

STAND. COM. REP. NO. 8

Honolulu, Hawaii

OCT 05 2020

RE: JUD. COM. NO. 7

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
First Special Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred Judiciary Communication No. 7, submitting for study and consideration the appointment of:

DISTRICT FAMILY COURT OF THE FIRST CIRCUIT

J.C. No. 7 THOMAS A.K. HAIA,
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 Thomas A.K. Haia for appointment to the District Family Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Thomas A.K. Haia from Hawai'i Friends of Restorative Justice and sixteen individuals. Your Committee received testimony in opposition to the appointment of Thomas A.K. Haia from one individual. Your Committee received comments on the appointment of Thomas A.K. Haia from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors found the appointee to be qualified for the position of District Family Court Judge of the First Circuit based on established criteria for determining the qualifications of judicial appointments generally using the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Specifically, the Board uses the following criteria in its deliberations: integrity and diligence, legal knowledge and

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ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. The Board's rating system includes the categories of "qualified" and "not qualified".

Mr. Haia received his Bachelor of Arts degree in Political Science from the University of Hawai'i at Mānoa. He later received his Doctor of Jurisprudence from the William S. Richardson School of Law. Since 2014, he has served as a *Per Diem* District Court Judge in the District Court of the First Circuit while continuing his private practice.

Except for a period of time in 2005 in which he worked with the Office of the Prosecuting Attorney of the County of Kaua'i, Mr. Haia has been a solo practitioner since 1997. His practice has an emphasis in family law. He primarily handles probate, trusts and estate, divorce, custody, guardianship, adoption, labor, and unemployment law cases. As part of his practice, he is contracted to provide full-time representation for indigent parents involved with the Family Court in child abuse and neglect cases. As *Per Diem* District Court Judge, Mr. Haia has heard cases on a variety of subject matters in both civil and criminal law.

Mr. Haia has been deeply involved in the legal community throughout his career. He has volunteered with Volunteer Legal Services Hawaii since 2003 and was a Volunteer Guardian Ad Litem for fifteen years. He is a member of the Court Improvement Program Working Committee for the Family Court, Hawaii Child Welfare Education Collaborative, and Hawai'i Friends of Restorative Justice, among other organizations. In addition to his involvement in the legal community, he has a long history of volunteering in the service of his neighborhood and community at large.

Testimony submitted in support of Mr. Haia's appointment consistently commends him for his compassion, experience, and integrity. During his time as a *Per Diem* District Court Judge, he has earned a reputation for having a thorough understanding of law and legal procedure, as well as an outstanding judicial temperament. Numerous testifiers also noted his strong work ethic, patience, and respectful demeanor.

Your Committee finds that, based on the testimony submitted on his behalf, responses to questions asked by the members of your



Committee, and your Committee's review of information about him and his qualifications, Thomas A.K. Haia has the experience, temperament, and other competencies to be a District Family Court Judge of the First Circuit, and he has the legal expertise, integrity, and demeanor to fully and faithfully discharge the duties associated with that judicial office.

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.:* JC7	Committee Referral: JDC	Date: 10/5/20		
<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)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Karl Rhoads				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one Message/Communication per Record of Votes