

JC-1

Submitted on: 8/15/2022 1:09:05 PM

Testimony for JDC on 8/18/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Brianne Wong Leong	Testifying for Wong Leong Cuccia, LLC	Support	Remotely Via Zoom

Comments: 1. I am the current work colleague of the nominee and one of the managing partners of Wong Leong Cuccia. 2. I can speak to her current professional integrity, diligence, and work ethics, possible biases, etc. 3. I can answer questions regarding possible concerns.

JC-1

Submitted on: 8/15/2022 1:27:00 PM

Testimony for JDC on 8/18/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth S. Cuccia	Testifying for Wong Leong Cuccia	Support	In Person

Comments: Aloha all, I am a managing partner at Annalisa's current law firm. We also worked opposite each other when she was a prosecutor. I can speak to her professional integrity, diligence, work ethic, possible biases, etc. I can answer questions regarding possible concerns. We are so sad to possibly lose her but she will be a great addition to the bench.

From: Jonathan Balberdi <jonb585@gmail.com>
Sent: Sunday, August 7, 2022 6:40 PM
To: Sen. Karl Rhoads <SenRhoads@capitol.hawaii.gov>
Subject: 2nd Judicial District Court

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Senator Karl Rhoads, Sir I'm a Deputy Sheriff on Maui and have known Ms Bernard for 10+ years. She's a awesome parent and good friend. Her work performance and how she treats people equally and fair in and out of work speaks for itself. She's a true long life resident with roots to this island, and has seen the crime that this island has gone through. She's passionate to her job, and it shows when im leaving court with custodies and hearing nothing but positive things about her. I ask for your blessings on selecting Ms Banard for the position for Judge District Court of the Second Circuit

Respectfully submitted,

Jonathan Balberdi

Ph:808-357-2373

From: John Kim <msiworks@yahoo.com>
Sent: Tuesday, August 9, 2022 9:41 AM
To: Sen. Karl Rhoads <SenRhoads@capitol.hawaii.gov>
Subject: Annalisa Bernard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Senator Karl Rhoads, Chair, I am John D. Kim, retired Prosecuting Attorney of Maui County, I ask that you support the appointment of Annalisa Bernard to the position of District/Family Court Judge by Chief Justice Mark Recktenwald. I hired Ms. Bernard as a Deputy Prosecutor in 2015, away from the Department of the Public Defender. She is an excellent attorney, I trusted her judgement, sense of justice, and as a 'team' person. I believe she will be an excellent jurist.

JD

Hana Kraker
28 Akea Place
Kula, HI 96790
August 9, 2021

Senate Judiciary Committee members
State of Hawai'i

Aloha ka kou!

I recently retired after spending 40 years working in the Judiciary, most of it in the courtrooms of the Family and Circuit Courts.

I met Annalisa Bernard when she came to Maui as a Deputy Public Defender. There were a few years that she was assigned to our courtroom in that role, so I got to see her almost daily. I also saw her in court occasionally when she became a Deputy Prosecuting Attorney and a private practitioner.

I have always been impressed with Annalisa's preparation, professionalism and calmness. In my experience she has never been one to take shortcuts or be less than forthcoming, and her ability to keep even the most difficult clients calm and focused stands out.

Over the years I have seen a few judges who were very good attorneys but had a hard time being a judge. As with any job, doing it is very different than watching someone else do it, and some people have a hard time transitioning from being an advocate to being the impartial decision-maker. I don't foresee that as an issue for Annalisa. I have every confidence that she will be an asset to the Judiciary, run her courtroom efficiently, and make the difficult decisions when called upon to do so after thoughtful and thorough consideration. I trust every decision she makes will not be arbitrary or capricious.

Thank you for your consideration of Annalisa Bernard. If you have any questions I may be reached at hanajean@yahoo.com.

Aloha,

Hana Kraker

EYKE L. BRATHHURDMAN, LLC
A Limited Liability Law Company
808 WAINEE STREET, SUITE 202
LAHAINA, MAUI, HAWAII 96761
TELEPHONE # 808-280-2673* Fax# 808-442-1172
emauiaw@gmail.com

August 9, 2022

Judiciary Committee Members

Via E-mail

Re: Confirmation of the judicial appointment of Annalisa M. Bernard to District Court of the Second Circuit

Dear Senators:

I am writing in support of my colleague Annalisa M. Bernard to the District Court of the Second Circuit. I have known Ms. Bernard for the last twelve years in her capacity as an attorney. While I practice in Family Law, our legal paths would cross on occasions. I found her to be knowledgeable about the law, willing to answer questions, and pleasant to interact with. I know that for an attorney as young as she is, she has vast amounts of experience, including Jury trial experience. She has experience as a prosecutor and as a criminal defense attorney. This is incredibly valuable for an incoming Judge.

Ms. Bernard has a pleasant and calm demeanor which will serve her well as a Judge.

As a true "local girl" born and raised on Maui, she will serve our community with all of her heart, mind and integrity.

Please consider approving and confirming her

Sincerely,



Eyke L. BrathHurdman, Esq.

From: Dana Souza <leaglebeagle@live.com>
Sent: Friday, August 12, 2022 10:57 AM
To: Sen. Karl Rhoads <SenRhoads@capitol.hawaii.gov>
Subject: Annalisa M. Bernard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Aloha Senator Rhoads

I'm writing on behalf of Annalisa whom i have had the pleasure to work with at the Maui Public Defender's Office from 2005 to 2012.

Being the investigator of the office I have worked side by side with her on numerous cases. She is a very conscientious & dedicated person. She also has a calm demeanor which allows her perform her job very effectively. She has been an asset to the Public Defender's office during her time there. It would be an honor for Maui to have her as a Second Circuit District Court Judge.

Mahalo for your time,
Dana C. Souza
Sent from my iPhone

MELINDA FLETCHER SISTAR
54 Kauai Place
Kula, Maui, Hawai`i 96790
maui.mindy.girl@gmail.com

August 12, 2022

Judicial Committee Members

The Honorable Karl Rhoads, Chair

senrhoads@capitol.hawaii.gov

The Honorable Jarrett Keohokalole, Vice Chair

senkeohokalole@capitol.hawaii.gov

The Honorable Laura Acasio, Member

senacasio@capitol.hawaii.gov

The Honorable Mike Gabbard, Member

sengabbard@capitol.hawaii.gov

The Honorable Donna Mercado Kim, Member

senkim@capitol.hawaii.gov

The Honorable Chris Lee, Member

senlee@capitol.hawaii.gov

The Honorable Kurt Fevella, Member

senfevella@capitol.hawaii.gov

Re: Senate Confirmation for the Appointment of
Ms. Annalisa M. Bernard as District Court
Judge, Second Circuit, State of Hawai`i

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

I am respectfully submitting my overwhelming support for Senate Confirmation to appoint Ms. Annalisa M. Bernard as District/Family Court Judge of the Second Circuit, State of Hawai`i.

I have known Ms. Bernard professionally since 2008, when she began working as a Deputy Public Defender in Maui, and I as a paralegal at Lowenthal & August, LLC. Our professional and personal relationship continued when I worked under her supervision at the Maui Prosecutor's Office in 2015, in regards to criminal cases that had been appealed.

Chair Rhoads
Vice Chair Keohokalole
Members of the Judicial Committee
Page Two
August 12, 2022

Having had the opportunity to work closely with Ms. Bernard, observe her distinguished conduct and work ethic, her exceptional skills and insights, I highly recommend her for the position of District/Family Court Judge. She has always demonstrated the ability to precisely identify legal issues and constructively apply successful legal arguments. I have always found Ms. Bernard to be an effective communicator, both in spoken and written word, and it will serve her well as a judge working with lawyers, litigants, and court staff. Ms. Bernard is a well balanced judicial candidate, having both legal experience and knowledge as a Deputy Public Defender and Deputy Prosecuting Attorney, and this will better aide her in understanding the impact of her judicial decisions.

I lastly would like to applaud the efforts of Chief Justice Mark E. Recktenwald for appointing Annalisa as a person who has a diverse ethnic background, including being a Native Hawaiian female. In my opinion, it is imperative that the gap of representation in the judicial system, not only be bridged for females, but also for our indigenous. I truly believe her cultural awareness and diversity will offer the Maui Community substantial benefits, as she is a phenomenal role model, and she will bring fair judicial decisions.

I appreciate the opportunity to share my experience and fondness of Ms. Annalisa M. Bernard with you all.

Very Truly Yours,



Melinda "Mindy" Fletcher Sistar

LAW OFFICES OF

Jack R. Naiditch, Inc.

A LAW CORPORATION

PO BOX 485
KULA, HAWAII 96790
Phone: 808.283-0912
Email: jacknaiditch@gmail.com

August 10, 2022

RE: Annalisa M. Bernard

To Honorable Senators:

I understand that Annalisa M. Bernard is being considered for a position as judge in the District Court, Second Circuit, State of Hawaii

I whole-heartedly support Ms. Bernard in her effort. I think she will make an outstanding judge.

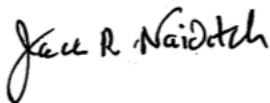
I have practiced law in Hawaii for 30 years. I have had several cases with Ms. Bernard when we represented adverse parties. I always found Ms. Bernard to be respectful, intelligent, fair, accommodating and decisive. She is both friendly and firm. In the matters I worked on with her, Ms. Bernard always tried to reach a settlement before proceeding to trial or a hearing. I agree with this approach, and we were able to resolve our clients' differences to their mutual (mostly) satisfaction.

Ms. Bernard is also a compassionate person who likes and understands people. She is not dogmatic and is willing to listen to, respect and follow views that originate from others.

These qualities – fairness, firmness, intelligence, decisiveness and compassion – are qualities that mark effective judges, and Ms. Bernard has all these qualities in spades.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Jack R. Naiditch

From: Adriel Menor <adriel.menor32@gmail.com>
Sent: Monday, August 15, 2022 6:41 PM
To: Sen. Karl Rhoads <SenRhoads@capitol.hawaii.gov>
Subject: Letter of support for judicial nominee Annalisa Bernard (District Court, Second Judicial Circuit)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Senator Rhoads:

I am writing in support of Ms. Annalisa Bernard for the position of District Court judge of the Second Circuit Court.

I had the pleasure of working with Ms. Bernard during my 11 years at the Maui Office of the Public Defender. Ms. Bernard is bright, compassionate and knowledgeable of the law. She possesses a thorough and comprehensive knowledge of courtroom procedures and the substantive criminal law. She possesses the judicial qualities that will make her a true asset to the Hawaii judiciary.

Her nomination speaks volumes and shows that a local Maui girl can ascend to the highest levels of the judicial system. She will be good a good judge for the Maui community.

Sincerely,

Adriel Menor, Esq.

Subject: Annalisa M. Bernard, District Court of the Second Circuit 8/18/2022 @11:00AM

From: Matthew Kohm <mkohm@hawaii.rr.com>

Date: 8/16/2022, 2:29 PM

To: senrhoads@capitol.hawaii.gov, senkeohokalole@capitol.hawaii.gov, senacasio@capitol.hawaii.gov, sengabbard@capitol.hawaii.gov, senkim@capitol.hawaii.gov, senlee@capitol.hawaii.gov, senfevella@capitol.hawaii.gov

Honorable Chair Rhoads, President of the Senate R. Kouchi and Senators for the Committee on Judiciary:

It is submitted that [Annalisa M. Bernard](#) is an outstanding selection for the District Court judiciary of Maui, and should be confirmed. She is smart, well prepared, and with elevated interpersonal skills. She is an excellent communicator.

Ms. Bernard has spent time as both a Public Defender and as a Prosecutor. These skills are very valuable and helpful for a District Court Judge. Ms. Bernard was very good at both public jobs in attitude, results and work ethic.

In my legal practice I handle civil tort and insurance cases and I have had an appellate practice handling criminal and civil cases. I was impressed how Ms. Bernard as a trial deputy prosecutor, came into an appellate criminal case set for legal argument before the Hawaii Supreme Court. She was well prepared, on point and did an excellent job. This showed me a multifaceted attorney interested in all stages of a criminal proceeding.

I would submit she has excellent professional competence and legal ability; as well as integrity and moral courage. She also has comported herself in her public work and private attorney work as a person with outstanding fairness and compassion.

I recall how one of the Courtroom staff (circuit court) told me when Ms. Bernard was a Deputy Public Defender (in that court room), when attorneys had to cover her cases, she had always prepared the cases using spreadsheets and other manners so that the covering attorney had the information they needed to handle the matters before the court. This makes me confident that she will be decisive, diligent and well prepared in/at attending to matters before the court.

I have litigated against Ms. Bernard. I have also been able to observe here when/while we are both handling criminal defense cases. I have always been impressed.

This Committee is urged to confirm Annalisa Bernard to the District Court of the Second Circuit.

Should there be any questions or further information needed, I would be more than happy to provide such.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Matthew S. Kohm".

Matthew S. Kohm Esq.
808-249-8968

--

Matthew S. Kohm
Attorney at Law

808-249-8968 Office
888-641-7083 Toll Free Fax
1335 Hiahia Street
Wailuku, Maui, HI 96793

<http://www.kohmlaw.com>

matthewkohm@gmail.com

mkohm@hawaii.rr.com



August 16, 2022

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

RE: JC1, Relating to the Confirmation to the District Court of the
Second Circuit, Judicial Nominee, Annalisa M. Bernard; Hearing 8/18/22

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

I write to strongly support the confirmation of Annalisa M. Bernard to the District Court of the Second Circuit. I have known Ms. Bernard professionally for almost a decade in Maui. I first worked with her in an adversarial role when she was a Deputy Public Defender and I was a Deputy Prosecuting Attorney, then alongside her as a colleague when she became a Deputy Prosecuting Attorney, and now with both of us in private practice handling criminal defense. I also worked with her on various projects as a board member with the Maui County Bar Association, and with volunteer projects in the community and at local schools.

Ms. Bernard has always exhibited professionalism, preparedness, and a solid understanding of the facts and law while in Court. Ms. Bernard is a vigorous advocate for her position in court, but also is aware of her duty to ensure justice is served, and always follows the rules of professional conduct. She is also mindful and respectful of the Court and the rights of victims, defendants, and witnesses.

I believe Ms. Bernard's extensive experience as a seasoned trial attorney, her great temperament, and her sense of fairness and justice will make her an excellent judge, and she will be a great asset for the Judiciary, the Second Circuit bar, and the local community. Thank you for the opportunity to comment.

Sincerely,

BRANDON SEGAL, ESQ.

Anthony P. Takitani
Gilbert S.C. Keith-Agaran
David M. Jorgensen
Joseph L. Wildman

24 North Church Street, Suite 409
WAILUKU, MAUI, HI 96793-2222
(808) 242-4049 • FAX (808) 244-4021
dave@tonylaw.com

TAKITANI, AGARAN, JORGENSEN & WILDMAN

A Limited Liability Law Partnership

August 17, 2022

SUBMITTED ON-LINE

JUDICIARY COMMITTEE
HAWAII STATE SENATE
Karl Rhoads, Chair
Jarrett Keohokalole, Vice Chair
415 South Beretania
Honolulu, Hawaii 96813

Re: Nomination of Annalisa M. Bernard to District Court

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


I am submitting this testimony in full and whole-hearted support of the nomination of Annalisa M. Bernard for the position of District Court Judge of the Second Circuit Court.

I've known Annalisa for several years now and I've always been extremely impressed with her calm demeanor, her dedication to the law and the community on Maui, and her hard work. Her and her partners' offices are located next door to our law firm in Wailuku so I've had the chance to talk to her about cases and the future of Maui and many other things and I believe her temperament to be a judge is excellent. She is a thoughtful and well-reasoned person who I believe has the respect of the Bar on Maui and the staff at the Second Circuit Court.

I'm sorry I will not be able to testify live in support of Annalisa's nomination but please mark me down as a strong supporter of her. I know she will make an excellent addition to the Judiciary!

Please feel free to give me a call if I may provide any additional comments.

Sincerely,


DAVID M. JORGENSEN
Dave/Letters/Judiciary/Annalisa Bernard

GLENDON & PONCE

Crystal K. Glendon
1001 Bishop Street, Suite 710
Honolulu, Hawai'i 96817

T (808) 762-7646
F (808) 753-5258
E crystal@glendonponce.com

August 17, 2022

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 as District Court Judge of the
Second Circuit, Judicial Nominee Annalisa M. Bernard

Hearing: Thursday, August 22, 2022, 11:00am
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Dear Senator Rhoads, Senator Keohokalole and Members of the Senate Committee on Judiciary,

I support the confirmation of Annalisa M. Bernard to the District Court of the Second Circuit. I have known Ms. Bernard, both personally and professionally, for over 20 years. We attended law school together at UH Mānoa and worked alongside one another at the Office of the Public Defender in Honolulu. Ms. Bernard eventually transferred to the PD Office on the Island of Maui, where we maintained contact and continued to consult regularly on cases. She was an excellent addition to the Maui office who brought a wealth of experience and talent with her. It was truly a loss to the Public Defender 'ohana when she began her tenure as a Deputy Prosecutor on Maui. Yet, no matter what position she holds, I trust her be a vigorous and fair advocate for whomever she is representing. This is certainly a trait she carried with her to private practice, as she was someone I frequently referred Maui clients to.

I believe that she will serve the Island of Maui well as a judge. She is fair and knowledgeable. Her experience in both the public and private sector, as well as in criminal (defense and prosecution) and civil practice, make her a well-rounded candidate who can quickly adapt to the wide range of matters of the District Court. In all the years I've known her, she is hardworking, intelligent and measured in demeanor. I know she will be able to handle the voluminous cases of the District Court traffic calendar just as easily as she can rule on injunctions and other civil matters. She has the past 17 years of experience in the courtroom to draw on when she deals with these everyday cases that gravely impact the lives of Maui citizens. Being an active member of the Maui community, the place she is raising her two young children


with her husband, she is dedicated to seeing her community thrive. She will do what it takes to ensure that her role in the Judiciary contributes to those around her, especially to the island she calls home.

Ms. Bernard will make an excellent addition to the bench. I implore you to support her nomination.

Should you have any questions, please feel free to contact me via email crystal@glendonponce.com or at (808) 762-7643.

Thank you kindly for your time.

Me ka ha'aha'a,



Crystal K. Glendon

Kirsha K.M. Durante
811 Akumu Street
Kailua, Hawai'i 96734
(808) 371-7456

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 as District Court Judge of the
Second Circuit, Judicial Nominee Annalisa M. Bernard

Hearing: Thursday, August 22, 2022, 11:00am
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Aloha e Senator Rhoads, Senator Keohokalole and Members of the Senate Committee on
Judiciary,

I am writing in support of Annalisa M. Bernard Lee's confirmation to the District Court of
the Second Circuit.

I have known Annalisa since the Fall of 2001 when I entered the William S. Richardson School of
Law as a first-year law student. We developed a friendship during our time in law school.
During the year following our graduation, we both clerked for judges at the First Circuit Court.
When our clerkships ended, we both were offered positions at the Honolulu location of the
Office of the Public Defender.

Annalisa started as a Deputy Public Defender only a couple months before me. We progressed
as peers through the various positions at the office, and I was able to observe her work ethic in a
variety of different capacities. Annalisa is a hard worker and a zealous advocate for her clients.
She is also a skilled trial attorney. We worked together closely for several years before Annalisa
transferred to the Maui location of the Office of the Public Defender.

Annalisa is from Maui so I was happy for her when a lateral position opened at the Maui office
affording her the opportunity to move closer to her parents. I saw Annalisa less frequently after
she moved, but I continued to hear good things about the work she did there. When Annalisa
transferred to the Maui office, her extensive trial experience positioned her to serve as a mentor
to the younger trial attorneys.

Admittedly, I was surprised when Annalisa left the Maui Office of the Public Defender and
accepted a position at the Maui Department of the Prosecuting Attorney. However, Annalisa
always had an even temperament and a balanced approach to her cases, and I believe that
these traits aided her in the transition to serve as a prosecutor. Moreover, her ability to
seamlessly advocate in ways directly opposite to the work she had done for many years prior
evidences her flexibility and her impartiality. Because Annalisa was based on Maui, I never had

a case where she served as opposing counsel. However, I did hear positive feedback from the Maui deputy public defenders about Annalisa's performance and demeanor as a prosecutor.

Annalisa recently transferred to private practice at the firm of Wong Leong Cuccia and has diversified her skills and legal expertise into areas other than criminal law. I have happily referred clients to her for assistance because I can trust the level of service and quality of work that she will provide to them.

For all these reasons, I support Annalisa M. Bernard Lee's confirmation to the position of District Court Judge for the District Court of the Second Circuit because she possesses extensive legal experience and the appropriate demeanor to serve as a judge

Me ka ha'aha'a,

Kirsha K.M. Durante

Kirsha K.M. Durante



LAW OFFICE OF DORIS LUM

August 17, 2022

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 as District Court Judge of the
Second Circuit, Judicial Nominee Annalisa M. Bernard

Hearing: Thursday, August 22, 2022, 11:00am
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Dear Senator Rhoads, Senator Keohokalole and Members of the Senate Committee on Judiciary,

I am writing in support of Annalisa Bernard to the District Court of the Second Circuit. Ms. Bernard graduated a year before I did from law school. Ms. Bernard was a law clerk to the same judge as I was about to work for in my first job after law school. Although I did not know Ms. Bernard very well at that point, she offered me guidance in learning the ropes as a law clerk without anything to gain. After my clerkship, I worked with Ms. Bernard at the Office of the Public Defender for a few years. The same kindness she had showed me previously continued throughout our time at the Public Defender's.

The case load as a public defender can be voluminous. But Ms. Bernard was always well prepared and always strongly advocated for her clients. Ms. Bernard was known to be hard working, fair and well-tempered in her practice. I believe those traits will serve her well as a judge. Her dedication to the judicial system and her many years of experience will serve the people of Maui well. I know the importance the role of our judiciary has in the community and I fully support Ms. Bernard in this role.

Should you have any questions, please feel free to contact me via email doris@dorislumlaw.com. Thank you for taking the time to read my thoughts.

Sincerely,

Doris Lum

Date: 8.17.22

From: Jared A. Brickey Bar No. 9697

To: Hawaii Judiciary Committee Members

Re: Senate Confirmation Hearing of Annalisa Bernard for District Court Judge of Second Circuit

Aloha respected Hawaii Judiciary Committee Members,

I am writing regarding the anticipated Senate confirmation hearing scheduled tomorrow to discuss Annalisa Bernard being potentially appointed as a Second Circuit District Court Judge.

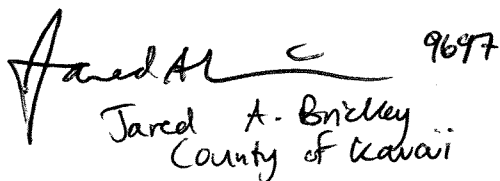
Annalisa Bernard is my friend and mentor. When I joined the Maui Office for the State Public Defenders in 2012, Annalisa was a seasoned deputy public defender and she helped mentor me. We were in the office years prior to her accepting a position with the Maui Prosecutor's Office and I eventually moved to Kauai in 2016, when I had accepted a position (my current position) as a deputy prosecuting attorney, and we have remained in touch since then, even as she has transitioned to a private defense attorney position.

I think Miss Bernard will be a Pono judge and exactly what the Second Circuit needs. Not only is she fair, confident and compassionate, but she has one of the best senses of humor. I have many fond memories of us laughing and bonding in our office over the years. She is always a person who could make me laugh, but who also had the perfect balance of empathy and listening. Additionally, she is highly intelligent, organized and can handle a large caseload. She has an array of jury trial experience over the years and has always served as a zealous advocate in whatever capacity she is involved, but I believe that she will fill the role of District Court judge in a manner that will exceed expectations of the Hawaii Judiciary and the general public. They say representation matters, and she represents Hawaii's multi-cultural background perfectly, and she is outfitted to understand the unique challenges of the peoples that reside in Maui County as well as administer justice with professionalism, unity and compassion.

Moreover, she is full of the Spirit of Aloha, something that resonates with the people who have gotten to know her. I am not one to normally submit letters on behalf of colleagues and friends who are being considered for judicial appointments, but I do feel an impetus to share my thoughts on her, as she is absolutely the right person for this job.

Thank you for reading my comments and considering what I wrote, I appreciate the hard work you do in helping our community.

Respectfully,

 9697
Jared A. Brickey
County of Kauai

LATE

JC-1

Submitted on: 8/17/2022 11:13:07 PM

Testimony for JDC on 8/18/2022 11:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Hayden Aluli	Individual	Support	Written Testimony Only

Comments: I write in wholehearted support of this committee's confirmation of Annalisa M. Bernard Lee as a District Court Judge of the Second Circuit Court. Without doubt, she will be a tremendous asset to the Hawai'i Judiciary and to the administration of justice to the Maui community. Ms. Bernard Lee is well respected by Maui's legal community--the place where she was raised and has practiced law for almost two decades. She brings to the bench 16 years of public service--10 years as a deputy public defender and six years as a deputy prosecuting attorney. Her extensive litigation skills, knowledge of the law, rules of evidence and court rules of procedure, coupled with her experience as being both a defense and prosecuting attorney, will allow her to administer the "people's court" fairly and efficiently. She will also add equality and diversity to Maui's district court bench, which is now comprised of one female and three male jurists. I also know that Ms. Bernard Lee's positive character traits and demeanor will help her become the kind of jurist that Maui community needs and deserves. Mahalo for this opportunity to offer my support for Ms. Bernard Lee's confirmation. Hayden Aluli, Attorney At Law



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

Annalisa M. Bernard
District Court Judge of the Second Circuit (JC1)

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

FROM: Shannon S. Sheldon
President, Hawaii State Bar Association

Hearing: Thursday, August 18, 2022 at 11:00 a.m.
Conference Room 229 & Videoconference
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of Annalisa M. Bernard for the position of District Court Judge of the Second 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; 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.

OFFICERS

Shannon S. Sheldon, President
Rhonda L. Griswold, President-Elect
Jesse K. Souki, Vice-President
Lanson K. Kupau, Secretary
Alika L. Piper, Treasurer

DIRECTORS

Jocelyn W.C. Chong
Steven J.T. Chow
Vladimir Devens
Jessica R. Domingo
William A. Harrison
Geraldine N. Hasegawa (East Hawaii)
Kristin E. Izumi-Nitao
Carol S. Kitaoka (West Hawaii)
Erin M. Kobayashi
Jacob K. Lowenthal (Maui)
Emiko Meyers (Kauai)
Mark K. Murakami
Paul W. Naso
Zale T. Okazaki
Mark G. Valencia

YLD PRESIDENT

Jasmine Wong

IMMEDIATE PAST PRESIDENT

Levi Hookano

HSBA/ABA DELEGATE

Leslie A. Hayashi

EXECUTIVE DIRECTOR

Patricia A. Mau-Shimizu

- 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. Annalisa M. Bernard on August 15, 2022 to discuss the subcommittee's findings. On August 16th, Ms. Bernard was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Ms. Bernard was reviewed and the references listed were contacted for their personal opinions and observations. HSBA members were asked to submit comments based on the following criteria categories:

- Integrity
- Diligence
- Legal knowledge and ability
- Professional experience
- Temperament
- Financial responsibility
- Public service
- 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.

The nominee, Annalisa M. Bernard, was born and raised on Maui to parents who worked two jobs to provide for their family. Being raised in a close-knit community gave Ms. Bernard a deep appreciation of the culture and history of the Hawaiian plantation era, and of her education at Seabury Hall, Seattle University, and finally at the William S. Richardson School of Law.

Attorneys have described the Nominee as compassionate, diligent, fair, and empathetic. They also note her experience, especially courtroom experience, in criminal law as a former Public Defender and Prosecutor and knows the Rules of Evidence in criminal proceedings. As a private practitioner, the Nominee had gained some civil law experience. It was also noted that Ms. Bernard is calm and even keeled, treats people well, and can resolve situations where people feel they matter.

Ms. Bernard has provided pro bono legal services during her tenure as a government attorney as well as in private practice. The Nominee was active with the Maui County Bar Association, and is active in the Friends of Children's Justice Center, and the Kamehameha Schools Maui campus parent group.

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 Second Circuit, the Board of the Hawaii State Bar Association found Ms. Annalisa Bernard to be **QUALIFIED** for the position of District Court Judge of the Second Circuit.

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