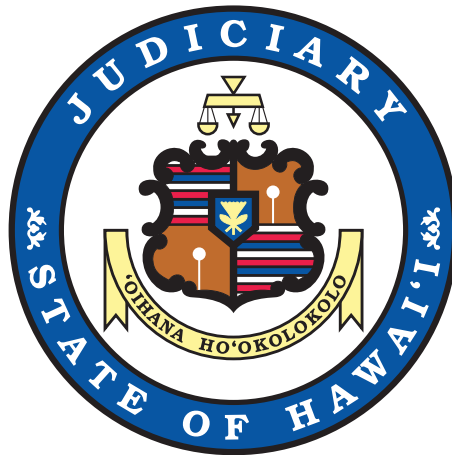


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# The Judiciary State of Hawai'i



## 2011 Annual Report

*The mission of the Judiciary,  
as an independent branch of  
government, is to administer  
justice in an impartial, efficient  
and accessible manner in  
accordance with the law.*

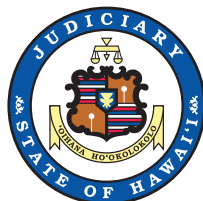
I am pleased to present our 2011 Annual Report. This report details the work of the Judiciary during the past year. As an independent branch of government, the Judiciary's role is to administer justice in an impartial manner, free from outside influences.

This report reflects the dedication of the men and women who work in the court system. Each day, these employees work toward fulfilling our mission, knowing that what they do may have far-reaching impacts upon people's lives. I am proud of our employees' work and extend to them my heartfelt thanks and appreciation. I also thank another valuable part of our Judiciary family—the many volunteers who unselfishly give their time and talent to serve the people of Hawai'i.

On behalf of the Judiciary, I also extend our sincere appreciation to the Legislature for its continued support of our budgetary needs and legislative initiatives. We pledge our continued commitment to working with the Legislature and the Executive Branch to build a dynamic and progressive judicial system. Our mutual quest for excellence depends on our cooperative and collaborative efforts.

*Mark E. Recktenwald*

Mark E. Recktenwald  
Chief Justice  
Hawai'i Supreme Court



PRODUCED BY  
THE HAWAI'I STATE JUDICIARY  
COMMUNICATIONS AND COMMUNITY RELATIONS OFFICE  
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DECEMBER 31, 2011

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*Happiness and joy are obvious on the faces of (from top) Judges Melanie Mito May, Dean Ochiai and Karen Nakasone shortly after they were individually sworn in by Chief Justice Mark Recktenwald (pictured with Judge Mito May).*

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# Month-by-Month Highlights

## January

### Judiciary Issues “Justice in Jeopardy” Report

In the last two years, the Judiciary’s state general fund appropriation was reduced by \$19.7 million or 13.1 percent of its overall budget. Furloughs alone have eliminated over 600,000 available staff hours of work. The impact that furloughs and budget reductions have had on court operations and court users are presented in the report, “Justice in Jeopardy.”

### Chief Justice Recktenwald Delivers His First State of the Judiciary



*Members of the State House and Senate listen to Chief Justice Mark Recktenwald’s first State of the Judiciary Address.*

In his first State of the Judiciary address, delivered on January 26 to a joint session of the State Senate and House, Hawai‘i Supreme Court Chief Justice Mark Recktenwald described how budget cuts and furloughs have adversely affected programs and services. “These reductions in our resources have had substantial negative effects throughout the judicial system. They have reduced, delayed, and in some cases, eliminated important services,” he said.

## February

### Hawai‘i Supreme Court Hears Oral Argument at Law School

For the first time in its history, the Hawai‘i Supreme Court heard oral argument at the University of Hawai‘i William S. Richardson School of Law. Held on February 8 and open to law students, professors and the public, the event was part of Chief Justice Recktenwald’s effort to make proceedings more accessible to the public.

## March

### McKenna Sworn in as Associate Justice



*The “new” Hawai‘i Supreme Court (from left): Justices James Duffy, Jr., Paula Nakayama, Mark Recktenwald, Simeon Acoba, Jr., and the newest justice, Sabrina McKenna.*

First Circuit Senior Family Court Judge Sabrina McKenna was sworn in as an Associate Justice of the Hawai‘i Supreme Court on March 3 in the Supreme Court Courtroom. Justice McKenna worked as a lawyer in private practice before becoming a district judge and then a circuit judge.

Month-by-  
Month  
Highlights

**HOPE Probation Launched in Hilo**

On March 3, Third Circuit Judge Greg Nakamura held the first HOPE Probation warning hearing for several high-risk felony offenders. The offenders were told by the court that any probation violation will result in certain jail time. HOPE Probation (Hawaii's Opportunity Probation with Enforcement) is a high-intensity supervision program.

**"Online Legal Resources" Seminars Presented for Non-Lawyers**

A free program designed to help non-lawyers find legal resources on the Internet was held on March 23 and April 20 in the Hawaii Supreme Court conference room. Law librarians with the Supreme Court Law Library identified online legal references from Hawaii and other sources that self-represented litigants have found helpful.

**April**

**Office on Equality and Access Recognized for Assisting Pacific Island Nations**

The Judiciary's Office on Equality and Access to the Courts (OEAC) received a "Collaboration With Other Entities" award from the National Consortium for Language Access in the Courts for its assistance to the Pacific Judicial Council. The award was presented at the Consortium's annual meeting held April 3-6 in Las Vegas.

Since 2008, the OEAC has provided court interpreting training to the Pacific Judicial Council's members, which include Guam, the Commonwealth of Northern Marianas Islands, the Republic of Palau, the Republic of the Marshall Islands, American Samoa, and the Federated States of Micronesia.

**Telephonic Interpreting Services Available Outside of the Courtroom**

A vendor is helping the courts provide telephonic interpreting services for users with limited English proficiency and who need assistance at a courthouse counter, window or in other situations outside of a courtroom. Telephonic interpreters are available for at least 85 languages/dialects, including languages commonly needed by the Judiciary.

**May**

**Acoba Sworn In as District Court Judge on Kaua'i**

On May 27, Edmund D. Acoba was sworn in as a District Court Judge in the Fifth Circuit. Judge Acoba was the supervising attorney of the Office of the Public Defender on Kaua'i. Before becoming a public defender in 1989, he worked in the Kaua'i Office of the Prosecuting Attorney.

**June**

**Court Program on Kaua'i Helps Divorcing Couples Avoid Litigation**

Parties in highly contested divorces in the Fifth Circuit may participate in a Contested Divorce Mediation program before going to trial. The program started during the first week of June to help divorcing couples amicably settle their financial, child custody, visitation and other issues, and avoid or minimize the stress and cost of litigation. Parties who opt to participate are assigned a mediator by the judge. Because the attorney mediators are volunteering their time, there is no cost to the divorcing couple for the mediator's services.



## Month-by-Month Highlights

### Four District Court Judges on O'ahu are Sworn In

Lanson K. Kupau was sworn in on June 9, and Melanie Mito May, Dean E. Ochiai, and Catherine H. Remigio were sworn in on June 23. Judges Kupau, Mito May and Ochiai were assigned to the First Circuit District Court and Judge Remigio is assigned to the District Family Court of the First Circuit.

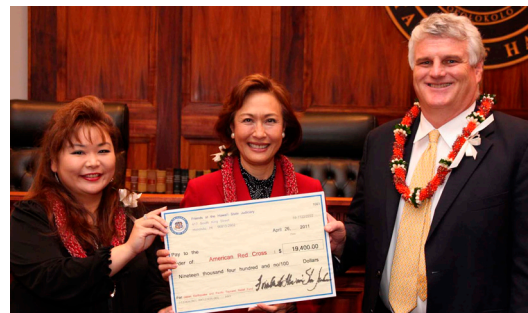
### Lai Loo Sworn In to Second Circuit Court



Lai Loo is sworn in to the Second Circuit Court by the Chief Justice.

Former Second Circuit District Court Judge Rhonda I. Lai Loo became a Circuit Court judge for the Second Circuit on June 9.

### State Court Employees Contribute \$19,489 to Japan Relief Fund



On behalf of the employees of the Hawai'i State Judiciary, the Judiciary's statewide Japan Relief Fund coordinator Lori Okita (far left) yesterday presented a \$19,489 check for the Japan Earthquake and Pacific Tsunami Relief Fund to Coralie Matayoshi (center), Chief Executive Officer of the American Red Cross, Hawai'i Chapter.

Judiciary employees statewide raised thousands of dollars for the earthquake and tsunami victims of Japan. All proceeds went

to the Japan Earthquake and Pacific Tsunami Fund of the American Red Cross.

## July

### Probationers on Kaua'i have new HOPE

The HOPE Probation (Hawaii's Opportunity Probation with Enforcement) program became a statewide initiative on July 6, when six felony probationers on Kaua'i were warned by the judge about the consequences of violating the terms of their probation. The goal for the Fifth Circuit is to have 20 high-risk probationers in the intensive supervision program.

### Supreme Court Evaluates Work of Access to Justice Commission

On July 12, the Hawai'i Supreme Court completed an evaluation of the progress the Hawai'i Access to Justice Commission has made over the past three years in making civil justice by low-income Hawai'i residents more accessible. The Court found that, given the short time the Commission has been in existence and the severe economic conditions in which it has operated, it has made impressive and real progress.

The Court highlighted the Commission's approach to rule amendments as a means to provide incentives for attorneys to commit time to pro bono work, its support of legislation expanding access to small claims court to more litigants, and the Commission's efforts to provide additional funding for legal service providers by supporting legislation to increase the indigent legal services surcharge on filing fees.

### Draft EIS Published for Kona Judiciary Complex Site Selection

The Draft Environmental Impact Statement (DEIS) for the Kona Judiciary Complex Site Selection was published online for public review.

## August

### ADLRO Marks its 20th Year



ADLRO Chief Adjudicator Marie Laderta (center) is congratulated by Chief Justice Mark Recktenwald (left) and Administrative Director Rod Maile at an event marking ADLRO's 20<sup>th</sup> year in operation.

The Administrative Driver's License Revocation Office, or ADLRO, marked its 20<sup>th</sup> anniversary on August 1. The program provides swift and certain license sanctions to motorists who drive while impaired by alcohol or drugs.

### Evaluations of 10 Circuit Judges Solicited from Lawyers

On August 2, over 3,000 active members of the Hawai'i State Bar Association received an email notifying them of the opportunity to participate in the Judiciary's Judicial Performance Evaluation Program by completing an online survey of ten circuit judges. The judges are from every circuit. To ensure the security, anonymity and confidentiality of the evaluations, the process is administered by an entity independent of the Judiciary.

All circuit judges are evaluated three times during their ten-year terms and are rated on legal ability, judicial management skills, comportment, and settlement and/or plea agreement ability. A summary evaluation report is made public at the end of the year.

### Young Artists Brighten Walls for Abused Children



A young artist's painting of a sea horse will hang on the walls of the Children's Justice Center on O'ahu and hopefully help lift the spirits of the young children who come there.

About 30 children ages 5 to 18 gathered at the Children's Justice Center (CJC) in Nuuanu one Saturday morning in August to paint nature scenes on canvas. The artwork was used to decorate the CJC's entrance and interview rooms to make the space more welcoming for children. The interview rooms are used by law enforcement and child welfare services to conduct recorded interviews of children who are alleged victims of abuse or witnesses to crime.

## September

### Settlement Master Project Clears Backlog of Motion to Set Cases

A five-month backlog of divorce cases on the First Circuit Family Court's Motion to Set Calendar were cleared in nine days thanks to the members of the Family Law Section (FLS) who volunteered to act as Special Masters and the young FLS attorneys who drafted court orders.



## Month-by-Month Highlights

During this project, the family court ran two calendars per day on Motions to Set. When the parties arrived for the hearing on their Motion to Set, they were advised of the opportunity to meet with volunteer settlement masters to resolve their dispute or narrow the issues in their case. The project handled 147 Motions to Set. Out of the 147 cases, the family court settled 53%, and many of those parties were able to file their divorce decree on the same day. Motion to Set previously took 5-6 months to be heard; they are now heard within 1-2 months.

### Public Provides Input on Kona Judiciary Complex Site Selection

Judiciary representatives obtained input on the seven possible sites for a new court complex from members of the community during a public meeting on September 20 at the West Hawai'i Civic Center. The feedback received at the meeting will provide additional information for the Final Environmental Impact Statement.

## October

### Self Help Center Opens

The Kaua'i Self-Help Center opened on October 7 and is serving as a pilot project for the other circuits. The Center provides legal information to self-represented litigants, and was formed through a partnership with the Hawai'i State Bar Association, the Kaua'i Bar Association, the Legal Aid Society of Hawai'i, and Volunteer Legal Services of Hawai'i.

### Judge Hayashi Recognized for Pono Kaulike Project

Judge Leslie Hayashi received the Judicial Innovation Award for her involvement in a District Court project called *Pono Kaulike*. The objective of the project, which began in 2003, is to help parties reconcile after conflict, and to help victims and reduce recidivism in offenders by promoting offender empathy for victims.



Judge Leslie Hayashi

The award was presented by Chief Justice Mark Recktenwald and attorney Roger Epstein, Vice President of the Hawai'i Friends of Justice & Civic Education (HFJCE), on

behalf of the HFJCE, at the Parole Completion Celebration held at Ali iolani Hale. The event is funded by the Gerbode Foundation and is held annually to recognize persons who successfully complete parole.

### Judge Raffetto Named Jurist of the Year



2011 Jurist of the Year Chief Judge Shackley Raffetto (left) and Chief Justice Mark Recktenwald

Second Circuit Chief Judge Shackley Raffetto was chosen by Chief Justice Mark Recktenwald as the Hawai'i State Judiciary's 2011 Jurist of the Year. Judge Raffetto, who has served as a circuit judge since 1994 and as chief judge since 2000, was honored at a ceremony at Hoapili Hale on October 17. The Jurist of the Year award recognizes a full-time trial judge for exceptional judicial competence evidenced by decisional quality, significant extra-judicial contributions to the

## Month-by-Month Highlights

administration of justice, and active participation in public service to the community at large.

### November

#### Nakasone Sworn In



*First Circuit Court Judge Karen Nakasone recites the oath of office.*

Karen T. Nakasone was sworn in as a First Circuit Court judge on November 1. Judge Nakasone had been a deputy public defender in Honolulu since 1996. Before that, she served as a law clerk to Associate Justice Simeon Acoba.

#### 40 Offenders to Receive Treatment Thanks to \$200,000 Federal Grant

The First Circuit received a \$200,000 grant to provide treatment to 40 additional non-violent, mentally ill offenders, many of whom have co-occurring problems with substance abuse. The grant, which was awarded by the Office of Justice Programs of the U.S. Department of Justice, will fund 30 additional treatment slots for the Hawai'i Drug Court and 10 additional treatment slots for the Mental Health Court for two years. Also, a portion of the grant will be used to fund two workshops for probation officers and community-based treatment providers who work with offenders who have a mental health disorder.

#### Honolulu Traffic Violations Bureau Eliminates Night Hours

Due to budgetary restrictions, the Traffic Violations Bureau in the Honolulu District Court at 1111 Alakea Street is no longer open on Wednesday evenings. Office hours are from 7:45 a.m. to 4:30 p.m. with counter services hours from 8:00 a.m. to 4:00 p.m., Monday through Friday.

### December

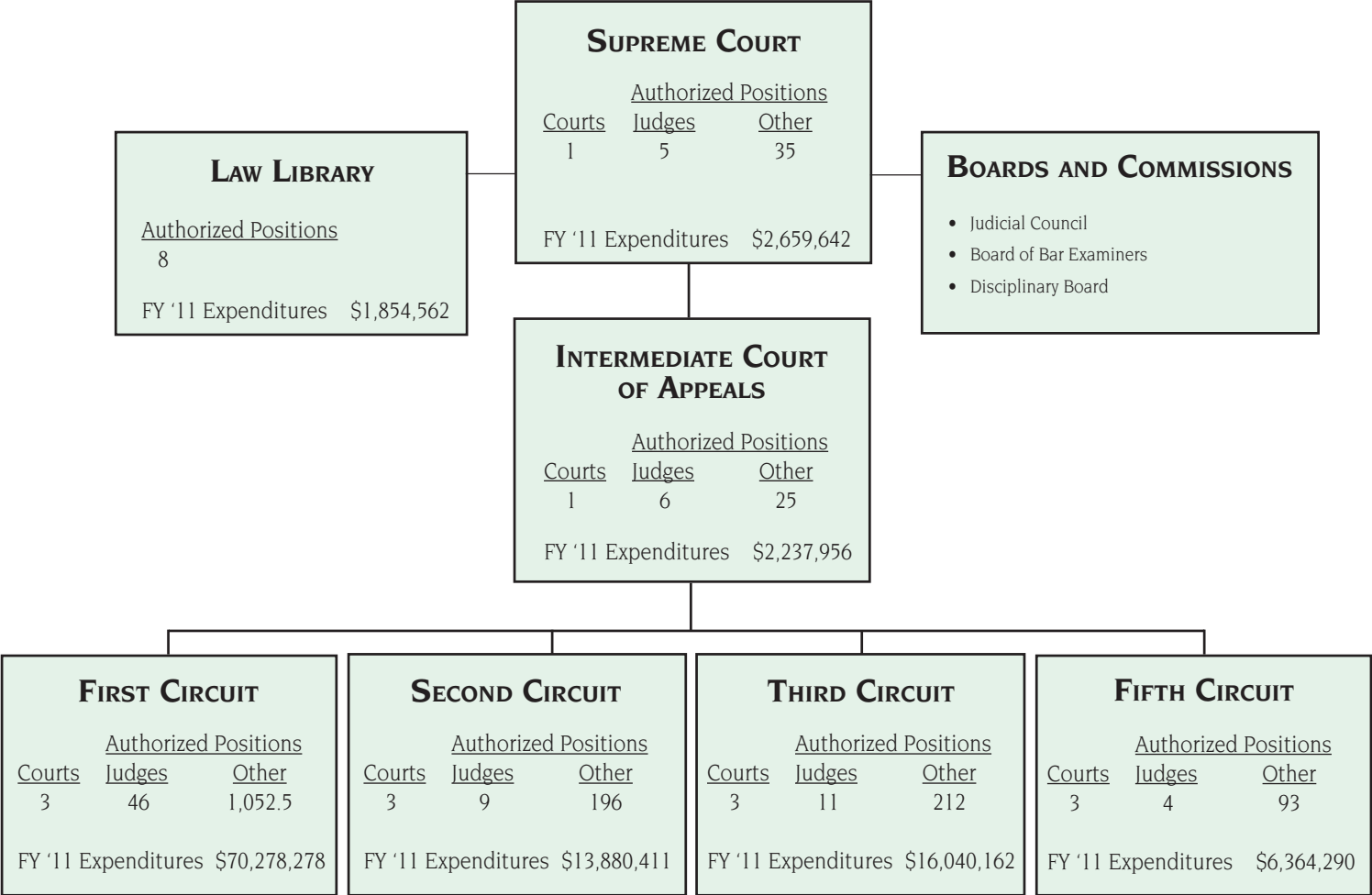
#### Final EIS for Kona Judiciary Complex Published

The Final Environmental Impact Statement (FEIS) for the Kona Judiciary Complex was completed and made available on the Internet for public viewing.

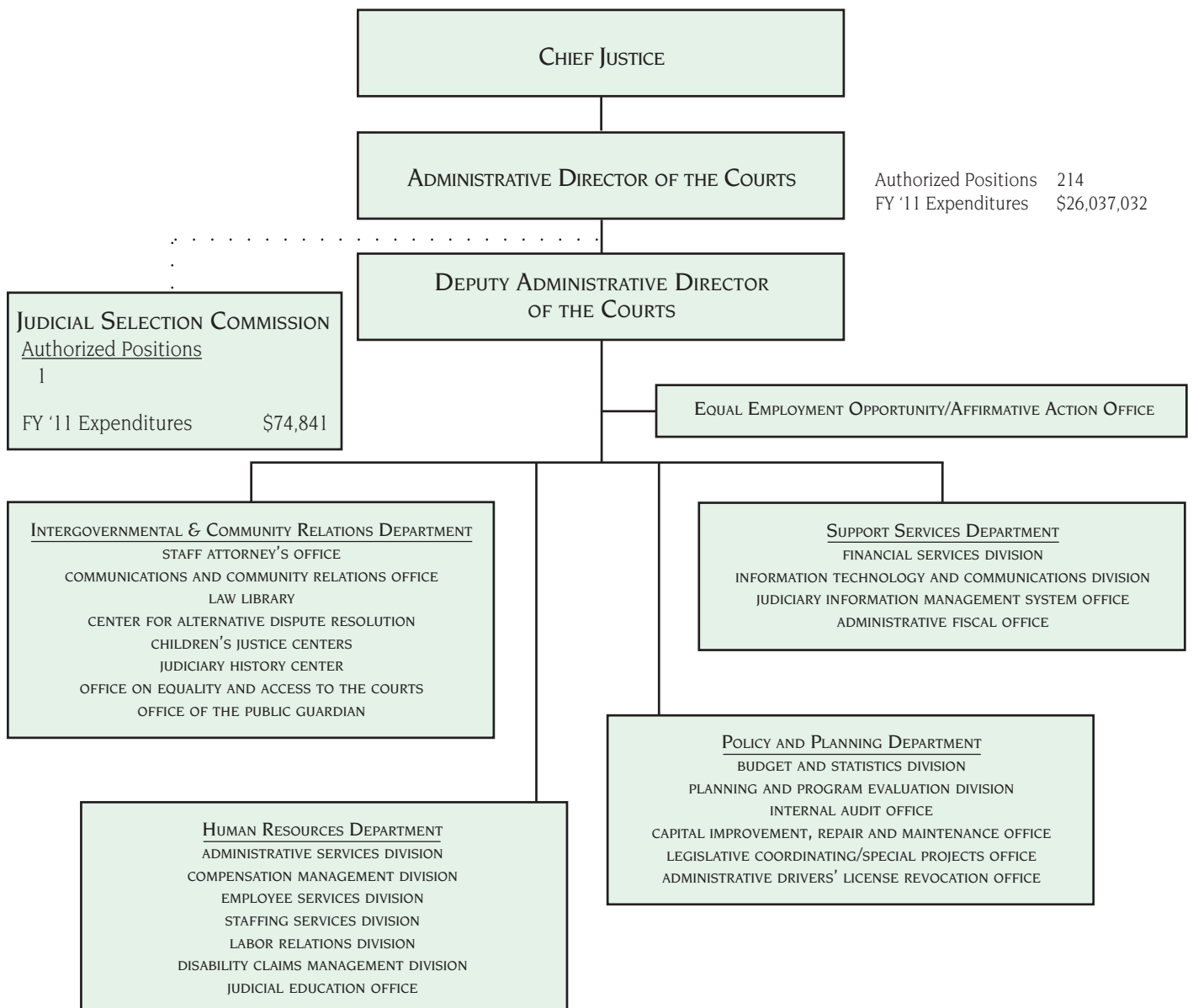
The FEIS identified seven Candidate Sites in the Kailua-Kona area. The sites were evaluated and rated in the FEIS according to lot size, slope, access to utilities, roadway and pedestrian access, environmental resources, land ownership, land use classifications, community effects and other criteria.

The Kona Judiciary Complex will replace inadequate, separate court facilities with a single, modern facility capable of serving the anticipated population growth in the West Hawai'i region.

# Structure of the Court System



# Structure of the Office of the Administrative Director of the Courts



## Courts of Appeal

### ACTIONS FILED

There were 717 primary cases filed in the Courts of Appeal during the 2010-11 fiscal year consisting of 581 appeals and 136 original proceedings.

Supplemental proceedings, which arise out of primary cases, are comprised of motions, special stipulations and applications for certiorari. In fiscal year 2010-11, 2,716 supplemental proceedings were filed in the Courts of Appeal.

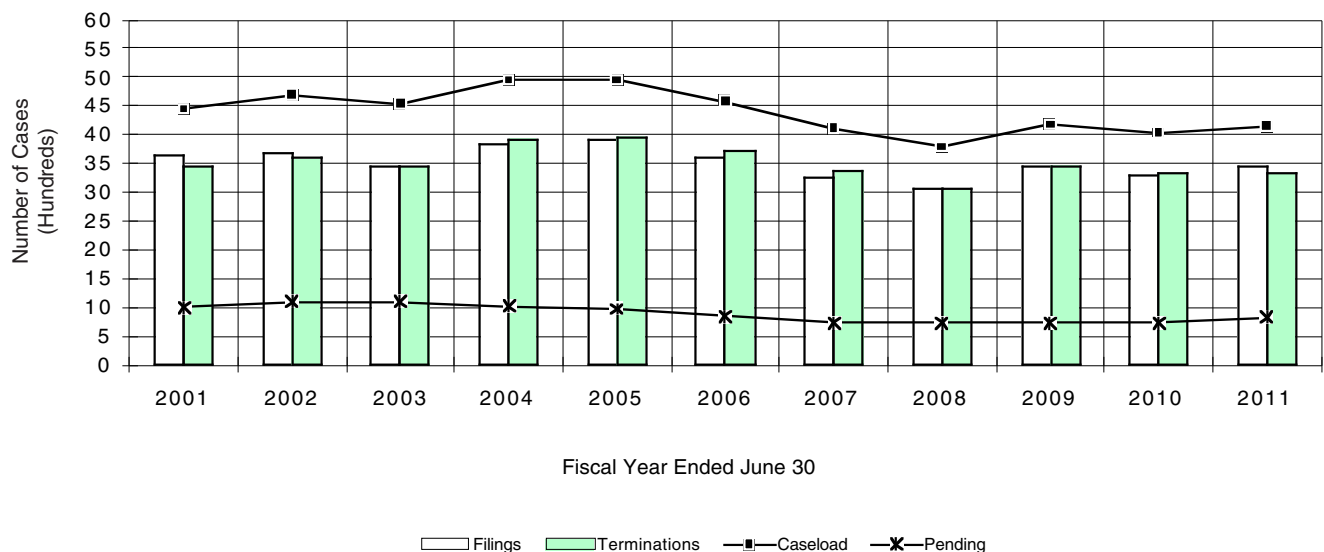
### TERMINATIONS

The Courts of Appeal terminated 635 primary cases during fiscal year 2010-11, compared to 650 primary cases terminated during the previous fiscal year. Terminations of supplemental proceedings increased from 2,666 last year to 2,687 this year.

### STATUS OF PENDING CASES

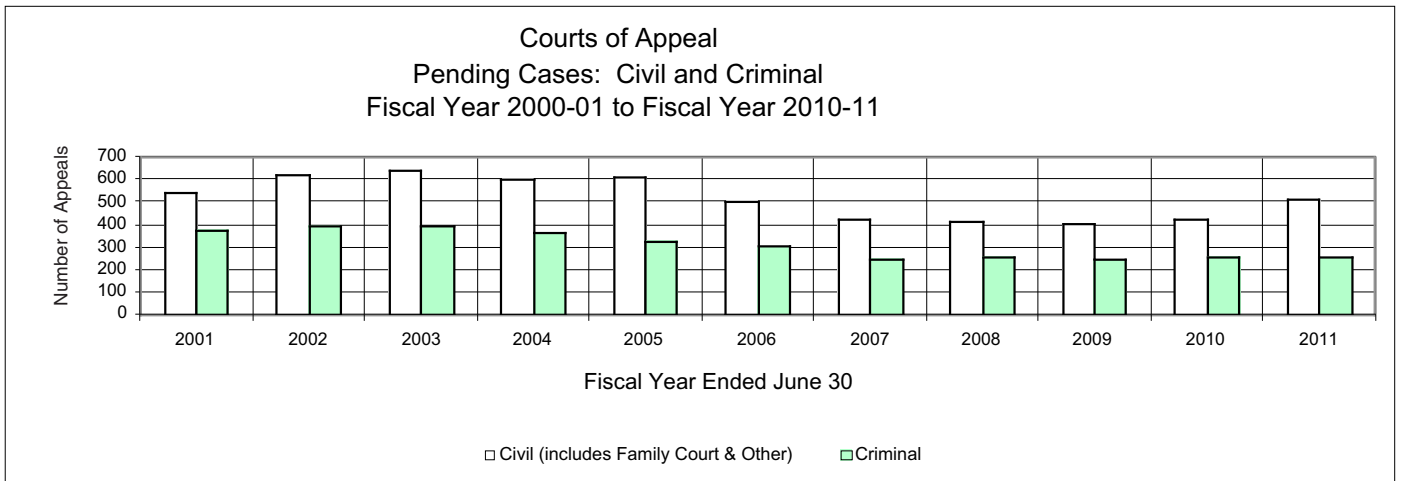
There were 767 primary cases and 67 supplemental proceedings pending in the Courts of Appeal at the end of the fiscal year.

Caseload Activity in the Courts of Appeal  
Fiscal Year 2000-01 to Fiscal Year 2010-11





*Courts of  
Appeal*



## Supreme Court

The Supreme Court of Hawai'i is the State's court of last resort. The Supreme Court hears appeals that are properly brought before the court upon applications for writs of certiorari to the Intermediate Court of Appeals and applications for transfer from the Intermediate Court of Appeals.

The Supreme Court also:

- hears reserved questions of law from the circuit courts, the land court, and the tax appeal court;
- hears certified questions of law from federal courts;
- hears applications for writs to judges and other public officers;
- hears complaints regarding elections;
- makes rules of practice and procedure for all state courts;
- licenses, regulates, and disciplines attorneys; and
- disciplines judges.

Each appeal is decided on the basis of the written record. In some cases, the court may hear oral arguments. The court takes no evidence, except in original proceedings. Each justice, or a substitute from the Intermediate Court of Appeals or the Circuit Court, participates in every substantive matter before the court.

The Supreme Court is composed of a Chief Justice and four Associate Justices. Justices are nominated by the Governor from a list of not less than four and not more than six names submitted by the Judicial Selection Commission. A justice's nomination is subject to confirmation by the State Senate. Each justice is initially appointed for a ten-year term. To be considered for appointment, a person must be a resident and a citizen of the state and of the United States and licensed to practice law by the Supreme Court of Hawai'i for not less than ten years preceding their nomination. After initial appointment, the Judicial Selection Commission determines whether a justice will be retained in office. A justice may not serve past age 70.

The members of the Supreme Court are Chief Justice Mark E. Recktenwald and Associate Justices Paula A. Nakayama, Simeon R. Acoba, Jr., James E. Duffy, Jr., and Sabrina S. McKenna.

Supreme  
Court

**ACTIONS FILED**

During fiscal year 2010-11, 166 primary cases were filed in the Supreme Court. There were 318 supplemental proceedings filed before the Supreme Court.

**TERMINATIONS**

Terminations of primary cases increased from last fiscal year – 147 cases to 161.

**STATUS OF PENDING CASES**

At the end of the fiscal year, 29 primary cases and 26 supplemental proceedings were pending. All pending supplemental proceedings were complete and awaiting decision.

**JUSTICES AND THEIR TERMS**

**CHIEF JUSTICE MARK E. RECKTENWALD**

*September 14, 2010 - September 13, 2020*

**ASSOCIATE JUSTICE PAULA A. NAKAYAMA**

*April 22, 2003 - April 21, 2013*

**ASSOCIATE JUSTICE SIMEON R. ACOBA, JR.**

*May 19, 2010 - May 18, 2020*

**ASSOCIATE JUSTICE JAMES E. DUFFY, JR.**

*June 27, 2003 - June 26, 2013*

**ASSOCIATE JUSTICE SABRINA S. MCKENNA**

*March 3, 2011 - March 2, 2021*

## *Intermediate Court of Appeals*

The Intermediate Court of Appeals (ICA) hears nearly all appeals from trial courts and some agencies in the State of Hawai'i. The ICA is composed of six judges who sit on panels of three. Judges are nominated by the Governor from a list of not less than four and not more than six names submitted by the Judicial Selection Commission. A judge's nomination is subject to confirmation by the State Senate. Each judge is initially appointed for a ten-year term. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

The Intermediate Court of Appeals has discretionary authority to entertain cases submitted without a prior suit when there is a question of law that could be the subject of a civil action or a proceeding in the Circuit Court or Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.

Cases in the Intermediate Court of Appeals may be transferred to the Hawai'i Supreme Court upon application to the Supreme Court under circumstances set out in the Hawai'i Revised Statutes. The ICA's Judgments on Appeal and dismissal orders are subject to the Hawai'i Supreme Court's discretionary review by way of an application for a writ of certiorari.

The current members of the Intermediate Court of Appeals are Chief Judge Craig H. Nakamura, and Associate Judges Daniel R. Foley, Alexa D. M. Fujise, Katherine G. Leonard, Lawrence M. Reifurth and Lisa M. Ginoza.

*Intermediate  
Court of Appeals*

**ACTIONS FILED**

A total of 558 primary cases and 2,398 supplemental proceedings were filed with the ICA in fiscal year 2010-11.

**TERMINATIONS**

During fiscal year 2010-11, the ICA terminated 79% of its total caseload. This figure includes 481 primary cases and 2,383 supplemental proceedings.

**STATUS OF PENDING CASES**

At the end of the 2010-11 fiscal year, 738 primary cases and 41 supplemental cases were pending, representing 21% of the total caseload for the year.

**JUDGES AND THEIR TERMS**

CHIEF JUDGE - CRAIG H. NAKAMURA  
*September 16, 2009 - September 15, 2019*

ASSOCIATE JUDGE DANIEL R. FOLEY  
*October 2, 2010 - October 1, 2020*

ASSOCIATE JUDGE ALEXA D.M. FUJISE  
*June 10, 2004 - June 9, 2014*

ASSOCIATE JUDGE KATHERINE G. LEONARD  
*January 30, 2008 - January 29, 2018*

ASSOCIATE JUDGE LAWRENCE M. REIFURTH  
*March 11, 2010 - March 10, 2020*

ASSOCIATE JUDGE LISA M. GINOZA  
*May 6, 2010 - May 5, 2020*



## Land Court

### DESCRIPTION

The Land Court has exclusive statewide jurisdiction over the registration of title to real property and over all disputes that may arise after title registration. Also, the court has jurisdiction over matters pertaining to the Land Court Registration law (Chapter 501, Hawai'i Revised Statutes).

The Land Court judge sits in Honolulu but hears cases brought from all islands.

### ACTIONS FILED

In fiscal year 2010-11, 2,413 cases were filed in the Land Court. Combined with the 441 cases pending at the end of the last fiscal year, the Land Court handled a total caseload of 2,854 cases.

In addition, the Land Court processed 4,106 ex parte petitions during fiscal year 2011.

### TERMINATIONS AND PENDING CASES

2,374 cases were terminated during fiscal year 2010-11, leaving 480 cases pending at the start of the new fiscal year.

## Tax Appeal Court

### DESCRIPTION

The Tax Appeal Court has exclusive jurisdiction to hear appeals under state laws, including, but not limited to, income tax, general excise tax, franchise tax and real property taxations directly from assessments and/or from the Boards of Review.

Like the Land Court, the Tax Appeal Court judge sits in Honolulu but hears cases brought from all islands.

### ACTIONS FILED

In fiscal year 2010-11, 1,225 cases were filed in the Tax Appeal Court. Combined with the 1064 pending cases at the end of the last fiscal year, the Tax Appeal Court's total caseload was 2,289 cases.

### TERMINATIONS AND PENDING CASES

The Tax Appeal Court terminated a total of 1126 cases, or 49% of the court's caseload, during the 2010-11 fiscal year. At the close of the fiscal year, 1,163 cases remained pending.

## Trial Courts

Hawaii's trial level is comprised of Circuit Courts and District Courts. Family Courts are included in the Circuit Courts. Hawaii's trial courts function in four circuits that correspond approximately to the geographical areas served by the counties.

The First Circuit serves the City and County of Honolulu.

The Second Circuit serves the County of Maui, which includes the islands of Maui, Moloka'i and Lāna'i.

The Third Circuit, divided into the districts of Hilo and Kona, serves the County of Hawai'i.

The Fourth Circuit is no longer used as a circuit designation. The Third and Fourth Circuits merged in 1943.

The Fifth Circuit serves the County of Kaua'i, which includes the islands of Kaua'i and Ni'ihau.

Circuit  
Courts

STRATEGIC MISSION

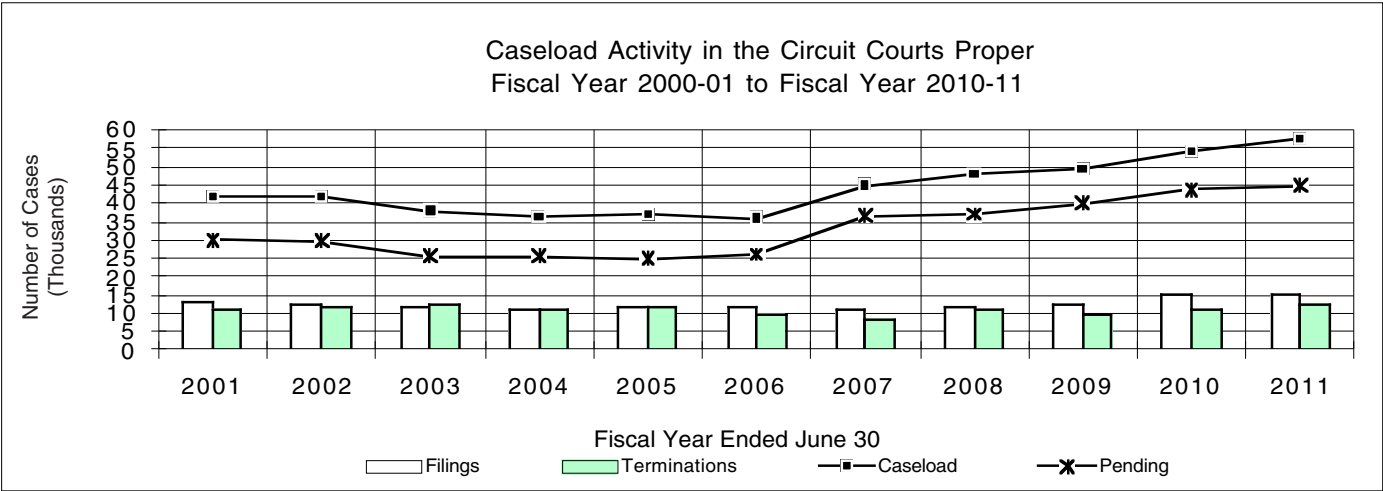
The mission of the Circuit Court is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with the law.

DESCRIPTION

All jury trials are held in the Circuit Courts, which have general jurisdiction in civil and criminal cases. They also have exclusive jurisdiction in probate, guardianship and criminal felony cases, as well as civil cases where the contested amount exceeds \$25,000. Circuit Courts share concurrent jurisdiction with District

Courts in civil non-jury cases that specify amounts between \$10,000 and \$25,000. Additional cases dispensed by the Circuit Courts include mechanics' liens and misdemeanor violations transferred from the District Courts for jury trials.

Circuit Court judges are appointed to ten-year terms by the Governor from a list of not less than four and not more than six nominees provided by the Judicial Selection Commission. The nominees are subject to confirmation by the State Senate.



## Circuit Courts

### ACTIONS FILED

Filings in the Circuit Courts totaled 15,115 cases in fiscal year 2010-11. Of the cases filed, 4,538, or 30%, were civil cases; and 4,171, or 28%, were criminal cases.

### TERMINATIONS

During fiscal year 2010-11, the Circuit Courts terminated 12,593 cases.

### STATUS OF PENDING CASES

At the end of the 2010-11 fiscal year, a total of 44,987 cases were pending in the Circuit Courts proper. This includes 2,727 inactive criminal cases and 5,417 criminal cases on deferred status.

### ADULT PROBATION DIVISIONS

There were 3,957 investigations completed during fiscal year 2010-11. In supervision cases, where persons were placed on probation or subject to court-ordered control, including offenders released from the Hawai'i State Hospital, there were 7,175 new placements added to the 21,618 cases pending from the previous fiscal year. Of these, 5,730 cases were closed, leaving 23,063 open at the end of the 2010-11 fiscal year.

## Circuit Court Judges and Their Terms

### FIRST CIRCUIT

KARL K. SAKAMOTO, 1<sup>ST</sup> DIVISION  
*June 1, 2010 - May 31, 2020*

STEVEN S. ALM, 2<sup>ND</sup> DIVISION  
*May 14, 2011 - May 13, 2021*

R. MARK BROWNING, 3<sup>RD</sup> DIVISION  
DEPUTY CHIEF JUDGE  
FAMILY COURT  
*May 6, 2010 - May 5, 2020*

GLENN J. KIM, 4<sup>TH</sup> DIVISION  
*April 30, 2007 - April 29, 2017*

JEANNETTE H. CASTAGNETTI, 5<sup>TH</sup> DIVISION  
*September 30, 2010 - September 29, 2020*

MICHAEL D. WILSON, 6<sup>TH</sup> DIVISION  
*May 10, 2010 - May 9, 2020*

RICHARD W. POLLACK, 7<sup>TH</sup> DIVISION  
*May 10, 2010 - May 9, 2020*

RICHARD K. PERKINS, 8<sup>TH</sup> DIVISION  
DEPUTY CHIEF JUDGE  
CRIMINAL DIVISION  
*May 6, 2004 - May 5, 2014*

VIRGINIA LEA CRANDALL, 9<sup>TH</sup> DIVISION  
*April 1, 2011 - March 31, 2021*

RHONDA A. NISHIMURA, 10<sup>TH</sup> DIVISION  
*June 20, 2003 - June 19, 2013*

KAREN S. S. AHN, 11<sup>TH</sup> DIVISION  
*May 10, 2010 - May 9, 2020*

RANDAL K. O. LEE, 12<sup>TH</sup> DIVISION  
*April 22, 2005 - April 21, 2015*

DEXTER D. DEL ROSARIO, 13<sup>TH</sup> DIVISION  
*April 15, 2004 - April 14, 2014*

GARY W. B. CHANG, 14<sup>TH</sup> DIVISION  
*June 1, 2009 - May 31, 2019*

EDWIN C. NACINO, 15<sup>TH</sup> DIVISION  
*January 28, 2010 - January 27, 2020*

PATRICK W. BORDER, 16<sup>TH</sup> DIVISION  
*April 8, 2004 - April 7, 2014*

ROM A. TRADER, 17<sup>TH</sup> DIVISION  
*March 27, 2009 - March 26, 2019*

EDWARD H. KUBO JR., 18<sup>TH</sup> DIVISION  
*March 11, 2010 - March 10, 2020*

FA'AUUGA L. TO'OTO'O, 19<sup>TH</sup> DIVISION  
*October 7, 2010 - October 6, 2020*

COLETTE Y. GARIBALDI, 20<sup>TH</sup> DIVISION  
*September 30, 2010 - September 29, 2020*

BERT I. AYABE, 21<sup>ST</sup> DIVISION  
DEPUTY CHIEF JUDGE  
CIVIL DIVISION  
*June 10, 2004 - June 9, 2014*

KAREN T. NAKASONE, 22<sup>ND</sup> DIVISION  
*November 1, 2011 - October 31, 2021*

DERRICK H. M. CHAN, 23<sup>RD</sup> DIVISION  
CHIEF JUDGE  
*August 25, 2010 - August 24, 2020*



## *Circuit Court Judges and Their Terms*

### **SECOND CIRCUIT**

SHACKLEY F. RAFFETTO, 1<sup>ST</sup> DIVISION  
CHIEF JUDGE/SENIOR FAMILY COURT JUDGE  
*June 9, 2004 - June 8, 2014*

RHONDA I.L. LOO, 2<sup>ND</sup> DIVISION  
*June 9, 2011 - June 8, 2021*

JOSEPH E. CARDOZA, 3<sup>RD</sup> DIVISION  
*June 24, 2009 - June 23, 2019*

RICHARD T. BISSEN, JR., 4<sup>TH</sup> DIVISION  
*April 29, 2005 - April 28, 2015*

### **THIRD CIRCUIT**

GREG K. NAKAMURA, 1<sup>ST</sup> DIVISION  
DEPUTY CHIEF JUDGE/  
SENIOR FAMILY COURT JUDGE  
*April 18, 2004 - April 17, 2014*

GLENN S. HARA, 2<sup>ND</sup> DIVISION  
*June 25, 2004 - June 24, 2014*

RONALD IBARRA, 3<sup>RD</sup> DIVISION  
CHIEF JUDGE  
*May 10, 2009 - May 9, 2019*

ELIZABETH A. STRANCE, 4<sup>TH</sup> DIVISION  
*March 31, 2005 - March 30, 2015*

### **FIFTH CIRCUIT**

RANDAL G. B. VALENCIANO, 1<sup>ST</sup> DIVISION  
CHIEF JUDGE/SENIOR FAMILY COURT JUDGE  
*June 14, 2007 - June 13, 2017*

KATHLEEN N. A. WATANABE, 2<sup>ND</sup> DIVISION  
*August 17, 2005 - August 16, 2015*

## Family Courts

### STRATEGIC MISSION

The mission of the Family Court is to provide a fair, speedy, economical and accessible forum for the resolution of matters involving families and children.

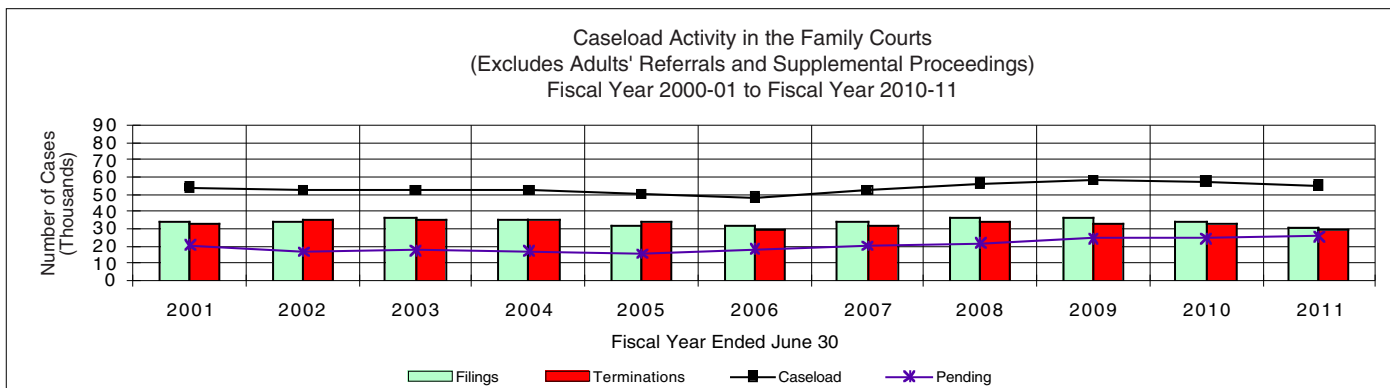
### DESCRIPTION

The Family Courts were established by statute in 1965 to deal with virtually all legal problems impacting Hawaii's families and children.

The Family Court hears all legal matters involving children, such as delinquency, waiver, status offenses,

abuse and neglect, termination of parental rights, adoption, guardianships and detention. The Family Court also hears traditional domestic relations cases, including divorce, nonsupport, paternity, uniform child custody jurisdiction cases and miscellaneous custody matters.

District Family Court judges are appointed to six-year terms by the Chief Justice from a list of at least six names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate.



*Family  
Courts*

**ACTIONS FILED**

A total of 30,385 cases were filed in the Family Courts in fiscal year 2010-11.

**TERMINATIONS**

Terminations totaled 29,550 in fiscal year 2010-11.

**STATUS OF PENDING CASES**

There were 25,912 cases pending at the end of fiscal year 2010-11.

## Family Court Judges and Their Terms

### FIRST CIRCUIT

R. MARK BROWNING  
FIRST CIRCUIT COURT  
3<sup>RD</sup> DIVISION  
DEPUTY CHIEF JUDGE  
May 6, 2010 - May 5, 2020

JEANNETTE H. CASTAGNETTI  
FIRST CIRCUIT COURT  
5<sup>TH</sup> DIVISION  
September 30, 2010 - September 29, 2014

FA'AUUGA L. TO'OTO'O  
FIRST CIRCUIT COURT  
19<sup>TH</sup> DIVISION  
October 7, 2010 - October 6, 2020

JENNIFER L. CHING  
June 24, 2011 - June 23, 2017

SHERRI-ANN L. IHA  
August 26, 2010 - August 25, 2016

LANSON K. KUPAU  
June 9, 2011 - June 18, 2017

CHRISTINE E. KURIYAMA  
May 20, 2010 - May 19, 2016

PAUL T. MURAKAMI  
June 7, 2008 - June 6, 2014

STEVEN M. NAKASHIMA  
August 26, 2010 - August 25, 2016

CATHERINE H. REMIGIO  
June 23, 2011 - June 22, 2017

BODE A. UALE  
October 27, 2010 - October 26, 2016

MATTHEW J. VIOLA  
August 26, 2010 - August 25, 2016

### SECOND CIRCUIT

SHACKLEY F. RAFFETTO  
SECOND CIRCUIT COURT, 1<sup>ST</sup> DIVISION  
CHIEF JUDGE  
June 9, 2004 - June 8, 2014

KEITH E. TANAKA  
March 9, 2007 - March 8, 2013

GERONIMO VALDRIZ  
May 26, 2006 - May 25, 2012

### THIRD CIRCUIT

GREG K. NAKAMURA  
THIRD CIRCUIT COURT, 1<sup>ST</sup> DIVISION  
DEPUTY CHIEF JUDGE  
April 18, 2004 - April 17, 2014

ALEY K. AUNA, JR.  
April 4, 2006 - April 3, 2012

ANTHONY K. BARTHOLOMEW  
June 6, 2008 - June 5, 2014

MELVIN H. FUJINO  
December 19, 2008 - December 18, 2014

LLOYD X. VAN DE CAR  
June 1, 2007 - May 31, 2013

### FIFTH CIRCUIT

RANDAL G. B. VALENCIANO  
FIFTH CIRCUIT COURT, 1<sup>ST</sup> DIVISION  
CHIEF JUDGE  
June 14, 2007 - June 13, 2017

EDMUND D. ACOBA  
FAMILY COURT JUDGE  
May 27, 2011 - May 26, 2017

## District Courts

### STRATEGIC MISSION

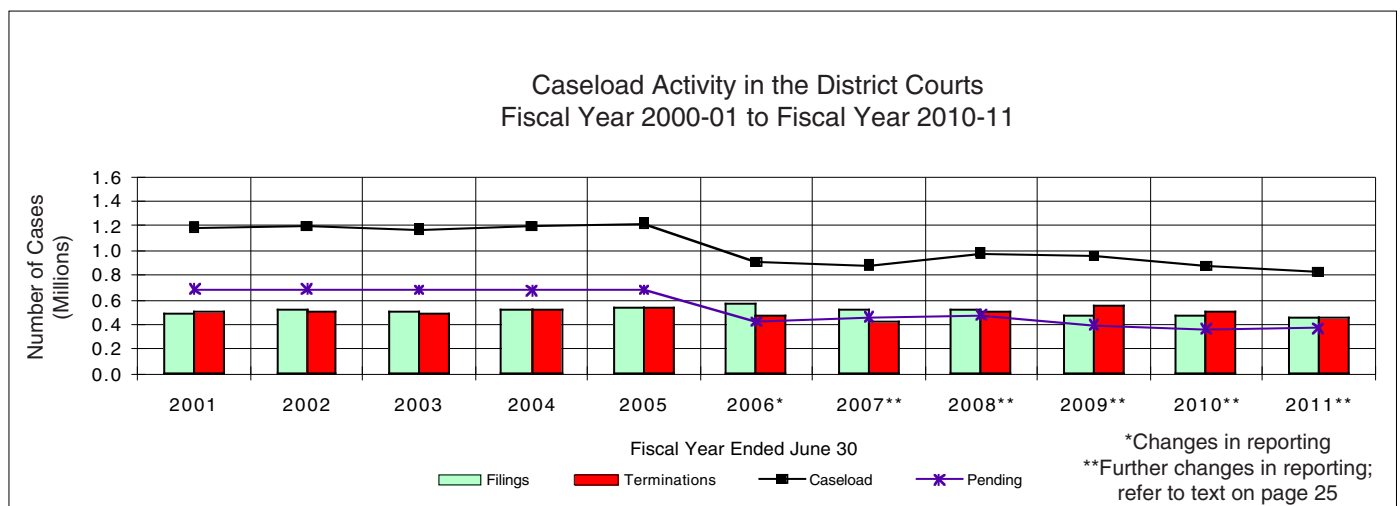
The mission of the District Court is to serve the people of Hawai'i through the fair and efficient adjudication and resolution of cases and controversies brought before it.

### DESCRIPTION

The District Courts have exclusive jurisdiction over traffic infractions and summary possession or ejectment proceedings (landlord-tenant), regardless of the claim amount. The District Courts also have jurisdiction over non-jury trial civil cases where the debt, amount, damages or value of the property claimed

does not exceed \$25,000, or where the remedy sought is specific performance valued under \$25,000, criminal offenses punishable by fine or by imprisonment not exceeding one year, cases arising from violations of a county ordinance, and petitions for restraining orders for relief from and for injunctions against harassment.

District Court judges are appointed to six-year terms by the Chief Justice from a list of at least six names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate.





District  
Courts

**CASELOAD ACTIVITY (EXCLUDING TRAFFIC)**

**ACTIONS FILED**

During the 2010-11 fiscal year, 55,299 cases were filed in the District Courts. Civil actions represented approximately 47% of filings, criminal actions 50% and other violations 3%.

**TERMINATIONS**

A total of 47,942 cases were terminated in the District Courts during the fiscal year.

**PENDING CASES**

There were 111,199 cases pending at the end of fiscal year 2010-11.

**CASELOAD ACTIVITY (TRAFFIC AND PARKING)**

A criminal traffic case involving multiple offenses is counted as one case, beginning in fiscal year 2006-07.

New Filings:	402,862 cases
Dispositions - Entry of Judgment:	403,360 cases
Active Pending Cases:	185,613 cases
Inactive Pending Cases:	74,769 cases

*District Court Judges  
and Their Terms*

**FIRST CIRCUIT**

BARBARA P. RICHARDSON  
DEPUTY CHIEF JUDGE  
*May 5, 2006 - May 4, 2012*

WILLIAM A. CARDWELL  
*May 20, 2010 - May 19, 2016*

HILARY BENSON GANGNES  
*May 22, 2008 - May 21, 2014*

LESLIE ANN HAYASHI  
*November 5, 2008 - November 4, 2014*

GERALD H. KIBE  
*January 6, 2007 - January 5, 2013*

FAYE M. KOYANAGI  
*June 10, 2009 - June 9, 2015*

LONO J. LEE  
*June 10, 2009 - June 9, 2015*

DAVID W. LO  
*August 23, 2006 - August 22, 2012*

LINDA K.C. LUKE  
*December 29, 2010 - December 28, 2016*

MELANIE MITO MAY  
*June 23, 2011 - June 22, 2017*

RUSSEL S. NAGATA  
*October 5, 2010 - October 4, 2016*

DEAN E. OCHIAI  
*June 16, 2011 - June 15, 2017*

CLARENCE A. PACARRO  
*June 7, 2008 - June 6, 2014*

MICHAEL K. TANIGAWA  
*August 26, 2010 - August 25, 2016*

**SECOND CIRCUIT**

KELSEY T. KAWANO  
DEPUTY CHIEF JUDGE  
*August 29, 2008 - August 28, 2014*

BLAINE J. KOBAYASHI  
*October 12, 2010 - October 11, 2016*

VACANT

VACANT

**THIRD CIRCUIT**

BARBARA T. TAKASE  
DEPUTY CHIEF JUDGE  
*May 26, 2010 - May 25, 2016*

JOSEPH P. FLORENDO, JR.  
*November 3, 2010 - November 2, 2016*

HARRY P. FREITAS  
*June 1, 2007 - May 31, 2013*

**FIFTH CIRCUIT**

TRUDY K. SENDA  
DEPUTY CHIEF JUDGE  
*May 4, 2007 - May 3, 2013*

## *Per Diem Judges*

### FIRST CIRCUIT

Patricia C. Aburano  
Gale L. F. Ching  
Darryl Y. C. Choy  
James H. Dannenberg  
Paula Devens-Matayoshi  
Philip M. Doi  
Peter C. K. Fong  
James H. Hershey  
Na'unanikina'u Kamali'i  
Shirley M. Kawamura  
James S. Kawashima  
Lenore K. J. H. Lee  
Wilson M. N. Loo  
Michael A. Marr  
Linda S. Martell  
Alvin K. Nishimura  
Maura M. Okamoto  
Blake T. Okimoto  
Karen M. Radius  
Nancy Ryan  
Randal I. Shintani  
Clyde E. Sumida  
Frances Q. F. Wong  
Timothy David Woo, Jr.

### SECOND CIRCUIT

Jan K. Apo  
Mimi Desjardins  
Michelle L. Drewyer  
Barclay E. MacDonald  
Lloyd A. Poelman  
Richard A. Priest, Jr.  
Eric G. Romanchak  
Douglas J. Sameshima

### THIRD CIRCUIT

Ben H. Gaddis  
David K. Kuwahara  
Andrew P. Wilson

### FIFTH CIRCUIT

Max W. J. Graham, Jr.  
Walton D. Y. Hong  
Joseph N. Kobayashi  
Laurel Loo  
Joe P. Moss  
Frank D. Rothschild

## Support Services

### STRATEGIC MISSION

The mission of the Office of the Administrative Director of the Courts is to promote the administration of justice in Hawai'i by providing professional, responsive administrative support to the Chief Justice, the courts and Judiciary programs and to expedite, facilitate and enhance the mission of the Judiciary.

### ADMINISTRATION

The Office of the Administrative Director of the Courts has the primary responsibility for daily operations of the court system. The Administrative Director is appointed by the Chief Justice with the approval of the Supreme Court, and is assisted by the Deputy Administrative Director.

The Equal Employment Opportunity and Affirmative Action Office is attached to the Deputy Administrative Director.

Administrative programs are divided into four departments. The Intergovernmental and Community Relations Department includes: Staff Attorney, King Kamehameha V Judiciary History Center, Children's Justice Centers, Law Library, Center for Alternative Dispute Resolution, Communications and Community Relations, Equality and Access to the Courts, and Office of the Public Guardian. The Support Services Department includes: Financial Services, Information Technology and Communications, Judiciary Information Management System, and Admin Fiscal. The Policy and Planning Department includes: Budget and Statistics, Planning and Program Evaluation, Internal Audit, Administrative Driver's License Revocation Office and Special Projects/Legislative Office. The Human Resources Department includes: Administrative Services, Compensation Management, Employee Services, Labor Relations, Staffing Services, Disability Claims Management and Judicial Education.

## *Financial Resources*

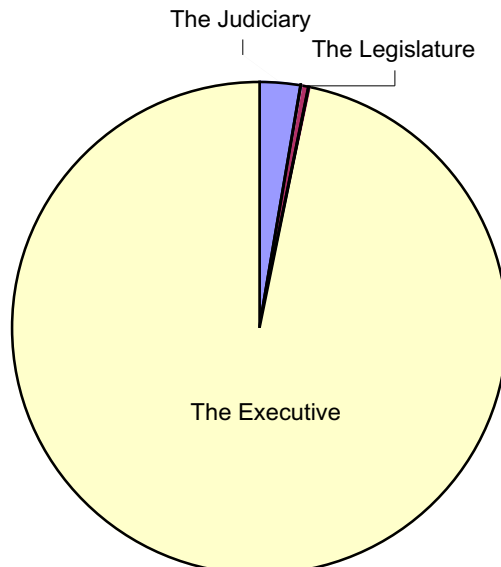
Appropriations for the Hawai'i State Judiciary are made by the Legislature on a statewide basis, with each fiscal year beginning July 1 and ending June 30. Both the operating and capital improvements budgets of the Judiciary are legislatively determined each biennium with operating monies allocated from the State General and Special Funds and capital improvement monies from the State Capital Project Fund.

The Legislature appropriated \$130,743,104 from the State General Fund for operations during the current fiscal year, which constitutes just 2.51% of the total state general fund appropriations. Other operating monies come from federal funds, trust funds and special revenue funds, such as the Driver Education and Training Fund.

Financial  
Resources

<b>THE JUDICIARY OPERATING FUNDS FISCAL YEARS 2010-2013 BUDGET SUMMARY</b>				
PROGRAM	FY 2010 Actual Expenditures	FY 2011 Actual Expenditures	Biennium Budget Appropriations*	
			FY 2012	FY 2013
JUD 101 - COURTS OF APPEAL				
General Fund	6,759,807	6,736,646	6,725,035	6,725,035
Revolving Fund	11,403	15,514	243,261	243,261
JUD 310 - FIRST JUDICIAL CIRCUIT				
General Fund	69,324,736	67,281,152	68,247,563	69,353,842
Special Fund	3,105,780	2,997,126	4,002,620	4,002,620
JUD 320 - SECOND JUDICIAL CIRCUIT				
General Fund	13,892,081	13,880,411	14,120,020	14,449,090
JUD 330 - THIRD JUDICIAL CIRCUIT				
General Fund	16,321,073	16,040,162	16,673,734	16,673,734
JUD 350 - FIFTH JUDICIAL CIRCUIT				
General Fund	6,289,281	6,364,290	6,411,853	6,411,853
JUD 501 - JUDICIAL SELECTION COMMISSION				
General Fund	77,398	74,841	85,940	85,940
JUD 610 - ADMINISTRATION				
General Fund	19,118,258	19,569,881	20,401,512	20,836,240
Special Fund	7,605,053	6,451,718	6,930,290	8,280,290
Revolving Fund	16,798	15,433	100,000	100,000
TOTALS				
General Fund	131,782,634	129,947,383	132,665,657	134,535,734
Special Fund	10,710,833	9,448,844	10,932,910	12,282,910
Revolving Fund	28,201	30,947	343,261	343,261

\* Subject to final legislative review.



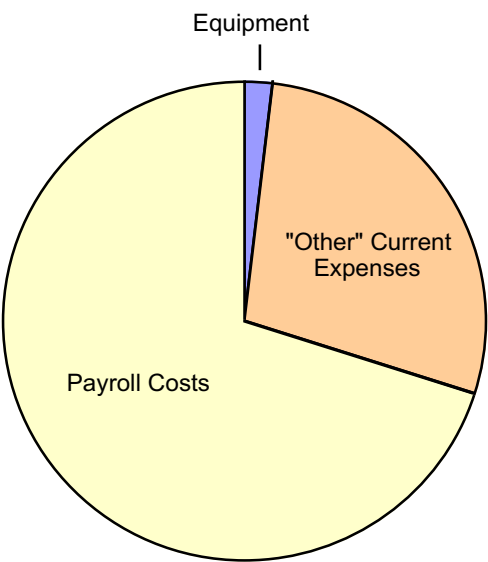
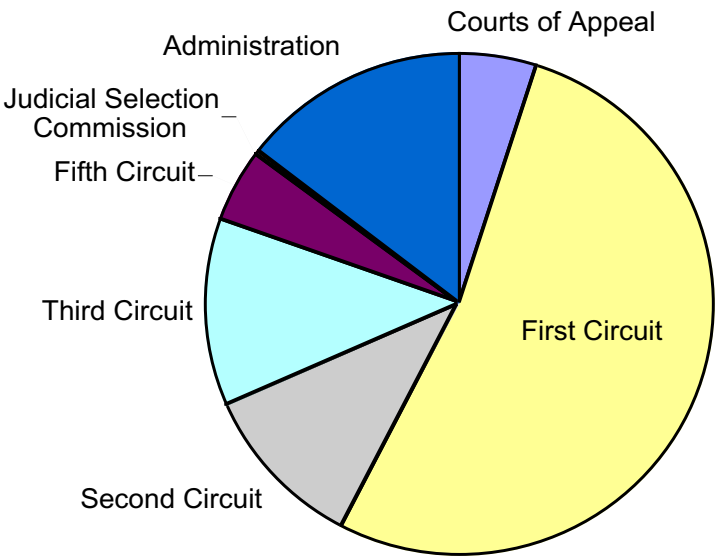
TOTAL STATE GOVERNMENT APPROPRIATIONS  
FROM STATE GENERAL FUND  
FISCAL YEAR 2010-11

The Judiciary	2.51%	\$ 130,743,104
The Legislature	.61%	31,729,361
The Executive	96.88%	5,041,000,332
Total		\$ 5,203,472,797

Financial  
Resources

STATE GENERAL FUND EXPENDITURES  
BY COURT ELEMENT  
FISCAL YEAR 2010-11

Courts of Appeal	5.2%	\$ 6.7 million
First Circuit	51.8%	67.3 million
Second Circuit	10.7%	13.9 million
Third Circuit	12.3%	16.0 million
Fifth Circuit	4.9%	6.4 million
Judicial Selection Commission	.1%	.1 million
Administration	15.0%	19.5 million
Total		\$ 129.9 million



STATE GENERAL FUND EXPENDITURES  
BY COST CATEGORY  
FISCAL YEAR 2010-11

Equipment	2%	\$ 2.7 million
"Other" Current Expenses	29%	37.4 million
Payroll Costs	69%	89.8 million
Total		\$ 129.9 million