

**GM2**



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-FIFTH LEGISLATURE, 2010**

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**ON THE FOLLOWING MEASURE:**

G.M. NO. 2, SUBMITTING FOR CONSIDERATION AND CONFIRMATION TO THE CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII, GUBERNATORIAL NOMINEE, COLETTE Y. GARIBALDI, FOR A TERM OF TEN YEARS.

**BEFORE THE:**

Senate Committee on Judiciary and Government Operations

**DATE:** Monday, August 2, 2010                      **TIME:** 1:30 p.m.

**LOCATION:** State Capitol, Room 229

**TESTIFIER(S):** Mark J. Bennett, Attorney General

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Chair Taniguchi and Members of the Committee:

I strongly support the nomination of Colette Y. Garibaldi as a judge of the Circuit Court of the First Circuit.

I believe Judge Garibaldi is highly qualified to serve on the Circuit Court bench. She is a very competent jurist with extensive knowledge of the law, and her many years of experience as a District Court judge, prosecutor, and attorney in private practice have given her a thorough understanding of the judicial system.

Judge Garibaldi is a dedicated public servant with a strong work ethic and a firm commitment to excellence in Hawaii's courts. As the District Court lead criminal trial judge, and previously as deputy chief and administrative judge, she has proven herself to be strong leader and an excellent administrator. Her diligence, wisdom, fairness, sound judgment, and high ethical standards have earned her the respect of Hawaii's legal community.

Judge Garibaldi has served with distinction on the District Court, and I believe she is well suited to continue serving the people of Hawaii as a Circuit Court judge. I respectfully ask the Committee to recommend confirmation.

**Testimony of John M. Tonaki,  
State Public Defender to the Senate Committee on Judiciary  
and Government Operations**

August 2, 2010

GM2: Nomination of Collette Y. Garibaldi to the Circuit Court of the First Circuit

Chair Taniguchi and Committee Members:

This is in support of the nomination of Collette Garibaldi to the Circuit Court of the First Circuit. I have known Judge Garibaldi for close to twenty years in my practice of law and believe that she will be an excellent addition to the Circuit Court bench. She is very experienced as a judge, having served as a district court judge for many years. She has always exhibited superb legal skills and respectful courtroom demeanor. She always carefully listens to all arguments regarding an issue and attempts to resolve disputes in an equitable manner.

Judge Garibaldi served for several recent years as the district court administrative judge. I had the pleasure of working with her in this capacity on numerous issues regarding court operations and the role of the public defender's office in these operations. She was a superb administrator who was always sensitive to the budget shortages and other difficulties which our office had to deal with. In spite of the many obstacles, district court ran in an efficient manner under her tenure.

Judge Garibaldi is thoughtful, compassionate and honorable. She will serve on the Circuit Court with distinction for many years. I support her nomination without hesitation.

Thank you for the opportunity to be heard on this matter.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

ALII PLACE  
1060 RICHARDS STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 768-7400 • FAX: (808) 768-7515



DOUGLAS S. CHIN  
ACTING PROSECUTING ATTORNEY

**THE HONORABLE BRIAN TANIGUCHI, CHAIR**  
**SENATE JUDICIARY AND GOVERNMENT OPERATIONS**  
**Twenty-fifth State Legislature**  
**Interim of 2010**  
**State of Hawaii**

August 2, 2010

RE: GM 2; Nomination of Colette Garibaldi

Chair Taniguchi, and members of the Senate Committee on Judiciary and Government Operations, the Department of the Prosecuting Attorney submits the following testimony in strong support of the appointment of Colette Garibaldi to the Circuit Court of the First Circuit.

For over thirteen years, our office has either appeared before or worked with Judge Garibaldi in her capacity as a per diem district court judge, district court judge, Deputy Chief and Administrative Judge and District Court Lead Criminal Trial Judge. We have consistently found Judge Garibaldi to be intellectually bright, impartial and diligent. As a trial judge, we found her to be even-handed and extremely well versed in the law. As an administrative judge, she has earned our deep respect for her strong work ethic and her ability to work with others to achieve effective solutions to managerial issues facing district court. In particular, we would note her practical leadership and hands-on approach to the implementation of the district court module of the Judiciary Information Management System was key in minimizing disruptions and ensuring a successful deployment in district court.

Based upon her very strong, consistent and extensive record as a district court judge and an administrative judge, we believe Judge Garibaldi is exceptionally qualified to serve as a circuit court judge and we strongly support her nomination. We respectfully request your favorable consideration of her appointment.

Thank you for this opportunity to testify.



**Testimony of the  
HAWAII STATE BAR ASSOCIATION  
relating to the nomination of**

**COLETTE Y. GARIBALDI  
Circuit Court Judge, First Circuit Court**

**To:** Senate Committee on Judiciary and Government Operations  
The Honorable Brian T. Taniguchi, Chair  
The Honorable Dwight Y. Takamine, Vice-Chair

**Hearing:** Monday, August 2, 2010 at 1:30 p.m.  
Conference Room 229  
State Capitol

The Board of Directors of the Hawaii State Bar Association appreciates the opportunity to comment on the qualifications of Colette Y. Garibaldi for the position of Circuit Court Judge of the First Circuit.

In evaluating judicial nominees, the HSBA Board utilizes a modified version of the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. These Guidelines include the following criteria: integrity, legal knowledge and ability, professional experience, judicial temperament, diligence, financial responsibility, and public service, collegiality and writing ability. The HSBA Board's rating system includes the categories of "qualified" and "not qualified."

As part of its procedures for evaluating and taking positions on judicial and executive appointments, the HSBA Board utilizes a subcommittee of HSBA Board to review materials presented by the nominee and input from members. The subcommittee is also tasked with checking references and contacting others who have knowledge of the nominee's experience and qualifications. The full Board reviews the materials prepared by this subcommittee, the complete materials submitted by the nominee and members and conducts an interview of the nominee.

Taking into consideration all of the information presented by and about the nominee and an interview with the nominee, the vote of the Board of Directors of the Hawaii State Bar Association found Colette Y. Garibaldi to be qualified for the position of Circuit Court Judge of the First Circuit.

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July 30, 2010

Via Email: [JGOTestimony@Capitol.hawaii.gov](mailto:JGOTestimony@Capitol.hawaii.gov)

Senate Committee on Judiciary and Government Operations  
State Capitol  
415 South Beretania Street  
Conference Room 229  
Honolulu, HI 96813

**Re: GM2:** Submitting for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, COLETTE Y. GARIBALDI, for a term of ten years

**Hearing:** August 2, 2010 at 1:30 p.m.

Dear Committee Members:

Hawaii Women Lawyers (HWL) strongly supports the appointment of District Court Judge Colette Y. Garibaldi to the Circuit Court of the First Circuit (O'ahu).

When Judge Garibaldi was first appointed to the bench in 1997, the Hawaii State Bar Association found her "highly qualified." During her 12-year tenure at a Honolulu District Court, Judge Garibaldi has earned a solid reputation for her decisiveness, sound legal judgment, and fairness to both sides. As a testament to her leadership, diligence and organizational skills, Chief Justice Ronald Moon in 2001 appointed Judge Garibaldi as the Administrative Judge of all the district courts on Oahu, a position in which she still currently serves. Judge Garibaldi's long and distinguished service as both a judge and a leader at the district court level merits an elevation to the circuit court bench.

HWL is very concerned that the number of women on the bench does not adequately represent the number of women in the community or the women in the bar. Currently, the First Circuit Court bench reflects a great gender disparity.

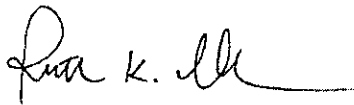
HWL is a nonprofit business organization made up of female and male attorneys. The purposes of HWL, as set forth in our Articles of Incorporation, are to (1) improve the status of women in the legal profession; (2) increase the number of women attorneys in positions of authority and responsibility; and (3) promote the advancement of all women. Our mission is to improve the lives and careers of women and children in Hawaii. HWL supports qualified women candidates

Senate Committee on Judiciary and Government Operations  
July 30, 2010  
Page 2

in connection with those purposes. Increasing opportunities for, and improving the visibility of, qualified women in the judiciary are important goals for HWL.

HWL's policy is not to endorse any candidate, simply because that candidate is a woman. Instead, HWL's policy is to support *qualified* female candidates. Accordingly, HWL strongly urges you to confirm the appointment of an eminently qualified and experienced candidate such as Colette Y. Garibaldi to fill the vacancy on the First Circuit Court.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ruth Oh". The signature is fluid and cursive, with a long horizontal line extending to the right.

Ruth Oh

President  
HAWAII WOMEN LAWYERS

A handwritten signature in black ink, appearing to read "Lane Hornfeck". The signature is cursive and includes a large, stylized flourish at the end.

Lane Hornfeck

Judicial Equity Committee Chair  
HAWAII WOMEN LAWYERS

July 26, 2010

Brian Taniguchi, Chair  
Judiciary and Government Operations  
Hawai'i State Capitol, Room 219  
415 South Beretania Street  
Honolulu, Hawai'i 96813

Re: Testimony in Support of Colette Y. Garibaldi's Nomination

I am writing to support the selection of Judge Colette Garibaldi as a Circuit Court Judge of the First Circuit.

During my lengthy legal lifetime, I have worked against, appeared before, and worked with Judge Garibaldi. As a practicing attorney we were on opposite sides, and although we did not agree on issues, she was always courteous and argued the position intelligently and vigorously. I appeared before her when she was a District Court Judge, and again, although we did not always agree, she was firm and precise in her rulings and did not leave the participants wondering what the ruling was.

I worked with Judge Garibaldi when I was the Deputy Chief Judge of the Third Circuit and she occupied the same position in the First Circuit. Together with the Deputy Chief Judges of the Second and Fifth Circuits, we resolved many issues of great significance for the District Courts for the State of Hawai'i.

Through these experiences with Judge Garibaldi, I can state without reservations that Judge Garibaldi has the intelligence, the judicial temperament, the dedication and courage, a very real concern that all participants in the judicial process be treated fairly and courteously, and the integrity to be an outstanding Circuit Court Judge.

I sincerely ask that you approve Judge Colette Garibaldi's appointment as a Circuit Court Judge of the First Circuit.

Respectfully submitted,

  
MATTHEW S.K. PYUN, JR.

MSKP:nd

*MATTHEW S.K. PYUN, JR.*  
*Head, Litigation Division*  
*Department of the Corporation Counsel*  
*530 South King Street, Room 110*  
*Honolulu, Hawai'i 96813*  
*Telephone: (808) 768-5242*  
*Facsimile: (808) 768-5105*



IN SUPPORT

RE: SENATE CONFIRMATION HEARING FOR COLETTE Y. GARIBALDI  
HEARING DATE: August 2, 2010, at 1:30 P.M., Room 229

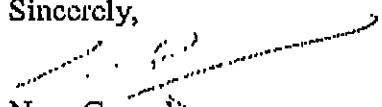
To the Senate Judiciary and Government Operations Committee  
Fax: 586-6659

I have known Colette Garibaldi since 1982 as a colleague at the Department of the Prosecuting Attorney, City and County of Honolulu, as a judge, and as a friend. She impresses everyone she meets with her intelligence, professionalism, and competence. She has an impressive judicial demeanor and is fair to all parties.

As administrative judge for the district court, Judge Garibaldi has done a wonderful job making the courts run more efficiently and smoothly. She applies her considerable wealth of common sense and resourcefulness to any problem that arises. She comes up with practical and efficient solutions.

Judge Garibaldi has done much to improve the workings of district court and she would be a great asset to the circuit court system as well.


Sincerely,



Nora Garrod  
c/o 1060 Richards Street  
Honolulu, Hawaii 96813

July 23, 2010

TO: The Senate Judiciary Committee

FROM: Armina Ching, Esq.   
1060 Richards Street, 9<sup>th</sup> Floor  
Honolulu, Hawaii 96813

Re: Senate Confirmation Hearing of Judge Collette Garibaldi to the Circuit Court  
Judicial position, Monday August 2, 2010 at 1:30 p.m. in Room 229 of the  
State Capitol

This letter is to inform the Senate Judiciary Committee, that I fully support the confirmation of Judge Collette Garibaldi to the Circuit Court Judicial position. I have known Judge Garibaldi since 1984. She is dedicated and smart. She has gained the respect of many for the number of years she has been a Judge on the bench. Since she became a per diem District Court Judge in 1989, she has made many tough decisions. Her rulings have been fair and in accordance with the law. As an Administrative Judge in District Court, she has been a leader and has shown her ability in mediating disputes.

I hope each of the Senators will support her confirmation.

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**From:** Uyema, Lynne Goto [luyema@honolulu.gov]  
**Sent:** Monday, July 26, 2010 2:05 PM  
**To:** JGO Testimony  
**Subject:** Gubernatorial Nominee Colette Y. Garibaldi – GM 2

**TO:** Senator Brian T. Taniguchi, Chairman  
Committee on Judiciary and Government Operations

**Re:** COLETTE Y. GARIBALDI  
Nominee for Circuit Court Judge of the First Circuit  
Senate Confirmation Hearing: August 2, 2010 at 1:30 p.m.

Measure: GM2 – Submitting for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, Colette Y. Garibaldi

Dear Senator Taniguchi and Committee Members:

I am submitting my whole-hearted support for the nomination of Colette Garibaldi to the Circuit Court of the First Circuit. I have the honor and privilege of knowing Colette both personally and professionally and can honestly attest to her abilities to fulfill the requirements necessary to be a Circuit Court judge.

On a professional level, I have had the privilege of both appearing before and working with Colette during my 17 years as a Deputy Prosecuting Attorney. She has always demonstrated the utmost professionalism and decorum, and she fully embraces and practices the notion of “respect for ALL” both in and out of the courtroom. Her decisions are always thoughtful, well reasoned, and grounded in the law. She is not one to shy away from difficult decisions or tasks but, instead, she courageously tackles them head on, while dissecting the problem and competently addressing each issue before her. Her courage, intellect, wit, integrity, and humility make her an excellent addition to the Circuit Court.

On a personal level, I have been blessed to know Colette all my life as she is also my cousin. She has always been down-to-earth, generous, and humble. She truly has a heart for people as she always demonstrates respect, compassion, and kindness to all - from the youngest to the oldest member of our family. In all humility, she acts without expectation of fanfare or credit. Instead, she finds personal satisfaction in knowing she did something purely because it was the right thing to do.

Simply put, “the proof is in the pudding”, so to speak. Colette will be an excellent Circuit Court judge because she’s been an excellent District Court judge for over 15 years. She has proven herself in more ways than one to be a more than competent judge. I have nothing but absolute confidence that she will bring the same dignity, spirit, and soul to the Circuit Court as she did to the District Court.

Respectfully submitted,  
Lynne Goto Uyema

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**From:** Bail, Lisa A. [lbail@goodsill.com]  
**Sent:** Tuesday, July 27, 2010 5:13 PM  
**To:** JGO Testimony  
**Subject:** Testimony in Support of the Confirmation of Judge Garibaldi

**Re:** GM2 - Submitting for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii,  
Gubernatorial Nominee, COLETTE Y. GARIBALDI, for a term of ten years  
**Date and Time:** 1:30 p.m. on Monday, August 2, 2010

Dear Judiciary and Government Operations Committee,

As a female litigator, I hope to see a proportionate number of female judges seated on the bench equal at least to the number of female judges who have left the bench. This is the first reason I am writing this letter of support for Collette Garibaldi.

There are, however, numerous other reasons why Judge Garibaldi should be nominated for a Circuit Court vacancy. Her service to the community as a judge for more than 10 years (and nearly double that, including her time as a per diem district judge) and her role as administrative and deputy chief judge since 2001 are testament to her dedication to the judicial system. She has been active in professional activities in the Hawaii legal community, including her presidency of the Hawaii State Trial Judges' Association, her role as co-chair of the Hawaii State Bar Association's Bench-Bar Committee from 2008 to 2009 and her service on a special committee of the American Judicature Society.

I encourage you to confirm Judge Garibaldi. She has my strong support.

**Lisa A Bail, Esq.**  
Goodsill Anderson Quinn & Stifel  
(808)547-5787

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**From:** Jeff Yamashita [jyamashita4@hawaii.rr.com]  
**Sent:** Wednesday, July 28, 2010 6:44 AM  
**To:** JGO Testimony  
**Subject:** GM2 - Consideration of Gubernatorial Nominee Collette Y. Garibaldi

Dear Members of The Judiciary Committee:

I am submitting my support for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, COLETTE Y. GARIBALDI, for a term of ten years. As a law enforcement officer for 45 plus years I was fortunate to work with Judge Garibaldi when she served as a deputy prosecutor in the Honolulu Prosecutor's Office. She is an outstanding attorney and person. She is very intelligent, has great people skills, makes fair and good judgments in the field of law. Judge Garibaldi has great respect in the law enforcement community and I believe she will serve the people of Hawaii well if confirmed as a Circuit court judge.

Very truly yours,

Jeff Yamashita  
Chief Investigator, Investigations Division  
Department of the Attorney General  
State of Hawaii

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**From:** Ray Shiraishi [rainman128@gmail.com]  
**Sent:** Thursday, July 29, 2010 11:35 AM  
**To:** JGO Testimony  
**Subject:** Submitting for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, COLETTE Y. GARIBALDI

My name is Ray Shiraishi and I am submitting testimony for the consideration and confirmation of Colette Garibaldi. I have known Colette for almost 20 years. My association with her began in youth sports as coach and manager of AYSO soccer. Collette's son John, played on my soccer team for many years.

The success of any youth sports program relies on parental support and participation. My admiration and respect for Colette came from observing her dedication to John's involvement in youth soccer. I could always depend on the Garibaldi's to be there to support the team by coordinating parents, activities and even refereeing games. Many parents support their children participating in youth sports but Collette was exceptional. She could be counted on being there at every game and assisting in any way.

Our soccer team traveled almost every year and the success of these road games depended heavily on the background support of a core group of parents. Colette was always part of the core parent group that supported the background efforts off the field. Champions get the trophies and the accolades of the press but the key to these accomplishments are a result of dedicated and devoted parents. The players perform on the field but the parents are the ones that keep them fed, wash their uniforms and handle the unexpected that often happen on these road trips. I could always count on Colette to be there with other parents washing uniforms, making peanut butter sandwiches and running errands for the benefit of the team.

This dedication speaks to her dedication and character and provide a strong foundation for her success as a Circuit Court Judge. I have been a coach in youth sports for many years and convinced that parental involvement and support is the key to success of the team and the individual. Parents like Colette support my efforts as a volunteer youth leader and provide the the kind of involvement necessary for great teams and great individuals. Her commitment speaks volumes and represent just one of the many reasons she should be confirmed.

Ray N. Shiraishi

## **TESTIMONY SUPPORTING CONFIRMATION OF COLETTE GARIBALDI**

GM2 - Submitting for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, COLETTE Y. GARIBALDI, for a term of ten years), date and time of the hearing (1:30 p.m. on Monday, August 2, 2010)

To: Senate Judiciary and Government Operations Committee

I am writing to express my strong support for the confirmation of Gubernatorial Nominee, Colette Y. Garibaldi to the position of judge on the Circuit Court of the First Circuit, State of Hawaii.

Ms. Garibaldi's long term experience and outstanding character makes her an excellent choice and she would make an excellent judge for the people of Hawaii.

Thank you for opportunity to provide input.

Mahalo,

Terry O'Halloran  
1547 Alencastre St  
Honolulu, HI 96816

State of Hawaii, The Senate  
Committee on Judiciary and Governmental Operations  
GM2

Dear: Senator Brian T. Taniguchi, Chair  
Senator Dwight Y. Takamine, Vice Chair  
And members of the Committee on Judiciary and Government Operations

I am submitting testimony in support of the nomination of the Honorable District Court Judge Colette Y. Garibaldi of the First Circuit for Circuit Court Judge.

I have known Judge Garibaldi for more than 10 years where she has exhibited the judicial temperament of being an excellent judge from the bench and as the First Circuit's Administrative Judge when tasked with that assignment.

She has displayed compassion, sensitivity, freedom from bias and a commitment to equal justice as a judge with her dealings with her co workers, public defenders, prosecutors, defendants and police.

I have found through my experiences with Judge Garibaldi found that she possesses the skills and qualities of an excellent jurist that is able to make sound decisions based upon her knowledge of the laws and its application in the particular matter.

I find that Judge Garibaldi is well respected in the legal community for her integrity, professionalism, and legal experience. I am confident that she would be an excellent Judge for the Circuit Court.

Sincerely,

Clyde Yamashiro

July 29, 2010



TO Committee on Judiciary and Government Operations

FROM John E. Woo, Retired Police Detective, Honolulu Police Department

SUBJECT Measure GM 2 Submitting for Consideration and Confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, Colette Y. Garibaldi, for a term of ten years, 1:30 p.m. on Monday, August 2, 2010

Chairman Taniguchi and members of the committee, I am John E. Woo a retired Police Detective, Honolulu Police Department. I am providing my written testimony in support of Colette Garibaldi.

I have known and worked with Ms. Garibaldi when she was a Deputy Prosecutor. We have worked several major crime cases together and she has shown me her vast knowledge of the laws and how they applied to these investigations. She is a total professional in her duties but what impressed me the most is her compassion, sincerity, sense of humor and just good common sense.

From a prosecutor, she became a District Court Judge, serving several years in that capacity. I have watch her presiding over court, administering the law as required or making the decisions expected of her. She is known throughout the Police Community as a fair but firm Judge. She has distinguished herself well as an officer of the court and she will continue to do so as a Judge in the Circuit Court of the First Circuit, State of Hawaii.

Judge Garibaldi will serve the people in our State of Hawaii well. She has the experience, dedication, expertise, and integrity. All the traits necessary and more to become a servant to our law profession. I humbly asked your support for the confirmation of Judge Garibaldi to serve in the First Circuit, State of Hawaii

Sincerely,

John E. Woo  
Detective HPD (Ret)  
7-29-10 / 1500 hrs.

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**From:** Ronda [loo.zoo@hawaiiintel.net]  
**Sent:** Thursday, July 29, 2010 10:09 PM  
**To:** JGO Testimony  
**Subject:** Testimony in support of Colette Y. Garibaldi

To: Judiciary Committee

Re: GM2 – testimony for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, Colette Y. Garibaldi, for a term of 10 years.

Date of hearing: August 2, 2010, Monday

Time of hearing: 13:30

Dear Honorable members of the Judiciary Committee,

I have known Judge Garibaldi for over five (5) years, and when I found out that she had been nominated to the Circuit Court of the First Circuit, I was very pleased at being allowed the opportunity to comment on her many positive attributes. Judge Garibaldi is extremely well qualified to be a Circuit Court Judge. She has the requisite intelligence, legal skills, integrity and demeanor for this position. As the former Deputy Chief Judge of the First Circuit, she has dealt with many administrative issues, to which she handled each one conscientiously and fairly. As the administrative judge she is often the "go to judge" and will often fill in for her regular judges on very short notice when someone is sick or on vacation. She is very able and capable and handles both civil and criminal matters with confidence and ease. As a full time judge and a per diem judge for over twenty (20) years, she has a wealth of experience, and is obviously a valuable asset to the Judiciary.

She is also a very hard worker, is highly efficient and can perform a multitude of tasks at the same time. Her work ethic puts the rest of us to shame. She is also extremely bright, is a deep thinker and has the perfect disposition. Over the course of the many years that I have known her, I have always been impressed at her level-headedness and her sense of humor. As a detective with the Maui Police Department, I feel that I have some experience in judging a person's character, and I must say Judge Garibaldi is as fair and honest as they come. Her integrity is beyond reproach and her temperament is perfect. There is absolutely no doubt in my mind that she will be a wonderful addition to the Circuit Court bench. I offer my full support for her nomination and humbly ask that you confirm her to this position. If you have any further questions or concerns please do not hesitate to contact me at your convenience at 244-6425. Thank you for this opportunity to comment on Judge Garibaldi.

Very truly yours,

Wendell Loo  
Maui Police Department

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**From:** M K [mkib2@yahoo.com]  
**Sent:** Friday, July 30, 2010 7:55 AM  
**To:** JGO Testimony  
**Subject:** Circuit Court Appointment for Judge Colette Garibaldi

July 30, 2010

TO: Hawaii State Senate Judiciary Committee

FROM: Michael Kibanoff  
Honolulu, Hawaii

RE: Judge Colette Garibaldi

Esteemed Members of the Senate Judiciary Committee

I write in support of Judge Colette Y. Garibaldi  
for the position of Circuit Court Judge State of Hawaii.

Judge Garibaldi is a hard working, intelligent, and fair adjudicator.  
She is well versed in the law, rules, and procedures, but continues  
always to learn new things and advance to strengthen our legal system and the rule of law.

Most importantly she is very thorough in her work. Never haphazardly looks at cases or issue before her. Be it  
legal (cases), administrative (personnel/staff), or budget (financial) issue before her.

I have had the privilege of working for Judge Garibaldi (as staff), and with her (as a supervisor myself).  
Witnessing first hand her fair, balanced, and professional treatment of subordinates, staff, parties before her,  
colleagues, court participants, et. al.

Judge Colette Y. Garibaldi would make a great Circuit Court Judge.

Thank you very much for your attention and consideration regarding this matter.

Michael Kibanoff

VSM, LLC  
JUDGE VICTORIA S. MARKS (ret.)  
P.O. Box 3736  
Honolulu, Hawaii 96812  
(808) 226-9489 (cell)  
[vmarks@hawaii.rr.com](mailto:vmarks@hawaii.rr.com)

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July 30, 2010

Committee on Judiciary and Government Operations  
State Capitol  
Honolulu, HI 96813

RE: Confirmation of Judge COLLETTE Y. GARIBALDI  
Circuit Court of the First Circuit

GM2  
Monday August 2, 2010 at 1:30 p.m.

Dear Committee Members:

I write in strong support for confirmation of Judge Collette Y. Garibaldi as a Circuit Judge of the First Circuit.

I have come to know Judge Garibaldi while both of us were sitting judges. She served as the Chief Judge for the District Court for many years. In this position she was responsible for supervising the judges and staff of the District Court – a wide-ranging and multi-faceted task. In this capacity she also served as a liaison to various community groups. She handled this challenge with thoughtfulness, style and grace and good humor. She proved to be an excellent leader of the District Court.

Over the years we served on various committees together. Judge Garibaldi impressed me as a person who considered and weighed all the facts and then came to a reasoned decision. She was a team player who was well respected and admired by her colleagues.

Judge Garibaldi is an excellent choice for the Circuit Court and I strongly urge that she be confirmed.

Thank you for the opportunity to speak in support of Judge Colette Garibaldi's confirmation.

Very truly yours,

Judge Victoria S. Marks (ret.)

Dawn Nagatani  
PO Box 179321  
Honolulu, HI 96817

VIA E-MAIL (testimony@capitol.hawaii.gov)

TO: Senate Committee on Judiciary and Government Operations

FROM: Dawn Nagatani

DATE: July 30, 2010

RE: GM 2 - Submitting for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, COLETTE Y. GARIBALDI, for a term of ten years

TO BE HEARD: Monday, August 2, 2010, 1:30 p.m.

Dear Chair Taniguchi and Members of the Committee:

I write in support of Colette Y. Garibaldi's nomination to serve on the Circuit Court of the First Circuit. Based on her current and past professional endeavors, she will bring a unique level of expertise and experience to the position.

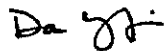
I have known Judge Garibaldi for eight years and had the privilege of working with her for 4 years at the District Court of the First Circuit. During my tenure as one of her law clerks, I witnessed her extraordinary work ethic and commitment to the rule of law. Judge Garibaldi approaches cases with an open mind and makes considered decisions after thoroughly reviewing relevant facts and applicable statutes/rules. She conducts herself in an ethical and honorable manner, demonstrates respect and fairness to all, and exhibits excellent judicial temperament.

As the Deputy Chief Judge of the First Circuit (District Court), Judge Garibaldi also participated extensively in administrative and operational matters. She regularly met with colleagues and court administrators to discuss issues that impacted court operations, and worked cooperatively with external agency representatives to arrive at mutually agreeable solutions. She created a positive work environment that facilitated open discussion and encouraged stakeholders to focus on relevant issues.

I have learned and continue to learn from Judge Garibaldi. She has been an excellent mentor and leads by example, exhibiting diligence, professionalism, integrity, and compassion in all situations. She sets high standards for herself and expects others to do likewise. Judge Garibaldi provided constructive feedback and encouraged my personal and professional development. I feel privileged to have had the opportunity to work with her.

Judge Garibaldi is an outstanding judge and an outstanding person. Her experience, work ethic, leadership, and character will make her an extraordinary Circuit Court Judge. I wholeheartedly support Judge Garibaldi's nomination. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Dawn Nagatani".

Dawn Nagatani

Douglas Chin  
2423 Lanai Street  
Honolulu, Hawaii 96817

VIA HAND DELIVERY

Attn: Committee on Judiciary and Government Operations  
Senator Brian Taniguchi, Chair  
State Capitol  
415 South Beretania Street, Room 219  
Honolulu, Hawaii 96813

July 30, 2010

Subject: Confirmation hearing of **Colette Garibaldi** to the First Circuit Court

Dear Committee Members:

I write this letter in support of the Honorable Colette Garibaldi's nomination to the Circuit Court of the First Circuit. Having appeared in her courtroom as a deputy prosecuting attorney, I believe Judge Garibaldi possesses the temperament, knowledge, qualities and skills that would make her an excellent addition to the First Circuit and an outstanding jurist in our community. In addition, through numerous opportunities to work with her in my capacity as Honolulu's First Deputy Prosecuting Attorney from 2006 through the present, I particularly admire Judge Garibaldi's gifts as an administrative judge. Judge Garibaldi listens to both sides. She comes up with creative and workable solutions. She is fair.

Thank you for your consideration. Please do not hesitate to contact me with any questions.

Sincerely,



Douglas Chin, Esq.

July 29, 2010

Senator Brian T. Taniguchi  
Chair, Senate Judiciary and Government Operations Committee  
State Capitol  
Honolulu, Hawaii 96813

Re: Consideration of Colette Y. Garibaldi for Circuit Court of the First Circuit  
Hearing scheduled August 2, 2010, 1:30 p.m.

Dear Chair Taniguchi and Senate Committee Members,

Thank you for the opportunity to submit this letter in strong support of the nomination of Colette Y. Garibaldi as a Circuit Court Judge. Judge Garibaldi is intelligent, meticulous, well-prepared, open-minded, and always very fair and respectful to all parties. She possesses the rare perfect balance of mind and heart and has an outstanding work ethic.

By way of background, I have been a deputy prosecutor for almost nineteen years and have supervised the Misdemeanor/Traffic Division since 2002. I have had the privilege to appear before Judge Garibaldi in court and attend meetings with her as the District Court Deputy Chief Administrative Judge, and more recently the Criminal Lead Judge.

As the District Court Deputy Chief Judge, and more recently Lead Criminal Judge, she is clearly a leader by example. In addition to her administrative responsibilities, she presides in the courtroom, especially when new procedures or protocol are implemented to ensure success. Specific examples include the implementation of the traffic module of the Judicial Information Management System (JIMS), the Penal Rule requirement that District Court charges must be filed by Written Complaint, and the implementation of Orders Pertaining to Bail (OPBs) in District Court. Judge Garibaldi not only has the vision and expertise to work out the "greater" overall plan, but she rolls up her sleeves and presides in court when the new projects "launch" in court. She personally tackles the problems and works out the procedural, practical, and legal details to ensure an efficient and optimal process.

On the bench, she is resolutely prepared, which challenges and motivates the young prosecutors to be well-prepared themselves in presenting their cases and answering tough questions. Only after carefully and diligently considering and weighing all the issues from all sides, Judge Garibaldi renders decisions which are just. She has the integrity and moral courage to do what she believes is right. Similarly, off the bench, in multi-agency meetings, she is extremely respectful, professional, and open-minded, always weighing all the issues. Her pragmatic and diplomatic approach keeps the participants honest and focused. On and off the bench, she is an extremely fair, intelligent, and insightful decision-maker.



Judge Garibaldi is not only extremely intelligent, but also very practical and grounded. Given the hundreds of cases heard in District Court on any given day, District Court is much like a "people's court," and Judge Garibaldi definitely has "people skills." She oversees hundreds of cases a day, from felony defendants making an initial appearance for a murder charge to a seventy year old grandparent contesting a traffic violation. She is fair, respectful, and compassionate to each person. Her talent and skills come not only from her mind, but also her heart. She is highly effective both as a presiding judge and administrator not only because of her ability to analyze complex legal issues, but also because of her ability to understand and appreciate divergent points of view and effectively communicate with others.

Based upon my own experience of doing felony trials in Circuit Court prior to supervising in District Court, I truly believe that the community would benefit should Judge Garibaldi be appointed to the Circuit Court bench, but she will sorely be missed in District Court. She truly embodies the intelligence, integrity, compassion, and fairness which we all hope for in a judge. For all of these reasons, I strongly support her nomination.

Thank you very much for this opportunity to provide comment. If I can be of any assistance, please do not hesitate to contact me at 768-7400.

Sincerely,  
Renee R. Sonobe Hong

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**From:** Chang, Cecelia [cchang@honolulu.gov]  
**Sent:** Friday, July 30, 2010 3:52 PM  
**To:** JGO Testimony  
**Subject:** Letter in Support of Circuit Court Nominee: Honorable Colette Y. Garibaldi

July 30, 2010

Senator Brian T. Taniguchi, Chair  
Judiciary and Government Operations Committee  
State Capitol - Senate  
State of Hawai'i  
Honolulu, Hawai'i 96813

Hearing: Judiciary and Government Operations Committee  
First Circuit Court Nominee, the Honorable Colette Y. Garibaldi  
Date: Monday, August 2, 2010  
Time: 1:30 p.m.;  
Room: 229

Re: Letter in Support of Judicial Nominee: Honorable Colette Y. Garibaldi

To The Honorable Chair and Members of the Committee on Judiciary and Government Operations:

I am writing to express my strong support for the confirmation of District Court Judge Colette Y. Garibaldi to the Circuit Court of the First Circuit, State of Hawai'i.

Judge Garibaldi has an excellent reputation in the legal community among private and government practitioners for her dedication to public service, industriousness, intelligence, efficiency and pleasant manner. In addition to her extensive litigation background, Judge Garibaldi brings many years of administrative and managerial experience as the Chief Administrative Judge for the District Court of the First Circuit that will serve her well in her role as a Circuit Court judge.

Judge Garibaldi will make an outstanding addition to the Circuit Court.

Thank you for the opportunity to comment.

Sincerely,

Cecelia C.Y. Chang  
HSBA #3929  
60 N. Beretania Street, #2809  
Honolulu, HI 96817

**Boisse P. Correa  
284 Paiko Drive  
Honolulu, Hawaii 96821**

July 30, 2010

The Honorable Brian T. Taniguchi, Chair  
and Members  
Committee On Judiciary and  
Government Operations  
The Senate  
State Capitol  
Honolulu, Hawaii 96813

Re: Judge Colette Y. Garibaldi Confirmation to First Circuit Court

Dear Chair Taniguchi and Members:

I am submitting written testimony in support of Colette Y. Garibaldi's confirmation as a Circuit Court Judge of the First Circuit of the State of Hawaii.

I worked with Judge Garibaldi on several issues involving the Judiciary while employed with the Honolulu Police Department. She is an extremely capable, intelligent, and fair individual. During the preparation for the Asian Development Bank Conference in 2001, Judge Garibaldi accepted the responsibility as liaison for the courts. She established the trust and commitment necessary to ensure everyone's joint cooperation. Her dedication and leadership contributed to the successful outcome of the Conference.

Colette Y. Garibaldi is an experienced, hardworking, and committed judge. She has the integrity and ability to serve the people of our state. I therefore urge the Committee to confirm Colette Y. Garibaldi as Circuit Court Judge of the First Circuit of the State of Hawaii.

Respectfully,



BOISSE P. CORREA  
Chief of Police (Retired)

July 30, 2010

The Honorable Brian T. Taniguchi  
Chair, Committee On Judiciary And Government Operations  
Hawaii State Capitol  
415 South Beretania Street, Conference Room 229  
Honolulu, Hawaii 96813

Dear Senator Taniguchi and Members of the Committee on Judiciary and Government Operations:

Re: Confirmation of Colette Y. Garibaldi To The First Circuit Court

Thank you for this opportunity to testify in support of the confirmation of Colette Y. Garibaldi as a Circuit Court Judge of the First Circuit of the State of Hawaii.

I have known Judge Garibaldi for about thirteen years. I had the opportunity to get to know her well when we both served as Deputy Chief Judges. While she served as Deputy Chief Judge of the District Court and I served as Deputy Chief Judge of the Civil Division of the First Circuit Court, we worked closely on various legal and administrative matters and projects.

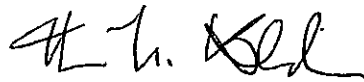
Judge Garibaldi is a smart, efficient individual who applies good judgment, common sense and resourcefulness to the tasks before her. As the Deputy Chief Judge of the District Court, she was industrious and effective in managing the operations of the District Court. She did not hesitate to address difficult issues or problems and was adept at finding practical solutions. She was conscientious and decisive and time and time again demonstrated her keen sense of fairness, strong sense of personal and professional integrity, and the character to make difficult decisions.

Judge Garibaldi is also a caring person, but her compassionate nature is tempered by her ability to evaluate problems realistically and devotion to achieving a fair result for those concerned. She relates and communicates well with others, including court staff, administrators, other judges, lawyers, litigants, and personnel of other agencies (e.g. police department, department of public safety, etc.). She is an open, approachable person who conducts herself in an even-tempered, professional manner. Her reputation for these qualities have earned the respect of her peers.

The Honorable Brian T. Taniguchi  
July 30, 2010  
Page 2

Judge Garibaldi will be an excellent Circuit Court Judge. She will continue to bring much energy, dedication, and integrity to the position. I respectfully urge that your Committee confirm Judge Garibaldi's nomination to Circuit Court. Thank you for the opportunity to testify on this matter.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "K. N. Blondin". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Karen N. Blondin  
Circuit Court Judge (Retired)

117 Kiionioni Place  
Honolulu, Hawaii 96816  
July 30, 2010

The Honorable Brian T. Taniguchi, Chair  
Committee on Judiciary and Government Operations  
State Capitol  
415 South Beretania Street  
Conference Room 229  
Honolulu, Hawaii 96813

Subject: Nomination of Colette Y. Garibaldi as Judge of the  
Circuit Court of the First Circuit, State of Hawaii

Dear Senator Taniguchi and Members of the Committee on Judiciary and  
Government Operations:

Thank you for the opportunity to submit testimony in support of  
Judge Colette Y. Garibaldi who has been nominated as Judge of the  
Circuit Court of the First Circuit, State of Hawaii. I served as a  
Circuit Court Judge for over fifteen years until my retirement in  
December, 2009. From December, 2000 to December, 2009, I served as  
the Chief Judge of the First Circuit.

I have known Judge Garibaldi for over twenty-eight years. I  
first met Judge Garibaldi in 1982 when we worked together at the  
Department of Prosecuting Attorney. After her appointment as a  
District Court Judge, Judge Garibaldi served as the Deputy Chief Judge  
and District Court Administrative Judge of the District Court for  
eight years when I was the Chief Judge. During that time, I worked  
closely with Judge Garibaldi regarding the operations of the First  
Circuit.

During the entire time that I worked with her, Judge Garibaldi  
exhibited qualities that will make her an outstanding Circuit Court  
Judge. She has experience with criminal and civil cases and has  
handled all of the calendars in District Court as well as domestic  
violence cases on the Family Court calendar. For all of these cases,  
she was prepared and familiar with the facts, issues, and applicable  
law before making a decision. Her decisions have been clear,  
decisive, and fair to all of the parties involved.

The Honorable Brian T. Taniguchi  
Page 2

In addition to her many duties as Deputy Chief Judge, she played an important role in the training and implementation of the Judiciary's new computer system, JIMS. Judge Garibaldi spent countless hours learning about the system and handled numerous court calendars once the system went into operation to be able to personally train the other District Court Judges and work with the court staff to determine the most efficient use of the system.

Judge Garibaldi has worked collaboratively with other governmental entities as the representative of the Judiciary. For example, in preparation for the Asian Development Bank Conference, Judge Garibaldi worked with the Honolulu Police Department, Department of Prosecuting Attorney, Public Defender's Office, and Department of Public Safety to establish procedure to ensure the smooth operation of the conference and safety of the public.

As Deputy Chief Judge, it was a pleasure to work with her. Judge Garibaldi treated all of the other District Court Judges fairly and with respect and worked to equalize the work load among the different calendars. She met with the other Deputy Chief Judges, court administrators, and me on a weekly basis and was an essential member of our First Circuit team. While working cooperatively for the best interest of the entire First Circuit, she also kept the best interest of the District Court in mind. She is honest, caring, and always willing to help. She has the trust and respect of all of us.

Throughout her career in the District Court, Judge Garibaldi has distinguished herself as an exceptional District Court Judge. I am confident that she will contribute significantly if given the opportunity to serve as a Circuit Court Judge.

Thank you very much for the opportunity to submit testimony in support of Judge Garibaldi. I strongly support her confirmation and respectfully request favorable consideration of her nomination.

Sincerely yours,

*Colleen K. Hirai*

Colleen K. Hirai  
Circuit Court Judge (Retired)

July 30, 2010

The Honorable Brian T. Taniguchi, Chair  
Committee on Judiciary and Government Operations  
State of Hawaii  
415 South Beretania Street  
Honolulu, Hawaii 96813

RE: Consideration and confirmation to the Circuit Court of the First Circuit,  
State of Hawaii, Gubernatorial Nominee Colette Y. Garibaldi

Dear Senator Taniguchi,

I am writing this letter in support of Judge Colette Y. Garibaldi's gubernatorial nomination to become a Circuit Court Judge. I had the privilege of working with Judge Garibaldi when she was a Deputy Prosecuting Attorney assigned to the Screening and Intake Division, and remember her as being a highly competent, dedicated professional.

I believe she would serve the citizens of Hawaii well if elevated to the Circuit Court and I strongly recommend her confirmation.

Sincerely,

Michael T. Tsuda  
Robbery/Homicide Detective  
Honolulu Police Department (Retired)



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**From:** Daniel Shimizu [dshimizu8991@gmail.com]  
**Sent:** Saturday, July 31, 2010 10:42 AM  
**To:** JGO Testimony  
**Subject:** GM 2; Testimony in Support of Confirmation of Gubernatorial Nominee Colette Y. Garibaldi

Senator Brian T. Taniguchi  
Chairperson, Senate Judiciary and Government Operations Committee  
Hawaii State Capitol  
Honolulu, HI 96813

Dear Chairperson Taniguchi and Members of the Judiciary and Government Operations Committee:

Re: GM 2; Testimony in Support of Confirmation of Gubernatorial Nominee Colette Y. Garibaldi.

I am writing in support of the confirmation of Gubernatorial Nominee Colette Y. Garibaldi, to the Circuit Court of the First Circuit, State of Hawaii, for a term of ten years. These comments express my personal opinion and are not made in any official capacity.

I first met Judge Garibaldi when we both were employed as Deputy Prosecuting Attorneys in the 1980s. Judge Garibaldi immediately impressed me with her intellect, knowledge of the law, work ethic, and friendly personality. As the former Deputy Chief Judge of the District Court of the First Circuit Court, Judge Garibaldi demonstrated considerable administrative ability and skill to ensure the efficient and effective operation of the District Court. More recently, Judge Garibaldi has presided over numerous preliminary hearings in which I appeared on behalf of the State of Hawaii as a Deputy Prosecuting Attorney. In my experience, Judge Garibaldi has demonstrated a firm understanding and knowledge of the law, been scrupulously fair to the parties, and conducted herself and her courtroom in an exemplary manner. I have no doubt that Judge Garibaldi will be a fine Circuit Court Judge. Thank you for your attention to these comments.

Daniel Shimizu

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**From:** Emi Arnold [Arnolds002@hawaii.rr.com]  
**Sent:** Saturday, July 31, 2010 1:59 PM  
**To:** JGO Testimony  
**Subject:** GM2 - nomination to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial nominee, Colette Y. Garibaldi, for a term of 10 years - Hearing August 2, 2010 @1:30pm

RE: Colette Y. Garibaldi  
GM2 - August 2, 2010, 1:30pm

To Whom It May Concern:

I have known Colette Garibaldi for the past 12 years as our sons grew up playing soccer together. I don't know her as a judge, but I do know her as a mom, a volunteer and a friend. We talk about our children and she has raised a wonderful daughter and son.

We volunteered together for our sons' soccer team and coordinated numerous trips to the mainland and Europe. She was our meal coordinator on one of these trips and she was responsible to feed 18 hungry teenagers. She flipped pancakes, fried bacon and eggs, made spam musubis, and other meals for the boys. She also helped me by staying up long after everyone else went to bed to wash the boys' uniforms and clothes. Over the 25 years that I have been volunteering for my childrens' schools and athletic youth teams, I've worked with many people in many situations. What impresses me most about Colette is that she shares her energy and resources to help out every kid, regardless of who they are or where they come from.

People often ask me what I do for living. I'm a mom. I've worked hard teaching my children basic core values of life. It's what your mother and grandmothers have taught you. Work hard, be honest, don't be late, and be kind to others, etc. I have found that in order to teach our children, we must live the life we expect them to lead. And Colette Garibaldi is a mom just like me.

I have no doubt that those who have the decision-making power to confirm Colette's nomination will look back 10 years hence and realize that they chose wisely. I think selecting a judge is not much different from selecting a good friend or a doctor; you meet them and you know that it's a good match and you look forward to a long relationship. Judge Colette Garibaldi is an exceptional candidate for the Circuit Court of the First Circuit, State of Hawaii

Sincerely,

Emi Arnold

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**From:** Iris Murayama [iris.murayama@gmail.com]  
**Sent:** Saturday, July 31, 2010 10:37 PM  
**To:** JGO Testimony  
**Subject:** GM 2 Testimony for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, COLETTE Y. GARIBALDI, for a term of ten years

July 31, 2010

The Honorable Brian T. Taniguchi, Chair  
The Honorable Dwight Y. Takamine, Vice-Chair Judiciary and Government Operations Committee  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Dear Senator Taniguchi, Senator Takamine and Members of the Judiciary and Government Operations Committee,

Thank you for the opportunity to submit testimony to express my strong support of the appointment of Colette Garibaldi to the circuit court bench. Judge Garibaldi is well qualified to sit on the circuit court bench with her qualities of integrity, ability, legal knowledge, experience, professionalism, diligence, judicial temperament, fairness, collegiality, leadership, care and responsibility.

For the past five years, in my capacity as Deputy Chief Court Administrator of the Court Services and Court Operations Division, I had the opportunity to work very closely with Judge Garibaldi while she served as the Deputy Chief Judge for the District Courts of the First Circuit. I have gained a deep respect for her fine qualities and legal abilities and appreciated her willingness to assist with many operational concerns with the running of the courts.

While Judge Garibaldi was the Deputy Chief Judge, the Judiciary underwent tremendous changes to convert to a new Case Management System. The transition period was painful and difficult for our staff however, Judge Garibaldi, collaboratively, and often taking the lead role, worked long hours with the Deputy Chief Judges and Deputy Chief Court Administrators of the First, Second, Third and Fifth Circuits to make fair decisions affecting legal issues while bearing in mind the concerns of the operational staff. During this period, Judge Garibaldi also bridged the gaps between the courts and the legal and the law enforcement agencies as the new system brought about changes in the way the courts did business.

Judge Garibaldi often faced many challenges during her tenure as Deputy Chief Judge however she was able to effectively apply her legal knowledge and professionalism through these trying times. One particular challenge which I vividly remember was the implementation of HRPP, Rules 5 and 7 (re: written complaint process). Judge Garibaldi was instrumental in collaborating with the prosecutors, public defenders, HPD, the sheriffs and Judiciary staff to work out the formidable implementation task.

Although she served as Deputy Chief Judge, Judge Garibaldi's expertise was not limited to administrative duties. She often sat on the bench substituting for regular judges and often took on our fast moving new arrest custody cases. She used her legal abilities to make quick and sound decisions for these custody cases which often included de-compensating mental health defendants to high profile felony cases requiring decisions on committals. Her

expertise as a trial judge, the breadth of her legal knowledge and her administrative experience as Deputy Chief Judge of the Traffic, Criminal and Civil Divisions of the District Courts of the First Circuit have given her the wide scope of experience which the circuit courts would surely benefit from. She is often approached by judges, the legal and law enforcement communities and Judiciary staff for her advice and legal expertise on a variety of concerns involving the courts.

Judge Garibaldi is forward thinking and is one of the few judges who has adapted to using technology in the courtroom. She has taken the time to learn and use the computer to access the case management systems live in the courtroom to access traffic and criminal histories and other legal references. As our case management system moves into the criminal phase of implementation, I am sure the circuit courts will certainly benefit from Judge Garibaldi's experience of using technology in the courtrooms.

These are only a few of examples which exemplify Judge Garibaldi's fine qualities as a judge and as a leader and why she would be a great asset to the circuit court bench. I have the utmost confidence that Judge Garibaldi would serve us well as a circuit court judge.

Again, thank you very much for the opportunity to submit this testimony in support of confirming Judge Colette Y. Garibaldi to the circuit court bench.

Iris T. Murayama

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**From:** ERIC C SACKS [ecs614@gmail.com]  
**Sent:** Sunday, August 01, 2010 7:12 AM  
**To:** JGO Testimony  
**Subject:** Fwd: Testimony in support of Hon. Colette Y. Garibaldi

I write to strongly recommend that you confirm the Hon. Colette Y. Garibaldi to the First Circuit judgeship position.

In order to help you understand and evaluate the basis for my recommendation of Judge Garibaldi, I will give a brief synopsis of my background. I have been a lawyer since 1991. From 1991 through 1992, I served as a law clerk to the Hon. Alan C. Kay then-Chief U.S. District Judge for the District of Hawaii. I then entered private practice for several years before becoming a deputy prosecutor for the City and County of Honolulu. I spent most of my tenure, approximately five years, at the prosecutor's office in the career criminal division. In 2001, I left the prosecutor's office to pursue non-legal business opportunities.

As a former deputy Honolulu city prosecutor I had extensive interaction with Judge Garibaldi. During my time in private practice and at the prosecutor's office I appeared often before both District Judge Colette Y. Garibaldi in a wide array of legal matters from preliminary hearings to jury trials.

Judge Garibaldi is, without question, the highly qualified to sit on the Circuit Court. She is smart, articulate, and has an excellent knowledge of the rules of evidence and the substantive law.

Judge Garibaldi exhibits an even and neutral judicial demeanor. She allows the parties to present their cases uninterrupted, so long as there is no clear violation of the rules of evidence or professional conduct. While on the bench, she favors no particular party, issue, nor agenda; she allows each party to present its arguments and/or evidence, weighs the merits, and then makes a ruling.

Judge Garibaldi also runs a very efficient courtroom. She strikes the fine balance between allowing all to be fully heard and not allowing the parties to waste the judicial resources with repetition or irrelevant soliloquies. When I was prosecuting domestic violence cases before her, Judge Garibaldi demonstrated a keen knack for facilitating guilty or no contest pleas in the cases that had settlement potential and for trying the cases that needed to be tried.

Above all else, Judge Garibaldi possesses probably the most important quality a judge can have: fairness. When Judge Garibaldi ruled on a particular matter, whether it was an evidentiary ruling, wording of jury instructions, or sentencing of a convicted defendant, the parties usually agreed that her decision was fair. I recall disagreeing with her rulings on occasion, but I always knew they were fair. I believe all or most of my opposing counsel felt the same way.

In summary, Judge Garibaldi is smart, knowledgeable, neutral, compassionate, efficient and fair. She will make an excellent Circuit Court Judge. I urge you to confirm her for the job.

If you would like any further information or assistance from me, please call or write me anytime.

Sincerely,

Eric C. Sacks

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Eric C. Sacks  
The Sacks Group, LLC  
810 Richards St., Suite 810  
Honolulu, Hawaii 96813  
Phone: (808) 532-6262  
Fax: (808) 521-2870

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Eric C. Sacks  
The Sacks Group, LLC  
810 Richards St., Suite 810  
Honolulu, Hawaii 96813  
Phone: (808) 532-6262  
Fax: (808) 521-2870

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**From:** Larry Rodriguez [rodrigue1001@hawaii.rr.com]  
**Sent:** Sunday, August 01, 2010 8:13 AM  
**To:** JGO Testimony  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* Testimony in favor of Colette Y. Garibaldi

**Importance:** High

RE: GM2 - Submitting for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawaii, Gubernatorial Nominee, COLETTE Y. GARIBALDI, for a term of ten years, date and time of hearing - 1:30 pm on Monday, August 2, 2010.

Committee of JGO Testimony,

I am providing this letter in support of Colette Garibaldi. I have known Colette and her husband, John, for over 32 years. John and I worked together for many years at Arthur Young & Company, the predecessor to Ernst & Young. I have known Colette in both a personal and professional capacity during that period. I am very familiar with John Robert and Kristen, their children.

I can tell you without reservation that from an integrity and professional viewpoint, Colette meets the highest standards or qualification for this position. She has balanced her personal and professional life with the highest degree of commitment to her responsibilities. I believe our community would be well served by her appointment as a Circuit Judge. I strongly support her nomination.

Sincerely,

Lawrence (Larry) Rodriguez  
Retired Managing Partner of Ernst & Young

**ROBERT K.Y.F. LUNG  
439 HALEMAUMAU STREET  
HONOLULU, HAWAII 96821**

The Honorable Brian T. Taniguchi, Chair  
Committee on Judiciary and Government Operations  
State Senate  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Taniguchi and Members of the Committee on Judiciary and Government Operations:

Reference: GM2 Confirmation of The Honorable Colette Y. Garibaldi

I am Retired Sergeant Robert Lung from the Honolulu Police Department. I am in support for the confirmation of the Honorable Colette Y. Garibaldi to the Circuit Court of the First Circuit, State of Hawaii. I have had the honor of knowing Judge Garibaldi for the past fifteen years as a police sergeant, a transportation law enforcement liaison, and friend. During this time, she has been both helpful in enlightening police in the procedures of the court that led to the new ignition interlock procedures. She has been instrumental in notifying the police in matters relating to police procedures that were inconsistent with the judiciary procedures.

She has been fair and impartial on matters relating to procedures and law and upheld the administrative rules of the judiciary. She has been a community minded citizen in both within her own community and the state.

I urge your consideration to pass the appointment of the Honorable Colette Y. Garibaldi to the Circuit Court of the First Circuit, State of Hawaii.

Thank you for the opportunity to testify:

Sincerely,

ROBERT K.Y.F. LUNG



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**From:** William Bagasol [william\_bagasol@yahoo.com]  
**Sent:** Sunday, August 01, 2010 11:29 PM  
**To:** JGO Testimony  
**Subject:** Testimony in Support of the nomination of Judge Colette Garibaldi as Circuit Court Judge

**Testimony of William C. Bagasol,  
Deputy Public Defender, to the Senate Committee on Judiciary  
and Government Operations**

August 2, 2010

GM2: Nomination of Collette Y. Garibaldi to the Circuit Court of the First Circuit

Chair Taniguchi and Committee Members:

This is in support of the nomination of Colette Garibaldi to the Circuit Court of the First Circuit.

I have known Judge Garibaldi for well over 15 years. In the last 6 years, as the District Court Section supervising attorney for the Office of the Public Defender, I have worked directly with Judge Garibaldi.

Through the years she is recognized as an experienced and proven trial Judge. I have known her to be both expeditious and fair. Judge Garibaldi is even-handed to all party litigants in rendering her decisions. Despite our often contentious adversarial system, I have always witnessed Judge Garibaldi's excellent judicial temperament.

Judge Garibaldi has done an outstanding job as an administrator to complement her many years of experience as a trial judge. As chief administrative Judge, she has had to resolve a number of difficult issues. Furthermore, Judge Garibaldi is experienced in working with a diverse group of entities, and has reached out to both the prosecution and the defense. Through this experience I have seen her attempt to bring parties together in the resolution of cases and to work through difficult problems that challenge the Judiciary.

I  
Based upon my experience, Judge Garibaldi has the highest degree of integrity and honesty. I have great confidence that she has the legal skills, intelligence, experience and character to be an excellent Circuit Court Judge.

I support her nomination to the Circuit Court bench without hesitation or reservation.

Thank you very much for your time.

July 30, 2010

The Honorable Brian T. Taniguchi, Senate Chair  
And Members of the Committee on Judiciary  
and Government Operations  
Hawai'i State Capitol, Room 219  
Honolulu, Hawaii 96813

RE: GM 2 (Colette Y. Garibaldi)  
Hearing: Monday, August 2, 1010; 1:30 p.m.

Dear Chair Taniguchi:

I write this letter in support of District Court Judge Colette Y. Garibaldi's nomination as a Circuit Court Judge of the First Circuit, State of Hawai'i. My recommendation is based on my sixteen years of experience as a deputy public defender appearing before various circuit, district, and family court judges, the Hawai'i Supreme Court, and as a district court law clerk.

As an attorney, I had appeared before Judge Garibaldi on numerous occasions. Without exception, I had always found her to be fair, intelligent, decisive, and legally adept in all matters before her while exhibiting excellent judicial temperament. As a criminal defense attorney, I may not have always liked the results I received in her court, but I cannot deny that my clients did receive a fair hearing nor could I dispute that there was a sound legal basis for each of her decisions.

Judge Garibaldi has consistently demonstrated her ability to quickly and adeptly shift gears to accommodate the different legal standards and processes, while exercising sound legal judgment, in a manner that a lay person can appreciate, and with the appropriate judicial temperament as required in the district court. Although the district court is a court of limited jurisdiction, a district court judge faces challenges that are uncommon in circuit court based on the variety of case types encountered on a daily basis, the high volume of cases, and the unique nature of district court practice. For example, a district court criminal case may arise with civil traffic infraction cases which requires the district court judge to employ different procedures and different standards of proof in the same proceeding. This requires a judge to be equally adept in criminal, civil, and traffic matters. In addition, many district court cases involve pro se parties that requires the judge to carefully the rights, equities, and responsibilities in a given case which is frequently a time-consuming process requiring proper judicial temperament. Judge Garibaldi's experience and legal knowledge as a deputy prosecuting attorney, as a per diem district judge, and as a full-time district judge unquestionably qualifies her for the circuit criminal bench.

I have also worked for Judge Garibaldi and various deputy chief administrative judges

as a law clerk which has provided an additional and unique perspective on Judge Garibaldi's  
Chair Taniguchi  
GM 2 (Colette Y. Garibaldi)  
July 30, 2010  
Page 2 of 2

qualifications for the circuit court judgeship that you have sought comment on. For the majority of my time as a law clerk, Judge Garibaldi has been the Deputy Chief Administrative Judge for the District Court of the First Circuit. During that time, I have witnessed her ability to anticipate and plan proactively to minimize the impact of a few crises. Judge Garibaldi had been frequently able to bring together, as the need arises, various agencies, including the Honolulu Police Department, the Department of Public Safety, the Office of the Prosecuting Attorney, the Office of the Public Defender, the Department of Health, the Department of Transportation, the Office of the Attorney General to address and resolve issues to keep those concerned informed and to keep court processes running seamlessly. Judge Garibaldi's ability to bring together various groups and reach common ground whether as the administrative judge or a civil trial judge is easily a skill that is transferrable to the civil bench and valuable asset in assisting parties to reach resolution without unnecessarily consuming limited judicial resources.

Judge Garibaldi has amply demonstrated her abilities as a district court trial and administrative judge and I have only high expectations as to what she will be able to accomplish if she is permitted to focus her considerable abilities on a particular circuit court case type -- whether that be civil or criminal, she will be equally qualified. Throughout the time that I have appeared before Judge Garibaldi, she has consistently exhibited sound judgment and fairness that the people of Hawai'i would expect from a circuit court judge. I would highly recommend that Judge Colette Y. Garibaldi be confirmed as a circuit court judge for the First Circuit. Thank you for the opportunity to provide this testimony.

Sincerely,

Reuel Toyama

**TESTIMONY OF ROBERT TOYOFUKU IN SUPPORT OF THE NOMINATION  
OF COLETTE Y. GARIBALDI TO THE CIRCUIT COURT OF THE FIRST  
CIRCUIT**

August 2, 2010

To: Chairman Brian T. Taniguchi and Members of the Senate Committee on Judiciary and Government Affairs:

My name is Bob Toyofuku and I am an attorney licensed to practice in the State of Hawaii. I am testifying in strong support of Colette Garibaldi to the Circuit Court of the First Circuit.

I have known Judge Garibaldi for over twenty years and she has proved herself to be not only an excellent judge throughout his years as a member of the Judiciary but also a capable administrator when she was the Administrative Judge of the District Court of the First Circuit. She clearly has the necessary experience to sit as a circuit court judge with over 20 years of experience as a per diem judge and as a District Court judge.

She has always exhibited the highest degree of integrity and I feel has the perfect temperament to be a circuit court judge. I have the utmost confidence that Colette will continue to be an excellent judge because of her ability, sense of fairness and compassion for people, as well as his dedication to our system of justice.

I wholeheartedly support her nomination and urge her confirmation by this committee and the Hawaii State Senate. Thank you for the opportunity to submit this testimony.

**LATE  
TESTIMONY**

**LATE**

July 29, 2010

The Honorable Brian T. Taniguchi, Chair  
and Members  
Judiciary and Government Operations Committee  
The Senate  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Taniguchi and Members:

Subject: Judicial Nomination of Colette Garibaldi

I would like to thank you for this opportunity to endorse Judge Colette Garibaldi for the position of the Circuit Court Judge of the First Circuit.

I met the applicant in the early 1980's when she joined the Department of the Prosecuting Attorney. We have worked together on cases for the prosecution on legal issues/problems and as the Administrative Judge of the District Court; we worked to initiate rules, procedures and new programs.

I know that Judge Garibaldi would make an excellent Circuit Court Judge. She is well versed on the laws and has superior work ethics, is a good problem-solver, and compassionate towards people who have been victimized or down trodden. She is a good consensus-builder, takes everything in stride and manages to stay above the fray.

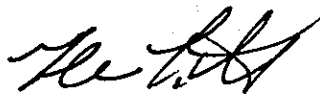
An example of her skills as a mediator, arbitrator and leader would be when the courts imposed the need for written complaints in District Court. This not only involved the courts and the prosecutors, but the Honolulu Police Department, Department of Public Safety, victim advocates, as well as union issues.

As the Administrative Judge of District Court, she listened to the parties involved, determined the issues, mediated the concerns and made fair decisions. She continued to monitor the results through the initiation and transition phase of the rule implementation, and modified changes as needed. Without her leadership, fairness and judicial skills it would not have been smooth, if it happened at all.

The appointment of Judge Garibaldi as a Circuit Court Judge of the First Circuit would benefit not only the Judiciary, but also the community in which we live.

I may be available for any questions at 529-3698 or by e-mail at [tnitta@honolulu.gov](mailto:tnitta@honolulu.gov).

Sincerely,



Thomas T. Nitta

**David Z. Arakawa**  
99-1378 Hele Mauna Place  
Aiea, Hawaii 96701  
(808) 783-9407

**LATE**

Via e-mail [JGOTestimony@capitol.hawaii.gov](mailto:JGOTestimony@capitol.hawaii.gov)

**August 2, 2010**

The Honorable Brian Taniguchi, Chair  
The Honorable Dwight Takamine, Vice Chair  
State of Hawaii  
Senate Committee on Judiciary and Government Operations  
415 South Beretania Street  
Honolulu, Hawaii 96813

**Re: Recommendation of Colette Y. Garibaldi for Circuit Court Judge,  
Governors Message 2: Consideration & Confirmation to the Circuit Court of  
the First Circuit, State of Hawaii, Gubernatorial Nominee COLETTE Y.  
GARIBALDI**

Dear Chair Taniguchi, Vice Chair Takamine and Members of the Committee on Judiciary and Government Operations:

This letter is written in support of the nomination of Colette Y. Garibaldi for the position of Circuit Court Judge for the First Circuit.

I have known Ms. Garibaldi for the past 28 years, and believe that she is the best qualified candidate for nomination, as she has a proven track record as a fair and impartial jurist in complex and controversial civil and criminal matters; has been a successful criminal felony trial litigator; and has proven administrative skills, in her capacity as the Deputy Chief Judge of the District Court of the First Circuit. This recommendation is based on my experiences with Ms. Garibaldi as a fellow prosecutor, as an attorney in private practice, and while serving as Corporation Counsel for the City and County of Honolulu.

**Successful Judicial and Administrative Experience.** Serving as a District Court Judge, over the past 22 years, Ms. Garibaldi has been known and respected for her ability to be an impartial fact-finder, her legal research and analysis, sound reasoning and decision-making. In her positions as the Deputy Chief Judge of the District Courts of the First Circuit and District Court Lead Criminal Trial Judge, Ms. Garibaldi has already proven her strong leadership qualities within the State's judicial system. She has successfully supervised and guided both criminal and civil division judges and programs; developed and implemented numerous new District Court programs, policies, procedures scripts and manuals, and has resolved numerous problems, which could have statewide impact. She has a strong work ethic and philosophy of leading by example and is respected by fellow judges and judiciary staff for her support, cooperation, flexibility and facilitation. She has proven abilities as both an impartial jurist, and as an effective administrative leader with the ability to successfully direct a cohesive team of legal professionals to deliver quality justice at the District Court level.

**Extensive Criminal Experience.** Ms. Garibaldi represents a unique and valuable experience of criminal law experience and expertise as both a felony deputy prosecutor and jurist. As a Deputy Prosecutor, Ms. Garibaldi successfully tried district court, family court and felony jury trials; presented complex and controversial cases to the Grand Jury; and developed policies, procedures, scripts and training manuals (which are still being used today) for prosecutors practicing in both the District and Circuit Courts. She also developed an expertise in felony drug cases and white collar crime, as well as in numerous other areas. As an acting Circuit Court judge, she has also presided over criminal jury trials.

**Broad-based Civil Law Knowledge and Experience.** As a District Court Judge, Ms. Garibaldi has presided over numerous civil trials and other civil matters. In her position as Deputy Chief and Administrative Judge, she also has varied civil experience identifying and analyzing appellate decision impacting civil cases and procedures; supervising the District Court civil judges; has participated with civil attorneys on resolving complex civil issues; and has made numerous decisions which have impact on District Court civil cases.

**Reputation as a creative problem solver.** Ms. Garibaldi is very creative, resourceful, decisive and firm in handling stressful and rapidly changing situations. Over the years, Ms. Garibaldi has been called upon to facilitate and mediate disputes, and to negotiate solutions with parties having divergent interests. As Corporation Counsel, we were involved in numerous sensitive and complex criminal and civil issues, which Ms. Garibaldi was able to resolve to the satisfaction of all parties.

**Integrity and Diligence.** Ms. Garibaldi's tenure as Deputy Chief and Administrative Judge is a testament to her integrity, diligence and abilities as an effective and trusted communicator. She is known to be understanding, sensitive, even-tempered, diplomatic and tactful in challenging situations, and has been appointed to serve in various positions of trust in the Judiciary based on her legal knowledge, work ethic and integrity. She has the unique ability to interact positively with people of diverse backgrounds – police officers, defendants, laborers, white collar, managers and company presidents – as well as attorneys, other judges and court staff toward “providing everyone their day in court.”

**Wide-ranging professional and grassroots network and community involvement.** Throughout her various community endeavors, she instills confidence and builds and maintains strategic and long-lasting relationships. Ms. Garibaldi has been involved in numerous community work, including Ballet Hawaii, the arts, charity work, youth sports, the Honolulu Bulls soccer program and other programs at Maryknoll and Punahou School.

For the reasons stated above, I would strongly recommend Ms. Garibaldi as a very qualified and experienced candidate to serve as a Circuit Court Judge for the First Circuit.

Very Truly Yours,



David Z. Arakawa



**LATE**

**David Z. Arakawa**  
**99-1378 Hele Mauna Place**  
**Aiea, Hawaii 96701**  
**(808) 783-9407**

Via e-mail [JGOTestimony@capitol.hawaii.gov](mailto:JGOTestimony@capitol.hawaii.gov)

**August 2, 2010**

The Honorable Brian Taniguchi, Chair  
The Honorable Dwight Takamine, Vice Chair  
State of Hawaii  
Senate Committee on Judiciary and Government Operations  
415 South Beretania Street  
Honolulu, Hawaii 96813

**Re: Recommendation of Colette Y. Garibaldi for Circuit Court Judge,  
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David Z. Arakawa