

STAND. COM. REP. NO. 6

Honolulu, Hawaii

OCT 28 2021

RE: JUD. COM. NO. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Third Special Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred Judiciary Communication No. 1, submitting for study and consideration the appointment of:

DISTRICT COURT OF THE THIRD CIRCUIT

J.C. No. 1 KIMBERLY B.M. TANIYAMA,
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 Kimberly B.M. Taniyama to serve as a Judge of the District Court of the Third Circuit.

Your Committee received testimony in support of the appointment of Judge Kimberly B.M. Taniyama from the Office of the Public Defender, West Hawaii Bar Association, Hospice of Kona Foundation, Hawai'i Women Lawyers, Honorable Mahilani E.K. Hiatt-retired, Honorable Greg Nakamura-retired, and fourteen individuals. Your Committee received comments on the appointment of Judge Kimberly B.M. Taniyama from the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors found the appointee to be qualified for the position of District Court Judge of the Third 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

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diligence, legal knowledge and 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".

Judge Taniyama received her Bachelor of Arts degrees in English Writing and Biology from Loyola Marymount University. She later received her Doctor of Jurisprudence from William S. Richardson School of Law at the University of Hawai'i at Mānoa. After law school, she was a law clerk for the State of Hawaii Judiciary.

From 1998 to 2017, Judge Taniyama served as Deputy Prosecuting Attorney for the Hawaii County Office of the Prosecuting Attorney, where she was initially responsible for charging assessments; conferring with law enforcement; conducting legal research; and drafting legal documents for evidentiary hearings, bench and jury trial, and appeals. In 2010, Judge Taniyama became a traffic safety resource prosecutor for the Hawaii County Office of the Prosecuting Attorney, where she was responsible for creating, organizing, and presenting training for the deputy prosecuting attorneys and law enforcement personnel statewide. In 2011, she also became a supervisor for the West Hawaii Deputy Unit of the Hawaii County Office of the Prosecuting Attorney, where she was responsible for scheduling and coordinating training and overseeing the Unit.

After serving as a Deputy Prosecuting Attorney, Judge Taniyama went into private practice where she represented clients in family court cases involving divorce, paternity, orders for protection, custody, adoption, and other family law matters. She also represented clients in criminal cases and other district court matters including landlord tenant issues, protective injunctions, criminal defense, and traffic cases. Judge Taniyama has served as a Per Diem Judge for the District Court of the Third Circuit since 2019.

Judge Taniyama has been licensed to practice law in the State of Hawaii since 1997 and has been actively involved in the legal community throughout her career. She has volunteered for many activities and resources, including Kona Courthouse Self-Help Center, Courts of the Community, and We the People. She has also been a member of the West Hawaii Bar Association, Hawaii State Bar



Association Government Lawyers Section, Friends of the Libraries, and the Kona Crime Prevention Committee. In 2017, Judge Taniyama received the Hawaii State Bar Association Government Lawyers Section 2016 Pro Bono Legal Service Award.

Testimony submitted in support of Judge Taniyama's appointment commends her legal expertise, dedication to the community, and commitment to fairness and justice. Testimony further indicates that during her tenure as a Per Diem Judge for the District Court of the Third Circuit, she has demonstrated a superb judicial temperament and the ability to treat all individuals with whom she interacts with fairness, respect, and civility. Numerous testifiers also praised her integrity, as well as her intelligence and keen understanding of the law.

Your Committee finds that, based on the testimony submitted on her behalf, responses to questions asked by the members of your Committee, and your Committee's review of information about her and her qualifications, Kimberly B.M Taniyama has the experience, dedication, and other competencies to be a District Court Judge of the Third Circuit, and she 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
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC
Consent

Gov. Msg./Jud. Com. No.:* <i>JC 1</i>	Committee Referral: JDC	Date: <i>10/28/2021</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)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	<i>7</i>			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
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