

Honolulu, Hawaii

NOV 12 2019

RE: JUD. COM. NO. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Second Special Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred Judiciary Communication No. 2, submitting for study and consideration the appointment of:

DISTRICT FAMILY COURT OF THE FIRST CIRCUIT

J.C. No. 2 ALVIN K. NISHIMURA,
 for a term to expire in 6 years,

begs leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Alvin K. Nishimura for service on the District Family Court of the First Circuit, State of Hawai'i.

Your Committee received testimony in support of the appointment of Alvin K. Nishimura from the Hawaii Regional Council of Carpenters, Pacific Resource Partnership, State of Hawaii Organization of Police Officers, and forty-five individuals. Your Committee received testimony in opposition to the appointment of Alvin K. Nishimura from one individual. Your Committee received comments on the appointment of Alvin K. Nishimura from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is "qualified" or "not qualified". Specifically, the criteria the HSBA Board employs are the same



criteria found in the American Bar Association's Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not exclusive: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties required of the position for which the applicant has been appointed. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of Judge of the District Family Court of the First Circuit.

Alvin K. Nishimura received his Bachelor of Arts degree in Political Science from the University of Hawai'i at Mānoa and later obtained his Doctor of Jurisprudence from the William S. Richardson School of Law at the University of Hawai'i at Mānoa. He currently serves as a Per Diem Judge of the District Court of the First Circuit and works as a solo practitioner in criminal defense and family law. Mr. Nishimura's prior legal experience includes serving as Independent Grand Jury Counsel; Federal Court Indigent Defendant Panel Attorney; Hearings Officer for contested cases under the Department of Hawaiian Home Lands; and a Deputy Public Defender in the Office of the Public Defender.

Mr. Nishimura has been actively involved in the legal community throughout his career, including serving on the Boards of Directors of the Christian Legal Society and Native Hawaiian Bar Association. He also is active within his community as a PAC5 Varsity Baseball Assistant Coach.

Testifiers in support of Alvin K. Nishimura's appointment commend his commitment to his community and dedication to public service. He demonstrates honesty, trustworthiness, character, and integrity, and as such, he is well respected in the legal community. Numerous testifiers also praised his fairness, intelligence, temperament, sense of justice, and compassion.

Your Committee finds that based on the testimony submitted on his behalf and responses to questions asked by the members of your Committee, Alvin K. Nishimura has the experience, temperament, judiciousness, and other competencies to serve as a Judge of the District Family Court of the First Circuit.



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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC
Consent

Gov. Msg./Jud. Com. No.:* <i>JC 2</i>	Committee Referral: JDC	Date: <i>11/12/2019</i>		
<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
RHOADS, Karl (C)	/			
WAKAI, Glenn (VC)				/
GABBARD, Mike				/
KIM, Donna Mercado	/			
FEVELLA, Kurt	/			
TOTAL	<i>3</i>			<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Donna Mercado</i>				
Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy				

*Only one Message/Communication per Record of Votes