

STAND. COM. REP. NO. 1

Honolulu, Hawaii

NOV 17 2008

RE: JUD. COM. NO. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Third Special Session of 2008  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred Judiciary Communication No. 1, submitting for study and consideration the appointment of:

MELVIN H. FUJINO, to District Court of the Third Circuit

begs leave to report as follows:

Your Committee received testimony in support of Melvin H. Fujino from the State Attorney General; Ishida & Yamada LLP; and thirty-five individuals.

The Hawaii State Bar Association found the nominee to be qualified for the position of Judge, District Court of the Third Circuit, based upon the criteria of integrity, legal knowledge and ability, professional experience, judicial temperament, diligence, financial responsibility, public service, collegiality, and writing ability.

Melvin H. Fujino received a Bachelor of Arts degree from the University of Washington, and a Juris Doctor degree from Gonzaga School of Law. He has been a Deputy Attorney General since January 2007. His prior experience includes serving as Supervising Deputy Prosecuting Attorney in Kona from 1991 to 2007; Law Clerk to the Honorable Philip T. Chun, Administrative Civil Judge of the First Circuit Court; and Law Clerk to the Honorable Paul M. DeSilva in Kona. As a law clerk to Judge Chun, Mr. Fujino reviewed and processed nonhearing motions, probate cases, petitions for preliminary injunctions, foreclosure documents, and various orders.



As a Deputy Attorney General, Mr. Fujino supervises the Asset Forfeiture Unit and Wiretap Review Unit. Mr. Fujino also prosecutes welfare fraud cases, handles civil and criminal conflict of interest cases, and handles cold cases.

As a Deputy Prosecuting Attorney in Kona, Mr. Fujino was on the planning team to establish an adult and juvenile drug court; assisted in developing a policy and procedures manual for the adult mental health jail diversion program; coordinated the federal weed and seed program to select designated sites; and oversaw a federal grant for community empowerment and organization. Mr. Fujino also participated in numerous other judiciary, law enforcement, community, school, and youth programs and activities in the Kona community. Mr. Fujino's current and past positions indicate he has an understanding of the court system and the community he will serve.

According to testimony of the State Attorney General, Mr. Fujino will be a fine District Court judge, and according to the testimony of a Hawaii County Deputy Prosecuting Attorney, Mr. Fujino will be an excellent District Court judge and has the temperament and ability to be a District Court judge.

Other testimony in support of Mr. Fujino shows that he is knowledgeable about the law and issues, assesses situations quickly, is fair, open minded, dedicated and hardworking, is organized and committed to the job, loves and cares about people, and is skilled at defusing a tense atmosphere, all qualities indicating he is qualified to serve as a District Court judge.

Your Committee notes Mr. Fujino's oral testimony that as a District Court judge, he would endeavor to give the parties the feeling they had their day in court, and that they were given a "fair shake" and supports mediation to resolve family court cases as a solution to limited judicial resources.

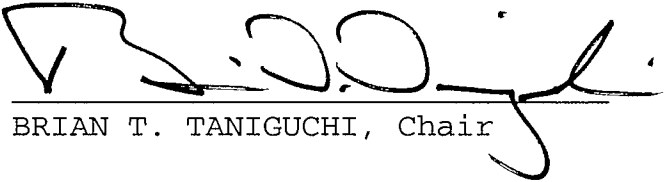
Your Committee finds that, based on the testimony submitted on his behalf, Melvin H. Fujino has the experience, temperament, judiciousness, and other competencies to be a District Court judge, and has a good sense of where the equities, rights, and responsibilities lie in a case which is essential for a District Family Court judge.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report,



your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**  
**Consent**

Gov. Msg./Jud. Comm. No.:* <b>JC 1</b>	Committee Referral: <b>JDL</b>	Date: <b>11-17-08</b>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Consent 2347 <span style="margin-left: 200px;"><input type="checkbox"/> Not Consent 2349</span>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	/			
HEE, Clayton (VC)				/
GABBARD, Mike				/
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SLOM, Sam	/			
<b>TOTAL</b>	<b>4</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 100px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature: 				
<b>Distribution:</b> <span style="margin-left: 20px;">Original File with Committee Report</span> <span style="margin-left: 100px;">Yellow Clerk's Office</span> <span style="margin-left: 100px;">Pink Drafting Agency</span> <span style="margin-left: 100px;">Goldenrod Committee File Copy</span>				

\*Only one GM or JC per Record of Votes