

Darcia Forester
Deputy Public Defender
1130 N. Nimitz Hwy. A-254
Honolulu, Hawaii 96813

July 23, 2021

Senate Committee on Judiciary
Chair Karl Rhoads
Vice Chair Jarrett Keohokalole

**Re: Letter in Support of Lesley Maloian to Serve as
Judge in the District Family Court of the First Circuit
Hearing: Tuesday, July 27, 2021 11:00 a.m.**

Chair Rhoads and Members of the Committee:

I am writing this letter in strong support of Lesley Maloian to serve as a Judge of the District Family Court of the First Circuit. I have known Lesley for over 15 years. I have known her dedication to public service – both inside and outside of the courtroom. Lesley has been both a colleague and a friend. We have worked together as Deputy Public Defenders. I value her legal knowledge, her trial expertise, and her skills as an advocate. Lesley is hard working, dedicated, ethical, and very intelligent. She is an experienced trial attorney and familiar with the Rules of Evidence, court rules and procedures, and the complexities of managing a heavy case load while preparing for trials and helping clients resolve cases effectively and efficiently. I believe she has the ability to become a truly excellent, fair minded and measured judge. I have no doubt that she will become an asset to the Judiciary. I believe that Lesley possesses the professional credentials, a commitment to fairness and justice, and the life experience that would enable her to excel as a Judge serving the First Circuit. For the reasons stated above, I firmly believe that he will make a strong addition to the District Family Court of the First Circuit.

Respectfully,

Darcia Forester
Deputy Public Defender

JC-1

Submitted on: 7/23/2021 1:11:33 PM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra A. Simms	Individual	Support	No

Comments: Greetings Senator Rhoads and members of the Committee I am pleased and excited to testify in support of the nomination of Lesley Maloian to the Family Court of the First Circuit. Her years of experience in our trial courts and in her work as a guardian in my home town, Chicago, Illinois, will serve her well in her duties in Family Court. The work of our Family Court is so critical to the continued well being of our entire community and having a judge of her experience and caliber will be of great benefit. Adding increased diversity and inclusion is a necessary and worthy goal to insure that our Judiciary serves us all. Thank you for the opportunity to speak on her behalf Respectfully submitted, Sandra A. Simms Retired Judge, State of Hawaii sandra.simms48@gmail.com

DAPHNE E. BARBEE

ATTORNEY AT LAW
CENTURY SQUARE, SUITE 1908
1188 BISHOP STREET
HONOLULU, HAWAII 96813
808-533-0275
daphnebarbee@gmail.com



July 23, 2021

The Honorable Karl Rhoads Senator
Chair of the Judiciary Committee
and Judiciary Committee members:
Hawaii State Legislature
Honolulu, Hawaii 96813

RE: Letter of Support for Lesley N. Maloian, Nominated for Family Court Judge

Dear Senator Rhoads and Judiciary Committee :

It is my pleasure to support Chief Justice Recktenwald's nomination of Attorney Lesley N. Maloian for Family Court Circuit Judgeship. She has the experience as a Deputy Hawaii State Public Defender for over 18 years and is very aware of evidence, trial procedures, burden of proof and family court matters. She previously worked in Chicago at the Office of Public Guardians and gained family law experience as well as with family law attorney Ellen Politano here in Hawaii Family Court. She is eminently qualified to be a Judge. She is ideal as a Family Court Judge. I wholeheartedly support her and urge her confirmation of her as a Family Court Judge.

Sincerely,

Daphne E. Barbee Wooten
Attorney at Law

I am writing in support of Leslie Maloian for the position of District Family Court of the First Circuit.

My name is Scott Spallina and I have been a Deputy Prosecuting Attorney for the Honolulu Prosecutor's Office for over 25 years. In that role, I have worked opposite Ms. Maloian many times as she has handled some of the more serious cases the Public Defender's Office has assigned to her.

In each of my dealings with her, she has displayed not only reason and common sense, but has also shown a passion that has her clients feel that she really cares for them and that they are not just not a number to her. I have seen her taking the time to carefully explain the process to those she represents. She does not simply try to "get them off" she works with them to make sure they never find themselves to the same position that got them into trouble to begin with.

If she is selected to sit on the bench, Leslie will make a competent judge that will consistently make rulings based on common sense, the rules of court, and the legislative intent of the laws she will be sworn to uphold. She is a caring individual that will make sure that each voice that appears before her will be heard.

JC-1

Submitted on: 7/21/2021 4:42:13 PM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Voltaire A. Gansit, Esq.	Individual	Support	No

Comments: I support Ms. Maloian's judicial nomination to serve in the District Family Court of the First Circuit.

Testimony of Jacquie Esser to the Senate Committee on Judiciary

July 27, 2021

JC1: TESTIMONY IN SUPPORT OF THE CONFIRMATION TO THE DISTRICT FAMILY COURT OF THE FIRST CIRCUIT, JUDICIAL NOMINEE, LESLEY N. MALOIAN

Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee:

I am writing in **strong support** of the confirmation of Judicial Nominee **Lesley Maloian** to the District Family Court of the First Circuit.

Thank you for the opportunity to testify on this measure.

Taryn Tomasa
1130 N. Nimitz Hwy. A-254
Honolulu, HI 96817
(808) 586-2080

July 23, 2021

Committee on Judiciary and Labor
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
415 S. Beretania Street
Judiciary Committee, Room 204
State Capital
Honolulu, HI 96813
via email: JDCtestimony@capitol.hawaii.gov

Re: JC1 District Family Court Judicial Nominee Lesley N. Maloian
Hearing: July 28, 2021, 11:00 AM

Dear Chair Rhoads, Vice Chair Keohokalole and Committee Members:

This letter is in support of the nomination of LESLEY N. MALOIAN to the family or district court bench. I have known Ms. Maloian for over nineteen years, and it is without hesitation that I submit this letter in support of her nomination. Ms. Maloian possesses the experience and character for this demanding position.

In the years I have worked with Ms. Maloian at the Office of the Public Defender she has consistently demonstrated excellent trial advocacy skills. Ms. Maloian also has the ability to interpret applicable cases and rules that are determinative in a case and to propose and facilitate equitable resolution. Not only can Ms. Maloian successfully take a case to trial, but she has also demonstrated that she can manage serious cases and resolve them with sensitivity and practicality.

As an attorney, Ms. Maloian has demonstrated that she possesses the experience and demeanor to be a successful judge. And as an individual, who is also a wife and mother, she has shown dedication and compassion. Both professionally and personally, Ms. Maloian has always treated all individuals with respect and humanity. Ms. Maloian's character indicates that she will continue to treat attorneys, litigants, and court staff with dignity, respect, and compassion.

As a citizen and a practicing attorney, I believe that the State of Hawaii deserves the best and most qualified judges. District and family courts impact the most people on a daily basis. Based on my experience as an appellate attorney and my current assignment in family trial courts, a successful judge must possess not only an understanding of the law and rules, but have the judicial demeanor and the trial experience to enable the court to confidently rule with judicial decisiveness and compassion in a fast paced and emotional trial setting. A number of the current judges lack trial experience, judicial demeanor and they are unable to make a reasoned decision based on the law and reluctantly and resentfully preside over trials. Based on my knowledge and experience with Ms. Maloian, it is apparent that she has the experience, knowledge, demeanor and dedication to be a successful and invaluable asset to the State of Hawaii as a judge.

Thank you for taking my comments into consideration. Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,


Taryn Tomasa

Date: July 23, 2021

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN

Hearing: Tuesday, July 27, 2021, 11:00 a.m.
Via Videoconference

It is my honor to write this letter in support of the confirmation to the District Family Court of the First Circuit, Judicial Nominee Lesley N. Maloian. I have worked with Ms. Maloian at the State Office of the Public Defender for approximately 15 years. She is a colleague, a mentor, and a friend.

I first met Ms. Maloian when I was a second-year law student at the William S. Richardson School of Law as part of the Defense Clinic class. I observed several deputy public defenders conducting what seemed like over one hundred (100) interviews for clients with district court matters during one of the office's client intake days. Ms. Maloian was one of two (2) deputy public defenders that stood out and made a lasting impression on me.

Ms. Maloian was proficient in interviewing clients to obtain the facts of the case as well as thoroughly explaining the offense(s) for which they were charged and their legal rights. She was also proficient in performing case analysis and evaluation, and in providing clients with case resolution options. While I was observing, even though she was busy, Ms. Maloian took the time to explain to me the client intake interview process and to answer my questions. Ms. Maloian provided me with the practical perspective of what it meant to be a public defender.

Ms. Maloian possesses extensive knowledge of criminal law. She is a senior attorney in our office and has conducted approximately sixty (60) jury trials. She has defended individuals at trial accused of Class "A" felonies. Ms. Maloian is one of the most experienced trial attorneys in our office and she freely shares her knowledge and expertise with others. She has participated as a panelist representing our office for lectures and seminars at the William S. Richardson School of Law. She is a part of the training team in our office and has conducted legal presentations as part of our office-wide training.

Ms. Maloian possesses many traits and skills which would make her an outstanding judge. One of her strengths is her professionalism. She has a tireless work ethic. She is organized and detail-oriented. Her case files are meticulous. She is always prepared in court. Another one of her strengths is her advocacy skills. Ms. Maloian is zealous in advocating for the rights of her clients. She is not afraid to stand up to judges or prosecutors to defend the rights of her clients.

When Ms. Maloian is advocating for her clients, she maintains respect for the court and opposing counsel. When advocating for her clients, she keenly uses case law, statutes, and rules to support her arguments.

Ms. Maloian is fair and respectful in her dealings with everyone she encounters. She treats people with dignity no matter the individual's status. I have never witnessed Ms. Maloian behave or speak inappropriately. I have never witnessed Ms. Maloian lose her composure or temper towards anyone.

Ms. Maloian is a person of great character and integrity. She is one of my mentors in the office. She has taken it upon herself to see to my professional development. She has called me into her office on numerous occasions to give me advice, support, and encouragement. She has my respect. She is one of the few attorneys I confide in when I have professional or personal problems. She is a great counsel to me. I trust her unequivocally.

While losing Ms. Maloian to fill a judicial vacancy would be a great loss for our office, the greater good served by her appointment is worth it. As a judge, Ms. Maloian would have a far-reaching positive impact on our community. I cannot say enough good things about Ms. Maloian.

I fully support the confirmation of Judicial Nominee Lesley N. Maloian to the District Family Court of the First Circuit. Ms. Maloian's appointment is a positive reflection of the Hawaii State Judiciary. If given this opportunity to serve as a judge, she will not disappoint you. Thank you for taking the time to read and consider my letter of support.

Respectfully,

A handwritten signature in black ink, appearing to be 'Okechukwu Amadi', with a long horizontal line extending to the right.

Okechukwu "Okie" Amadi
Deputy Public Defender
State of Hawaii

Date: 7/23/2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN.

Hearing: Tuesday, July 27, 2021, 11:00 a.m.

Aloha members of the Senate Committee on the Judiciary,

I am writing to support the confirmation of Lesley Maloian as a Judge in the District Family Court of the First Circuit.

I have worked with Ms. Maloian at the Office of the Public Defender for 14 years. During that time we have both been regulars at our office's weekly brainstorming sessions, so I've had countless opportunities to bounce ideas off of her and to see how quickly her mind works and how well she prepares her trial cases. She is an incredibly hard worker (she once litigated four felony jury trials back-to-back!), a zealous advocate for justice, and a friendly and pleasant colleague. She has also been a resource for me and many other attorneys at our office for over a decade. She freely shares her expertise, experience, and wonderful motions, and her door is always open to talk strategy or commiserate after a tough day. Despite being smart and great at her job, she is also humble and always eager to learn a better way to tackle a tough legal issue.

At OCCC, Circuit Court cell block, and Halawa I have observed her calmly and politely assist some of our office's most difficult and/or mentally ill clients during the most stressful periods of their lives. She tirelessly worked to manage their fear, redirect their anger, and prepare them for the serious legal challenges they faced. I've seen her give her clients the same respect and zealous advocacy, regardless of where their initial reaction to first meeting their assigned public defender fell on the gamut from grateful to hateful. Generally, even the most skeptical clients grew to love her after they saw how staunchly she defended them in court, but whether they realized how lucky they were to have her as their attorney or not, her competence, panache, maturity, and warmth (with a dollop of tough love when necessary) have been a constant inspiration. These qualities, and her experience from the many trials she has litigated, will serve her very well on the bench.

I believe Ms. Maloian will make an excellent Judge, and I humbly request that your committee confirms her.

Sincerely,

Sat K. Freedman
Deputy Public Defender

July 24, 2021

Senate Committee on Judiciary

Re: Leslie N. Maloian
Appointee for Judge of the District Family Court of the First Circuit

I write in full support of District Family Court Judge Nominee, Leslie N. Maloian. I have known Leslie for well over 15 years while working as an attorney at the Office of the Public Defender. We both started at or around the same time, working our way through the appeals, family, district court, and felony divisions. I can say without a doubt that Leslie possesses all the necessary attributes to becoming an excellent Judge. There have been so many times where I've literally walked right into her office when I needed help brainstorming a difficult case, needed help writing a legal motion, or simply just needed some support when I was in a trial. Leslie makes herself readily available, is easy to approach, and has emerged as a true leader at the office. Her strengths and experiences as a senior trial attorney should have no problem translating over to the Judiciary.

Sincerely,

/S/ Alan J.T. Komagome

Alan J.T. Komagome
Deputy Public Defender

HENRY P. TING
Honolulu, HI 96822

July 24, 2021

By <https://www.capitol.hawaii.gov/submittestimony>

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

Re: JC1 - Nomination of Lesley Maloian to the District Family Court of the First Circuit

Chair Rhoads and Committee Members:

I am writing to express my strong support for the nomination of Lesley N. Maloian to serve as Judge of the District Family Court of the First Circuit.

I have had the privilege of knowing Lesley as a friend and a co-worker at the Office of the Public Defender for over seventeen years. Lesley is a zealous advocate for her clients and shows her dedication and commitment to justice every day. The public would benefit greatly from having a judge with her intelligence and experience.

For these reasons, I support the confirmation of Lesley as a Judge of the District Family Court of the First Circuit and ask for your favorable consideration of her nomination.

Thank you for this opportunity to testify.

Sincerely yours,

/s/ Henry Ting

JC-1

Submitted on: 7/25/2021 8:56:15 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melanie L. Veltri	Individual	Support	No

Comments: I write in STRONG support of this bill.

JC-1

Submitted on: 7/25/2021 9:46:13 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Allison Carkin	Individual	Support	No

Comments: I am writing in strong support of Lesley N. Maloian for appointment as a judge. Lesley has been a role model for all of the attorneys at our office. She is a fierce advocate who is always prepared and professional. She is highly respected not only by our office, but by opposing counsel as well. Lesley is an attorney many of us admire and aspire to practice like. I have no doubt that she will bring the same tenacity, hard work, and professionalism to the bench. I feel lucky to have Lesley as a colleague and know she would be an excellent addition to the judiciary. Thank you for the opportunity to be heard on this matter. Respectfully submitted, Allison Carkin

JC-1

Submitted on: 7/25/2021 1:18:44 PM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Page Ogata	Individual	Support	No

Comments: I am writing in strong support of Lesley Maloian for the position of judge of the first circuit district/family court. I have known Lesley for more than 10 years, and I know her to be smart, efficient, hard-working, and fearless. She will be a wonderful addition to the judiciary. Her experience, intelligence, and no-nonsense approach to the law will benefit the judiciary. She also has significant trial experience, which will lend itself to the ability to make quick decisions on evidentiary objections and any other trial matter. Her time at the Public Defender's office will allow her to relate to pro-se parties in a way that will ensure that they understand the process and her rulings. I sincerely hope that you, too, will support her nomination.

Testimony of Titiimaea N. Ta'ase
IN SUPPORT

JC1 – Submitting for consideration and confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN
for a term to expire in six years.

SENATE COMMITTEE ON JUDICIARY

July 24, 2021

Aloha Chair Rhoads, Vice Chair Keohokalole, and members of the Committee,

I am writing in strong **SUPPORT** of Judiciary Communication Number 1 and ask that you confirm Ms. Lesley N. Maloian to fill a position in the District Family Court of the First Circuit.

I am writing in my individual capacity but I currently serve as a Deputy Public Defender (DPD). I have known Ms. Maloian for close to a decade now and in that time she has been both a colleague and mentor. Ms. Maloian possesses the required skill, knowledge, and temperament to execute the responsibilities of Family Court Judge. She has always worked diligently for her clients and fulfilled the requirements of our job efficiently. Beyond that, she is someone who cares about our clients. She has balanced being a skilled attorney with being a wonderful mother, raising two great children all while handling a caseload filled with some of the most serious cases that come through our office. I firmly believe that she will be an asset to the Judiciary for the next six years and beyond. I ask you again to confirm Ms. Maloian.

Thank you for your consideration of my testimony.

Titiimaea N. Ta'ase

July 25, 2021

From: Aubrey M. M. Bento, Esq. (11400)
To: Senator Karl Rhoads, Chair
Senate Committee on Judiciary

Re: Letter in support of the nomination of Lesley N. Maloian as District Family Court Judge of the First Circuit (Measure JC1)

Dear Chair Karl Rhoads and Members of the Senate Committee:

This letter is being submitted in support of Lesley N. Maloian's confirmation as District Family Court Judge of the First Circuit. It is my pleasure to submit this letter in strong support of her appointment. Ms. Maloian is brilliant, passionate, and possesses the necessary experience to succeed as a District Family Court Judge.

I have had the privilege of observing Ms. Maloian in court for years. I met Ms. Maloian when I interned at the Office of the Public Defender when I was a first year law student in 2018. As a law student, I was inspired by her diligent work ethic, compassion for her clients, and depth of knowledge as a trial attorney. Since then, Ms. Maloian has continued to demonstrate these qualities and I aspire to be half the attorney she is when I am at the same point in my career.

As a brand new attorney, I am encouraged by the appointment of Ms. Maloian. It is heartening to see women appointed to these types of positions. While Ms. Maloian is an incredible attorney, she is also a powerful role model for other women who hope to be trial attorneys.

I am confident that Ms. Maloian will be a great addition to the Hawaii State Judiciary. Her expertise, experience, and benevolence will make her an excellent District Family Court Judge. I recommend Ms. Maloian without reservation and respectfully urge this Committee to confirm her appointment.

Sincerely,

Aubrey M. M. Bento, Esq.

JC-1

Submitted on: 7/26/2021 7:58:34 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
William Bento	Individual	Support	No

Comments: Dear Senator Karl Rhoads, Senator Jarrett Keohokalole, and members of the Senate Judiciary Committee, I write to you in strong support of the judicial nomination of Ms. Lesley Maloian to the Family District Court bench. Ms. Maloian is diligent, dedicated, intelligent, and honest. She will exercise her judicial discretion with a firm understanding of the law, a grasp of the relevant facts and circumstances of each case, and with the goal to see that justice is served. I believe that she will be a fine addition to the Family Court bench. Thank you for your attention, William Bento

Date: 7/26/2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN.

Hearing: Tuesday, July 27, 2021, 11:00 a.m.

Aloha Chair Rhoads, Vice Chair Keohokalole, and members of the Committee,

I am writing in strong **SUPPORT** of Lesley N. Maloian's nomination as Judge for the District Family Court of the First Circuit. I support Lesley's nomination because I believe she possesses the experience, intelligence, character, and demeanor necessary to serve on the bench.

I have had the privilege of working with Lesley for the past 7 years at the Office of the Public Defender. Lesley is a stalwart at our office and always takes time to mentor young attorneys. Her practice and preparation are something that I aspire to emulate. Lesley always puts in the work and time to make sure she is prepared to zealously advocate for her clients.

Lesley will carry the skills she's honed as a trial attorney with her to the bench. She will always be prepared for court and will conduct diligent research in order to address legal issues. I have seen Lesley interact with fellow attorneys, clients, and members of the community and she is equally fair and respectful to all. Lesley has the rare gift of being both compassionate and candid. She will be able to speak with the people who come through family court in a manner that will make them feel heard.

I support Lesley's judicial nomination because we need more judges like Lesley on the bench. Judges who have a wealth of legal expertise, have first-hand experience in the court system, and are comfortable interacting and communicating with people. Lesley has devoted her entire career to public service and would be a tremendous asset to the bench.

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

Respectfully submitted,

Jessica R. Domingo

JC-1

Submitted on: 7/26/2021 8:40:19 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Charles M. Cryan	Individual	Support	No

Comments: To Chair Rhoads and the Members of the Senate Judiciary Committee, Please accept these words in support of Lesley Maloian's confirmation as a Judge for the District Family Court of the First Circuit. I have worked alongside Ms. Maloian for the last five years at the Office of the Public Defender and support her nomination without reservation of any kind. She is an intelligent, skilled, and tenacious attorney. More importantly, she is a compassionate and kind individual who works hard to represent her clients in court and mentor other attorneys at our office. When I was beginning my legal career as a law student intern, she stood out as being remarkably welcoming and supportive. I have no doubt that, if confirmed, Lesley Maloian will prove to be an exceptional judge. Thank you for the opportunity to submit testimony on this matter. Please feel free to contact me if I can be of any further assistance. Sincerely, Charles M. Cryan Office of the Public Defender (808)586-2243

Date: 7/26/2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN.

Hearing: Tuesday, July 27, 2021, 11:00 a.m.

It is a privilege for me to support Lesley N. Maloian's nomination to be a judge of the District Family Court of the First Circuit. In 2006, I initially worked side-by-side with Ms. Maloian as a deputy public defender, handling felonies in the First Circuit Court. Even as a younger attorney, Ms. Maloian had already established herself as a hard-working, always prepared, fierce advocate. In the intervening years, I witnessed Ms. Maloian develop into a brilliant trial attorney handling the most serious cases in Circuit Court. In court, she is the epitome of professionalism and poise. Ms. Maloian is meticulous in her case preparation and her trial skills, coupled with her command of caselaw and evidence, make her a superb trial attorney. She is organized and methodical. Ms. Maloian is calm and collected even under the pressures of trial. In the office, Ms. Maloian serves as a role model for the newer attorneys and is generous with her time and energy, participating in trainings and imparting much of her trial skills and wisdom to our less experienced attorneys. Furthermore, Ms. Maloian is a team player and consistently volunteers to take on more work and also insists on taking the "hard" cases. She brings a positive energy to the office and the office will not be the same without her.

While the Office of the Public Defender loses one of its finest trial attorneys, the Judiciary gains an outstanding lawyer who will most certainly be a fine judge. I am honored to fully support Lesley N. Maloian's nomination.

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

Respectfully submitted,

Lee S. Hayakawa
Assistant Public Defender
Office of the Public Defender, State of Hawaii

Date: 7/26/2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN.

Hearing: Tuesday, July 27, 2021, 11:00 a.m.

I am writing in support of Lesley Maloian. She will undoubtedly be a great addition to the bench. Lesley is a smart, diligent attorney, and I know she will apply that same focus and attention to any cases that come before her as a judge. Lesley has the reputation of being a lawyer of integrity who knows how to vigorously defend her client while maintaining a cordial relationship with opposing counsel as well as the Court. I know that she will be able to maintain an appropriate judicial temperament and treat all parties appearing before her with civility. Please confirm Lesley Maloian to the District Family Court of the First Circuit.

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

Respectfully submitted,

Antoinette Lilley

JC-1

Submitted on: 7/26/2021 9:16:05 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Nichols	Individual	Support	No

Comments: Dear Chair Rhoads, I am writing in string support of Lesley Maloian for the position if Family Court Judge. I have known her for the past 17 years and know her to be an individual who possesses the highest work ethic. She has been an excellent attorney and will make an excellent judge. She has compassion for others and an excellent ability to spot the important legal issues and analyze them. Thank you Steve Nichols

JC-1

Submitted on: 7/26/2021 9:17:01 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Evan Tokunaga	Individual	Support	No

Comments: I strongly support confirmation of the nominee.

JC-1

Submitted on: 7/26/2021 9:25:09 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hayley Y.C. Cheng	Individual	Support	No

Comments: Aloha Senator Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary, I am submitting testimony in support of the Confirmation of Lesley Maloian to the District Family Court of the First Circuit. I have known Lesley both personally and professionally since 2016. She is exceptionally qualified for the position she has been nominated for and will be an invaluable asset to the judiciary. She has an unrivaled work ethic, and has emerged as a leader within the Office of the Public Defender, where I have had the opportunity to work alongside her for several years. As an attorney who has regularly appeared before various Judges within all levels of the Judiciary for the last 15 years, I can say with confidence that Lesley will prove herself to be one of the best. She will treat each case and party with the care, compassion, and diligence it deserves. I am honored to write in support of her nomination. Thank you for the opportunity to be heard. Mahalo, Hayley Cheng

Date: 7/26/2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN.

Hearing: Tuesday, July 27, 2021, 11:00 a.m.

I have worked with Lesley Maloian at the Public Defender's office for many years and I am in support of her confirmation. I believe she will be a good judge as she has excellent work ethics and the ability to be fair. At the office, Lesley had more seniority than I did and never hesitated to help when I asked. She would always provide coverage if I needed or brainstorm legal issues for my own trials. She is always prepared for her trials and is effective in her advocacy. I have seen her many times in court and I have much respect for the work that she does. These are the qualities that she will bring to the judiciary.

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

Respectfully submitted,

Doris Lum

JC-1

Submitted on: 7/26/2021 9:44:58 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacqueline Dyer	Individual	Support	No

Comments: I am writing in support of Lesley Maloian. I have had the pleasure of working with Lesley for nearly four years at the Office of the Public Defender. She has a reputation throughout the legal community of being an excellent advocate and trial attorney. Her extensive skills and impressive understanding of the law and evidentiary rules will make her a great addition to the District Family Court bench.

Date: 7/26/2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN.

Hearing: Tuesday, July 27, 2021, 11:00 a.m.

I have had the pleasure to work in the same office as Lesley Maloian for that last five years. On many occasions I've needed to ask her work-related questions and she has always been very approachable and willing to help. As public defenders, we are often challenged with working with people during the most difficult times in their life. Family Court cases intersect with our community in this way. The skills she has learned at the public defender's office will translate to her ability to relate to people at Family Court. Lesley Maloian's professionalism and strong work ethic make her a great candidate and I recommend her.

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

Respectfully submitted,

Jason Onishi

1130 N. Nimitz Hwy., Suite A-254
Honolulu, HI 96817

July 11, 2021

Senate Committee on the Judiciary
Hawai'i State Capitol
Honolulu, HI 96813

RE: Support for Lesley N. Maloian for District Family Judge of the First Circuit

Honorable Committee Members:

I write in strong support of Lesley N. Maloian for District Family Judge of the First Circuit. I first met Lesley in late 2003 when she started at the Office of the Public Defender. She is a smart, no-nonsense, efficient worker, who gets the job done. Definitely a Type A personality! She has grown professionally into one of our Office's strongest trial attorneys, so her departure will be keenly felt.

Lesley is also approachable, friendly, and helpful. For quite awhile, Lesley has been one of the leaders of weekly all-office brainstorming sessions to help, particularly the younger attorneys, analyze approaches to their cases. She has also been tapped to present in-office training sessions on various topics from case management and legal writing to substantive legal topics. In the community, I know she was an AYSO soccer coach when her children were small, and now volunteers as a certified AYSO referee. (AYSO is always in need of referees.)

Lesley's background screams diversity, and not just ethnic; it shows an adventurous spirit and a willingness to try new things. Her family hails from Guyana; although she was raised in New York, she remains connected to her Guayanese roots. After completing her undergraduate degree, Lesley chose to do law school in the Midwest at Valparaiso in Indiana. While gaining her law degree, she worked for the City of Gary, IN for three years before moving on to work in Chicago. In 2001, she came to Hawai'i and has been here ever since. Her two beautiful children were born during her time at the PDs. When her kids were quite young, her husband suffered a traumatic incident that permanently affected his ability to interact with unfamiliar people, as well as to hold a job. Lesley was the pillar of strength for her family, responsible for caregiving duties, child-rearing duties, financial support of the family, etc. I never heard her complain or even relate how difficult this must have been then, or still is now. Over the years, we've had conversations about child-raising. Through those, I have learned of her high standards and concern for her children's education, but was impressed that she tempers her expectations with their current emotional development.

It is this kind of insight that makes me believe that Lesley would make an excellent District Family judge. In addition to her legal competence, Lesley is practical and aims to be a problem-solver (two must-haves for the volume in Family and/or District Court). She is a person of good moral character and high integrity. I am confident that Lesley has the moral courage to make decisions that she believes are legally correct, even if those decisions may be unpopular in the court of public opinion. As to judicial temperament, I also have no doubt that Lesley will

Senate Committee on the Judiciary
Nomination of Lesley N. Maloian for
District Family Judge of the First Circuit
Page Two
July 11, 2021

treat all parties and counsel evenhandedly and courteously. She's always very even-keeled. Although I've seen her upset/indignant about an injustice done to her client, I've never witnessed an outburst from her toward her coworkers. She is a good and compassionate listener who will be able to relate to people from all walks of life.

Obviously, I think she will make an excellent judge. Thank you for considering this input.

Sincerely,

/s/Phyllis J. Hironaka
Phyllis J. Hironaka
Deputy Public Defender

STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

**Testimony of James S. Tabe,
State Public Defender**

Senate Committee on Judiciary

July 27, 2021

JC1: Submitting for consideration and confirmation to the District Family Court of the First Circuit, Judicial Nominee, Lesley N. Maloian

Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee:

I fully support the confirmation of the Ms. Lesley N. Maloian Judicial Nominee, to the District Family Court of the First Circuit.

I have known Ms. Maloian since 2003 when she joined the Office of the Public Defender. Ms. Maloian is highly qualified to serve on the family district court bench. She holds herself to high standards of preparation and performance. She is well respected by the judges and the prosecutors for her professionalism, integrity, and courtroom litigation skills. She not only has the intellect to grasp complex legal issues, but she also has the ability to articulate and explain her analysis in a thoughtful, thorough, and intelligent manner.

Because district family court judges preside over people dealing with very personal family matters on a daily basis, the judicial applicant must have the judicial temperament, demeanor, and character to be successful. I know that Ms. Maloian will treat each individual -- including attorneys, litigants, and witnesses -- with dignity, patience, respect, and compassion. Indeed, many of the family court participants (i.e., spouses appearing for divorce proceedings, hopeful parents appearing for adoption proceedings, parents/guardians and children appearing before Child Protective Service hearings, minors and parents appearing before juvenile delinquent hearings) -- are unfamiliar with and are intimidated by the judicial system. Ms. Maloian, with her "down-to-earth" personality, will put them at ease. And she will be such a positive influence on the children and teenagers, especially the girls and young women, who appear before her in juvenile delinquency proceedings. I am certain she will help and inspire the juveniles with her enthusiasm and positive energy.

District and family court judges must also possess a strong work ethic, good common sense, and practical judgment. They must also be efficient and organized to manage

the voluminous and demanding workload. Having worked closely with Ms. Maloian, I can say without reservation that she possesses such qualities.

Ms. Maloian has always been generous with her time to help, mentor, and counsel the less experienced attorneys in the office as well as our law school and college interns. She has invited the less experienced attorneys and law school interns to second chair her jury trials. She would take the time to involve the second chairs in the trial process (pre- and post-trial) rather than simply have them sit at counsel table. Because of her generosity and her willingness to mentor young people, she will be an outstanding judge, as the District Court and the District Family Court criminal/juvenile divisions are often staffed with inexperienced prosecutors and deputy public defenders. When I was assigned to those courtrooms many years ago, I was fortunate to appear before judges who took the time to counsel and critique me and to also discuss the law. Although mentoring young attorneys is not in the district/family court judge job description, the best judges are those who are willing to spend time with the young attorneys.

Finally, judicial nominees from the Office of the Public Defender have often been criticized for their lack of experience in civil or family law. Although I firmly believe that civil or family law experience is not necessary to be a successful district family court judge (as bright and exceptional attorneys are able to apply legal principles to any field of law), Ms. Maloian is one of the few deputy public defenders who is familiar with and has experience in family law. Prior to joining the Office of the Public Defender, Ms. Maloian was an associate attorney in a Honolulu family law practice and was employed as a deputy public guardian with the Cook County Office of the Public Guardian.

As long as I have known Ms. Maloian, she has practiced law with competence, zealotness, compassion, integrity, and humility. She has demonstrated that she possesses the ability, the experience, and the intellect to a district family court judge or a district court judge. Ms. Maloian will certainly be an asset to the judiciary, and I am proud to support her.

Thank you for the opportunity to provide testimony in this matter.

Sincerely,



James S. Tabe

July 26, 2021

To: Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair
Senate Committee on Judiciary

RE: JC 1, TESTIMONY IN SUPPORT OF NOMINATION OF
LESLEY MALOIAN to the District Family Court of the First Circuit

HEARING: Tuesday, July 27, 2021 11:00 a.m., Videoconference

I have been a practicing attorney for nearly 33 years and have worked with many Judges and lawyers. I have personally worked with and have been supervising Lesley Maloian (“Lesley”) for a good part of her eighteen years at the Office of the Public Defender. Based upon my experience, I firmly believe that Ms. Maloian will make an excellent District Family Court Judge.

Throughout Lesley’s career, she has been dependable, tenacious, and diligent. After 18 years she has grown into a very experienced and accomplished trial attorney. Lesley has become an invaluable member of the Office of the Public Defender. If selected, I have no doubt that she will be invaluable to the Judiciary as well.

Lesley is intelligent, hard-working, and diligent. She has gained substantial litigation experience working at the Office of the Public Defender that has prepared her to become an outstanding jurist. She has further distinguished herself through her work on the most difficult, emotional and complex cases, as well as by being a team leader and part of our in-house faculty for attorney trainings.

Her added experience in private practice in family law in Hawaii, as well as her substantial work at the Office of the Public Guardian in Chicago has further prepared her for the challenges as a Family Court District Court Judge.

In addition to having a very challenging and demanding career, she has been able to balance her responsibility as a wonderful wife, mother and a central figure in her family life.

I find her highly qualified and offer my strong support for LESLEY MALOIAN as District Family Court Judge.

William C. Bagasol, Esq. (Supervising Attorney, Felony Division, Office of the Public Defender.)

Date: 7/26/2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

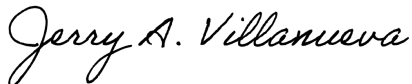
Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN.

Hearing: Tuesday, July 27, 2021, 11:00 a.m.

I am writing in support of Lesley N. Maloian for selection to the District Family Court of the First Circuit, State of Hawaii. I have known Ms. Maloian since she became a fellow Deputy Public Defender in 2002. Ms. Maloian has always been hard working, conscientious and well prepared. She is detail oriented, organized, a critical thinker and very personable. Ms. Maloian has extensive experience in all aspects of court proceedings. She has litigated cases in District Court, Family Court and Circuit Court, ranging from Abuse of Household Member to Murder in the Second-Degree cases. Ms. Maloian also has extensive experience in all aspects of non- criminal Family Court cases including divorce, restraining orders, alimony/child support, and paternity matters. Additionally, Ms. Maloian brings to the bench her own experience as a mother of two active teenagers requiring her to deal with the balancing act of work and family responsibilities. This experience will give greater insight while presiding in the family court. Finally, Ms. Maloian possess the right temperament to be a judge. In all the years that I have known her, she has always remained calm and in control during trials and court hearings. I am confident that she will be an excellent addition to the Hawaii Judiciary.

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

Respectfully submitted,



Jerry A. Villanueva

Friday, July 16, 2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN

Hearing: Tuesday, July 27, 2021 at 11:00 a.m.

Dear Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary,

Thank you for the opportunity to submit this letter in support of my friend, mentor, and colleague, LESLEY N. MALOIAN, and her appointment to the District Family Court of the First Circuit.

Lesley is highly and undoubtedly qualified to serve as a Judge in the District Family Court of the First Circuit. She leads our office's Brainstorming sessions, which I have come to rely upon to brainstorm my most challenging criminal cases. Lesley also maintains an open door and always welcomes me when I need to pick her brain about issues that pop up in my cases. I can always count on Lesley to draw on the law and her experience to give me the best strategies and approach to the legal issues pertinent to the facts of my cases.

I am currently an attorney in the Felony Division. Throughout my entire journey at the Office of the Public Defender, starting from the Appellate Division to the District Court and Family Criminal Court Division, to now, the Felony Division, I have found myself at the threshold of Lesley's office door or sitting on her office couch seeking her guidance, opinion, and what her take will be on my case. She is always at-the-ready with her sage advice.

I also had the privilege of seeing Lesley in action. I was on Lesley's Preliminary Hearings team and had to opportunity to shadow her during a Preliminary Hearing. Her client communication and control, the way she fashioned her arguments for the court, and the way she commanded the courtroom was aspirational. These are qualities that make her the best candidate for the job.

I can attest that the District Family Court of the First Circuit will benefit immensely with Lesley on-the-bench. Thank you for this opportunity to submit this letter in support of my friend, mentor, and colleague, LESLEY N. MALOIAN, and her appointment to the District Family Court of the First Circuit.

Sincerely,

Merlinda Garma, Deputy Public Defender

JC-1

Submitted on: 7/26/2021 10:38:07 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sheena Crail	Individual	Support	No

Comments: I am in support of Ms. Maloian's nomination.

Date: 7/26/2021

To: Senator Karl Rhoads, Chair; Senator Jarrett Keohokalole, Vice-Chair; and Members of the Senate Committee on Judiciary

Re: JC1, Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee, LESLEY N. MALOIAN.

Hearing: Tuesday, July 27, 2021, 11:00 a.m.

I have known Ms. Maloian since 2016 when I was a law clerk. In that time, I had the opportunity to observe her as a Deputy Public Defender advocating for her clients. I later became a Deputy Public Defender and came to work alongside Ms. Maloian. Since meeting Ms. Maloian, I have grown to respect and admire her work ethic, commitment, and passion. She is always willing to train and mentor the new deputies, and shared her knowledge, skills, and expertise with us.

I believe Ms. Maloian has the wealth of knowledge of the law, and the experience suitable for the Judgeship position. I am proud and honored to write this letter in support of her Confirmation to the District Family Court of the First Circuit .

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

Respectfully submitted,

Saisamoa F. Grey Price

Trisha Y. Nakamura, Esq.
P.O. Box 61619, Honolulu, Hawai'i 96839

LATE

To: The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Members of the Senate Committee on Judiciary

Date: July 26, 2021

Hrg: July 27, 2021 at 11:00 a.m.

Re: JC 1; Strong Support for the Nomination of Lesley Maloian to the District Family Court of the First Circuit

I share my strongest support of Lesley Maloian for the District Family Court of the First Circuit. I have known Lesley from my days as a Deputy Public Defender ("DPD") in 2011 to now, as the Director of Career Services at the William S. Richardson School of Law. (Please note this letter is sent in my personal capacity and does not represent the views of the Law School or University of Hawai'i at Manoa.) Lesley's qualities along with her legal skill make her perfect for the District Family Court of the First Circuit. She is compassionate and stern and works efficiently and effectively, fearlessly committed to her role.

CALM INTENSITY NEEDED IN FAMILY COURT

Lesley is perfectly suited for Family Court. Her depth of trial experience and significant work with clients and others in the courts are qualities that will strengthen our families and community. Lesley was someone in the Office of the Public Defender ("PD's") who would always focus on the work and her clients, prepping doggedly for court. Lesley has a quiet intensity that powered through in the numerous trial she did and trust she built with clients and colleagues at the PD's. In court, Lesley would not cower when judges ruled against her; she would stay calm and respectfully advocate. Her calm was not void of emotion. Rather, it was bold and rooted in her role in the process. The quiet intensity and focus on the work for her client will make her great in the family court system.

STRONG IN THE LAW AND AS AN INDIVIDUAL

The Family Court bench requires a practitioner who is strong in the law and committed to the rules of procedure, statutes, and case law. Lesley is this person. She would smartly work up cases, from motions practice to litigation starting with looking at what the rules and law indicated. She is skilled in the law and has cut her teeth in numerous trials, including high level felonies. She was able to look at cases and isolate legal issues, raise them, and preserve them for appeal should that be necessary. She sought to manage cases early on rather than waiting for the appellate courts. Her range of knowledge and expertise in trial and practice enable her to take on the most challenging issues efficiently and effectively.

COMPASSIONATE EVEN WHEN IT IS HARD

Serving as a DPD is hard work. It means being honest about cases with clients. The strongest attorneys are those who don't overpromise and can be candid about a client's situation. It also means co-existing with numerous attorneys in a busy office with many stressors. It takes a special person to provide a listening ear and also offer advice that may involve challenging a colleague. Lesley was one of the colleagues who found gentle and firm ways to offer tips to improve the practice of DPDs. I was the beneficiary of her compassion in seeking to make others around her better.

It is critical our busy O'ahu Family Courts have judge who will work hard and can build trust quickly with families. She is this person. Thank you for your consideration.

LATE

JC-1

Submitted on: 7/26/2021 12:25:49 PM
Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Nina Ki	Individual	Support	No

Comments: My name is Nina Ki and I am a licensed attorney in the State of Hawai'i. I am writing in SUPPORT for the consideration and confirmation of Judicial Nominee LESLEY N. MALOIAN to the District Family Court of the First Circuit. As a law clerk for the First Circuit Court doing felony trial matters, I had the extreme pleasure of working with Ms. Maloian. Her legal knowledge, fierce compassion, and zealous advocacy was inspiring to me as a young attorney. As a judge, I am confident that Ms. Maloian will be an excellent addition to the bench, and I am excited to see her continue her work for Hawai'i.

Leslee D. Matthews, Esq., MSW

Senate Committee on Judiciary

Tuesday, July 27, 2021, 11:00am via Videoconference

Re: Support for JC 1, Confirmation of Lesley N. Maloian to the District Family Court of the First Circuit

Chair Karl Rhodes, Vice-Chair Jarrett Keohokalole, and Members of the Committee,

I write in support of Ms. Lesley N. Maloian to the District Family Court of the First Circuit on behalf of myself, an attorney and Social Worker licensed to practice in the State of Hawai'i. I also write this letter on behalf of the African American Lawyers Association of Hawai'i.

As a Social Worker and an attorney, I understand the intersectionality of the law. The pursuit of equal justice under the law is one that must be done with integrity, intentionality, fairness and with an understanding of where we, society as a whole and individuals in communities, have been, where we are now, and where we seek to go in the future. Ms. Maloian's legal career has taken her to serve and work with a number of communities in the pursuit of justice. Ms. Maloian has been diligent in attending to the needs of her clients, while balancing the needs of the communities in which she has served. Ms. Maloian's breadth of experience is indicative of a desire to serve with a wide, strong range of needed knowledge, intelligence, legal ability, experience and community service to be an effective, fair, respected, and well rounded public servant and judge. Ms. Maloian has demonstrated her ability to lead, and lift others as well as she leads. As a judge, the community will continue to be lifted as Ms. Maloian serves in her new role continuing her service to the public. Thank you for the opportunity to submit testimony in support of Ms. Lesley N. Maloian.

Sincerely,



Leslee D. Matthews, Esq., MSW

Attorney | Social Worker | **Advocate**

President | African American Lawyers Association of Hawai'i

LATE

LATE

JC-1

Submitted on: 7/26/2021 2:51:55 PM
Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Edward H. Young, Jr,	Individual	Support	No

Comments: I support the appointment by Hawaii Chief Justice Recktenwald of Lesley Maloain from the Public Defender's Office to be a District Judge to the Family Court. Her 18 years of experience as a Public Defender with felony jury trial experience in the circuit, district, and family courts speaks volumes. Thank you for your favorable consideration.

JC-1

Submitted on: 7/27/2021 7:16:02 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ariel Keopuolani Ani-Angway	Testifying for LEIRA Organics	Oppose	No

Comments: LEIRA Organics is in opposition to this matter. Mahalo nui.

JC-1

Submitted on: 7/27/2021 7:48:06 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
NAACP	Testifying for NAACP	Support	No

Comments: Support this nomination

JC-1

Submitted on: 7/27/2021 7:49:09 AM

Testimony for JDC on 7/27/2021 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alphonso Braggs	Individual	Support	No

Comments: Support this nomination



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

Lesley N. Maloian
District Family Court Judge of the First Circuit (JC1)

TO: The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice-Chair
and Members of the Senate Committee on Judiciary

FROM: Levi Hookano
President, Hawaii State Bar Association

Hearing: Tuesday, July 27, 2021 at 11:00 a.m.
Via Videoconference
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of Lesley N. Maloian for the position of District Family Court Judge of the First Circuit.

The HSBA Board of Directors followed its multi-step process to inform the confirming authority of its findings on this appointment.

- Notification to the nominee of the HSBA appointment review process, which includes a questionnaire requesting educational credentials, legal and other professional work experiences, personal references; a resume; a copy of the JSC application; a form authorizing disclosure from the Office of Disciplinary Counsel of any disciplinary action; and an interview with the HSBA Board of Directors.
- Notification via electronic transmission to the HSBA membership of the appointment and a request for comments on the nominee.
- Appointment of a three-person review subcommittee of HSBA Board members by the President which serves as a neutral fact-finding body to: review documentation submitted by the nominee, contact references submitted by the nominee, review comments received from the HSBA membership, and conduct follow-up member contact for clarification, if necessary, for presentation to the HSBA Board.
- Submittal of a report by the three-person review subcommittee to the President, and subsequently to the entire Board.
- Meeting of the President, the Executive Director, and the nominee prior to the scheduled interview of the nominee by the Board.

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- Interview of the nominee by the HSBA Board.
- Deliberation of the HSBA Board to determine if the nominees is qualified or unqualified.
- Submittal of the HSBA Board's recommendation to the confirming authority.

The HSBA President and the Executive Director met with Ms. Maloian on July 21, 2021 to discuss the subcommittee's findings. On July 22nd, Ms. Maloian was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Ms. Maloian was reviewed and the references listed were contacted for their personal opinions and observations. The comments and letters received from HSBA members reflected an affirmation of Ms. Maloian in all categories of the HSBA criteria which include:

- Integrity
- Diligence
- Legal knowledge and ability
- Professional experience
- Temperament
- Financial responsibility
- Public service
- Health
- Ability to fulfill the responsibilities and duties of the position

The task of the HSBA was to determine the qualifications and suitability of the Appointee utilizing in large part, the judicial appointments criteria of the American Bar Association. The criteria are not ranked in terms of importance as it is used universally to review the qualifications of appointees for trial and appellate positions. The determination of qualified or unqualified is based on a totality of the documentation received, member and reference comments, and the interview of the individual appointed.

Ms. Maloian's professional development as an attorney has not been traditional or linear. She was employed by the City of Chicago in the Department of Buildings as an administrative hearings officer. Thereafter she was employed in the Cook County Office of Public Guardian as Deputy Public Guardian where she was responsible for all facets of litigation, and placement and administrative hearings. Ms. Maloian was an attorney in a small Honolulu firm handling family cases including divorce and paternity issues.

Lesley Maloian has been a valued attorney in the Office of the Public Defender since 2003. During her tenure in this high-volume caseload government agency, Ms. Maloian has proven herself to be a respected trial attorney who is known to be organized, diligent, fair, detail oriented, intelligent, and who now serves as a mentor to less experienced attorneys. She is known for her knowledge of the law, strong legal research skills and has litigated cases in District, Family and Circuit Court ranging from abuse of a household member to murder in the second degree.

In addition to a varied professional background, Ms. Maloian's philosophy of treating everyone with respect, compassion and empathy, and her commitment to public service has prepared her for a seat on the State bench.

After a review of all documentation submitted and the interview of the nominee, which included dialogue and questioning relating to her background, experiences, and reasons for pursuing the position of District Family Court Judge of the First Circuit, the Board of the Hawaii State Bar Association found Ms. Lesley N. Maloian to be **QUALIFIED** for the position of District Family Court Judge of the First Circuit.

Thank you for the opportunity to offer comments for consideration during the deliberations and decision making of our Committee.