Judge Craig H. Nakamura (ret.), Chair; Judge Rhonda A. Nishimura (ret.), Reporter; Associate Judge Keith K. Hiraoka; Judge Peter T. Cahill; and Jeffrey H.K. Sia. Back left: Judith A. Pavey; Daniel J. O'Meara; Edmund W.K. Haituka; Geoffrey K.S. Komeya; Susan Ichinose; Lisa W. Munger; Caroline S. Otani; Nancy J. Budd; Nadine Y. Ando; Elijah Yip; and Roy K.S. Chang. Not pictured: Fifth Circuit Chief Judge Randal G.B. Valenciano, Third Circuit Judge Henry T. Nakamoto, Russell A. Suzuki, Steven J.T. Chow, Cynthia K. Wong, former Professor Eric K. Yamamoto, and William B. Heflin. (Photo: July 2019.)*

## Fair and Timely Case Resolution

### Task Force on Civil Justice Improvements

Following national surveys which reflected concerns that resolving disputes through the courts was becoming too costly and time-consuming, Chief Justice Mark E. Recktenwald established the Task Force on Civil Justice Improvements in June 2018. He directed the task force, chaired by Chief Judge Craig Nakamura (ret.) of the Hawai'i Intermediate Court of Appeals, to consider recommendations, including rule amendments that would ensure people's ability to use the courts to resolve their disputes.

The Hawai'i Supreme Court thoroughly reviewed the Task Force's recommendations and public input. After extensive deliberations of its own, on October 8, 2020, the Court entered two orders promulgating amendments to the Hawai'i Rules of Civil Procedure (HRCP) and to the Rules of the Circuit Courts of the State of Hawai'i (RCCH). These amendments were designed to reduce costs and delays in civil litigation and streamline the litigation process in Hawai'i circuit courts.

The Committee on the Implementation of Rules Promulgated for Civil Justice Improvements, chaired by Judge Jeannette Castagnetti of the First Circuit Court, reviewed the newly promulgated amendments to the HRCP and the RCCH, and ensured a smooth transition when the rules went into effect on January 1, 2022.

The revised civil rules, are the result of tremendous collaborative effort. Feedback has been positive, with reports that the revised rules have led to earlier settlement of cases and improvements in trial process.

## Enhancing Community Safety

### DWI Court

The Honolulu Driving While Impaired (DWI) Court Program was launched in January 2013 when, according to the Centers for Disease Control and Prevention, Hawai'i had a high rate of fatal crashes that involved impaired driving, compared to the national average (See: *Centers for Disease Control and Prevention (2014a, December). Sobering facts:*

*Continued on page 10*

## *Achievements in the Administration of Justice (cont.)*



*The Hawai'i State Department of Transportation produced a public service announcement (PSA) in 2024 based on the real-life experience of a Honolulu DWI Court graduate. The PSA imparts a cautionary tale about how anyone can inadvertently have a few too many drinks and fail to realize that their ability to drive is dangerously impaired.*

*Drunk driving in Hawaii. Atlanta, GA: Centers for Disease Control and Prevention and National Highway Traffic Safety Administration (2016). Traffic Safety Facts 2015 Data: Alcohol-Impaired Driving. Washington, DC: National Highway Traffic Safety Administration).*

The program provides offenders with a comprehensive court treatment program that reduces the tendency of individuals to reoffend and improves safety on our roads.

Statistics show that in 10 years, compared to those who were eligible but did not enter the DWI Court Program, graduates have 14% fewer arrests for operating a vehicle under the influence of an intoxicant, and 30% fewer arrests for operating a vehicle after their license and driving privileges have been suspended or revoked for operating a vehicle under the influence of an intoxicant.

(See pages 47 – 48)

### **Veterans Courts**

Hawai'i's first Veterans Treatment Court (VTC) Program formally launched on O'ahu in 2013 to effectively address the unique needs of veterans who served in the U.S. Armed Forces and experienced difficulties acclimating back into society. Today, a veterans court program has been established in each judicial circuit to help veterans recover, reunite with their families, and regain their chance at a successful future.

These programs work closely with the United States Department of Veterans Affairs (VA) to acquire the benefits, resources, treatment, or housing veterans have earned, at no cost to the State. Each VTC also works with multiple treatment facilities outside the VA, including community-based substance abuse, mental health, and veteran-specific service providers.

A significant part of the success of participants comes from the support they receive from veteran

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mentors, who have also served in the military and understand the challenges veterans may face after leaving the armed services.

More than 100 veterans have completed the intensive treatment court program and returned to the community.

(See pages 43 – 46)

### **Maui Mental Health Court**

Recognizing the benefits produced by the First Circuit (O‘ahu) Mental Health Court since 2005, the Second Circuit’s Mental Health Court was established in 2014 to serve Maui, Moloka‘i, and Lāna‘i. The Maui Mental Health Court addresses the particular needs of people with mental illness in the criminal justice system, and the challenges associated with managing this population. Defendants with mental illness released to the community on supervision often have difficulty complying with the terms and conditions of probation. They also have extensive treatment and service needs requiring supervision strategies that traditional courts are not designed to provide.

Over the past four years, the population supervised by this Maui court program has steadily increased.

(See pages 50 – 51)

### **Correctional Justice Task Force and Criminal Pretrial Procedures Task Force**

#### ***Correctional Justice Task Force***

Pursuant to the 2016 Legislature’s House Concurrent Resolution No. 85, H.D. 2, S.D. 1, Chief Justice Mark E. Recktenwald appointed Supreme Court Associate Justice Michael D. Wilson to lead a 13-member Task Force on Effective Incarceration Policies and Improving Hawai‘i’s Correctional System to study effective incarceration policies

and best practices used in other states and countries, and their costs. The task force was further charged with providing recommendations to the Legislature on ways to improve Hawai‘i’s correctional system, as well as recommendations on the design of future correctional facilities.

To see the “HCR 85 Task Force Final Report (December 2018),” visit the Reports page on the Hawai‘i State Judiciary website, under the “News & Reports” tab.

#### ***Criminal Pretrial Procedures Task Force***

In response to the 2017 Legislature’s House Concurrent Resolution No. 134, H.D. 1, the Judiciary convened a 30-member Criminal Pretrial Task Force led by First Circuit (O‘ahu) judges Rom A. Trader and Shirley M. Kawamura to measure the overall effectiveness of Hawai‘i’s pretrial system, and identify and define best practices. From these findings the task force was to recommend revisions to current pretrial practices and procedures to protect public safety, while more effectively managing pretrial release of low-risk individuals.

In 2019, the Judiciary began proactively implementing several of the recommendations from the Criminal Pretrial Task Force, including:

- Obtaining more information about each defendant’s ability to afford bail.
- Creating an electronic reminder system for pretrial defendants released from custody to receive text and email reminders before their next scheduled court date. This was anticipated to decrease the number of defendants who fail to appear in court.

*Continued on page 12*

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## *Achievements in the Administration of Justice (cont.)*

To see the “HCR 134 (2017) Report of the Criminal Pretrial Task Force to the Thirtieth Legislature, December 2018,” visit the Reports page on the Hawai‘i State Judiciary website, under the “News & Reports” tab.

### **Statutory Changes**

In 2019, the Hawai‘i State Legislature passed two measures based on many of the pretrial and prison reform task force recommendations, including:

#### *Act 179 (House Bill 1552) Relating to Public Safety*

Establishes:

- A Correctional System Oversight Commission within the Hawai‘i Department of the Attorney General
- A Criminal Justice Research Institute under the Office of the Chief Justice of the Hawai‘i Supreme Court.

#### *Act 277 (Senate Bill 192) Relating to Bail*

- Authorizes the court to release a defendant in custody on unsecured bail
- Specifies what a court may consider in granting or denying unsecured bail.

These efforts, and others, were important steps toward helping Hawai‘i realize its goal of maximizing public safety, maximizing court appearances, and maximizing pretrial release of those who are accused and presumed innocent.

### **Criminal Justice Research Institute**

The Criminal Justice Research Institute (CJRI) was established by the State Legislature with Act 179, Session Laws of Hawai‘i 2019, for the purpose of assisting the State in understanding the criminal justice system, including Hawai‘i’s criminal pretrial

system, in a more comprehensive way and ensuring the protection of individual rights, increasing efficiencies, and controlling costs.

The CJRI is currently working with the Hawai‘i Department of Corrections and Rehabilitation, the State Department of the Attorney General’s Hawai‘i Criminal Justice Data Center, and the Judiciary to incorporate each entity’s state-wide criminal justice data sources into a centralized criminal pretrial justice data reporting and collection system. The new system will address a number of key barriers which currently limit capacity to conduct research across the State’s criminal pretrial system.

CJRI staff are also assisting the counties and other stakeholder groups on initiatives to make systematic improvements across the State’s criminal justice system.

(See pages 55 – 56)

### **Women’s Court Pilot Program**

Gov. David Ige signed House Bill No. 2421, H.D. 1, S.D. 1 into law as Act 243 Session Laws of Hawai‘i 2022, establishing a three-year Women’s Court pilot program on O‘ahu to address the significant increases in the number of women entering Hawai‘i jails and prisons during the previous 40 years.

Research finds that many of these women have histories of abuse, trauma, poverty, mental illness, substance use disorders, and unhealthy relationships. Women offenders also face unique barriers to success after incarceration. They are more likely to be primary caregivers for young children, have lower educational attainment, lack stable work history, and experience economic or social marginalization, which prevents them from having more positive outcomes.

Mohala Wahine, the First Circuit Women’s Court pilot program, is working to curb these trends and keep justice-involved women out of jail and prison by addressing common underlying issues specific to women who have committed non-violent crimes. The program incorporates gender-responsive programming, along with trauma-informed and evidence-based practices.

Mohala Wahine accepted its first participants in January 2023. Court hearings commenced soon after.

Success in this program will help establish affirmative changes in the lives of both the participants and their children, thereby improving social circumstances for Hawai‘i’s next generation.

(See pages 33 – 35)

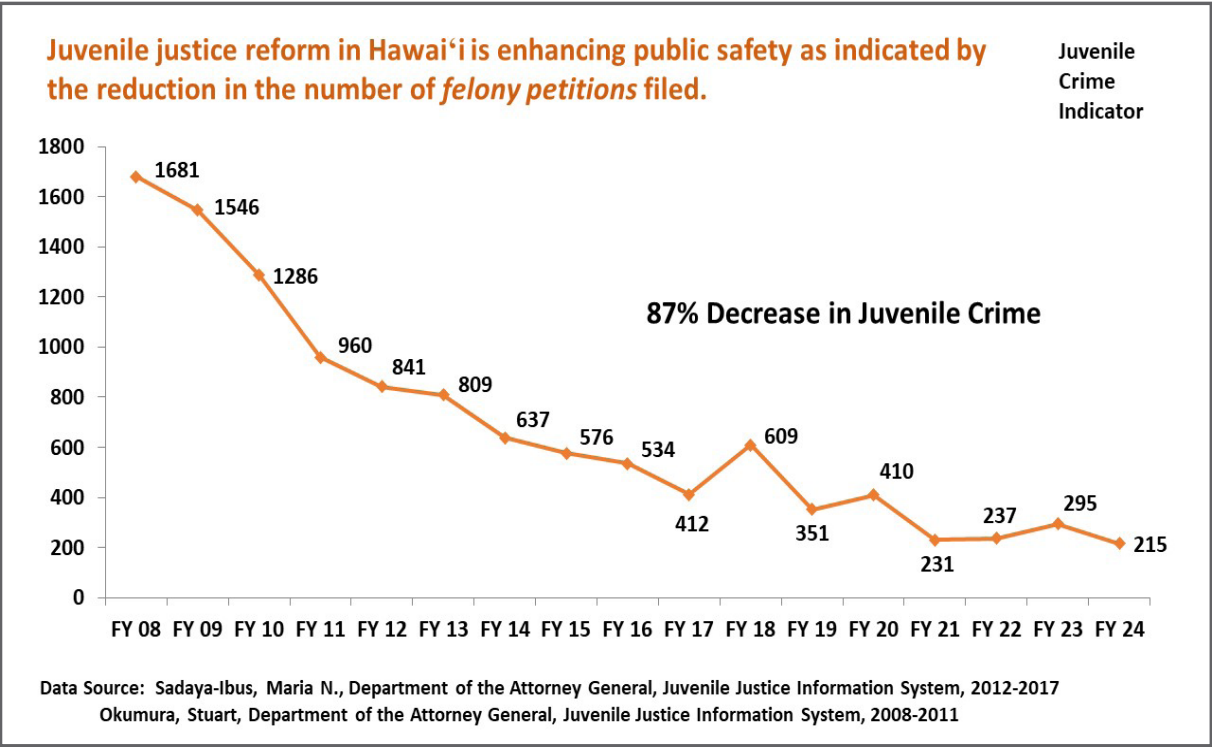
## Addressing the Distinctive Needs of Children and Families

### Juvenile Justice Reform

Under the leadership of Chief Justice Mark E. Recktenwald, the Judiciary embarked on a years-long effort to bring juvenile justice reform to Hawai‘i. The results have been transformative, both within the juvenile justice system and in our communities.

Determined efforts and collaboration with concerned citizens, prosecutors, defense attorneys, law enforcement officers, judges, legislators, the governor, families, communities, agencies, and service providers, culminated in legislation that led to sweeping changes in state policies on youth incarceration and juvenile probation.

*Continued on page 14*



Today, Hawai'i has seen an 87% decrease in juvenile crime (as indicated by the reduction in the number of felony petitions filed between 2008 and 2024), 83% reductions in secure detention admissions at youth correctional facilities, an 86% reduction in commitments to the Hawai'i Youth Correctional Facility (HYCF), juvenile arrests for law violations decreased by 63% from Fiscal Year 2018 to Fiscal Year 2022, and status offenses have decreased 84% since Fiscal Year 2009. With fewer youth in the system, probation officers are able to do more meaningful work with high-risk youth and their families.

### **Truancy Court and the Early Education Intervention Programs**

In an effort to affect early positive change for youth who come in contact with the justice system, the Truancy Court Collaboration Pilot Project (TCCP) was launched in July 2015 by the First Circuit (O'ahu) Family Court under the leadership of then Family Court Chief Judge R. Mark Browning, Judge Catherine H. Remigio and Judge Lanson K. Kupau. The TCCP was a collaboration of volunteers from the Judiciary, Department of Education, the Department of the Attorney General, and the Office of the Public Defender.

Today, each judicial circuit has established an early intervention program that provides holistic support for families by working with parents, students, the State Department of Education, and other community organizations to remove obstacles to school attendance for youth of all ages.

These programs have shown promise for dramatically improving student presence throughout the school years.

(See pages 64 – 69)

## **Judiciary Support for Challenging Community Issues**

### **Community Outreach Court**

The Judiciary partnered with the City and County of Honolulu Department of the Prosecuting Attorney, and the State Public Defender on a pilot project in January 2017, to test the effectiveness of a new Community Outreach Court in Honolulu. The initiative proved effective in adjudicating unresolved criminal matters while also addressing an array of issues faced by residentially-challenged individuals (e.g., houselessness or nearing eviction, in short-term shelters, etc.), who may have also been dealing with mental health, alcohol or substance use disorders, and/or physical health concerns. While the cases often involved minor criminal matters, a criminal record or outstanding bench warrant can prevent a person from getting a job, or obtaining or renewing a driver's license, which in turn can contribute to problems of homelessness.

Today, the Community Outreach Court offers combined accountability and treatment options to reduce low-level crime and recidivism. It uses alternative sentences (e.g., community service) and brings together a broad cross section of social service providers that can immediately connect program participants to the court-ordered assistance they need, including mental health services, substance abuse treatment, sustenance, and shelter.

The goal of the court is to increase the island-wide benefit of the program by providing services to as many qualified individuals as possible.

(See pages 77 – 84)



*The late Judge Darolyn Lendio, front, presides over Community Outreach Court in Waiʻanae and Wahiawā. Back row left, former Deputy Prosecuting Attorney Mark Tom, former Deputy Chief Court Administrator Calvin Ching, former State Rep. Andria Tupola (Kalaehoa, Ko Olina, Maile), former Public Defender Jack Tonaki, and Deputy Public Defender Jerry Villanueva. (Photo: September 21, 2018.)*

## Public Understanding, Trust, and Confidence

### **Hawaiʻi Supreme Court Oral Arguments at the William S. Richardson School of Law**

Since 2011, the Hawaiʻi Supreme Court and the University of Hawaiʻi's (UH) William S. Richardson School of Law have maintained a partnership in which the court periodically convenes for oral argument in real cases on campus. The justices hold a question-and-answer session with students after the court adjourns.

These remarkable educational opportunities take place in the evening hours, making it possible for more students from both the full-time and part-time/evening programs to participate. UH faculty and members of the public are also welcome to attend oral argument.

The events are part of Chief Justice Recktenwald's effort to make court proceedings more easily accessible to the public and increase understanding of the courts.

### **Courts in the Community**

Courts in the Community is a hands-on civics education initiative that gives students the opportunity to study the important legal issues in a real case that has come before the Hawaiʻi Supreme Court. The program is designed to enhance a young person's understanding of the Judiciary's role in government, and how it resolves disputes in our democracy.

The Judiciary has held 21 Courts in the Community events since February 2012, when the Supreme Court convened at Farrington High School.

*Continued on page 16*

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## *Achievements in the Administration of Justice (cont.)*



*The first Hawai'i Supreme Court oral argument under the Courts in the Community program was held on O'ahu at Farrington High School on February 16, 2012, with 200 students from Farrington and Mililani High Schools attending. In this photo, Associate Justices (from left) James Duffy (ret.), Paula Nakayama (ret.), Simeon Acoba (ret.), and Sabrina McKenna listen as Chief Justice Mark Recktenwald (center) poses a question to former State Public Defender John M. "Jack" Tonaki who stands at the podium.*

The program has provided more than 6,500 students, teachers, administrators, and members of the public the chance to observe oral argument in a real case.

The program is made possible thanks to support from the Hawaii State Bar Association, the Hawaii State Bar Foundation, the University of Hawai'i William S. Richardson School of Law's Students for Public Outreach and Civic Education, the King Kamehameha V Judiciary History Center, and attorneys who volunteer their time to facilitate a moot court activity where students have the opportunity to argue the case themselves before attending the court's oral argument.

(See pages 116 – 117)

### **Livestreaming Hawai'i Supreme Court Proceedings**

The widespread use of livestream technology in recent years has helped the Judiciary advance its long-standing goal of increasing transparency in the courts – an integral part of building greater public trust in the judicial process.

Since the Hawai'i Supreme Court livestreamed its first oral argument on May 5, 2020, oral arguments have continued to be streamed online. Never before have the State Supreme Court's public proceedings been more available to people throughout the islands and around the world. Thousands of individuals have observed oral arguments in real-time. Video recordings of Hawai'i Supreme Court oral arguments have accumulated more than 37,000 views on the [Judiciary's YouTube channel](#).

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The court also livestreams swearing-in ceremonies for new judges and justices, state bar admissions ceremonies for incoming attorneys, and a variety of special sessions.

### **PACE Commission**

To address the urgent and growing need to strengthen civic education and encourage community engagement in the democratic process, the Hawai'i Supreme Court adopted Rule 23 of the Rules of the Supreme Court of the State of Hawai'i, establishing the Commission to Promote and Advance Civic Education ("PACE Commission") on January 7, 2021.

As a catalyst for civic education throughout the state, the Commission endeavors to enhance understanding and respect for the institutions of our democracy through a variety of collaborative initiatives, including educational events such as the 2024 Law & Justice Academy on Hawai'i island, public awareness activities, supporting public and private school teachers (K-12) in requesting judges and attorneys to speak at schools, and reducing barriers to civic education by developing resources to overcome language, cultural, and other impediments.

(See pages 112 – 114)

## **Natural Resources and the Environment**

### **Environmental Court**

In 2014, the Hawai'i Legislature passed and the Governor signed into law Act 218, establishing a new Environmental Court. The Legislature's goal was to "better ensure" that the State upholds its constitutional obligation to protect the environment and public trust resources for the benefit of all beneficiaries – through consistent and uniform application of environmental laws. After months

of planning and stakeholder meetings, the Environmental Court became effective July 1, 2015, with broad jurisdiction over civil and criminal cases involving water, forests, streams, beaches, air, and mountains, along with terrestrial and marine life. These are some of the most complex and consequential cases in our court system. By mandating specific training and assigning cases to designated Environmental Court judges, the State Legislature's intent to promote and protect Hawai'i's natural environment is met through a more informed and consistent application of Hawai'i's environmental law.

## **Expanding Use of the Hawaiian Language**

### **Use of Hawaiian Language in the Courts and Judiciary**

#### ***Hawaiian Language Interpreter Policy***

The Judiciary established a Hawaiian Language Interpreter Policy in January 2018, in which state courts will provide or permit qualified Hawaiian language interpreters to the extent reasonably possible when parties in courtroom proceedings choose to express themselves through the Hawaiian language.

Since then, court administrators have continued their efforts to expand the use of Hawaiian Language throughout the Hawai'i State Judiciary.

#### ***Bailiff Calls***

In January 2019, the Hawai'i Supreme Court and the Hawai'i Intermediate Court of Appeals implemented the practice of calling all cases in both Hawaiian and English.

*Continued on page 18*

**Maopopo : to understand**

**Maopopo + i/iā + Subject + Direct Object [kaʻi kikino, papa]**





**You are able to speak Hawaiian?**  
**Hiki iā 'oe ke 'ōlelo Hawaiʻi?**

**You understand the Hawaiian language?**  
**Maopopo iā 'oe ka 'ōlelo Hawaiʻi?**

*A slide from one of the livestreamed Hawaiian language training sessions provided to Judiciary staff and judges in 2020, led by the King Kamehameha V Judiciary History Center's Hawaiian Language Education Specialist, Ahukini Fuertes (top right).*

### **Staff Trainings**

The Judiciary responded to the Legislature's House Resolution (HR) No. 110 (2018), *Urging the Usage of Hawaiian Language When Referring to the Names of Places and Geographical Features in Hawaiʻi*, by conducting Hawaiian language trainings for staff and judges statewide, both in person and online. Judiciary employees learned to read and speak 'ōlelo Hawaiʻi while incorporating judiciary vocabulary, grammar, pronunciation, and Hawaiian culture (e.g., root meaning of words, history, how Hawaiian music is constructed, etc.).

The trainings were provided from September 2018 to June 2022.

Staff on Maui were also provided 'ōlelo Hawaiʻi training programs until COVID-19 pandemic restrictions were implemented in 2020.

### **Hawaiian Language Education Specialist**

The Judiciary created a full-time Hawaiian Language Education Specialist in 2019 to further support the expansion of Hawaiian language activities. The addition of this new position in the King Kamehameha V Judiciary History Center increased the Center's capacity to serve as a resource for Judiciary personnel on the proper use of 'ōlelo Hawaiʻi pronunciation, use of 'okina and kahakō and diacritical marks in the spelling of Hawaiian place names and words, etc. In addition, Hawaiian language resources, including instructional materials, videos, access to Hawaiian diacritics on computer keyboards, and other useful information were made available to all staff.

### ***Papa Hana 'Ōlelo Hawaiʻi Ho'okolokolo – The Judiciary Hawaiian Language Program***

The Hawaiʻi State Legislature created a new position within the Judiciary in 2022 to implement an

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‘ōlelo Hawai‘i program. Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo launched in December 2022.

The Judiciary is committed to enlisting specialists, agencies, and sources of knowledge to implement the recommendations enumerated in the Report of the Hawaiian Language Web Feasibility Task Force in accordance with 2015 House Concurrent Resolution No. 217 (HCR 217). As an important step in that work, Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo is tasked with increasing resources and services available in ‘ōlelo Hawai‘i through the Judiciary, including court interpretation, website translation, archival legal language research, lexicon development, document and form translation, and educational services.

(See pages 95 – 97)

#### ***Hawaiian Language Court Interpreter Course and Exam***

Work on the state’s first Hawaiian language court interpreter course and exam began in 2019. The course launched in October 2023, thanks to the collaborative efforts of the Judiciary’s Office of Equality and Access to the Courts and Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo, with the State Office of Language Access. The first hō‘ike mahele ha‘i waha (Hawaiian oral court interpreter exam) was held in May 2024.

Based on the success of the first course, a second course was taught in 2024, and a third is planned for 2025.

The training course and exam will help to increase the number of qualified ‘ōlelo Hawai‘i court interpreters and enhance the Judiciary’s ability to service court users who wish to use ‘ōlelo Hawai‘i.

(See pages 94 and 96)

#### ***Hawaiian Language on the Judiciary Website***

In July, the Judiciary created a new page on its website with information on how to request an ‘ōlelo Hawai‘i court interpreter, how to use the services of a court interpreter, and how to become a court interpreter. Information throughout the page is presented in ‘ōlelo Hawai‘i.

(See pages 96 – 97)

#### ***Bilingual Signage in Judiciary Buildings***

The new Wahiawā District Courthouse will be the first judicial branch facility with bilingual signage providing information in ‘ōlelo Hawai‘i and English. The Judiciary plans to install signs featuring ‘ōlelo Hawai‘i in more buildings.

(See page 127)

### **Language Assistance Services**

#### **Chuukese, Marshallese, and Ilokano Interpreter Skills Practice Kits – First of Their Kind in the U.S.**

Hawai‘i has one of the highest relative proportions of non-English speakers in the nation. The state courts encounter high demand for interpreter services in Chuukese, Marshallese, and Ilokano, and rely on quality interpreting services to ensure each party understands their legal rights and responsibilities, and has equal access to court services.

Recognizing the scarcity of in-language professional development resources, the Judiciary authorized its Office on Equality and Access to the Courts (OEAC) to develop instructional materials

*Continued on page 20*

## Achievements in the Administration of Justice (cont.)

in these languages, based on The Interpreter's Edge, Generic Edition, published by Acebo, widely regarded as the leading resource for training court interpreters. Support for the project came from a Justice for Families Grant from the United States (U.S.) Department of Justice, Office of Violence Against Women, distributed through the Hawai'i State Coalition Against Domestic Violence.

In 2023, the OEAC completed a court interpreter training curriculum in Chuukese, Marshallese, and Ilokano to help interpreters develop critical skills and improve the competency and quality of interpreters in court and other settings. These kits – the first of their kind in the U.S. for these languages – are being made available to interpreters through the law libraries in each of Hawai'i's judicial circuits.

## Sound Infrastructure – Technology

### Online Access to Court Cases and efilng

From 2011 to 2022, the Hawai'i State Judiciary engaged in a series of projects to increase transparency in the courts and make more court records accessible online than ever before.

The Judiciary Electronic Filing Service System (JEFS) went live on August 13, 2012, giving prosecutors and defense attorneys the means to initiate district court criminal and traffic crime cases electronically for the first time. By April 2022, all criminal, civil, and family court cases had been migrated to JEFS, and the public had online access to court records through eCourt Kōkua on the Judiciary website.

The screenshot displays the 'eCourt Kōkua' portal, which is part of the 'Judiciary Internet' system. The header includes the system name and a navigation bar with tabs: Home, Party Search, Vehicle Search, Case Search (selected), Upcoming Court Hearings Search, and View / Purchase Documents. Below the navigation bar, the 'Case Search' section is active, showing a 'Filing Date Search' option. The main search area is titled 'Case Search' and contains a 'Search Criteria' section with the instruction: 'Please enter as much information as possible (\*denotes required field)'. The search criteria are organized into three columns of input fields: Case ID or Citation Number, Application Number, and Beginning Case Filing Date; Arrest Number, TCT Number, and Ending Case Filing Date; and OTN and SID. There are 'Search' and 'Reset' buttons at the bottom of the search criteria section. A 'Privacy - Terms' link is visible in the bottom right corner.

The "Case Search" tab in the Judiciary Information Management System's eCourt Kōkua portal.

Where attorneys and litigants were once required to make multiple trips to the courthouse, fill out paper forms, and produce manual copies in a time-consuming process, today, Hawai'i enjoys the benefits of an integrated statewide case management system. Court users are now able electronically file their documents with the courts seven days a week. Moreover, the system upgrades provide government agencies, law enforcement, attorneys, and the public with expanded access to court services, and the courts operate with greater efficiency as Judiciary employees are able to share data and documents more quickly through electronic transfer.

### **Second in the Nation to Launch Mobile App**

When the Judiciary launched a free mobile app for both iOS and Android devices in January 2017, it became the second statewide judiciary in America to offer mobile service to the public. The Hawai'i Courts Mobile App helps provide easy access to information about Hawai'i's state courts and Judiciary services, such as requesting court records, mediation, and free legal assistance.

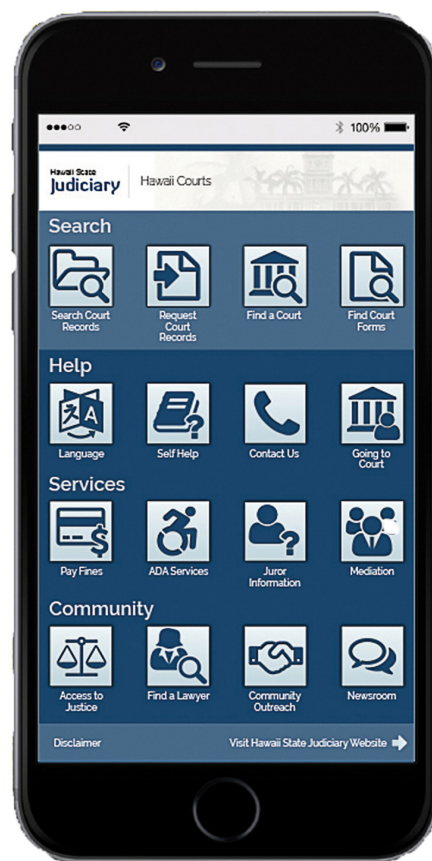
Website analytics showed that 37 percent of website users were viewing the Hawai'i State Judiciary's website from their mobile device or tablet. Today, there continue to be people in our community who do not own a computer, and their mobile device is the primary means by which they access the Internet. Individuals contending with homelessness and people of limited English proficiency are two such groups. The mobile app is a better way to reach these users and provide information in a format that makes it easier for them to navigate the legal system.

### **eReminder Service**

To help interested parties stay abreast of upcoming hearings, the Judiciary developed a free notification service that sends reminders about court hearings via text messages or other electronic communication channels. The first text reminders for scheduled hearings were sent in January 2019, with the explicit understanding that eReminders are not a legal notice from the courts.

The eReminder service is available for 25 types of court proceedings for a variety of district, circuit, and family cases, including circuit court criminal, criminal citation, criminal written complaints, and family court criminal.

*Continued on page 22*



*The Hawai'i Courts Mobile App launched January 2017*

When parties appear for court, hearings are more productive, court dates do not have to be rescheduled, the courts run more efficiently, and case backlogs can be avoided, all of which saves taxpayer dollars.

### **Remote/Hybrid Court Hearings**

Hawai'i's district, circuit, and family courts began holding remote hearings (i.e., parties or the judge appear by video) and hybrid hearings (i.e., at least one party or attorney or the judge participates by video) in August 2020 as a way to maintain court business while protecting public health and safety during the COVID-19 pandemic.

Plans for allowing telephone or video appearances in certain proceedings had been in development for the better part of a decade, but the pandemic accelerated adoption of these practices. This transformation in how court business is conducted has further strengthened the Judiciary's continuity of operations plans, enhancing the ability of courts to maintain vital services during a variety of emergency situations.

These innovations have greatly benefitted the public by making court appearances more convenient and reducing the costs people would otherwise incur for things like transportation and time away from work.

More than 870,000 remote hearings have been held as of November 2024.

(See pages 103 – 104)

## **Promoting Diversity, Equity & Inclusion**

At the beginning of 2022, the Judiciary established a Diversity, Equity, and Inclusion (DEI) Working Group with the support of Chief Justice Mark E. Recktenwald. The group consists of Judiciary employees from across the state leading the thoughtful cultivation of a workplace culture that embraces the principles of diversity, equity, and inclusion. The Working Group focuses on raising awareness of the importance of DEI in the workplace and celebrates the many unique life experiences of the Judiciary's diverse team members.

(See page 120)

## **Improving Facilities**

### **New Keahuolū Courthouse**

For decades, court proceedings in Kona were held in three separate locations, utilizing buildings not designed for Judiciary operations. It was widely recognized that this situation could not meet the growing and critical legal needs of the West Hawai'i community.

Full funding for the construction of a centralized Kona Judiciary Complex was passed by the Legislature and approved by Gov. David Ige in 2015 after receiving strong backing from House and Senate leadership, Hawai'i island elected officials, many members of the bar associations, and the community.

Construction of the new Keahuolū Courthouse was completed on time and on budget, and opened on September 3, 2019. The three-story, 140,000-square-foot facility significantly improved community access to the civil, criminal, and family court justice system, and provided a new law library and self-help center to improve



*The Keahuolū Courthouse, Kona, Hawai'i island, September 2019. Photo courtesy of AHL and Andrea Brizzi Photography.*

access to justice for those who do not have an attorney to assist them with civil legal matters.

### **Hoapili Hale Security Upgrades**

The Second Circuit made substantial improvements to all security systems and building features at the Hoapili Hale courthouse in Wailuku from 2021 – 2022. Some of the most visible upgrades include the installation of perimeter fencing, roll-down gates in the parking structure, and more surveillance cameras throughout the facility. The lobby was enclosed and reconfigured to a one-point-of-entry security screening station to facilitate ingress and egress during business hours, control illicit access, and prevent unauthorized, unmonitored access to the lobby area when the courthouse is closed. A new sheriff's station in the lobby has also increased the visual presence of law enforcement personnel at the courthouse.

### **New Wahiawā District Courthouse Coming Soon**

Construction of a modern district courthouse with enhanced facilities is part of the new Wahiawā Civic Center, which is expected to be operational in 2026. The center will also house a number of state and city offices.

The Wahiawā District Court is currently occupying rental space, where it has been since relocating in 1985 from its original site on California Avenue. The new courthouse will serve the Wahiawā and the North Shore communities with enhanced facilities, including two courtrooms, and a number of Judiciary services that are not available in Wahiawā at this time. There will also be a Ho'okele Service Center desk to assist people with filing and court questions.

(See page 127)

### **Plans for a New Courthouse in South Kohala**

Plans for a new courthouse in South Kohala are nearly complete. The project was initiated in 2023 to address the growing needs of the Hawai'i island community. The Judiciary will be requesting funds from the State Legislature in 2025 to start the design phase.

This project demonstrates the Judiciary's ongoing commitment to providing facilities that better serve their communities.

(See page 128)

*Continued on page 24*

## Physical / Technological Security and Disaster Preparedness

### **Using technology, where appropriate, to enhance security for court users and staff.**

The Judiciary has engaged in comprehensive upgrades to all security systems at state court-houses in every circuit. Multiple layers of overlapping security enhancements for the interior, exterior, and outer perimeters of the buildings (e.g., cameras in parking facilities and in cell blocks, offsite monitoring of security systems, etc.) now provide our communities with modernized, safe places where people can attend to their legal affairs. Moreover, the Judiciary has expanded its capacity to implement new and improved physical and technological security enhancements on a regular basis.

### **Staff training and drills on emergency and security procedures.**

Staff trainings on emergency and security procedures have been conducted throughout the Judiciary and will continue as a part of regular operations at all Judiciary facilities. Videos of trainings and supplemental emergency and security information are available to Judiciary personnel via internal websites for on-demand support.

### **Ongoing collaboration with the State of Hawai'i Department of Law Enforcement (formerly the Department of Public Safety) to address each circuit's specific security needs.**

The Judiciary established memorandums of agreement (MOA) with the State Department of Public Safety (DPS) to ensure that the varied security needs of each courthouse are attended to on a regular basis. As of 2024, a new MOA with the State Department of Law Enforcement (established July 1, 2022, with all personnel, functions, and assets transferred from the former DPS on January 1, 2024) is pending approval.

### **The Judiciary's Continuity of Operations Plan (COOP) is continuously assessed, updated and communicated to all employees.**

The Judiciary's Security Office (JSO) maintains ongoing collaboration with each circuit, department, and office to develop and improve their individual Continuity of Operations Plans COOPs. The JSO coordinates with all justice system components to properly adapt the COOPs for each facility to evolving circumstances, threats, new technologies and best practices. This has enhanced our ability to provide for the essential legal needs of Hawai'i's people in a wide variety of emergency situations.

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# Equal Access to Justice for Everyone

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*For those without legal representation, navigating the courts may be daunting. The Hawai'i State Judiciary is committed to increasing access to justice for everyone. We accomplish that in many different ways, both in our courtrooms and in our communities.*

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## Rural Paternity Advocate Pilot Project

The Hawai'i State Judiciary continues to seek and implement innovative ways to address the unmet civil (non-criminal) legal needs of low- and moderate-income people throughout the state. Thinking beyond current practices and experimenting with unconventional approaches is often required to further improve accessibility of the justice system for everyone, including those who cannot afford legal assistance.

A recent example of the ongoing efforts to increase access to justice is the new Rural Paternity Advocate Pilot Project. This innovative project is the first of its kind in the Hawai'i and one of the first such programs in the nation. Since inception it has been managed by Third Circuit Family Court Judge Darien W.L. Ching Nagata who has worked with the Legal Aid Society of Hawai'i (LASH) to develop the program's process and procedures.

### Background

Court records show that in the past four years, 42% to 25% of all the state's paternity cases were heard in the Third Circuit (Hawai'i island). In the overwhelming majority of these cases, the parties represented themselves in court because they could not afford an attorney.

Compounding the issue, non-profit civil legal service providers such as LASH, faced with limited resources, are unable to assist. In addition, the

State Child Support Enforcement Agency works to establish paternity and child support, but does not get involved in the custody and visitation issues that are often raised in these cases. With nowhere to turn for help, many come to court unprepared to deal with important family legal issues such as child custody and child support.

In 2022, LASH proposed a program that would allow specially trained paralegals to provide representation in a very limited context of paternity cases to individuals who do not have a lawyer. The need for such a program arose from the observation that there are simply not enough lawyers providing services for people who need help with family court paternity cases.

LASH collaborated with then Third Circuit Chief Judge Robert D.S. Kim, Judge Nagata, and Judiciary staff to develop a pilot project for Hilo where the number of attorneys is lower and access to justice services more limited. In October 2022, they submitted a formal proposal to the Hawai'i Supreme Court.

On May 15, 2023, the Supreme Court issued its order establishing the Third Circuit Rural Paternity Advocate Pilot Project,<sup>1</sup> enabling paralegals employed by LASH in Hilo to serve as advocates for self-represented individuals in paternity or

*Continued on page 26*

<sup>1</sup> SCMF-23-0000343 - In Re Rural Paternity Advocate Pilot Project.

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## *Rural Paternity Advocate Pilot Project (cont.)*

other practice areas as authorized by the Court, in which low-income parties are significantly under-represented. The court's order stipulated that participating advocates are to be supervised by a Hawai'i-licensed attorney and in accordance with the Hawai'i Rules of Professional Conduct ("HRPC").

### **Project Update**

Since the project's start in May 2023, two individuals have completed the intensive training required to serve as advocates. Their curriculum included 14 classroom hours (covering paternity law, paternity law civil procedure, paternity law case strategy, mediation, paternity law court advocacy, client interviewing, and ethics), five courtroom observation hours, and 20 to 50 hours shadowing an attorney working paternity cases.

The training prepared them to engage in a limited scope of practice, including interacting with self-represented parties and opposing parties or their legal representatives, participating in mediation and/or negotiating a resolution, and providing full representation for their clients in court.

The advocates are prohibited from independently engaging in the practice of law outside the scope of the Rural Paternity Advocate Pilot Project.

The project is open to both females and males with legal paternity issues. They must be eligible for

services by the LASH and must not be represented by an attorney.

As of November 2024, the program assisted 10 individuals. Most of the cases have had quick outcomes and dispositions, which enabled the court to admit more individuals to the program.

### **Project Evaluation**

The pilot period for this model project was established for at least 18 months to provide adequate time for training, court observation and shadowing, and ample time for advocacy such that an evaluation of the program can occur.

The court's order directs LASH to submit a report on the pilot project to the Supreme Court on or before February 7, 2025. The report will set forth: 1) the pilot project's performance (e.g., the number of matters included in the project); 2) a recommendation regarding the long-term or permanent implementation of the pilot project; and 3) any other information to determine whether the pilot project has achieved the benefits envisioned by the proposal. The report may also include a request to extend the program.

If made permanent, the Rural Paternity Advocate Project will be another resource for increasing access to justice in state courts for the people of Hawai'i

*"Family Court can be a high-intensity, highly emotional, and complex experience. Navigating the legal system is not always simple. Having non-lawyer initiatives for those who cannot afford an attorney benefits the litigants, the courts, and the community."*

*– The Honorable Darien W.L. Ching Nagata  
Third Circuit (Hawai'i island) Family Court Judge*

# Courthouse Self-Help Center Legal Consultations

In 2024, attorneys volunteering at Hawai‘i’s six courthouse self-help centers continued providing free legal information and assistance by phone or videoconference, and in-person appointments at the Kapolei Access to Justice Room, the Supreme Court Law Library, and the courthouses in Hilo and Kona.

The use of remote options enable members of the public to engage with the volunteer attorneys from anywhere. This benefits not only those in the military who may be out of state, or those who have business elsewhere, all participants are relieved of the burdens inherent in any in-person appointment, such as having to take time away from work during business hours, travel to the courthouse, gas and parking costs, bringing materials to the appointment (which they might not know they need), dependent care issues, etc.

The remote model also appears to be beneficial for the volunteer attorneys, who have the option of providing consultations remotely while maintaining their work schedule.

Language translation services, including American Sign Language interpreters, continue to be provided upon request.

## Free Consultations at Courthouse Self-Help Centers October 2011 – November 2024

Honolulu District Court	9,966
Kapolei Family Court	3,069
Maui Courthouse	7,705
Hilo Courthouse	8,889
Kona Courthouse	4,343
Kaua‘i Courthouse	4,758
TOTAL CONSULTATIONS	38,730

*Attorneys interested in volunteering at the courthouse self-help centers, or other pro bono opportunities, are invited to visit the Hawai‘i Access to Justice Commission website, and click the menu item “How to Help”:*

[www.hawaiijustice.org/hawaii-access-to-justice-commission/how-to-help](http://www.hawaiijustice.org/hawaii-access-to-justice-commission/how-to-help)

## Celebrating the Pro Bono Contributions of Hawai'i's Volunteer Attorneys



*The 2024 Pro Bono Celebration honorees (and legal service providers they supported). From left: Former dean of the William S. Richardson School of Law Aviam Soifer (Hawaii Justice Foundation), Lisa Swartzfager (Hawaii State Bar Association), George Apter (The Mediation Center of the Pacific), Michael Goodman (Legal Aid Society of Hawai'i), Chief Justice Mark Recktenwald, and Daniel Vermillion (Volunteer Legal Services of Hawai'i).*

Attorneys who performed free legal work in support of community non-profit legal service providers, indigent parties, and individuals who do not have a lawyer, were honored at the Hawai'i Access to Justice Commission's 2024 Pro Bono Celebration on October 30.

Commission Chair Judge Joseph Cardoza (ret.), Hawai'i Supreme Court Chief Justice Mark Recktenwald, Associate Justices Sabrina McKenna and Vladimir Devens, and Hawaii State Bar Association President Jesse Souki, gathered with honorees and special guests in the Supreme Court courtroom for the annual ceremony.

Among the evening's highlights were awards presented to attorneys and law firms who donated time and expertise to Hawai'i's civil legal service providers. The 2024 awardees (and the organizations they assisted) are:

Corianne Lau (American Civil Liberties Union of Hawai'i); former dean of the William S. Richardson School of Law Aviam Soifer (Hawaii Justice Foundation); Michael Goodman (Legal Aid Society of Hawai'i); Lisa Swartzfager (Hawaii State Bar Association); Nancy Youngren (Hawai'i Friends of Restorative Justice); George Apter (The Mediation Center of the Pacific); and Daniel Vermillion (Volunteer Legal Services of Hawai'i).

Volunteer attorneys who staffed the Access to Justice Rooms at the Honolulu District Court and the Ronald T.Y. Moon Judiciary Complex in Kapolei were recognized for their extensive community service. Since the centers opened in 2012, attorneys have provided more than 13,000 consultations, at no charge, to people seeking legal assistance.

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## Judiciary Participates in Bench Warrant Recall and Expungement Event



*Front row, left: Daylin-Rose Heather, Judge Melanie May, Estrella Gazman, Robert Soto, Nicholas Pregill. Second row, left: Kendrik Wong, Rochelle Leonard, Benjamin Leider, Lydia Grasso, John Hausler, Matthew Stubenberg, Carrie Ann Shirota, Taryn Tomasa, Eddie Aquino, Sat Freedman, Voltaire Gansit, Phil Higdon, Judge Michelle Comeau, Sheryl Lynch, Evelyne Luk, and Sergio Alcubilla.*

Hawai'i State Judiciary judges and staff spent a Saturday afternoon at the Wai'anae Public Library helping qualified individuals seeking assistance with bench warrant and penal summons recalls in traffic and petty misdemeanor cases. They processed a total of 46 ex-parte motions prepared by the Office of the Public Defender, assigning new hearing dates for individuals seeking assistance at the clinic.

According to the Hawai'i Workers Center, 72 people were helped by volunteer attorneys to initiate expungement of criminal arrest records as well. In total, over 100 people visited this first-of-its-kind clinic held on Sept. 28.

"People were lined up when the doors opened," said First Circuit Deputy Chief Judge Melanie May, one of the primary organizers of the event for the Judiciary, along with Deputy Chief Court Administrator Michelle Acosta. "We expected those living on the west side of O'ahu, but people came from all over the island. Those who took advantage of the services offered were tremendously appreciative."

"My deepest gratitude to Judge May for continuing to seek ways to enable access to justice for our community and for recognizing the challenges facing individuals with outstanding District Court bench warrants," said Chief Justice Mark E. Recktenwald. "I also want to thank Judge Michelle Comeau, Judge Tracy Fukui, Deputy Administrative Director of the Courts Daylin-Rose Heather, Evelyne Luk, Robert Soto, Estrella Gazman, John Hausler, and Rochelle Leonard for volunteering to help with processing the recalls and coordinating new hearing dates with the individuals.

"This community service event would not have been possible without the Office of the Public Defender, the Hawaii Criminal Justice Data Center, William S. Richardson School of Law, Hawai'i Workers Center, ACLU Hawai'i, Project e4, Volunteer Legal Services Hawai'i, and our host, the Wai'anae Public Library. Mahalo to all of them," he added.

## Online Dispute Resolution

The screenshot displays the TurboCourt website. At the top left is the logo "TURBOCOURT" with the tagline "Relax. We're in Your Court." Below the logo is a "Need help?" section with links to "Submit Help Request" and "Contact our Customer Support team." To the right of the logo is a "Translation Disclaimer" section with a "Select Language" dropdown menu and a "Powered by Google Translate" note. In the top right corner are "Home" and "Log in" buttons. The main heading is "Prepare Your Court Case Online Fast, Easy & Secure". Below this is a three-step process: 1. "Answer our easy-to-follow questions. We'll guide you every step of the way." 2. "We will fill out the exact forms and papers you need." 3. "We will help you file and get ready for your next steps." A summary line states: "It's as easy as that - a do-it-yourself service that's fast and stress-free!" Below the steps is a section titled "Available in Hawaii". Under this, there are three main categories: "Small Claims" (with a sub-note: "You may do the following using this online program to:"), "Start a New Case To" (with sub-points: "Recover money owed to you (up to \$5,000)" and "Recover your residential security deposit (no monetary limit)"), and "Respond to a Claim or File Something in a Case Already Started" (with a sub-point: "Begin dispute resolution"). On the left side of the page, there is a "Testimonials" section featuring a quote from Blue Skies, Anne Hopkins, and a "Resources" section at the bottom left.

Hawai'i's Small Claims Online Dispute Resolution (ODR) Pilot Project entered its third year in 2024. From the program's launch on July 1, 2021, to June 2024, a total of 3,313 small claims cases were electronically filed, with 2,745 cases accepted (83%) by the courts. Reasons for the rejection of filings have consistently included filing in the wrong jurisdiction and filings against businesses.

The ODR system improves access to the courts by providing those who are not represented by a lawyer (sometimes called self-represented litigants – SLRs – or pro se litigants) a more convenient way to initiate a small claims case, make a payment or request a filing fee waiver, submit documents to the court, and negotiate to resolve a dispute entirely online using [TurboCourt](#).

TurboCourt is an online platform featuring an easy-to-follow format, free of complex language, for filing and managing case documents. It provides interactive guided preparation of court

forms, and e-filing capabilities. TurboCourt also supports parties in mandatory mediation of small claims cases.

Because the system is available online, it allows parties to file cases at their convenience, without having to take time off work, find care for a family member, and incur the costs of gas and parking, or the time and expense of public transportation to a courthouse, thereby reducing community and environmental impacts. This is especially helpful for those whose cases have multiple filings, all of which may be completed and filed through the TurboCourt portal on a day and time of greatest convenience to the court user.

The number of cases that have been self-negotiated and resolved within the TurboCourt portal remains low at 37 total, with 26 cases in the First Circuit (O'ahu); five in the Second Circuit (Maui, Moloka'i and Lāna'i); five in the Third Circuit (Hawai'i island); and one in the Fifth Circuit (Kaua'i

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and Ni'ihau). The system does, however, provide litigants the means to initiate and resolve their cases entirely within the portal, at any time of the day, at their convenience.

The Judiciary notes that some users prefer to have their day in court, and want personal interaction in their cases. As such, there are many who complete the initial filings on TurboCourt, but do not reach an agreement within the portal to resolve their case. These parties will return to court for free court-ordered mediation. In particularly contentious or complex cases, the parties may benefit from the services of a professional mediator.

#### ***Future of ODR***

The Judiciary's Standing Committee on Innovations, Technology and Self-Represented Litigants submitted its Final Report requesting an extension of the ODR Pilot Project for a fourth year. The Supreme Court entered an order on May 9, 2024 extending the pilot program through June 30, 2025.<sup>1</sup>

The Committee is researching other programs that can focus on the guided forms and filing as this portion of the ODR program has been the most useful to self-represented litigants.

The Committee will submit a report to the Supreme Court by Friday, May 9, 2025, with recommendations on whether to permanently adopt the ODR Pilot Project or request for further extension.

<sup>1</sup> SCMF-21-0000381 - *In the Matter of the Small Claims Online Dispute Resolution Pilot Project*, Order 09-May-2024.

## Kaua'i Self-Help Center Attorney Training



Participants concluded the Kaua'i Self Help Center Attorney Training with a group photo, at the Pu'uhonua Kaulike Judiciary Complex. First row: John Calma, Emiko Meyers, U.S. District Judge Micah Smith, Judge Trudy Senda (ret.), Laura Barzilai, and Kimberly Torigoe. Second row: Judge Greg Meyers, Casey Hutnick, and Judge Michael Soong. Third row: Matthew Mannisto, Allison Mizuo Lee, Lawrence McCreery, Fifth Circuit Chief Judge Randal Valenciano, and Judge Stephanie Char. Fourth row: Gennady Bronshteyn, Keola Siu, Sherman Shiraishi, Sarah Santos, Jay Mason, and Daryl Dobashi. Top row: Nancy Ruiz, Matthew Arakawa, and Tyler Saito.

More than 20 attorneys attended the Kaua'i Self-Help Center Attorney Training consisting of continuing legal education that prepared them to help in the statewide effort to increase access to justice for Hawai'i residents who need assistance with civil legal matters.

The April 5 event, which was sponsored by the Hawaii State Bar Association, the State Judiciary, the Kauai Bar Association, and the Legal Aid Society of Hawai'i, convened at the Pu'uhonua Kaulike Kaua'i Judiciary Complex and included sessions on "Self-Help Center Basics & Legal Information v. Legal Advice in Practice" by attorney Jay Mason, "Consumer/Collections; Small Claims" by attorney Sherman Shiraishi, "Family Law and Family Court TROs" by attorney Emiko Meyers, and "Landlord/Tenant and District Court TROs" by attorney Michael Scarbo.

Special guests included Judge Trudy K. Senda (ret.) and U.S. District Judge Micah W.J. Smith. Judge Senda was instrumental in opening the Kaua'i Self Help Center – Hawai'i's first courthouse self-help center, and Judge Smith, a Kaua'i High School graduate, was confirmed in November 2023 by the U.S. Senate as Hawai'i's newest federal judge.

Thereafter, Fifth Circuit Chief Judge Randal G.B. Valenciano and Judge Senda thanked the Self-Help Center's 2023 volunteer attorneys for their service, and presented each with a certificate of appreciation from Supreme Court Chief Justice Mark E. Recktenwald.

Since the Kaua'i Self-Help Center opened in 2011, volunteer attorneys have provided more than 4,700 free legal consultations on a variety of civil legal matters in district and family courts. Following the success on Kaua'i, self-help centers were opened in courthouses across the state.

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# Keeping Communities Safe

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*Many individuals in our criminal justice system are addicted to drugs or suffer from some form of mental illness. Hawai'i's courts have many programs to help people get the support and treatment they need to move their lives in a positive direction.*

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## Mohala Wahine – Women's Court Pilot Program



*Members of the first Mohala Wahine – Women's Court team. Lower left: Deputy Prosecuting Attorney Tana Kekina-Cabaniero, Social Worker/Probation Officer Patricia Franco, Social Worker/Probation Officer Supervisor Kristal Brown, Social Worker/Probation Officer, Rania Agua-Torres, Social Worker/Probation Officer Marie Raguindin, Deputy Public Defender Jamie Nakano. Upper left: Mohala Wahine Judicial Clerk Paul McGhiey, Mohala Wahine Judge Trish K. Morikawa, Social Worker/Probation Officer Makanani Pili, Supervision 2 Section Administrator Saifoloi Aganon.*

The First Circuit (O'ahu) Women's Court pilot program is working to keep justice-involved women out of jail and prison by addressing common underlying issues specific to women who have committed non-violent crimes. Success in these endeavors will help establish affirmative changes in the lives of both the women involved in the program and their children, thereby improving social circumstances for Hawai'i's next generation.

Rather than sending these women to jail, the program is an alternative to incarceration based

on the probation model of other specialty courts (e.g., Girls Court and Veterans Court). Recognizing a connection between each defendants' criminal record and past traumatic experiences, Women's Court uses a "humane justice" and "compassionate court" approach, with the core objective of providing trauma-informed care, gender-responsive services in mental health, substance use disorder treatment, education, as well as training in domestic violence prevention, and life-skills.

*Continued on page 34*

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## *Mohala Wahine – Women’s Court Pilot Program (cont.)*

By addressing each participant holistically and making these needs a priority, the program works to divert them away from returning to the justice system, and towards becoming productive, thriving members of the community.

Circuit Court Judge Trish K. Morikawa has served as presiding judge of the First Circuit’s Women’s Court Pilot Program since October 3, 2022.

Following consultations with cultural experts from the community in the early phases of the program’s implementation, Women’s Court has come to be known as Mohala Wahine, which means blossoming woman.

Mohala Wahine began accepting participants in January of 2023. The program works with individuals who are identified as “high risk” of recidivism and “high need,” meaning that they are in need of multiple services such as substance abuse treatment, therapy, housing, etc.

As of August of 2024, 23 women were petitioned into the program and three were awaiting their petition dates. Sixteen of the participants are of Native Hawaiian ancestry (70%). At the end of September, 11 participants were in Phase 1 (48%) and 12 participants were in Phase 2 (52%). The first participants to reach Phase 3 were anticipated in December.

Program participants are required to attend regular court hearings before the Mohala Wahine judge, frequent meetings with their probation officers, weekly group classes, and remain engaged in their individualized treatment plans. Treatment plans are tailored to each participant and could include residential or outpatient drug treatment, alcoholics anonymous/narcotics anonymous (AA/NA) meetings, individual and/or group therapy, case management services,

psychiatric treatment including medication, curfew, check ins, drug/alcohol testing, sober support, and pro-social activities.

Participants have also engaged in Mohala Wahine’s cultural component with Native Hawaiian dance (hula) and chant (oli), and a Native Hawaiian wellbeing framework (Kukulu Kumuhana). The cultural component helps the women share their challenges in a safe environment while learning tools for everyday decision making. Through hula and oli, they learn movement and centering, which helps them address their physical, mental, and spiritual wellbeing.

Upon completion of the Mohala Wahine program, the women will participate in a hō’ike (show, exhibit) ceremony, similar to the graduation ceremonies of the other specialty courts. At the hō’ike, the participants will share what they have learned during their time in Women’s Court, including chanting and dancing.

The women must have participated fully in the Mohala Wahine program and completed all court requirements, including substance treatment and parenting classes. They must have also made payments of fines and fees, maintained stable housing, held consistent employment or educational training, engaged satisfactorily in all therapeutic treatment, completed all units in the Mohala Ka Pua group curriculum, and remained clean and sober.

Mohala Wahine’s first hō’ike ceremony is anticipated in the first half of 2025.

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## **Program Evaluation Results**

The Institute on Violence, Abuse and Trauma (“IVAT”) was contracted as part of this pilot program to monitor and evaluate the Mohala Wahine program. IVAT attended court hearings, interviewed participants, and accrued and compiled data of the participants.

IVAT’s first year report makes several recommendations, including:

- Data collection and input practices that will improve program analysis and measurement of each participant’s progress
- The addition of a full-time psychotherapist
- Referrals to local sobriety supportive outpatient and trauma-informed counseling programs
- Continuation of indigenous and Pacific Island activities
- Development of a viable screening battery that will give court staff the ability to analyze data trends from the first year to the second year of evaluation, and to better assess any contributors toward completing interventions, reducing recidivism, reducing substance misuse, as well as increased understanding of mental health symptomology and traumatic stress responses.

# Drug Court: A Proven Alternative to Incarceration

Drug Court is a program designed to address crimes related to substance abuse and provide alternatives to incarceration, while saving taxpayer dollars.

Drug Courts on O’ahu, Maui, Moloka’i, Hawai’i island, and Kaua’i deal with many of the most troubled, most addicted offenders on court-ordered supervision. These offenders are the ones in greatest need of drug court services and the state gets a better cost-benefit return by helping them avoid incarceration and become employed, drug-free, law-abiding citizens.

Drug Court is an 18-month program of intensive court-based outpatient substance abuse treatment with mental health and medical follow-up, frequent and random drug and alcohol testing, assistance with obtaining employment and housing, random home visits, strict curfew monitoring, frequent review hearings before the drug court judge, along with incentives for clients who maintain sobriety and either attend school or training, or are gainfully employed.

## Far-Reaching Benefits of Drug Courts

Hawai’i’s experience corresponds with more than 30 years of scientific research on Drug Courts nationwide, which started in 1991 and consistently shows that:

- Simply incarcerating drug-offenders has not been effective at reducing recidivism or continued substance abuse after release from incarceration, nor cost-effective for communities.
- Drug Courts significantly reduce drug use, drug relapse, and criminal behavior, with substantial cost savings to the community.
- Drug Courts have been successful in rehabilitating individuals, and restoring and reuniting families.

## Adult Drug Court Graduation Totals as of Fiscal Year 2023–2024

O’ahu Drug Court	1,127
Maui Drug Court	741
Moloka’i Drug Court	40
Big Island Drug Court	373*
Kaua’i Drug Court	279
<b>TOTAL GRADUATES</b>	<b>2,560</b>

*\* Big Island Drug Court corrected from the Judiciary’s 2023 annual report, which was erroneously published as 375.*

- They have also helped ease the social costs of incarceration that would otherwise impact the children and extended family members of participants, through reduced quality of life, lost earnings, lost future earnings, lost taxes to the state, up-front criminal justice system costs, the cost of parole, foster care for the children of some prisoners, etc.

More than 2,550 people have graduated from Hawai’i Drug Court programs since the establishment of the state’s first Drug Court on O’ahu in 1996.

The majority have not been convicted of new felonies for up to three years after graduating from the program.

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## Drug Court Program Highlights

### O'ahu Drug Court

From the start of the O'ahu Drug Court (ODC) in 1996 to June 2024, this intensive team approach has graduated 1,127 individuals, helping them overcome substance abuse, reconcile family relations, and become gainfully employed.

Circuit Court Judge Trish K. Morikawa served as presiding judge of the First Circuit's Drug Court, starting June 28, 2022. On January 1, 2024, Judge Clarissa Y. Malinao assumed the role of presiding judge, and on September 30, 2024, Judge Matthew J. Viola was assigned to oversee the program.

The ODC managed between 100 and 120 participants throughout the year and celebrated 25 new graduates.

Staff continued to provide the Intensive Outpatient (IOP) Treatment Program at the Specialty Court office three times a week, with approximately 12 participants attending each session.

The drug court treatment counselors participated in training to attain certification on the Cognitive Behavioral Intervention (CBI) process from the University of Cincinnati. The counselors also continued to attend training with the State Department of Health's Alcohol and Drug Abuse Division to remain current with the latest developments in treatment. The counselors began teaching the CBI process, the Matrix Model<sup>1</sup> and Seeking Safety Model.<sup>2</sup> They also continued to

provide art therapy, interpersonal relationship skill building, resume building, interview preparation, and life skills.

### Additional Training

The ODC hosted members of All Rise (formerly the National Association of Drug Court Professionals) for a three-day training update from June 12 to 14, 2024. This team of experts reviewed ODC's policies and procedures, curriculum, and court operations, and provided feedback on opportunities for improvement.

All Rise has become a valuable resource for ODC's program and will continue training and meeting with court staff and administrators at three-, six-, and twelve-month intervals to support continuing education and skill development.

### Drug Court Alumni Group

The ODC recently organized a Drug Court Alumni Group where past graduates meet with current participants. Five graduates have attended regularly. The goal is to create a safe space where current participants and past graduates can engage in sober activities and share their experiences.

According to All Rise, the significant role of alumni groups is supporting graduates of treatment courts and enhancing the success of

*Continued on page 39*

<sup>1</sup> *The Matrix Model is a structured, multi-component behavioral treatment model that consists of evidence-based practices, including relapse prevention, family therapy, group therapy, psycho-education, and self-help, delivered in a sequential and clinically coordinated manner.*

<sup>2</sup> *A seeking safety model is an evidence-based therapy program designed to help individuals who have experienced trauma and/or substance abuse feel safe in their thinking, emotions, behaviors, and relationships.*

## Employment Requirements and Assistance

Hawai'i Drug Court judges have observed a distinct correlation between unemployment and substance abuse. Drug Court clients are, therefore, required to be gainfully employed (or be enrolled full time in school pursuing a degree and able to pay their bills), unless they are not medically cleared for work.

When additional support is required, participants are referred to community resources, or agencies such as the State Department of Human Services Division of Vocational Rehabilitation, or one of the State Department of Labor and Industrial Relations' American Job Centers.

Probation officers, treatment counselors, and social service assistants help drug court participants with developing skills in areas such as budget planning, writing resumes, creating email accounts, using email as a form of professional correspondence, and completing online and paper job applications. This support is provided to clients each week, until they secure employment. Nearly 100% of the clients are either working or find a job when they are in Drug Court.

These vital services help clients recover and become productive contributors to the community. Drug Court is also a critical part of Hawai'i's efforts to maintain jail and prison resources for those who must be interned, which reduces the cost burden of incarceration for taxpayers.



*The Ka'ahumanu Hale First Circuit Courthouse plaza on Halekauwila Street in Honolulu.*

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## *Drug Court: A Proven Alternative to Incarceration (cont.)*

current participants. Alumni groups provide a peer network, ongoing support, and mentorship for individuals in recovery, creating a sense of belonging and continuity. The groups bring invaluable lived experience and insights, which can inspire current participants while also helping alumni maintain their progress by empowering them to contribute positively to their communities. Fostering a cycle of support and resilience through alumni groups improves the court's client recovery outcomes.

Alumni groups also offer practical benefits, such as organizing sober events, sharing skills, and connecting graduates with resources like recovery organizations and vocational support. By creating a safe, structured environment for both past and current court participants, these groups can help participants rebuild their lives, sustain sobriety, and contribute to community outreach efforts.

### ***Program Goals***

- Apply for new grants to help fund ongoing staff trainings, new curriculums for classes, and supplies.
- Continue to provide staff with opportunities for professional development and training in evidence-based best practices and incorporate changes in treatment curriculums to ensure support for the long-term success of the program's growing number of probationers.
- Continue to utilize and update data in the new Drug Court Information Management System (DIMS) to support the management of all First Circuit specialty courts, including the O'ahu Drug Court, Mental Health Court, Veterans Treatment Court, and HOPE programs.

- Continue working with Datagain, producer of the DIMS software suite, to transfer all data from the current case management system, Caseload Explorer, to DIMS so that information from previous years will be easily accessible.
- Develop community service events that will help program participants reintegrate into the community by giving back. Engagements such as these are recommended by All Rise for improvement of drug court programs. The team continues to collaborate with the Honolulu Police Department's Community Policing Division, to organize future community service events.

### **Maui/Moloka'i Drug Court**

Maui/Moloka'i Drug Court program is comprised of four sequential phases. Each phase has requirements that need to be met by each participant before the court allows them to advance through the intensive treatment regimen.

During the past fiscal year, the Maui/Moloka'i Drug Court team observed that two aspects of phases three and four have been vital to better participant outcomes: education and family/parenting support.

In accordance with the Adult Treatment Court Best Practice Standards of All Rise, the Maui/Moloka'i Drug Court has, when appropriate, guided participants to obtain their high school equivalency general educational development (GED) certificate, and to pursue involvement in parenting and family groups. Research shows that being unemployed or having less than a high school diploma or GED certificate predicts poorer outcomes in drug courts and mental health courts

*Continued on page 40*

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## *Drug Court: A Proven Alternative to Incarceration (cont.)*

(De Vall & Lanier, 2012; Gallagher, 2013; Gallagher et al., 2015; Mateyoke-Scrivener et al., 2004; Peters et al., 1999; Reich et al., 2015; Roll et al., 2005; Shannon et al., 2015). The court's partnership with the Hawai'i State Department of Education's McKinley Community School for Adults supports the educational needs of program participants.

The court has also guided participants to pursue involvement in parenting and family groups. Higher levels of parental and familial support are associated with significantly better outcomes in treatment courts and other criminal justice programs (Alarid et al., 2012; Gilmore et al., 2005; Hickert et al., 2009; Liu & Visser, 2021; Mendoza et al., 2015; Taylor, 2016), whereas family conflict or parental distress is associated with significantly poorer treatment outcomes (e.g., Knight & Simpson, 1996; Ng et al., 2020). Court referrals to the Maui Family Support Services, Inc. (<https://mfss.org>) programs help program participants to attain and restore family and parenting wholeness through the Kāne Connections (fatherhood initiatives and values support groups) and Kamalama (parenting skills and support groups).

Since its launch in 2000, the Maui Drug Court has helped 741 individuals recover from addiction and graduate as contributing members of society. The Moloka'i Drug Court began operations in 2006 and at the end of Fiscal Year 2023–2024 had helped 40 people complete the intensive treatment program.

### ***Continuing Education***

As part of the Second Circuit's strategy to achieve continual improvement and effectiveness, presiding Drug Court Judge Kelsey T. Kawano, and Maui/Moloka'i Drug Court Branch Administrator Dean Ishihara traveled to Anaheim,



*The RISE24 conference on substance use, mental health, and justice reform held sessions at the Anaheim Marriott and the Anaheim Convention Center (above), in Anaheim, California, from May 22 – 25, 2024.*

California where they participated in RISE24, the premier national training conference for treatment courts. They joined more than 7,000 public health and public safety professionals to acquire training in a wide range of evidence-based best practices, including the latest information on competencies in substance use, mental health and trauma treatment; medication assisted treatment (MAT) and psychiatric medications; complementary services; behavior modification; community supervision; procedural fairness; and drug and alcohol testing.

## Big Island Drug Court

The Third Circuit's Adult Drug Court and Veterans Treatment Court Programs are managed by the Big Island Drug Court (BIDC) Division. The Division serves individuals who have significant substance use and mental health challenges and who are at high risk for recidivism (i.e., the tendency of a convicted criminal to reoffend).

The BIDC Adult programs in Hilo and Kona, which launched in 2002, have now helped 373 (corrected from the Judiciary's 2023 annual report, erroneously totaled as 375) individuals graduate to a second chance at life.

On July 2, 2024, Judge Wendy DeWeese was appointed chief judge of the Third Circuit. She has maintained her role as presiding judge of the Kona Drug Court. Judge Peter Kubota has served as Hilo Drug Court judge since 2022.

### Current Challenges

Hawai'i Island faces several pressing challenges, including:

- A high proportion of crimes linked to substance use, mental illness, and justice-involved individuals with increased criminal thinking and those who habitually drive under the influence of drugs or alcohol

- Overcrowding in correctional facilities
- Limited access to drug and mental health treatment resources
- Rising rates of fentanyl use and associated overdoses
- A shortage of affordable housing for individuals reintegrating into society.

### Program Enhancements

To meet these challenges, the BIDC employs evidence-based best practices, and community collaboration. Recent initiatives focusing on continuous improvement include:

- Revising eligibility criteria in 2022 and 2023 to ensure equitable access to Drug Court for diverse populations through a strict adherence to objective criteria for program admittance
- Reducing reliance on incarceration by increasing community supervision with Global Positioning System (GPS) tracking and mobile breathalyzer devices
- Offering life skills classes to equip Drug Court participants with essential career development, job readiness, and financial management skills

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*"Our communities continue to face increased and, at times, overwhelming challenges related to drugs and mental health issues. National Drug Court month activities, which include our graduations, employer appreciation events, and health walks, give us hope. These projects highlight the ways that, with the support of the public, we can make a positive impact."*

*– Grayson Hashida, Coordinator  
Big Island Drug Court*

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## *Drug Court: A Proven Alternative to Incarceration (cont.)*

- Increasing incentives, including grants and scholarships through the non-profit Friends of Big Island Drug Court, to improve long-term success for program graduates
- Narcan training for staff to voluntarily carry, preventing overdose deaths related to fentanyl
- Updating BIDC's structured advancement criteria to a five-phase process with clear benchmarks and milestones that help participants see their progress and stay motivated on their path to recovery and reintegration into the community
- Expanding assessments by qualified medical professionals for medically assisted treatment of addiction
- Referring both Kona and Hilo treatment court participants to the Big Island Substance Abuse Council's Huliha Ke Ola Detox Clinic in Hilo, which opened in December 2023 as Hawai'i island's first nonprofit detoxification clinic
- Increasing referrals to long-term residential treatment programs like Sand Island Treatment Center and Habilitat
- Utilizing mental health crisis shelters
- Engaging in annual training on nationally recognized best practices
- Participating in cultural studies to reduce disparities in Drug Court outcomes for minority populations.

### ***Strengthening Community Collaborations***

BIDC recognizes that addressing the challenges facing our community requires active partnerships with local treatment providers, recovery groups, mental health services, university interns, and other essential resources. Collaborations

with employers and landlords dedicated to assisting justice-involved individuals are crucial for supporting a successful return to society for program participants. By fostering these collaborations, Drug Court reaffirms its commitment to working closely with the community, recognizing that a united effort is essential to providing the support and resources necessary for lasting change.

### **Kaua'i Drug Court**

Since its inception in 2003, the intensive team approach of the Kaua'i Drug Court (KDC) has helped 279 individuals recover from substance abuse, reconcile family relations, and become gainfully employed.

KDC supervised 14 individuals in 2024, with two on track to graduate in November, and several perspective clients, pending assessment and/or formal induction into the program.

KDC clients have secured suitable housing and the majority are either gainfully employed and/or furthering their education and job skills. Four clients are enrolled in residential treatment off-island.

Deputy Chief Judge Michael K. Soong was appointed presiding judge of the KDC in June 2019, and continues to oversee the program.

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## Veterans Treatment Court: Getting Back on Track



The military requires recruits to meet high standards of character and moral integrity, and those with significant criminal records are not allowed entry. If service members encounter serious hardships after returning to civilian life, their experiences often fall well beyond the scope of issues that conventional treatment programs are equipped to handle.

The mission of the Veterans Treatment Court (VTC) is to help veterans in the judicial system build positive, constructive lives, while holding them accountable for their conduct. The VTC partners with various community-based substance abuse, mental health, and veteran-specific service providers, and the United States Department of Veterans Affairs (VA) to help veterans recover, reunite with their families, and regain prospects for a successful future.

One study shows that VTC participants experience significant improvement in the areas of housing, social relationships, depression, post-traumatic stress disorder (PTSD), substance abuse, mental and emotional health, and overall functioning and well-being.<sup>1</sup>

Volunteer veteran mentors from every branch of military service understand the difficulties these men and women face, and play an integral role in the program's success.

For more information, visit the [Veterans Treatment Court page](#) on the Hawai'i State Judiciary website, under the "Special Projects & Events" tab.

### Program Updates

#### O'ahu Veterans Treatment Court

The O'ahu Veterans Treatment Court (OVTC) is Hawai'i's first formal program designed to address the unique needs of veterans in our justice system. Three veteran participants were accepted to the intensive treatment program in February 2013. Since then, the program has provided justice-involved veterans with assistance obtaining much needed services. As a result of these efforts, 75 have graduated the program and rejoined the community.

*Continued on page 44*

<sup>1</sup> *Community Mental Health Journal* (February 2016, Volume 52, Issue 2, pp 127-135)  
<https://pubmed.ncbi.nlm.nih.gov/25682282/>

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## *Veterans Treatment Court: Getting Back on Track (cont.)*

Circuit Court Judge Trish K. Morikawa served as presiding judge of the First Circuit's Veterans Treatment Court, starting June 28, 2022. On January 1, 2024, Judge Clarissa Y. Malinao assumed the role of presiding judge, and on September 30, 2024, Judge Matthew J. Viola was assigned to oversee the program.

This year, the program supervised 33 active clients. Three additional individuals were referred to the court for possible admission. Four completed the program and are now back in the community.

### ***Peer Support Group***

The OVTC has continued the in-person peer support group meetings started by the program supervisor in March 2023. Meetings are held at the Specialty Court office on a weekly basis. Five to 10 participants attended each session. The goal for the group is to build a positive pro-social network amongst peers and peer support. The group continues to work together to seek housing, maintain sobriety, and reduce stress reactions to everyday circumstances.

### ***Substance Abuse Counselor***

The OVTC has begun a pilot program utilizing the services of a treatment counselor from the O'ahu Drug Court. Because some veterans do not qualify for veteran's benefits, this treatment counselor has been a vital resource for completing assessments, referring participants for treatment, and providing individual counseling.

### ***Training***

The OVTC hosted members of the Justice for Veterans team from All Rise for a two-day training update from October 19 – 20, 2023. This team of experts reviewed OVTC's policies and procedures, curriculum, and court operations, and provided feedback on areas for improvement.

The OVTC team used this training to identify skill gaps and prioritize opportunities for improvement. OVTC's internal policies and procedures were updated along with the mentor program. Staff have been working with a Drug Court treatment counselor to fill in when the participant does not qualify for VA services.

All Rise has become a valuable resource for OVTC's program and will continue to provide yearly trainings and hold meetings with court staff and administrators.

### **Maui Veterans Court**

The Maui Veterans Court (MVC) is an informal program, created and operated using existing resources without state or federal funding. Services of the VA are the cornerstone of the program, and eligibility for VA services is required for admission.

The court operates as a close support, collaborative team consisting of a VA case manager, probation officers, volunteer veteran mentors, a deputy prosecuting attorney, a deputy public defender, and the judge.

In MVC, participants use the VA's community-based outpatient clinic services for both medical and mental health services. They also have access to substance abuse services through counseling from local VA clinicians and intensive group sessions provided from O'ahu by telehealth systems. The Veterans Justice Outreach Program social worker provides case management and referral to community programs as needed.

Second Circuit Judge Kelsey T. Kawano was designated as presiding judge of Maui's Veterans Court in February 2020.

In October 2024, MVC approved a new applicant who is anticipated to be petitioning for admission before the end of the year.

The two participants from 2023 performed well in the program and are both approaching graduation. One client completed his two-year residential treatment at Habilitat on O‘ahu and transitioned into their six month after-care independent living program. MVC’s second client is anticipated to graduate in early 2025.

A third veteran client transitioned to the Maui Drug Court program and continues participation in her treatment plan.

### **Big Island Veterans Treatment Court**

Recognizing the unique challenges faced by veterans, the Big Island Veterans Treatment Court (BIVTC) programs in Hilo and Kona were established in November 2014 as part of the Judiciary’s observance of Veteran’s Day. The programs are under the management of the Big Island Drug Court (BIDC) Division. These specialized initiatives offer the supervision of a treatment court with additional veteran-tailored support, including collaboration with a Veteran Justice Outreach coordinator who assists in navigating and accessing VA benefits. Services are provided to address substance use disorder, mental health issues, including Post-Traumatic Stress Disorder, and Traumatic Brain Injury. Additionally, the BIVTC offers volunteer veteran peer mentoring to support participants. The program serves all veterans, regardless of discharge status, ensuring no veteran is left behind.

The BIVTC has assisted 25 (corrected from the Judiciary’s 2023 annual report, erroneously totaled as 29) veterans graduate and rejoin their communities.

### ***Special Thanks to All Volunteer Veterans Court Mentors***

*The Judiciary extends a special thanks to those veterans who now serve as volunteer veteran mentors in the Veterans Court programs in each judicial circuit. The mentors come from every branch of the military. They understand the difficulties men and women can face after leaving the service. The support they provide participants throughout the process of recovery is integral to the program’s success.*

### **Current Challenges:**

As noted in the Big Island Drug Court program update (page 41), Hawai‘i island faces several pressing challenges, including:

- A high proportion of crimes linked to substance use, mental illness, and justice-involved individuals with increased criminal thinking as well as those who habitually drive under the influence of drugs or alcohol
- Overcrowding in correctional facilities
- Limited access to drug and mental health treatment resources
- Rising rates of fentanyl use and associated overdoses
- A shortage of affordable housing for individuals reintegrating into society.

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## *Veterans Treatment Court: Getting Back on Track (cont.)*



*The Hale Kaulike courthouse in Hilo on Hawai'i island.*

### ***Program Enhancements:***

The Third Circuit's administrative team has leveraged many of the same initiatives used in the Big Island Drug Court program to augment services that the court provides to BIVTC participants. See pages 41 – 42 "Program Enhancements" for a complete list.

### ***Strengthening Community Collaborations***

Addressing the challenges facing our community requires active partnerships with local treatment providers, recovery groups, mental health services, university interns, and other essential resources. Collaborations with employers and landlords dedicated to assisting veterans are crucial for supporting a successful return to society. By fostering these collaborations, BIVTC reaffirms its commitment to working closely with the community, recognizing that a united effort is essential to providing the support and resources necessary for lasting change.

### **Kaua'i Veterans Court**

The Kaua'i Veterans Court (KVC) inducted its first client in November 2017 as part of the Judiciary's observance of Veteran's Day. Deputy Chief Judge Michael K. Soong has served as presiding judge of the KVC since June 2019.

The KVC graduated its seventh participant in May 2023. In 2024, the program received new referrals and inducted its eighth participant on November 4.

The KVC is supported by two veteran mentors who reside on Kaua'i, with Veterans Justice Outreach Coordinator Taryn Dean serving as liaison of the United States Department of Veterans Affairs on O'ahu.

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## DWI Court: Accountability, Treatment, Safer Streets

The DWI Court staff have continued to conduct quarterly checks on program participants, graduates, and those who were referred but did not enter the program, and have learned that Honolulu's DWI Court has produced significant reductions in recidivism. Those who joined the DWI Court Program show a 17% reduction in recidivism for subsequent OVUII<sup>1</sup> arrests after five years and a 17% reduction in recidivism for subsequent HRS §291E-62<sup>2</sup> charges after five years, in comparison to those who were eligible but did not enter the program. After 10 years, those who joined the DWI Court Program show a 14% reduction in recidivism for subsequent OVUII arrests and a 30% reduction in recidivism for subsequent HRS §291E-62 charges in comparison to those who were eligible but did not enter the program.

Since the program's inception in January 2013:

- 85 offenders have graduated
- 12 offenders are currently enrolled
- 16 either withdrew or were terminated from the program
- 5 are in the screening process.

### **Program Description**

The Honolulu Driving While Impaired (DWI) Court is a court-supervised, comprehensive treatment program for impaired driving offenders. It includes regular court appearances before a designated DWI Court judge, frequent case management meetings, electronic alcohol monitoring, drug testing, individual and group counseling, regular attendance at self-help meetings,

and participation in an individualized treatment program. Participants are also provided with support services to assist with education, employment, housing, and other personal goals which contribute to success in recovery, where they often make important personal improvements.

The DWI Court Program was founded to address an increase in fatal vehicle crashes involving drivers under the influence of alcohol.

*Continued on page 48*

### ***Special thanks to the Honolulu DWI Court partner organizations:***

- *Hawai'i State Department of Transportation*
- *Hawai'i State Department of Health, Alcohol and Drug Abuse Division*
- *Honolulu Police Department*
- *City and County of Honolulu Department of the Prosecuting Attorney*
- *Hawai'i State Office of the Public Defender*
- *Mothers Against Drunk Driving (MADD), Hawai'i Chapter*

<sup>1</sup> *Hawai'i Revised Statutes (HRS) §291E-61 Operating a vehicle under the influence of an intoxicant.*

<sup>2</sup> *Hawai'i Revised Statutes (HRS) §291E-62 Operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant; penalties.*

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## *DWI Court: Accountability, Treatment, Safer Streets (cont.)*

This nationally recognized program:

- Reduces individual recidivism rates
- Improves public safety on our roadways, and
- Saves taxpayer dollars otherwise spent on the arrest, prosecution, and imprisonment of these offenders.

For entry into the voluntary Honolulu DWI Court, the participant must plead guilty or no contest, but execution of the sentence is stayed pending compliance and completion of program requirements. The program involves regular court appearances before a designated DWI Court judge, case management meetings, and participation in an individualized treatment program. Treatment includes alcohol and drug testing, individual and group counseling, and regular attendance at self-help meetings.

Just one drunk driver may have devastating impacts on many lives in our community, including pedestrians, bikers, pets, other drivers, family members, and even the drunk driver themselves, with a cascade of consequences, including permanent physical disability or death, legal fees, property repairs, loss of wages and long-term earning potential, and liability paid out to victims and their families for injury and loss of life.

*Three national studies establish that benefits from DWI Court programs lasted for at least four years, well after participants' discharge from their programs.<sup>3</sup>*

Research by the National Drug Court Institute found that 25% of those arrested for DWI become repeat offenders. Most interventions for repeat DWI offenders have produced mixed or nonsignificant results.

Only programs that combine multiple service components, including substance abuse disorder treatment, intensive court or probation supervision, monitoring technologies such as interlocks, and drivers' license restrictions, demonstrate consistent positive effects.<sup>3</sup>

Beyond the personal improvements that participants experience during recovery, sustained substance use treatment and recovery also provides social and economic benefits to participants who would likely have faced future arrests if not for intervention.

This reduction in recidivism benefits the community by improving public safety on our roadways and saving taxpayers costs for arrest, prosecution, and incarceration.

The program receives grant monies from the National Highway Traffic Safety Administration, which have been distributed to the DWI Court by the Hawai'i State Department of Transportation since January 2012. At that time, funds were provided to help get the program started. Additional program funding was secured in October 2018 through a partnership with the Hawai'i State Department of Health's Alcohol and Drug Abuse Division. This alliance improves access to treatment in the community and supports the recovery needs of program participants.

<sup>3</sup> National Drug Court Institute (2016). "Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States," Douglas B. Marlowe, JD, PhD Carolyn D. Hardin, MPA Carson L. Fox, JD, page 18.

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## Mental Health Court

The Judiciary's Mental Health Courts (MHC) are designed to address the particular needs of people with mental illness in the criminal justice system, and the challenges associated with managing this population. Defendants with mental illness released to the community on supervision often have difficulty complying with the terms and conditions of probation. They also have extensive treatment and service needs requiring supervision strategies that traditional courts are not designed to provide.

### Program Updates

#### **O'ahu Mental Health Court**

Established in 2005, the O'ahu Mental Health Court (OMHC) is a specialty court that redirects offenders from jail to community-based treatment with intensive supervision to deal with public safety issues and to support the recovery of defendants diagnosed with severe and persistent mental illness (SPMI). The OMHC team is led by the presiding judge and includes a dedicated public defender, dedicated prosecutor, OMHC program staff, and clinical support from staff of the State Department of Health's Adult Mental Health Division.

In this collaborative program, community treatment providers offer specialized care for participants requiring psycho-social rehabilitation, psychiatric treatment, substance abuse recovery, and other individualized treatment. Upon admission to the OMHC program, participants who are redirected from incarceration to treatment receive multiple benefits, including treatment

and supervision support, reduced jail sentences, and possible early termination of probation or dismissal of charges.

Each participant is supervised by the OMHC court case supervisor/probation officer. At graduation, all defendants will have met required expectations and received effective treatment, indicating recovery. The OMHC is derived from a strength-based model and motivates participants through graduated sanctions, rewards, and incentives.

Circuit Court Judge Trish K. Morikawa served as presiding judge of the First Circuit's Mental Health Court starting June 28, 2022. On January 1, 2024, Judge Clarissa Y. Malinao assumed the role of presiding judge, and on September 30, 2024, Judge Matthew J. Viola was assigned to oversee the program.

Since its inception, the OHMC has helped 92 individuals complete the intensive court program and rejoin the community. The OMHC supervised 35 to 45 participants throughout the year and helped 11 individuals graduate.

The Mental Health Unit (MHU), which is used synonymously with the Mental Health Court, supervises offenders who are acquitted of felony and misdemeanor offenses and placed on conditional release. Individuals on conditional release suffer from physical and mental disease and a wide range of social-psychological problems. While they are not a part of the OMHC, they are supervised by its probation officers.

*Continued on page 50*

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## *Mental Health Court (cont.)*



*Hoapili Hale courthouse on Maui.*

In 2024, the MHU managed 207 conditional release cases, including individuals on conditional release from the neighbor islands.

The OMHC continues to hold a peer support group by video conference on Zoom once a week for all participants and graduates. Topics include self-care, coping skills, expressing support through difficult times, and goal-setting. Staff are working towards returning to in-person classes and expanding the peer support group to include past graduates.

For additional information, contact the O'ahu Mental Health Court Program Administrator at **808-539-4500**.

### **Maui Mental Health Court**

The Second Circuit's (Maui, Moloka'i, and Lāna'i) Mental Health Court was established in 2014 to consolidate under one judge all circuit and family court criminal matters that require determination of a defendant's physical or mental fitness to proceed with trial. The court addresses the particular needs of this population, streamlines the process, and brings consistency to the management of these cases.

The Maui Mental Health Court (MMHC) continues to provide specialized management of these cases during preset scheduled hearings twice a month. These cases involve participants appearing in person and by videoconference from the Hawai'i State Hospital, Kahi Mohala, the various correc-

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tional facilities in Hawai‘i, as well as the defendants’ extended families, case managers and treatment providers from the community. This streamlined process allows all of the participants, including the attorneys, Maui Community Mental Health clinicians, and treatment providers to meet and discuss the progress of each individual defendant on a regular and consistent basis.

Under the leadership of Second Circuit Court Judge Kirstin M. Hamman, the population supervised by the MMHC in 2024 increased for the fourth consecutive year, from 60 and 70 defendants in 2020, the program now manages between 90 and 112 individuals in various stages of the program. The defendants range from those who have been on conditional release for many years, to defendants who have just filed motions for an examination with respect to physical or mental disease, disorder, or defect under Hawai‘i Revised Statutes §704-404<sup>1</sup> and §704-407.5.<sup>2</sup>

Thirteen defendants left the MMHC because the attorneys requested an examination which determined that their clients were no longer in need of the MMHC’s specialized supervision, or the defendant was found fit for trial in standard court proceedings. MMHC did not have any contested hearings in 2024.

The MMHC continues to conduct hearings by video conference from Moloka‘i, Lāna‘i, the Hawai‘i State Hospital, Kahi Mohala, the Maui Community Correctional Center, O‘ahu Community Correctional Center, and other locations around the state. MMHC also continues to take video appearances for defendants on conditional release appearing from neighbor islands.

<sup>1</sup> *Hawai‘i Revised Statutes §704-404: Examination of defendant with respect to physical or mental disease, disorder, or defect excluding fitness to proceed.*

<sup>2</sup> *Hawai‘i Revised Statutes §704-407.5: Examination of defendant with respect to physical or mental disease, disorder, or defect excluding penal responsibility.*

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## Post-Booking Jail Diversion Programs

The Judiciary has recognized that one of the ways to make our community safer is by addressing the root causes that bring people into the criminal justice system. The rates of serious mental illness and substance use disorders are four to seven times higher for those in jail than the general population, and many inmates suffer from both conditions.<sup>1</sup> Yet these individuals often cycle repeatedly in and out of incarceration without access to the services and treatment they need.

Over the years, the Judiciary has established a number of programs designed to identify these underlying issues, and offer treatment and resources during community supervision as a way to divert individuals away from jails and prisons. Building on the success of these efforts, the Judiciary has expanded the use of jail diversion programs.

### Program Updates

#### **O‘ahu Post-Booking Jail Diversion Program**

Representatives from the Judiciary, the City and County of Honolulu Department of the Prosecuting Attorney, and the State’s Office of the Public Defender and Department of Health, traveled to Miami in 2023 to study the highly successful Dade County Criminal Mental Health Project, which was established to divert defendants with serious mental illnesses away from the criminal justice system and into community-based treatment and support services.

The group returned with informal agreements establishing procedures for an O‘ahu Post-Booking Jail Diversion Program (OJDP), based on the Miami model, for the First Circuit district and circuit courts.

The goal of the OJDP is to provide timely mental health and substance use disorder treatment services for persons with a serious mental illness (SMI) with or without a substance use disorder (SUD). The intent of the program is to reduce criminal recidivism by diverting eligible, non-dangerous mentally ill arrestees from incarceration and into the appropriate level of community-based behavioral health services. The program strives to balance the individual service needs of the arrestee, the legal requirements of the courts, and the safety needs of the community.

The OJDP focuses on individuals, approved by the prosecutor, charged with non-violent misdemeanors and/or promoting a dangerous drug in the third degree. Other charges may be considered on a case-by-case basis with the approval of the prosecutor.

These defendants are screened and assessed for SMIs or co-occurring SMI and SUDs. If qualified and approved by the prosecutor, they are admitted – based on their needs – into placements outside the traditional criminal justice system pathways. This frequently involves comprehensive community-based treatment and services.

Participants are provided with individualized transition planning, medical and mental health treatment, housing, and other services, and their progress is closely monitored by the court and personnel from the State Department of Health Adult Mental Health Division. After they have stabilized and established vital connections to case managers, housing, and services that enable them to thrive in the community beyond court supervision, their charges may be dismissed if they have complied with the diversion plan.

<sup>1</sup> *National Center for State Courts 2022 State of the State Courts – National Survey Analysis, page 9*



*The plaza of Ka'ahumanu Hale, the Circuit Court courthouse on O'ahu.*

The circuit and district court OJDs strive to prevent those with an SMI from having repeated interactions with the criminal justice system and provide them the treatment and services they need at their initial court interaction. This will alleviate some of the ultimate costs, both in time and manpower, for various state agencies, had the individual cycled through the court system repeatedly without treatment and services. Additionally, it will reach and address the underlying root cause of their arrest and detention: a serious mental illness. It further assists the efforts of the Judiciary by removing individuals with an SMI from the probation caseload. This gives the probation officers more time to work with those individuals on probation who do not have an SMI, increasing the probationers' chances of successfully re-integrating into society.

## **Statistics**

### *District Court*

- 12 participants.
- Two graduation ceremonies and three graduates (two graduates at the first and one at the second).

### *Circuit Court as of June 2024:*

- 16 participants with an additional 11 awaiting a mental health assessment.
- 128 referrals total since the start of the program.

*Continued on page 54*

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## *Post-Booking Jail Diversion Programs (cont.)*

### **Hawai'i island Jail Diversion Program**

The Third Circuit's work with jail diversion began in June 2002, when the United States Department of Health and Human Services' Substance Abuse Mental Health Services Administration (SAMHSA) Community Mental Health Services (CMHS) invited applications for proposals for jail diversion programs.

The State Department of Health's Adult Mental Health Division (AMHD) responded to SAMHSA's request and proposed the development, implementation, and evaluation of a post-booking, pre-arraignment jail diversion program for Hawai'i County. An implementation and evaluation grant was awarded to AMHD in October 2002. The Third Circuit's post-booking Jail Diversion Program (JDP) was launched in the following months to serve Hawai'i island's unique multi-cultural population.

The ongoing purpose of the program is to minimize the number of individuals with serious mental illness (SMI) and/or substance use disorders (SUD), who are arrested for non-violent crimes and sent to jail.

While in police custody, individuals who are identified as possibly needing mental health services are screened. The State of Hawai'i Department of Corrections and Rehabilitation's Intake Service Center prepares a pre-trial bail report with recommendations for referral to the JDP. The pre-trial bail report is provided to all parties at the initial custody/bail hearing. If the parties agree to refer defendant to the JDP, the defendant is placed on supervised release with terms and conditions that require mental health assessment and treatment at community-based mental health programs.

The Third Circuit is currently working with community partners to expand the jail diversion program by including additional violations.

### **Jail Diversion in the Second Circuit**

The Second Circuit (Maui, Moloka'i and Lāna'i) has initiated discussions with stakeholders on a mental health jail diversion program. If approved, judges would be able to divert non-violent individuals with serious persistent mental illness from criminal proceedings into a community-based mental health treatment program with case management services provided by the State Department of Health's Adult Mental Health Division. Participants who comply with the diversion plan and complete all court-ordered requirements, may have their criminal charges dismissed.

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## Criminal Justice Research Institute

The Criminal Justice Research Institute (CJRI) was established in 2019<sup>1</sup> under Hawai'i Revised Statutes (HRS) Chapter 614, within the office of the chief justice. CJRI is dedicated to examining all aspects of the criminal justice system – including Hawai'i's criminal pretrial system. The Institute assists the state government with understanding the criminal justice system in a more comprehensive way, and helps ensure the protection of individual rights, increase efficiencies, and control costs.

The CJRI is charged with managing the creation of a centralized statewide criminal pretrial justice data reporting and collection system. Through Act 147 in 2023, the State Legislature appropriated funds to establish this system and set forth the next steps in its development.

CJRI staff have collected pretrial data from three statewide agencies – the Hawai'i Department of Corrections and Rehabilitation (DCR), the Judiciary, and the State Department of the Attorney General's Hawai'i Criminal Justice Data Center (HCJDC) – and brought it into a centralized data warehouse. They are in the process of validating this data to ensure the datasets created for reporting are accurate and structured to meet reporting needs.

This system is being designed to extract, link, and merge data from these agencies' existing databases into a centralized data warehouse. The proj-

ect is designed to modernize data sharing and analysis by leveraging technology to ingest and transform data for research more efficiently. The new system will address a number of key barriers which currently limit capacity to conduct research across the State's criminal pretrial system, including issues with combining data from different agencies' databases, the need to reformat operational data collected by different agencies so that it can be utilized in research, and transforming text data for use in quantitative analysis.

To accomplish this work, CJRI continues to collaborate with staff from the DCR, the Judiciary, and the HCJDC to incorporate the three main statewide criminal justice data sources into the pretrial database and reporting system. Once the database is established, CJRI will have a centralized source of data to calculate and report out on the criminal pretrial performance metrics in accordance with HRS §614-3.

In addition to the work establishing a pretrial database and reporting system, CJRI staff engaged with stakeholder groups across the State's criminal justice system on several other research efforts. The Institute provided assistance to the State House Concurrent Resolution (HCR) 23 Task Force,<sup>2</sup> which requests that the Hawai'i Correctional System Oversight Commission convene a task force to examine and make recommendations regarding existing procedures of the Hawai'i

*Continued on page 56*

<sup>1</sup> Act 179, Session Laws of Hawai'i 2019 (House Bill 1552 H.D. 2, S.D. 2, C.D. 1)

<sup>2</sup> State of Hawai'i House of Representatives, Thirty-Second Legislature, 2023, House Concurrent Resolution (H.C.R.) 23 H.D. 1, S.D. 1

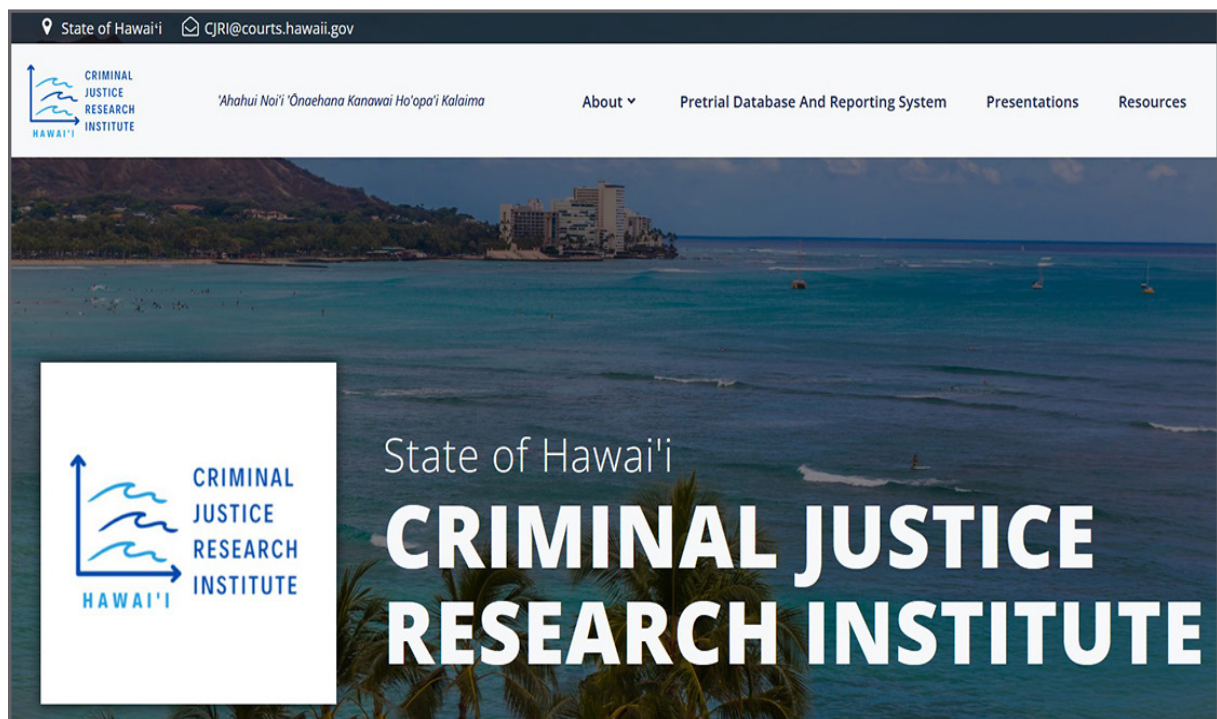
## *Criminal Justice Research Institute (cont.)*

Paroling Authority (HPA) setting the minimum terms of imprisonment. The Institute provided task force participants with research. As part of this effort, CJRI staff developed a research plan and also conducted descriptive analysis of data from the HPA with findings disseminated through a presentation to task force members in the fall, as well as a research report.

The CJRI research staff have also collaborated with several state and county partners who are focusing on criminal justice diversion policies. The Institute is reviewing pretrial data to map out metrics the State can use to monitor statewide diversion efforts, and CJRI staff are partnering directly with local diversion policy initiatives to help strategize with data collection and evalua-

tion. This includes a diversion program in the First Circuit (O'ahu) targeting individuals with serious mental illness and supporting the Maui prosecutor's office on a new diversion project (see pages 52 – 54). CJRI continues to collaborate with a range of agencies to use research in understanding the criminal justice system.

More information on the CJRI can be found in the "Criminal Justice Research Institute 2024 Annual Report" on the Hawai'i State Judiciary's "[Reports](#)" web page, as well as [www.cjrihawaii.com](http://www.cjrihawaii.com).



Home page of the State of Hawai'i Criminal Justice Research Institute website, <http://cjrihawaii.com>.

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# Supporting Children and Families

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*The state's family courts promote the reconciliation of distressed juveniles with their families, render appropriate rehabilitation and punishment to offenders, and reduce juvenile delinquency. The Judiciary also assists families and children in need through a variety of special programs and services.*

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## Celebrating 20 Years of Girls Court – From Surviving to Thriving



*Girls Court team members past and present gathered for a special celebration in the Hawai'i Supreme Court Courtroom on November 7, marking the 20th anniversary of Girls Court. Front row left: Girls Court Program Coordinator Val Lazo, former Girls Court social service assistant Janai Miki, former Girls Court probation officer Dayle Liu, former Girls Court therapist Emma Pavich, former Girls Court probation officer/program coordinator Dayna Miyasaki, Probation Officer Tia Ikeno, former Girls Court probation officer/program coordinator/program specialist Adriane Abe, Presiding Girls Court Judge Dyan Medeiros, Girls Court founding judge Karen Radius (ret.), former Girls Court presiding judge Jennifer Ching (ret.), and former Girls Court probation officer Tiffanie Ah Loo. Top row left: Girls Court Social Service Assistant Julia Tilton, Girls Court Therapist Margaret "Meg" Cummings, former Girls Court therapist Jana Moya, former Girls Court program coordinator Leah Nahale, Girls Court Probation Officer Jeannette Choy, former Girls Court social service assistant Myra Taumanupepe, and Girls Court Probation Officer Christiana "Ana" Machida.*

In September 2004, the First Circuit (O'ahu) Family Court launched the Hawai'i Girls Court, one of the first gender-specific courts for girls in the nation. It took the unwavering support of the Honorable Frances Wong and the steadfast leadership of the Honorable Karen M. Radius to create a pilot program with the help of juvenile probation officers Adriane Abe, Denise Aruga, Anona Gabriel, Loriann Kira, Gayle Komiyama, Dayle Liu, and Roberta Uemura.

The following year, the Hawai'i Office of Youth Services awarded the Judiciary a federal grant for gender-specific programming for girls in the Hawai'i judicial system. Judiciary Program Specialist Rachel Yuen coordinated the grant project which further developed the program's foundation and core components. The Hawai'i State Legislature made the program permanent in 2017.

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## Girls Court (cont.)

To commemorate the program's 20th anniversary, Chief Justice Mark E. Recktenwald proclaimed Monday, September 30, 2024, to be "Girls Court Day" in the Courts of the State of Hawai'i.

The Girls Court mission is to "clarify, facilitate, and enhance the Family Court of the First Circuit's commitment to gender-responsive services for young women." Over the years, the program has evolved as the population of justice-involved girls has changed, however its core components remain the same: comprehensive court supervision and support, therapeutic intervention, and experiential activities.

Girls Court has served more than 190 girls and their families since inception.

Over the years, Girls Court judges and staff have regularly consulted with members of the public, as well as people from other states and nations who seek information on the successful practices of Hawai'i's Girls Court.

Initially, most girls are not excited about participating in the program, however, over time, and through persistent efforts by the Girls Court staff, who are fueled by a deep belief in the potential of each girl, participants develop an appreciation for how the program has benefitted them.

*The majority of girls served by Girls Court have high Adverse Childhood Experiences (ACEs) scores because they have a history of prior victimization and trauma. This is the most common contributor to a girl's involvement in the justice system.*

The positive impact also extends to family members. In one case, a mother asked to be excused from court so that she could enter residential substance use treatment because she was inspired by her daughter's strength to face her challenges, to stop using drugs, and to return to school. The mother felt she owed it to her daughter to face her addiction and get healthy "to save our family."

"The Girls Court was innovative and inspired when it was launched 20 years ago, and it continues to be innovative and inspired today," said First Circuit Senior Family Court Judge Matthew J. Viola. "Girls Court exists because the visionaries who started it, including Judges Wong and Radius, knew that the trauma and adverse life experiences that brought many girls into the juvenile justice system needed to be understood and addressed in a gender-specific way. It is a tremendously successful program and is widely recognized as one of the jewels of the Family Court thanks to its dedicated and passionate staff and the leadership of the presiding judges, from Judge Radius to Judge Jennifer Ching to Judge Dyan Medeiros."

Judge Medeiros was designated Senior Family Court Judge of the First Circuit as of September 30, and continues her role as presiding judge of Girls Court.

Looking forward, Judge Medeiros and Program Coordinator Val Lazo, foresee a program that continues to adapt to the needs of girls who live in an ever changing and complex world. The big dream is to have community spaces that would provide wrap around services, including education, medical and mental health care, life skills, and other assistance for the youth and her family.

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## 2024 Highlights

In the past year, the Girls Court Program Coordinator and staff remained active participants and contributors to the Judiciary's Commercially Sexually Exploited Children (CSEC) Steering Committee and CSEC Multi-Disciplinary Team (MDT) led by the Judiciary's Children's Justice Center of O'ahu. The Girls Court Program Coordinator is also an active member of the Honolulu County Human Trafficking Task Force (HCHTTF), led by the City & County of Honolulu Prosecuting Attorney's Office.

Girls Court participated in a variety of Human Trafficking Awareness Month events throughout January, and was acknowledged, along with the HCHTTF, with a proclamation signed by Mayor Rick Blangiardi. Girls Court staff also coordinated the First Circuit Family Court's annual Human Trafficking Awareness Day sign waving along Piikoi and South King Streets on January 11. The event was covered by several local news outlets. Participants included Family Court personnel, as well as representatives from other government, law enforcement, and community organizations.

### **Haleakalā Adventure**

After cancellation in 2023 due to the Maui wildfires, the team resumed the Haleakalā National Park Immersion Program with its fifth excursion for Girls Court participants. The event took place from March 19 to 21.

The Haleakalā Conservancy, along with the Haleakalā National Park Service (NPS) fully sponsored and funded this experiential event at no cost to the girls, their families, or the Judiciary. The Conservancy and NPS will continue to support future events with Girls Court.

## Measuring Success

Given the complexity of Girls Court cases, "success" cannot be measured or defined in terms of statistics. Best practices in juvenile justice require that an individualized approach be taken in the management of each girl's case. Girls Court determines "success" by reviewing the individual goals set and achieved by each youth. The goals are set out in a case plan which is created based on the results of the Youth Assessment and Screening Instrument (YASI™) and with input from the minor, the minor's family, and staff. Examples of such goals include reducing recidivism after admission into Girls Court, reducing runaway charges, completing academic obligations, living a sober lifestyle, creating healthier family relationships, engaging in pro-social activities, and making healthier life choices. The goals are achieved through various techniques tailored to the individual needs of each youth.

*"Before Girls Court I would've never thought I had the potential to achieve the things I have today, such as a job, sobriety, and a better sense of self."*

*Overall, Girls Court has changed me to be a better, brighter version of myself."*

*- A Girls Court participant*

## Girls Court Staff Receive 2024 Group Certificate of Commendation Award



*Chief Justice Mark E. Recktenwald, Girls Court Probation Officer Jeannette Choy, Program Coordinator Val Lazo, Probation Officer Tia Ikeno, Probation Officer Christiana "Ana" Machida, and Administrative Director of the Courts Rodney A. Maile.*

The First Circuit (O'ahu) Girls Court Program Staff was presented with the 2024 Group Certificate of Commendation Award at the Judiciary's Statewide Employee Awards Ceremony on September 20, which annually recognizes Judiciary personnel for outstanding contributions to public service.

Supervisor Valerie Lazo and Girls Court Social Workers/Probation Officers Tia Ikeno, Jeanette Choy, and Christiana "Ana" Machida were commended for their superior performance and dedication to fulfilling the mission of the Judiciary.

First Circuit Senior Family Court Judge Matthew Viola recognized them for providing exemplary service in the courtroom, noting that in probation supervision they are firm and direct when needed, yet regularly do more than is required to support the girls in their care. The team was also praised for creating many opportunities for Girls Court clients to learn, grow, heal, and serve their community, thereby instilling an important sense of kuleana.

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## Hawai'i Zero-to-Three Court

The Hawai'i Zero-to-Three (HZTT) Court is a specialty program established in 2009 under the First Circuit (O'ahu) Family Court with initial funding from the national non-profit Zero to Three program. The ZTT Court works to safeguard young children who are removed from their parents due to neglect and abuse by providing trauma-informed care to the whole family.

The primary function of the ZTT Court is to ensure that maltreated infants and toddlers involved in the child welfare system reach permanency (reunification with family, legal guardianship, or adoption) in a timely manner, while limiting the number of foster placements and providing appropriate developmental assessments and interventions.

ZTT also provides trauma-informed care to the whole family. The team works to strengthen the family to prevent recidivism (i.e., the tendency of a convicted criminal to reoffend) and/or any future contact with the child welfare system.

This is a voluntary court program and parents must be willing to participate. Once a family is accepted into ZTT, court staff work with the family until permanency is reached.

### **Primary criteria for admission:**

1. Adjudicated (i.e., gone through the formal court process) with family court; and
2. Must have at least one child between the ages of zero and three.

ZTT also accepts cases of abandoned infants to help move them to permanency in a timely manner, while ensuring that their needs are being met.

Preference is given to cases with children who are in foster custody. Upon admission into the ZTT Court, the family will be provided with a designated team consisting of a program manager, a Child Welfare Services social worker from the State Department of Human Services, a state deputy attorney general, and guardian ad litem who are trained and knowledgeable about providing resources to families with young children between the ages of zero and three years old.

## Program Updates

### **O'ahu Zero-to-Three Court**

There were nine families, 12 infants and toddlers, and 15 total children in the care of the O'ahu Zero-to-Three (OZTT) Court program in 2024.

The OZTT Court is a collaborative effort. The team members are Judge Jessi L. Hall, the OZTT program manager, Court Improvement Program (CIP) staff, deputy attorneys general, designated State Department of Human Services' Child Welfare Services social workers, designated guardians ad litem, and the parents' attorneys.

Since its inception in 2009, the OZTT Court has served 115 families, involving 147 infants and toddlers (ages zero to three).

OZTT holds monthly court hearings to ensure judicial oversight and accountability of the court team and the families. Prior to the start of the hearings, the OZTT court team holds "staffing," a review of each case addressing visitation, progress or lack of progress in services, concerns, and updates. Staffing allows the judge to focus on the parents during the hearing; answering questions and addressing any concerns that the parents may have.

*Continued on page 62*

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## *Hawai'i Zero-to-Three Court (cont.)*

Family Team Meetings continue to occur regularly for OZTT families. The meetings are both virtual and in person. Some meetings are held in person to accommodate those with technological challenges or who are deemed to need in-person contact. The purpose of the Family Team Meeting is to ensure the cases are on track to timely permanency; keeping all team members accountable to each other and the court. These meetings are held monthly, in between the court hearings, ideally two weeks after the court hearing. The meetings provide the team members time to initiate or complete tasks before the next hearing. Some families with multiple challenges or barriers to reunification are referred to Effective Planning and Innovative Communication (EPIC) 'Ohana Inc.'s Family Wrap Hawai'i program for additional support. The Wrap Program offers monthly meetings, a parent partner, navigator, and facilitator.

Parent Activity is an opportunity for the families to develop a support system with other families who participate in OZTT in a safe, judgment-free environment. Family Hui, a non-profit agency, is contracted to provide the content and staff for Parent Activity. Parent Activity includes virtual Parent Cafés, a peer-to-peer learning program about the five protective factors – parental resilience, concrete supports in times of need, social connections, knowledge of parenting and child development, and social/emotional competence of children. Parent Cafés are held virtually twice a month. One in-person Parent Activity is held every month on the day of the court hearings. A light lunch is served and parents have time to visit with their children and other families in a safe and pro-social setting. Family Hui staff are present to meet with parents and caregivers and explain the monthly activity kits they prepared, with a new book and developmentally appropriate activity for each child.

The in-person activity featured presentations by Community Case Management Corp. about adult Medicaid dental benefits, the University of Hawai'i Cooperative Extension Service's Supplemental Nutrition Assistance Program-Education (SNAP-Ed) about nutrition and budgeting (along with a recipe and tasty sample), Aloha At Home provided families with activity kits encouraging positive child and parent interactions, and the State Department of Human Services discussed their new Hawaii Child Wellness Incentive Program. Parents who have Medicaid can sign up for this new program that incentivizes them to bring their child(ren) for wellness appointments.

OZTT continues to maintain and build partnerships in the community. Such partnerships are vital to help OZTT families receive prioritization for services and additional support.

Existing partnerships:

- State Department of Human Services' Child Welfare Services' All State 0 – 3 Team has led to the contract with Child & Family Service (CFS) Comprehensive Counseling and Support Services program prioritizing OZTT families for services (parenting education, domestic violence, counseling, outreach, etc.).
- Family Programs Hawaii's Family Strengthening Center (FSC) to prioritize OZTT families for psychological evaluations, developmental evaluations, and therapeutic services (including Parent-Child Attunement Therapy, Parent-Child Interaction Therapy, and individual therapy). OZTT spearheaded the memorandum of agreement process to continue this partnership between FSC and the specialty courts.
- The OZTT Program Manager is a member of the Early Childhood Action Strategy (ECAS) Team 2 – Safe and Nurturing Families.

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Through this partnership, OZTT families received an Aloha At Home toolkit/activity box to practice “aloha” in the home.

- Violet and Vivian Fund (VVF), which provides resources for OZTT families who meet VVF’s criteria for support. The Fund is able to assist families and resource families with needs when no other resources are available.
- EPIC ‘Ohana Inc., and their parent partner program, Two Makua, and prioritizing OZTT families for EPIC ‘Ohana Inc.’s Family Wrap Hawai‘i Program.
- Lili‘uokalani Trust’s Ka Pili ‘Ohana Program. This is a two-generation program working with parents of Hawaiian ancestry and child(ren) to improve attachment and stabilize the family. As this is a community resource, families may continue to receive support even after their case is closed.
- Association for Infant Mental Health Hawai‘i for child-parent psychotherapy.

Developing partnerships:

- HZTT is in early stages of discussion with the Association for Infant Mental Health Hawai‘i regarding collaboration on child-parent psychotherapy.

#### ***Program Goals:***

OZTT goals continue to be expeditious permanency for children and strengthening families through intensive judicial oversight (monthly hearings) and Family Team Meetings (meetings that keep the team on the same page, keep the case moving forward, solution-focused, and discuss concurrent planning).

#### **Big Island Zero to Three (BIZ-3) Court**

The Big Island Zero-to-Three (BIZ-3) Court was established by the State Legislature with Act 70, Session Laws of Hawai‘i 2023. The legislation became effective July 1, 2023.

In the six months that followed, the Third Circuit (Hawai‘i island) staff developed program policies and procedures, and initiated discussions with law enforcement, substance use disorder treatment providers, and community service organizations to create informal partnerships for the court to refer any parents and caregivers needing support during their time in the program.

BIZ-3 officially launched in January as a specialty program of Family Court. Hearings with the first participants took place in February. Cases may be assigned to any of the Family Court judges. The Third Circuit’s Program Services Branch social worker coordinates BIZ-3 team support for the judges.

In its first year, three parents and/or caregivers were accepted into the BIZ-3 Court program. Two completed the program in 2024 with perspective clients pending assessment and/or formal induction into the program.

The BIZ-3 parents have secured suitable housing and the majority are either gainfully employed and/or are furthering their education and job skills. One client is currently in or is attempting re-entry into drug treatment.

Community-based resources and programs to support BIZ-3 families in Hawai‘i County are notably more limited compared to the availability of services on other islands. The BIZ-3 team continues to work towards developing a reliable network of support from various government agencies, and partnerships with non-profit organizations and other non-government entities.

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## Removing Obstacles to Student Education

Truancy and chronic absenteeism are serious problems that negatively impact the future of our young people. Decades of research have consistently shown that truants and dropouts are at increased risk of becoming involved with drugs, alcohol, physical aggression, and crime.<sup>1</sup>

Moreover, a person's level of educational attainment has a direct impact on their potential employment opportunities, lifetime earnings, and can impact health, as those with lower levels of educational attainment may not be able to obtain employment with sufficient health insurance coverage, requiring them to either pay out of pocket, or go without medical care.<sup>2</sup>

As of 2024, the Judiciary has programs on O'ahu, Maui, Hawai'i island, and Kaua'i working to remove obstacles to attending school for students. The support and supervision these programs provide have dramatically improved school attendance and the engagement of participating students and their families.

### Program Updates

#### O'ahu Truancy Court

The O'ahu Truancy Court (OTC) is designed for middle school students and is currently on campus weekly at four schools: Wai'anae Intermediate School, Kapolei Middle School, Wahiawā Middle School, and Honouliuli Middle School. Through their engagements with students, parents, partner agencies, and community organizations, OTC team members work to build public understanding of the program as a supportive one, not punitive.

The focus of the OTC is to divert chronically absent or at-risk students from the formal court process. The bulk of the preventative work is done to stop truancy petitions from being filed in court by addressing barriers to school attendance. To accomplish this, social workers from the Family Court's Status Offense Intake Unit, also known as the Persons in Need of Supervision (PINS) Unit, visit campuses weekly to meet with students identified as having attendance issues. The PINS social workers collaborate with school staff to identify barriers to attendance and formulate solutions. If, for example, a student is missing school due to transportation issues, the team will explore options such as the school bus or provide a city bus pass.

During the 2023-2024 school year, PINS social workers visited campuses, met with, and monitored 206 students.

Interventions resulted in no formal truancy petition being filed for most of those cases. The cases in which a petition was filed were placed on the Truancy Court calendar. Because the main goal of Truancy Court is diversion, cases that first come to the Truancy Court calendar are continued at arraignment and plea (A&P). A&P will be continued as long as attendance improves. If attendance substantially improves and truancy is no longer a concern, the petition will be withdrawn without being adjudicated, meaning the youth will not have to go through the formal court process. If attendance does not improve, the petition will be adjudicated and the minor will be placed on protective supervision status to Family Court and the Department of Education (DOE). Youth placed

<sup>1</sup> *Truancy Intervention Reduces Crime: Results from a Randomized Field Trial*, Sarah Bennett, Lorraine Mazerolle, Emma Antrobus, Elizabeth Eggins & Alex R. Piquero, Pages 309-329 | Published online: 21 Apr 2017  
<https://www.tandfonline.com/doi/full/10.1080/07418825.2017.1313440>

<sup>2</sup> *The Dropout Crisis: A Public Health Problem and the Role of School-Based Health Care*, American Public Health Association, February 2018 [www.apha.org/-/media/files/pdf/sbhc/dropout\\_crisis.pdf](http://www.apha.org/-/media/files/pdf/sbhc/dropout_crisis.pdf)

on status will be ordered to return to court as needed, which is typically every two weeks and then less frequently as attendance improves.

Staff have expanded the Truancy Court program from the pilot project at Waiʻanae Intermediate School and are now actively on campus making diversion efforts at four middle schools. The staff are also screening cases from the State Department of the Attorney General (AG) island-wide on Oʻahu for possible inclusion/participation by those students and families in the program.

### ***Oʻahu's Early Education Intervention Program***

In April 2022, the PINS Unit, began a pilot project with the AG and DOE, referred to as the Early Education Invention Program (EEIP). The EEIP is designed for parents of elementary school students to improve the way schools and the court deal with often difficult to prove, confusing, and frustrating educational neglect cases.

Makakilo Elementary served as the pilot school for the EEIP program during the 2021-2022 school year. Initial data showed 29 students were recorded as attending school less than 80% of the time. Tracking these students plus an additional five students the following school year, PINS social workers saw 100% improved attendance overall, with every student increasing attendance by more than 80%.

The EEIP starts with the Attendance Action Plan meeting involving the parents and the PINS social worker, the school social worker, grade level counselor, a member of the school administration

and others as required. PINS social workers take an active role in the meetings by listening to the parent's reasons for absences and offering suggestions and feedback to help improve attendance. They also monitor and follow-up with each parent.

EEIP became permanent when the program expanded beyond the two model sites of Makakilo Elementary and Kaimiloa Elementary in the 2022-2023 school year.

During the 2023-2024 school year PINS social workers met with the parents of 305 students at 27 elementary schools. PINS staff conducted home visits when necessary. Families in need of further support were referred to government agencies or organizations that provide relevant assistance and social services.

### ***Program Goals***

- Expand Truancy Court and EEIP services to cover the entire island of Oʻahu, from the 30 schools currently served to 50 – 60 schools, and assist middle and elementary schools in meeting the DOE statewide attendance rate goal of 93%.
- Increase Family Court presence at DOE Saturday Attendance Programs to provide information and support to parents whose children are chronically truant.
- Meet the requests from DOE for additional services from Truancy Court and EEIP, supporting the community.

*Continued on page 66*

### ***Oʻahu Truancy Court is grateful for the valued support of its community collaborators:***

- *Family Court Persons in Need of Supervision Unit (PINS)*
- *YMCA Outreach services (substance abuse)*
- *Hale Kipa (in-home mentoring)*
- *Waiʻanae Intermediate School, Kapolei Middle School, Honouliuli Middle School, and Wahiawā Middle School*
- *Child and Family Services*

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## *Removing Obstacles to Student Education (cont.)*

### **Kāko‘o Kula (School Support) on Maui**

The Kāko‘o Kula (school support) Program (KKP) is an initiative designed to provide support and guidance to students for whom chronic school non-attendance has been recognized as a concern, and may be petitioned to court. It incorporates early intervention on and off campus, connecting the student and families with resources in the community to minimize barriers and other issues that may affect school attendance.

Joining the KKP program is voluntary. After the student and legal guardian(s) are provided information about KKP, they have the opportunity to avoid formal court intervention by participating. If they agree, for the next 30 days, the Judiciary’s Second Circuit Juvenile Client & Family Services (JCFS) staff will meet with the student and their family weekly to promote improved school attendance. Thereafter, meetings take place every other week for 60 days.

#### ***First Year Highlights***

The JCFS Branch collaborated with the State Department of Education’s (DOE) Baldwin Complex and Kekaulike Complex District Offices to launch the program in October 2023 at Iao Intermediate School, which was chosen as the test site due to the high rate of youth identified as being chronic or high-risk for absenteeism.

In the first seven months, services were offered to 12 students and their families. Ten students were diverted from court and no truancy petitions were filed on behalf of the DOE. Each participating student received one-on-one mentorship and support. Those in need were provided a \$200 clothing voucher, school backpack, \$25 for student supplies fees, and \$15 in various incentive gift cards. Staff also promoted the students’ success by encouraging physical activity, along with healthy eating and sleeping habits.

Initially, the JCFS staff met with the student and parent(s) or legal guardian(s) within seven days of receiving a referral from the school. Changes were made to the intake meeting in an effort to gain “buy-in” from parents/guardians by eliminating their need to go to the courthouse, rather, meeting at the school along with their child’s school counselor.

No student referrals were received after May 2024. Maui Waena Intermediate School recently became a program participant. KKP administrators are in the process of working with the DOE to expand services to additional schools.

*Research shows that the causes for truancy can be positioned within four major categories. These categories include family factors, school factors, economic influences, and student variables. Family factors that may cause truant behavior include, but are not limited to parents’ education, parental supervision, and household income.*

*– United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention*

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### **Hawai'i Island School Non-Attendance/ Truancy Court Diversion Program**

The Third Circuit (Hawai'i island) launched its "Truancy Court" as the Chronic Absenteeism Prevention Project (CAPP) in August 2018. The name of the program has changed to the School Non-Attendance/Truancy Court Diversion Program (SNA Diversion). Its mission is to collaborate with families, schools and the community to improve school engagement and attendance by addressing hardships and barriers faced by students and their families. SNA Diversion provides positive, meaningful interventions and community connections, education, engagement and enforcement.

SNA Diversion is comprised of three tiers:

1. A watch list where the school works intensively with the families
2. Intervention by the court's Juvenile Probation Department and the Salvation Army; and
3. Intensive court intervention involving more frequent contact with the student and family.

#### **2023-2024 School Year:**

For the school year 2023-2024, the Third Circuit continued its diversion program, to address school non-attendance petitions received in the circuit. A letter was sent to the State Department of Education's Complex Area Superintendents, as well as principals and directors for all public charter schools to outline how the criteria and interventions would be implemented.

Elementary school petitions were automatically diverted to an Informal Adjustment Protocol in which probation officers met with the student, parent(s)/guardian, and school to address attendance concerns and problem-solve any barriers to success. Intermediate and high school

petitions were to be either diverted to Informal Adjustment, or set for a first adjudication hearing, if necessary.

For petitions that did not meet diversion screening criteria, a summons/notice for court hearing was sent. For elementary school petitions, the summons was sent to parents only, with a copy to the school. Parent(s) and a school representative appeared at the court hearing where the judge reviewed the attendance plan and discussed absenteeism concerns with the parents. Thereafter, the judge would decide if further intervention from the school was needed and/or the case was scheduled for further hearing.

For intermediate and high school petitions, the summons was sent to the parents and a notice of hearing was sent to the school. A school representative would appear at the hearing with an attendance plan. The judge reviewed the attendance plan and discussed absenteeism concerns with the parents. The court then decided if further intervention was needed and/or whether the case should be scheduled for further hearing.

All cases, with the exception of two were diverted to Informal Adjustment. Probation officers were assigned and met with the student, family, and school to address attendance concerns and problem solve any barriers to success.

All petitions were dismissed within one school calendar year regardless of diversion or court appearance. Petitions for minors who are passed to the next grade level during the course of one school year to the next were automatically dismissed.

*Continued on page 68*

## Hawai'i Island School Non-Attendance / Truancy Court Diversion Program 2023-2024 School Year

West Hawai'i – Number of Petitions Received and Diverted						
26	0% Elementary school	54% Intermediate school	23% High school	23% Charter school	Successful: 73%	Unsuccessful: 27%
East Hawai'i – Number of Petitions Received and Diverted						
43	44% Elementary school	19% Intermediate school	1% High school	35% Charter school	Successful: 26%	Unsuccessful: 74%

*Success is defined as those who improved their school attendance during the diversion/intervention period.*

*Reasons for lack of success: Unable to contact (lack of information from school), illness, parental non-compliance, lack of alternatives to standard education.*

*All petitions were dismissed as of July 31, 2024.*

### Conclusions

- Informal adjustment protocol showed success for cases that court staff were able to make contact. A significant number of unsuccessful cases were due to lack of contact information from the school.
- West Hawai'i was much more successful than East Hawai'i (73% vs. 26%)
- East Hawai'i had a significant number of elementary school petitions (44%). West Hawai'i had none.
- Court intervention for the two cases: one was successful, one was unsuccessful.
- For the 2024-2025 school year, program staff will continue with the informal adjustment protocol as well as schedule for court if necessary.

### Suggestions for the Department of Education

- Create an incentive funds budget (e.g., gift cards, ancillary funds work well with probationers and other minors on status). Should be included as efforts made by the school.
- Hire a truancy coordinator/counselor or other school personnel to intervene with the truant child and family population at the beginning of the school year.
- Reach out to non-English speaking parents with an interpreter.

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***Barriers to Success/Reasons for Non-Attendance  
(Reported by Probation Officers)***

1. Lack of transportation – West Hawai‘i, no school bus transportation provided; public buses have limited bus routes
2. Lack of alternatives to standard education; school refusal to modify schedules
3. Petitions submitted too late in the school year (Court was receiving petitions as late as mid-April)
4. Internet access issues for youth enrolled in online courses and for homework.

**Kaua‘i Early Intervention Collaboration**

Under the direction of Family Court Judge Gregory Meyers, Fifth Circuit Family Court entered into a partnership with the State Department of Education (DOE) in February to create Kaua‘i’s Early Intervention Collaboration (EIC).

Through EIC, court staff are working with parents, students, DOE, the State Department of Health, and Child & Family Services (CFS) to provide holistic support for Kaua‘i’s families and remove obstacles to school attendance for youth of all ages.

The project started as a collaboration between the Judiciary and DOE Kapa‘a-Kaua‘i-Waimea Complex Area, and through the leadership of the Fifth Circuit Family Court, has integrated CFS into the process, whereby funding from the Office of Youth Services’ Positive Alternative Learning (PAL) program is being used to divert students and their

families into a wide array of services offered by CFS, including a one-on-one relationship with CFS’ PAL coordinator.

This collaborative effort seeks to utilize a wide range of options to address the unique needs of each student, such as implementing a modified school schedule for struggling children, providing bus passes, sending probation officers to homes and schools, or providing mentoring and support from community service providers.

After attempting to address a student’s attendance concerns and prior to filing a petition, schools will contact the Fifth Circuit’s Family Court probation department to schedule a meeting with the parent(s)/legal guardian(s), school staff, and a probation officer. At the meeting, the school reviews the attendance concerns with the family and reiterates the impact that absences have on the student. The probation officer provides information on legal actions that may be taken should absences continue, including a petition being submitted and the possibility of the student being placed on legal status with the court.

From March to July 2024, five schools (three elementary, one middle, and one high school) conducted meetings with a probation officer. Out of the 34 scheduled meetings, 29 meetings were held with parent(s)/legal guardian(s) and/or students. Of the 29 meetings held, only one student had a subsequent petition filed.

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## Ho‘okanaka Cultural Diversion Pilot Program



*First Circuit Senior Family Court Judge Matthew J. Viola (second from left) helps tend the gardens at the Partners in Development Foundation's Kupa 'Aina farm.*

Diverting youth from the justice system is beneficial for all. Studies show that when youth are connected to their community and culture, they are less likely to be involved in behaviors that lead to arrest and formal court processing.

In light of this, the Judiciary continues to expand services for children and families to ensure that family court can also be a place of transformation and healing. At the end of February 2024, the First Circuit (O‘ahu) Family Court launched Ho‘okanaka, a cultural diversion pilot program

to equip youth with the knowledge and skills needed to grow into the best versions of themselves.

Ho‘okanaka provides youth with first-time, low-level law violations an opportunity to self-reflect and heal through a connection to cultural values and farming at the Partners in Development Foundation's (PIDF) Kupa 'Aina farm. The concept of the program is to connect the youth with the 'aina as they care for the land, learn about themselves, and reconnect with their families.

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Judge Jessi Hall and the juvenile diversion staff developed the program in collaboration with the PIDF and the Consuelo Foundation. Each organization provided funding to help start the pilot program. Ho‘okanaka received additional support from the Lili‘uokalani Trust and the Native Hawaiian Legal Corporation.

The program differs from standard probation, where a juvenile offender has already received judgment from the court. Through Ho‘okanaka, the court does not immediately file the petition against a youth. Participants are informed that if they successfully complete the program, their arrest record may be expunged.

Each cohort runs for six weeks. Program managers considered reducing the time, but all of the youth who participated said it was important to maintain the six-week term. One youth explained that it took until the fourth week to connect to the ‘aina and feel the benefit.

Judge Hall praised PIDF for going above and beyond to support youth in this program. One of the biggest hurdles for families agreeing to participate was transportation, so PIDF provided parents with \$20 gas cards. For one youth, whose parent could not provide transportation, PIDF covered costs of the ride-hailing service Uber.

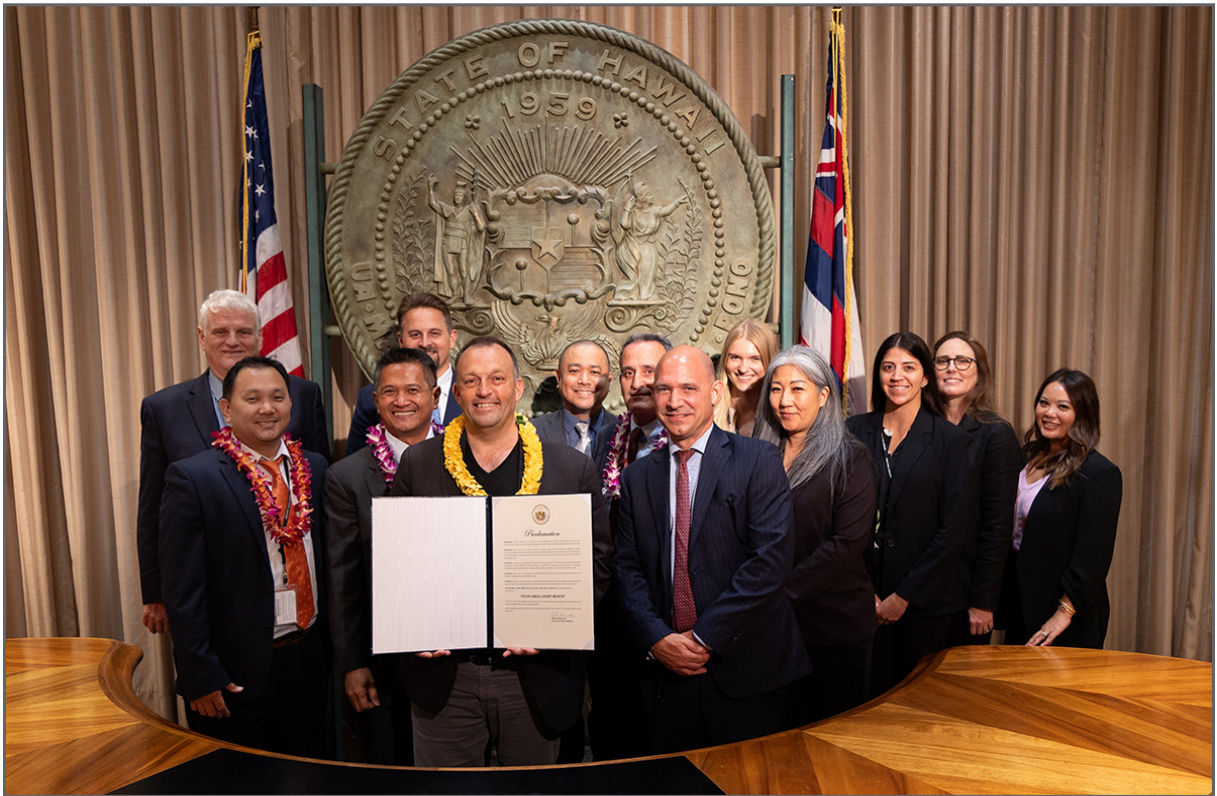
Four cohorts completed the program in 2024. The First Circuit Family Court court is working to reach even more children in the years to come, as Ho‘okanaka is a concept that has potential to be beneficial for all justice-involved youth.

*"I learned to look at things through a different perspective, learned how to control myself, wait for the right place, the right time. This helped me to change the way I think, the way I do things."*

*– Ho‘okanaka youth participant*

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## Juvenile and Family Drug Courts



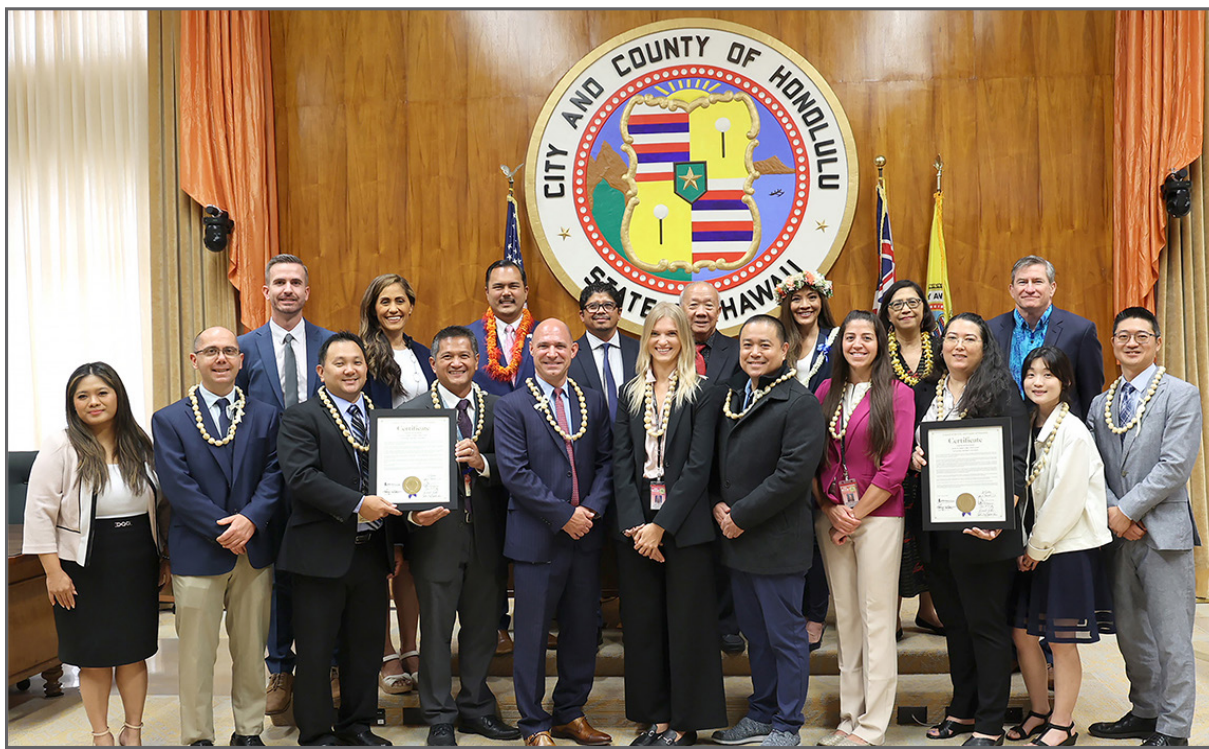
*Judiciary personnel attended a proclamation signing ceremony with Gov. Josh Green, MD, on May 24. Front row, from left: Gov. Josh Green and First Circuit (O'ahu) Juvenile Drug Court (JDC) Judge Brian Costa. Second row: First Circuit JDC Supervisor Derek Sumida, JDC Section Administrator Joel Tamayo, First Circuit Senior Family Court Judge Matthew Viola, and JDC Probation Officer Lisa Ogata. Third row: Chief Justice Mark Recktenwald, First Circuit District Family Court Judge Robert Brown, JDC Probation Officers Christopher Soria, Jana Leyh, and Sabrina Rodriguez, Program Specialist Bridgette Bennett, and Coalition for a Drug-Free Hawaii Family Therapist Trysha Bodden.*

During National Treatment Court Month 2024, Juvenile Drug Court (JDC) and Family Drug Court (FDC) staff and judges were recognized by Gov. Josh Green, MD, at a proclamation ceremony on May 24, and by the Honolulu City Council at an honorary certificate program on May 15 at Honolulu Hale.

Gov. Green presented the judges and staff members with a proclamation that recognized the six drug courts statewide as being “successful and efficacious” and said, “I’m grateful for this rigorous program that you have created and helped thousands of people to graduate from. I want to honor you for your work. You’ve all been incredible.”

Gov. Green emphasized that the Drug Court program “saves lives,” noting that individuals who engage in violent crimes often struggle with addiction and that the program has helped them lead sober, crime-free lives. “Eighty percent of Juvenile Drug Court graduates have no new convictions. That’s just an incredible number.”

First Circuit (O’ahu) Juvenile Drug Court Judge Brian A. Costa thanked the Governor and drug court judges statewide. He also acknowledged the diligent efforts of probation officers and administrators. “They tirelessly work with youth every



*Juvenile Drug Court (JDC) and Family Drug Court (FDC) staff and judges were recognized by the Honolulu City Council on May 15. Front row from left: Honolulu City Council Floor Leader Radiant Cordero, First Circuit (O'ahu) FDC Case Manager Andrew Diggs, First Circuit JDC Supervisor Derek Sumida, JDC Section Administrator Joel Tamayo, First Circuit JDC Judge Brian Costa, JDC Probation Officers Jana Leyh, Christopher Soria, and Sabrina Rodriguez, FDC Program Manager Rachel Kaneshige, FDC Judicial Clerk Tori Nakagawa, and First Circuit District Family Court Judge Andrew Park. Top row: Councilmembers Matt Weyer, Andria Tupola, Tyler Dos Santos-Tam, Augie Tulba, Calvin Say, Val Aquino Okimoto, Vice Chair Esther Kia'aina, and Chair Tommy Waters.*

day. They don't do it just for a paycheck. It's something that they do to help the youth and they do a fantastic job."

Chief Justice Mark E. Recktenwald expressed his gratitude for all involved with the Drug Court program. "I want to take this time to personally thank our probation officers, community partners, our judges, and everyone who makes this program happen."

He also expressed appreciation for Gov. Green's support of those dealing with mental illness, citing his role in opening up a drop-off center in Kalihi as an example.

"We are so fortunate in this state to have someone who is a healthcare professional, who has dedicated his life to helping people, through his medical training, and then now is in a position to effectuate real change," Chief Justice Recktenwald said.

Juvenile Drug Court and Family Drug Court staff and judges were also recognized by the Honolulu City Council at an honorary certificate presentation on May 15.

Councilmember Matt Weyer led a presentation that highlighted the achievements of Hawai'i's treatment courts in serving the community.

*Continued on page 74*

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## *Juvenile Drug Court (cont.)*

“Treatment courts are considered the most successful justice intervention for individuals with substance abuse and mental health disorders,” he said. “When coupled with compassion, treatment courts can lead individuals into lives of recovery and stability. The state of Hawai‘i’s Juvenile Drug Court and Family Drug Court are two such treatment courts.”

He also noted that since the implementation of Hawai‘i’s first treatment court in 1996, “over 2,000 individuals have graduated and found success in improving their lives,” and that since 2002, 317 have graduated from Family Drug Court program.

“Mahalo to you for your tireless service every day to improve the lives of individuals and families in our community and to keep us safe,” he said.

Among the Judiciary staff honored at the ceremonies were Judge Brian Costa, JDC Section Administrator Joel Tamayo, JDC Supervisor Derek Sumida, and FDC Program Coordinator Rachel Kaneshige who shared their observations on why the Drug Court program is successful.

Tamayo said that the program supports much needed treatment for offenders and also speeds up the resolution of drug cases.

Sumida commented, “Juvenile Drug Court connects our at-risk youth with the necessary structure, treatment interventions, and pro-social activities, as well as educational opportunities for their families.”

Rachel Kaneshige said that many individuals enter Family Drug Court separated from their children, and are grappling with unaddressed trauma, financial hardships, and homelessness. Family Drug Court assists them in addressing these issues.

“At the time of their graduation, participants will have been reunified with their children, demonstrated an ability to live a sober lifestyle, have stable housing and finances, and have engaged in employment, school, or volunteer work,” Kaneshige said.

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## Children's Justice Program / Hawai'i Children's Justice Centers

The Children's Justice Centers (CJCs) of Hawai'i operate facilities where children who may be victims of abuse or witnesses to a crime, are forensically interviewed by trained professionals and staff in a neutral, child-friendly, and safe setting to assist children who are alleged victims of physical abuse, sex trafficking, witnesses to violence and other exploitation.

These centers are geographically dispersed to meet the needs of children statewide:

- O'ahu
- East Hawai'i island
- West Hawai'i island
- Maui
- Kaua'i
- Satellite interview sites at Kapolei on O'ahu; and on Lāna'i and Moloka'i.

Each CJC coordinates a multidisciplinary team of professionals to respond to the investigations and legal processes for children who are alleged victims of and witnesses to crimes. They provide for the special needs of these children, preventing unnecessary trauma and ensuring justice.

During the 2022 Hawai'i State Legislative Session, the Children's Justice Program statute was amended. Act 17, Session Laws of Hawai'i 2022, updated Hawai'i Revised Statutes (HRS) 588, which covered child sex abuse and serious physical child abuse only, to now include the investigation and management of cases involving suspected or confirmed child sex trafficking, commercial sexual exploitation of children, other child maltreatment, and child witnesses to crime or violence.

### **An Upgrade for the O'ahu Children's Justice Center**

The O'ahu Children's Justice Center (OCJC), which has operated out of a quaint Victorian house for approximately 36 years, has seen an increase in cases of serious physical abuse, suspected child fatalities, and children witnessing violence, especially domestic violence, since 2021.

With the expanded mission of the Children's Justice Program, the Centers have set a strategic goal of acquiring larger physical sites that have the capacity for additional services to assist children and their families.

During the 2023 Session of the Hawai'i State Legislature, the Judiciary received a \$6 million appropriation for a new Children's Justice Center facility on O'ahu. In 2024, the OCJC selected a new location in urban Honolulu. As of October, plans for renovating the existing building are in development.

The new OCJC will be accessible to individuals with disabilities, and have the capacity to respond to urgent cases after regular business hours. It will provide spaces for children and families to meet confidentially with the various professionals who work on these complex cases. Additional resources will include three child forensic interview rooms, a non-acute medical exam room, a shared workspace for outside agency personnel, and a larger conference room to accommodate the frequent meetings and trainings conducted by the CJC. There will also be office space for volunteers and interns from various disciplines, including social work, law enforcement, as well as the legal, medical, and mental health professions.

*Continued on page 76*

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## *Children's Justice Program / Hawai'i Children's Justice Centers (cont.)*

An important feature of the new location is ample "green space." The healing benefits of the trees, plants, and wildlife will help mitigate trauma for the children and family members, as well as CJC staff and other professionals.

### ***Training and Continuing Education***

The program has continued to coordinate/collaborate on training for hundreds of professionals both in person and on virtual platforms. Trainings included dynamics of child sexual abuse; forensic interviewing of children, and enhancing resiliency for professionals who are involved in child abuse cases.

### ***CJC Friends (Public/Private Partnership)***

A unique feature of the Children's Justice Centers is the public-private partnerships between the Judiciary and the community. Originally founded by local Rotary Clubs, each island center is supported by their Friends of the Children's Justice Center, a non-profit organization that provides resources for the centers, the professionals who work with victims, and the children and families served by the programs.

### ***Background***

The Hawai'i Children's Justice Program is an accredited member of the National Children's Alliance (NCA), which is comprised of nearly 1,000 children's advocacy/justice centers nationwide. It was established in 1986 and placed under the Judiciary by the Hawai'i State Legislature (Hawai'i Revised Statutes Chapter 588). In 1988, the Children's Justice Center of O'ahu opened its doors. Other centers were established across the state thereafter.

### **Partner Agencies**

The Children's Justice Centers work in collaboration with numerous organizations, including:

- State of Hawai'i Department of Human Services – Child Welfare Services
- State of Hawai'i Department of the Attorney General
- United States Attorney's Office
- County police departments
- The Armed Forces
- The Federal Bureau of Investigation (FBI)
- Homeland Security Investigations (HSI)
- County offices of the prosecuting attorneys
- The courts
- Victim witness assistance programs
- Victim advocacy & crisis counseling programs
- Medical services
- Mental health/clinical services
- Community volunteers

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# Stewardship in our Communities

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*The Hawai'i State Judiciary provides services that promote justice for members of our community who have extraordinary challenges.*

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## Community Outreach Court



The Community Outreach Court (COC) is a mobile court that seeks to assist residentially-challenged individuals (e.g., houseless, sheltered, pending eviction, one pay check from being houseless), who may also be experiencing challenges with mental health, alcohol or substance use disorders, and/or physical health concerns. The program is voluntary and available to non-violent offenders only.

Participants are often charged with minor criminal quality-of-life related offenses (e.g., park use) and traffic violations. With unresolved court cases and outstanding bench warrants, these individuals may be unable to obtain jobs or renew driver's licenses – factors that, in turn, can lead to homelessness.

The mobile court brings the courtroom (judge, bailiffs, court clerks, and social workers), attorneys, and treatment providers out into the community, to meet participants in non-traditional settings. This approach helps the court overcome obstacles that prevent legal matters from being resolved, including transportation challenges faced by defendants who must travel

long distances to appear for hearings, defendants' feelings of intimidation in formal court settings, and lack of understanding of the legal process that may deter people from coming to court.

To reduce crime and recidivism, the COC combines accountability with access to services. Participants are sentenced to perform community service work in lieu of jail or fines and fees, and are offered immediate connection with community-based social service providers. These providers are invited to attend all COC hearings where they can meet with participants in private and help them obtain basic necessities (e.g., food and shelter), medical care, treatment, counseling, and other support. This aspect of COC is especially beneficial for those who may have difficulty seeking assistance for such issues.

Individuals who wish to work toward resolving their cases may apply through the State Office of the Public Defender to participate in COC. Applicants must undergo a background check and thorough evaluation by both the state public defender's office and the county prosecuting attorney's office.

The COC conducts hearings on cases for which the public defender and prosecuting attorney have negotiated plea agreements for the disposition of a defendant's outstanding charges and bench warrants. Proposed disposition of cases may include community service, driver education, or other court-ordered conditions.

*Continued on page 78*

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## Community Outreach Court (cont.)



*O'ahu Community Outreach Court social workers Sarah Strong and TinaAnn Auva'a conducting outreach at Pu'uhonua o Wai'anae – Wai'anae Boat Harbor, May 29, 2024.*

## Program Updates

### The O'ahu Mobile Court

Since its inception, the O'ahu Community Outreach Court (OCOC) has held hearings at multiple locations, including the Honolulu District Court, Wahiawā District Court, Kane'ohe District Court, and Kane'ohe Joint Outreach Center. Under the leadership of First Circuit District Court Judge Thomas Haia, the OCOC has worked diligently to expand its outreach efforts and community sites where the court convenes.

The court held three sessions monthly at different venues throughout 2024: in Kane'ohe at Lili'uokalani Trust – Kīpuka Ko'olau Poko, in Honolulu at the Hawai'i Health and Harm Reduction Center, and in Wai'anae at the Wai'anae Public Library.

The OCOC was also successful in its efforts to expand to Waimānalo where, on September 9, the court held hearings at the Queen Lili'uokalani Trust for the first time. Establishing this new location provides opportunities for participants residing in and near Waimānalo to engage with Judge Haia and the community service providers.

Thanks to the support and collaboration of the Hawai'i State Public Library System, the OCOC plans to convene at the McCully-Mō'ili'ili Public Library in 2025. This is a significant achievement to increase the availability and presence of the OCOC program in Honolulu's urban center.

The OCOC team is also exploring the possibility of holding court in Wahiawa. The Central O'ahu community is experiencing high levels of homelessness and there is a significant need for the services the OCOC provides.



*Judge Thomas Haia convenes the O'ahu Community Outreach Court (OCOC) on the lanai of Ka'ahumanu Hale, the First Circuit Court building, March 15, 2024. The OCOC finds that many of the people this court is designed to assist report feeling overwhelmed by the formality of a conventional court setting. OCOC is a mobile court, equipped to hold hearings at informal, community-oriented venues to alleviate this anxiety so participants may resolve their legal issues and acquire any social and medical services they need.*

### **Community Engagement**

The OCOC is committed to increasing the island-wide benefit of its program by providing services to as many qualified individuals as possible.

Consistent outreach efforts remain crucial for effectively serving the homeless community. OCOC staff made frequent outreach a priority this year. Engagement events were held at locations around the island including the Waimānalo Emergency Shelter; Pu'uhonua o Wai'anae at the Wai'anae Boat Harbor; Kahumana Wai'anae; Hands of Hope North Shore; Restore, Reconnect, Revive (R3) Wai'anae; Kailua Service Care Event; Ka Po'e O Kaka'ako (KPOK); Punawai Rest Stop; the Achieve Zero Service Fair; and the Partners in Care Wahiawā Service Fair.

### **Learning Empowerment Action Program (LEAP)**

The OCOC is maintaining its collaboration with the First Circuit Adult/Juvenile Community Service and Restitution Unit (A/JCSRU), demonstrating its ongoing commitment to supporting OCOC program participants who are unable to take part in traditional community service due to physical limitations. A/JCSRU's Learning Empowerment Action Program (LEAP) continues to offer a comprehensive series of classes covering pertinent topics such as resume building, financial literacy, budgeting, basic computer skills, self-care and stress management, as well as driver and pedestrian education. The program's goal is to empower all participants to contribute to their personal growth and the improvement of their communities, regardless of any physical limitations they may have.

*Continued on page 82*

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## Joint Service Fair with the O‘ahu Specialty Courts

The O‘ahu Community Outreach Court (OCOC) collaborated with the Adult Client Services Branch Specialty Court section to host a Joint Service Fair on March 15, on the lanai of Ka‘ahumanu Hale, the First Circuit Court building. The fair brought together 34 service providers dedicated to addressing the needs of the OCOC's homeless participants and O‘ahu’s probationers. The range of services offered was comprehensive, including free cellphones, job placement assistance, mental health and substance abuse support, access to medical and dental coverage, housing assistance, legal document aid, food bank assistance, the United States Department of Veteran's Affairs support, as well as a hair cutting service and a mobile shower. Approximately 150 people attended and were able to engage with service providers.

### Featured Service Providers:

Aloha Medical Mission	Helping Hands
American Foundation for Suicide Prevention	HieHie / Project Vision
American Job Center	Hina Mauka
Bobby Benson	Imua Health Group
Care Hawaii	Kapili Roofing and Construction
Catholic Charities	Kokua Support Services
Community Outreach Court – O‘ahu	Ku Aloha Ola Mau
Division of Vocational Rehabilitation – State of Hawai‘i	Legal Aid Society
Department of Human Services	Lifeline Cell Phones
Department of Labor & Industrial Relations	Malama Recovery
Donation Table	Marimed
Driver Education Unit – Hawai‘i State Judiciary	MedQUEST
Ekolu Crisis Stabilization	Mental Health Kokua
H3RC	The Queen's Medical Center Day Treatment Services
Hair Stylist	United States Department of Veterans Affairs
Hawaii Foodbank	Windward Community College
Hawaii Tobacco Quit Line	
He Ala Hou O Ke Ola	



*Hie Hie Mobile Showers and a hair cutting station set up on the plaza of Ka'ahumanu Hale during the Joint Service Fair, March 15, 2024.*

With the assistance of Probation Administrator Brook Mamizuka and Chief Court Administrator Lori Okita, court staff facilitated a donation initiative, providing clothing, shoes, toiletries, bedding, towels, and other necessities. A donation store managed by the Specialty Court staff, enabled participants to acquire a variety of goods as needed. In addition to donations from the First Circuit and Honolulu District Court staff, donations were received from Wahiawā District Court.

Prior to the commencement of the fair, the OCOC convened court in a corner of Ka'ahumanu Hale's front lanai. Judge Thomas Haia presided over the hearing, which involved one new participant, 13 continued participants, and two graduates.

Lastly, participants of the OCOC program were afforded the opportunity to fulfill their court-ordered community service work hours while attending the service fair. Homeless participants were issued a card with the names of all 34 service providers. They earned 15 minutes of community service credit for each service provider they engaged with and obtained information from. Notably, six OCOC participants successfully fulfilled a total of 38.5 hours of OCOC community service work at the fair, thereby meeting their graduation requirements for the OCOC program.

## Community Outreach Court (cont.)



*The O'ahu Community Outreach Court (OCOC) team at the Hawaii Health and Harm Reduction Center, May 17, 2024. From left: Bailiff Susan Sawai, Court Clerk Michelle Holt, Social Worker Ana Kia, Deputy Public Defender Megan McDonald, American Job Center Recruiter Lisa Pereira, OCOC Social Worker Sarah Strong, Hawaii Food Bank Representative Eva Tavares, Vance Tano from Helping Hands, Walk Wise Representative Angie Ishihara, OCOC Judge Thomas Haia, Legal Aid Attorney Janet Kelly, Sheriff Lester Gantan, Allied Security Guard Dorena Kalaau, AJCSRU Social Worker Noah Eckart, OCOC Section Administrator TinaAnn Heatherly Auva'a, Deputy Prosecuting Attorney Jonathan Tungpalan, AJCSRU Social Worker Kate Ku, and Allied Security Guard Danny Kaewnork.*

LEAP was launched on October 20, 2023. Classes are offered to the participants at their respective OCOC sites, and time spent in the classes counts towards their court-ordered community service hours. To date, five OCOC participants have taken part in LEAP.

### ***Homeless Management Information System (HMIS)***

The OCOC is in the final stages of securing access to the O'ahu Homeless Management Information System (HMIS) administered by the Partners In Care coalition. HMIS is a software program that collects information on the characteristics and service needs of individuals at risk of and experiencing homelessness. The primary goal is to better understand and address homelessness

more effectively. It provides coordinated services and improves case management, which benefits both service providers and homeless clients. Access to HMIS will enable the OCOC team to better track homeless participants, who can often be difficult to locate due to their transient lifestyles.

### ***Challenges***

- Losing track of participants is a constant issue when dealing with this population. Staff are working to find ways of (a) maintaining consistent communication with participants, (b) re-establishing contact when participants become unresponsive, and (c) gathering essential information, including accurate names, contact details, and the contact information of close friends or family members.

- The court needs funding to sustain security because it is essential for the safety of the participants, court staff, and attorneys. Court cannot take place without the presence of deputy sheriffs, police officers, and security officers.
- Securing Waikiki and Wahiawā court sites has proven difficult.

### **Program Goals**

OCOC hopes to geographically expand outreach events and find suitable locations to hold court in the Wahiawā and Waikiki communities.

### **Statistics**

January 2017 – September 2024:

- 663 individuals graduated/completed the program
- 10,073 cases were cleared and are no longer active
- 6,971 community service work hours were completed by program participants
- 929 bench warrants were recalled
- 7,080 driver's license stoppers have been lifted.

### **Partner Agencies**

OCOC's partner organizations include, but are not limited to:

**O'ahu-wide:** Hawai'i State Judiciary Division of Driver Education Unit, City and County of Honolulu's Crisis Outreach Response and Engagement Program (C.O.R.E.), Hawai'i CARES/Crisis Line (also known as the statewide access line), Affordable Housing and Homeless Alliance, Aloha United Way, Child and Family Services, the Hawai'i

State Department of Transportation's Walk Wise Hawai'i, Gregory House, Hale Kipa, Housing Solutions, The Institute for Human Services, Kuwewa Project, Inc., Legal Aid Society of Hawai'i, Partners in Development, United States Department of Veterans Affairs' Healthcare for Homeless Veterans (HCHV) Program, Partners In Care, American Job Center, Helping Hands Hawai'i, Hawai'i Food Bank.

**Honolulu:** Angel Network Charities, Kalihi-Palama Health Care for the Homeless Project, Safe Haven (Mental Health Kokua), Pūnāwai Rest Stop (Mental Health Kokua), Salvation Army Family Services, Waikiki Health Center, Hawai'i Health & Harm Reduction Center (former CHOW Project), Partners in Development, River of Life Mission, St. Augustine by the Sea Church.

**Wai'anae:** Wai'anae Public Library, Mā'ili Land Transitional Housing Program, 'Ohana Ola O Kahumana, Volunteer Legal Services Hawai'i, Catholic Charities Hawai'i, Kealahou West Oahu, Power House Church – Wai'anae.

**Wahiawā:** Achieve Zero (formerly known as ALEA Bridge).

**Windward:** Lili'uokalani Trust Kīpuka Ko'olau Poko in Kane'ohe and Waimānalo, Weinberg Village Waimānalo, Windward Community College, Po'ailani, Waimānalo Health Center.

The State Department of Health's Alcohol Drug Abuse Division, provides the OCOC's participants with bus passes to attend court, complete community service, or seek employment.

*Continued on page 84*

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## *Community Outreach Court (cont.)*

### **Maui County Community Outreach Court**

The Second Circuit District Court, in partnership with the State Office of the Public Defender, Maui County Prosecutors Office, and Maui County Police Department, launched the Maui Community Outreach Court (MCOC) on August 26, 2022.

The MCOC concept, modeled after the First Circuit (O'ahu) Community Outreach Court, gives participants a chance to get their lives back on track, without the financial and legal burdens of unpaid citations. Participants are sentenced to community service in lieu of paying fines and fees, and, if successful in the program, may then work towards acquiring a driver's license and stable employment.

Since its inception, MCOC focused on assisting individuals who committed non-violent, quality of life offenses. The state public defender and county prosecutor carefully screened potential participants for the program. Hearings were held the third Thursday of every month, with staffing sessions for the MCOC team on the Thursday before scheduled hearing dates.

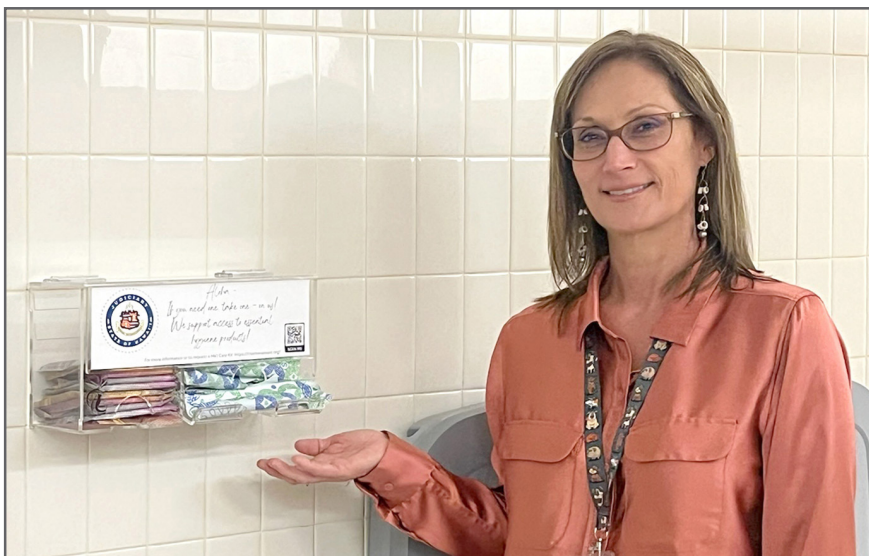
The MCOC initially convened at the Kihei Library and was relocated to Hoapili Hale, the courthouse in Wailuku, in March 2023 to serve a broader group of participants. In March 2024, the Honorable Christopher M. Dunn became the presiding judge of the MCOC.

The number of participants grew as the program developed. Data provided by the Wailuku District Court shows that from Aug 2022 to June 2024:

- 34 individuals were accepted to the program
- 88 community service work hours were completed by program participants
- 25 individuals graduated/completed the program
- 556 cases for 25 persons were cleared and are no longer active
- 450 driver's license stoppers were lifted.

The MCOC was paused in June to give stakeholders time to assess what additional resources and process refinements may be needed to enhance the program's benefits to both participants and the broader community. The Maui County prosecuting attorney and the state public defender's offices plan to review their resources, and client eligibility requirements to ensure the program is servicing the intended populations. A date to resume program operations is pending.

## Third Circuit Helps to Address Period Poverty



*Third Circuit Chief Court Administrator Dawn West shows the newly installed menstrual products dispenser in the first floor women's restroom of the Keahuolū Courthouse, in Kona on Hawai'i island.*

The Judiciary believes in providing equitable access to public facilities by reducing barriers faced by individuals. One such barrier is period poverty, or lack of access to safe and hygienic menstrual products.

"We have been installing menstrual product dispensers in the first-floor women's restrooms of courthouses across the state," said Angela Min, Innovations Officer. "The Third Circuit courthouses in Kona and Hilo on Hawai'i island are now equipped with the dispensers, at no cost to the public."

"We are pleased to make these products available to court users who need them," said Third Circuit Chief Court Administrator Dawn West. "While adequate food and shelter readily come to mind as daily necessities, access to these personal hygiene products can be difference makers in the lives of girls and women."

Ali'iōlani Hale on O'ahu, Pu'uhonua Kaulike on Kaua'i, and Hoapili Hale and the Lahaina District Courthouse on Maui also have the dispensers.

"We want to say a special mahalo to the non-profit Ma'i Movement, and its co-founder Nikki-Ann Yee who greatly assisted the Judiciary in launching this movement in our courthouses," Min added.

"Enabling access to justice can take many forms," said Chief Justice Mark E. Recktenwald. "Providing these products at no cost in our courthouses is just one way the Judiciary can make someone's court experience just a little easier and it is our kuleana to work towards equal access to justice."

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# Office of the Public Guardian

The Office of the Public Guardian (OPG) is an island-wide Judiciary program which allows for state courts to appoint guardians for incapacitated adults.

Public guardians make informed decisions in the best interest of each ward. In so doing, they safeguard the rights, dignity, humanity, and quality of life for each protected person entrusted to their care.

OPG is appointed as a last resort when there are no friends or family members willing to serve as their guardian, or when the court finds that family members are not appropriate candidates, and the appointment of the public guardian best meets the interests of the ward.

As the external decision makers for incapacitated persons, OPG considers each person’s particular and unique needs in consenting to treatments, recreation, socialization, medications, appropriate care, placement, and end-of-life care.

Public guardians also manage services such as social security, and other income sources, as well as placement options, insurances, medical services, caregivers, long-term care, and case management services to sustain the person’s well-being.

## A Team of Specialists

OPG’s O’ahu staff includes six social workers serving as guardians, a clerk, social service assistant, two accountants, supervisor and director. One full-time social worker covers Kaua’i and Maui (including Moloka’i and Lāna’i), and one full-time social worker serves the island of Hawai’i. The director and supervisor manage all statewide operations from O’ahu.

## OPG Clients

The O’ahu office carries the majority of public guardianship cases throughout the state with six guardianship specialists overseeing more than 550 incapacitated persons. For O’ahu, OPG’s current client-to-guardian ratio is approximately 110 – 120 clients for every guardian. The Hawai’i County guardian covers the entire island of Hawai’i and also temporarily covers Kaua’i cases.

At the close of 2024, there were 692 open OPG guardianship cases statewide.

O’ahu: 589

Maui: 33

Hawai’i island: 57

Kaua’i: 11

Out of state: 2

## New Referrals in 2024

There were 83 new referrals for OPG guardianship in 2024. The categories by case type are as follows:

- 66 (80%) Elderly (over the age of 65)
- 9 (11%) Mental Illness
- 5 (6%) Developmental Disability
- 2 (2%) Brain injury, Medical, Other
- 1 (1%) Developmental Disability with Mental Illness (dual diagnosis)

*Continued on page 88*

Chart 1: Statewide Case Counts by Diagnoses

	Developmentally Disabled (DD)	Elderly/Dementia and Memory Loss (EL)	Mental Illness (MI)	Other, Medical, Traumatic Brain Injury (TBI)	Total Cases
Year 2021	351	219	85	41	696
Year 2022	407	157	95	35	694
Year 2023	371	184	91	46	692
Year 2024	367	194	96	35	692

Chart 2: Statewide OPG Cases by Financial Handler

Finance Handler	Year 2021	Year 2022	Year 2023	Year 2024
OPG	385 cases + new cases	382 cases + new cases	386 cases + new cases	375 case + new cases
Circuit Court Small Estate & Guardianships Branch (public conservator)	210 cases total First Circuit: 188 cases Second Circuit: 9 cases Third Circuit: 8 cases Fifth Circuit: 5 cases	199 cases total First Circuit: 178 cases Second Circuit: 9 cases Third Circuit: 7 cases Fifth Circuit: 5 cases	207 cases total First Circuit: 184 cases Second Circuit: 8 cases Third Circuit: 7 cases Fifth Circuit: 8 cases	181 cases total First Circuit: 160 cases Second Circuit: 8 cases Third Circuit: 6 cases Fifth Circuit: 7 cases
Other: private conservator, trustee, representative payee, or finance handler	96 cases	100 cases	107 cases	135 cases

### **After-Hour Medical Emergencies**

OPG's standby guardian is available after hours, weekends and holidays on a statewide basis to make emergency medical decisions. Most of the calls received are related to medical emergencies requiring a decision by the standby guardian.

### **OPG as Finance Manager**

As representative payee for Social Security Administration benefits and Supplemental Security Income for the aged, blind and disabled, OPG manages the finances of clients who lack a conservator or fiduciary. Other income sources for clients may include general welfare assistance, pensions, annuities, support payments, and investments. If the client's personal income or assets are insufficient to cover the cost of client care, guardians apply for public entitlements such as Medicaid, Supplemental Security Income, Food Stamps, or for subsidized housing, etc.

Because the majority of new clients lack a conservator or finance manager, OPG investigates sources of client income and assets to determine the means of paying for client care. If satisfactory financial managers are in place (such as a conservator, trustee, or other fiduciary), decisions for client care may be jointly made with OPG. Generally, however, OPG determines which client income sources and assets to divert or access to pay for client care. For clients with real property or large sums of assets, a conservator may be retained. If existing financial arrangements are ineffective or financial exploitation is evident, OPG may pursue legal or court intervention to ensure that client funds are available for the client's care.

### **Financial Management by Other Entities**

For some OPG clients, personal funds and assets are managed through private trusts administered by financial institutions or trusts and estate administrative services, court-appointed private

#### ***Scope of OPG Duties***

- *Assisting the court in guardianship proceedings*
- *Advising and assisting proposed guardians prior to court-appointment and thereafter in discharging their duties*
- *Offering guidance and counsel to individuals and interested parties to encourage maximum self-reliance and independence*
- *Developing programs of public education and guardianship alternatives*
- *Encouraging the development of private individuals who are able and willing to serve as guardians.*

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conservators, or family members, caregivers/long-term care institutions, and private money managers who serve as representative payees.

The clerk of the court for the following circuits serves as conservator for almost one-third of OPG clients whose estates are of a value less than \$10,000:

- First Circuit: 160
- Second Circuit: 8
- Third Circuit: 6
- Fifth Circuit: 7

### **Enhancing Client Care**

In 2024, OPG increased the frequency of communications with family members and other professionals involved in the care of an incapacitated adult. This improves collaboration and reduces delays in the care of incapacitated individuals. Soon after the court's appointment of OPG as the new guardian, OPG initiated contact with family members and other professionals involved in the client's affairs to explain the role, powers, and duties of guardians, and the critical role OPG fulfills in the protection of the new ward.

### **Medicaid Support**

OPG works with the State Department of Human Services' Medicaid Division to coordinate services that can be provided only with Medicaid approval. OPG's coordination of Medicaid benefits provides a valuable service for the counties by addressing urgent safety, security, and quality of life issues for many individuals in difficult situations who have no other means of support.

### **Guardianship Working Group**

OPG participated in a guardianship uniform law working group with stakeholders from various state departments, hospitals, agencies and other professionals that began in 2022. The working group was initiated by legislators to help identify systemic gaps and feasible solutions to improve the use of guardianships in the state of Hawai'i.

The national trend is to explore services and resources that help provide alternatives to guardianships that are not as restrictive for the wards as full guardianships. The ongoing progress is being reported to the legislature by a working group representative.

### **Artificial Intelligence in the Field of Guardianship**

OPG has begun to explore the possibility of using artificial intelligence (AI) to help guardians with managing complex cases.

AI's potential to curate information could assist guardians analyze specific issues, thus helping OPG make optimal decisions for the wards entrusted to their care.

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# Language Assistance Services

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*Many people who come before the court or who receive Judiciary services need language assistance to meaningfully participate because of limited English proficiency or speech or hearing impairments. The Hawai'i State Judiciary is committed to providing access to court processes and services through language support and assistance.*

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Hawai'i has a diverse mix of people and cultures representing numerous languages and dialects. The demographic composition of the state has been changing dramatically in recent years, as both the number of immigrants and the rate of immigration continue to climb. In addition, Hawai'i's linguistic makeup is becoming more and more diverse as migrants come from many new countries, bringing many new languages and dialects, particularly among the Asian and Pacific Island populations.

United States Census Bureau data from 2023 shows that approximately one in four Hawai'i residents speaks a language other than English at home, and one in 10 is considered limited-English proficient (LEP). This underscores the importance of the Judiciary providing language services for court users each year.

Language for individuals who are LEP can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federal and state government agencies, including the Judiciary, and federally funded programs and activities.

Hawai'i's recent demographic changes exacerbate the difficulty of responding to the language

needs of the Judiciary's client population. The Hawai'i State Judiciary is cognizant of the federal and state legal requirements associated with individuals who are LEP and endeavors to ensure equal access to court services, in a manner that is responsive to diverse cultural and communication needs.

Since its establishment in 1989, The Judiciary's Office on Equality and Access to the Courts (OEAC) has improved and increased the services available to Hawai'i's growing LEP population by:

- Providing interpreting services for LEP clients in as many as 50 different languages
- Translating court forms and information from English into as many as 14 of the languages most frequently encountered in Hawai'i state courts
- Conducting statewide mandatory staff training on language access services for all Judiciary staff.

In 2021, the Hawai'i State Judiciary was ranked seventh in the nation for support it provides people with limited English proficiency, and first for its support for people with disabilities.<sup>1</sup>

Court interpreters are provided, free of charge, for everyone with a substantial interest in every type of court case, including defendants, parties,

<sup>1</sup> Justice Index 2021 Findings, from the National Center for Access to Justice

and witnesses. Interpreters help ensure that LEP persons can meaningfully participate in their court case.

Language services are provided at all points of contact with the public, including in-person and telephone encounters.

The Judiciary pays the costs of sign language interpretation or computer assisted real-time transcription for persons who are deaf or who have a speech or hearing impairment, in accordance with the Americans with Disabilities Act (ADA) and the ADA Amendments Act of 2008 (ADAAA).

The OEAC develops, implements, and administers statewide programs and policies relating to access to the courts for linguistic minorities and persons with disabilities. The office also recruits, registers, educates, and tests interpreters.

Language Interpreting in the Courts

Language interpreters play an essential role in the administration of justice. The state courts use interpreters when a party or witness in a court case has limited English proficiency and is unable to read, write, speak, or understand English sufficiently to meaningfully participate in court proceedings. Interpreters support them in obtaining equal access to justice and help court proceedings run efficiently and effectively.

The Judiciary annually provides interpreters for approximately 8,400 court proceedings and continues to expand its pool of qualified, free-lance interpreters in a multitude of high-demand languages.

The Court Interpreter Certification Program

The Court Interpreter Certification Program promotes and ensures equal access for limited-English proficient persons by providing the most qualified interpreters reasonably available, at no charge, for court proceedings. The program also strives to expand and improve the Judiciary's pool of qualified interpreters by establishing a minimum standard for court interpreter certification and coordinating the screening, training, and testing of interpreters.

As of June 30, 2024, there were more than 366 interpreters speaking 50 languages on the Court Interpreter Registry (list of interpreters), including 13 certified and certified master interpreters in French, Laotian, Mandarin, and Spanish.

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Hawai'i State Judiciary  
High-Demand Interpreted Languages  
Fiscal Year 2023-2024

- |                |               |
|----------------|---------------|
| 1. Chuukese    | 9. Vietnamese |
| 2. Spanish     | 10. Cantonese |
| 3. Ilokano     | 11. Samoan    |
| 4. Marshallese | 12. Pohnpeian |
| 5. Tagalog     | 13. Tongan    |
| 6. Korean      | 14. Russian   |
| 7. Mandarin    | 15. Kosraean  |
| 8. Japanese    |               |

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## Language Assistance Services (cont.)

In 2024, 40 individuals statewide attended the Basic Orientation Workshop for new court interpreter applicants, the first step to becoming qualified to interpret in the Hawai'i state courts.

### Court Interpreter Fee Increase

Since the Court Interpreter Program was established in 2007, the Judiciary has maintained the same fee schedule. In 2023, the Hawai'i Supreme Court Committee on Court Interpreters and Language Access (CILA) Subcommittee on Interpreter Fees issued a study that recommended fee schedule updates. An independent study conducted by the National Center for State Courts (NCSC) in March 2024 also recommended fee schedule updates consistent with the CILA subcommittee report.

In response to the Judiciary's 2024 Supplemental Budget Request, the Hawai'i State Legislature appropriated \$530,000 to the Judiciary to support increases to interpreter fees consistent with the recommendations of the CILA and NCSC. The fee increases were included as part of the Judiciary's Supplemental Budget Request.

Accordingly, court interpreter fee rates were increased on July 1, 2024. The new rates reflect adjustments for inflation and cost-of-living since 2007. In addition, mileage reimbursement rates and commuter time for interpreters who travel farther distances to a court assignment, were also adjusted. The Judiciary plans to review court interpreter fee rates every three years.

### Interpreter Recruitment – High Schools and Colleges

At Kealakehe High School, Konawaena High School, Waipahu High School, the University of Hawai'i at Hilo, and the University of Hawai'i at Mānoa, OEAC staff made presentations on court interpreting as an opportunity for bilingual high school and college students to use their language skills, help their community, and supplement their income.

These presentations were made in response to invitations from the schools seeking to benefit students who are involved in certain classes and school groups (e.g., Interpreting & Translation Club, English Language Learners, Pacific Island

Tier	Interpreter Rate 2007 - June 30, 2024	New Interpreter Rate (eff. July 1, 2024)
Tier 6	\$55/hr	\$100/hr
Tier 5	<i>Reserved</i>	<i>Reserved</i>
Tier 4	\$45/hr	\$80/hr
Tier 3	\$40/hr	\$70/hr
Tier 2	\$35/hr	\$65/hr
Tier 1	\$25/hr	\$35/hr

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Student Center, and Advancement Via Individual Determination, a program that prepares high school students for college eligibility and success).

Following the presentations, several students expressed interest in attending the Basic Orientation Workshop training for new Judiciary court interpreters.

### Legal Interpreter Course

When Kapi‘olani Community College (KCC) sought a partnership with OEAC to develop a legal interpreter course, the resulting collaboration was a 15-week, online, non-credit course taught by OEAC staff, from October 2023 – January 2024.

The course was comprised of 12 online classes and one half-day in-person class at KCC. It provided an overview of legal interpreting in the Hawai‘i state courts, including court procedure, legal terminology, ethics, and interpreting skills.

Based on the success of the first course, KCC invited OEAC to teach a second. The curriculum was revised to include three half-day in-person classes at KCC and six online evening classes between June 15 and July 31, 2024, which gave students more time to work on their interpreting skills. Five students completed the course.

A third course is planned for January – February 2025.

Through a Good Jobs Hawai‘i grant to KCC, the students are provided with tuition waivers, loaner laptops and portable hotspot devices for mobile internet access. Students who pass the course and enter the Court Interpreter Certification Program receive credit for the Basic Orientation Workshop, which is the first mandatory minimum requirement for all state court interpreters.

### Community Engagement and Outreach

The OEAC has increased its outreach to Pacific Island communities to inform them of the availability of language services at the courts and to recruit and train new interpreters in high-demand languages.

As a result of the 10 meetings with community leaders in 2023, 25 Pacific Island interpreters attended special court interpreter workshops on Hawai‘i island and Kaua‘i, and, upon entry into the Court Interpreter Certification Program, received credit for the Basic Orientation Workshop requirement to become a qualified state court interpreter. These interpreters will help provide language services in Chuukese, Kosraean, Marshallese, Mokilese, Palauan and Pohnpeian.

Building on the success of the initial community engagement project, a second collaboration focused on Kona and Maui. The State Office of Language Access and OEAC met frequently with community leaders between August and December 2024, to gain trust, build relationships and support, and obtain commitments to attend special interpreter workshops in December.

OEAC has increased its O‘ahu outreach efforts as well, meeting with community leaders, church pastors, elders, and others, and attending community events including the Hawai‘i Coalition for Immigrant Rights' Filipino Resource Fair in Waipahu and Compact of Free Association Resource Fairs in Kaimuki and Waipahu.

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### Multilingual Resources

#### TRO Videos

The Judiciary expanded its resources for survivors of domestic violence who are limited English proficient, by producing its First Circuit (O‘ahu) Temporary Restraining Order (TRO) Video in eight non-English languages and creating a new Second Circuit (Maui, Moloka‘i and Lāna‘i) TRO Video to address community needs in the aftermath of the Maui wildfires. These videos provide important information to help victims of domestic violence successfully file for a TRO in the family courts serving O‘ahu and Maui County.

The First Circuit TRO Video has been updated to reflect recent changes in the law and is available in English, Chuukese, Ilokano, Japanese, Korean, Marshallese, Spanish and Vietnamese. The new Second Circuit TRO Video is available in English and Spanish.

Both videos will be used by court staff and service providers at the respective courthouses to educate people about the process of filing for a TRO, review steps for completing TRO paperwork, and preparing for the court hearing.

The videos were produced through a Justice for Families grant from the United States Department of Justice, Office of Violence Against Women, through the Hawai‘i State Coalition Against Domestic Violence.

### Supporting ‘Ōlelo Hawai‘i interpreters

#### Hawaiian Language Oral Exam

The Judiciary is actively participating in the effort to expand use of the Hawaiian language.

In January 2018, the Judiciary established a Hawaiian Language Interpreter Policy to accommodate anyone who prefers to speak ‘ōlelo Hawai‘i in court proceedings by providing, to the extent reasonably possible, a Hawaiian language interpreter at no charge.

In Fiscal Year 2023-2024, the Judiciary provided Hawaiian language interpreters in 18 court proceedings.

The Judiciary, in partnership with the Ka Haka ‘Ula o Ke‘elikolani College of Hawaiian Language at the University of Hawai‘i at Hilo, and the State Office of Language Access, developed oral exam testing for Hawaiian language court interpreters. The pilot program, launched in September 2023, included a 16-week online course, culminating in oral exam administration in May 2024. Twelve interpreters from across the state registered for the pilot course and exam.

*The United States Census Bureau's 2022 5-year American Community Survey finds that ‘ōlelo Hawai‘i ranks number six in languages other than English spoken at home in the state.<sup>2</sup>*

<sup>2</sup> 2023 State of Hawaii Data Book, Section 1: Population, Table 1.44 "Top 20 Detailed Languages Other Than English Spoken at Home and Ability to Speak English: 2018-2022." State of Hawai‘i Department of Business, Economic Development & Tourism (DBEDT) estimations using the Public Use Microdata Sample (PUMS) from the U.S. Census Bureau 2018-2022 5-year American Community Survey (ACS). <https://dbedt.hawaii.gov/economic/databook/db2023/>

Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo, the Judiciary Hawaiian Language Program, was established in 2022 by the Hawai‘i State Legislature through the Judiciary budget bill. The program is tasked with increasing the presence of ‘ōlelo Hawai‘i throughout the court system.

The constitution also provides for the preservation and promotion of Hawaiian culture, history, and language in various provisions including Article X, Section 4: "The State shall promote the study of Hawaiian culture, history and language."

The Judiciary is committed to enlisting specialists, agencies, and sources of knowledge to implement the recommendations enumerated in the Judiciary's 2015 *"Report of the Hawaiian Language Web Feasibility Task Force"* in accordance with 2015 House Concurrent Resolution No. 217, House Draft 1, Senate Draft 1 (HCR 217). As an important step in that work, Papa Hana 'Ōlelo Hawai'i Ho'okolokolo is tasked with increasing resources and services available in 'ōlelo Hawai'i

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through the Judiciary, including court interpretation, website translation, archival legal language research, lexicon development, document and form translation, and educational services.

This breadth of services ensures the program’s effectiveness in further promoting the use of ‘ōlelo Hawai‘i in the court system.

**Papa a me Hō‘ike Mahele ‘Ōlelo Hawai‘i ‘Aha Ho‘okolokolo • Hawaiian Language Court Interpreter Course and Exam**

In one of its early contributions, Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo joined the Judiciary’s Office on Equality and Access to the Courts (OEAC) and the State Office of Language Access (OLA) in their efforts to develop the first Hawaiian language court interpreter course and oral exam. The work began in 2019 when OEAC and OLA started working with Ka Haka ‘Ula o Ke‘elikōlani, the College of Hawaiian Language at the University of Hawai‘i at Hilo.

After extensive planning, the pilot course was launched in Fall 2023, with 12 enrolled students. The course was designed to be conducted over Zoom, enabling students from all over the islands to participate without the need to be physically present in Hilo. For 10 weeks, students received instruction, delving into the roles of courtroom participants, the various types of court cases, the distinction between interpretation and translation, and the three different types of interpretation. The class also engaged in extensive in-class court interpretation practice and discussions on selecting the most appropriate Hawaiian language word or phrase to accurately convey the meaning of an English utterance.

Following the successful completion of the first ‘ōlelo Hawai‘i court interpreter course, the inaugural ‘ōlelo Hawai‘i oral court interpreter exam was conducted in the summer of 2024. Court interpreters who complete the OEAC’s court interpreter basic orientation workshop, pass the written English proficiency exam, pass the ethics exam, and clear a criminal background check are designated as tier 1 interpreters. To advance to the other four tiers, applicants must undergo an oral exam in their language, which assesses their proficiency in the three types of interpreting. The score on the oral exam determines the examinee’s tier. The oral exams for the first ‘ōlelo Hawai‘i court interpreters are being meticulously evaluated by kumu ‘ōlelo Hawai‘i from the University of Hawai‘i at Hilo and the University of Hawai‘i at Mānoa.

**Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo ma ke Kahua Pūnaeweke o ka ‘Oihana Ho‘okolokolo • The Judiciary Hawaiian Language Program on the Judiciary Website**


In July, the Judiciary launched a page on its website that provides information on how to request a court interpreter, how to use the services of a court interpreter, and how to become a court interpreter.

The page also features links to Hawaiian language resources that provide legal information. The Judiciary’s web page content will continue to grow as the program’s projects come to fruition.




For more information, visit the [No ka ‘Ōlelo Hawai‘i](#) page on the Hawai‘i State Judiciary website, under the “Special Projects & Events” tab.

See the sample image of current website content on the next page.

[Home](#)
[For Public](#)
[For Litigants](#)
[For Attorneys](#)
[For Jurors](#)
[For Media](#)
[Language Access](#)
[ADA](#)
[Access to Justice](#)
[Contact Us](#)




Hawaii'i State  
Judiciary






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[Legal References](#)
[Community Outreach](#)
[Special Projects & Events](#)


[Home](#) » [No ka 'Ōlelo Hawai'i](#)


**Search Court Cases**

*eCourt Kokua: For access to Traffic cases; District Court, Circuit Court, and Family Court criminal; District Court, Circuit Court civil, and Family Court civil; Land Court and Tax Appeal Court; and appellate court case information.*


**Jobs**

*Search for jobs at the Judiciary*


**Efiling**

*Case information*

**Language Services**

[Language Access Services Home](#)

[廣東話 / 广东话 | Cantonese](#)

[Kapasen Chuuk | Chuukese](#)

[Ilokano | Ilokano](#)

[日本語 | Japanese](#)

[한국어 | Korean](#)

[Kosrae | Kosraean](#)

[國語 / 普通话 | Mandarin](#)

[Kajin Majöl | Marshallese](#)

[Pohnpei | Pohnpeian](#)

## No ka 'Ōlelo Hawai'i

### Ke Kulekele Mahele 'Ōlelo Hawai'i

The Judiciary will provide or permit qualified Hawaiian language interpreters to the extent reasonably possible when parties in courtroom proceedings choose to express themselves through the Hawaiian language.

E ho'onohono ana a i 'ole e 'ae ana ka 'Ōihana Ho'okolokolo i kekahi mahele 'ōlelo Hawai'i kūpono, inā hiki me 'ole ka pa'akikī loa, ke koho kekahi 'ao'ao ma nā ho'okolokolo 'ana ma ka lumi ho'okolokolo e ho'opuka i kona mana'o ma o ka 'ōlelo Hawai'i.

### Kokua Mahele 'Ōlelo

#### Pehea e Noi i Mahele 'Ōlelo no kekahi Ho'okolokolo 'Ana

1. Pono 'oe e hele i ka 'aha ho'okolokolo e 'ike i ka luna kānāwai i kou manawa 'aha ho'okolokolo
2. Ma ka 'aha holokolo, hiki iā 'oe ke
  - a. Noi i ka luna kānāwai i mahele 'ōlelo
  - b. Hā'awi i ka luna kānāwai i kekahi leka noi i mahele 'ōlelo
  - c. **Hō'ike i ka luna kānāwai i kou kāleka hō'ōia 'ōlelo**
  - d. Hiki i kau loio ke noi i ka luna kānāwai i mahele 'ōlelo nou, ma ka ha'i waha 'ana a i 'ole ma ke kākau 'ana.

Ma kou 'aha ho'olohe, hiki i ka luna kānāwai ke ui iā 'oe i nā

- [Ke Kulekele Mahele 'Ōlelo Hawai'i](#)
- [Kokua Mahele 'Ōlelo](#)
  - [Pehea e Noi i Mahele 'Ōlelo no kekahi Ho'okolokolo 'Ana](#)
  - [Pehea e Ho'ohana i kekahi Mahele 'Ōlelo 'Aha Ho'okolokolo](#)
  - [Ka Lilo 'Ana i Mahele 'Ōlelo Hawai'i 'Aha Ho'okolokolo i Hō'ōia 'Ia](#)
  - [Nā Koi](#)
  - [Ke Kūlana 'Ōihana o nā Mahele 'Aha Ho'okolokolo](#)
  - [Ka Papa Inoa o Nā Mahele 'Aha Ho'okolokolo i Hō'ōia 'Ia](#)
  - [Nā Mea 'E A'e E Pili Ana i ka Mahele 'Aha Ho'okolokolo 'Ana](#)
  - ['Ike Mahele Ho'okolokolo ma ka 'Ōlelo Pelekania](#)
  - [Nā Loio Hiki Ke 'Ōlelo Hawai'i](#)
  - [Kekahi Mau Kahua 'Ōlelo Hawai'i Pili i Nā Kānāwai](#)

[www.courts.state.hi.us/no-ka-olelo-hawaii](http://www.courts.state.hi.us/no-ka-olelo-hawaii)

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# Settling Disputes Without Going to Court

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*The Center for Alternative Dispute Resolution helps make alternative dispute resolution (ADR) broadly available throughout the state. The goal is to resolve disputes fairly, and without the delay and financial and emotional costs of litigation, while also preserving relationships where possible. ADR through the Judiciary also helps build public confidence in our judicial system, and expands access to justice by helping more people to be heard.*

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## Center for Alternative Dispute Resolution

In Fiscal Year 2023-2024, with the help of community mediation centers around the state and other partners, the Center for Alternative Dispute Resolution (CADR) helped meet the demand for alternative dispute resolution (ADR), including mediations, trainings, education, and outreach.

### **CADR's Core Services for Fiscal Year 2023-2024:**

- Manage the Judiciary's contracts for more than 2,600 mediations held through five community mediation centers around the state
- Administer the Appellate Mediation Program, helping to resolve cases pending before the Hawai'i Intermediate Court of Appeals
- Facilitate discussions on public policy disputes referred by elected or appointed government officials
- Design and implement ADR training and programs for government entities
- Promote ADR education through workshops, seminars, and formal training programs.

## Highlights: Fiscal Year 2023-2024

### **Community Mediation Centers**

CADR administers a purchase of services contract for mediation and related dispute resolution services with Mediation Centers of Hawai'i, Inc. ("MCH"). MCH serves as an umbrella organization for the five community mediation centers throughout the state:

- Kauai Economic Opportunity
- Ku'ikahi Mediation Center (Hilo)
- West Hawai'i Mediation Center (Kona/Waimea)
- Maui Mediation Services
- Mediation Center of the Pacific (Honolulu)

The centers are key partners in providing affordable mediation services statewide. In Fiscal Year 2023-2024, the mediation centers exceeded contract expectations by:

- Opening 3,894 new cases
- Serving 4,280 cases with 12,118 unduplicated clients
- Conducting 2,269 mediations with 11,157 mediator hours
- Closing 3,935 cases
- Closing 56% of mediated cases with the parties reaching an agreement.

The large majority of cases are domestic/family disputes and landlord-tenant cases.

### Pre-eviction Mediation Involving the Maui Wildfires

Following the 2024 legislative session, CADR received \$410,000 under Act 202 for pre-eviction mediation services for those impacted by the Maui wildfires. A contract was finalized with MCH with the services to be provided largely by Maui Mediation Services (“MMS.”) MMS will provide mediation services when the Governor’s eviction moratorium expires.

### Hawai‘i Appellate Mediation Program

The Hawai‘i Appellate Mediation Program (“AMP”) was established in 1995 pursuant to the Hawai‘i Rules of Appellate Procedure. Through AMP, parties on appeal work with experienced mediators to resolve their cases by mutual agreement – thereby avoiding the added cost, emotional toll, and delay of litigation.

Since AMP’s inception 826 cases entered the program. The overall settlement rate for closed cases is 49%.

In Fiscal Year 2023-2024, AMP added 17 new cases to its 12 pending cases. Of the 29 active cases during this period, 18 closed with the following results: 10 settled or partially settled; 7 did not settle and continued on the court track; 1 was withdrawn prior to mediation; and 11 cases carried over to the new fiscal year.

### AMP Volunteers

The AMP relies heavily on volunteer mediators – retired justices, judges, and retired or semi-retired attorneys. Their time and expertise is invaluable, saving litigants time and money, and allowing the Intermediate Court of Appeals to address other cases.

During Fiscal Year 2023–2024, volunteer mediators provided over 335 hours of mediation services for 18 cases that closed during that period. Numerous hours were also spent on cases still active going into the new fiscal year.

### Mediator Training and Professional Development

The AMP Advanced Skills and Professional Development Symposium, developed and delivered in partnership with the Mediation Center of the Pacific (MCP), was held over Zoom in June 2024, guided by MCP Executive Director Tracey Wiltgen and AMP Administrator Anne Marie Smoke.

*Continued on page 100*

**Appellate Mediation Program Volunteer Mediators**  
**Fiscal Year 2023-2024**

Justice Simeon R. Acoba, Jr. (ret.)	David H. Franzel, Esq.	Hon. Rhonda A. Nishimura (ret.)
Hon. Riki May Amano (ret.)	Hon. Max W.J. Graham (ret.)	Maura M. Okamoto, Esq.
George B. Apter, Esq.	Hon. Mahilani E.K. Hiatt (ret.)	Patricia Kim Park, Esq.
Hon. Joel E. August (ret.)	Jerry M. Hiatt, Esq.	Justice Richard W. Pollack (ret.)
J. William "Ned" Busch, Esq.	Hon. Douglas H. Ige (ret.)	Hon. Shackley F. Raffetto (ret.)
Robin K. Campaniano, Esq.	Hon. Walter S. Kirimitsu (ret.)	Hon. Karl K. Sakamoto (ret.)
Thomas W. Cestare, Esq.	Hon. Rosalyn Loomis (ret.)	Hon. Sandra A. Simms (ret.)
Corlis J. Chang, Esq.	Stanley Majka, Esq.	Hon. Leland H. Spencer (ret.)
Louis L.C. Chang, Esq.	Georgia K. McMillen, Esq.	Hon. Allene K. Suemori (ret.)
Charles W. Crumpton, Esq.	Hon. Douglas S. McNish (ret.)	Owen K. Tamamoto, Esq.
Justice James E. Duffy (ret.)	Hon. Marie N. Milks (ret.)	Hon. Michael A. Town (ret.)
Jacqueline L.S. Earle, Esq.	Richard C. Mosher, Esq.	Arne Werchick, Esq.

The training featured diverse guest speakers, including Louis "Lou" Chang, Esq., a panel by Philip Nerney, Esq. and Judge Riki May Amano (ret.), and a panel by Judge Michael A. Town (ret.) and Kale Feldman, Esq.

CADR offered this training, which provided continuing legal education credits, to help strengthen the skills of mediators in the AMP, in appreciation for their volunteer service. Fifty-one individuals attended.

**Appellate Mediation Program Volunteer Mediators Honored**

The Access to Justice Commission recognized the AMP Mediators for their generous pro bono service contributions during the Commission's 2024 Pro Bono Celebration on October 30 at Ali'iōlani Hale (see page 28). The Pro Bono

Awards are given annually as part of the American Bar Association's National Pro Bono Week recognizing outstanding mediators, attorneys, and law firms who have generously given their time to make a difference in their community. The awards support the continued growth of access to justice in Hawai'i.

**Workplace Dispute Resolution Program**

The Workplace Dispute Resolution Program ("WDRP") is administered by CADR to provide mediation and facilitation as an option for employees in workplace disputes. Employees are provided an off-site mediation through Hawai'i's community mediation centers, where work problems can be discussed informally, confidentially, and resolved, at no cost to the employees.

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The program was originally introduced as a pilot program in 2012 as the Workplace Mediation Program to provide Judiciary employees in the First Circuit (O‘ahu) with an informal way to resolve workplace concerns. In 2019, a committee composed of representatives from Human Resources, the Equal Employment Opportunity Office, CADR, and the Staff Attorney’s Office expanded the program’s services to Judiciary employees statewide and reintroduced it as the Workplace Dispute Resolution Program.

Since the program’s expansion in 2019, 21 cases have been reviewed and five were referred for mediation.

## Training, Education, Research, & Outreach

### ADR-Related Workshops and Educational Outreach for Governmental Employees

CADR continues to provide the following workshops to government employees, including departments/offices within the Judiciary, the Office of the Governor, State Department of Health, State Department of Education, and the City and County of Honolulu. CADR also continues to provide training by invitation for Leadership Honolulu – the City and County of Honolulu Advanced Management Mastery Program:

- CADR 1.0 (Updated) *Working it Out: Skills for Managing Conflict*
- CADR 1.3 *Collaborative Workplace: Skills for Cultivating Collaboration*
- CADR 1.4 *Collaborative Workplace: Giving Feedback for Productive Outcomes*
- CADR 4.1 *Facilitating Effective Meetings* (offered in person only)

- CADR 5.0 *Handling Difficult Situations in the Workplace*
- CADR 6.0 *Communicating with Empathy – The Path to Seeing More Deeply*
- CADR 7.0 *Hot Buttons – Building Emotional Resilience to Manage Conflict*

### Supervisor Mentoring Program

CADR delivered a special training session on managing conflict, and presented the Workplace Dispute Resolution Program to the second cohort of mentors and mentees in the Judiciary’s Supervisor Mentorship Program.

### Seminars, Lectures and Community Forums

- CADR Virtual Brown Bag Sessions – Skills for Problem Solving featuring special guest speakers; co-presented with its local ADR partners:
  - *Mediating Condominium Disputes*
    - 246 registered to participate.
- CADR co-sponsored the 37th Annual Peer Mediation Conference: *Developing Sustainable Peer Mediation Programs* on April 26, 2024.

*Continued on page 102*

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## *Settling Disputes Without Going to Court (cont.)*

### **Continuing Legal Education (CLE)**

CADR develops programs to deliver continuing education to the legal community. Of the training and outreach events CADR offered in Fiscal Year 2023-2024, two of the events offered three cumulative CLE credits:

1. Mediating Condominium Disputes (1 CLE)
2. AMP Advanced Skills and Professional Development Symposium (2 CLEs)

### **Welcome & mahalo to our new CADR Board of Advisors**

- Margery S. Bronster
- Charles W. Crumpton
- Hon. Riki May Amano (ret.)
- Ashley K.K. Obrey
- Hawai'i County Council Member Holeka Inaba
- Kaua'i County Council Chair Mel Rapozo
- Hon. Michael Broderick (ret.)
- Elizabeth Kent
- Colbert Matsumoto

***CADR acknowledges its partnerships with and is grateful to the following organizations who make lectures and community forums possible:***

- *Accord 3.0*
- *Conflict Resolution Alliance*
- *Hawai'i Friends of Restorative Justice*
- *Hawaii State Bar Association – ADR Section*
- *Kaua'i Economic Opportunity, Inc., Mediation Program*
- *King Kamehameha V Judiciary History Center*
- *Ku'ikahi Mediation Center*
- *Matsunaga Institute for Peace and Conflict Resolution, University of Hawai'i at Mānoa*
- *Maui Mediation Services*
- *Provost Office, University of Hawai'i at Mānoa*
- *The Mediation Center of the Pacific*
- *West Hawai'i Mediation Center*

# Applying Technology for Greater Access

*Technology plays a vital role in fulfilling the Judiciary's mission by providing greater access to the court's programs, services, and information.*

## Remote / Hybrid Hearings Yield Greater Access, Transparency, Convenience

Since the COVID-19 pandemic, remote proceedings have been implemented statewide and have transformed the way the courts operate. As such, the Judiciary continues to assess the effectiveness of various aspects of remote hearings on a regular basis, for the benefit of both attorneys and court users.

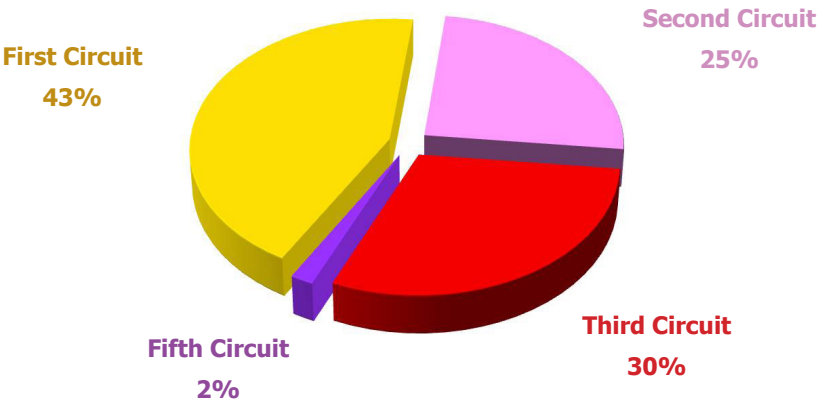
Hawai'i's district, circuit, and family courts held more than 870,000 remote hearings from August 2020 through November 2024. Almost half of those hearings were in the First Circuit (O'ahu). The Second Circuit (Maui County) and Third Circuit (Hawai'i island) held a comparable number of hearings remotely, while the Fifth Circuit (Kaua'i County) had the lowest number. Certain hearings

such as trials and confirmation of sale motions for foreclosures, which must be conducted in person because of the potential to re-open bidding at the hearing, continue to be held in person, but in the majority of cases, parties are now given the choice of attending remotely or in person.

The Judiciary has taken note of feedback from attorneys and the public who say that remote and hybrid hearings appear to increase participation and provide advantages to many different court users with different needs and circumstances. However, the courts remain vigilant of concerns about the quality of equipment in certain courtrooms, and recognize that remote hearings are

*Continued on page 104*

Total Remote Hearings  
August 2020 – November 2024



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## *Applying Technology for Greater Access (cont.)*

not ideal for everyone, especially court users who do not have the right equipment and/or are not proficient in the operation of their own computer or mobile device (e.g., the ability to quickly mute and unmute) to effectively participate in remote hearings, as well as difficulties court users have using the preferred remote hearing software programs, etc.

In considering whether litigants would benefit from additional information and education on appearing remotely, the Judiciary has made every effort to keep its website updated, organized and user-friendly. A dedicated page has been created for users to find information about remote hearings.

For self-represented litigants who may need additional assistance, a separate web page has been established where users can find links to key resources all in one place:

Visit the [“Self-Represented Litigants \(SRL\)”](#) page on the Hawai‘i State Judiciary website, under the “Self-Help” tab.

This page features a link to *“Tips on Going to Court,”* and links to helpful information, including a short YouTube video on the *“Do’s and Don’ts of Remote Zoom Hearings,”* which is also available on the [Judiciary’s YouTube channel](#). Some judges provide this video for litigants to view in “the waiting room” when they first join a hearing by video-conference on Zoom.

### **Electronic Warrants**

The State Legislature amended Hawai‘i Revised Statutes (HRS) Chapter 803 in 2019, authorizing a judge or magistrate to approve a search warrant based on sworn oral statements or electronic communications (HRS § 803-33.5 *Warrants issued on oral statements or electronic communications*).<sup>1</sup>

Since January 1, 2020, when the act took effect, the Second (Maui, Moloka‘i and Lāna‘i), Third (Hawai‘i island), and Fifth (Kaua‘i and Ni‘ihau) circuits have completed pilot projects in collaboration with county police and prosecuting attorneys to develop and test a system of various electronic warrants.

With the new “e-warrant” system, police departments have achieved savings on the costs of transportation otherwise incurred with multiple trips to the courthouse each week. The electronic warrants also enable police officers to attend to other pressing duties while awaiting the judge’s response to the warrant approval request.

In addition, the system has made on-call judges more readily accessible 24 hours a day, seven days a week, from any location that has cellular service. After courthouse business hours, judges process electronic warrants expeditiously using a mobile device, without having to meet the submitting officer at a police station or other mutually convenient location.

These sustained benefits have led the circuits to incorporate “e-warrants” into their regular operations.

<sup>1</sup> Act 117, Session Laws of Hawai‘i 2019 (House Bill 507 H.D. 1 S.D. 1)

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As of 2024, the Second Circuit has expanded the use of electronic warrants to include warrants of arrest, search warrants, and judicial determinations of probable cause (JDPC).

In the Third Circuit, district court judges began reviewing electronic search warrants in February 2022 for blood draws in cases of operating a vehicle under the influence of an intoxicant (OVUII). By April 2024, the judges transitioned to reviewing all search warrants electronically.

The Fifth Circuit is processing electronic search warrants for blood draws in OVUII cases, vehicle searches, and cell phone searches (i.e., searches of cell phone messages, calls, text records from the service provider, location information from cell phone towers, the phone's internet search history, etc.). Judges are also processing district and family court JDPCs electronically. Arrest warrants are still being processed as paper copies.

The systems work with DocUSign licenses, which enable police to generate an electronic search warrant or JDPC request. The request is reviewed by the prosecuting attorney, then emailed to the judge.

Requests that are received during courthouse business hours are processed by the designated judge. Warrant requests that are submitted outside of business hours (often in the middle of the night) are immediately brought to the attention of the on-call judge by way of a telephone call. The judge processes the electronic warrant expeditiously using an iPad or iPhone.

Judges report that their ability to perform a thorough evaluation of the submission is not compromised in any way with the electronic format.

## eCitations in Maui County

The Second Circuit Traffic Violations Bureau (TVB) continues to partner with the Maui Police Department (MPD) and ecitation vendor Thin Blue Line Reporting.

Hawai'i's first electronic citation (or ecitation) pilot project launched in Maui County in April 2017 with grant funds from the Hawai'i State Department of Transportation (HDOT) to determine the feasibility and benefits of transitioning all counties to a statewide ecitation system. Project partners included MPD, the Maui County Department of the Prosecuting Attorney, and the Second Circuit TVB.

After the HDOT grant expired, MPD requested support from the Maui County Council. The program was extended thanks to an appropriation from the County Council which provided funding for MPD to cover the cost beginning October 1, 2024.

People who receive handwritten paper citations, as well as prosecutors, court staff, and the police themselves sometimes have difficulty deciphering an officer's notes. This issue, along with delays in delivering citations to the courts and accurate transfer of the relevant charges into the Judiciary Information Management System can lead to longer wait times for defendants seeking to resolve their traffic cases, and case dismissals in some instances.

Electronic citations have proven effective in resolving these issues. The TVB reports sustained efficiencies gained through faster processing times and accurate data entry, as well as more timely access to traffic cases for the public to review and pay online.

### **Artificial Intelligence**

Since the initial release of ChatGPT on November 30, 2022, generative artificial intelligence (GenAI) technologies have become increasingly present in our lives, with a variety of tools and products being marketed commercially to the public, as well as the legal profession. As interest and widespread use of artificial intelligence (AI) grows, the Judiciary is preparing to address issues and concerns, and formulate appropriate plans of action.

The Judiciary recognizes that AI poses some significant challenges to our society. Certain uses could be very antithetical to our democracy, threaten the rights and livelihoods of individuals in creative industries whose works could be appropriated, and impact the legal profession if false citations of cases quoted from AI are submitted to court.

The Judiciary also recognizes this technology's potential to serve as a beneficial tool. It has the potential to make the administration of justice more efficient and accessible, and could be beneficial in closing the justice gap by providing legal information to self-represented litigants and assisting them in navigating the court process on their own.

In light of this, on April 16, 2024, Chief Justice Mark E. Recktenwald established the Committee on Artificial Intelligence and the Courts ("CAIC")<sup>1</sup> to carefully research and consider how this emerging technology might be used effectively. Among its tasks, the CAIC will:

- Research AI capabilities, limitations, and risks to the Judiciary
- Determine how to approach, incorporate, and/or implement AI technology into court operations
- Provide guidance and/or policies in regard to AI usage
- Identify ways in which AI can be used to meet the needs of self-represented litigants; and
- Identify legal and ethical issues that could arise from the use of AI technology in court operations and in the practice of law, and as appropriate, recommend rules to address them.

The Committee will submit periodic reports with findings and recommendations to the Supreme Court with a preliminary report due no later than December 15, 2024, and a final report due on or before December 15, 2025.

<sup>1</sup> SCMF-24-0000305 Order Establishing the Committee on Artificial Intelligence and the Courts

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# Law Library: A Community Resource

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*The Hawai'i State Law Library System collects, organizes, and disseminates information and materials related to legal research and judicial administration. The library system makes these resources available to the general public for legal research and study.*

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The Hawai'i State Law Library System (HSLLS) is comprised of the Supreme Court Law Library (SCLL) (O'ahu) and its satellite libraries located in the Second (Maui County), Third (Hawai'i island), and Fifth (Kaua'i County) circuits. The HSLLS is a primary legal resource for the courts, legal community, and the public. The system houses more than 295,000 volumes of legal materials relating to Hawai'i, the United States, and foreign countries, and provides electronic resources and databases for legal research.

The SCLL in Honolulu serves as the administrative headquarters of HSLLS. It performs budgeting, planning and purchasing for the entire law library system and is responsible for furnishing primary and secondary legal resources for the judges' chambers and administrative offices throughout the Judiciary.

Attorneys and their staff members, government agency personnel, legislators, and the general public patronize the law library facilities on all islands.

## Services

HSLLS libraries are used for legal research, with selected materials available for check out. SCLL provides [document delivery and certification](#) as well as Hawai'i [legislative history research](#) services at a nominal cost, and library personnel assist users with basic legal reference needs.

Law library facilities on all islands are open Monday – Friday, during state business hours, excluding holidays. For information on how to access the law libraries, please visit the web site:

[histatelawlibrary.com/about/hours-and-locations/](http://histatelawlibrary.com/about/hours-and-locations/)

Courthouse service centers refer members of the public to the law library for resources to help with their legal questions regarding family court, district court, and even appellate matters. These referrals are particularly common when questions pertain to legal information involving separation, annulment, service by publication, agency appeals, and more. SCLL staff have put together informational packets for the public that include applicable court rules, sample forms, and secondary legal materials.

## Materials Available

The collections of the libraries include materials in print, microfilm, microfiche, and electronic formats. These materials cover primary law for all federal and state jurisdictions, as well as practice materials for all major areas of law. The HSLLS also subscribes to a variety of electronic resources available on public access computers and the internet, including Westlaw, Lexis, Bloomberg Law, Wolters Kluwers' VitalLaw, HeinOnline, Lexis Digital Library, and more.

*Continued on page 108*

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## Law Library: A Community Resource (cont.)

The HSLLS's collections meet the standards of the American Association of Law Libraries for Appellate Court Libraries and State Law Libraries. These professional standards formally recognize that access to justice is a fundamental right of every citizen in the United States, and that access to meaningful legal information is an essential element of this right.

The SCLL is a selective depository for federal documents distributed through the United States Government Publishing Office.

### New Resources and Exhibits for the Public

#### Hawai'i Education & Training Videos 2024:

The following were added to the Law Library's website, under the "Education/Training" tab at:

[hstatelawlibrary.com/education-training/](http://hstatelawlibrary.com/education-training/)

#### Generative Artificial Intelligence

The topic of generative artificial intelligence (GenAI) has captured worldwide attention. In 2023 and 2024, State Law Librarian Jenny Silbiger was invited by the Hawaii State Bar Association to conduct webinars on "Generative AI & the Legal Profession." In 2024, new GAI videos were added:

- ***Beam Me Up, AI: Basics and Beyond for the Legal Profession*** (January 18, 2024): This webinar provides an overview of GenAI, legal news, commercial tool demos, and a look at the tools leveraged for the legal profession.

- ***Unlocking the 10x Lawyer: How Generative AI Can Transform the Legal Landscape*** (January 25, 2024): Presented by Tanguy Chau, co-founder and CEO of Paxton AI, this webinar addresses the AI revolution that is currently happening and how it applies to the legal profession. He also provides a demonstration on Paxton AI and how it can be used by those in the legal profession.

#### Legal Resources

Library Week 2024 videos highlight the SCLL's free legal resources available to the public:

- ***Wolters Kluwer's VitalLaw*** (April 8, 2024)  
Wolters Kluwer's VitalLaw™ is an intuitive legal research platform providing expert editorial analysis in highly-regulated areas of law. Learn about content in litigation, family law, labor and employment, and more (on-site access only).
- ***LexisNexis eBook Digital Library: SCLL LexisNexis Digital Library Webinar*** (April 12, 2024)  
This presentation reviews the LexisNexis eBook Digital Library, which is home to more than 1,299 volumes of Matthew Bender/LexisNexis titles and 800+ American Bar Association (ABA) titles. The Digital Library allows access anytime, anywhere.

*Continued on page 110*

## Lawyer in the Law Library – Kapolei Access to Justice Room In-Person Sessions Resume at Supreme Court Law Library



*From left: Volunteer attorneys Seth Harris and Ellen Politano with Chief Justice Mark Recktenwald, State Law Librarian Jenny Silbiger, and librarians Marlene Cuenco and Joely Alt.*

The Kapolei Access to Justice Room (KAJR) is operated as a partnership between the Hawaii State Bar Association (HSBA) Family Law Section, the O'ahu Senior Family Judge's chambers, and is supported by HSBA, where attorneys specializing in family law volunteer to provide free limited legal advice to the public at the Kapolei courthouse. In 2019, KAJR expanded to include a satellite location at the Supreme Court Law Library (SCLL), so that volunteers and clients could meet in town to receive assistance that was previously available only at the Kapolei Courthouse. SCLL refers to the satellite as the "Lawyer in the Law Library" program, which reflects similar programming in other jurisdictions across the nation. When in-person operations shut down in early 2020 due to the COVID-19 pandemic, the state law librarian worked with Family Court to bring KAJR/Lawyer in the Law Library into a videoconferencing/teleconferencing setting. The program has used the Zoom platform since May 2020.

In March 2024, the Supreme Court Law Library resumed in-person consultations on a monthly basis, in addition to the continued remote zoom platform sessions. As of December 2024, more than 53 clients were served in person at SCLL. Those who were assisted by a "Lawyer in the Law Library" received free limited legal advice on family law matters, as did all of KAJR's 241 total clients during the year.

## Law Day 2024

Each year, the American Bar Association (ABA) celebrates Law Day on May 1. The ABA website states that Law Day "is a national day set aside to celebrate the rule of law. Law Day provides an opportunity to understand how law and the legal process protect our liberty, strive to achieve justice, and contribute to the freedoms that all Americans share." To commemorate Law Day 2024, the library created an informational webpage around the theme "*Voices of Democracy*." The intent of the 2024 theme was to highlight the purpose of voting, especially in an election year. The webpage includes Hawai'i resources on voting rights, how to register, and how to vote, information about presidential elections, and selected books available at the SCLL related to the theme of Law Day.

Online at:

[histatelawlibrary.com/lawday/law-day-2024/](https://histatelawlibrary.com/lawday/law-day-2024/)

## Community Resources

### District Court Remote Hearing Laptop Station

As a result of district court hearings moving online, the SCLL used COVID-19 grant funding to create a laptop hearing station on O'ahu. This is available to members of the public who do not have access to technology, so they can still appear at their hearings. When hearing notices are sent out, information about utilizing the library's Remote Hearing laptop is included. For more information, please see:

[www.courts.state.hi.us/wp-content/uploads/2020/12/Laptop-Access-Station.pdf](https://www.courts.state.hi.us/wp-content/uploads/2020/12/Laptop-Access-Station.pdf)

### Self-Help Station

The SCLL makes available a self-help work station for self-represented individuals to draft court forms for filing. Printing is available at the self-help station. Pages printed are charged at 15 cents per page and payments can be made at the Circulation/Reference Desk. See:

[histatelawlibrary.com/services/self-help-station](https://histatelawlibrary.com/services/self-help-station)

### SCLL Meeting Space

The SCLL continues to offer the use of a meeting space on the basement level of the library. Judiciary staff, other Hawai'i government agencies, non-profit, and for-profit organizations are welcome to reserve the space. There is a nominal fee charged to non-profit and for-profit organizations based on their status. Applications for use of the Meeting Space are subject to approval and availability on a first-come, first-served basis. More details about the meeting space are available on the HSLLS website. See:

[histatelawlibrary.com/services/scll-meeting-space](https://histatelawlibrary.com/services/scll-meeting-space)

### Zine Collection

The SCLL launched a Zine Collection in 2023 that provides access to information from a variety of viewpoints. The hope and intent is for library patrons to broaden their perspective and knowledge of legal and legal-related matters. Zines are often self-published original works of alternative literature that are disseminated in a magazine-like format. The majority of zines are printed in noncommercial tiny runs, usually "cut and pasted" text and images merged into a story, and are made by people known as "Zinesters."

## Nā Hoa Kānāwai Newsletter

To keep connected and up-to-date on the library and its services and activities throughout the year, we welcome you to peruse the quarterly newsletter that is made available through the Hawai'i State Law Library System website at:

<https://histatelawlibrary.com/newsletter>



The Hawai'i State Law Library's "Nā Hoa Kānāwai" Newsletter, December 2024 issue, page 1.

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# Investing in Future Generations

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*The Judiciary invests in Hawai'i's future generations by engaging students and the public in outreach programs and events designed to help them better understand the judicial system. These initiatives highlight principles that are fundamental to our system of democracy, including individual liberties, the rule of law, and the protections these doctrines provide.*

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## First Law & Justice Academy on Hawai'i Island a Big Success



*From left, Mauihiwa Weissman, Aubree K-aloha, and Julie Nacionales listen intently to the instructors during the Hilo Law & Justice Academy.*

While many teenagers spent their fall break relaxing, 20 high school students from Kea'au, Waiākea, Kamehameha Schools-Hawai'i, Hilo, and Ke Kula 'o Nāwahīokalani'ōpu'u Iki chose to immerse themselves in learning about civics and the legal system. These students were selected to participate in the first Hilo Law & Justice Academy at Hale Kaulike (Hilo courthouse), an intensive three-day program that culminated in a mock trial exercise.

"We wanted to provide access to a unique opportunity for students from East Hawai'i to learn about our legal system and to see the pathway to civic engagement and a potential career in law," said Professor Troy Andrade of the William S. Richardson School of Law and a member of the Commission to Promote and Advance Civic Education (PACE).



*Hilo Law & Justice Academy instructors and students gather for a group photo commemorating their experience.*

The selected students, who are interested in justice, the law, leadership, advocacy and/or careers in the legal field, developed skills in discussion, debate, analysis, and advocacy. “Something that I liked about the program was being able to talk with various judges and attorneys to learn about their jobs,” said Aubree K-Aloha, a 10th grader at Kamehameha Schools-Hawai‘i.

The inaugural program organized by PACE was held on Maui in 2022, in partnership with local stakeholders. Based on the success of the Maui program, PACE worked alongside the judges and staff of the Third Circuit Court, the William S. Richardson School of Law, the Hawai‘i County Bar Association, the University of Hawai‘i at Hilo’s Pre-Law Certificate Program and Political Science Department and the university’s Kipuka Native Hawaiian Student Center, and the American Judicature Society to coordinate the Hilo program.

The Academy included an overview of state and federal government, a presentation on Hawai‘i’s court system from state trial and appellate judges, sessions by attorneys on presenting witnesses and arguments in court, exercises for students

to learn courtroom advocacy, a session by UH Hilo and Richardson Law School students about educational pathways, an opportunity to meet and hear from court staff integral to the operations of the Third Circuit Court, a tour of culturally significant sites in Hilo and to meet citizens active in the community, and a mock trial before Third Circuit judges.

“Every volunteer judge and attorney who had the opportunity to work with the students was impressed by their curiosity, intelligence, thoughtfulness, and potential. It was inspiring to see how much the students learned and grew over the course of just three days. We all look forward to learning what each of them accomplish in the future,” said Steven Uejio, a volunteer and Academy organizer.

PACE plans to continue to explore opportunities to expand the program to other areas of the state. Maulihiwa Weissman, a 10th grader at Ke Kula ‘o Nāwahio Kalani‘ōpu‘u Iki Lab Public Charter School, had this advice for interested students:

*Continued on page 114*

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## *Investing in Future Generations (cont.)*

"Get out of your comfort zone and join [the Academy]. Who knows? Maybe you will be a lawyer or judge when you are older."

"I was very impressed by the growth I witnessed over the three days of the Academy," said volunteer attorney Sherilyn Tavares, County of Hawai'i Deputy Corporation Counsel. "They were eager to get feedback on the work they had done as they prepared for their presentations, and rather than shy away from presenting, I witnessed their excitement grow immensely. It was funny how on day two, all they wanted to know was 'what side am I going to be on,' although they learned that it didn't really matter in the end, because they were learning to consider the issues from all sides."

"I overheard the students sharing about how they were thinking about their arguments all night, and that for some, it kept them up because they did not want to leave any important details out. I told them that aspect of the legal profession doesn't end in the real world," she added.

Along with Andrade and Uejio, Third Circuit Judge Darien Ching Nagata and Federal Magistrate Judge Wes Porter were lead organizers of the Law & Justice Academy. Key contributors from the state Judiciary were Hawai'i Supreme Court Justice and PACE Chair Lisa M. Ginoza, Intermediate Court of Appeals Judge Sonja P. McCullen, Judge Henry T. Nakamoto, Judge Peter K. Kubota, Judge Jeffrey W. Ng, and Judge Kimberly B. M. Tsuchiya.

Staff members who shared information on careers in the Judiciary were Bailiff Timothy Weber; Clerk Darla Reuelman; IT Support Technician Michal "Miki" Popadic; Juvenile Probation Officers Kathy Nacis and Mariaina Fujisawa; and Program Services Social Worker Shelley Carter. In addition, Sheriff Deputy Michelle Watson from the Department of Law Enforcement also presented.

## Internships for Waiakea High School Academy Program Students

During the 2023-2024 school year, six students from the Waiakea High School Academy Program interested in careers in the legal and social work fields interned with the Third Circuit's (Hawai'i island) Court Operations Division and the Client Services Division. Each student successfully completed 40 internship hours.

The Third Circuit will continue the partnership with Waiakea High School and four students from the Academy Program will begin their internship during the 2024-2025 school year. They will gain work experience and general understanding of Court Operations and Client Services.

## Civics and School Tours

The Third Circuit continues to foster relationships with Hawai'i island schools and provides further insight about civics and how the circuit supports the mission of the Judiciary. During visits to the courthouses, students toured the building, but most importantly learned about the mission of the Judiciary and got an overview of the judicial system. Attorneys, judges, State Department of Law Enforcement officers, court clerks, administrators, and probation officers discussed their role in the Judiciary with the students. This year seven schools toured the Hale Kaulike courthouse in Hilo, and five schools toured the Keahuolū Courthouse in Kona, totaling more than 200 middle and high school student visitors.

## Celebrating Kaua'i's First Law Day Art Contest



*District Family Court Judge Gregory H. Meyers congratulates the Chiefess Kamakahelei Middle School student winners of the Fifth Circuit's 2024 Law Day Art Contest. From left, Pohai Kaupu Brown (third place), Alyssa Agpaoa (first place), and Cindy Lin (second place).*

Seven eighth grade students from Chiefess Kamakahelei Middle School helped the Fifth Judicial Circuit on Kaua'i hold its first-ever Law Day Art Contest by submitting original works of art representing the theme, "The Rule of Law and Lady Justice."

Participants took a field trip to the Pu'u'honua Kaulike Judiciary Complex on May 10, where they publicly unveiled their works of art. Three winners were announced by the Fifth Circuit's Aloha Committee:

First Place – Alyssa Agpaoa, Second Place – Cindy Lin, and Third Place – Pohai Kaupu Brown.

Each received a gift bag and certificates of achievement provided by the Judiciary, along with gift cards thanks to the graciousness of their academic coach who made the event happen.

The contest was organized by Fifth Circuit District Family Judge Gregory H. Meyers following his visit with three Chiefess Kamakahelei classes during National Judicial Outreach Week in March.

Judge Meyers congratulated the winners and thanked each of the students for sharing their visions of the ideals that are enshrined in our system of justice. He also expressed his thanks to the First Circuit staff who coordinate O'ahu's Law Day art contest for their support and guidance in launching this civics education engagement. The Fifth Circuit looks forward to expanding the art contest to more schools in the future.

Law Day is an annual event, originally conceived in 1957 when American Bar Association President Charles Rhynes envisioned a national day to mark our commitment to the Rule of Law. The following year, President Dwight D. Eisenhower established the first Law Day. In 1961 Congress issued a joint resolution designating May 1 as the official date.

## Courts in the Community: Hawai'i Supreme Court Holds Oral Argument for the First Time at Kailua High School



*From left: Hawai'i Supreme Court Associate Justice Lisa M. Ginoza, Associate Justice Sabrina S. McKenna, Chief Justice Mark E. Recktenwald, Associate Justice Todd W. Eddins, and Associate Justice Vladimir P. Devens listen as Deputy Prosecuting Attorney Brian R. Vincent presents his arguments during Courts in the Community at the Kailua High School gymnasium.*

The Hawai'i Supreme Court convened on April 26, at Kailua High School, giving more than 300 students the opportunity to observe oral argument in an actual case.

It was the 20th Courts in the Community event since February 2012, when the Supreme Court convened for the first time at Farrington High School. Since then, the program had provided more than 6,000 students, teachers, administrators, and members of the public the chance to observe oral argument in a real case. This would not have been possible without the support of the many Hawaii State Bar Association (HSBA) members and staff who have given of their time and expertise to help Hawai'i's next generation of leaders gain a clearer understanding of our system of justice.

Students from Kailua High School, Kalāheo High School, McKinley High School, Le Jardin Academy, and Pū'ōhala School watched attorneys representing both parties present their legal arguments in SCWC-21-0000679, *State of Hawai'i vs. Charles Tung Ming Yuen*. The case involved a defendant alleged to have rear-ended another car 50 feet outside of

the O'Malley Gate at Hickam Air Force Base and was arrested for operating a vehicle under the influence of an intoxicant.

Oral argument was followed by two question-and-answer sessions for the students – one with the attorneys, another with the five justices.

The HSBA and the Hawaii State Bar Foundation generously provided the students with lunches and transportation.

"Thank you to our attorneys who volunteered their time to learn the case and visit participating classrooms to engage with students," said HSBA President Jesse Souki. "Their efforts have inspired future leaders and stirred a healthy curiosity judging by student's comments and questions after oral arguments."

The proceedings were livestreamed on the Hawai'i State Judiciary's YouTube channel ([youtube.com/hawaiicourts](https://www.youtube.com/hawaiicourts)) and broadcast live on 'Ōlelo Community Media Television 54 (<https://olelo.org>). The event was later available online and rebroadcast on 'Ōlelo's television channels multiple times.

## Courts in the Community Participation 2012 – 2024

Semester / Year	Host School	Participating Schools	Number of Students
Spring 2012	Farrington High School (O‘ahu)	2	200
Fall 2012	Baldwin High School (Maui)	7	450
Fall 2013	Waiākea High School (Hawai‘i island, Hilo)	7	200
Spring 2014	Kealakehe High School (Hawai‘i island, Kona)	7	475
Fall 2014	Mililani High School (O‘ahu)	7	350
Spring 2015	Kaua‘i High School (Kaua‘i)	7	300
Fall 2015	Wai‘anae High School (O‘ahu)	5	350
Fall 2016	McKinley High School (O‘ahu)	9	470
Spring 2017	Baldwin High School (Maui)	9	503
Fall 2017	Waiākea High School (Hawai‘i island, Hilo)	5	191
Winter 2017	Castle High School (O‘ahu)	5	220
Spring 2018	Kealakehe High School (Hawai‘i island, Kona)	6	418
Fall 2018	Kaimuki High School (O‘ahu)	11	402
Spring 2019	Kaua‘i Community College (Kaua‘i)	7	337
Fall 2019	Waipahu High School (O‘ahu)	5	470
Spring 2020	<i>Postponed due to COVID-19</i>	-	-
Fall 2020	<i>Postponed due to COVID-19</i>	-	-
Spring 2021	<i>Virtual:</i> Konawaena High School (Hawai‘i island, Kona), Lahainaluna High School (Maui), and Waipahu High School (O‘ahu)	3	110
Fall 2021	<i>Virtual:</i> Aiea and Moanalua high schools (O‘ahu), and Moloka‘i High School	3	157
Spring 2022	William S. Richardson School of Law’s “Law & Justice Summer Program” Campbell, Kalani, McKinley, Nanakuli, Wai‘anae, and Waipahu high schools (O‘ahu)	6	12
Fall 2022	Lahainaluna High School (Maui)	6	315
Spring 2024	Kaulia High School (O‘ahu)	5	307
Fall 2024	Mililani High School (O‘ahu)	6	357
	<b>Total</b>	<b>Schools have participated multiple times</b>	<b>6,594</b>

## Celebrating National Judicial Outreach Week 2024



*On Kaua'i, Fifth Circuit District Family Judge Gregory H. Meyers visited with three Chiefess Kamakahelei Middle School classes as part of National Judicial Outreach Week. (Photo credit: Dennis Fujimoto, The Garden Island Newspaper.)*

Hawai'i judges and justices helped promote a better understanding of the rule of law, our state court system, and the importance of a good education by engaging with elementary through college students, and the general public during National Judicial Outreach Week 2024.

On O'ahu, First Circuit District Court Judge Timothy E. Ho participated in Nimitz Elementary School's career day and talked with students about how education prepares them for future careers, such as becoming an attorney or judge. And Circuit Court Judge Fa'auuga L. To'oto'o spoke to students visiting from Hilo High School.

On Maui, Second Circuit Chief Judge Peter T. Cahill and District Court Judge Christopher M. Dunn welcomed the Holoholo Bookmobile on its opening day at the Lahaina District Courthouse. They also held an informal talk story session with members of the community.

On Hawai'i island, Third Circuit District Family Judge Darien W.L. Ching Nagata spoke to students at Kea'au Middle School.

On Kaua'i, Fifth Circuit District Family Judge Gregory H. Meyers visited with three Chiefess Kamakahelei Middle School classes and met virtually with Business Law students from Kaua'i Community College and Windward Community College.

Justice Lisa M. Ginoza spoke to almost 200 ninth graders at Kalaheo High School about the Hawai'i court system, how judges are selected, and the importance of juries. She also discussed



*On O'ahu, First Circuit District Court Judge Timothy E. Ho was a featured speaker at Nimitz Elementary School's career day. He talked with students about the importance of education, which can prepare them for various careers, including work in the legal profession as an attorney or judge.*

the famous Massie cases, which resonated with the students who were reading "To Kill a Mockingbird." Justice Ginoza, who chairs the Commission to Promote and Advance Civic Education, also took the opportunity to advise the students to pre-register to vote once they turn 16. In addition, she addressed students from Hilo High School who traveled to O'ahu to learn more about our system of government.

Chief Justice Mark E. Recktenwald held a question-and-answer session with students from Mokapu Elementary School at the Judiciary History Center in Ali'iōlani Hale. He delved into the historical significance of the courthouse and answered questions about the diverse range of cases that the Supreme Court handles, emphasizing the court's commitment to exercise fairness and impartiality.

National Judicial Outreach Week is an annual initiative established by the American Bar Association in 2017 that takes place in the first full week of March and encourages active and retired judges across the country to engage with their communities by inviting the public into their courthouses and by going out to meet with the public, in-person or virtually. During the week, judges engage in discussions with the community about how courts apply the rule of law, provide a fair and impartial system of justice, maintain open and transparent government, and protect the fundamental legal rights of all citizens.

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# Promoting Diversity, Equity & Inclusion

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*The Hawai'i State Judiciary is committed to improving diversity, equity, and inclusion throughout our organization.*

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*In the design of the Judiciary's DEI Working Group logo, the many triangles of diverse colors found in our natural environment (ocean, landscape, ethnicities, identities) make up an island or group of islands rising out of the sea (islands with a solid foundation). Just above the sea, the first group of triangles represents ka pae 'āina or the Hawaiian Islands chain – white for Ni'ihau, purple for Kaua'i, yellow/gold for O'ahu, orange for Lāna'i, the center triangle is the color of earth/soil, grey is for Kaho'olawe, green is for Moloka'i, pink is for Maui, and red is for Hawai'i island. The motto, "e ho'opili ka lua'ehu i kaulike a ho'oulu," reflects the group's mission to bring together the diverse to assure equity and growth.*

In 2022, the Judiciary established a Diversity, Equity, and Inclusion (DEI) Working Group with the support of Chief Justice Mark E. Recktenwald. The group, comprised of Judiciary employees from across the state, is dedicated to fostering a workplace culture that embraces diversity, equity, and inclusion principles. Since its inception, the DEI Working Group has been actively promoting the significance of DEI in the workplace.

On August 20, Administrative Director of the Courts Rodney A. Maile issued *Memorandum 2024-003 Guidance Regarding Gender Identity or Expression*, which supersedes the previous *Memorandum Guidance Regarding Transgender Individuals* from 2017. The revised Guidance removed outdated materials and incorporated recent legal changes reflected in the United States Supreme Court's opinion in *Bostock v. Clayton County, Georgia*, 590 U.S. \_\_\_, 140 S. Ct. 1731 (2020). The revised policy also introduced more inclusive language to address the rights of not only individuals who identify as transgender but also all gender nonconforming individuals.

In 2024, the DEI Working Group organized two impactful training sessions for Judiciary staff, which were broadcast for viewing during lunch hours.

On March 22, the group conducted a training session titled "What Does Disability Mean," followed by an "Empathetic and Inclusive Language" training session on September 9. Video recordings of both sessions are available on the Judiciary's internal eLearning Center to ensure that all employees can watch and benefit from them whenever needed.

On November 6, the DEI Working Group held its inaugural in-person meeting, during which the group redefined its purpose, established its core values, explored potential priority areas for 2025, and outlined the next steps for the DEI Working Group.

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# Developing Future Leaders

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*The Hawai'i State Judiciary is working to develop the next generation of knowledgeable and future-ready leaders to uphold the vital mission of providing justice for our communities.*

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## Supervisor Mentorship Program



*Chief Justice Mark E. Recktenwald congratulates Second Circuit Deputy Chief Court Administrator Ernest DeLima on the success of the Judiciary's first-ever mentorship program. The program concluded its extensive training on February 12 at Ali'iōlani Hale, with a celebration for the ten participating staff members from across the state.*

The Judiciary's Supervisor Mentorship Program, which is designed to train and develop new supervisors through topical education, relationship building, and sharing of experiences, first started as a suggestion from Second Circuit (Maui, Molo-ka'i, and Lāna'i) Deputy Chief Court Administrator Ernest DeLima. With the support of Chief Justice Mark E. Recktenwald, the program was developed internally and formally launched in April of 2023 with an inaugural cohort of five mentors and five mentees.

The program aims to provide training and resources that empower supervisors, expand their networks, and facilitate collaboration across the Judiciary. This program, which now occurs over an eight-month period, includes regular training sessions that are held both in-person and over Zoom, and just completed its second cohort in December of 2024.

*Continued on page 122*

The second cohort was expanded to eighteen participants comprised of nine mentors and mentees. This cohort received training on current leadership topics essential for individual and organizational performance, including:

- Change Management
- The Judiciary Budget Process
- Labor Relations
- Intergenerational Workforce
- Navigating EEO/ADA/DEI Matters
- Providing Feedback for Productive Outcomes, and
- Navigating the Legislative Process.

In addition, mentors and mentees are placed in teams of two and meet individually on a monthly basis.

The Working Group has also expanded to include Second Circuit Deputy Chief Court Administrator Ernest DeLima, Human Resources Manager Jennifer Ueki, Financial Services Director Terri Gearon, and Second Circuit Court Fiscal Officer Paul Petro. Both Terri and Paul were program participants in the first cohort and volunteered to be part of the working group after completion.

With lessons learned from each cohort, the Judiciary is continuing to refine the program to meet the needs of successive groups of new supervisors and their mentors.

## Future Court Professionals Opportunity Program

On Kauaʻi, the Fifth Circuit leadership team and the Judiciary's Human Resources Department have collaborated with the Hawaii Government Employees Association (HGEA) to develop the Future Court Professionals Opportunity (FCPO) Program, a pilot project offering training and direct work experience to students, and other individuals who may be interested in employment with the courts.

The goals of the FCPO are to develop Hawaiʻi's workforce while raising awareness of the array of career opportunities available through the Judiciary. The FCPO program also serves as a "home-grown" training program, which may assist with filling job vacancies in the Fifth Circuit. FCPO trainees are encouraged to apply for vacant civil service positions via the competitive recruitment process.

The trainees are assigned to a Fifth Circuit supervisor/mentor and work alongside staff in support of the Judiciary's mission while learning new skills and developing working relationships in a dynamic environment.

The program provides opportunities in both probation (social work) and court operations and administration (courtroom support, accounting, human resources, etc.). Placements in a specific functional area are based on operational need.

The Judiciary is currently evaluating the pilot project to determine whether to expand the FCPO program to other circuits.

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# Facilities

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*The Hawai'i State Judiciary is committed to providing facilities and services that meet the critical legal needs of our communities by improving access to the civil, criminal, and family court justice system.*

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## 150 Years of Ali'iōlani Hale Celebrated with Historical Re-enactment Tours



*Members of the King Kamehameha V Judiciary History Center (JHC) and Hawaiian Mission Houses' History Theatre (HMHHT) combined talents and resources for the commemorative "Ke Kūkulu Kānāwai: Celebrating 150 Years of Law, Civics, and Culture at Ali'iōlani Hale" on April 27. From left: JHC Education Director Keahe Davis, JHC Hawaiian Language Education Specialist Ahukini Fuertes, HMHHT actors Christopher Denton and Kevin Keaveney, JHC Curator of Collections & Programs Brieanah Gouveia, HMHHT actor Kahana Ho, HMHHT Director Will Ha'o, HMHHT Director of Education Michael Smola, and JHC Executive Director Matt Mattice.*

More than 200 people attended a special community celebration on April 27 commemorating the sesquicentennial (150th) anniversary of the construction of Ali'iōlani Hale, home of the Hawai'i Supreme Court.

Actors from the Hawaiian Mission Houses' History Theatre (HMHHT), in period costume and character, engaged with guests, bringing to life "personal accounts" of notable historical events from before, during, and after the building's construction.

Kahana Ho portrayed Emma M.B. Nakuina (1847-1929), curator of Hawai'i's National Museum, which was located in Ali'iōlani Hale. She was the first woman to hold the title of Water Commissioner, serving from 1892 to 1907.

Christopher Denton portrayed William C. Parke (1821-1889), marshal of the Hawaiian Kingdom, who for 34 years served as the chief law enforcement officer under five Hawaiian monarchs.

*Continued on page 124*



Construction of Aliʻiōlani Hale was completed in April 1874.

Kevin Keaveney portrayed Rev. William Richards (1793-1847), an American Board of Commissioners for Foreign Missions (ABCFM) missionary whose teachings helped Mōʻī Kamehameha III and Kuhina Nui Kekāuluohi draft the Kingdom of Hawaiʻi's 1839 Declaration of Rights and the Kingdom's Constitution of 1840.

The event was also the opening of the Judiciary History Center's new art exhibition, *ʻImi i Ka Pono: Reflections on Land, Culture, and Identity*, the Center's first collaboration with the Hawaiʻi State Foundation on Culture and the Arts. The exhibit created an artistic narrative that explored themes of environment, immigration, ethnicity, culture, and public policy, providing portals into different perspectives across Hawaiʻi's diverse communities.

## The Interesting History of Aliʻiōlani Hale

### Construction

- The building was constructed using plans originally intended for a palace. When King Kamehameha V determined the growing kingdom had greater need of government offices, he commissioned the construction using these plans for the new administrative facility to help maintain costs.
- King Kamehameha V laid the cornerstone on February 19, 1872. He was one of the first Masons in Hawaiʻi and used a Masonic ceremony for the laying of the cornerstone and placement of a time capsule.
- The building was completed 150 years ago in April 1874, when it was dedicated by King David Kalākaua.
- The King Kamehameha I statue was not part of the original construction. It was installed on February 14, 1883.

### Clock Tower

- The clock tower – at four stories high – was one of the tallest structures in Honolulu at the time.
- The clock itself, with its four six-foot dials in each face of the central tower, was installed by Honolulu's clock expert, S.K. Rawson. It was manufactured by Howard & Co. of Boston, Massachusetts, for more than \$400.

### Building Renamed / Newspaper Criticisms

- On May 2, 1874, by command of King Kalākaua, the new government building was renamed Aliʻiōlani Hale, meaning "House of Heavenly Kings" in honor of Kamehameha V, during whose reign the building had been planned and started.
- At the time, Hawaiʻi's Pacific Commercial Advertiser newspaper criticized "the poorly selected site," and the building, which they considered "a huge sin and blunder," of an extravagantly large scale and "ridiculously out of proportion with any possible requirements." The Hawaiian Gazette newspaper wrote that it might make a fine palace as originally designed.

### Opening, 1874 Legislature / More Newspaper Criticisms

- The first official use of Aliʻiōlani Hale was on the opening day of the Legislature, April 30, 1874.
- Thereafter, the newspapers continued to criticize the site and the large building for being too grand for its purpose and again suggested it be converted to a palace. In June 1874, Hawaiʻi's trade winds apparently over-ventilated the new government building and the Pacific Commercial Advertiser wrote: "...especially the upper story is full of currents of air, rushing about in every direction, whenever there is a breeze outside. As a consequence, everybody about the building has a chronic cold of more or less severity."



*Aliʻiōlani Hale clock tower central mechanism.*

### Artists

- Artists who traveled to Hawaiʻi, including Charles Furneaux, Joseph D. Strong, and Jules Tavernier, were allowed by King Kalākaua to use the airy "Tower Studio" (the small room below the clock tower) to paint and exhibit their works. Their paintings depicted Hawaiian scenes like the 1880-1881 eruption of Mauna Loa and Japanese laborers at Sprecklesville Plantation.

### Seat of Government / Committee of Safety / Provisional Government / Republic of Hawaiʻi

- Aliʻiōlani Hale served as the seat of government of the Kingdom of Hawaiʻi and the Republic of Hawaiʻi.

*Continued on page 126*



*Members of the Royal Order of Kamehameha I and Ka Pā Hula Hawai'i performed at the "Celebrating 150 Years – Ali'iōlani Sesquicentennial Observance" event, April 29, 2024. From left: Kumu Hula Ikaika Bantolina, PhD (Royal Order of Kamehameha I Ali'i Sir Ikaika Bantolina, Kahuna Pule), Nolan Caballero, Keith "Kimokeo" Rodrigues, Kumu Hula Kau Maikui, Kumu Hula Rachele Lee, 'Ōlohe Harry Kau (Royal Order of Kamehameha I Ali'i Sir Harry Kau, 'Alihikaua).*

- In 1893, the Committee of Safety, under the leadership of Lorrin A. Thurston, operated out of Ali'iōlani Hale where they deposed Queen Lili'uokalani by public proclamation.
- After the establishment of the Hawaiian provisional government in 1893 and the Republic of Hawai'i in 1894, some of the offices in Ali'iōlani Hale were moved to 'Iolani Palace, including the Hawai'i Legislature. Ali'iōlani Hale became primarily a judicial building.

#### State Courts

- In addition to the Hawai'i Supreme Court, from the 1900s to the early 1980s, courtrooms of the First Circuit (O'ahu) operated out of Ali'iōlani Hale, with the clerk of the circuit court's office, jury rooms, and witness rooms by the 1910s.

#### National Registers of Historic Places

- A century after the cornerstone was laid, Ali'iōlani Hale was added to the Hawai'i State and National Registers of Historic Places in 1972.

#### Today

- Today, the building serves as the administrative headquarters of the State Judiciary, and houses the Hawai'i Supreme Court.
- The King Kamehameha V Judiciary History Center, which features a museum that provides public exhibits and programs related to Hawai'i's legal history, is located on the first floor.
- On October 20, 2022, the Historic Hawai'i Foundation held its 48th annual Preservation Honor Awards Ceremony and Reception, where it recognized the sesquicentennial anniversary of Ali'iōlani Hale (150 years since the laying of the cornerstone and commencement of construction) and its significant contributions to the heritage of Hawai'i.

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## New Wahiawā District Courthouse



*Vertical concrete walls of the new Wahiawā Civic Center's two-story structure rise above the construction barrier that surrounds the site, December 11, 2024.*

Construction of the Wahiawā Civic Center continues to progress, and the new Wahiawā District Courthouse is anticipated to be operational in 2026.

Plans for the new courthouse include enhanced facilities, the addition of a second courtroom, and an array of services for individuals placed on court supervision, which include probation supervision, community service, and driver education referrals. Having these services available in Wahiawā will relieve area residents of the time and expense they currently face when traveling to Honolulu for mandatory meetings with these programs.

In addition to the new courthouse, the Civic Center will also house other state and city agencies such as a satellite city hall, driver's license customer center, and health and human services

offices, which will increase convenience and reduce commute times for residents by providing a one-stop shop for many essential government services.

The Legislature appropriated \$76 million for design and construction of the Civic Center in 2020. Project bids came in lower than anticipated. With change orders the contract price is now approximately \$48.7 million.

In 2023, the State Legislature allocated \$425,000 to assist with furnishing the courthouse interior.

The Judiciary is deeply grateful for the Legislature's support of the new civic center and courthouse facilities, which will provide easier access to essential government services for the communities of Wahiawā, the North Shore, and Central O'ahu.

## Plans for a New Courthouse in South Kohala



*South Kohala District Court at the Waimea Civic Center in Kamuela, Hawai'i island, November 26, 2024.*

The Judiciary is currently working on plans for a new courthouse in South Kohala on Hawai'i island. The proposed site for the project is a property adjacent to the current facility. Construction would take place while judges and staff at the current courthouse continue to provide services to the public.

The project was initiated in 2023 to address the growing needs of the Third judicial circuit. RMA Architects Inc., worked with the Judiciary and the

State Department of Accounting and General Services on a concept design for the new courthouse. The plans are nearly complete and the Judiciary will be requesting funds for design and construction from the State Legislature in 2025 to start the next phase of development.

This project demonstrates the Judiciary's ongoing commitment to providing facilities that better serve their communities.

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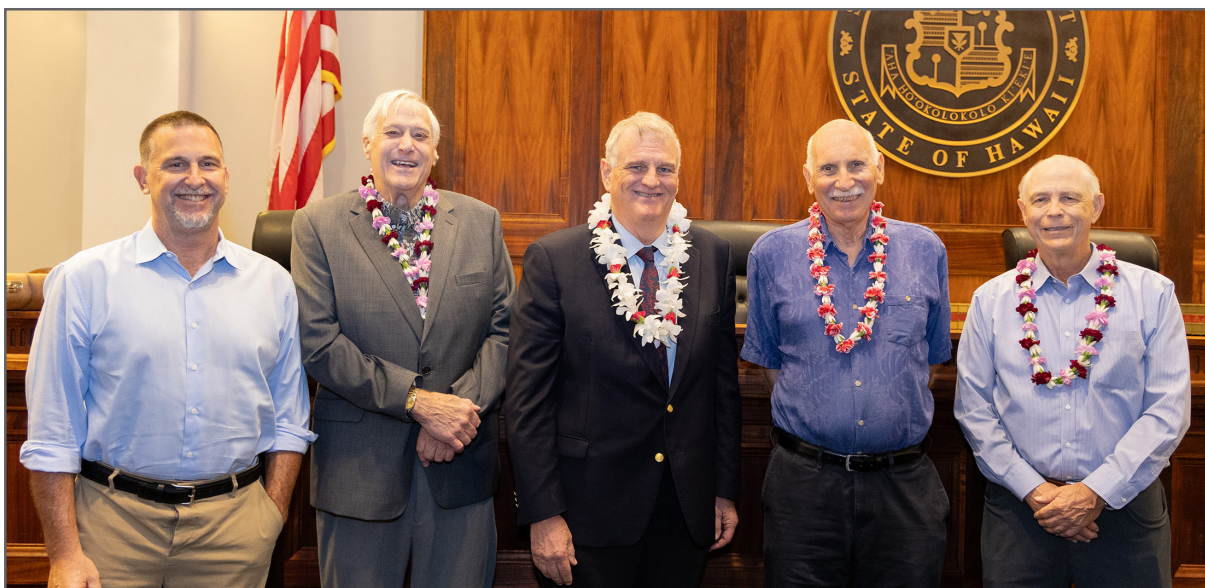
# People Making a Difference

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*The Hawai'i State Judiciary's accomplishments reflect the dedication of the more than 1,700 people serving our court system. Each day, these individuals help fulfill our mission, and their efforts have far-reaching impacts upon the lives of those who depend on the courts to resolve disputes and ensure justice.*

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## Chief Justice Receives Spirit of Justice Award



*From left: Maui Immigration Law, LLC, founding attorney Kevin Block, Hawaii Justice Foundation (HJF) Executive Director Robert J. LeClair, Chief Justice Mark E. Recktenwald, University of Hawai'i William S. Richardson School of Law's former dean Aviam Soifer, and HJF President William S. Hunt at the Foundation's 2024 Annual Meeting in the Supreme Court courtroom.*

Chief Justice Mark E. Recktenwald received the Spirit of Justice Award from the Hawaii Justice Foundation (HJF) at the organization's annual meeting on October 29. This is the second time the Chief Justice has been given this award. Also receiving Spirit of Justice Awards were Maui Immigration Law, LLC, founding attorney Kevin Block and University of Hawai'i William S. Richardson School of Law's former dean Aviam Soifer.

"We selected Chief Justice Recktenwald to receive the Spirit of Justice in 2017 because of his leadership in bringing access to justice to prominence

in Hawai'i," said HJF Executive Director Robert J. LeClair. "We honored him with the award again this year because he is certainly one of our country's leaders in access to justice.

"Chief Justice Recktenwald is by far the most committed chief justice with whom HJF has the privilege to work on various access to justice projects."

## Judges Browning and Morikawa Recognized by HWL



*Hawai'i Women Lawyers President Tara Buckley, left, congratulates Judge Trish Morikawa and Judge R. Mark Browning (ret.) at the organization's awards ceremony in April. Photo by Joseph Esser Photography.*

First Circuit (O'ahu) Chief Judge R. Mark Browning (ret.) and First Circuit Court Judge Trish K. Morikawa were honored by the Hawai'i Women Lawyers (HWL) on April 25 at the Ho'okupu Center.

Judge Browning received the organization's Distinguished Service Award after 28 years of stellar service to the Judiciary and the community. He began as a district court judge in 1997 and was appointed to the Circuit Court in 2010. Judge Browning served as Deputy Chief Judge and Senior Judge of the Family Court for six years, and was appointed Chief Judge in 2017.

Judge Morikawa received HWL's Outstanding Judicial Achievement Award for her leadership in creating a program focused on women in the criminal justice system. She played a pivotal role in the establishment of Mohala Wahine – Women's Court (see pages 33 – 35), starting from scratch and welcoming the first participants in less than a year.

HWL also honored the late Patricia Mau-Shimizu (Lifetime Achievement Award), Rochelle Vidinha (Outstanding Women Lawyer Award), and Robin Wurtzel (President's Award).

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## 2024 Jurist of the Year and Judiciary Employees Honored



*First Circuit Deputy Chief Judge Melanie Mito May is congratulated by Hawai'i Supreme Court Chief Justice Mark Recktenwald (left) and Administrative Director of the Courts Rodney Maile (right) on being named the 2024 Jurist of the Year.*

First Circuit (O'ahu) Deputy Chief Judge Melanie Mito May was presented with the 2024 Jurist of the Year Award by Chief Justice Mark E. Recktenwald at the Judiciary's Statewide Employee Awards Ceremony on September 20.

"Judge May has demonstrated an unwavering commitment to access to justice and to improving the lives of all those who come into our courts," said Chief Justice Recktenwald. This is evident in her work as the current Co-Chair of the Committee on Innovation, Technology, and Self-Represented Litigants, coordinating efforts to increase access to justice, and in the three years she served as the presiding judge for the DWI Court Program,

focusing on the rehabilitation of individuals diagnosed with substance use challenges.

"In addition, over the years she has played a key role in developing and supporting other collaborative projects, such as Community Outreach Court and the Re-Employment and Community Service Program in partnership with Volunteer Legal Services Hawai'i, which have had a positive impact on the community."

The Judiciary also presented individual and group awards to employees who have distinguished themselves through exceptional service and accomplishments.



*Fifth Circuit (Kaua'i) Facilities Management Unit Groundskeepers Brian Peters (center left) and Jonah Santos (center right) receive the 2024 Group Meritorious Service Award from Chief Justice Mark Recktenwald and Administrative Director of the Courts Rodney Maile.*

## Chief Judge DeWeese Honored by Going Home Hawai'i



*Third Circuit Chief Judge Wendy DeWeese, seated. Second row, from left: Judge Kimberly Tsuchiya, Per Diem Judge Jennifer Ng, Judge Jill Hasegawa, Judge Margaret Masunaga (ret.), Judge Darien Ching Nagata, and Judge Ronald Ibarra (ret.). Third row, from left: Judge Jeffrey Ng, Judge Henry Nakamoto, Judge Mahilani Hiatt (ret.), and Judge Peter Kubota.*

Third Circuit Chief Judge Wendy M. DeWeese was honored with the Ka Lehua Kea Hiwahiawa Award by Going Home Hawai'i for her outstanding contributions to the Hawai'i island community.

Going Home Hawai'i celebrated 20 years of "assisting Hawai'i island individuals with reintegration into the community life through employment, education, housing, and appropriate services." It is comprised of 50 public and private entities and their representatives with an island-wide network of nearly 500 members."

Judge DeWeese and Roxanne Costa, the Salvation Army Social Services Director, were recognized on October 11 as "county reentry heroes."

Judge DeWeese was lauded for her tireless efforts to support justice-involved individuals, especially those in the Big Island Drug Court program. Going Home Hawai'i said, "Judge DeWeese has enhanced the effectiveness of the Big Island's Drug Court, transforming it into a nationally aligned initiative that follows best practice standards. Attending national Drug Court trainings at her own expense, she has implemented the latest insights to better serve participants, making the Drug Court a beacon of hope for individuals seeking recovery and a second chance at life."

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## Maui Judge Who Nearly Lost Her Home in the Wildfires Named A “Courageous Judge” by National Judicial College



Maui District Family Court Judge Adrienne N. Heely Caires was selected as one of 60 courageous judges to commemorate the 60th anniversary of the founding of The National Judicial College (NJC). Judge Heely Caires and her family had to evacuate their home in Kula during the August 2023 wildfires and came back a week later to a heavily damaged structure. “We were lucky our house was not completely destroyed. More than 20 of our neighbors lost their homes,” she said.

Despite this personal tragedy, Judge Heely Caires and her judicial colleagues from across the state quickly banded together to work with the Child Welfare Services staff, guardians ad litem, and others to find shelters for the foster children in Lahaina who had no place to live after the fires.

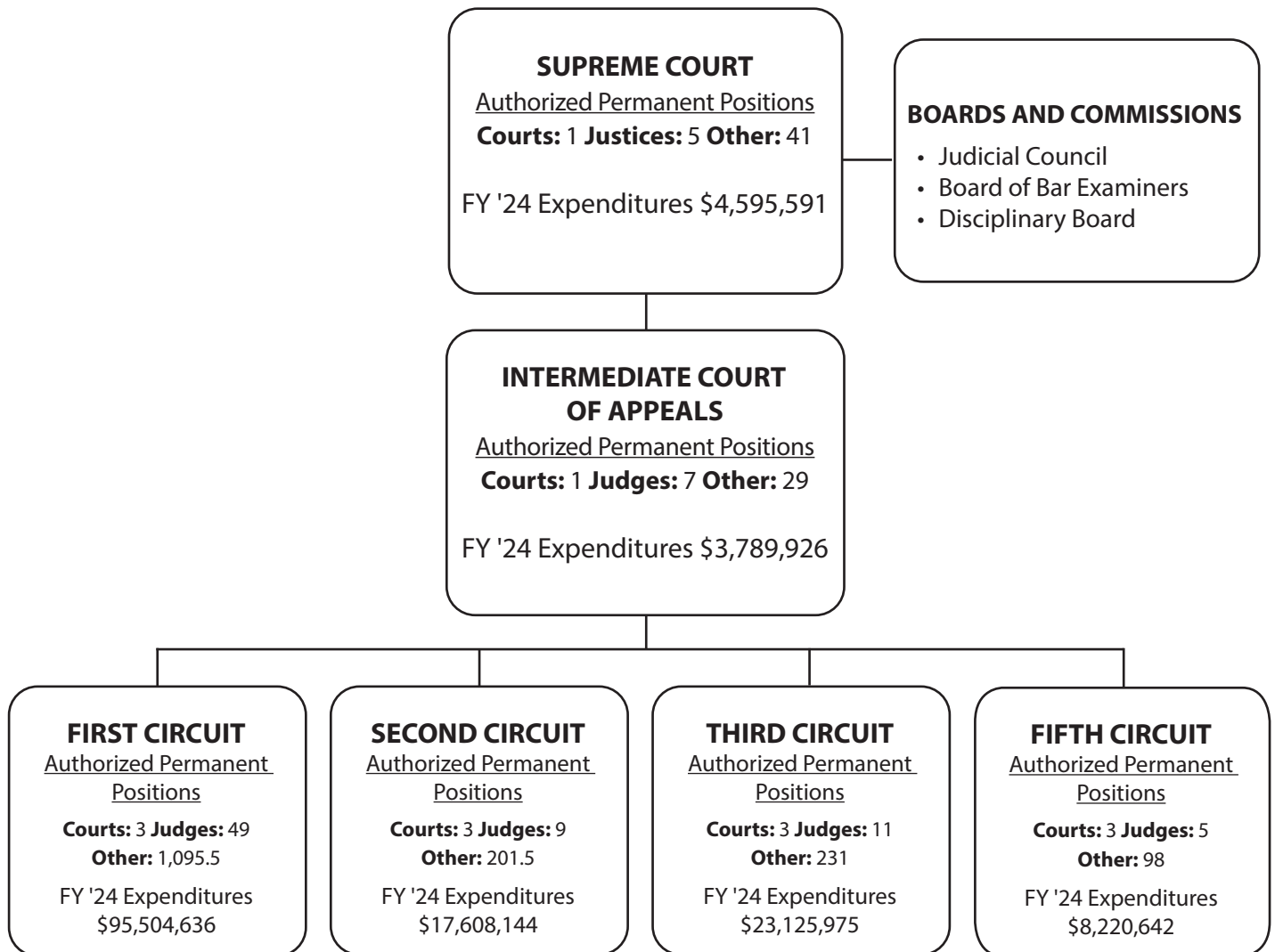
## Judge M. Kanani Laubach Honored by Hawaii County Bar



*Seated: Judge M. Kanani Laubach. First row left: Judge Peter Kubota, Judge Jill Hasegawa, Judge Ronald Ibarra (ret.), Judge Mahilani Hiatt (ret.), Judge Darien Ching-Nagata, Per Diem Judge Jennifer Ng, Per Diem Judge Renee Schoen, and Per Diem Judge Dalilah Schlueter. Top row left: Judge Jeffrey Ng and Judge Kimberly Tsuchiya.*

Third Circuit Deputy Chief Judge M. Kanani Laubach was honored by the Hawaii County Bar Association with its Meritorious Service Award. She received this recognition at the 2024 Ku'ikahi Mediation Center Annual Recognition Dinner & Auction on November 17. This is the 19th year that Ku'ikahi Mediation Center and HCBA have partnered on this recognition and fundraising event.

# Structure of the Court System



Hawai'i's Courts of Appeal are comprised of the Supreme Court and the Intermediate Court of Appeals. Hawai'i's trial level is comprised of Circuit Courts and District Courts. Family Courts are included in the District and Circuit Courts. Hawai'i's trial courts function in four circuits that correspond approximately to the geographical areas served by the counties.

The First Circuit serves the City and County of Honolulu.

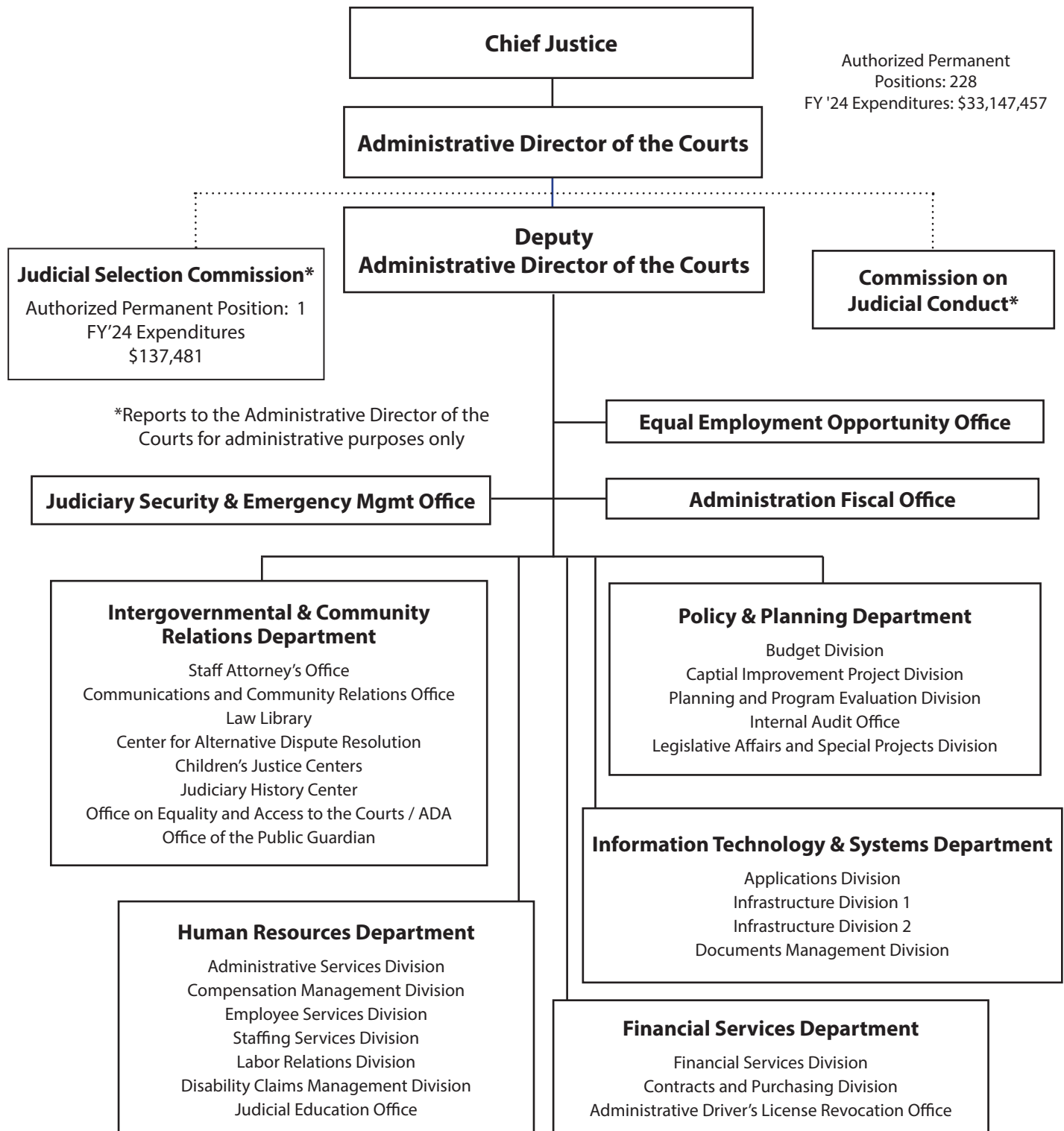
The Second Circuit serves the County of Maui, which includes the islands of Maui, Moloka'i, and Lāna'i.

The Third Circuit, divided into the districts of Hilo and Kona, serves the County of Hawai'i.

The Fourth Circuit is no longer used as a circuit designation. The Third and Fourth Circuits merged in 1943.

The Fifth Circuit serves the County of Kaua'i, which includes the islands of Kaua'i and Ni'ihau.

# Office of the Administrative Director of the Courts



# Courts of Appeal

## Supreme Court

The Supreme Court of Hawai'i is the state's court of last resort. It hears appeals brought before the court upon applications for writs of certiorari to the Intermediate Court of Appeals and applications for transfer from the Intermediate Court of Appeals.

Each appeal is decided on the basis of the written record. In some cases, the court may hear oral arguments. The court takes no evidence, except in original proceedings. Each justice, or a substitute from the Intermediate Court of Appeals or the Circuit Court, participates in every substantive matter before the court.

The Supreme Court also hears:

- Reserved questions of law from

the circuit courts, the Land Court, and the Tax Appeal Court;

- Certified questions of law from federal courts;
- Applications for writs to judges and other public officers;
- Complaints regarding elections.

In addition, it:

- Makes rules of practice and procedure for all state courts;
- Licenses, regulates, and disciplines attorneys; and
- Disciplines judges.

The Supreme Court is composed of a chief justice and four associate justices. Justices are appointed by the governor from a list of not less than four and not

more than six names submitted by the Judicial Selection Commission.

A justice's appointment is subject to confirmation by the State Senate. Each justice is initially appointed for a 10-year term. To be considered for appointment, a person must be a resident and a citizen of the state and of the United States and licensed to practice law by the Supreme Court of Hawai'i for not less than 10 years preceding their nomination. After initial appointment, the Judicial Selection Commission determines whether a justice will be retained in office. A justice may not serve past age 70.

## Supreme Court Justices and their Terms

**Chief Justice Mark E. Recktenwald**

September 14, 2010 - September 13, 2030

**Associate Justice Sabrina S. McKenna**

March 3, 2011 - March 2, 2031

**Associate Justice Todd W. Eddins**

December 11, 2020 - December 10, 2030

**Associate Justice Lisa M. Ginoza**

January 12, 2024 – January 11, 2034

**Associate Justice Vladimir P. Devens**

January 12, 2024 – January 11, 2034



*Front row left: Associate Justice Sabrina McKenna, Chief Justice Mark Recktenwald, Associate Justice Todd Eddins. Back row left: Associate Justice Lisa Ginoza, and Associate Justice Vladimir Devens.*

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## Intermediate Court of Appeals

The Intermediate Court of Appeals (ICA) hears almost all appeals from trial courts and some agencies in the state of Hawai'i.

The ICA has discretionary authority to entertain cases submitted without a prior suit if there is a question of law that could be the subject of a civil action or a proceeding in the circuit court or Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.

Cases in the ICA may be transferred to the Hawai'i Supreme Court upon

application to the Supreme Court under circumstances set out in the Hawai'i Revised Statutes. The ICA's judgments on appeal and dismissal orders are subject to the Supreme Court's discretionary review by way of an application for a writ of certiorari.

The ICA is composed of six judges who sit on panels of three. Judges are appointed by the governor from a list of not less than four and not more than six names submitted by the Judicial Selection Commission.

A judge's appointment is subject to confirmation by the State Senate. Each judge is initially appointed for a 10-year term. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

### Intermediate Court of Appeals Judges and their Terms

**Acting Chief Judge Katherine G. Leonard**

January 30, 2008 - January 29, 2028

**Associate Judge Keith K. Hiraoka**

November 19, 2018 - November 18, 2028

**Associate Judge Clyde J. Wadsworth**

October 21, 2019 - October 20, 2029

**Associate Judge Karen T. Nakasone**

November 2, 2020 - November 1, 2030

**Associate Judge Sonja M. P. McCullen**

October 1, 2021 - September 30, 2031

**Associate Judge Kimberly Tsumoto Guidry**

May 31, 2023 - May 30, 2033



*Acting Chief Judge Leonard*



*Judge Hiraoka*



*Judge Wadsworth*



*Judge Nakasone*



*Judge McCullen*



*Judge Tsumoto Guidry*

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# Circuit Court

## Mission

The mission of the Circuit Court is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with the law.

All jury trials are held in the Circuit Courts, which have general jurisdiction in civil and criminal cases. It also has exclusive jurisdiction in probate,

guardianship, and criminal felony cases, as well as civil cases where the contested amount exceeds \$40,000. Circuit Courts share concurrent jurisdiction with District Courts in civil non-jury cases that specify amounts between \$5,000 and \$40,000.

Additional cases dispensed by the Circuit Courts include mechanic's liens and misdemeanor violations transferred from the District Courts for jury trials.

## Circuit Court Judges and their Terms

### First Circuit

**Paul B. K. Wong**

1st Division

December 20, 2017 - December 19, 2027

**Catherine H. Remigio**

2nd Division

April 7, 2017 - April 6, 2027

**Dyan M. Medeiros**

3rd Division

Deputy Chief Judge / Senior Family Court Judge (effective September 30) September 27, 2024 – September 26, 2034

**John M. Tonaki**

4th Division

October 28, 2019 - October 27, 2029

**Jeannette H. Castagnetti**

5th Division

Chief Judge

September 30, 2010 - September 29, 2030

**Jeffrey P. Crabtree (retired)**

6th Division

November 25, 2014 - January 31, 2024

**Brian A. Costa**

6th Division

September 27, 2024 - September 26, 2034

**Dean E. Ochiai**

7th Division

February 15, 2013 - February 14, 2033

**Kevin T. Morikone**

8th Division

December 16, 2021 - December 15, 2031

**Lisa W. Cataldo**

9th Division

January 6, 2020 - January 5, 2030

**James H. Ashford**

10th Division

Deputy Chief Judge - Civil April 24, 2018 - April 23, 2028

**Kevin A. Souza**

11th Division

October 28, 2019 - October 27, 2029

**Shirley M. Kawamura**

12th Division

December 17, 2015 - December 16, 2025

**Matthew J. Viola**

13th Division

Deputy Chief Judge / Senior Family Court Judge (effective through September 29) December 20, 2017 - December 19, 2027

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**Gary W. B. Chang (retired)**

14th Division

June 1, 1999 - May 31, 2024

**Rebecca Ann Copeland**

14th Division

September 27, 2024 - September 26, 2034

**Clarissa Y. Malinao**

15th Division

December 16, 2021 - December 15, 2031

**Jordon J. Kimura**

16th Division

January 8, 2024 – January 7, 2034

**Ronald G. Johnson**

17th Division

Deputy Chief Judge - Criminal

October 28, 2019 - October 27, 2029

**Steven R. Nichols**

18th Division

September 27, 2024 - September 26, 2034

**Fa'auuga L. To'oto'o**

19th Division

October 7, 2010 - October 6, 2030

**Trish K. Morikawa**

20th Division

October 28, 2019 - October 27, 2029

**James S. Kawashima**

21st Division

November 30, 2022 - November 29, 2032

**Shanlyn A. S. Park**

22nd Division

December 16, 2021 - August 30, 2024

**Rowena A. Somerville**

23rd Division

December 20, 2017 - December 19, 2027

## Second Circuit

**Kirstin M. Hamman**

1st Division

December 17, 2021 - December 16, 2031

**Peter T. Cahill**

2nd Division

Chief Judge / Senior Family Court

Judge

September 17, 2012 - September 16, 2032

**Kelsey T. Kawano**

3rd Division

December 20, 2019 - December 19, 2029

**Michelle L. Drewyer**

4th Division

June 13, 2023 – June 12, 2033

## Third Circuit

**Peter K. Kubota**

1st Division

May 15, 2020 - May 14, 2030

**Henry T. Nakamoto**

2nd Division

October 30, 2017 - October 29, 2027

**Robert D. S. Kim (retired)**

3rd Division

Chief Judge (effective through

July 1)

November 21, 2017 - July 1, 2024

**Wendy M. DeWeese**

4th Division

Chief Judge / Administrative Judge

(effective July 2) / Senior Family Court

Judge

December 2, 2021 - December 1, 2031

## Fifth Circuit

**Randal G. B. Valenciano**

1st Division

Chief Judge / Senior Family Court

Judge

June 14, 2007 - June 13, 2027

**Kathleen N. A. Watanabe**

2nd Division

August 17, 2005 - August 16, 2025

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# Family Court

## Mission

The mission of the Family Court is to provide a fair, speedy, economical, and accessible forum for the resolution of matters involving families and children.

The Family Courts were established by statute in 1965 to hear all legal matters involving children, such as delinquency, waiver, status offenses, abuse and neglect, termination of parental

rights, adoption, guardianship and detention. The Family Court also hears traditional domestic relations cases, including divorce, nonsupport, paternity, uniform child custody jurisdiction cases, and miscellaneous custody matters.

District Family Court judges are appointed to six-year terms by the chief justice from a list of at least six

names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

## Family Court Judges and their Terms

### First Circuit

#### **Matthew J. Viola**

13th Division

Deputy Chief Judge / Senior Family Court Judge (effective through September 29)

December 20, 2017 - December 19, 2027

#### **Dyan M. Medeiros**

3rd Division

Deputy Chief Judge / Senior Family Court Judge (effective September 30) September 27, 2024 – September 26, 2034

#### **Rebecca Ann Copeland**

January 6, 2020 - September 26, 2024

#### **Thomas A. K. Haia**

November 2, 2020 - November 1, 2026

#### **Jessi L. K. Hall**

December 20, 2017 - December 19, 2029

#### **Lesley N. Maloian**

August 30, 2021 - August 29, 2027

#### **John A. Montalbano**

November 30, 2022 - November 29, 2028

#### **Courtney N. Naso**

November 2, 2020 - November 1, 2026

#### **Alvin P. K. K. Nishimura**

December 10, 2019 - December 9, 2025

#### **Elizabeth Paek-Harris**

November 2, 2020 - November 1, 2026

#### **Natasha R. Shaw**

June 9, 2022 – June 8, 2028

#### **Kenneth J. Shimozone**

August 30, 2018 - August 29, 2030

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## Second Circuit

### **Peter T. Cahill**

2nd Division

Chief Judge / Senior Family Court Judge

September 17, 2012 - September 16, 2032

### **Adrianne N. Heely**

May 14, 2012 - May 13, 2024

### **James R. Rouse**

March 25, 2021 - March 24, 2027

## Third Circuit

### **Wendy M. DeWeese**

4th Division

Chief Judge / Administrative Judge (effective July 2) / Senior Family Court Judge

December 2, 2021 - December 1, 2031

### **Jill M. Hasegawa**

July 1, 2022 - June 30, 2028

### **M. Kanani Laubach**

Deputy Chief Judge

August 10, 2016 - August 9, 2028

### **Jeffrey W. S. Ng**

May 5, 2021 - May 4, 2027

### **Joanna E. Sokolow**

August 3, 2022 - August 2, 2028

## Fifth Circuit

### **Randal G. B. Valenciano**

1st Division

Chief Judge / Senior Family Court Judge

June 14, 2007 - June 13, 2027

### **Stephanie R. S. Char**

December 17, 2020 - December 16, 2026



*The Ronald T.Y. Moon Judiciary Complex in Kapolei on O'ahu, home of the First Circuit Family Court.*

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# District Court

## Mission

The mission of the District Court is to serve the people of Hawai'i through the fair and efficient adjudication and resolution of cases and controversies brought before it.

The District Courts have exclusive jurisdiction over traffic infractions and summary possession or ejectment proceedings (landlord-tenant), regardless of the claim amount. The District Courts also have jurisdiction over non-jury trial civil cases where the debt, amount, damages, or value of

the property claimed does not exceed \$40,000, or where the remedy sought is specific performance valued under \$40,000, criminal offenses punishable by fine or by imprisonment not exceeding one year, cases arising from violations of a county ordinance, and petitions for restraining orders for relief from and for injunctions against harassment.

In the November 5, 2024, General Election, voters approved an amendment to the Hawai'i State Constitution making the Senate confirmation

process for judicial appointments more uniform. District Court judges are appointed to six-year terms by the chief justice from a list of not less than four and not more than six names (previously a list of at least six names) submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

## District Court Judges and their Terms

### First Circuit

**Melanie Mito May**

Deputy Chief Judge  
June 23, 2011 - June 22, 2029

**Robert J. Brown**

October 9, 2023 - October 8, 2029

**Brian A. Costa**

June 2, 2017 - September 27, 2024

**Michelle N. Comeau**

July 3, 2024 – July 2, 2030

**Tracy S. Fukui**

November 16, 2020 - November 15, 2026

**David M. Hayakawa**

October 23, 2023 – October 22, 2029

**Timothy E. Ho**

November 30, 2022 - November 29, 2028

**Karin L. Holma**

November 16, 2020 - November 15, 2026

**Erika E. Ireland**

October 9, 2023 - October 8, 2029

**Summer M. M. Kupau-Odo**

November 29, 2018 - November 28, 2030

**Andrew T. Park**

November 16, 2020 - November 15, 2026

**Shellie K. Park-Hoapili**

June 9, 2022 - June 8, 2028

**Kenneth J. Shimozone**

August 30, 2018 - August 29, 2030

**Kristine Yoo**

August 30, 2018 – August 29, 2030

**Bryant G. F. Y. Zane**

November 16, 2020 - November 15, 2026

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## Second Circuit

### **Blaine J. Kobayashi**

Deputy Chief Judge

October 12, 2010 - October 11, 2028

### **Christopher M. Dunn**

March 25, 2021 - March 24, 2027

### **Annalisa M. Bernard Lee**

October 28, 2022 - October 27, 2028

## Third Circuit

### **M. Kanani Laubach**

Deputy Chief Judge

August 10, 2016 - August 9, 2028

### **Darien W.L. Ching Nagata**

May 20, 2016 - May 19, 2028

### **Jeffrey A. Hawk**

November 4, 2019 - November 3, 2025

### **Kimberly B.M. Tsuchiya**

December 2, 2021 - December 1, 2027

## Fifth Circuit

### **Michael K. Soong**

Deputy Chief Judge

January 3, 2017 - January 2, 2029

### **Gregory H. Meyers**

August 16, 2022 - August 15, 2028



*Courtroom 4B of the Kauikeaouli Hale First Circuit District Court Courthouse in downtown Honolulu.*

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## Per Diem Judges

### First Circuit

William C. Bagasol  
Jason R. Burks  
Kyle T. Dowd  
Steven L. Hartley  
Miriah E. Holden  
Sherri-Ann L. Iha  
Ann S. Isobe  
Kimberly K. Iwao  
Ronette M. Kawakami  
Denise K.H. Kawatachi  
Harlan Y. Kimura  
Doris D.G. Lum-Mattos  
Avery C. Matro  
Dyan K. Mitsuyama  
Michelle K. Moorhead  
Edwin C. Nacino  
Clarence A. Pacarro  
Maria Frances Penn  
Kaupena F. Soon  
Audrey Lani E. Stanley  
Myron H. Takemoto  
Chris A. K. Thomas  
Lynne T.T. Toyofuku  
Dean K. Young

### Second Circuit

Lauren M. S. Akitake  
Bevanne J. Bowers  
Lance D. Collins  
Fredrick Matson Kelley  
Zachary A. McNish  
Robert D. Rivera  
Douglas R. Wright

### Third Circuit

Ann S. Datta  
Joseph P. Florendo, Jr.  
David R. Harada-Stone  
Mahilani E. K. Hiatt  
Jennifer D. K. Ng  
Dalilah E. Schlueter  
Renee N. C. Schoen

### Fifth Circuit

Jonathan J. Chun  
Robert M. Goldberg  
Glen T. Hale  
Laurel K. S. Loo  
Michael D. Scarbo

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# Support Services

## Mission

The mission of the Office of the Administrative Director of the Courts is to promote the administration of justice in Hawai'i by providing professional, responsive administrative support to the Chief Justice, the courts, and Judiciary programs. Support services help to expedite, facilitate, and enhance the mission of the Judiciary.

## Administration

The **Office of the Administrative Director of the Courts** is responsible for daily operations of the court system. The Administrative Director is appointed by the Chief Justice with the approval of the Supreme Court, and is assisted by the Deputy Administrative Director.

The Equal Employment Opportunity Officer and the Judiciary Security Emergency Management Office are attached to the **Office of the Deputy Administrative Director**.

Administrative programs are divided into five departments:

The **Intergovernmental and Community Relations Department** includes: Staff Attorney's Office, King Kamehameha V Judiciary History Center, Children's Justice Centers, Law Library, Center for Alternative Dispute Resolution, Communications and Community Relations, Equality and Access to the Courts, and Office of the Public Guardian.

The **Information Technology and Systems Department** includes the: Applications Division, Infrastructure

Division 1, Infrastructure Division 2, and the Documents Management Division.

The **Policy and Planning Department** includes: Budget Division, Capital Improvement Project Division, Planning and Program Evaluation, Reporting and Statistics Office, Internal Audit, Special Projects/Legislative Coordinating Office, and Capital Improvement Repair and Maintenance Office.

The **Human Resources Department** includes: Administrative Services, Compensation Management, Employee Services, Disability Claims Management, and Judicial Education.

The **Financial Services Department** includes the: Fiscal Services Division, Contracts and Purchasing Division, and the Administrative Drivers' License Revocation Office.



*The Hale Kaulike Third Circuit Courthouse in Hilo, Hawai'i island.*

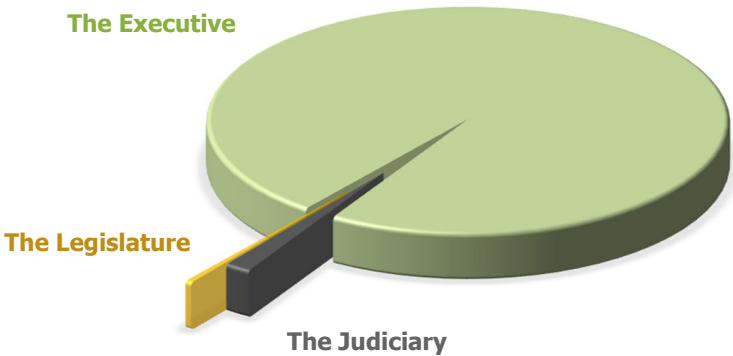
# Financial Resources

Appropriations for the Hawaiʻi State Judiciary are made by the Legislature on a statewide basis, with each fiscal year beginning July 1 and ending June 30. Both the operating and capital improvements budgets of the Judiciary are legislatively determined each biennium with operating monies allocated from the State General and Special Funds, and capital improvement monies from the State Capital Project Fund.

The Legislature appropriated \$186,467,451 from the State General Fund for Judiciary operations during Fiscal Year 2023–2024. The Judiciary's appropriations constitute 1.61% of the total state general fund appropriations. Other operating monies come from federal funds, trust funds, and special funds such as the Driver Education and Training Fund.

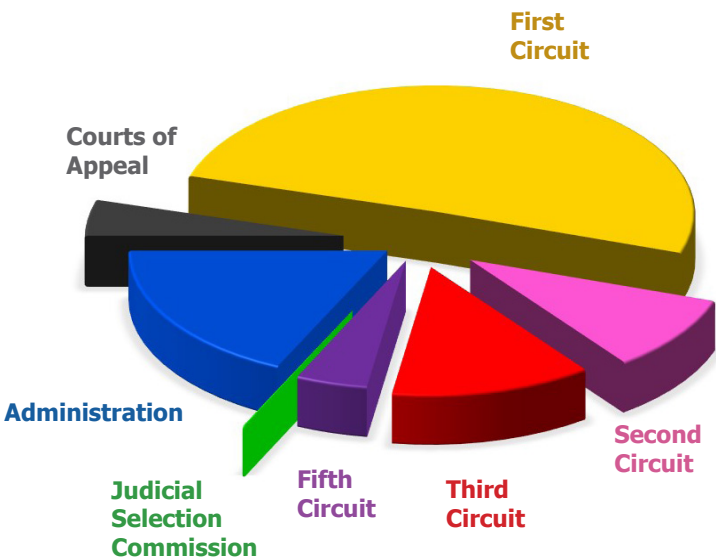
**Total State Government  
Appropriations  
From State General Fund  
Fiscal Year 2023–2024**

The Judiciary	1.61%	\$186,467,451
The Legislature	0.41%	\$47,451,159
The Executive	97.98%	\$11,330,881,320
<b>Total</b>		<b>\$11,564,799,930</b>



**State General Fund  
Expenditure By Court Element  
Fiscal Year 2023–2024**

Courts of Appeal	4.56%	\$8,385,517
First Circuit	50.68%	\$93,122,954
Second Circuit	9.58%	\$17,608,144
Third Circuit	12.59%	\$23,125,975
Fifth Circuit	4.47%	\$8,220,642
Judicial Selection Comm	0.07%	\$137,481
Administration	18.04%	\$33,147,457
<b>Total</b>		<b>\$183,748,170</b>

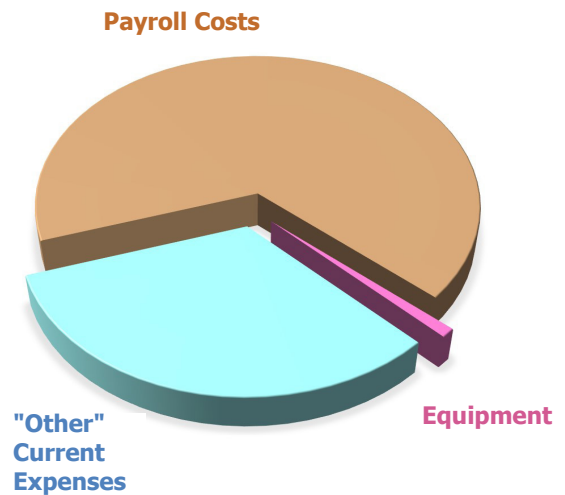


Program		FY 2024 Actual Expenditures	FY 2025 Estimated Expenditures	Biennium Budget Appropriations* FY 2026	Biennium Budget Appropriations* FY 2027
JUD 101	<i>Courts of Appeal</i>				
	General Fund	8,385,517	9,007,663	9,592,659	9,657,093
JUD 310	<i>First Circuit</i>				
	General Fund	93,122,954	96,611,009	98,130,866	98,298,808
	Special Fund	2,381,682	4,261,273	4,261,273	4,261,273
JUD 320	<i>Second Circuit</i>				
	General Fund	17,608,144	19,999,098	20,150,130	20,150,130
JUD 330	<i>Third Circuit</i>				
	General Fund	23,125,975	24,312,221	24,912,104	24,903,209
JUD 350	<i>Fifth Circuit</i>				
	General Fund	8,220,642	9,225,420	9,225,420	9,225,420
JUD 501	<i>Judicial Selection Commission</i>				
	General Fund	137,481	114,074	114,074	114,074
JUD 601	<i>Administration</i>				
	General Fund	33,147,457	69,921,308	41,193,756	41,042,866
	Special Fund	5,926,071	8,241,219	8,241,219	8,241,219
	Revolving Fund	11,642	343,261	343,261	343,261
<b>Totals</b>					
	General Fund	183,748,170	229,190,793	203,319,009	203,391,600
	Special Fund	8,307,753	12,502,492	12,502,492	12,502,492
	Revolving Fund	11,642	343,261	343,261	343,261

\* Subject to final legislative review.

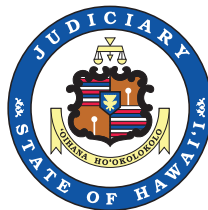
**State General Fund Expenditures  
By Cost Category  
Fiscal Year 2023–2024**

Equipment	0.98%	\$1,798,396
"Other" Current Expenses	32.67%	\$60,028,192
Payroll Costs	66.35%	\$121,921,582
<b>Total</b>		<b>\$183,748,170</b>



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