

JOURNAL
of the
SENATE OF THE
THIRTY-SECOND LEGISLATURE
of the
STATE OF HAWAI‘I

Special Session of 2023


Convened Monday, August 21, 2023
Adjourned Tuesday, August 22, 2023

CERTIFICATE

We hereby certify that the minutes for each day's session as appears in this Senate Journal are true and correct and that a copy is on file in the Archives of the State of Hawai'i.



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Clerk of the Senate

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THE
THIRTY-SECOND LEGISLATURE
STATE OF HAWAII
SPECIAL SESSION OF 2023
JOURNAL OF THE SENATE

FIRST DAY

Monday, August 21, 2023

The Senate of the Thirty-Second Legislature of the State of Hawaii, Special Session of 2023, was called to order at 11:32 a.m., by Senator Ronald D. Kouchi, President of the Senate, in accordance with the following Proclamation, which was read by the Clerk:

“Proclamation

August 17, 2023

I, Ronald D. Kouchi, President of the Senate of the Thirty-Second Legislature of the State of Hawaii, pursuant to the power vested in me by Section 10, Article III of the Constitution of the State of Hawaii, and at the written request of two-thirds of the members to which the Senate is entitled, do hereby convene the Senate in Special Session as sought in the petition at 11:30 a.m. on Monday, August 21, 2023, in the State Capitol Senate Chamber, for the purpose of carrying out its responsibilities established by Section 3, Article VI of the Constitution of the State of Hawaii.

/s/ Ronald D. Kouchi
RONALD D. KOUCHI
President of the Hawaii State Senate”

The Chair stated:

“For anybody viewing, I want to be clear: Section 3, Article VI, is the power of bringing the Senate only in for the sole purpose of the confirmation of judicial nominees. We will have four on the agenda today, and this session was scheduled at least a month ago in anticipation of confirming judges. Any action relative to the devastation that has occurred on Maui would require both houses to come in, so I don’t want anybody to get the mistake to think we’ve come in for something else other than specifically these four judges.”

The Proclamation was then placed on file.

The Roll was called showing all Senators present, with the exception of Senators DeCoite, Ihara, Lee, McKelvey, and Moriwaki who were excused.

MESSAGE FROM THE GOVERNOR

The following message from the Governor (Gov. Msg. No. 1) was read by the Clerk and was disposed of as follows:

Gov. Msg. No. 1, submitting for consideration and confirmation, the nomination of JORDON J. KIMURA as Judge of the State of Hawaii Circuit Court of the First Circuit, for a term of ten years, was referred to the Committee on Judiciary.

JUDICIARY COMMUNICATIONS

The following communications from the Judiciary (Jud. Com. Nos. 1 to 3) were read by the Clerk and were disposed of as follows:

Jud. Com. No. 1, submitting for consideration and confirmation, the appointment of ERIKA E. IRELAND to the District Court of the First Circuit, for a term of six years, was referred to the Committee on Judiciary.

Jud. Com. No. 2, submitting for consideration and confirmation, the appointment of ROBERT J. BROWN to the District Court of the First Circuit, for a term of six years, was referred to the Committee on Judiciary.

Jud. Com. No. 3, submitting for consideration and confirmation, the appointment of DAVID M. HAYAKAWA to the District Court of the First Circuit, for a term of six years, was referred to the Committee on Judiciary.

At this time, Senator Rhoads announced that the Committee on Judiciary would be holding a decision-making meeting on the measures at 3:00 p.m. that afternoon in Conference Room 016.

Senator Kidani rose to speak on a point of personal privilege as follows:

“Ladies and gentlemen of the Senate, I rise today with a heart full of gratitude and a deep sense of community spirit. This past weekend, in my district, an event that epitomizes the strength and unity of our people took place. I had the privilege of cosponsoring ‘Mililani for Maui’ with my daughter Malia Cook and her classmates as well as Senator Dela Cruz.

“During this community event, we witnessed the incredible power of collective compassion. Together, we gathered over 38 pallets of nonperishable food; baby products; emergency supplies; and essential household goods, like bedding and towels. The outpouring of support from our community was astounding, also resulting in a total of over \$8,900 in donations. These contributions are a testament to the unwavering spirit of our constituents, their willingness to stand together during times of adversity, and their innate desire to uplift one another.

“Our constituents were very grateful for the presence of distinguished individuals who joined us in this endeavor. We were honored to have a visit by Lieutenant Governor Sylvia Luke as well as Senator DeCoite, whose district includes a portion of Maui. Their presence underscored the shared commitment across all levels of government to serve and support our communities in times of need.

“The unity and generosity displayed at this event remind us of the strength we possess as a community. Together, we can rise above all challenges, proving that bonds we share and the aloha we share are unbreakable. The spirit of togetherness is what defines us as a state, and it’s what will carry us through any obstacles that come our way.

“Mahalo nui loa to everyone who participated, donated, and supported us in this event, including my staff, who are here in the gallery: Lisa Barnett, Mary Murro, Danicia Honda—please stand. Thank you. Let us continue to stand together and extend

our aloha to those who need it the most. Mahalo, Mr. President; I yield the floor back to you.”

Senator Fevella announced the opening of a warehouse on Keawe Street in Kaka’ako that would be used to sort and organize donated items before shipment. Senator Fevella thanked the Office of Hawaiian Affairs, who had worked with Lieutenant Governor Luke and Senator DeCoite to expedite the opening of the warehouse. Senator Fevella also thanked Makana O Ke Akua, the Hawai’i Community Foundation, the Maui Food Bank, and the Council for Native Hawaiian Advancement for putting together the donations arriving at the warehouse.

The Chair made the following comments:

“Having had Hurricanes Iwa in ’82 and Iniki in ’92, Kaua’i has been on the receiving end of the generosity that has just been described, and so, to everyone through every corner of this state and globally that has been sending in their support, the Senate would like to extend our thanks for everything that has been done. And as we look into the gallery, we can see the efforts of a week ago led by some of the members of the Senate and the staff and other employees of the building not working for the Senate, who all rallied to come out and help as they were dropping donations off at the Father Damien Statue. We were overwhelmed by the generosity of the people here on O’ahu, and people voluntarily came in on Saturday to make sure that everything was put in a safe place (we were concerned about rain potentially damaging the donations), and so, everybody involved, I want to extend my thank you.”

The Chair then made the following announcement:

“The deadline to file standing committee reports on Gov. Msg. No. 1 and Jud. Com. Nos. 1 to 3 is 6:00 p.m. today.”

Senator Keith-Agaran rose to speak on a point of personal privilege as follows:

“I would like to request that the Senate adjourn on a rising vote and observe a moment of silence for all the communities that have been impacted by wildfires this year on the Big Island; in Upcountry Maui; and especially in honor and memory of the people of Lāhainā, some of whom are still unaccounted for.”

Senator Wakai expressed his gratitude to the Sergeant-at-Arms staff, and Assistant Sergeant-at-Arms Park Kaleiwahea in particular, for putting together the donation drive at the Capitol. Senator Wakai noted that the effort was well organized and would be well received by the people of Maui.

STANDING COMMITTEE REPORTS

On motion by Senator Wakai, seconded by Senator Kanuha and carried unanimously, the Clerk was authorized to receive standing committee reports on Gov. Msg. No. 1 and Jud. Com. Nos. 1 to 3. In consequence thereof, and subsequent to its recessing at 11:43 a.m., on a rising vote, observing a moment of silence in honor and memory of the Maui wildfire victims, the Senate took the following actions:

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1) recommending that the Senate consent to the appointment of JORDON J. KIMURA as Judge of the Circuit Court of the First Circuit, in accordance with Gov. Msg. No. 1.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 1 and Gov. Msg. No. 1 was deferred until Tuesday, August 22, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2) recommending that the Senate consent to the appointment of ERIKA E. IRELAND as Judge of

the District Court of the First Circuit, in accordance with Jud. Com. No. 1.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 2 and Jud. Com. No. 1 was deferred until Tuesday, August 22, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 3) recommending that the Senate consent to the appointment of ROBERT J. BROWN as Judge of the District Court of the First Circuit, in accordance with Jud. Com. No. 2.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 3 and Jud. Com. No. 2 was deferred until Tuesday, August 22, 2023.

Senator Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 4) recommending that the Senate consent to the appointment of DAVID M. HAYAKAWA as Judge of the District Court of the First Circuit, in accordance with Jud. Com. No. 3.

In accordance with Senate Rule 37(6), action on Stand. Com. Rep. No. 4 and Jud. Com. No. 3 was deferred until Tuesday, August 22, 2023.

ADJOURNMENT

At 6:00 p.m., the Senate adjourned until 11:30 a.m., Tuesday, August 22, 2023.

SECOND DAY

Tuesday, August 22, 2023

The Senate of the Thirty-Second Legislature of the State of Hawai'i, Special Session of 2023, convened at 11:45 a.m. with the President in the Chair.

The Roll was called showing all Senators present, with the exception of Senators Elefante, Fevella, McKelvey, and Moriwaki who were excused.

The President announced that he had read and approved the Journal of the First Day.

At this time, the Chair stated:

"Before asking for introductions, I would just repeat what I opened with yesterday. Today, again, is a special session for the sole purpose of confirming judges. Only the Senate is convening today, and without both houses in session, we cannot consider any other items other than the judicial nominees before us, and this meeting was scheduled a month ago, and so this isn't a special session relative to any of the events that occurred and are occurring on Maui as we speak."

Senator Rhoads introduced Sara Thorn, an intern with the political science program at UH Mānoa. Accompanying her in the gallery was legislative attorney Jessie Faige. Also seated in the gallery were Deputy Court Administrator Brandon Kimura and Chief Justice of the Supreme Court Mark Recktenwald.

ORDER OF THE DAY

ADVISE AND CONSENT

Stand. Com. Rep. No. 1 (Gov. Msg. No. 1):

Senator Rhoads moved that Stand. Com. Rep. No. 1 be received and placed on file, seconded by Senator Gabbard and carried.

Senator Rhoads then moved that the Senate consent to the appointment of JORDON J. KIMURA as Judge of the Circuit Court of the First Circuit, for a term of 10 years, seconded by Senator Gabbard.

Senator Rhoads rose to speak in support of the appointee as follows:

"Jordon Kimura has been licensed to practice law in the state of Hawai'i since 2009. His legal career thus far has been in private practice at the firm of McCorriston Miller Mukai MacKinnon, where he specializes in civil litigation and estate planning. Mr. Kimura has been assigned various leadership roles at the firm and is currently a co-managing partner.

"In addition to his corporate work, Mr. Kimura has committed significant hours to pro bono projects, including serving for more than a decade as pro bono counsel for Kapi'olani Medical Center's Sex Abuse Treatment Center. As pro bono counsel, he has represented the Center in the criminal and family courts on matters concerning forensic evidence, defended the Center's clinicians in depositions, and provided general legal advice to the Center on its policies. For the past five years, Mr. Kimura has also been an officer and director of University Health Partners of Hawai'i, where he assists with compliance and employment matters.

"He additionally volunteers directly with the courts, as a court-appointed master and a kokua kanawai for the Probate Court and as a volunteer arbitrator for the Court Annexed Arbitration Program for the First Circuit. For a 10-year period, Mr. Kimura was a pro bono liaison to the U.S. District Court for

the District of Hawai'i, and in 2020 was awarded the Court's Pro Bono Service Coordinator Award.

"Mr. Kimura received a bachelor of arts degree from Vanderbilt University, in Nashville, in 2006 and a juris doctor degree from the University of Hawai'i's Richardson School of Law in 2009. In his studies, he has distinguished himself by graduating summa cum laude from both institutions and as a co-salutatorian of his law school class (which I think means you came in second, if that's right—I never was in that position, so I don't know).

"After having reviewed the testimony, which was all in support of the appointee, and other materials submitted to the Committee and having examined the appointee in a hearing, your Judiciary committee finds that Jordon J. Kimura is qualified to serve as a circuit court judge of the First Circuit, and recommends that the Senate consent to the appointment."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Elefante, Fevella, McKelvey, Moriwaki).

At this time, Senator Rhoads introduced Judge Jordon J. Kimura, who was present in the gallery with his wife, Jennifer; his daughter Joey; and his mother.

Stand. Com. Rep. No. 2 (Jud. Com. No. 1):

Senator Rhoads moved that Stand. Com. Rep. No. 2 be received and placed on file, seconded by Senator Gabbard and carried.

Senator Rhoads then moved that the Senate consent to the appointment of ERIKA E. IRELAND as Judge of the District Court of the First Circuit, for a term of six years, seconded by Senator Gabbard.

Senator Rhoads rose to speak in support of the appointee as follows:

"Erika Ireland has been licensed to practice law in the state of Hawai'i since 1997. She started her legal career on Maui as a clerk for Judge Shackley Raffetto and then moved to the Honolulu prosecuting attorney's office for four years, where she prosecuted numerous traffic, DUI, domestic violence, and criminal offenses. Since 2002, Judge Ireland has focused on probate and trust administration and litigation, and guardianship and conservatorship matters. After working at other private law firms, including Bronster Hoshibata, where she was the head of the Trust and Estate Division, she started her solo practice in 2014.

"Judge Ireland additionally has experience as a per diem judge in the District Court of the First Circuit and for the past two years has presided over criminal and civil calendars for approximately two days a week. She also has served the courts in other roles, as a court-appointed master, special master, and kokua kanawai; court-appointed fiduciary; and as a mediator in family and district courts.

"Judge Ireland received a bachelor of business administration degree from the University of Hawai'i in 1993 and a juris doctor degree from the University of Hawai'i's Richardson School of Law in 1997.

"After having reviewed the testimony, which was all in support of the appointee, and other materials submitted to the Committee and having examined the appointee in a hearing, your Judiciary committee finds that Erika E. Ireland is qualified to serve as a district court judge of the First Circuit, and

recommends that the Senate consent to the appointment. Mahalo.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Elefante, Fevella, McKelvey, Moriwaki).

At this time, Senator Rhoads introduced Judge Erika E. Ireland, who was present in the gallery with her husband, Rolf Wolters.

Stand. Com. Rep. No. 3 (Jud. Com. No. 2):

Senator Rhoads moved that Stand. Com. Rep. No. 3 be received and placed on file, seconded by Senator Gabbard and carried.

Senator Rhoads then moved that the Senate consent to the appointment of ROBERT J. BROWN as Judge of the District Court of the First Circuit, for a term of six years, seconded by Senator Gabbard.

Senator Rhoads rose to speak in support of the appointee as follows:

“Robert J. Brown, or ‘RJ’ as he’s known to many, has been licensed to practice law in the state of Hawai‘i since 2014. His legal career started as a deputy prosecuting attorney for four years at the Honolulu prosecuting attorney’s office, where he was lead counsel for more than 20 felony jury trials. He then moved to private practice as a civil litigator and has been with the firm of Starn O’Toole Marcus & Fisher since 2018.

“Additionally, Judge Brown has experience as a per diem judge in the Family Court of the First Circuit. Approximately once a week, he presides over various family court matters such as TROs; custody, paternity, and divorce proceedings; and drug court. He also will bring to the bench his non-legal skills as a journalist, including his work for a year with *Honolulu Civil Beat*.

“Judge Brown received a bachelor of arts degree from the University of Colorado in 2009 and a juris doctor degree from the University of Hawai‘i’s Richardson School of Law in 2014.

“After having reviewed the testimony, which was all in support of the appointee, and other materials submitted to the Committee and having examined the appointee in a hearing, your Judiciary committee finds that Robert J. Brown is qualified to serve as a district court judge of the First Circuit, and recommends that the Senate consent to the appointment. Mahalo.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Elefante, Fevella, McKelvey, Moriwaki).

At this time, Senator Rhoads introduced Judge Robert J. Brown, who was present in the gallery with his wife, Rikki.

Stand. Com. Rep. No. 4 (Jud. Com. No. 3):

Senator Rhoads moved that Stand. Com. Rep. No. 4 be received and placed on file, seconded by Senator Gabbard and carried.

Senator Rhoads then moved that the Senate consent to the appointment of DAVID M. HAYAKAWA as Judge of the District Court of the First Circuit, for a term of six years, seconded by Senator Gabbard.

Senator Rhoads rose to speak in support of the appointee as follows:

“David Hayakawa has been licensed to practice law in the state of Hawai‘i since 1987. His legal career began at the Office of the Public Defender, where he worked for 12 years. He then moved to private practice, first handling family law cases at Coates & Frey, and ultimately returning to criminal law at the Law Office of Howard Luke. Since 2012, Mr. Hayakawa has had his own solo practice. During his career, he has been lead counsel for more than 100 felony jury trials and has tried many more criminal and civil cases to a judge.

“Mr. Hayakawa has dedicated significant time to educating and mentoring new lawyers. He is ‘dean’ of the HSBA’s annual Trial Academy (that’s the Hawaii State Bar Association), a co-chair of the professional course that is required for all new lawyers, and has instructed in and advised Kapi‘olani Community College’s paralegal and legal education programs. He also serves the legal profession through participation in various standing committees on criminal practice, and is a member of the Defender Council, which oversees the Office of the Public Defender.

“Mr. Hayakawa received a bachelor of arts degree from the University of Hawai‘i in 1984 and a juris doctor degree from the University of Hawai‘i Richardson School of Law in 1987.

“After having reviewed the testimony, which was all in support of the appointee, and other materials submitted to the Committee and having examined the appointee in a hearing, your Judiciary committee finds that David M. Hayakawa is qualified to serve as a district court judge of the First Circuit, and recommends that the Senate consent to the appointment. Mahalo.”

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 21. Noes, none. Excused, 4 (Elefante, Fevella, McKelvey, Moriwaki).

At this time, Senator Rhoads introduced Judge David M. Hayakawa, who was present in the gallery with his father, John Hayakawa, and other members of his family.

Senator Rhoads requested that, at the appropriate time, the new judges and their families descend to the floor for photos, and the Chair so ordered.

The Chair stated that, at the conclusion of session, which would be in about five minutes, the Sergeant-at-Arms would escort the judges and their families to the floor to be greeted by the members and have pictures taken.

SENATE RESOLUTION

The following resolution (S.R. No. 1) was read by the Clerk and was disposed of as follows:

S.R. No. 1 “SENATE RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THE SENATE ON THIS FINAL DAY OF THE FIRST SPECIAL SESSION OF 2023.”

Offered by: Senator Kanuha.

On motion by Senator Wakai, seconded by Senator DeCoite and carried, S.R. No. 1 was adopted.

At this time, Senator DeCoite rose to speak on a point of personal privilege as follows:

“I wanted to extend my deepest thanks and gratefulness to all of you here as my colleagues, as the people across the state of Hawai‘i who have donated and contributed, not just monetarily or by supplies, but giving their heartfelt aloha and mahalo to the

people of Maui. In a time when they are going through a traumatic time in their lives, the outpouring of support that has come to the people of Maui has been well received. At this time when they are grieving and they are trying to figure out what is happening in their lives, you know, I've been very grateful on the drives that we did here, the supplies, all of you with the support you and your staff has given us. I wanted to just extend our aloha on behalf of the Maui delegation and the people of Maui, and at the appropriate time, can we ask for a moment of silence for the people of Maui? Mahalo."

The Chair announced that there would be a leadership meeting immediately following the greeting of the judges.

ADJOURNMENT

Senator Wakai moved that the Senate of the Thirty-Second Legislature of the State of Hawai'i, Special Session of 2023, adjourn Sine Die, on a rising vote, observing a moment of silence for Maui residents, seconded by Senator DeCoite and carried.

At 12:01 p.m., the President rapped his gavel and declared the Senate of the Thirty-Second Legislature of the State of Hawai'i, Special Session of 2023, adjourned Sine Die, on a rising vote, observing a moment of silence for Maui residents.

STANDING COMMITTEE REPORTS

SCRep. 1 Judiciary on Gov. Msg. No. 1

Recommending that the Senate consent to the appointment of the following:

CIRCUIT COURT OF THE FIRST CIRCUIT

G.M. No. 1 JORDON J. KIMURA, for a term to expire in 10 years

Your Committee reviewed the personal history, resume, and statement submitted by Jordon J. Kimura for service on the Circuit Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Jordon J. Kimura from the Governor, University Health Partners of Hawaii, Sex Abuse Treatment Center of Kapi'olani Medical Center for Women and Children, Hawaii Coalition Against Sexual Assault, Hawai'i Nature Center, and fifty-nine individuals.

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, 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 Circuit Court Judge of the First Circuit.

Mr. Kimura received a Bachelor of Arts degree in Mathematics from Vanderbilt University, where he graduated *summa cum laude*. After returning to Hawai'i, he received his Juris Doctor from the William S. Richardson School of Law at the University of Hawai'i at Mānoa, where he again graduated *summa cum laude*, was honored as Co-Salutatorian, and received numerous scholastic merit awards. Mr. Kimura has been licensed to practice law in the State of Hawaii since 2009.

Since graduating from law school, Mr. Kimura has worked as an attorney at the local law firm of McCorriston Miller Mukai MacKinnon LLP. Mr. Kimura is currently a Partner in the firm's Litigation and Trusts, Estate Planning, and Wealth Management practice groups, and serves as a Co-Managing Partner, overseeing the firm's day-to-day activities. Mr. Kimura maintains a diverse litigation practice, focusing on complex civil, constitutional, probate, wills and trusts, health care, Employee Retirement Income Security Act (ERISA), construction, and medical malpractice matters. Mr. Kimura also counsels estate planning clients on legacy preservation issues and advises institutional clients on administrative, regulatory, and legislative matters. Mr. Kimura was selected by his peers to be included in the *Best Lawyers of America* list for insurance law since 2020, and has been identified as one of Hawai'i's "Super Lawyers". Mr. Kimura has also served in various court-appointed roles, including as both master and kokua kanawai on behalf of the Probate Court of the First Circuit and as an arbitrator for the Court Annexed Arbitration Program. Mr. Kimura's fourteen years of legal experience in various subject matters and capacities reflects his diligence, intelligence, and ability to successfully carry out his professional duties.

In addition to his professional work, Mr. Kimura is an active volunteer, leveraging his legal acumen and experience to benefit local communities and organizations. Since 2012, Mr. Kimura has served as Pro Bono Counsel for the Sex Abuse Treatment Center of Kapi'olani Medical Center for Women and Children, a statewide program that provides comprehensive services for survivors of sexual assault. Mr. Kimura has also provided valuable pro bono services on behalf of the United States District Court Pro Bono Program, where he assisted clients with their cases as they proceeded through the federal court system. Further, Mr. Kimura also serves on the Board of Directors for the Hawaii Coalition Against Sexual Assault and the University Health Partners of Hawaii. Through his actions, Mr. Kimura has time and again demonstrated his deep commitment to public service and the people of Hawai'i.

Testimony submitted in support of Mr. Kimura's appointment commends his meticulousness and diligent study of the law, especially the Rules of Evidence. Testimony further indicates that throughout his legal career, Mr. Kimura has demonstrated exceptional judgment and legal skill, fairness, and respect for others. Mr. Kimura is known to be a thoughtful and caring professional who has always practiced with civility. Numerous testifiers also praise his dedication to public service, noting that he treats the many organizations that he counsels pro bono with no less attention than his fee for service clients. Testifiers in support have further praised his fairness, leadership skills, commitment to excellence, and willingness to go above and beyond what is expected of him.

Your Committee finds that, based on the testimony submitted on his behalf, responses to questions asked by the members of your Committee, and your Committee's review of information about his qualifications, Jordon J. Kimura has the experience, temperament, and other competencies to be a Circuit Court Judge of the First Circuit, and he has the legal expertise, integrity, and demeanor to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 2 Judiciary on Jud. Com. No. 1

Recommending that the Senate consent to the appointment of the following:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 1 ERIKA E. IRELAND, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Judge Erika E. Ireland for service on the District Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Judge Erika E. Ireland from Darrell Lim and Company, Inc. and twenty-five individuals. Your Committee received comments on the appointment of Judge Erika E. Ireland from the Board of Directors of 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, 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 First Circuit.

Judge Ireland attended the University of Hawai‘i at Mānoa where she received a Bachelor of Business degree in Accounting. She received her Juris Doctor from the William S. Richardson School of Law at the University of Hawai‘i at Mānoa and received a CALI award for Excellence in Second Year Writing Seminar: Criminal Justice, CALI award for Excellence in Elder Law, and CALI award for Excellence in Estate Planning. Judge Ireland has been licensed to practice law in the State of Hawaii since 1997.

Since 2021, Judge Ireland has worked as a Per Diem Judge for the District Court of the First Circuit where she presides over both criminal and civil calendars, including traffic and criminal arraignment, pleas, and trials; temporary restraining orders; summary possession; and small and regular claims. Additionally, Judge Ireland is a sole practitioner where she specializes in conservatorship, probate, and trust matters. She also has served as a court-appointed master, special master, kokua kanawai, special conservator, trustee, and counselor, and mediated and facilitated a wide variety of cases.

Judge Ireland’s legal career includes private and public practice. She practiced at Bronster Hoshibata where she was the head of the trust and estate division, specialized in probate and trust and estate litigation, mentored associates, and gave internal seminars on trust and probate practice. She also practiced at the Law Office of Yuklin Aluli specializing in probate and trust administration and litigation. Earlier, when she was at Bronster, Crabtree & Hoshibata, she concentrated her practice in business and trust litigation. Judge Ireland also served as a Deputy Prosecuting Attorney and Community Prosecutor with the Department of the Prosecuting Attorney of the City and County of Honolulu, where she prosecuted hundreds of cases including traffic, DUI, domestic violence, and a wide variety of criminal offenses; collaborated with the community, the courts, law enforcement, and other stakeholders on crime reduction initiatives; and designed and implemented several innovative crime prevention programs.

In addition to her professional work, Judge Ireland is an active volunteer in the legal community. She served as Director and Treasurer of Hawaii Women Lawyers and as a member of the trusts and estate planning section, elder law section, alternative dispute resolution section, litigation section, and tax section of the Hawaii State Bar Association. Furthermore, Judge Ireland has received numerous awards, including Mediator of the Year in 2015, Conch Shell Award and Pro Bono Attorney-Access to Justice in 2016, and Special Mediator Recognition in 2017.

Testimony submitted in support of Judge Ireland’s appointment commends her compassion, moral character, and professional competence. Testimony further indicates that in all of her prior work as a judge and attorney, Judge Ireland has shown exceptional judgment, temperament, intelligence, and respect for others. Numerous testifiers also praise her integrity, compassion, and diligence.

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, Judge Erika E. Ireland has the knowledge, dedication, and other competencies to be a District Court Judge of the First Circuit, and possesses the legal expertise and integrity 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.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

SCRep. 3 Judiciary on Jud. Com. No. 2

Recommending that the Senate consent to the appointment of the following:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 2 ROBERT J. BROWN, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by Judge Robert J. Brown for service on the District Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Judge Robert J. Brown from eighty-seven individuals. Your Committee received comments on the appointment of Judge Robert J. Brown from the Board of Directors of 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, 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 First Circuit.

Judge Brown attended the University of Colorado at Boulder where he received a Bachelor's degree in Journalism. He received his Juris Doctor from the William S. Richardson School of Law at the University of Hawai'i at Mānoa. Judge Brown has been licensed to practice law in the State of Hawaii since 2014.

Since 2021, Judge Brown has worked as a Per Diem Judge for the Family Court of the First Circuit where he presides over various family court calendars, including matters pertaining to temporary restraining orders, paternity, custody, divorce, and drug court. Judge Brown is also a litigation associate at Starn O'Toole Marcus & Fisher in the practice areas of business litigation, commercial litigation, real estate litigation, and criminal defense. Previously, Judge Brown served as a Deputy Prosecuting Attorney with the Department of the Prosecuting Attorney of the City and County of Honolulu where he was lead counsel on more than twenty felony jury trials on charges ranging from drug possession to murder.

Prior to law school, Judge Brown was a reporter with the Honolulu Civil Beat where he covered issues from public housing to government transparency. In addition to his professional work, Judge Brown is an active member of the community, volunteering with Big Brothers Big Sisters Hawai'i for almost ten years. He also currently serves as the President of the Christian Legal Society.

Testimony submitted in support of Judge Brown's appointment commends his dedication, high ethical standards, and professionalism. Testimony further indicates that in his various legal roles, Judge Brown has shown exceptional temperament, diligence, and impartiality. Numerous testifiers also praise his integrity, compassion, and work ethic.

Your Committee finds that, based on the testimony submitted on his behalf, responses to questions asked by the members of your Committee, and your Committee's review of information about him and his qualifications, Judge Robert J. Brown has the knowledge, commitment, and other competencies to be a District Court Judge of the First Circuit, and possesses the intelligence, 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.

Signed by the Chair on behalf of the Committee.
Ayes, 5. Noes, none. Excused, none.

SCRep. 4 Judiciary on Jud. Com. No. 3

Recommending that the Senate consent to the appointment of the following:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 3 DAVID M. HAYAKAWA, for a term to expire in 6 years

Your Committee reviewed the personal history, resume, and statement submitted by David M. Hayakawa for service on the District Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of David M. Hayakawa from Myles S. Breiner, Attorney at Law a Law Corporation and ninety-one individuals. Your Committee received comments on the appointment of David M. Hayakawa from the Board of Directors of 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, 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 First Circuit.

Mr. Hayakawa received his Bachelor of Arts degree in History from the University of Hawai'i at Mānoa and his Juris Doctor from the William S. Richardson School of Law at the University of Hawai'i at Mānoa. Mr. Hayakawa has been licensed to practice law in the State of Hawaii since 1987.

Since 2012, Mr. Hayakawa has worked in private practice as the principal and lead attorney of the Law Office of David Hayakawa. Mr. Hayakawa's practice focuses on criminal defense and family law, restraining order cases, and he has served as lead counsel in over one hundred felony jury trials. In recognition of his extensive and successful litigation experience, Mr. Hayakawa was selected by his peers to be included in the *Best Lawyers in America* list and in Honolulu Magazine's *Best Lawyers in Hawaii* list for Criminal Defense: General Practice and Criminal Defense: White Collar. In 2021, both publications named him as "Lawyer of the Year" for Criminal Defense: General Practice.

Before starting his own practice, Mr. Hayakawa worked as an Associate Attorney at the Law Office of Howard K.K. Luke, where he focused on criminal defense matters. Prior to that, Mr. Hayakawa worked as an Associate Attorney at the divorce and family law firm, Coates & Frey. For almost a decade, Mr. Hayakawa was a Criminal Law Instructor for the Legal Education Department at Kapi'olani Community College. Moreover, for twelve years, he served as a Deputy Public Defender for the Office of the Public Defender. Mr. Hayakawa's more than thirty years of experience in both criminal and family law, his expertise in the criminal justice system, and his familiarity with every level of the Hawaii Judiciary, reflect his qualification to serve as a District Court Judge of the First Circuit.

In addition to his law practice, Mr. Hayakawa has also been an active participant in the legal community and has demonstrated a deep commitment to serving the public. Mr. Hayakawa has served as Dean of the Hawaii State Bar Association's Trial Academy since

2014 and served as the Co-Chairperson of the Supreme Court of the State of Hawaii's Rule 1.14 Professionalism Course Committee. In addition to his membership in various standing committees and sections of the Hawaii Judiciary and Hawaii State Bar Association, Mr. Hayakawa is currently a Honolulu member of the Defender Council, which serves as the governing body of the Office of the Public Defender.

Testimony submitted in support of Mr. Hayakawa's appointment commends his legal ability, experience, and commitment to fairness and justice. Testimony further indicates that throughout his legal career, Mr. Hayakawa has demonstrated exceptional judgment, temperament, and respect for others. Numerous testifiers also praise his diligence and decisiveness.

Your Committee finds that, based on the testimony submitted on his behalf, responses to questions asked by the members of your Committee, and your Committee's review of information about his qualifications, David M. Hayakawa has the experience, compassion, and other competencies to be a District Court Judge of the First Circuit, and he has the legal expertise, integrity, and demeanor to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, none.

NUMBER AND TITLE	Offered	Referred	Report of Committee	Adoption
S.R. No. 1 AUTHORIZING THE PRESIDENT TO APPROVE THE JOURNAL OF THE SENATE ON THIS FINAL DAY OF THE FIRST SPECIAL SESSION OF 2023.	4			4