

STAND. COM. REP. NO. 1

Honolulu, Hawaii

AUG 22 2022

RE: JUD. COM. NO. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Second Special Session of 2022
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 SECOND CIRCUIT

J.C. No. 1 ANNALISA M. BERNARD,
for a term to expire in 6 years (Name
corrected to ANNALISA M. BERNARD LEE
by J.C. No. 2),

leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Annalisa M. Bernard Lee for service on the District Court of the Second Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Annalisa M. Bernard Lee from Wong Leong Cuccia, LLC and seventeen individuals. Your Committee received comments on the appointment of Annalisa M. Bernard Lee from the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is "qualified" or "not qualified". Specifically, the criteria the HSBA Board employs is the same criteria found in the American Bar Association's Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not



exclusive: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, health, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of District Court Judge of the Second Circuit.

Ms. Bernard Lee attended the Seattle University where she graduated Cum Laude and received a Bachelor of Arts degree in Sociology. She received her Juris Doctor from the William S. Richardson School of Law at the University of Hawaii at Manoa in May 2004. Following her graduation from law school, Ms. Bernard Lee clerked in the Circuit Court of the First Circuit for the Honorable Derrick H.M. Chan and the Honorable Michael A. Town. Ms. Bernard Lee has been licensed to practice law in the State of Hawaii since 2005.

Ms. Bernard Lee currently works as an attorney with Wong Leong Cuccia, LLLC, a firm that specializes in family law and criminal defense. Previously, Ms. Bernard Lee worked as a Deputy Prosecuting Attorney for the Department of the Prosecuting Attorney for the County of Maui where she represented the County of Maui in various criminal matters including sexual assault, crimes of violence, property crimes, and drug offenses. She also worked with victims of those crimes along with law enforcement in preparation for court hearings and jury trials. For over ten years prior, Ms. Bernard Lee worked as a Deputy Public Defender for the Office of the Public Defender on Oahu and Maui where she litigated cases, investigated and researched cases to prepare for trial, negotiated plea agreements with opposing counsel, wrote appeals, conducted parole and civil commitment hearings, researched law, and drafted motions.

Ms. Bernard Lee has been an active participant and volunteer in the legal community throughout her career and has demonstrated her commitment to serving the public. She currently serves on the Hawaii State Bar Association Committee on Diversity and Equality in the Law. She is also currently a Parent Teacher Student Organization board member for the Kamehameha Schools Maui Campus. Ms. Bernard Lee was a board member of the Friends of the Children's Justice Center from 2019 to 2021. She was also a board member of the Maui County Bar Association for a number of years.



Testimony submitted in support of Ms. Bernard Lee's appointment commends her compassion, moral character, and dedication to the community. Testimony further indicates that during her time in private practice, at the Department of the Prosecuting Attorney for the County of Maui, and at the Office of the Public Defender, Ms. Bernard Lee has shown exceptional judgment and legal skill, fairness, and respect for others. Numerous testifiers also praise her professional integrity, as well as her diligence and work ethic.

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, Annalisa M. Bernard Lee has the experience, dedication, and other competencies to be a District Court Judge of the Second Circuit, and possesses the knowledge, diligence, 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.:* JC 1 | Committee Referral: JDC | Date: 8/22/2022 | | |
| <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) | / | | | |
| KEOHOKALOOLE, Jarrett (VC) | / | | | |
| ACASIO, Laura | / | | | |
| GABBARD, Mike | / | | | |
| KIM, Donna Mercado | / | | | |
| LEE, Chris | / | | | |
| FEVELLA, Kurt | / | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL | 7 | - | - | - |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
| | | | | |
| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | Goldenrod Committee File Copy | |

*Only one Message/Communication per Record of Votes