

STAND. COM. REP. NO. 1

Honolulu, Hawaii

NOV 19 2009

RE: GOV. MSG. NO. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Third Special Session of 2009  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred Governor's Message No. 1, submitting for study and consideration the nomination of:

CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII

G.M. No. 1            EDWIN C. NACINO, for a term of ten  
years,

begs leave to report as follows:

Your Committee received testimony in support of Judge Edwin C. Nacino from the Attorney General, the Hawaii State Bar Association, the State of Hawaii Organization of Police Officers, the Waiialae Elementary Public Charter School Board, and fifty-nine attorneys and individuals. Testimony in opposition to the nomination was received from one individual. Comments regarding the nomination were received from Hawaii Women's Lawyers.

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

Written testimony presented to your Committee may be reviewed on the Legislature's website.

Judge Nacino received a Bachelor of Arts degree from the University of Hawaii at Manoa and a Juris Doctor degree from the



William S. Richardson School of Law at the University of Hawaii at Manoa. Before entering the William S. Richardson School of Law, Judge Nacino was employed full-time as a Honolulu police officer for approximately 8 ½ years, assigned to the patrol division. He is currently serving as a District Judge with the District Court of the First Circuit. Judge Nacino has broad experience in both civil and criminal litigation. Prior to his tenure at the District Court, Judge Nacino practiced law in the private sector as an associate attorney and then a partner with Roeca, Louie & Hiraoka, specializing in civil litigation. He also has experience in the public sector, as a Deputy Corporation Council for the City and County of Honolulu, working in the civil litigation area, and as a deputy Prosecuting Attorney with the Honolulu Prosecutor's Office, trying criminal cases at the District, Family, and Circuit Court levels. Additionally, Judge Nacino has demonstrated a strong commitment to the well-being of the community through his service with community organizations, and to fostering excellence in Hawaii's legal community through teaching law students at the University of Hawaii.

Testimony submitted in support of the nomination highlights the breadth of Judge Nacino's legal background and the scope of his trial experience. His many years of experience as a judge, arbitrator, prosecutor, deputy corporation counsel, and attorney in private practice have given him a thorough understanding of the judicial system. Testimony characterizes Judge Nacino as a jurist who can see both sides of an issue and who demonstrates common sense in dealing with others and the matters before him. Judge Nacino also displays a mature and balanced judicial temperament that reflects his high level of ethics, fairness, and integrity.

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

As affirmed by the record of votes by the members of your Committee on Judiciary and Government Operations 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  
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Fifth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Government Operations**  
**JGO**  
**Consent**

Gov. Msg./Jud. Comm. No.:*	Committee Referral:	Date:		
G.M. No. 1	JGO	11/19/09		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Consent 2347 <input type="checkbox"/> Not Consent 2349				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>				
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:                      Original                      Yellow                      Pink                      Goldenrod File with Committee Report                      Clerk's Office                      Drafting Agency                      Committee File Copy				

\*Only one Judiciary Communication per Record of Votes