

**JC-2**

Submitted on: 10/10/2022 2:05:55 PM

Testimony for JDC on 10/17/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gerard I Silva	Individual	Oppose	Written Testimony Only

Comments: We the People Oppose this Person!!!

October 10, 2022

To: Senator Karl Rhoads, Chair  
Senate Committee on Judiciary

RE: JC 2, TESTIMONY IN SUPPORT OF JOHN ALBERTO MONTALBANO

HEARING: Monday, October 17, 2022, 11:00 A.M., Conference Room 229

Chair Rhoads and Committee Members:

I author this letter in strong support of the nomination of Juan to the Family District Court of the First Circuit.

I first met Juan when I was a law student attending the William S. Richardson School of Law in 2001. I was handling a case, under his direction, in Honolulu District Court for my Prosecution Clinic course. He was so serious, poised, and prepared. His performance was truly inspiring. When I joined the office a year and a half later, we became fast friends and have been friends ever since.

As I got to know Juan better, I learned that it was his path in life that made him so effective as a practitioner. He did not come from wealth or substantial resources. Education could not be a top priority as his family was focused on day-to-day survival. It took someone outside of his family circle to recognize his potential and challenge him to strive for something more. Once he took that first step forward, the sky has been the limit.

Juan's work as a Prosecutor, civil practitioner, family court practitioner, Judge Advocate General in the Army National Guard and Per Diem Judge in the District Court of the First Circuit demonstrates his vast legal experience and unwavering dedication to our community. Meanwhile, his devotion to his family has never faltered. His work and life experiences are varied, immense, and genuine.

In practice, his work ethic has consistently been unmatched. As an advocate he is relentless and fierce. As an adjudicator, he is always prepared, thoughtful, tempered, and concise. Most importantly, the lens borne from his life experience serves as an invaluable guidepost to navigate his decision-making. Empathy, integrity, and self-reflection are tremendous tools for a Judge. Juan commands a wealth of these qualities.

This state is in dire need of individuals of Juan's character and dedication adjudicating legal disputes in our community.

Thank you for considering my testimony.

/s/ Michelle M.L. Puu  
Mililani, HI

**JC-2**

Submitted on: 10/11/2022 12:44:04 PM

Testimony for JDC on 10/17/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Adrienne King	Individual	Support	Written Testimony Only

Comments: Juan Montalbano would be an asset to the Judiciary. He brings a broad and varied experience to the bench. His integrity is unquestioned. He is good natured and even tempered. He will call a spade a spade but will cut slack as he deems appropriate, as a wise judge should. I have worked with Juan, had divorce cases with him, and found him to be a worthy advocate who really cared about the best long term outcome for the litigants—rare.

**JC-2**

Submitted on: 10/11/2022 12:53:26 PM

Testimony for JDC on 10/17/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kevin Kenji Takata	Individual	Support	Written Testimony Only

Comments: I write to support John Alberto Montalbano's (aka "Juan") nomination as a judge for the Family District Court of the First Circuit. We met at the Honolulu prosecutor's office where he impressed me as a person of integrity and compassion who was always quick to laugh; qualities that will serve him well in family court. Juan truly cares about people and he will be an outstanding jurist.

14 October 2022

Dear Committee on Judiciary,

It is with the utmost honor and privilege that I submit my recommendation for John Alberto Montalbano for the confirmation to the Family Court of the First Circuit. I have known Juan professionally and personally for the past 20 years. When I first met him, he was a Deputy Prosecuting Attorney (DPA) and I was a Deputy Public Defender. Despite the adversarial relationship, he was always polite, courteous, and professional. When I had a case with him, he was straightforward and by the book. He didn't play games or was cagey in any way. I could trust what he told me. He was respectful to my clients and treated them with dignity and humanity. He was passionate about his role, duties, and responsibilities as a DPA.

Throughout my time as a member of the United States Army Judge Advocate General Corps (JAGC), I encountered Juan again. I found that he too was a member of the JAGC. This time, he was the "defense attorney" and I was the "prosecutor." His absolute dedication, stalwart, undaunted work, and passion to defend Soldiers amazed me. More so because he had been a DPA. Yet, he embraced his responsibilities, duties, and sacrifice to give his all to defending Soldiers. This is where I learned of his litigation skills, adroitness, and masterful command of the law. He had a way of thinking on his feet during trials that few possess. We then both began to defend Soldiers who were charged with various Uniform Code of Military Justice (UCMJ) violations. Again, he was passionate about defending those who defend us. We were both mobilized and deployed to Iraq to serve as JAGs. He would do great things and would eventually be awarded the Bronze Star coming out of Iraq. He was the first JAG to organize and execute the naturalization of US Soldiers who were serving in Iraq. Seeing the need for Soldiers in a war zone, who loved their country enough to possibly make the ultimate sacrifice, Juan formulated, framed, and reached out to various federal agencies, several commands, to not only naturalize these Soldiers, but to have a Naturalization ceremony in the middle of a war zone. He is the type of man who voluntarily puts himself in harm's way to make a difference to the mission, to duty, and to his passion of serving justice.

At every turn throughout the 25 years that I have had the privilege to call Juan a fellow attorney, a colleague, and a friend, he never ceases to amaze me. He takes on key roles of responsibility and leadership with gusto, lionheartedness, and valorous passion. He sees and understands his duty for his work and is not afraid to fight for justice. Juan doesn't do any work half-way, he does it with full hearted gusto. Juan doesn't take on a role because of the glamour, the prestige, or status. He takes on tough, hard cases and seeks Justice. He is a per diem judge because he wants to serve the people of Hawaii in the best way he can using his valuable legal skills. Our conversations throughout the years about justice and the importance of keeping that light alive, bright, and vigorous, has solidified our work in our justice system, both in the civilian and military sector.

Juan would be a key asset on the Family Court bench. This is not an ambition for Juan to be a sitting judge, rather it is a calling and a sense of duty that has him seek to sit on the bench full time. He is intelligent, ingenious, and passionate about always doing the right thing. He has 22 plus years of both criminal and civil practice. He is currently a sitting Judge of the District

Court of the First Circuit since 2014. I have observed him on the bench and know that he has studied the case files prior to coming on the bench and has the astute ability to control his calendar and move the cases along in a judicious manner without compromise to either the prosecution or the defense, plaintiff or respondent. He has the absolute appropriate judicial temperament. He has the knowledge, experience, and temperament to be a Judge. His time as a per diem Judge would be key to his taking the Family Court bench and being exceptional for the State of Hawaii Judicial System. What makes Juan different from anyone else is his passion for justice. Very few have the experience on the bench, his intelligence, his acumen, and his passion to serve. He will be well very suited to sit as a Family court judge.

//s// Patsy M. Takemura

MITSUYAMA & REBMAN LLLC  
DYAN K. MITSUYAMA  
ALETHEA K. REBMAN

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733 BISHOP STREET, SUITE 2500  
HONOLULU, HAWAII 96813

(808) 545-7035

October 14, 2022

Re: JC2, Testimony in Support of the Nomination of Mr. John Montalbano  
Hearing on October 17, 2022

Dear Chair Rhoads and Members of the Senate Committee of the Judiciary:

Thank you for the opportunity to submit these comments in strong support of the confirmation of Mr. Montalbano. I am a partner in a firm concentrating in family law, and I believe there are few attorneys as well suited to the family court bench as Mr. Montalbano.

I have known Mr. Montalbano for almost twenty years, having first heard of his excellent reputation when I was a new prosecutor and then getting to know him as a colleague in the family law bar.

In the years I have known him, Mr. Montalbano has been courteous and professional to all, and maintained that demeanor even when involved in the highly contentious cases of the family court. That is admirable and uncommon. That demeanor will allow participants in the court system who appear before him, particularly pro se litigants to whom the process is overwhelming, to know that they are heard and that their positions are considered, which is critical to finality and satisfaction at the conclusion of a case.

Mr. Montalbano is a first-rate attorney who is thoroughly versed in the law and in procedure. He is intelligent, insightful, compassionate, and rational in the application of the legal process to the cases at hand. I understand that the same holds true when he sits as a per diem judge, and I believe you can expect no less when he devotes all of his time to this position.

Mr. Montalbano brings an exemplary work ethic to his practice and to his quiet dedication to public service. He is an excellent choice to serve the State of Hawaii.

Yours truly,  
Alethea Rebman Esq.

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A LAW CORPORATION

October 14, 2022

The Honorable Karl Rhoads, Chair,  
And Members of the Senate Committee on the Judiciary  
State Capitol  
415 South Beretania Street  
Honolulu, Hawaii, 96813

Re: JC 2 Testimony in Support of the Confirmation to the District Family Court of the First Circuit, Judicial Nominee John Alberto Montalbano

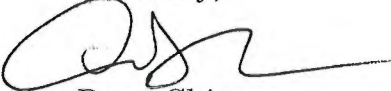
Dear Chair Rhoads, Vice Chair Keohokalole and Members of the Committee:

I respectfully recommend John Alberto ("Juan") Montalbano to you as an outstanding choice to consider for appointment to the District Family Court of the First Circuit. Juan has a long, dedicated history of public service. He has an excellent reputation in the legal community for being fair, compassionate, and effective. I worked with him when I was at the Honolulu prosecutor's office. He has extensive in-court trial experience and is comfortable with all the substantive components of trial practice. He is a fierce defender of individual constitutional rights and can be counted on to render independent decisions with no concern from the outside that he is being swayed by politics or special interest groups.

When you meet Juan Montalbano, I have no doubt you will see that he is compassionate, humble, polite and professional, all excellent qualities for a state judge in the 21<sup>st</sup> century. I was very happy to hear of his nomination.

Thank you for the opportunity to testify in support of this nomination.

Sincerely,



Doug Chin



October 10, 2022

The Senate Judiciary Committee  
425 S. Beretania Street  
Honolulu, HI 96813

Dear Sir/Ma'am,

My Name is Command Sergeant Major (R) John K. Miyata of 92-6068 Puapake Street, Kapolei, HI. I am currently employed as a Budget Analyst for the U.S. Army and recently retired from the Army Reserves after 36 years of service. It is my honor to have the opportunity to recommend judicial nominee, John Alberto Montalbano. Mr. Montalbano and I have been in acquaintance for the past thirty years and started our young careers together. Through the years I have seen him grow not just as a person but in his career where he dedicated his life to fight for justice and to represent all his clients with the utmost professionalism, commitment and integrity. He has consistently proven himself to be a loyal dedicated Soldier, Attorney and person both in his personal and professional life.

When I first met Juan in the Army he was my mentor and supervisor. This is where I learned the dedicated hard work ethic he still maintains today. He took on the toughest jobs such as the Reenlistment NCO and never complained or wavered despite it being a demanding part time Army Reserve duty. He pushed himself to be the best at his job and also to ensure that all Soldiers received what they were entitled for when they reenlisted in the Army. This required intensive research of regulations and detail in the writing of contracts. He was passionate about representing Soldiers and this is when I remembered him talking about going into the law practice.

Juan and I would deploy overseas on military exercises and teamed together many times. As a senior Non-Commissioned Officer I looked up to him and learned much about planning, strategic thinking and multi-national relations. He frequently was sought by senior officers for his input and advice as he was more mature and knowledgeable than others than many others above his pay grade. When conducting mission planning Juan was a 'monster' researching and reading regulations, training manuals and orders. All operations he was a part of he always ensured his team was trained and ready and would often be an integral contributor to the unit's success.

While Juan was attending the University of Hawaii at Manoa he worked part time for me at the Hilton Hawaiian Village Business Center grave yard shift which allowed him the time to research and study his course work all while raising his son as a single parent. I would often ask him to take care of menial tasks setting up equipment for the next morning's meetings. As always he would ask for very specific instructions and details as if it was a legal case. Our operation was very successful because of his efforts at nights and weekends and clientele would often commend his efforts and attention to detail.

In 2006 CPT Juan Montalbano and I would team up again and deploy for a one-year mobilization in support of Operation Iraqi Freedom. We were assigned to the 657th Area Support Group (ASG) commanding the largest logistical base in Iraq, LSA Anaconda. CPT Montalbano was assigned to the 657th ASG legal team as the Client Services Attorney. As the aide to the commander I would be in daily briefings and knew of no other Soldier in the unit who went on more dangerous missions than CPT Montalbano. He would provide legal support to countless military members across the Iraq Theater of Operations, risking his life by flying all over the country to numerous posts and forward operating bases to meet with Soldiers, Translators and Local Nationals. During this time, he also coordinated and executed a U.S. Citizenship event where over a three-hundred and fifty (350) Service men and women across the Theater of Operation received their American citizenship. No one else I knew would put the heart and effort into helping all these warriors to obtain something so well deserved as they fought for our country.

Of all the individuals I have worked with in my entire career there is no one that comes close to the integrity, character and relentless hard work ethic than John Alberto Montalbano. He has had a major influence in my career and was always there for me when I was in need. I truly believe he will raise the 'bar' in the courtroom and ensure fairness, justice and adherence to the law for all.

If you have any further queries with regard to his qualities and abilities, feel free to call me anytime at my mobile number (808) 554-6901 or by email at [miyata6068@gmail.com](mailto:miyata6068@gmail.com).

Wishing him all the very best for his future!

Regards,

A handwritten signature in black ink, appearing to read "John K. Miyata". The signature is written in a cursive, flowing style.

JOHN K. MIYATA  
CSM (R), USAR  
Command Sergeant Major

TESTIMONY OF THOMAS D. FARRELL  
Regarding JC2, Nomination of J. Alberto Montalbano  
Committee on Judiciary  
Senator Karl Rhoads, Chair/Senator Jarrett Keohokalole, Vice Chair  
Monday, October 17, 2022; 11:00 a.m.  
Conference Room 229, State Capitol

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

I regret that I cannot be with you this morning to deliver my testimony in person. I strongly support the Chief Justice's nomination of Juan Montalbano to be a district judge of the First Circuit, where he will be assigned to Family Court.

I first met Juan sometime in the early 1990's when he was a staff sergeant in my Army Reserve unit. Since then, he put himself through college and law school, became a commissioned officer, and raised his sister's two children as a single parent. We remained in touch over the years as he became a deputy prosecutor, and later worked in an insurance defense firm, all the while continuing to serve as a reserve officer, including a one-year tour of duty in Iraq.

It was Christmas 2012 when I ran into Juan at a local shopping center. He said he was treated well at the firm where he was working, but he missed going to court on a regular basis. It took a little time, but eventually I was able to convince him to join my law firm and make the transition to family court litigator.

In the seven years that followed, Juan became one of the most knowledgeable and skillful family law practitioners in Hawaii. He is no stranger to the Family Court and will hit the ground running. He also has judicial experience, having served for several years as a per diem judge in District Court. He has a reputation as a no-nonsense judge who expects lawyers to be prepared and who moves his calendar with dispatch. Given that a significant portion of the clientele served by Family Court are military families, his many years of military service give him a perspective that has heretofore been unrepresented on the Family Court bench.

In short, Juan is exceptionally well qualified and I am confident that he will serve the people of Hawaii with dedication and distinction.

Thank you for the opportunity to provide my testimony on this nomination.

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\*Certified by the National Board of Trial Advocacy. The Supreme Court of Hawaii grants Hawaii certification only to lawyers in good standing who have successfully completed a specialty program accredited by the American Bar Association.

**TO: Senate Judiciary Committee**  
**FROM: Andrea Campanile, Attorney**  
**SUBJECT: Testimony in Support of Judicial Nominee J. Alberto Montalbano**  
**HEARING DATE: October 17, 2022**

I am honored to provide this letter of recommendation to the Judicial Nominee Commission for John Alberto Montalbano for Judge in the District Family Court of the First Circuit.

To introduce myself, I am an immigration and labor/employment law attorney for the US Army in Monterey, California at the Presidio of Monterey. I am also a reserve JAG, currently serving with the 63<sup>rd</sup> Readiness Division in Mountain View, California. I first had the pleasure of meeting Mr. Montalbano a few years ago when he worked in our office at the Presidio of Monterey for a brief period of time. From the moment I met him, I was impressed. He exhibited such a breadth of knowledge and has the most pleasant personality. There are few people I have met over the course of my career in the Army that I say I would follow them wherever they go, and even fewer where I actually followed them. I hold Mr. Montalbano at the top of that list.

I write this letter to you to express my sincere assessment and backing of Mr. Montalbano for the position of consideration. Juan Montalbano would be a fine judge in the family court. After our initial meeting, I had the esteemed pleasure of working side by side with Mr. Montalbano in Hawaii, where I got to know him professionally and personally. Hands down I can say this was the highlight of my career. Mr. Montalbano has exhibited excellent judicial temperament. Mr. Montalbano was not only a great mentor, but an outstanding human being. He was conscientious of ensuring actions were taken correctly, and that due process was given to anyone who was facing issues with the command. He is a man with high standards and is yet unbiased and impartial. Qualities that are important for the judiciary.

He has a remarkable sense of humor, self-discipline, and interests outside of the law (which makes him a well-rounded individual). He has superior work ethics and has a keen legal mind. I witnessed him analyze complicated legal issues while applying the law appropriately. He looks at all sides of a situation and is able to determine the correct way to proceed. During my tenure working with Mr. Montalbano, I broadened my skills as an attorney under his tutelage. I cannot say enough good things about Mr. Montalbano as I hold him in such high esteem.

Juan Montalbano has all of the credentials, experience and wisdom to be a family court judge. It is my earnest hope that you will support Mr. Montalbano in this nomination process. Please do not hesitate to reach out to me if you have any questions.

Respectfully,

Andrea Campanile  
650-773-7751  
Andrea.campanile@gmail.com

**JC-2**

Submitted on: 10/15/2022 10:41:31 PM

Testimony for JDC on 10/17/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Okechukwu "Okie" Amadi	Individual	Support	Written Testimony Only

Comments: I support the nomination and confirmation of Judicial Nominee, John Alberto Montalbano. I have known Mr. Montalbano since 2005. His military training and legal experience make him uniquely qualified to serve as a judge for the District Family Court of the First Circuit. He is a person of sound character and great integrity. He has respect for all individuals no matter their background. He treats people with dignity. His leadership experience, developed in and out of the military, will serve our community and judicial system well. Thank you for taking the time to read and consider my written testimony in support of Mr. Montalbano's nomination and confirmation.

To: Senator Karl Rhoads, Chair

Senate Committee on Judiciary

RE: JC 2, TESTIMONY IN SUPPORT OF NOMINATION OF JOHN ALBERTO MONTALBANO

HEARING: Monday, October 17, 2022, 11:00 A.M., Conference Room 229

Chair Rhoads and Committee Members:

This letter is submitted in strong support of John Alberto Montalbano. I have known him for almost 20 years during the practice of criminal law. I have seen him advocate for the safety of the community as a deputy prosecutor. When we were at the Honolulu Prosecutors Office together, we spent many late nights getting ready for court, whether it was for a jury trial, a hearing, or just handling the daily calendar. We would share our legal research and discuss cases. I know firsthand how diligent and prepared Juan is.

We have kept in touch after we left the office. I have had the opportunity to personally witness what he is like as a judge since he currently serves in a per diem capacity. Prepared, poised, and demanding. His courtroom raises the bar of the legal practice in general. Attorneys often come unprepared and “wing it” or try to talk their way out of situations. Juan is patient with newer, younger attorneys, but expects everyone, new or experienced, to be attentive and prepared as can be; and that is a fair expectation that every judge should have for the litigants that appear before them. For pro se defendants, he is compassionate and understanding.

Mr. Montalbano has diversified his legal background with both family and civil law experience. More importantly, he is still active with the military and has served our country overseas. He has come a long way from his humble roots growing up. All of this give him perspective that enable him to make proper legal, balanced, and common sense rulings from the bench.

Please strongly consider Juan Montalbano for this District Court position. I will be unable to make the hearing to testify in person.

Sincerely,

/s/ Adrian Dhakhwa

Adrian Dhakhwa, #7572

**JC-2**

Submitted on: 10/16/2022 10:23:29 AM

Testimony for JDC on 10/17/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sheena Crail	Individual	Support	Written Testimony Only

Comments: I strongly support Mr. Montalbano's confirmation. In my early years as a Deputy Public Defender, I appeared before Mr. Montalbano in his role as a per diem District Court judge. He was always fair, competent, objective, and patient. Years later, Mr. Montalbano represented me in my divorce proceedings. He was direct, honest, approachable, and extremely knowledgeable on the ins and outs of divorce and custody proceedings. I think very highly of Mr. Montalbano and know that he will make an amazing judge of the District Court Family Court of the First Circuit.

**JC-2**

Submitted on: 10/16/2022 10:46:56 AM

Testimony for JDC on 10/17/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Crystal K. Glendon	Individual	Support	Written Testimony Only

Comments: I support Judge Montalbano's nomination to the Family Court of the First Circuit.



**LATE**

**JC-2**

Submitted on: 10/16/2022 2:32:20 PM

Testimony for JDC on 10/17/2022 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Noel Escobedo	Individual	Support	Written Testimony Only

Comments: Good Day Senators. I am writing this email to ask for your support for the confirmation of Atty J. Alberto Montalbano for Distric Court Judge for First Circuit. Atty. Montalbano is my best friend, a brother like person to me and I have a very high regards with his character and background. I really believe that he can perform his job as a judge diligently, fairly and with utmost integrity. I am Noel Escobedo, a farmer in Kula, Maui for over 30 years now. Aside from farming, I also became involved with the Maui Filipino Community and the Maui Filipino Chamber of Commerce in the early 2000. In 2005, my involvement with these organizations resulted in the United Filipino Council of Hawaii awarding me with a plaque of recognitiom as "2005 Achievers Award" in Agriculture and I was also recognized for my efforts by the full State of Hawaii Legislature. My relationship with Atty Montalbano is very much like brothers. We are housemates during our college years at the University of Hawaii in Manoa from 1990 to 1993 where I lived with him and his 10 year old son. We sudied with no family nearby and support. We struggle financially as we both self supporting students, working while studying. Thanks goodness for the scholarship and tuition assistance we had that hepled us a lot; but we were motivated and determind to graduate because of our belief and vision that education will guide us and lead us to where we wanted to be; and this has happened. Atty Montalbano is a very successful lawyer and a part time Judge. He is also active in his military career holding the rank of Lieutenant Colonel in the US Army Reserve. Our friendship is intact up to this days and we are in constant communication. He has assisted me in several legal matters and is always there to provide advise and counsel whenever I need him. Senators, please confirm his nomination and allow him to serve as District Court Judge. I am confident in his abilities and aware of his passion to make sure every person is treated fairly with dignity and respect. Thank You. Sincerely, Noel Escobedo

**From: Janet Huang**  
**Email: Huang128@hotmail.com**



October 15, 2022

TO: Senate Judiciary Committee

Re: Reference for Juan Montalbano, District Court Judge

Dear Senate Members:

I am Janet Huang. I known Mr. Montalbano for very long time for twenty years or more. He is very good client. I know him and his family. He is a good man and good father and good papa to his children.

Most important is Mr. Montalbano always willing to help me or others with legal advice. He help me two times one for my property case and one for my brother and he never charge me for it. He is always willing to help others and tell them about the law and their rights.

If you choose him he will be a good judge because he is patient and fair man. He always take time to explain to me my situation. I think we need more people like that to make decisions in our city. So I hope you will choose him to fill the job of District Court Judge. I support him for that job.

If you want to know more you can contact me at:(808)388-1678.

Signed: *Janet Huang*



mitsuyama + rebman  
DIVORCE AND FAMILY LAW

**LATE**

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October 17, 2022

Senate Committee On Judiciary  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair  
Hawaii State Legislature

RE: Judicial Nominee John Alberto Montalbano

Dear Senator Rhoads and the Senate Committee On Judiciary:

I submit this letter in strong support of First Circuit District Court Nominee John Alberto Montalbano. I have known Mr. Montalbano for many years, first as my husband's co-worker at the Prosecutor's Office, then as an attorney interested in Family Law while working for a civil law firm, then as a colleague working in another Family Law firm, and most recently as co-workers serving the Judiciary as *per diem* judges.

I hope it is clear from his resume that he has the *professional experience* and the *legal knowledge and ability* to do the job. He has a unique set of qualifications and jobs that have trained him to be an excellent Judge.

What I want to talk to you about is what you may not see on his resume. First, he has true *integrity* to do what is right by all he encounters. He is self-less as demonstrated in his personal and professional life. Personally, he is a devoted single father who raised his children and now who helps raise his grandchildren.

Professionally, he has excelled in his military career; as a family law practitioner; and as a *per diem* judge because when Mr. Montalbano sets his mind to do something- he throws himself into it with full commitment and dedication. I recall very early on after he left the Prosecutor's Office he had an interest in Family Law. He followed through on that statement by attending a Family Law seminar where I happened to be one of the instructors. At the time he was working for the civil law firm, yet he went out of his way to sign up for a Family Law class.

Since then, I have had the opportunity to be his opposing counsel and/or co-counsel on cases. I have also been a mediator in his cases. In all those encounters, I have always found him to be first and foremost very attuned to his client. Second, I found him knowledgeable in the law and court procedure. Lastly, I found him respectful to the Court, opposing counsel, and even opposing parties.

When I became a *per diem* Judge, it was my turn to be the student and him to be my teacher. He graciously walked me through the entire process – from the interview to my first day. I still look to him if I need help or consult. And without hesitation he has always given his time.

His commitment to *public service* is demonstrated in his dedication to serve our country and specifically our State by becoming a *per diem* judge. In addition, Mr. Montalbano volunteers for various pro bono initiatives to promote access to justice. Whatever is asked of him to better serve the public, he gladly agrees to help.

Mr. Montalbano served the military at the same time he was a litigator and a *per diem* judge. This ability to multi-task in very different roles demonstrates he has the judicial temperament necessary for the job. The District Court staff- the bailiffs and court clerks (and even the full-time judges) all respect Mr. Montalbano. This comes from witnessing first-hand his judicial temperament and legal knowledge.

Mr. Montalbano's passion for the law and dedication to public service is exemplified in all he has done. He is extremely qualified for this position. I gladly send in my support of his nomination.

Thank you for your time.

Very Truly Yours,

/s/Dyan K. Mitsuyama



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
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**TOMMY WATERS**  
CHAIR AND PRESIDING OFFICER  
DISTRICT 4  
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**LATE**

October 17, 2022

Senate Judiciary Committee  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair  
Members of the Committee

**RE: Testimony in Strong Support of JC2 - Submitting for consideration and confirmation to the District Family Court of the First Circuit, Judicial Nominee, JOHN ALBERTO MONTALBANO, for a term to expire in 6 years.**

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

Thank you for the opportunity to submit this testimony in strong support of Judicial Nominee John Alberto Montalbano's confirmation to the District Family Court of the First Circuit, State of Hawai'i. I have known Mr. Montalbano for many years and have utmost confidence in his confirmation. Mr. Montalbano is of good character, fair and just, and compassionate. I believe his extensive experience in family law will make him an asset to the Judiciary. Thank you for the opportunity to testify in strong support of Mr. Montalbano's confirmation to the District Family Court of the First Circuit.

Mahalo,

A handwritten signature in black ink that reads "Tommy Waters".

Councilmember Tommy Waters  
District 4 (*Hawaii Kai, Kuliouou, Niu Valley, Aina Haina, Wailupe, Waialae-Iki, Kalani Valley, Kahala, Wilhemina Rise, Kaimuki, portions of Kapahulu, Diamond Head, Black Point, Waikiki, and Ala Moana Beach Park*)



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

**John Alberto Montalbano**  
**District Family Court Judge of the First Circuit (JC2)**

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: Monday, October 17, 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 John A. Montalbano for the position of District Family Court Judge of the First Circuit.

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

- Notification to the nominee of the HSBA appointment review process, which includes a questionnaire requesting educational credentials, legal and other professional work experiences, personal references; a resume; a copy of the JSC application; 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 Mr. Montalbano on October 7, 2022 to discuss the subcommittee's findings. On October 11<sup>th</sup>, Mr. Montalbano was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Mr. Montalbano 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 Mr. Montalbano in all categories of the HSBA criteria which include:

- 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.

John Alberto "Juan" Montalbano has served as a Per Diem District Court Judge for the First Circuit since 2014. His caseload consists of approximately 71% criminal calendar and 29% civil calendar. As a Per Diem Judge, Mr. Montalbano handled personal injury and breach of contract actions under \$40,000, summary possession and damages in landlord tenant disputes, small claims proceedings, requests for civil injunctions, traffic violations, and criminal misdemeanors.

Since 2022 the Nominee has served in the Office of the Command Judge Advocate as a Deputy Command Judge Advocate. In this position, Mr. Montalbano is the alternate legal advisor to the Commanding General, and the primary advisor to the Staff Directorates for personnel, contracting & operations and is the primary action officer with oversight for investigation and prosecution of all sexual assault and sexual harassment cases. He manages and supervises the daily operations for the Office which includes attorneys, paralegals, and other support staff. The Nominee advises Command personnel on administrative law, contracts and fiscal matters, and military justice. He also serves as a Legal Advisor to the Contract Review Board and Ethics Counselor to Department of Defense officers and civilians.

Mr. Montalbano also served in the Career Criminal Unit in the Office of the Prosecuting Attorney for the City and County of Honolulu and was a Circuit Court law clerk. In addition to public service experience, Mr. Montalbano was in the private of practice of law handling: family law cases at trial, mediation, and arbitration; and defended clients in personal injury, products liability including asbestos, and other civil matters.

HSBA colleagues submitted comments on the nomination which include: is respectful of the process, the law, and all the stakeholders; and is always timely with pleadings and responses to opposing counsel.

After a review of all documentation submitted and the interview of the Nominee, which included dialogue and questioning relating to his background, experiences, and reasons for pursuing the position of District Family Court Judge of the First Circuit, the Board of the Hawaii State Bar Association found Mr. John A. Montalbano to be **QUALIFIED** for the position of District Family Court Judge of the First Circuit.

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