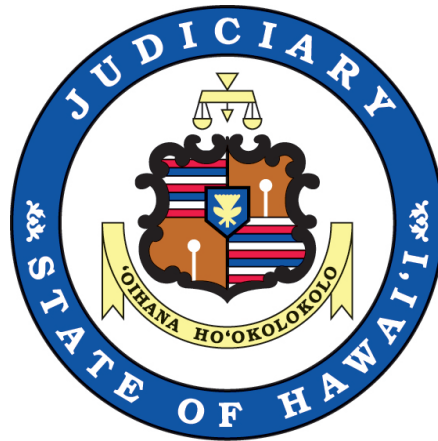




# The Judiciary State of Hawaii



## 2015 Annual Report





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## THE JUDICIARY -- STATE OF HAWAII

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Produced by the Hawaii State Judiciary Communications and Community Relations Office  
417 South King Street Honolulu, Hawaii 96813 • (808) 539-4909 • [www.courts.state.hi.us](http://www.courts.state.hi.us)  
January 1, 2016





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 2015 Annual Report. This report highlights some of the Judiciary's accomplishments over the past year and provides detailed statistics on our caseloads and budget. Our accomplishments are a testament to the hard work and commitment of all those who work in our court system. A special mahalo to our dedicated Judiciary employees, volunteers, and community partners, who work daily towards fulfilling our mission, knowing that their efforts have far-reaching impacts upon the lives of those who depend on our courts for resolving disputes and ensuring justice.

On behalf of the Judiciary, I would also like to extend our sincere appreciation to the Legislature for its continued support of our budgetary needs and legislative initiatives. Our mission depends on our cooperation with all branches of government. We look forward to continuing that collaboration in the year to come.

*Mark E. Recktenwald*

**Chief Justice Mark E. Recktenwald**  
Hawaii Supreme Court

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The Judiciary is thankful for all of its community partners, stakeholders, and volunteers. Pictured at the top is Chief Justice Mark Recktenwald (left) and Administrative Director of the Courts Rodney Maile (right) thanking Millie Botelho (center) at the Volunteers In Public Service to the Courts (VIPS) Annual Recognition Ceremony. Botelho has been volunteering with the courts for more than 20 years, following her 30 year career with the Judiciary. •Pictured in the center are the Supreme Court Justices with students from Kanuikapono Public Charter School, posing for a picture at the Courts in the Community Outreach Program held on Kauai in April 2015. •Pictured on the bottom is Governor David Ige (center) with Chief Justice Recktenwald (left) and Access to Justice Commission Chair Daniel Foley. They are at the 2015 Pro Bono Celebration congratulating Oahu attorneys for volunteering to provide legal assistance to self-represented litigants.



## MONTH-BY-MONTH HIGHLIGHTS

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*The Senate Chambers at the Hawaii State Capitol were full as Chief Justice Mark Recktenwald delivered the biennial State of the Judiciary address. He thanked the legislature for the opportunity to share his report with the people of Hawaii.*

### JANUARY

#### Chief Justice Delivers State of the Judiciary Address

On January 28, Chief Justice Mark Recktenwald (see photo above) delivered the biennial State of the Judiciary address before a joint Senate-House legislative session in the Senate Chamber at the Hawaii State Capitol.

He provided updates on *Access to Justice* and the Judiciary's efforts to provide equal justice to all, the opening of self-help centers in courthouses across the state, and reported on the Judiciary's use of technology to expand its reach and accessibility.

Chief Justice Recktenwald highlighted the First Circuit Family Court's Zero-to-Three Court, designed to meet the needs of infants and toddlers whose parents are suspected of abuse or neglect; the Permanency Court, that focuses on the needs of juveniles who are "aging out" of the foster care system; and the Courts in the Community Outreach Program, that gives high school students the opportunity to go beyond textbooks and experience an actual Supreme Court oral argument.

He went on to discuss several new initiatives, including: the expansion of the Veterans Treatment Court to the Big Island; a HOPE Pretrial Pilot Project; the Girls Court program; and confirmed plans for an environmental court to be implemented as scheduled by July 1, 2015.

### FEBRUARY

#### Girls Court Expands to Kauai

Girls Court expanded to Kauai in February thanks to the leadership of Judges Trudy Senda and Randal Valencia-no. The purpose of Girls Court is to reach young women who are at a crossroads in their lives, to help them break the cycle of destructive behavior. The goal of the program is to prevent or reduce female juvenile delinquency by encouraging healthy attitudes, behaviors, and lifestyles as well as promoting self-control and responsibility.

Hawaii launched one of the nation's first Girls Court models in 2004 on Oahu. To date, over 116 girls and 234 family members have participated in the program. In a recent study, Girls Court participants have had 88.1% fewer law violations, 98.2% fewer status offenses, and 57.8% fewer detention home admissions.



### Honolulu's DWI Court Program Receives National Award for Public Service

The Hawaii State Judiciary's Driving While Impaired (DWI) Court was presented with the National Highway Traffic Safety Administration (NHTSA) Award for Public Service at the 2015 Lifesavers Conference in Chicago, Illinois.

The Honolulu DWI Court Program was founded in 2013 to address an increase in fatal vehicle crashes involving drivers under the influence of alcohol. Compared to other states, Hawaii has a high proportion of fatal crashes that involve impaired driving. The Honolulu DWI Court Program aims to provide offenders with a comprehensive program that will reduce individual recidivism rates, reduce societal financial burdens, and protect the community as a whole.

In the DWI Court Program, participants attain sobriety through a court-regulated treatment plan that provides intervention support for non-violent offenders, while ensuring justice.

DWI Court provides participants with a gateway to resources for recovery, in turn reducing recidivism and increasing public safety. The program is supported by partner organizations including the Hawaii State Department of Transportation, Honolulu Police Department, Office of the Public Defender, Mothers Against

Drinking and Driving (MADD) Hawaii Chapter, and the University of Hawaii, John A. Burns School of Medicine (JABSOM).

### MARCH

### Department of Justice Applauds the Hawaii State Judiciary for Continued Commitment in Expanding Language Assistance Services

The Hawaii State Judiciary collaborated with the federal Department of Justice (DOJ) to better meet the growing needs of those who require language assistance services in court proceedings and operations. On March 24, the Department of Justice issued a news release commending the Hawaii Judiciary for its proactive efforts to provide all communities with equal access to justice regardless of the language they speak.

The Hawaii State Judiciary provides interpreter services to persons with limited English proficiency in all case types at no charge. The Judiciary's language assistance services include over-the-counter and over-the-telephone encounters for all Judiciary-related business, including services at the Self Help Centers. In fiscal year 2013, the Judiciary provided interpreter services in more than 8,000 proceedings.

In 2015, the Judiciary trained staff to better assist customers with limited English proficiency, refined its court interpreter assignment policy, upgraded information and languages available on the Judiciary's website, used a DOJ grant to provide Interpreter Skills Building workshops, and implemented an awareness campaign to increase the public's knowledge about accessing language services.



*Pictured left to right: Lisa Lum, DWI Court Administrator; David Lo, DWI Court and District Court Judge of the First Circuit; and Mark Rosekind, Administrator of the National Highway Traffic Safety Administration (NHTSA) at the 2015 Lifesavers Conference in Chicago, Illinois, on March 16, 2015.*





*First Veterans Treatment Court Graduation held on April 17, 2015 -- (left to right) Maj. Gen. (Ret.) Robert Lee, former Adjutants General, Hawaii National Guard; U.S. Sen. Mazie Hirono; Ms. Melissa Fitzgerald, Senior Director, Justice for Vets; Chief Justice Mark Recktenwald; Veterans Treatment Court Graduate; Michael Peacock, Veterans Treatment Court Mentor; and Circuit Court Judge Edward H. Kubo, Jr.*

### APRIL

#### First Veterans Treatment Court Graduation Held on Oahu

The Hawaii Veterans Treatment Court celebrated its first graduating class on April 17. More than 175 people gathered in the Supreme Court courtroom to congratulate the four U.S. veterans who completed the intensive two-year program. The graduation ceremony celebrated their success in achieving a clean and sober lifestyle and a chance for a successful future with a job and other opportunities.

The Veterans Treatment Court was established to help those who have served our country in the military, and thereafter suffered drug abuse and mental health issues, leading to their arrest and incarceration in Hawaii. Each veteran undergoes an extensive and intensive two-year program of treatment and counseling, with urinalysis, meetings with probation officers, and court appearances. Graduates are also assisted with personal issues concerning homelessness and employment. Many of the services rendered to these veterans are provided by the U.S. Department of Veterans Affairs (VA) at no cost to the State of Hawaii.

### MAY

#### Kona Judiciary Complex Approved by the Legislature

On May 5, the Legislature passed the Hawaii State Judiciary's appropriations bill, which included \$55 million to fund construction of the new Kona Judiciary Complex.

Currently, court proceedings are held in three separate locations in Kona, in buildings not designed to serve as courtrooms. The present use of those buildings as courtrooms has created security, logistical, and operational problems.

The Legislature's action will enable the Judiciary to meet the growing needs of the West Hawaii community, and provide the people of West Hawaii with a secure courthouse where all court services are available in one convenient location.

The Judiciary plans to break ground on the new complex in the fall of 2016. The total cost of construction is \$90 million. \$35 million was approved by the 2014 Legislature, in addition to the \$55 million approved in 2015.



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## THE JUDICIARY -- STATE OF HAWAII

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*Pictured above is a rendering of the Kona Judiciary Complex scheduled to break ground in the Fall of 2016. The new complex is designed to be water, energy, and environmentally efficient and sustainable. The 143,000 square-foot complex will have 5 courtrooms, conference rooms, a law library, self-help center, and nearly 300 parking stalls.*

### June

#### Judiciary, Libraries, and Legal Aid Partnership Improves Public Access to Courts

Making the courts easier for the public to navigate is a top priority for the Hawaii State Judiciary. That is why ten frequently used forms were identified and added to the “A2J” interactive forms software, available online at Legal Aid’s LawHelp and the Hawaii State Judiciary’s website.

The project was made possible by a grant from the State Justice Institute, and builds on funding that Legal Aid received from the Legal Services Corporation Technology Initiative Grant. Legal Aid also sponsored “Know Your Rights” seminars across the state covering topics such as landlord-tenant, long-term care, estate planning, etc., to help improve access to the courts for people of all income levels, especially Hawaii’s self-represented litigants.



*Supreme Court State Law Librarian Jenny R.F.F. Silbiger (left) and Elise von Dohlen, Legal Aid Society of Hawaii’s Director of Grants Management (right), test the new Hawaii Self-Help Interactive Forms on Legal Aid’s LawHelp.org website*



### Judge Edward Kubo Receives U.S. Army Pacific's Highest Civilian Honor



Judge Edward H. Kubo was awarded U.S. Army Pacific's highest civilian honor – the Mana O Ke Koa Award (Spirit of the Warrior). Gen. Vincent K. Brooks (left), U.S. Army Pacific commanding general, presented the award to First Circuit Court Judge Kubo on June 10 during a ceremony commemorating the Army's 240th birthday.

According to officials at U.S. Army Pacific, Judge Kubo was awarded this honor based on his unwavering support of soldiers and veterans. Judge Kubo established the Veterans Treatment Court in Hawaii, which takes a holistic approach, providing resources and treatment for veterans so that they may attain health, employment, and may return to society as law-abiding citizens.

### July

### Hawaii State Judiciary Launches New Environmental Court

On July 1, Hawaii took the historic step of establishing the second statewide Environmental Court in the U.S. Hawaii's new Environmental Court has broad jurisdiction over civil and criminal cases affecting the environment. The goal of the Environmental Court is to ensure the fair, consistent, and effective resolution of cases involving the environment.

Pursuant to Act 218, Session Laws of Hawaii 2014, Chief Justice Recktenwald appointed Associate Justice Michael D. Wilson to serve as Chair of the Environmental Court Working Group, an assembly of court personnel from across the state, to manage the implementation of the new specialty court. The Working Group submitted

a report to the 2015 Legislature describing plans to implement the Hawaii Environmental Court. Environmental court judges for the district and circuit courts were assigned, Circuit Court Rules were amended, case management systems were updated, and adjustments were made to court schedules to accommodate environmental court calendars.

By organizing the technical and legal environmental issues under the Environmental Court, the State Legislature's intention of promoting and protecting Hawaii's natural environment will be realized through informed, efficient and consistent application of Hawaii's environmental laws.

### August

### "Jake" the Judiciary's Facility Dog



*Left to right: Children Justice Center's Director Jasmine Mau-Mukai, Chief Justice Mark Recktenwald, CJC of Oahu's Program Director Julie Buto, and "Jake" the facility dog.*

The Children's Justice Center (CJC) of Oahu welcomed a certified facility dog named Jake to their team. The two-year-old golden retriever was trained on Maui by "Assistance Dogs of Hawaii." Jake is providing quiet comfort to children and their families who come to the CJC. If this pilot project is a success, the Judiciary will work to have more facility dogs placed in CJC's across the state.

### September

#### Judge Alm Leads National Panel on HOPE Probation

First Circuit Court Judge Steven Alm and Dr. Robert DuPont, First Director of the National Institute on Drug Abuse (NIDA) and President of the Institute for Behavior and Health (IBH), led a round table discussion about HOPE Probation (Hawaii's Opportunity Probation with Enforcement), September 16 in Washington, D.C. "The State of the Art of the HOPE Probation Model: A Roundtable Discussion for Criminal Justice Leaders" was organized by the non-profit Institute for Behavior and Health, Inc.

In 2004, Judge Alm launched the nation's first HOPE program to reduce probation violations by drug offenders and others at high risk of recidivism. There are now 31 states using the HOPE strategy in probation, parole, pre-trial, and prison. Research shows that HOPE reduces victimization and crime, helps offenders succeed on probation and avoid being sentenced to prison, thus saving taxpayers millions of dollars.

#### Self-Help Centers Provide Legal Information to more than 10,000 People

As of September 2015, more than 10,000 people have been assisted at courthouse self-help centers in Hawaii. These centers were established through collaboration among the Hawaii State Judiciary, the Hawaii Access to Justice Commission, Legal Aid Society of Hawaii, and the Hawaii State Bar Association. The first self-help center was opened in 2011 on Kauai. Six of these centers are now available statewide (at courthouses in Lihue, Wailuku, Kona, Hilo, Kapolei, and Honolulu) to self-represented litigants who wish to consult with volunteer attorneys about civil legal matters at no cost to the litigant, and virtually no cost to the state.

Hundreds of volunteer attorneys donate their time and professional services at the self-help centers, assisting individuals who otherwise might not be able to afford a lawyer. These attorneys play a crucial role in advancing the Judiciary's goal of ensuring that all Hawaii residents have equal access to justice.

The response from those who have been served at the self-help centers has been overwhelmingly positive.

#### 2015 Volunteer Recognition Ceremony

On September 25, the Hawaii State Judiciary honored 1,500 First Circuit volunteers at its annual Volunteers in Public Service to the Courts (VIPS) Ceremony, held at the Supreme Court courtroom. In Fiscal Year 2014-15 these volunteers provided more than 52,000 hours of combined service.

The Hawaii State Judiciary is grateful for the valuable contributions made by volunteers across the state.



*Pictured above, Chief Justice Mark Recktenwald (left) pauses for a photo with volunteers Ron Stebbins (center), and the First Circuit's Veterans Treatment Court dog, Athena.*





*First Circuit Court Judge Richard Perkins (pictured on right) was presented with the 2015 Jurist of the Year Award by Chief Justice Mark Recktenwald (pictured on left) at the Hawaii State Judiciary's 2015 Statewide Incentive Awards Ceremony on October 2.*

### October

#### 2015 Jurist of the Year and Employees Honored

The Jurist of the Year is selected annually by the Chief Justice from nominations submitted by Hawaii attorneys and Judiciary personnel. The Jurist of the Year recognizes a full-time trial judge who exhibits exceptional judicial competence, evidenced by decisional quality; significant extra-judicial contributions to the administration of justice; and active participation in public service to the community at large.

#### DWI Court: 17 Successful Graduates and Counting

On October 22, the Honolulu DWI (Driving While Impaired) Court held a graduation ceremony to celebrate the dedication and success of the program's 17th graduate.

In speaking about what the DWI Court has achieved since it began in 2013, Honolulu criminal defense attorney Brian Kim said, "I'm sold on it. It's a little hard to describe, but you can actually see the changes in the people who make it through DWI Court. They lose weight, their eyes get clear, and they find themselves again. After entering the program, one of my clients said that he no longer had problems at home because he wasn't drinking anymore. This is a great program and it works."

### November

#### 2015 Pro Bono Celebration Honors Volunteer Attorneys and Student Essay Contest Winners

Attorneys who volunteered their time without compensation to non-profit legal services providers and self-represented litigants were honored at the Hawaii Access to Justice Commission's 2015 Pro Bono Celebration. The Commission also presented awards of \$500 each to the six award recipients from its 2015 high school essay contest titled, "How to Inspire Fellow Students to Volunteer."

As events were held around the country in observance of National Pro Bono Week, nearly 150 people gathered in the Hawaii Supreme Court courtroom to celebrate the outstanding pro bono attorneys who assisted non-profit legal services providers, and the volunteer attorneys who helped staff the Access to Justice Rooms at Honolulu District Court and the Ronald T.Y. Moon Kapolei Family Court. Since opening in 2012, Oahu's two Access to Justice Rooms have had more than 3,167 visits by self-represented litigants, with volunteer attorneys providing over 1,900 hours of free legal assistance.



### **Justice McKenna Selected for the 2015 Daniel K. Inouye Trailblazer Award**

At the opening of the Hawaii State Bar Association's (HSBA) Appellate Section's Annual Meet and Greet on November 23, Chief Justice Mark E. Recktenwald (pictured above on right) recognized Supreme Court Associate Justice Sabrina S. McKenna (center) as the recent recipient of the Daniel K. Inouye Trailblazer Award. State Senator Michelle N. Kidani (left) presented Justice McKenna with a certificate signed by the members of the Hawaii State Senate.

Justice McKenna was one of five attorneys selected by the National Asian Pacific American Bar Association (NAPABA) to receive NAPABA's highest honor – the Daniel K. Inouye Trailblazer Award. The award recognizes the outstanding achievements, commitment and leadership of lawyers who have paved the way for the advancement of other Asian Pacific American (APA) attorneys. Justice McKenna accepted the award during the NAPABA Convention in New Orleans on November 6.

### **DECEMBER**

### **Hawaii Supreme Court Takes Oral Argument to Waianae High School**

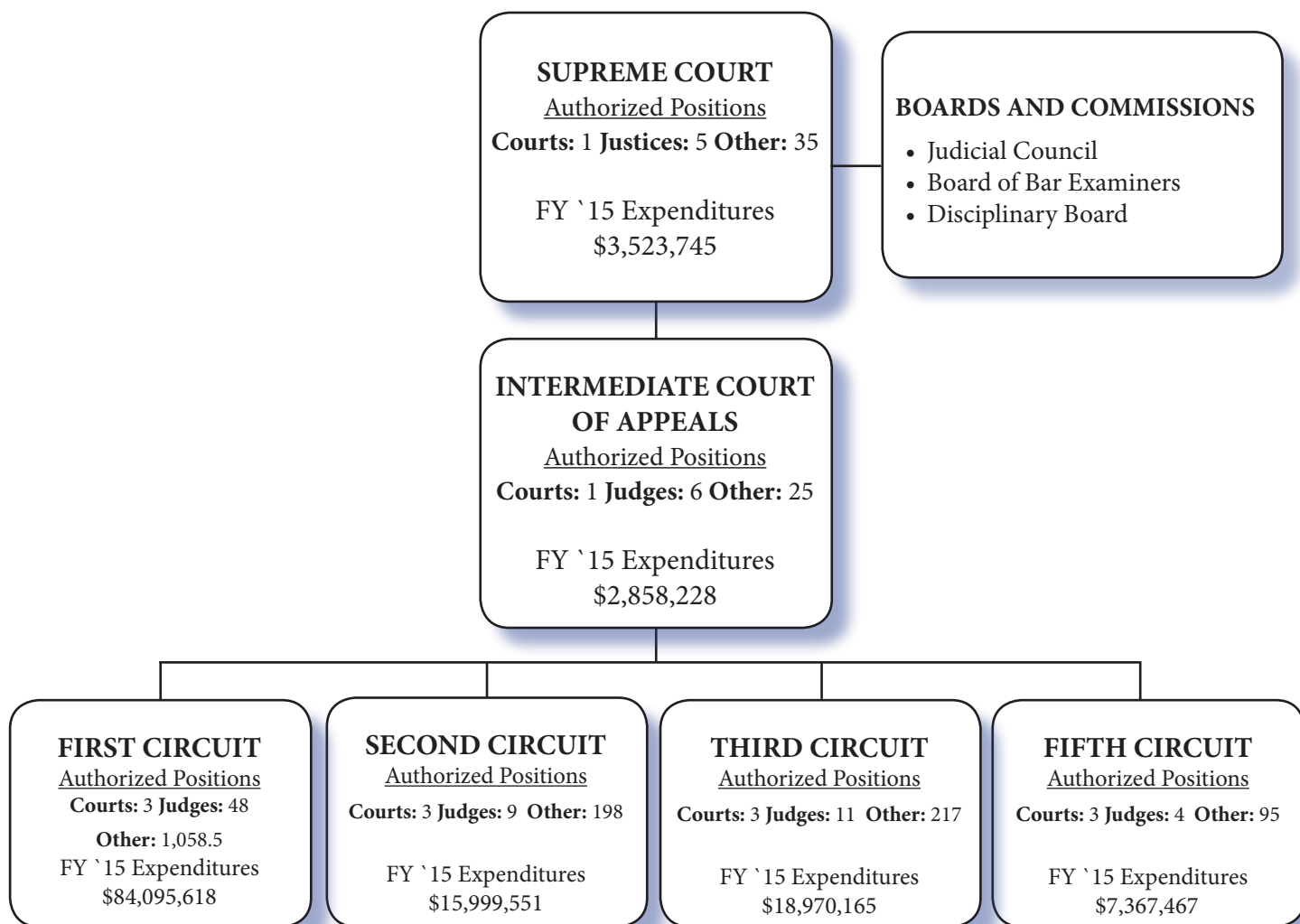
On December 10, the Hawaii Supreme Court heard oral arguments at Waianae High School before hundreds of students from Waianae, Campbell, Pearl City and Waipahu High Schools, as well as Island Pacific Academy.

To prepare for the oral argument, participating juniors and seniors from Leeward area schools study a curriculum developed by the Kamehameha V Judiciary History Center and the Students for Public Outreach and Civic Education of the University of Hawaii's William S. Richardson School of Law. The students' study culminates with a moot court activity facilitated by members of the Hawaii State Bar Association.

The Judiciary's Courts in the Community outreach program gives students the opportunity to go beyond the textbooks; students get the chance to experience a Supreme Court oral argument in person. The program also teaches students and the general public about the Judiciary's role in government and its function in resolving disputes in a democratic society.



# STRUCTURE OF THE COURT SYSTEM



Hawaii's **Courts of Appeal** is comprised of the Supreme Court and the Intermediate Court of Appeals. 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.

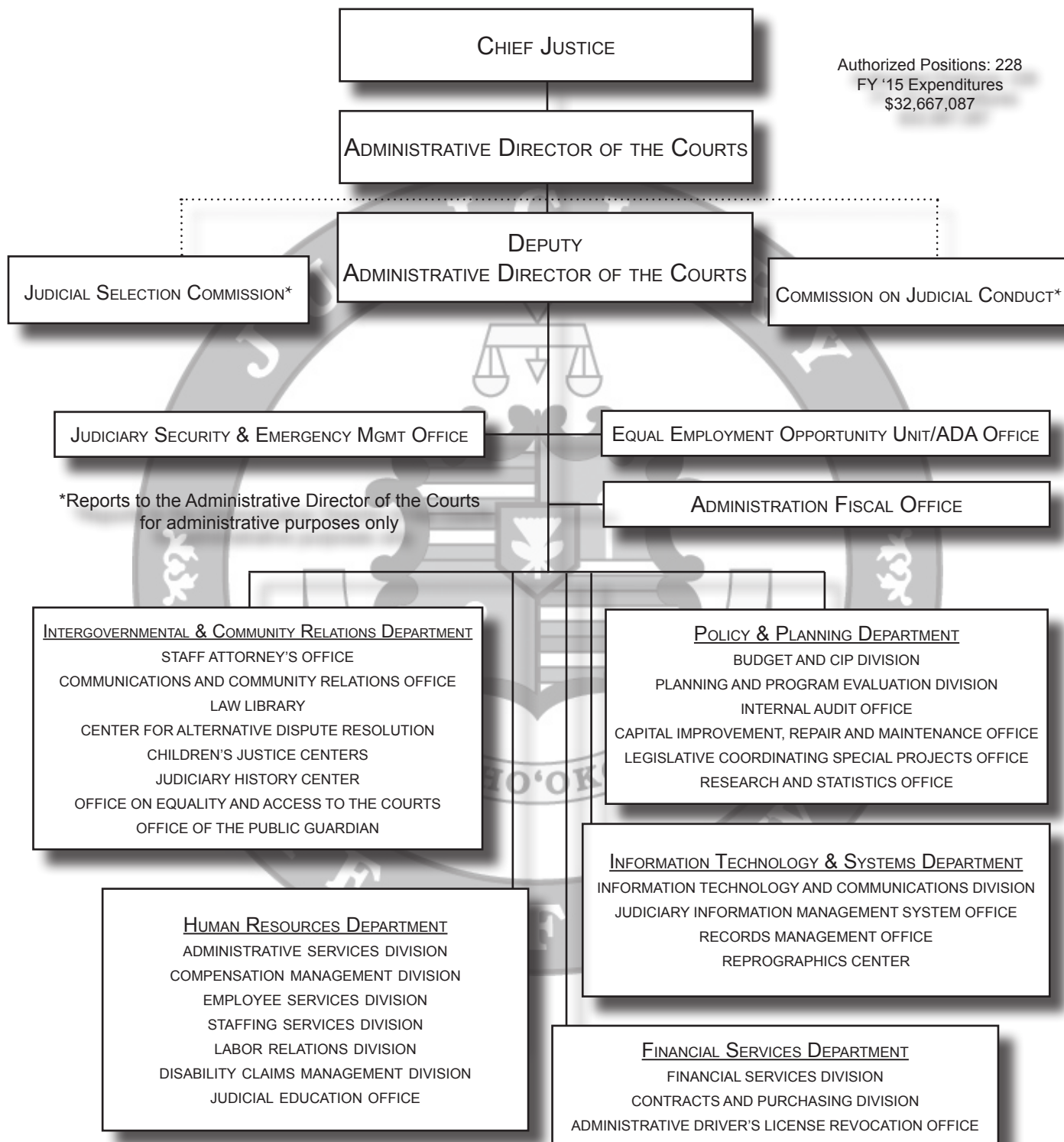
The Second Circuit serves the County of Maui, which includes the islands of Maui, Molokai and Lanai.

The Third Circuit, divided into the districts of Hilo and Kona, serves the County of Hawaii.

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 Kauai, which includes the islands of Kauai and Niihau.

## OFFICE OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS





## Courts of Appeal



*(Front row left to right) Associate Justice Paula Nakayama; Chief Justice Mark Recktenwald; Associate Justice Sabrina McKenna; (back row left to right) Associate Justice Richard Pollack and Associate Justice Michael Wilson.*

## Supreme Court

The Supreme Court of Hawaii is the state's court of last resort. The Supreme Court hears appeals 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 Hawaii 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.

## Supreme Court JUSTICES AND THEIR TERMS

**CHIEF JUSTICE MARK E. RECKTENWALD**  
September 14, 2010 - September 13, 2020

**ASSOCIATE JUSTICE PAULA A. NAKAYAMA**  
April 22, 2013 - April 21, 2023

**ASSOCIATE JUSTICE SABRINA S. MCKENNA**  
March 3, 2011 - March 2, 2021

**ASSOCIATE JUSTICE RICHARD W. POLLACK**  
August 6, 2012 - August 5, 2022

**ASSOCIATE JUSTICE MICHAEL D. WILSON**  
April 17, 2014 - April 16, 2024



### Intermediate Court of Appeals

The Intermediate Court of Appeals (ICA) hears almost all appeals from trial courts and some agencies in the state of Hawaii. 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 if 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 Hawaii Supreme Court upon application to the Supreme Court under circumstances set out in the Hawaii Revised Statutes. The ICA's judgments on appeal and dismissal orders are subject to the Hawaii Supreme Court's discretionary review by way of an application for a writ of certiorari.

### Intermediate Court of Appeals 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, 2014 - June 9, 2024

**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



## STATUS OF PENDING CASES

There were 750 primary cases and 74 supplemental proceedings pending in the Courts of Appeal at the end of the fiscal year.

## ACTIONS FILED

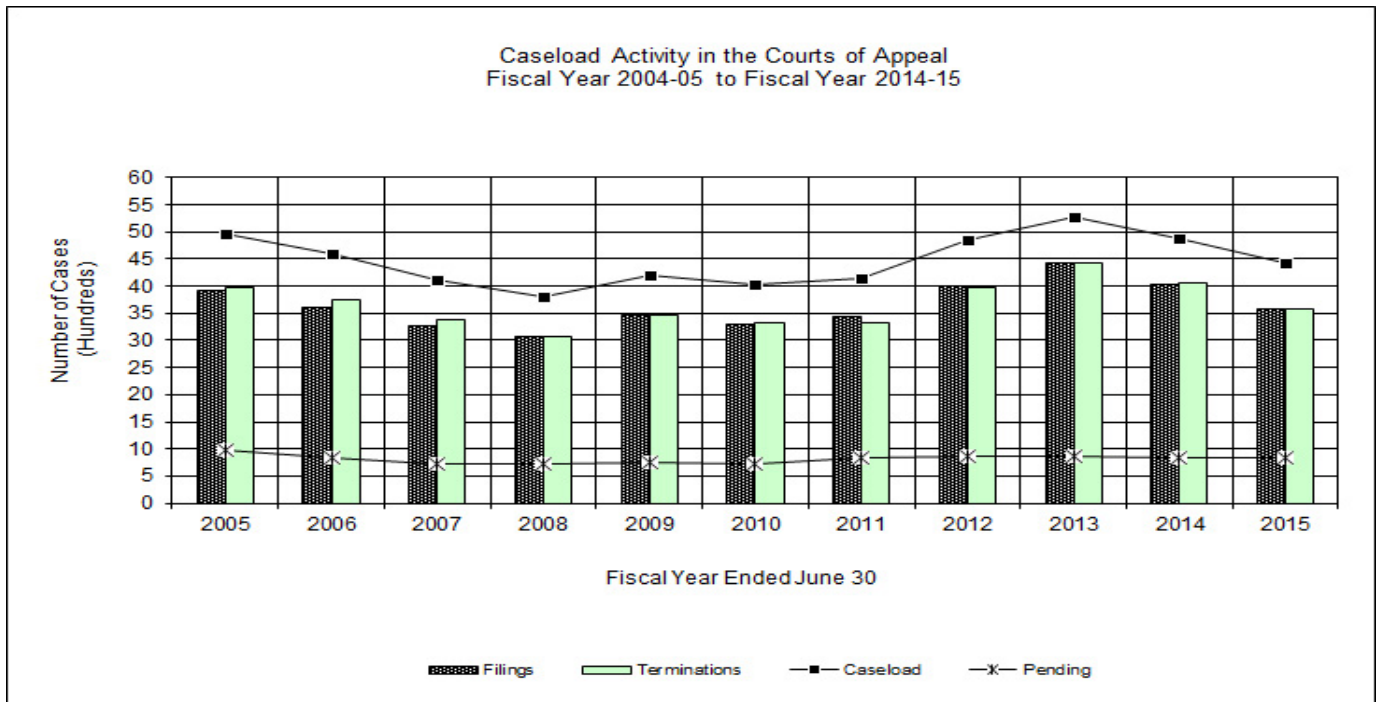
There were 675 primary cases filed in the Courts of Appeal during the 2014-15 fiscal year (588 appeals and 87 original proceedings).

Supplemental proceedings, which arise out of primary cases, are comprised of motions, special stipulations

and applications for certiorari. In fiscal year 2014-15, 2,915 supplemental proceedings were filed in the Courts of Appeal.

## TERMINATIONS

The Courts of Appeal terminated 670 primary cases during fiscal year 2014-15, compared to 743 primary cases terminated during the previous fiscal year. Terminations of supplemental proceedings decreased from 3,308 last year to 2,923 this year.



## Circuit Court



*Big Island Drug Court served the community by volunteering at the Ironman World Championship. The volunteers assisted at an aide station, passed out water, ice, sponges, drinks, and snacks. Participants say it was a rewarding experience to help out and witness race participants putting every ounce of their effort into accomplishing their goals.*

### 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.

All jury trials are held in the Circuit Courts, which have general jurisdiction in civil and criminal cases. Circuit Courts also have exclusive jurisdiction in probate, guardianship, and criminal felony cases, as well as civil cases where the contested amount exceeds \$40,000. Circuit Courts share concurrent jurisdiction with District Courts in civil non-jury cases that specify amounts between \$5,000 and \$40,000.

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.

### ACTIONS FILED

Filings in the Circuit Courts totaled 17,589 cases in fiscal year 2014-15. 13,164, or 75%, were civil cases; and 4,425, or 25%, were criminal cases.

### TERMINATIONS

During fiscal year 2014-15, the Circuit Courts terminated 15,279 cases.

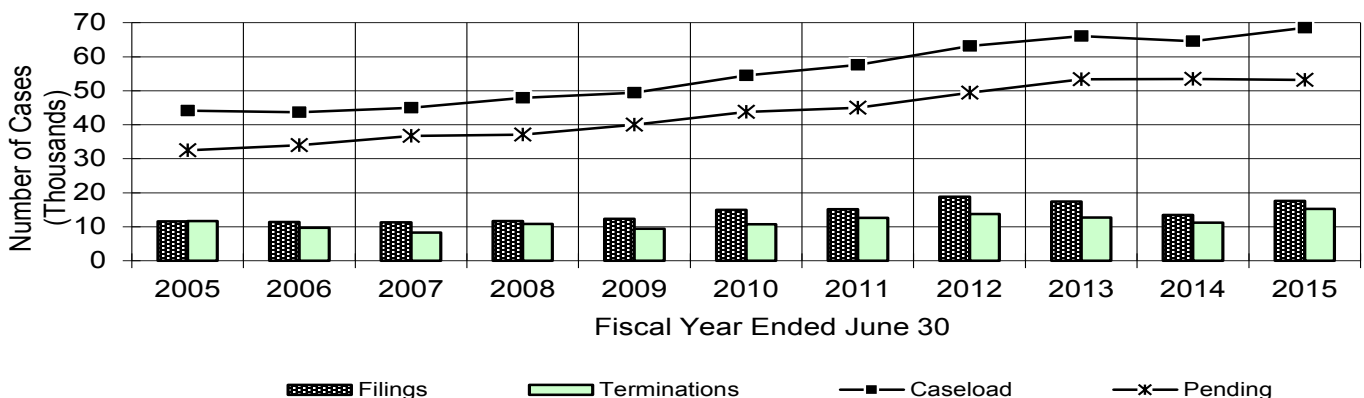
### STATUS OF PENDING CASES

At the end of the 2014-15 fiscal year, a total of 53,218 cases were pending in the Circuit Courts proper. This includes 12,375 criminal cases, of which 9,500 were active or deferred cases, and 2,875 were inactive cases.

### ADULT PROBATION DIVISIONS

There were 3,709 pre-sentence investigations completed during fiscal year 2014-15. In supervision cases, where persons were placed on probation or subject to court-ordered control, including offenders released from the Hawaii State Hospital, there were 6,385 new placements added to the 19,701 cases pending at the start of the fiscal year. 5,258 cases were closed, leaving 20,828 open at the end of the 2014-15 fiscal year.

Caseload Activity in the Circuit Courts Proper  
Fiscal Year 2004-05 to Fiscal Year 2014-15





## Circuit Court Judges and Their Terms

### FIRST CIRCUIT

**KARL K. SAKAMOTO**

1ST DIVISION

June 1, 2010 - May 31, 2020

**STEVEN S. ALM**

2ND DIVISION

May 14, 2011 - May 13, 2021

**R. MARK BROWNING**

3RD DIVISION

DEPUTY CHIEF JUDGE /SENIOR FAMILY COURT JUDGE,  
FAMILY COURT

May 6, 2010 - May 5, 2020

**GLENN J. KIM**

4TH DIVISION

April 30, 2007 - April 29, 2017

**JEANNETTE H. CASTAGNETTI**

5TH DIVISION

September 30, 2010 - September 29, 2020

**JEFFREY P. CRABTREE**

6TH DIVISION

November 25, 2014 - November 24, 2024

**DEAN E. OCHIAI**

7TH DIVISION

February 15, 2013 - February 14, 2023

**RICHARD K. PERKINS**

8TH DIVISION

DEPUTY CHIEF JUDGE

CRIMINAL DIVISION

May 6, 2014 - May 5, 2024

**VIRGINIA LEA CRANDALL**

9TH DIVISION

April 1, 2011 - March 31, 2021

**RHONDA A. NISHIMURA**

10TH DIVISION

June 20, 2013 - June 19, 2023

**KAREN S. S. AHN**

11TH DIVISION

May 10, 2010 - May 9, 2020

**SHIRLEY M. KAWAMURA**

12TH DIVISION

December 17, 2015 - December 16, 2025

**DEXTER D. DEL ROSARIO**

13TH DIVISION

April 15, 2014 - April 14, 2024

**GARY W. B. CHANG**

14TH DIVISION

June 1, 2009 - May 31, 2019

**EDWIN C. NACINO**

15TH DIVISION

January 28, 2010 - January 27, 2020

**CHRISTINE E. KURIYAMA**

16TH DIVISION

November 25, 2014 - November 24, 2024

**ROM A. TRADER**

17TH DIVISION

March 27, 2009 - March 26, 2019

**EDWARD H. KUBO JR.**

18TH DIVISION

March 11, 2010 - March 10, 2020

**FA'AUUGA L. TO'OTO'O**

19TH DIVISION

October 7, 2010 - October 6, 2020

**COLETTE Y. GARIBALDI**

20TH DIVISION

September 30, 2010 - September 29, 2020

**BERT I. AYABE**

21ST DIVISION

DEPUTY CHIEF JUDGE

CIVIL DIVISION

June 10, 2014 - June 9, 2024

**KAREN T. NAKASONE**

22ND DIVISION

November 1, 2011 - October 31, 2021

**DERRICK H. M. CHAN**

23RD DIVISION

CHIEF JUDGE

August 25, 2010 - August 24, 2020

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## THE JUDICIARY -- STATE OF HAWAII

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### SECOND CIRCUIT

**PETER T. CAHILL**

1ST DIVISION

September 17, 2012 - September 16, 2022

**RHONDA I.L. LOO**

2ND DIVISION

June 9, 2011 - June 8, 2021

**JOSEPH E. CARDOZA**

3RD DIVISION

CHIEF JUDGE

June 24, 2009 - June 23, 2019

**RICHARD T. BISSEN, JR.**

4TH DIVISION

April 29, 2015 - April 28, 2025

### THIRD CIRCUIT

**GREG K. NAKAMURA**

1ST DIVISION DEPUTY CHIEF JUDGE/SENIOR FAMILY  
COURT JUDGE

April 18, 2014 - April 17, 2024

**GLENN S. HARA**

2ND DIVISION

June 25, 2014 - June 24, 2024

**RONALD IBARRA**

3RD DIVISION

CHIEF JUDGE

May 10, 2009 - May 9, 2019

### FIFTH CIRCUIT

**RANDAL G. B. VALENCIANO**

1ST DIVISION CHIEF JUDGE/SENIOR FAMILY COURT  
JUDGE

June 14, 2007 - June 13, 2017

**KATHLEEN N. A. WATANABE**

2ND DIVISION

August 17, 2015 - August 16, 2025



## Family Court



*On National Adoption Day, the First Circuit Family Court finalized the adoptions of 42 children at the Ronald T. Y. Moon Complex in Kapolei.*

### 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.

The Family Courts were established by statute in 1965 to hear all legal matters involving children, such as delinquency, waiver, status offenses, abuse and neglect, termination of parental rights, adoption, guardianship 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.

### ACTIONS FILED

There were 27,893 cases filed in the Family Courts in fiscal year 2014-15.

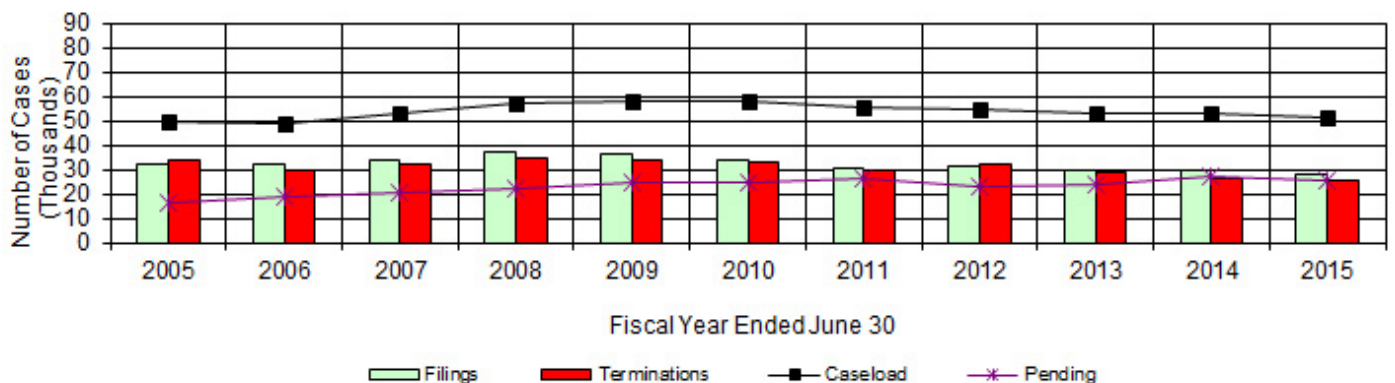
### TERMINATIONS

Terminations totaled 25,772 in fiscal year 2014-15.

### STATUS OF PENDING CASES

There were 25,627 cases pending at the end of fiscal year 2014-15.

Caseload Activity in the Family Courts  
Fiscal Year 2004-05 to Fiscal Year 2014-15



### Family Court Judges and Their Terms

#### FIRST CIRCUIT

**R. MARK BROWNING**

FIRST CIRCUIT COURT

3RD DIVISION

DEPUTY CHIEF JUDGE

May 6, 2010 - May 5, 2020

**JEANNETTE H. CASTAGNETTI**

FIRST CIRCUIT COURT

5TH DIVISION

September 30, 2010 - September 29, 2020

**FA'AUUGA L. TO'OTO'O**

FIRST CIRCUIT COURT

19TH 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

**PAUL T. MURAKAMI**

June 7, 2014 - June 6, 2020

**DYAN M. MEDEIROS**

July 10, 2015 - July 9, 2021

**STEVEN M. NAKASHIMA**

August 26, 2010 - August 25, 2016

**CATHERINE H. REMIGIO**

June 23, 2011 - June 22, 2017

**KEVIN A. SOUZA**

February 15, 2013 - December 14, 2019

**BODE A. UALE**

October 27, 2010 - October 26, 2016

**MATTHEW J. VIOLA**

August 26, 2010 - August 25, 2016

#### SECOND CIRCUIT

**JOSEPH E. CARDOZA**

SECOND CIRCUIT COURT

3RD DIVISION

CHIEF JUDGE/SENIOR FAMILY COURT JUDGE

June 24, 2009 - June 23, 2019

**KEITH E. TANAKA**

March 9, 2013 - March 8, 2019

**LLOYD A. POELMAN**

December 13, 2013 - December 12, 2019

#### THIRD CIRCUIT

**GREG K. NAKAMURA**

THIRD CIRCUIT COURT

1ST DIVISION

DEPUTY CHIEF JUDGE

April 18, 2014 - April 17, 2024

**ALEY K. AUNA, JR.**

April 4, 2012 - April 3, 2018

**MELVIN H. FUJINO**

December 19, 2014 - December 18, 2020

**HENRY NAKAMOTO**

June 10, 2014 - June 9, 2020

#### FIFTH CIRCUIT

**RANDAL G. B. VALENCIANO**

FIFTH CIRCUIT COURT

1ST DIVISION

CHIEF JUDGE/SENIOR FAMILY COURT JUDGE

June 14, 2007 - June 13, 2017

**EDMUND D. ACOBA**

May 27, 2011 - May 26, 2017



## District Court



Chief Justice Mark Recktenwald (front center) is pictured above with First Circuit Court judges and staff who helped launch In-Court Processing. In-Court Processing enables district courts to provide court users with an electronic copy of a judgment, eliminating the need for paper judgments.

### MISSION

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

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 \$40,000, or where the remedy sought is specific performance valued under \$40,000, 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.

## CASELOAD ACTIVITY (EXCLUDING TRAFFIC)

### ACTIONS FILED

During the 2014-15 fiscal year, 55,527 cases were filed in the District Courts. Civil actions represented almost 45% of filings and criminal actions represented almost 53% of filings.

### TERMINATIONS

There were 46,265 cases terminated in the District Courts during the fiscal year.

### STATUS OF PENDING CASES

There were 114,253 cases pending at the end of fiscal year 2014-15.

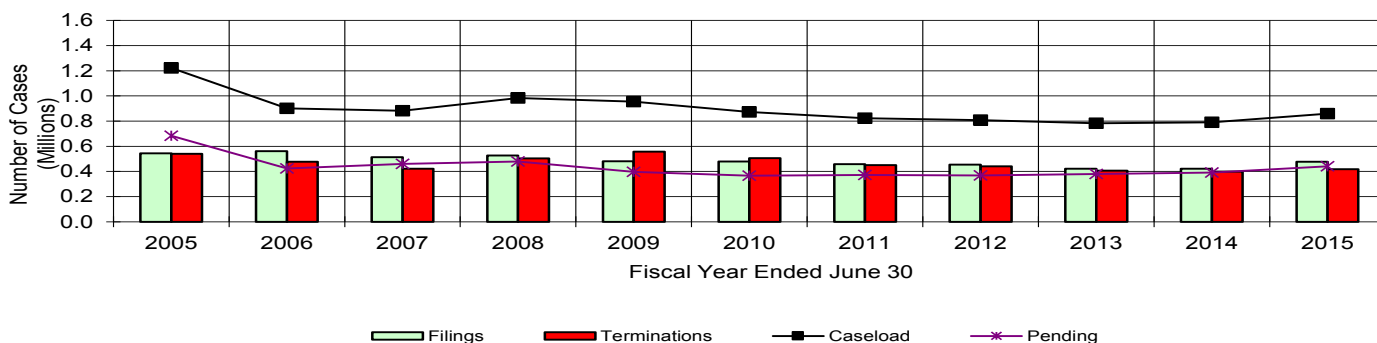
## CASELOAD ACTIVITY (TRAFFIC AND PARKING)

New filings totaled 420,676 cases in fiscal year 2014-15.

Entry of Judgment dispositions totaled 372,293 cases in fiscal year 2014-15.

Active Pending Cases at the end of fiscal year 2014-15 totaled 247,812 cases. Inactive pending cases numbered 77,960 cases.

Caseload Activity in the District Courts  
Fiscal Year 2004-05 to Fiscal Year 2014-15



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## THE JUDICIARY -- STATE OF HAWAII

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### District Court Judges and Their Terms

#### FIRST CIRCUIT

**BARBARA P. RICHARDSON**

DEPUTY CHIEF JUDGE

May 5, 2012 - May 4, 2018

**JAMES H. ASHFORD**

September 30, 2013 - September 29, 2019

**WILLIAM M. DOMINGO**

May 18, 2015 - May 17, 2021

**HILARY BENSON GANGNES**

May 22, 2014 - May 21, 2020

**GERALD H. KIBE**

January 6, 2013 - January 5, 2019

**LONO J. LEE**

June 10, 2015 - June 9, 2021

**DAVID W. LO**

August 23, 2012 - August 22, 2018

**LINDA K.C. LUKE**

December 29, 2010 - December 28, 2016

**JAMES C. MCWHINNIE**

December 17, 2015 - December 16, 2021

**MELANIE MITO MAY**

June 23, 2011 - June 22, 2017

**CLARENCE A. PACARRO**

June 7, 2014 - June 6, 2020

**MICHAEL K. TANIGAWA**

August 26, 2010 - August 25, 2016

**PAUL B.K. WONG**

May 29, 2012 - May 28, 2018

#### SECOND CIRCUIT

**KELSEY T. KAWANO**

DEPUTY CHIEF JUDGE

August 29, 2014 - August 28, 2020

**ADRIANNE N. HEELY**

May 14, 2012 - May 13, 2018

**BLAINE J. KOBAYASHI**

October 12, 2010 - October 11, 2016

**LLOYD A. POELMAN**

December 13, 2013 - December 12, 2019

#### THIRD CIRCUIT

**BARBARA T. TAKASE**

DEPUTY CHIEF JUDGE

May 26, 2010 - May 25, 2016

**HARRY P. FREITAS**

June 1, 2013 - May 31, 2019

**MARGARET MASUNAGA**

December 2, 2014 - December 1, 2020

**LLOYD X. VAN DE CAR**

June 1, 2013 - May 31, 2019

#### FIFTH CIRCUIT

**EDMUND D. ACOBA**

May 27, 2011 - May 26, 2017

**TRUDY K. SENDA**

DEPUTY CHIEF JUDGE

May 4, 2013 - May 3, 2019



## Per Diem Judges

### First Circuit

Patricia C. Aburano  
Ronald A. Albu  
Gale L. F. Ching  
Darryl Y. C. Choy  
Brian A. Costa  
Richard J. Diehl  
Philip M. Doi  
Peter C. K. Fong  
David J. Gierlach  
Thomas A.K. Haia  
Steven A. Hartley  
Na'unanikina'u Kamali'i  
James S. Kawashima  
Lenore K. J. H. Lee  
Wilson M. N. Loo  
Michael A. Marr  
Linda S. Martell  
Paula Devens-Matayoshi  
Patricia A. McManaman  
Paul A. Meares  
Dyan K. Mistsuyama  
John A. Montalbano  
Trish K. Morikawa  
Kevin T. Morikone  
Russel S. Nagata  
William J. Nagle III  
Alvin K. Nishimura  
Maura M. Okamoto  
Blake T. Okimoto  
Karen M. Radius  
Nancy Ryan  
Randal I. Shintani  
Frances Q. F. Wong

### Second Circuit

Jan K. Apo  
Richard B. Berman  
Michelle L. Drewyer  
Kirstin Hamman  
Fredrick Matson Kelley  
Douglas J. Sameshima

### Third Circuit

Anthony K. Bartholomew  
Peter Bresciani  
Michael J. Udovic  
Diana L. Van De Car  
Andrew P. Wilson

### Fifth Circuit

Jonathan J. Chun  
Daniel G. Hempey  
Joseph N. Kobayashi  
Laurel Loo  
Gregory H. Meyers  
Joe P. Moss  
Sara Lee Silverman



*The 2015 Statewide Family Court Symposium was held at the Ronald T.Y. Moon Kapolei Courthouse. It was an opportunity for Family Court Judges from all circuits to get together for training on topics such as child abuse allegations in custody litigation, adolescent brain development, and the implementation of the 2014 Juvenile Justice Reform Act.*



### Support Services

*The Fiscal Services and Procurement Offices staff were recognized for spearheading the Judiciary's statewide software system known as 4gov. The 4gov system supports the Judiciary's internal financial processes once funds are released in the annual budget process. This team worked with a consultant to update an archaic accounting and purchasing system by developing, testing, modifying, conducting trainings, and implementing a system for the strict fiscal controls necessary in expenditure of public funds.*

### MISSION

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

### ADMINISTRATION

The Office of the Administrative Director of the Courts is responsible 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 and the Judiciary Security Emergency Management Office are attached to the Deputy Administrative Director.

Administrative programs are divided into five departments.

The Intergovernmental and Community Relations Department includes: Staff Attorney's office, 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 Information Technology and Systems Department includes: Information Technology and Communications, Judiciary Information Management System, Records Management and the Reprographics Center.

The Policy and Planning Department includes: Budget and CIP Division, Planning and Program Evaluation, Reporting and Statistics Office, Internal Audit, Special Projects/Legislative Office, and Capital Improvement Repair and Maintenance office.

The Human Resources Department includes: Administrative Services, Compensation Management, Employee Services, Disability Claims Management and Judicial Education.

The Financial Services Department includes: Fiscal Services Division, Contracts and Purchasing Division, and Administrative Drivers' License Revocation Office.



### Financial Resources

Appropriations for the Hawaii 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.

Combined, the State General and the Capital Project funds represent over 93 percent of the funding source of the Judiciary expenditures. The Legislature appropriated \$154,862,568 from the State General Fund for operations during the current fiscal year, which constitutes 2.33% 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.

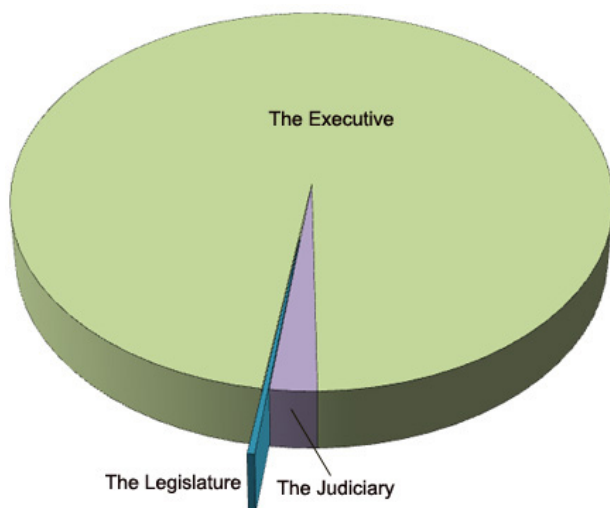


*Deputy Chief Court Administrator Dawn West points out the public areas on the plan for the second level of the proposed Kona Judiciary Complex project to Kailua Kona Public Defender Ann Datta, Attorney (retired) Fred Gianini, and (far right) Attorney Robert Kim.*



# FINANCIAL RESOURCES

		FY 2014 Actual Expenditures	FY 2015 Actual Expenditures	FY 2016 Biennium Budget Appropriations*	FY 2017 Biennium Budget Appropriations*
<b>PROGRAM</b>					
<b>JUD 101 - COURTS OF APPEAL</b>					
	General Fund	6,277,979	6,381,973	6,563,752	6,865,007
<b>JUD 310 FIRST CIRCUIT</b>					
	General Fund	77,296,770	80,720,522	80,710,960	83,042,991
	Special Fund	3,295,975	3,375,096	4,144,799	4,150,321
<b>JUD 320 SECOND CIRCUIT</b>					
	General Fund	15,461,899	15,999,551	16,145,386	16,993,640
<b>JUD 330 THIRD CIRCUIT</b>					
	General Fund	18,242,196	18,970,165	19,145,986	19,505,740
<b>JUD 350 FIFTH CIRCUIT</b>					
	General Fund	7,001,154	7,367,467	7,379,519	7,831,057
<b>JUD 501 JUDICIAL SELECTION COMMISSION</b>					
	General Fund	84,924	120,769	93,418	93,418
<b>JUD 610 ADMINISTRATION</b>					
	General Fund	24,102,284	24,972,048	26,028,018	26,078,021
	Special Fund	7,829,138	7,670,893	7,976,193	7,989,841
	Revolving Fund	27,786	24,146	343,261	343,261
<b>TOTALS</b>					
	General Fund	148,467,206	154,532,495	156,067,039	160,409,874
	Special Fund	11,125,113	11,045,989	12,120,992	12,140,162
	Revolving Fund	27,786	24,146	343,261	343,261
*Subject to final Legislative review.					



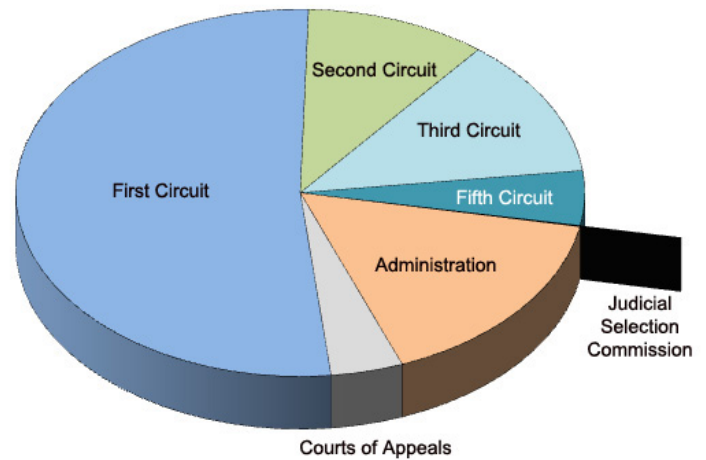
## TOTAL STATE GOVERNMENT APPROPRIATIONS From State General Fund Fiscal Year 2014-15

The Judiciary	2.33%	\$ 154,862,568
The Legislature	0.36%	\$ 23,984,212
The Executive	97.31%	\$6,466,642,291
<b>Total</b>		<b>\$6,645,489,071</b>

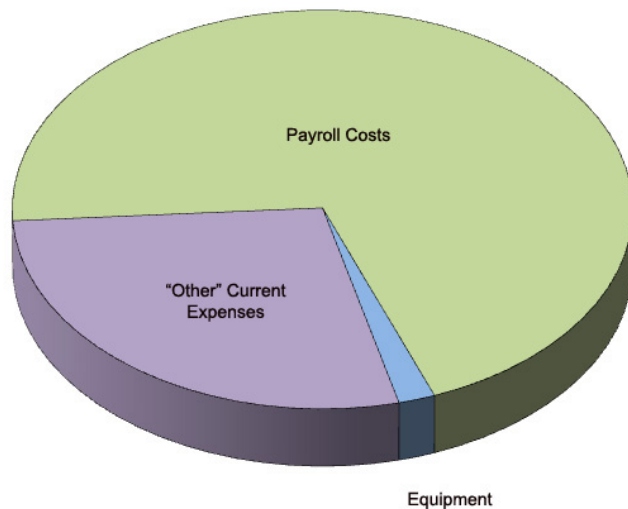
## FINANCIAL RESOURCES

### STATE GENERAL FUND EXPENDITURES BY COURT ELEMENT FISCAL YEAR 2014-15

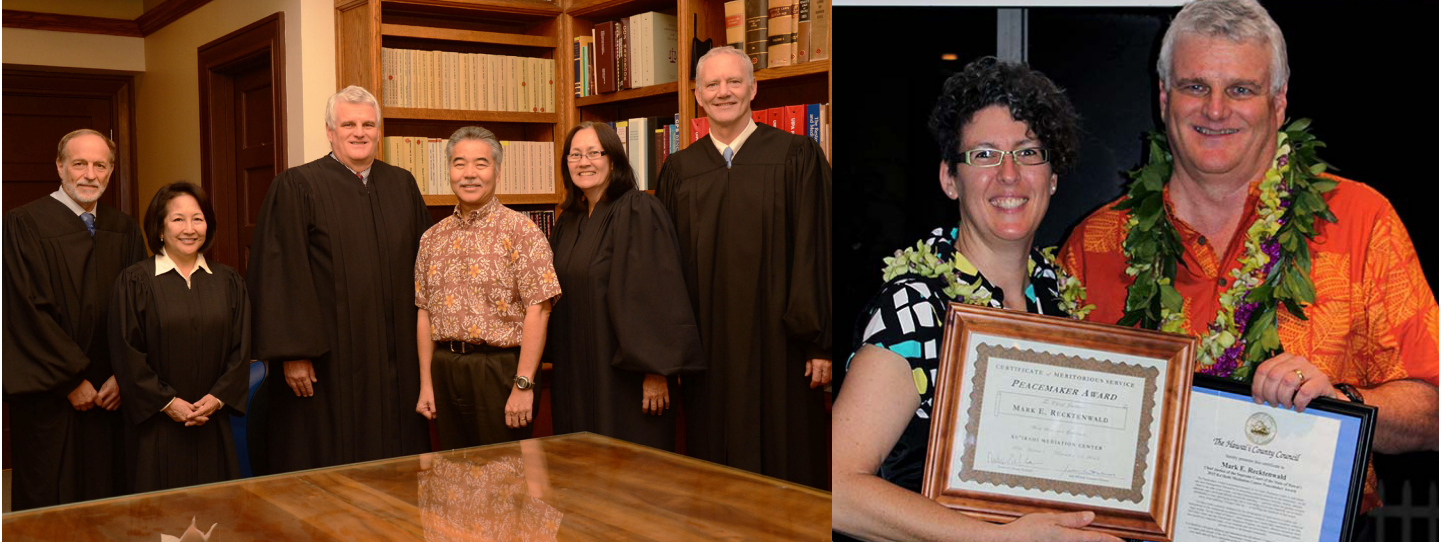
Courts of Appeal	4.1%	\$ 6.4	million
First Circuit	52.2%	\$ 80.7	million
Second Circuit	10.3%	\$ 16.0	million
Third Circuit	12.3%	\$ 19.0	million
Fifth Circuit	4.8%	\$ 7.3	million
Judicial Selection Comm.	0.1%	\$ 0.1	million
Administration	16.2%	\$ 25.0	million
<b>Total</b>		<b>\$154.5</b>	<b>million</b>



### STATE GENERAL FUND EXPENDITURES By Cost Category Fiscal Year 2014-15



Equipment	1.9%	\$3.0	million
"Other" Current Expenses	27.9%	\$43.1	million
Payroll Costs	70.2%	\$108.4	million
<b>Total</b>		<b>\$154.5</b>	<b>million</b>



*Pictured above on the left (from left to right): Associate Justices Richard Pollack and Paula Nakayama, Chief Justice Mark Recktenwald, Governor David Ige, Associate Justices Sabrina McKenna and Michael Wilson pause for a photo prior to the 2015 Pro Bono Celebration, where they recognized volunteer attorneys. • Pictured above on the right (from left to right) is Julie Mitchell, Executive Director of Kuikahi Mediation Center, presenting Chief Justice Mark Recktenwald with the 'Peacemaker Award' at an Annual Recognition Dinner on November 15, 2015.*



*Pictured above on the left (from left to right): Chief Judge Ronald Ibarra, Col. (ret) Debra Lewis, and Judge Greg Nakamura at the opening ceremony of the Big Island Veterans Treatment Court. • Pictured above on the right (from left to right): Rodney Maile, Administrative Director of the Courts; Yvonne Reese, Aunt of Student Awardee; Jillian Madanay, Student Awardee; Lauri Madanay, Mother of Student Awardee; Jasmine Mau Mukai, Statewide Director at the Children's Justice Center; Beth Myers, Grandmother of Student Awardee; and Chief Justice Mark Recktenwald, Hawaii Supreme Court. Jillian Madanay, a volunteer at the Children's Justice Center, was one of the students being honored by the Prudential Spirit of the Community Awards program, at the Hawaii State Capitol on March 17, 2015.*