



October 6, 2021

www.hospiceofkonafoundation.org

*Executive Director
Adriana DeGress*

*Chief Executive Officer
Laura Varney*

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Governor David Ige

Re: Kimberly Taniyama

Aloha Governor Ige,

I am writing this letter of recommendation on behalf of Kimberly Taniyama. Kimberly has been a volunteer for Hospice of Kona since April of 2015. She began with taking our mandatory 16 hour volunteer training class which most non-profits are not required to have such a long training process but in our case we do and Kimberly showed dedication right from the beginning to sit through 16 hours of a learning and taking in a wealth of information.

Since Hospice of Kona is here for the community to provide family centered support, education and care for those approaching the end of life our volunteers are taught in many areas surrounding death and dying, caring and compassion and to be emotionally available for our patients and families. I believe that because of Kimberly's nature of work and previous trainings in different situations she would be a huge plus to our volunteer and staff team.

There are also lots of opportunities to do non patient related volunteering as it is all crucial to our organization. Kimberly's willingness to do whatever is needed is wonderful! She has volunteered at our Thrift store and is still going strong there as well as many of our fundraising events and programs. Her team spirit, quick thinking, diligence, energy and flexibility to change have been an asset to Volunteer Services. Her sensitivity to others and volunteer/work ethic makes volunteering with her a pleasant experience every time.

Please contact me if you have any further questions.

Sincerely,

Adriana DeGress

Adriana DeGress
Executive Director
Hospice of Kona Foundation
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gyaindl@gyattorney.com

DATE: October 21, 2021

TO: The Hon. Karl Rhoads
Chair, Hawaii State Senate Judiciary Committee
Hawaii State Capitol, Room 204
Honolulu, HI 96813 via email at: www.capitol.hawaii.gov

The Hon. Jarrett Keohokalole
Vice Chair, Hawaii State Senate Judiciary Committee
Hawaii State Capitol, Room 205
Honolulu, HI 96813 via email at: www.capitol.hawaii.gov

c:/ The Hon. Dru Mamo Kanuha
Senator, Hawaii State District 3
Hawaii State Capitol, Room 206
Honolulu, HI 96813 via e-mail to: senkanuha@capitol.hawaii.gov

RE: **JC1 Appointment of Kimberly B.M. Taniyama to 3rd Circuit
District Court;
STRONG SUPPORT FOR SENATE CONFIRMATION**

**Hearing Date: October 27, 2021
Hearing Time: 9:00 a.m.**

Thank you for the opportunity to provide testimony on this appointment. I am in active private practice in the 3rd Circuit providing representation, counsel, and legal information in matters involving family, criminal defense, labor & employment, and agency appeals.

I write in strong support of Senate confirmation of the appointment of Kimberly B.K. Taniyama to the District Court in Kona. Ms. Taniyama has been serving the 3rd Circuit District Court in Kona already as a per diem judge for several months now. I appeared before Her Honor on one occasion only so far and it was soon after her per diem appointment. I got to sit in the gallery for a while before my case was called and recall being impressed with the steady hand Judge Taniyama held over the diverse proceedings and personalities before her. No other candidate considered by the Chief Justice for appointment has bench experience, let alone here in our 3rd Circuit.

Critically, the appointment of per diem Judge Taniyama to the seated position will bring continuity and stability in the Kona courts, a particularly compelling need here as we have been

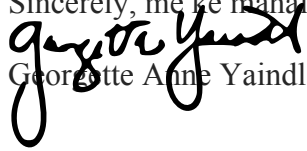
The information contained in communication is confidential. It is intended solely for the use of the person(s) to whom it is addressed and others authorized to receive it. If you are not an intended recipient, you hereby are notified that any disclosure, copying, or distribution of this communication and/or its contents is strictly prohibited and may be unlawful. If you have received this communication in error, please inform the sender immediately and destroy any copies. Thank you.



vexed with the district court vacancy since Spring, as well as judicial vacancies in the Kona Circuit and Family courts.

Thank you for your consideration of my testimony.

Sincerely, me ke mahalo,


Georgette Anne Yaindl



JC-1

Submitted on: 10/25/2021 4:03:16 PM

Testimony for JDC on 10/27/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Allison Chang	Individual	Comments Only	No

Comments: Dear Senators, I write to give my most enthusiastic endorsement and support for the nomination of Kimberly Taniyama for a district court judgeship. I have known Kim for almost 30 years when we both matriculated at UH Richardson School of Law together. Throughout this time she has conducted herself always with the highest regard for ethics, the rule of law, and fairness. Her dedication to the betterment of the practice of law and the lawyers who come after her is apparent. And, her love of the Kona community is exhibited by her many volunteer activities, her family's work in the community, and her choice of the Big Island as her home. Kim is not just a good lawyer, she is a good person. She is generous and giving to a fault, she is kind, and she is compassionate. As far as judicial temperaments and legal minds go, you could not do any better. But more than being a highly educated and well practiced lawyer, Kim brings to the table a sense of representation. Being a born and raised local with Hawaiian, Korean, Japanese and Caucasian blood, Kim represents who we are as a community a beautiful mix of cultures and people. She will bring to the bench a sense of true justice that as locals we are being judged by a local who understands and has lived our truths. As a mother of local kids she will bring knowledge of what local kids live through and the challenges they face and the opportunities that they do and do not have. All of the shared history with the community that she will serve will bring with it a sense of gravitas that Kim will truly appreciate that she is not just judging people but HER people, HER community. What more could you ask for in a person whose job it is to mete out justice. I support Kimberly Taniyama's nomination wholeheartedly and without reservation. I am available at your leisure to answer any questions about my dear friend Kim. With warm aloha, Allison Chang HSB #7001 California Bar #203387 Deputy General Counsel Workday, Inc.

JC-1

Submitted on: 10/25/2021 4:03:26 PM

Testimony for JDC on 10/27/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Dawn Henry Laird, Esq.	Individual	Support	No

Comments: I was delighted to learn that Ms. Taniyama has been appointed by Chief Justice Mark E. Recktenwald to be the next judge of the District Court of the Third Circuit. In my experience with Ms. Taniyama, which has essentially been as opposing counsel on a number of cases, she has shown acute legal acumen, zealous advocacy and a high level of professionalism. I know Ms. Taniyama to be community oriented and a strong supporter of our local bar and the Big Island Judiciary. I know her to be a hard worker, independent-minded, and not one to shrink from challenging circumstances. I believe she could very capably fulfill the responsibilities and duties of the position. Thank you for taking the time to consider these comments. Aloha, Dawn Henry Laird, Esq. Kona, Hawai`i

Kimberly Taniyama

Mary Villaverde <mvillaverde@hospiceofkona.org>

Mon 10/25/2021 4:47 PM

To: JDC Committee <JDCCCommittee@capitol.hawaii.gov>

Aloha,

It has been my pleasure to know Kimberly Taniyama since 2015. I became acquainted with Kimberly through her volunteer work throughout the community of Kailua-Kona.

She has volunteered with Hospice of Kona in assisting with various fundraisers and also by assisting in Hospice of Kona's Memory Lane Thrift Boutique. During her time with us which began in 2015 Kimberly has shown a great compassion for those in need of assistance. Kimberly is greatly respected by her fellow volunteers and staff members.

I have also personally observed Kimberly fulfilling her capacity as a volunteer member on the Kona Crime Prevention Committee. She has had the responsibility of introducing the officer of each month and the officer of the year at their annual luncheon.

I feel very confident that Kimberly Taniyama would be a great asset in serving our community as a judge.

Mahalo for considering Kimberly Taniyama.

Regards,

Mary Villaverde
Manager
Hospice of Kona's Memory Lane

Aloha Senate Judiciary Committee Members,

I am writing this letter to recommend Kimberly Taniyama for a judicial opening. My name is Ezra Witsman and I have been a teacher at Kealakehe High School for eighteen years. I am in a unique position to express an opinion on whether a person should be a judge. Before teaching, I was a practicing attorney in Florida for fifteen years. Initially, I was a prosecutor for four and a half years and then went into private practice. Although no longer practicing law, I am still licensed in Florida.

As part of my curriculum, students participate in the We the People competition. The competition is sponsored by the Center for Civic Education. I have local attorneys judge the school competition and mentor the winning team for the state competition. The competition is a mock Congressional hearing. Students research various constitutional issues and then write essays (testimony) to present to a panel of three judges (members of Congress).

For years, Kimberly has volunteered to be a judge for the school competition and has also been a mentor for the winning team. The school competition is held during the school day. However, the practices for the state competition are held on Saturday. There are four practices and they last three hours each.

I have seen Kimberly give of her time to help my students enhance their education. During this time, I have been able to see how she interacts and works with my students. I have observed Kimberly to be patient, caring, knowledgeable, and articulate.

At our high school, I am one of the lead organizers for the Courts in the Community program. This program entails the Hawaii Supreme Court coming to our campus to hear a “real” case. Attorneys volunteer to come to an assigned teacher’s classroom (usually for three times) to help students prepare for the hearing. Students participate in a mock hearing as their final preparation before attending the hearing. Kimberly has volunteered to help local students prepare for the Supreme Court hearing.

As a practicing attorney, I saw what was required of a person to be a highly effective judge. Kimberly possesses those characteristics. She is compassionate, smart, an active listener, and hard working. Without hesitation, I whole-heartedly give my support for Kimberly Taniyama to become a judge.

Ezra Witsman, M.Ed., J.D.
Social Studies Teacher
Kealakehe High School
Kailua-Kona, HI 96740

Judge Mahilani E.K. Hiatt (Ret.)
46-3976 Pu'aono Road, Honoka'a, Hawai'i 96727
(808) 938-7941; mahilani2017@gmail.com

October 26, 2021

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

Re: ***Testimony in support of the confirmation of Kimberly Taniyama (Submitting for consideration and confirmation to the District Court of the Third Circuit, Judicial Nominee, KIMBERLY B.M. TANIYAMA, for a term to expire in 6 years)***; Hearing Date October 27, 2021 at 9:00 a.m.

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

I am writing in strong support of the confirmation appointment of Kimberly B.M. Taniyama to the District Court of the Third Circuit.

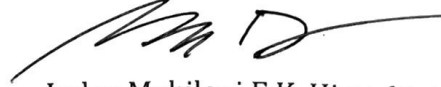
I was born and raised on the island of O'ahu, received my J.D. from the William S. Richardson School of Law in 1993 and thereafter entered private practice. In 1998, I moved to Hawai'i Island and continued to practice law. In 2017, I was appointed to sit as a *per diem* judge in both the District and Family courts of the Third Circuit. In 2018, I was appointed as a District Family Court Judge of the Third Circuit. Ms. Taniyama appeared before me on numerous hearings and trials in the Family Court. Ms. Taniyama was ***always*** prepared, articulate, calm, reasonable, well versed in the law and court rules, and passionate about her work.

Ms. Taniyama has also served as a *per diem* judge in the District Court of the Third Circuit. Ms. Taniyama approached her responsibilities as a *per diem* judge in the same way that she practiced law – competently, fairly and with great consideration and integrity. I have personally observed Ms. Taniyama interacting with the public, court staff, attorneys and witnesses. Ms. Taniyama treats everyone with respect and civility and is well liked by all.

Based on my personal observations and interactions with Ms. Taniyama, I believe that she possesses the necessary character to make an outstanding judge and would contribute significantly to the safety and well-being of our Big Island community.

Thank you for this opportunity to share my support for the appointment of Kimberly B.M. Taniyama as a District Court Judge of the Third Circuit.

Sincerely,



Judge Mahilani E.K. Hiatt (Ret.)

JC-1

Submitted on: 10/26/2021 8:27:20 AM

Testimony for JDC on 10/27/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nicole K. Bowman	Individual	Support	No

Comments: To whom it may concern, I have appeared in front of Judge Kimberly Taniyama numerous times during her appointment as a per diem district court judge in the third circuit, specifically in the Kona district court. Judge Taniyama is extremely thorough during every proceeding, regardless of how substantive, or not, the hearing may be. Judge Taniyama has great judicial temperament and remains level headed at all times, even when faced with difficult clients or counsel. During substantive evidentiary hearings, Judge Taniyama has displayed willingness to entertain novel legal theories and apply critical thinking of facts to the law. Judge Taniyama has displayed great ability to fulfill the responsibilities and duties of a district court judge. Sincerely, Nicole K. Bowman

Taryn Tomasa
1130 N. Nimitz Hwy. A-254
Honolulu, HI 96817
(808) 586-2080
taryn.r.tomasa@Hawaii.gov

October 26, 2021

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

Re: JC1 District Court Judge Nominee KIMBERLY B.M. TANIYAMA
Hearing: October 27, 2021, 9:00 AM

Dear Chair and Committee Members:

This letter is in support of the nomination of KIMBERLY B.M. TANIYAMA to the district court bench. I have known Ms. Taniyama professionally and personally for over twenty-two years. I have worked with Ms. Taniyama as opposing counsel during her tenure as a deputy prosecuting attorney as well as a colleague in the defense bar. Throughout the years and various professional roles, Ms. Taniyama has always been prepared, demonstrated an understanding of the law and maintained high ethical standards. Ms. Taniyama's ability, character, and dedication will be an invaluable asset to the judiciary and the State of Hawaii.

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

Hearing: October 27, 2021, 9:00 a.m., Via Videoconference

The Honorable Karl Rhoads
Chair, Senate Committee on Judiciary
Hawai'i State Capitol
Honolulu, Hawai'i, 96813

RE: In **SUPPORT** of JC1 – Submitting for consideration and confirmation to the District Court of the Third Circuit, Judicial Nominee, KIMBERLY B.M. TANIYAMA, for a term to expire in 6 years.

Aloha e Senator Rhoads,

I am writing in support of Kimberly B.M. Taniyama for consideration and confirmation to the District Court of the Third Circuit. Kim is a dear personal friend whom I have known for nearly forty (40) years. She is intelligent, dependable, compassionate, and thoughtful. Even when we were just school kids together at Punahou, she was wise beyond her years and the one who took care of others when they needed a helping hand. As I look back on it now, I also realize that even at that very young age, she often found herself in the role of mediator amongst our group of friends – listening to everyone and proposing solutions that were not only fair but reasonable to those involved. Little did we know that these skills would serve her so well in her future personal *and professional* endeavors.

Over the years since “small kid time”, Kim has continued to demonstrate her commitment to friends, family and the community of Hawai'i Island and has always shown integrity in both her words and actions. While perhaps not directly relevant, I would like to share a funny story about our friendship that I feel illustrates the truly caring, and astute, person she is.

Kim was a bridesmaid in my wedding. I also had two flower girls – cousins aged 5 and 7 at the time. Unfortunately, one of the little girls wasn't feeling so well that day but was being a trooper - trying her best to smile and make it through all the photos and other fanfare for me. As we were posing for a group photo with me, my bridesmaids and the two flower girls, Kim glanced down at the girls and noticed that my cousin looked a little “green.” In an instant, and in the sweetest, gentlest way, Kim swooped her up from the front of my dress and off to the side - in time for her to be sick in the bushes instead of all over the bride. That's the kind of person Kim is – observant, compassionate and quick on her feet to always lend a helping hand!

In closing, thank you for your consideration of Kim and for the opportunity to submit testimony in support of her nomination. Should she be fortunate enough to receive the Senate's confirmation to this position, I have no doubt that she will fulfill her responsibilities with fairness, diligence, and compassion.

Mahalo nui loa,



Julianne L. Chun
Hawai'i State Bar No. 010855

**Re: JC 1 Submitting for Consideration and Confirmation to
the District Court of the Third Circuit, Judicial
Nominee, KIMBERLY B.M. TANIYAMA**

I am Greg Nakamura. I am a retired Third Circuit Court judge. Ms. Taniyama was my law clerk for one year beginning September 1997. I have known her for 24 years and watched her grow in her legal career since then.

A law clerk is a law school graduate who for a period of one year or so works for a judge. A law clerk maintains order in the courtroom, performs administrative duties and does legal research.

Ms. Taniyama was an outstanding law clerk. She was hardworking, even-keeled and analyzed legal issues closely. I trusted her judgment.

Later, Ms. Taniyama gained significant knowledge and experience in criminal law at the Prosecutor's Office. She has jury trial and administrative experience as a deputy prosecutor. She has shared with me keen insights regarding the criminal law process on the Big Island.

After she left the Prosecutor's Office, she started a private practice emphasizing Family Law and Circuit Court criminal cases. In addition, she became a per diem judge in District Court.

As a per diem judge, Ms. Taniyama took her job seriously and was well-prepared. Her philosophical approach was to not cut corners, but follow the requirements of law and procedure.

As a judge, Ms. Taniyama would start with a strong legal background. Ms. Taniyama would be fair, work hard and be a team player. She would relate well with the litigants who appear before her. She would not work for self-aggrandizement, but would do the right thing in order to make her community better.

Thank you for considering these comments.

Konawaena High School
81-1043 Konawaena School Road
Kealahou, Hawaii 96750

LATE

October 26, 2021

Hawaii State Legislature
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Hawaii State Legislature:

I hope that you are doing well. I am writing in support for the selection of Attorney Kimberly B. M. Taniyama for District Judge in the District Court of the Third Circuit. Attorney Taniyama is a well-respected member of our Kona community and a valuable resource for our local schools. As a Social Studies teacher at Konawaena High School, I have sought out Kimberly's insight on multiple occasions during the last several years. I was first introduced to her through the Lawyers in the Schools program in 2015, when she worked with some of our students on a sample court case. It was evident that she possessed a great understanding of the legal system and the documents that our nation was founded upon. Even with the depth of knowledge that she has regarding these complex concepts, she was still able to explain these principles to our students in a way that they could understand and relate to. In addition to the Lawyers in the Schools case, she has prepared introductory presentations for the First Amendment's right to speech and the Fourth Amendment. She often volunteered her time to help judge my students' We the People mock congressional hearings. These learning opportunities have allowed our students to see a real-world/community connection and to experience the material through people outside of the school setting. I am very grateful to her for taking the time to share her expertise with our young people and she was very accommodating, despite my short-notice requests. Attorney Taniyama has also organized joint presentations with her colleagues and it was clear that she is well-regarded amongst them, as well. Kimberly has a strong, determined character and a kind, compassionate heart. She is humble, while demonstrating and exemplifying the many distinct, trustworthy qualities that a judge should possess. It has been a pleasure knowing Kimberly throughout these years.

Thank you very much for your consideration regarding the selection of Attorney Kimberly B. M. Taniyama for a Third Circuit Court Judgeship.

Sincerely,



Leigh M. Nakamura
Konawaena High School Social Studies Department Head and Teacher

JAMES S. TABE
STATE PUBLIC DEFENDER

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HONOLULU OFFICE
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FAMILY COURT DIVISION
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LATE

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STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

October 26, 2021

Senator Karl Rhoads
Chairman
Senate Judiciary Committee
Honolulu, Hawaii

Re: Confirmation of Kimberly B.M. Taniyama

Dear Senator Rhoads,

I am pleased to write this letter of support of the confirmation of Kimberly B.M. Taniyama as a District Court Judge for the Third Circuit, Kona Division. I address this letter to you in my capacity as the Supervisor of the Office of the Public Defender in Kailua-Kona.

I have known Kimberly since I joined the Office of the Public Defender in 2008. As a Prosecutor, she exhibited her ability to work hard and advocate for the State. Since she left the Office of the Prosecutor in 2017, Kimberly has joined the criminal defense bar. As a defense attorney, she has advocated diligently for her clients. I have appeared before Judge Taniyama in her current position as a Per Diem Judge in Kona.

Since being appointed as a per diem Judge in October of 2021, Kimberly has demonstrated her ability to do the job. Not only can she perform the job, she does it wisely and compassionately, with intelligence and a keen understanding of the law.

Judges – especially those who preside at the district court, often referred to as the “people’s court” – should not only have the appropriate legal background, but the patience, empathy and willingness to listen to the people who appear before them which often is their first encounter with a judge and our court system. Kimberly has these attributes. She has the legal background and also has the judicial temperament.

Kimberly’s commitment to public service is clearly evident in the amount of hours she has donated to our Self-help desk. Some years, she contributed more hours than any other lawyer in our community. She has also volunteered for Courts in the Community, among others.

If appointed, Kimberly will become a well regarded and well respected member of the Judiciary. Her intellect, combined with her pleasant personality and work ethic, will impress the public and members of the Judiciary.

I therefore respectfully offer my full support for Kimberly's confirmation as a District Court Judge of the Third Circuit, Kona Division. Thank you for the opportunity to submit this recommendation. Should you wish to discuss Kimberly's nomination further please do not hesitate to contact me.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "AS Datta", with a long horizontal flourish extending to the right.

Ann S. Datta
Deputy Public Defender

LATE

Statement of

Stephen L. Frye
West Hawaii Bar Association President,
before the
COMMITTEE ON JUDICIARY

Wednesday, October 27, 2021
9:00 a.m.
State Capitol, Via Videoconference

in consideration of
JC1

**RELATING TO CONSIDERATION AND CONFIRMATION TO THE DISTRICT COURT
OF THE THIRD CIRCUIT, STATE OF HAWAII, JUDICIAL NOMINEE
KIMBERLY B.M. TANIYAMA**

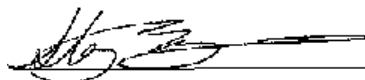
Chair Rhoads, Vice Chair Keohokalole, and Members of the Senate Committee on
Judiciary;

The following testimony is submitted by the West Hawaii Bar Association in support of
the confirmation of Judicial Nominee Kimberly B.M. Taniyama to District Court of the Third
Circuit.

Ms. Taniyama is well suited to diligently and effectively fulfill the function of District Court
judge. She has consistently demonstrated her professionalism throughout her legal career,
including her service as a per diem judge of the District Court of the Third Circuit. She clearly
possesses a broad knowledge of the law encompassing all subject matters heard by the District
Court of the Third Circuit. In addition, she has the ability to clearly communicate with the parties
appearing before the court to ensure litigants are well informed on the nature of the
proceedings. In her service as a per diem judge, Ms. Taniyama is consistently prepared for all
matters appearing before the court.

Ms. Taniyama possesses a dedicated work ethic which has been shown throughout her
legal career. Additionally, she has consistently displayed her dedication to the community and
unfailingly acts in the best interests of the community. Ms. Taniyama is anticipated to be an
excellent addition to the District Court bench.

For all of the foregoing reasons, the West Hawaii Bar Association supports the
confirmation of Judicial Nominee Kimberly B.M. Taniyama to District Court of the Third Circuit.
Thank you for this opportunity to testify.



Stephen Frye
President, West Hawaii Bar Association

LATE

RE: Ms. Kimberly Taniyama - Judicial Appointment to District Court of the Third Circuit

Date: October 26, 2021

Dear Senate Judiciary Committee,

Thank you for allowing me to share my strong support for Ms. Kimberly Taniyama as a judicial appointment for the Kona Circuit Court, State of Hawaii. I have had the pleasure of working with Ms. Taniyama for more than 10 years as a fellow director and member of the Kona Crime Prevention Committee.

She is easily described as knowledgeable, honest, trustworthy, and definitely a straight shooter. However, more important to note is her ability to share her innovative and creative "out of the box thinking" while being open minded and tactful.

I have found Ms. Taniyama to be a team player who is inclusive in involving others in the process. She exhibits the ability to hear the merits and opinions of others. In short, Ms. Taniyama is attentive, responsive, respected and clearly decisive, yet an ever-present team player who remains connected to her community.

I am proud to recommend her for this judicial appointment.

Please feel free to contact me with any questions or clarifications you may need.

Sincerely,

Warren P. Chong
73-1390 Kaiminani Drive
Kailua-Kona, HI 96740
Ph. (808) 325-1060

LATE

JC-1

Submitted on: 10/26/2021 1:16:59 PM

Testimony for JDC on 10/27/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
laurie fujiyama	Individual	Support	No

Comments: My name is Laurie Fujiyama, and I have known Kimberly Taniyama since high school. We also attended the same college, where we were roommates. I'm writing this email in support of the Judicial Nominee Kimberly B.M. Taniyama for the position in District Court. In our group of friends, Kimberly was the friend who was the most intelligent, humble, and compassionate. If any of us needed help in our classes, she always would explain whatever we didn't understand in a way that made sense. I used to think she would become a College Professor, because she had that special ability to communicate clearly and effectively, any matter, whether it be a biology problem, analyzing a poem, or resolving a conflict among friends. We all went to her for help, and she was always patient and understanding. Even though we were all around the same age, she seemed more mature, and more knowledgeable. Over the thirty years we have been friends, Kimberly is still the same wise, humble, and compassionate person she was in high school. Although she didn't become a College Professor, and became an Attorney instead, it all makes sense to me now. She is able to use her talents and skills as communicator, a writer, an analyzer, problem solver, and mediator, to help people resolve conflicts. I also admired Kimberly for her ability to juggle so many roles at once. She is a great mother to her children, always actively involved with their lives, a good wife, daughter, friend, attorney, and active member in the community. She volunteered while in high school, college, and even now, as busy as she is, Kimberly still makes time to help in the Kona community. Kimberly is one of those individuals that will excel in any field she goes into and I believe she is prepared and ready for the role of being a judge.

JC-1

Submitted on: 10/26/2021 2:27:08 PM
Testimony for JDC on 10/27/2021 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kauanoë Jackson	Individual	Support	No

Comments: I believe Kimberly Taniyama is fully qualified to be the next District Court Judge for the Third Circuit. She is knowledgeable, possesses a good temperament, and brings a variety of experiences to the bench. She dedicates significant time into bettering the community with her many hours of community service work. During her time on the bench as a per diem she takes the time with litigants and the attorneys to ensure a fair process.

BRIT BARKER
HI #10044 & CA #288445

October 26, 2021

Hawai'i State Senate
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Confirmation of the Appointment for District Court Judge of the Third Circuit,
Kimberly B.M. Taniyama

To Whom It May Concern,

My name is Brit Barker and I have been an attorney in the Third Circuit since my first employment at the Prosecutor's Office in March 2014. Even though I live in Kona, most of my current case load is in Hilo. I have had the pleasure of practicing before all the current sitting judges in the Third Circuit, many former and per diem judges, and many different judges in California. From this experience, I believe that many people can qualify to be an appointed judge for the Third Circuit, but not many would be a good fit for the position in its entirety. I truly believe an appointment should be for a judge that is the best for the position. A judge needs to have integrity in answering the needs of the position, hardworking, and supportive of all.

I believe that being a Judge, either in District or Circuit, has many different aspects that not many people fit the role in every way. Some may be excellent in one judicial position but not the other. I find that there are some very important qualities that a judge should possess to truly be able to encompass the entirety of the position. Some of those may not relate to making decisions on cases, such as internal personnel and comradery among other staff, understanding and appreciation for the work of all the members of the judiciary, and setting aside personal feelings or insecurities to make the reasonable and logical decision for the greater good.

Kimberly Taniyama was my first supervisor at the Prosecutor's Office in 2014. I could not be more thankful for the hands-on role she took in my personal development. Over the years I have seen Ms. Taniyama like this in her everyday life with most, if not all, that she does and for people that she encounters. She genuinely cares about the individual person, as well as the community as a whole. She consistently volunteers within the community and maintains a personal knowledge of the needs of the community. Ms. Taniyama has a working knowledge of the law and sits as a per diem Judge for the District Court. She is very calculated in her decision-making process and gives her extra time to learn and develop her judicial skills. I do not doubt her ability to meet the expectations and responsibilities of the position for District Court Judge of the Third Circuit.

If you have any questions or concerns, please do not hesitate to contact me at the information above. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read 'Brit Barker', enclosed within a faint circular outline.

BRIT BARKER
Attorney at Law

LATE

JC-1

Submitted on: 10/26/2021 5:15:09 PM
Testimony for JDC on 10/27/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Sherry L. Bracken	Individual	Support	No

Comments: Aloha, members of the Judiciary Committee. I'm writing to support the appointment of Kimberly Taniyama to the District Court of the Third Circuit. I'm familiar with Ms. Taniyama, and also know her children via some interaction and more observation on the tennis courts. It's clear that Ms. Taniyama has passed on her values -- integrity, good manners, respect, humility, lack of ego -- to her children, based on my observations. I think children can be a good reflection of how a parent thinks and acts. These values are what I have seen in Ms. Taniyama. I ask that you approve Ms. Taniyama's appointment. My view is, she'll be a good addition to the slate of judges now working on Hawaii Island. with aloha, and thanks for your consideration, Sherry Bracken (PO Box 248, Kailua Kona, HI 96745 808-936-2328)

LATE



October 27, 2021

To: Senator Karl Rhoads
Chair, Senate Committee on Judiciary

Senator Jarrett Keohokalole
Vice Chair, Senate Committee on Judiciary

RE: JC1: Submitting for consideration and confirmation to the District Court of the Third Circuit, Judicial Nominee, KIMBERLY B.M. TANIYAMA, for a term to expire in 6 years.

Hearing: Wednesday, October 27, 2021 at 9:00 a.m. via videoconference

Dear Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee on Judiciary:

Hawaii Women Lawyers (“**HWL**”) respectfully submits testimony in **support** of the confirmation of Kimberly B.M. Taniyama to the District Court of the Third Circuit.

HWL is a nonprofit organization comprised of over 300 attorneys. HWL’s mission includes improving the status of women in the legal profession, increasing the number of women attorneys in positions of authority and responsibility, and promoting the advancement of all women. HWL believes that increasing opportunities for, and improving the visibility of, qualified women in the Judiciary is extremely important. The judicial bench should be adequately balanced and reflect the composition of Hawaii’s citizens. Significant strides have been made in the past several years to improve the diversity of our bench, but HWL believes that more can be done to appoint qualified women to fill judicial vacancies to bring balance to the bench.

HWL supports the confirmation of Ms. Taniyama to the District Court of the Third Circuit, which will help to ensure that the number of women on the bench better represents the number of women in the legal profession and the community at large.

Thank you for the opportunity to submit testimony in support of this confirmation.

Very truly yours,

Hawaii Women Lawyers



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

Kimberly B.M. Taniyama
District Court Judge of the Third 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: Wednesday, October 27, 2021 at 9:00 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 Kimberly B.M. Taniyama for the position of District Court Judge of the Third 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.

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- 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.
- 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. Taniyama on October 25, 2021 to discuss the subcommittee's findings. On October 26th, Ms. Taniyama was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Ms. Taniyama 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. Taniyama 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 Nominee 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.

Kimberly Taniyama is a dedicated attorney of the Kona community where she wants to serve as a District Court Judge for the Third Circuit.

After serving 19 years in the Office of the Prosecuting Attorney for Hawaii County, Ms. Taniyama became a solo practitioner accepting family and criminal law cases.

As a Deputy Prosecuting Attorney, Ms. Taniyama was responsible for charging assessments, interacting with law enforcement, and legal research and analysis for preparation of legal documents. She also handled evidentiary hearings, bench and jury trials, and appeals. She was a supervisor for the West Hawaii unit responsible for scheduling and coordination of training.

Representative of her blend of cultures, Ms. Taniyama is known for her high regard for ethics, the rule of law, fairness, advocacy skills, professionalism, and importantly, volunteerism. She participates in a number of legal programs and activities including the West Hawaii Bar Association, the Court Annexed Arbitration Program, the Kona Self Help Desk, the Courts in the Community Program, the Konawaena Mock Trial for high school students, and the Junior Judges Program for elementary school students. Ms. Taniyama also participates in a number of community programs such as the Friends of the Library, the Kona Crime Prevention Committee and Hospice of Kona.

The Nominee's experience as a Per Diem Judge since 2019 allowed her to establish guiding principles for herself while presiding. Her goal is to provide parties the opportunity to be heard and have their concerns thoroughly considered, a safe venue for dispute resolution, and justice that is fair.

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 Court Judge of the Third Circuit, the Board of the Hawaii State Bar Association found Ms. Kimberly B.M. Taniyama to be **QUALIFIED** for the position of District Court Judge of the Third Circuit.

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