



Supreme Court — THE JUDICIARY • STATE OF HAWAII

417 SOUTH KING STREET • ALI'ĪOLANI HALE • HONOLULU, HAWAII 96813-2902 • TELEPHONE (808) 539-4700 • FAX (808) 539-4703

Ronald T.Y. Moon
CHIEF JUSTICE

Remarks by the

HONORABLE RONALD T. Y. MOON
Chief Justice

at the

KAPOLEI JUDICIARY COMPLEX DEDICATION CEREMONY

Friday, May 28, 2010
1:30 p.m.
Kapolei Judiciary Complex

Senate President Hanabusa, Lieutenant Governor Aiona, Representative Har, State Foundation of Culture and the Arts' Commissioner Peter Rosegg, artists Doug Young and Leland Miyano, distinguished guests, fellow judges, other Judiciary employees -- past and present, ladies and gentlemen:

Nearly three years ago when we broke ground at this site, I told the same anecdote that I had shared at the ground breaking for the new Kauai courthouse in March 2003 for "good luck" because I'm a little superstitious. And, it must have worked as here we are -- celebrating this magnificent new courthouse and juvenile detention facility that opened on time and within budget. Today, I decided to tell you the same anecdote that I shared at the grand opening of the Hilo Judiciary complex on April 1, 2009 -- not because of my superstitiousness, but because I couldn't find another one -- and -- I believe in recycling!

I told those at the Hilo dedication that, being in Hilo brought back memories of my first trial as an attorney at the old Hilo courthouse in the mid-seventies before Judge Shunichi Kimura. I was cross-examining plaintiff's eyewitness to the accident, who was a carpenter. As a lawyer for the defendant, I was trying to discredit him and asked how far away he was from the accident.

The carpenter replied, "Twenty-seven feet, six and one-half inches."

"What?" I said, being amazed by his preciseness. "How can you be so sure of that distance?"

"Well," he replied, "I knew sooner or later, some idiot would ask me, so I measured it!"



Seriously, at the groundbreaking three years ago I said, when people come here in search of justice, the walls of this soon-to-be magnificent building will remind them of the strength and fortitude of our legal system. The beautiful glass windows will remind them of the transparency of our system of justice, and the height of the entry and public spaces will inspire them to look upwards and acknowledge the higher power that guides us in administering justice -- and here they are, even more magnificent, beautiful, and inspirational than we imagined. The work, however, began long before we broke ground.

We were inspired by the late Chief Justice Herman Lum, who had a dream of a Family Court Center or, as he described it, a “one-stop shop” where our citizens would be able to obtain any type of service with regard to family court matters, which we then built upon to include other court services, culminating in the move of the Waianae District Court to this new facility. I am extremely pleased that Mrs. Lum is here with us today to witness the realization of her husband’s dream and the inspiration he provided. Mrs. Lum, would you please stand and be recognized?

We were also sustained by the passion of many leaders -- past and present, who were the critical links in making this new court complex possible, and I am overwhelmingly grateful and proud of all those who came together to make this day possible. It has taken leadership, teamwork, great vision, exceptional communication, and determined commitment to a successful outcome by everyone involved. Indeed, there are so many people and entities that I need to thank. I begin by calling your attention to the many individuals and organizations listed on our program, consisting of entities from all three branches of government, the City and County of Honolulu, as well as members of the community. Their leaders, members, and staff have played an instrumental role in the realization of the Kapolei Judiciary Complex -- and to all of them, I say “mahalo!”

Clearly, the primary foundation of the project was the vision of the James Campbell Estate of a Second City and the need for a courthouse to complete that vision, which led to an offer we could not refuse -- free land! But for the Estate’s generosity, I don’t believe we would be here today. Thus, to the former James Campbell Estate, its officers, Board members, and staff -- we say, “THANK YOU!” Will the representatives of the now James Campbell Company and its affiliate, Kapolei Project Development, please stand and be recognized?

I also pay homage to those of the Kapolei Neighborhood Board who supported the Judiciary against those nay sayers who opposed this project. MAEDA TIMSON, Board Chair provided the strong leadership that culminated in the Board’s unanimous approval of a resolution to support the Judiciary’s plans to construct the new Kapolei Court Complex. MAEDA: Will you -- and any other Board members here today -- please stand?

As you may know, the future of the Kapolei project reached a critical cross-road in 2004. In my state of the Judiciary address to the 2005 legislative session, I informed the legislators that we needed to have a signed construction contract by December 31, 2006; otherwise, we would be forced to forfeit the free acreage offered by Campbell Estate. I, therefore, requested the 95 million dollars for the design and construction of the Kapolei Complex. We obtained the much-needed appropriation, however, during the planning process, escalating construction costs forced the Judiciary to eliminate certain elements and significantly scale down the size of both the

courthouse and the juvenile detention facility. Notwithstanding those concessions, construction costs continued to escalate, forcing the Judiciary to request additional funds from the Legislature. In 2007, another 25.2 million dollars was received.

I, therefore, take this opportunity to thank all of the legislators during those critical years who supported our request and vision, especially the chairs of the Senate Ways and Means Committee, the House Finance Committee, and the Judiciary Committees of both houses for their leadership. Some of them are here today -- will SENATOR BRIAN TANIGUCHI, REPRESENTATIVES MARCUS OSHIRO, JON RIKI KARAMATSU, and ERIC HAMAKAWA please stand?

We are especially grateful to former Senate President Robert Bunda, past Senate Judiciary chair and current president Colleen Hanabusa, and House Speaker Calvin Say for their outstanding leadership. I extend a special mahalo to each of them for the vital role they played in helping us through the most critical times during the project -- first and foremost, in helping to secure the necessary appropriation in 2005 that saved us from forfeiting the land and, again, in 2007, when the legislature appropriated additional funds due to the continuing rise in construction costs.

I thank the many men and women who had a hand in the design, construction, and beautification of this great complex -- from the ironworkers, carpenters, electricians, masons, plumbers, landscapers, and others in the construction industry, to the architects and engineers -- each of you have left your imprint on these world-class, state of the art facilities. To the artists, DOUG YOUNG and LELAND MIYANO, as well as Executive Director RONALD YAMAKAWA, represented here today by PETER ROSSEGG, and the staff at the State Foundation for Culture and the Arts, we are grateful for the beautiful artwork that graces the exterior and interior of the entire complex. Will DOUG, LELAND, PETER, and JON JOHNSON, the Foundation's project manager, please stand?

On a personal note, I want to share with you why this day is especially meaningful to me. During my tenure as chief justice, I have admired the dedication and commitment to the rule of law exhibited by all of our judges -- statewide, -- but especially those assigned to the second floor of Kaahumanu Hale -- that is, our district and circuit family court judges, particularly because they remained steadfast in their dedication to the children and families who appeared before them, despite the environment in which they had been asked to do their work, year after year.

For those who may not have had the occasion to observe or participate in family court hearings on the second floor, allow me to describe the untenable situation that judges, court staff, attorneys, and parties endured for more than twenty years at Kaahumanu Hale. For example: The waiting area for court users -- on any given day of the week -- made the waiting area of a hospital emergency room seem like an oasis. People were packed together, and you could definitely feel the emotions and hostility. Often times, there was "standing room only," and, on occasion, people would spill into the corridors and other areas on the second floor waiting to be called.

The noise level was more likened to being in a train station rather than a courthouse. And, once the parties entered a hearing room, things weren't much better as parties were literally just an arm-length away from each other and no more than three to five feet away from the judge. There were no witness boxes; thus, parties and witnesses were examined while sitting next to their attorneys or the parties.

I have always felt somewhat helpless (and guilty) when some of our family court judges throughout the years candidly expressed feeling like "step-children" or "second-class citizens" because of the environment in which they had to work. Those feelings have now dissipated because -- shortly after moving to Kapolei, several judges indicated how pleased they were with their new surroundings. One judge even said, "Now, I really feel like a judge!" And, so, today -- as we dedicate this magnificent facility -- I am personally elated by the fact that these hard-working, steadfastly committed judges are administering justice in real courtrooms, with sufficient space and security for their staff and the attorneys, as well as the parties and witnesses, who can now testify from a witness stand. In fact, I understand that, often times, even the family court practitioners need reminding that they should put their clients and witnesses in the witness box, instead of having to conduct examination sitting right next to them.

I am also pleased by the relocation of the Waianae District Court to this new complex. Undoubtedly, the working environment for our Waianae District Court staff has been much improved, but, more importantly, Kapolei and neighboring residents now have easier access to court services, such as obtaining traffic abstracts and paying traffic fines, as well as resolving divorce matters, including custody and child support issues, filing for restraining orders, and dealing with juvenile matters.

I take this opportunity to publicly thank and recognize the outstanding efforts of the judges and staff of the family court, legal documents section, and Waianae District Court, as well as the staff of the Juvenile Detention Center, for their hard work in moving their offices to Kapolei. Their foresight, cooperation, team spirit, and willingness to embrace and adjust to many changes resulted in a seamless transition.

I would be remiss for not acknowledging the leadership and sustained performance of several outstanding individuals to whom I am extremely grateful.

To State Comptroller, RUSS SAITO, who had the tremendous task of overseeing the entire project, I thank him and his staff for their extraordinary efforts. Will RUSS please stand?

I also extend my sincere gratitude to the following Judiciary employees (please stand when I call your name): (1) my "right arm," Administrative Director RICK KELLER; (2) Deputy Director WALTER OZAWA; (3) Project Director DENNIS CHEN; (4) Project Manager CHRISTINA UEBELEIN; (5) Retired Senior Family Court Judge FRANCES WONG; (6) Senior Family Court Judge SABRINA MCKENNA; (7) former Senior Family Court Judges MICHAEL TOWN and DAN KOCHI; (8) the most "Senior" Senior Family Court Judge BETTY VITOUSEK, (9) my "right arm" before Rick Keller -- former Administrative Director and now Judge MICHAEL BRODERICK; (10) Retired Chief Court Administrator WILLIAM SANTOS; and (11) Chief Court Administrator GLENNARD FONG.

I also extend my heartfelt appreciation to the members of the First Circuit Court Working Group -- led by Judge COLLEEN HIRAI. The working group served as the design advisory committee, collaborating closely with the architects, designers, artists, and others. I also commend them for their perseverance, patience, and hard work in meeting the challenges that arose with respect to funding and the rising construction costs. Will Judge Hirai and the members of the working group who are here today please stand?

Thank you also to past members of the Judiciary -- some of whom I have mentioned and others who are also here today who helped to move this project forward. They, too, have left an indelible mark on these buildings. And, of course, mahalo to all of our employees who organized and helped to set up for today's event.

Finally, to our Mistress of Ceremony, PAULA AKANA -- who also served as emcee at our ground breaking ceremony -- we appreciate your gracing us with your beauty, talent, and vivaciousness. Paula had to sacrifice a day of vacation in order to be with us today. Paula -- we thank you for your support and commitment to the Judiciary. Please join me in applauding the wonderful job she has done here today.

Ladies and gentlemen -- The process of building the Kapolei Judiciary Complex has been a stimulating and humbling experience. Stimulating not only because we know that decisions made during the funding, planning, designing, and construction would affect the organization and operation of the court for years to come -- but also, because this complex would become a practical and lasting resource for the community. I am humbled to have been part of that process and a part of this momentous day.

I am aware of the principle of the separation of church and state and I mean no disrespect as I close by thanking God for his blessings and guidance that has led all of us here today.

Thank you all for being here to celebrate with us.