

Hawai'i State Judiciary Annual Report 2016

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This report to the Governor and the Legislature describes the ongoing efforts of the Hawai‘i State Judiciary to administer justice for the people of Hawai‘i.

Produced by the
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Welcome

Aloha,

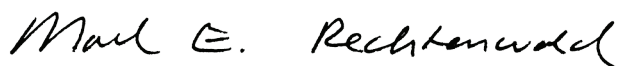
I am pleased to present our 2016 Annual Report. This report highlights some of the Judiciary's work over the past year and includes statistics on our caseloads and budget. We strive daily to fulfill our mission to administer justice in an impartial, efficient, and accessible manner in accordance with the law, knowing that our efforts have far-reaching impacts upon the lives and livelihoods of those who depend on our courts for resolving disputes and ensuring justice.

Our role goes beyond deciding cases. We also address the problems that underlie those disputes, and help to alleviate their human impact.

The following pages provide an overview of our efforts to increase access to justice for all. This year, Hawai'i was ranked among the top three states in the country for practices aimed at making access to justice a reality for all people. This is a testament to the hard work and commitment of our dedicated Judiciary employees, volunteers, and support from the legislative and executive branches, Hawai'i Access to Justice Commission, Hawai'i Justice Foundation, Hawai'i State Bar Association and county bar associations, William S. Richardson School of Law, civil legal service providers, and all of our community partners.

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

With warmest regards,



Chief Justice Mark E. Recktenwald
Hawai'i Supreme Court



Chief Justice Mark E. Recktenwald

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.

Access to Justice

The Hawai‘i State Judiciary is committed to increasing access to justice in our courts. For members of the public who do not have legal representation, navigating the courts can be a daunting task. Our mission is to deliver justice for all. We do that in many different ways, both in the courtroom and in the community.

Hawai‘i Ranks Third in Nationwide Access to Justice Study

The Justice Index 2016 Findings, released in May 2016 by the National Center for Access to Justice, ranked **Hawai‘i** among the **top three** states in the country for practices aimed at making **access to justice** a reality for all people. The report measured the accessibility of each state’s justice system in four categories: attorney access for low-income litigants; support for self-represented litigants; support for litigants with limited English language proficiency; and support for people with disabilities.

Hawai‘i was **No. 1** in the country for providing support for **people with limited English proficiency** (LEP). The State Judiciary’s Office on Equality and Access to the Courts (OEAC) has improved and increased the services available to Hawaii’s growing LEP population. The Judiciary annually provides interpreting services for LEP clients in as many as **45 different languages**. OEAC also conducts statewide **mandatory staff training** on language access services for all Judiciary staff, so that the Judiciary can uphold the highest standard of service.

In addition, the OEAC coordinates **382 interpreters** for the Judiciary’s Court Interpreter Certification Program,



and is working on **translating court forms** from English into the **12 to 14 languages** most frequently encountered in state courts.

Hawai‘i ranked in the **top five** for providing **support to self-represented litigants**. The Hawai‘i State Judiciary together with the Hawai‘i Access to Justice Commission and various community partners opened Self-Help Centers in every circuit in the state, where parties who cannot afford an attorney for their civil legal cases can get information from volunteer attorneys. The Judiciary has worked with the Bar organizations on each island to increase the hours of operation and number of volunteers available to assist individuals who cannot afford an attorney. Since the first Self-Help Center

opened in 2011, volunteer attorneys and AmeriCorps Advocates have assisted **more than 14,500 people**, at almost no cost to the public.

The Judiciary also partnered with the Legal Aid Society of Hawai‘i and the Hawai‘i State Bar Association to make self-help interactive court forms available online at LawHelp.org/HI. **Twenty-three** of the most frequently used **civil legal forms** are now available **online**, accompanied by state-of-the-art software. This software takes users through a step-by-step question and answer process to help complete the forms easily and correctly. For those who do not own a personal computer or have Internet access, the Hawai‘i State Public Library System provides access to these “A2J” (Access to Justice) self-help forms at **50 locations** statewide.

Hawai‘i ranked in the **top seven** for providing **support for people with disabilities**. The Hawai‘i State Judiciary is recognized for providing website information on how to request an accommodation, for using only certified sign language interpreters in court, and providing information on how to file a complaint for anyone who has difficulty accessing court fa-

cilities or services because of a disability. Accommodations covered by the courts may include, but are not limited to, modifications to schedules to assist those with disabilities, and the cost of providing sign language interpreters or computer assisted real-time transcription for persons who are deaf or have a hearing impairment.

“None of this would be possible without the leadership and hard work of the Hawai‘i Access to Justice Commission as well as our partnerships with the Hawai‘i State Bar Association, county bar associations, William S. Richardson School of Law, Hawai‘i Justice Foundation, Legal Aid Society of Hawai‘i, Volunteer Legal Services Hawai‘i, AmeriCorps, and other legal service providers,” said Chief Justice Mark Recktenwald. “I would especially like to acknowledge the work of hundreds of attorneys who have volunteered their time and talents to help those with the greatest need of legal support.”

For more information about the Judiciary’s programs and services available to the public, please visit our website at www.courts.state.hi.us, or click on the “Language Access”, “ADA”, and “Access to Justice” tabs.

Did you know?

Since the first Self-Help Center opened in 2011, volunteer attorneys and AmeriCorps Advocates have assisted more than 14,500 people, at almost no cost to the public.

Hawai‘i Named Recipient for Justice For All (JFA) Grant

The National Center for State Courts (NCSC) and the Public Welfare Foundation announced in November that the Hawai‘i State Judiciary (Judiciary), the Hawai‘i Access to Justice Commission, and the Hawai‘i Justice Foundation (HJF) have been awarded a **grant** of nearly **\$100,000** to support efforts to enhance access to justice for all of Hawaii’s people. HJF has also committed to supplement the **\$99,520 grant** by contributing an **additional \$10,000**.

More than 20 local access to justice leaders were personally involved in the grant application process, including judges, legislators, executive directors of civil legal service providers, the State Law Librarian, nine commissioners of the Access to Justice Commission, and directors of HJF.

“Hawai‘i has undertaken a number of initiatives to increase access to justice, but our resources have been limited,” said Chief Justice Mark Recktenwald. “We are excited to receive this grant which will enable us to expand those efforts. I’d like to acknowledge the leadership and commitment of Justice Simeon R. Acoba (ret.), the Access to Justice Commission Chair, and Robert J. LeClair, Hawai‘i Justice Foundation Executive Director. I’d also like to thank Governor David Ige and Representative Della Au Belatti for their continued partnership in helping us secure this funding. With the commitment and collaboration of our three branches of government, Hawai‘i will establish sensible and sustainable ways to continue to increase access to justice for all of Hawaii’s citizens.”

“We are grateful that Hawaii is being recognized for the work that is being done to increase access to justice and to provide services for those in need,” said Governor David Ige. “I am also proud of the Hawaii State Judiciary and all its stakeholders for its commitment to putting Hawaii at the forefront of Access to Justice initiatives.”

“The Hawai‘i State Judiciary together with the Hawai‘i Access to Justice Commission and Hawai‘i Justice Foundation have made giant strides over the past decade in providing services to those who may not be able to afford an attorney,” said Representative Della Au Belatti, who also serves on the Hawai‘i Access to Justice Commission.

At the end of the 12-month grant period, Hawai‘i will apply for another grant to begin implementing the strategic action plan.



Launch of Free Legal Answers Online Tool

Volunteer Legal Services Hawai'i (VLSH) launched a new service called "Hawai'i Online Pro bono," which is part of the American Bar Association Free Legal Answers national project. **Hawai'i Online Pro bono (HOP)** allows income-qualifying residents to simply register and post a question on a secure website (hawaii.freelegalanswers.org) where it will be reviewed and responded to by a volunteer attorney who is a member of the Hawai'i State Bar Association.

"The goal of HOP is to provide an additional tool for individuals who cannot afford an attorney," said Michelle Acosta, Executive Director of VLSH. "This free service enhances options for rural residents to 'HOP' on to the website anytime to seek answers to basic legal questions and get high-quality responses that will help them better understand their situation and assess their options."

To access Hawai'i Online Pro bono **from the Hawai'i State Judiciary website**, click on the white "**Access to Justice**" tab located above the blue bar in the upper right side of every page of the website. When the drop-down menu appears, click "**Hawai'i Online Pro Bono Portal**."

"Each of us in Hawai'i has a stake in ensuring that all residents have equal access to justice. When access to justice is denied, justice becomes a mere illusion perceived as available only to those who can pay for it. Such a situation undermines a rule of law that is premised on the principle that all individuals stand equally before the law."

– Simeon R. Acoba, Hawai'i Supreme Court Associate Justice (ret.), Chair, Hawai'i Access to Justice Commission

Keeping Communities Safe

Many individuals in our criminal justice system are addicted to drugs or suffer from some form of mental illness. Hawaii's courts have many programs to help people get the support and treatment they need to move their lives in a positive direction.

Drug Court

Drug Court is an innovative program that **provides alternatives to incarceration while saving taxpayer dollars**. Drug Court programs have been established on O'ahu, the Big Island, Kaua'i, Maui, and Moloka'i to deal with many of the most troubled, most addicted offenders on supervision. As **these offenders are the ones most in need of drug court services**, the court gets a better cost-benefit return by focusing on **helping them** avoid incarceration and **become employed, drug-free, law-abiding citizens**.

Drug Court requires an 18-month minimum commitment to the program, during which time clients participate in intensive court-based outpatient substance abuse treatment, along with intensive case management and probation supervision. The program's services include frequent and random drug and alcohol testing, mental health evaluation and treatment, assistance with obtaining employment and housing, random home visits, strict curfew monitoring, and frequent review hearings before the Drug Court judge. Drug Court offers incentives and rewards to clients who maintain sobriety and are either attending school or training, or are gainfully employed.

HOPE

Hawaii's Opportunity Probation with Enforcement (HOPE), is an intensive supervision program with the goal of reducing victimization, crime, and drug use, while saving taxpayers' dollars spent on jail and prison costs.

HOPE includes some of the toughest cases – high-risk probationers who have been identified as likely to violate the conditions of their probation or community supervision, or those having the most difficulty complying with the terms of their probation. Research has shown that focusing on these cases results in the **best outcomes and provides a better return for every probation dollar**.

Through creative new applications of existing laws and resources, HOPE has proven effective at both reducing crime and helping offenders, while saving millions of taxpayer dollars in the process. Hawai'i has now become a national example of innovative community supervision.

Number of HOPE Probation Sites Nationwide

As of May 5, 2016:

1. Alabama (5)
2. Alaska (4)
3. Arizona (13)
4. Arkansas (6)
5. California (1)

6. Hawaii (8)
7. Illinois (1)
8. Indiana (1)
9. Kansas (1)
10. Kentucky (7)
11. Lummi Nation (1)
12. Maryland (2)
13. Massachusetts (3)
14. Michigan (18)
15. Minnesota (1)
16. Missouri (1)
17. Nevada (1)
18. North Carolina (statewide)
19. New Hampshire (4)
20. North Dakota (1)
21. Ohio (3)
22. Oregon (1)
23. Pennsylvania (2)
24. South Dakota (3)
25. Tennessee (1)
26. Texas (1)
27. Vermont (1)
28. Virginia (4)
29. Washington (statewide)

Number of HOPE Parole Sites Nationwide

As of May 5, 2016:

1. Alaska (2)
2. Colorado (1)
3. Washington (statewide)
4. New York (2)

Mental Health Court

The Judiciary's First Circuit Mental Health Court (MHC) was established in response to the overrepresentation of people with mental illness in the criminal justice system, and the difficulties associated with managing this particular population. Defendants with mental illness released to the community on supervision have difficulty adhering to the terms and conditions of probation. This population has extensive treatment and service needs that require supervision strategies that traditional courts are not designed to provide.

The First Circuit MHC redirects offenders from jail to community-based treatment with intensive supervision to **ensure public safety** and to **support the recovery of defendants diagnosed with severe mental illness**.

In this collaborative program, community treatment providers offer specialized care for participants requiring psycho-social rehabilitation, psychiatric treatment, substance abuse recovery, and other individualized treatment. Upon admission to the MHC program, participants redirected from incarceration to treatment receive multiple benefits that may include treatment and supervision support, reduced jail sentences, and possible early termination of probation or dismissal of charges.

Upon graduation, all defendants will have met required expectations and received effective treatment, indicating solid progress and a sustainable plan for recovery. The MHC motivates participants through graduated sanctions, rewards, and incentives.

Veterans Treatment Court

Veterans Treatment Court is the Judiciary's response to the unique needs of veterans who served in the U.S. Armed Forces and experienced difficulties acclimating back into society. Veterans Treatment Court **helps veterans and their families recover and regain their chance at a successful future**.

The program takes a holistic approach to helping veterans by providing them with the resources and treatment they need to recover, obtain steady employment, and return to being law-abiding citizens.

An integral part of the program's success are volunteer veteran mentors from every branch of military service, who have an understanding of the difficulties these men and women are facing and walk alongside them throughout the process of recovery.

Studies show that Veterans Treatment Court participants experience significant improvement in housing, relationships and social connection, overall functioning and well-being, depression, posttraumatic stress disorder (PTSD), substance abuse, and mental and emotional health.

The Veterans Treatment Court program continues to grow as an increasing number of attorneys submit applications for their clients to participate in the program.

For more information please visit the Veterans Treatment Court page on the Hawai'i State Judiciary website, under the "Special Projects & Events" tab.



Left to right: Veterans Treatment Court mentors John Bennett, Brent Oto and Margo Truax; Veterans Court Mentor Coordinator Serena Trehern; Veterans Treatment Court mentor Don Wood; First Circuit Veterans Treatment Court Presiding Judge Edward H. Kubo Jr.; and Veterans Treatment Court mentors Robert Kent and Mike Peacock. The mentors were standing by to assist at the Connect-A-Vet resource fair held on March 18, 2016 in front of First Circuit Court.

DWI Court

The Honolulu DWI Court Program was founded in 2013 to address an increase in fatal vehicle crashes involving drivers under the influence of alcohol. This **nationally recognized program** targets the persistent problem of impaired driving in Hawaii and focuses on the repeat offenders.

Compared to the national average, Hawai'i 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 **reduces** individual **recidivism** rates, **reduces** societal financial burdens, and **protects** the **community** as a whole.

In the DWI Court Program, participants attain sobriety through accountability at regular court appearances before a designated DWI Court judge, case management meetings, and participation in an individualized treatment program. Treatment includes

alcohol and drug testing, individual and group counseling, and regular attendance at self-help meetings.

In addition to the personal improvements that program participants experience during recovery, sustained substance abuse treatment and recovery for these individuals also amounts to a social and economic benefit as it prevents future arrests. This reduction in recidivism benefits our community by improving public safety on our roadways and saving taxpayer money in costs to arrest, prosecute, and imprison these offenders.

The Honolulu DWI Court Program is supported by partner organizations including the Hawai'i State Department of Transportation, Honolulu Police Department, Office of the Public Defender, Mothers Against Drinking and Driving (MADD) Hawai'i Chapter, and the University of Hawai'i Department of Psychiatry.

The DWI Court Program currently has 10 active participants and **33 successful graduates** with a **zero percent recidivism rate** for subsequent drunk driving arrests.

Of the participants who entered the DWI Court Program, 42 percent had been convicted of their third OVUII ("operating a vehicle under the influence of an intoxicant") and 21 percent had been convicted of a second Hawai'i Revised Statutes §291E-62 (*Operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant; penalties*) charge, making these participants eligible for the longer and more expensive jail sentences upon future arrest.

According to a 2012 National Highway Traffic Safety Administration study, a repeat drunk driving offender is four times more likely to cause a deadly crash.

Current Estimated Jail Costs for Conviction of Operating a Vehicle Under the Influence of an Intoxicant (OVUII)

Conviction	Sentence	Estimated Cost of Jail / occurrence
H.R.S. §291E-62 - 2nd offense	30 days	\$4,200
H.R.S. §291E-62 - 3rd offense	1 year	\$51,100

Potential Cost Savings of DWI Court

DWI Program Length	Cost	Potential Cost Savings
30 days	\$380	\$3,820
1 year	\$4,618	\$46,482

Protecting Our Children and Families

In 1965, the Hawai‘i Legislature established the Family Court (Hawai‘i Revised Statutes Chapter 571), to promote the reconciliation of distressed juveniles with their families, render appropriate rehabilitation and punishment to offenders, and reduce juvenile delinquency.

For more than 50 years, Family Courts have been adjudicating family law cases and assisting families and children in need through a variety of special programs and services.

Truancy Court

Truancy is a major problem in the United States and it negatively impacts the futures of young people. Truancy has been clearly identified as one of the early warning signs of students headed for potential delinquent activity and dropping out of school, as well as placing students at higher risk of being drawn into behaviors involving drugs, alcohol, or violence.

A 2006 study of inmates in Hawai‘i prisons revealed that **80-89%** of **in-mates** reported that they **were truant** from school. In addition, research shows that one of the hardest transitions for truant students is the leap from middle school to high school. Students whose eighth grade attendance was below 85% are most likely to become high school dropouts.

Under the leadership of First Circuit Family Court Chief Judge R. Mark Browning, Judges Catherine H. Remigio and Lanson K. Kupau began a Truancy Court Pilot Project at Waianae Intermediate School, where the eighth grade attendance rate **was below 85%**.

Together with the Department of Education, Department of the Attorney General, Public Defenders Office, and Family Court Probation, the first year results of the Pilot Project were measurable. As of December 2016, Waianae Intermediate School has an **average daily attendance rate of 91%** for the 2016-17 school year. Waianae Intermediate School also reports **139 students** have **perfect attendance** thus far (throughout 1st and 2nd quarter).

Girls Court

Girls Court is the Judiciary’s innovative effort to stem the rising tide of female delinquency in Hawai‘i, where the proportion of female juvenile arrests has been significantly higher than the national average. Hawai‘i launched one of the nation’s first Girls Court models in 2004 on O‘ahu. It has proven to be a remarkable success. Girls Court participants have committed **88% fewer violations of the law**, **98% fewer status offenses**, and the number of **runaways** has **decreased by 89%**.

Girls Court provides gender-specific programs and services that more effectively target at-risk and delinquent girls. Girls Court works on a strength-based model to develop healthy relationships among the girls and their families, return the girls to school or appropriate educational programs, and introduce the participants to employment training and other opportunities in the community.

“Miracles happen in Family Court every day.”

– Deputy Chief Judge / Senior Family Court Judge R. Mark Browning



In Girls Court, the girls and their families join activities that they may have never participated in on their own, such as camping, surfing, playing Bingo with the elderly, cleaning out a lo'i, and more. Through the Girls Court process they realize their strengths and their personal value in the bigger picture of life. (Photo courtesy of Tia Ikeno, Social Worker, O'ahu Girls Court)

Haleakalā Adventure

Funded by the National Park Service and the Hawai'i Pacific Parks Association, Girls Court participants were invited to visit Maui's Haleakalā National Park and Kīpahulu District.

The group, accompanied by National Park Service staff, spent four days and three nights in July learning about Hawaiian species, ecology and Hawaiian culture.

The girls had an opportunity to set up their own tents and prepare meals, enjoy S'mores around a campfire and view the starry night high atop of the summit of the volcano. They woke up early the second day to travel to the Haleakalā Visitor Center to chant at the sunrise. The day continued with a leisurely drive along the Hana Highway, stopping at a botanical garden, a black sand beach

near Ke'ānae, and Hana Bay. After arriving at Kīpahulu, they did a short nature hike, and then back to set up camp and make dinner.

Back at the visitor center, the girls learned from park staff how to make lauhala bracelets, necklaces and rings. It was a fantastic trip and Girls Court returned the favor to the Park Service by cleaning up the Kuloa Point Trail.

Through activities like the Haleakalā Adventure, Girls Court brings participants together and creates a safe environment within the group where the girls can learn how to work through issues from others who have similar experiences. The activities are also intended to open the girls' worldview so that they can more readily see positive possibilities for themselves.



Photo courtesy of Tia Ikeno, Social Worker, O'ahu Girls Court, July 2016.

Natural Resources and the Environment

The goal of the Hawai‘i Environmental Court is to ensure the fair, consistent, and effective resolution of cases involving the environment.

Environmental Court

Hawaii’s Environmental Courts were established pursuant to Act 218, Session Laws of Hawai‘i 2014, enacted as Hawai‘i Revised Statutes Chapter 604A “Environmental Courts.” This made Hawai‘i only the second state in America to have a statewide environmental court.

Hawaii’s Environmental Courts have broad jurisdiction, covering water, forests, streams, beaches, air, and mountains, along with terrestrial and marine life.

Key contributors to the implementation of the Environmental Courts across the state include the police departments, prosecuting attorneys office, public defenders office, the private defense bar, corporation counsels, the Department of the Attorney General, the Department of Land and Natural Resources Division of Conservation and Resources Enforcement, court administrators, chief judges, as well as district and circuit court judges assigned to the Environmental Courts.

Environmental Court: District Court Case Initiations July 1, 2015 to June 30, 2016 - By Type of Charge

	First Circuit	Second Circuit	Third Circuit	Fifth Circuit	Total
• Fishing & Marine Life Violations	97	117	31	9	254
• Open Fires	13	11	1	5	30
• Endangered species / preservation of public property	1	16	5	1	23
• Weapons & Firearms		7	6		13
• Motor Vehicles / Parking	75	324	7	55	461
• Public Order	201	98	70	122	491
• Alcohol & Drugs	14	16	14	1	45
• Hunting Related	10	43	59	6	118
• Animal Control	16	8	8		32
• Boating & Boat Operation	120	239	34	10	403
• Other	34	35	16	3	88
All Charge Codes	581	914	251	212	1,958

Participation in the Global Community

The Judiciary continues to engage in collaborative relationships with leaders from around the world. Today we live in a global community where the exchange of ideas with people from other parts of the world presents opportunities to learn new and improved ways of addressing social problems and providing justice for the people of Hawai‘i.

Hawai‘i Supreme Court at the 2016 IUCN World Conservation Congress

Hawai‘i Supreme Court Chief Justice Mark Recktenwald, Associate Justice Sabrina McKenna, Associate Justice Richard Pollack, and Associate Justice Michael Wilson were featured speakers at the 2016 International Union for Conservation of Nature (IUCN) World Conservation Congress “Judges and Nature” colloquium.

The session also featured a number of Hawaii’s environmental court judges from around the state who discussed a variety of topics, including the responsibilities of judges in environmental disputes.



Left to right: Hawai‘i Supreme Court Chief Justice Mark Recktenwald; National High Court of Brazil Justice Antonio Benjamin; IUCN Director-General Inger Andersen; Hawai‘i Supreme Court Associate Justice Michael Wilson; and UNEP Division of Environmental Law and Conventions Director Elizabeth Mrema on the IUCN “Judges and Nature” colloquium panel. (Photo courtesy Nick Bryner)

2016 India-Hawai‘i Law Symposium

Hawai‘i State Judiciary justices, judges, and administrators joined distinguished judicial colleagues and representatives from the Government of India, Governor David Ige, state legislators, partners from the Department of Land and Natural Resources (DLNR), and University of Hawai‘i deans and staff members, for the 2016 India-Hawai‘i Law Symposium.

One of the key recommendations by the Environmental Court Working Group was to develop educational programs and community service opportunities as sentencing alternatives to allow courts to more directly address environmental harm caused by resource violations.

Governor Ige (pictured center) signed Act 67, or SB2453, HD1,CD1, into law at the Symposium. This law authorizes the court to require a person



who violates certain laws pertaining to aquatic resources to complete an aquatic resources class administered by the DLNR in addition to or in lieu of paying a monetary fine, and to perform community service administered by DLNR in lieu of paying a monetary fine.

Alternative Dispute Resolution

The Hawai‘i State Judiciary’s Center for Alternative Dispute Resolution (CADR) is dedicated to promoting the practice and use of alternative dispute resolution (ADR) processes throughout Hawai‘i. Mediation, arbitration, facilitation, and coaching are ADR practices that provide an “alternative” to litigation. ADR processes put the final decision into the hands of the disputing parties while encouraging discussion and collaborative exploration of mutually acceptable solutions.

Local Businesses “Adopt-a-Court” to Help State Judiciary Expand Hawaii’s Mediation Services

The Hawai‘i State Judiciary is partnering with The Mediation Center of the Pacific (MCP) in an innovative program to help expand the availability of mediation services in the islands. The MCP’s **Adopt-A-Court Program** provides opportunities for local businesses to “adopt” a district court and have members of their management team trained to serve as volunteer mediators for small claims and summary possession cases.

The **Adopt-A-Court Program** was created by the Mediation Center of the Pacific in 2014 to expand the pool

of mediators in the district courts throughout O‘ahu. To date, the Mediation Center has recruited two companies to participate in the Adopt-A-Court Program. **The Islander Group** adopted the Wahiawa District Court and **Hawaiian Cement** adopted the ‘Ewa District Court.

Resolution of cases through mediation is advantageous to not only the settling parties, but to the courts, and taxpayers as well. Settling parties benefit through private resolution of their cases with significantly less of the uncertainty, stress, time, and expense often

involved in litigation. Reducing the courts’ caseload allows the courts to resolve other cases more quickly and to decrease case processing time. This promotes speedier resolution of those cases that remain before the court, which in turn benefits the broader community.

For information on mediation and other options for alternative dispute resolution, visit the CADR webpage: www.courts.state.hi.us



Over the past two years, Adopt-A-Court Program mediators from The Islander Group and Hawaiian Cement have helped hundreds of people resolve their disputes and avoid litigation. The program also benefits participating companies whose employees receive valuable training in mediation and negotiation – skills they need for success in the workplace.

Judges Lead Grassroots Effort to Help Landlords and Tenants Curb Evictions

First Circuit District Court Judges Hilary B. Gangnes and Michael K. Tanigawa are leading a grassroots effort called **STAE (Steps to Avoid Eviction)**. STAE's mission is to find ways to ensure that landlords get paid the rent they are owed and tenants are not evicted, by encouraging tenants and landlords to use available resources in a more timely and effective manner.

"There are a lot of organizations and people out there who want to help," said Judge Michael Tanigawa. "The first step was getting everyone together in one room to discuss current landlord and tenant challenges and to see how we could more effectively partner together and use the resources we have. The next step was getting essentially a one-stop-shop of information, listing the collective resources and services currently offered to landlords and tenants."

The grassroots effort includes representatives from the State Department of Human Services, Homeless Programs Office; City & County of Honolulu, Department of Community Services; University of Hawaii's William

S. Richardson School of Law, Students for Public Outreach and Civics Education; Consumer Credit Counseling Service of Hawai'i; Legal Aid Society of Hawai'i; Helping Hands Hawai'i; Catholic Charities Hawai'i; Mediation Center of the Pacific; and landlord attorneys David Chee, Kenneth Lau, and Richard Yanagi. The group put together an informational flyer, which was distributed throughout the community.

"By the time the landlord-tenant cases come to us, it is frequently too late," said Honolulu District Civil Lead Judge Hilary B. Gangnes. "We see many

mom-and-pop landlords struggling to make ends meet after their tenants have skipped months of rent. We also see tenants who are drowning in mounting bills, often after unexpected circumstances. The key is early intervention. We hope by providing more collaborative information, we can help save landlords and tenants time and money, as well as curb evictions."

For more information, please visit the **STAE** page on the **Hawai'i State Judiciary website**, under the **Special Projects** tab.

Summary Possession, Security Deposit, and Ejectment Cases in District Court, 1/1/2009 through 12/31/2015

	Summary Possession	Security Deposit	Ejectment Cases	All Potential
2009	2,476	354	63	2,893
2010	2,539	346	224	3,109
2011	2,897	355	317	3,569
2012	2,562	330	41	2,933
2013	2,637	332	35	3,004
2014	2,532	289	52	2,873
2015	2,340	365	55	2,760
Totals	17,983	2,371	787	21,141

The Hawai'i State Judiciary provides free on-site mediation services for all small claims and residential landlord/tenant cases. For Fiscal year 2016, the Hawai'i State Judiciary has served **7,762 clients**.

	No. Clients Served (unduplicated)	Cases Served (pending from prior period + new cases)	New Cases Opened	Direct Court Referrals (of the new cases opened)
FY16Q1	1,745	1,061	757	448
FY16Q2	2,074	1,182	866	594
FY16Q3	1,832	1,062	744	491
FY16Q4	2,111	1,137	837	539
FY16 Total	7,762	4,442	3,204	2,072

Kona Judiciary Complex

The Hawai‘i State Judiciary is committed to building a centralized courthouse in Kona to meet the critical legal needs of the West Hawai‘i community. The courthouse will provide improved access to the civil, criminal, and family court justice system.

Hawai‘i State Judiciary Breaks Ground on the Kona Judiciary Complex Project

The Hawai‘i State Judiciary joined its partners in a traditional Hawaiian groundbreaking ceremony in October to celebrate the beginning of construction of the Kona Judiciary Complex. About 250 people gathered at the future site of the courthouse, which is a 10-acre site in Keahuolū, North Kona.

The dedication included the traditional pīkai (ritual sprinkling of salted waters) with accompanying pule kāhea (Hawaiian prayer chants) to sanctify the premises. Kahu Daniel Akaka, Jr. said a special prayer for the leaders involved in this project as well as the workers who will be involved in the construction of the new courthouse.

The Kona Judiciary Complex will meet the critical needs of the West Hawai‘i community and provide improved access to the civil, criminal, and family court justice system. Currently, proceedings are held in three different locations in Kona, in buildings not designed to serve as courtrooms.

“This is a momentous day for me, both professionally and personally,” said Chief Judge Ronald Ibarra. “I was born



Kahu Daniel Akaka, Rep. Virginia Isbell (ret.), and Anna Akaka perform the blowing of the pū to announce the commencement of construction on the new Kona Judiciary Complex.

in the courthouse where I work today – it used to be the Old Kona Hospital. But the building is more than 75 years old and we need to be able to provide the infrastructure to deliver justice for generations to come. This groundbreaking symbolizes the future, while bringing with us the solid foundation we have built thus far.”

The Hawai‘i State Judiciary thanked the Legislature for appropriating the \$90 million needed to construct the building, which will enable the Judiciary to provide the West Hawai‘i community with a secure, efficient, and modern court facility that will accommodate the area’s projected growth in population and court caseload.

The 140,000 square foot complex will be a three-story facility with five courtrooms, a law library, self-help center, conference rooms, holding cells, witness rooms, attorney interview rooms, and a grand jury meeting room. The design includes space for future expansion or courtroom additions. Plans also provide 290 parking stalls for public and employee vehicles.

“This would not be possible without the support of the Legislature and Governor David Ige,” said Chief Justice Mark Recktenwald. “I’d like to especially recognize the leadership of Representative Sylvia Luke and the members of House Committee on Finance; Senator Jill Tokuda and the members of the Senate Committee on Ways and Means; Senator Gilbert Keith-Agaran and the members of Senate Committee on Judiciary and Labor; and Representative Karl Rhoads and the members of the House Committee on Judiciary. I would also like to acknowledge the deep commitment and enormous efforts of Representative Nicole Lowen, Senator Josh Green, the late Senator Gil Kahele, and all the Big Island legislators. These part-

ners were key to providing this much needed courthouse to the people of West Hawai‘i. Because of their commitment, the people of West Hawai‘i will have a courthouse that will support our justice system in this community for many, many years to come.”

Chief Justice Recktenwald also thanked members of the West Hawai‘i Bar Association, the Hawai‘i County Bar Association, and the Hawai‘i State Bar Association (HSBA). “I appreciate the support of the bar presidents and executive directors who have supported this project through the years.”

The new complex was designed by Architects Hawai‘i with the goal of keeping the building’s architecture consistent with the West Hawai‘i community. In December 2014, Architects Hawai‘i invited the public to view the preliminary renderings and design plans and solicited its input and feedback. The interior design will reflect local culture, landscape, and values. The building is also designed to be water, energy, and environmentally efficient and sustainable.

The Notice to Proceed was formally issued on October 28, 2016, signaling the official start of construction. Nan Inc. is the general contractor and Rider Levett Bucknall was selected to support Construction Management on this project. Construction is expected to be complete in 2019.



Chief Justice Mark Recktenwald shakes hands with Third Circuit Chief Judge Ronald Ibarra as Kahu Daniel Akaka and wife Anna Akaka help open the site of the new Kona Judiciary Complex for construction.



Above: Artist renderings of the Kona Judiciary Complex.

Investing in Future Generations

The future of our system of government depends on the public's understanding of the principles that are fundamental to our system of democracy, including individual liberties, the rule of law, and the protections these doctrines provide.

Each year, the Hawai'i State Judiciary invests in our future generations by engaging students in outreach programs and special events designed to help them better understand the judicial system.

Courts in the Community

Courts in the Community is an **educational outreach program** that gives high school students unique, hands-on experiences in how the Hawai'i judicial system works. Under the Courts in the Community program, the full, five-member Hawaii Supreme Court travels to Hawai'i high schools to hear oral argument in an actual case.

Prior to the court convening on a campus, students learn about the judicial system and the appellate process using 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 Hawaii State Bar Association and county bar associations have provided financial support for students participating in the program. Bar association attorneys volunteer their time to facilitate the students' participation in a moot court exercise involving the actual case that will be argued when the court comes to campus.

Courts in the Community Participation 2012 - 2016



As part of Courts in the Community, the Hawai'i Supreme Court heard oral argument at McKinley High School in October 2016. Pictured above, Chief Justice Recktenwald spends time with students from McKinley's Mock Trial Team to discuss what they learned about our system of justice, and exchange ideas on the future of government in Hawai'i.

Semester / Year	Host School	Number of Students
Spring 2012	Farrington High School (O'ahu)	200
Fall 2012	Baldwin High School (Maui)	450
Fall 2013	Waiakea High School (Hawai'i Island, Hilo)	200
Spring 2014	Kealakehe High School (Hawai'i Island, Kona)	475
Fall 2014	Mililani High School (O'ahu)	350
Spring 2015	Kaua'i High School (Kaua'i)	300
Fall 2015	Waianae High School (O'ahu)	350
Fall 2016	McKinley High School (O'ahu)	470
Total		2,795

Judiciary History Center

The Judiciary History Center offers schools, colleges, and the general public a number of law-related educational activities and resources. In the past year alone, the Center welcomed over 58,000 visitors, including more than 16,000 students, helping them become more informed, involved, and effective citizens. The Center's website also offers prepared lessons for use in the classroom and in the Restored 1913 Courtroom. For more information visit their website at jhchawaii.net.



Mock Trials

At the Judiciary History Center, groups of students have the opportunity to participate in a mock trial, gaining first-hand experience of how cases go to trial and how individual rights are exercised and protected in our system of justice.



Constitution Day 2016

In observance of Constitution Day 2016, groups of students met with Hawai'i Supreme Court Chief Justice Mark Recktenwald and Intermediate Court of Appeals Associate Judge Lisa Ginoza, for an overview of the Hawai'i state courts and the role of judges and the courts in protecting the legal rights of all citizens and residents of the United States.



Law and Justice Summer Program

In June, high school students from the University of Hawaii's "Law and Justice Summer Program" visited the Hawai'i State Supreme Court, where they met with Chief Justice Mark Recktenwald, Associate Justice Paula Nakayama, and other Judiciary personnel.

The Kamehameha V Judiciary History Center helped arrange for the participants to observe a Circuit Court trial, speak with Judiciary personnel, as well as tour the Judiciary History Center and Hawai'i Supreme Court.

People Making a Difference

The Hawai'i State Judiciary's accomplishments reflect the dedication of the more than 1,800 individuals who are part of the court system. Each day, these employees work towards fulfilling our mission, knowing that their efforts have far-reaching impacts upon the lives of those who depend on the courts to resolve disputes and ensure justice.

OEAC Director Debi Tulang-De Silva Receives HSBA's 2016 Golden Gavel Award

Debi S. Tulang-De Silva, Program Director of the Hawai'i State Judiciary's Office on Equality and Access to the Courts (OEAC), received the Hawai'i State Bar Association's (HSBA) prestigious Golden Gavel Award at the 2016 HSBA Bar Convention and Annual Meeting.

The interpreter certification program Tulang-De Silva developed has been a source of great pride for the Judiciary, and has served as a role model for other state courts seeking to develop interpreter certification programs. She also developed and implemented a comprehensive language access program that provides free language services to court users.

In 2016, **Hawai'i** was **recognized** by the National Center for Access to Justice **as the leading state in the country for supporting people with limited English proficiency (LEP)**. Under Tulang-De Silva's leadership, OEAC improved and increased the services available to Hawai'i's growing LEP population. The Judiciary annually provides interpreting services for LEP clients in as many as **45 different languages**. OEAC also conducts statewide mandatory training for all staff on language access services so that the Judiciary can uphold the highest standards of service.



Office on Equality and Access to the Courts Program Director Debi Tulang-De Silva (center) with OEAC Court Interpreting Services Coordinator Melody Kubo (left), and Director, Intergovernmental & Community Relations Susan Pang Gochros (right), at the 2016 HSBA Bar Convention and Annual Meeting.

Associate Judge Daniel Foley Receives HSBA's 2016 Ki'e Ki'e Award



From left: Hawaii Intermediate Court of Appeals Associate Judge Lisa Ginoza, Judge Alexa Fujise, Chief Judge Craig Nakamura, Judge Daniel Foley, Chief Justice Mark Recktenwald, Judge Katherine Leonard, and Judge Lawrence Reifurth celebrate Judge Foley's selection for the HSBA's 2016 Ki'e Ki'e Award.

Intermediate Court of Appeals Associate Judge Daniel R. Foley received the Hawai'i State Bar Association's (HSBA) Ki'e Ki'e Award at the 2016 HSBA Bar Convention and Annual Meeting. The Ki'e Ki'e Award recognizes an attorney for outstanding provision of professional legal services at no charge to the recipient.

Judge Foley has served in many pro bono and community service capacities, including: serving as a Peace Corps volunteer in the Kingdom of Lesotho in southern Africa; working in Micronesia, assisting legislative bodies; pro bono service as an Associate Justice of the Supreme Court of the western Pacific Ocean's Republic of Palau; serving as the first Director of the American Civil Liberties Union in Hawai'i; working with Save Sandy Beach, and serving as a member, and as the Chairperson, of the Access to Justice Commission from 2010 through 2015.

Judge Chan Named 2016 Jurist of the Year

First Circuit Court Chief Judge **Derrick H.M. Chan** was presented with the 2016 *Jurist of the Year Award* by Chief Justice Mark E. Recktenwald.

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.

Judge Chan was first appointed as a Circuit Court Judge of the First Circuit in August 2000 and served as the Deputy Chief Judge and Administrative Judge of the Criminal Division from January 2005 through July 2009. He has been the Chief Judge of the First Circuit since December 31, 2009.



Above: First Circuit Chief Judge Derrick H.M. Chan (left) accepts the 2016 Jurist of the Year award from Chief Justice Mark E. Recktenwald.

Chief Justice Presents Spirit of Justice Awards

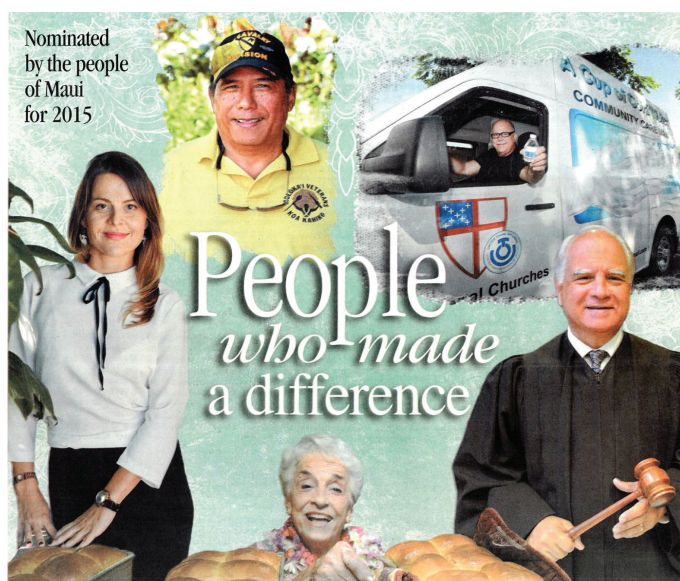
Hawai'i Justice Foundation (HJF) President **William S. Hunt** and Administrative Director of the Courts **Rodney Maile** were presented with the *Spirit of Justice Awards* at the HJF 2016 Annual Meeting. The award is given annually to individuals who have made a substantial contribution to access to justice.

Rodney Maile, the Administrative Director of the Courts, was recognized for his "untiring commitment to increasing

access to justice," which includes his work on projects such as establishing self-help centers in courthouses across the state, improving access to the courts for those with limited English proficiency, and cultivating key partnerships to expand the reach of the Access to Justice movement.



From left: Hawaii Justice Foundation President William Hunt; Hawaii State Supreme Court Chief Justice Mark Recktenwald; Administrative Director of the Courts Rodney Maile; and Hawaii Justice Foundation Executive Director Robert J. LeClair, at the Hawaii Justice Foundation 2016 Annual Meeting.



Judge Cardoza Recognized for Making a Difference in the Community

Second Circuit Chief Judge **Joseph Cardoza** was selected as a recipient of *The Maui News'* "People Who Made a Difference Awards." Judge Cardoza was praised as a visionary leader, as well as a kind, compassionate, giving man – both in and out of the courtroom.

Left: The cover of *The Maui News'* People Who Made a Difference, featuring Second Circuit Chief Judge Joseph Cardoza (far right).

Volunteers in Public Service to the Courts (VIPS)

The Hawai'i State Judiciary celebrated the **45-year anniversary** of its Volunteers in Public Service (VIPS) to the Courts Program by acknowledging the contributions of **1,322 O'ahu participants** at its annual Volunteer Recognition Ceremony. In the past fiscal year, First Circuit (O'ahu) volunteers provided more than **52,000 hours** of combined service, for a **total estimated in-kind donation** of almost **\$450,000** to the Hawai'i State Judiciary.

In the past 45 years, the VIPS Program has had more than **20,000 volunteers contributing more than 14 million hours to the Hawai'i State Judiciary**, supporting staff and directly assisting the public. The Judiciary is currently the only branch of our state government with a formal volunteer program, and our volunteers are an integral part of the Judiciary's mission.

For information on volunteer opportunities with the Hawai'i state court system, visit the VIPS web page at: www.courts.state.hi.us/outreach/volunteer_opportunities, or call **(808) 539-4880**.



Administrative Director of the Courts Rodney Maile (left) and Chief Justice Mark Recktenwald (right) celebrate the Judiciary's 45th Anniversary of the Volunteers in Public Service (VIPS) program with Volunteer Millie Botelho (center). Botelho has been volunteering with the courts for more than 20 years, following her 30-year career with the Judiciary.

Community Engagement

In 2016 Hawai'i judges, justices, and Judiciary staff gave of their time and talents in a variety of community engagements.

On O'ahu alone, 18 judges met with 1,214 students from 23 schools during 43 educational events. The Judiciary History Center hosted over 250 individuals who attended the Center's regular evening programs, which are open to the public free of charge.

Kona Drug Court volunteers collected 415 pounds of food and over \$535 for

The Food Basket, Inc. The Big Island Veterans Treatment Court participated in Hilo Veterans Day Parade. On Kaua'i, Drug Court clients performed several community service projects throughout the year, including regular maintenance of Hanamaulu Beach Park through the Kaua'i County Adopt-A-Park Program.



Second Circuit Family Court Judge Lloyd A. Poelman (third from the left) and Second Circuit District Court Judge Adrianne Heely (fourth from the left) join fellow presenters and event organizers to celebrate the success of their October 26, 2016 Outreach Workshop for the Lana'i Keiki Network and the Lana'i community.

Information Technology for Improved Access

The mission of the Hawai'i State Judiciary is to administer justice in an impartial, efficient and accessible manner in accordance with the law. Technology plays a vital role in fulfilling that mission by providing the broadest possible access to the court's programs, services, and information.

Ho'ohiki Upgrade

The Hawai'i State Judiciary made upgrades to Ho'ohiki, a search engine that contains information about criminal and civil cases in Circuit and Family Courts as well as certain civil cases in the District Courts.

The current Ho'ohiki site has been in place since it first launched in 2000. The new upgrade is built upon the existing search engine to make it easier for users to search and access court records.

JIMS New Milestone

Criminal records will be available for online viewing and purchase in January 2017.

The Judiciary Information Management System (JIMS) is integrating Circuit and Family Court Criminal (adult) cases from Ho'ohiki (the legacy mainframe) into eCourt Kokua. In 2016, software development, operational preparations, user acceptance testing, and training took place to meet the January 2017 go-live target date.

Once implemented, Judiciary employees, government agencies, law enforcement, attorneys, and the public will all enjoy greater access and services:

- Judiciary employees will be able to share data and documents between courts more quickly through electronic documents.


Hawai'i State Judiciary Website Voted #1 in the Nation

The Hawai'i State Judiciary's website was voted number one in the National Association for Court Management's (NACM) *Top 10 Court Technology Solutions Awards for 2016*. The awards are given each year to courts that make the best use of technology to improve court services and access to the public.

Entries from across the United States were reviewed by a panel of nine judges using a variety of criteria for comparing the award submissions, including: interactive capabilities; ease of access to public records; user interface; optimization for mobile devices; and accessibility.

According to the judges, the success of the Hawai'i State Judiciary's website was due, in part, to the innovations Hawai'i has used to significantly improve access to the courts – especially for self-represented litigants and those with limited English proficiency. Hawai'i includes information in more languages than the majority of U.S. courts and the website is easy to navigate.

Top 10 Court Tech Solutions



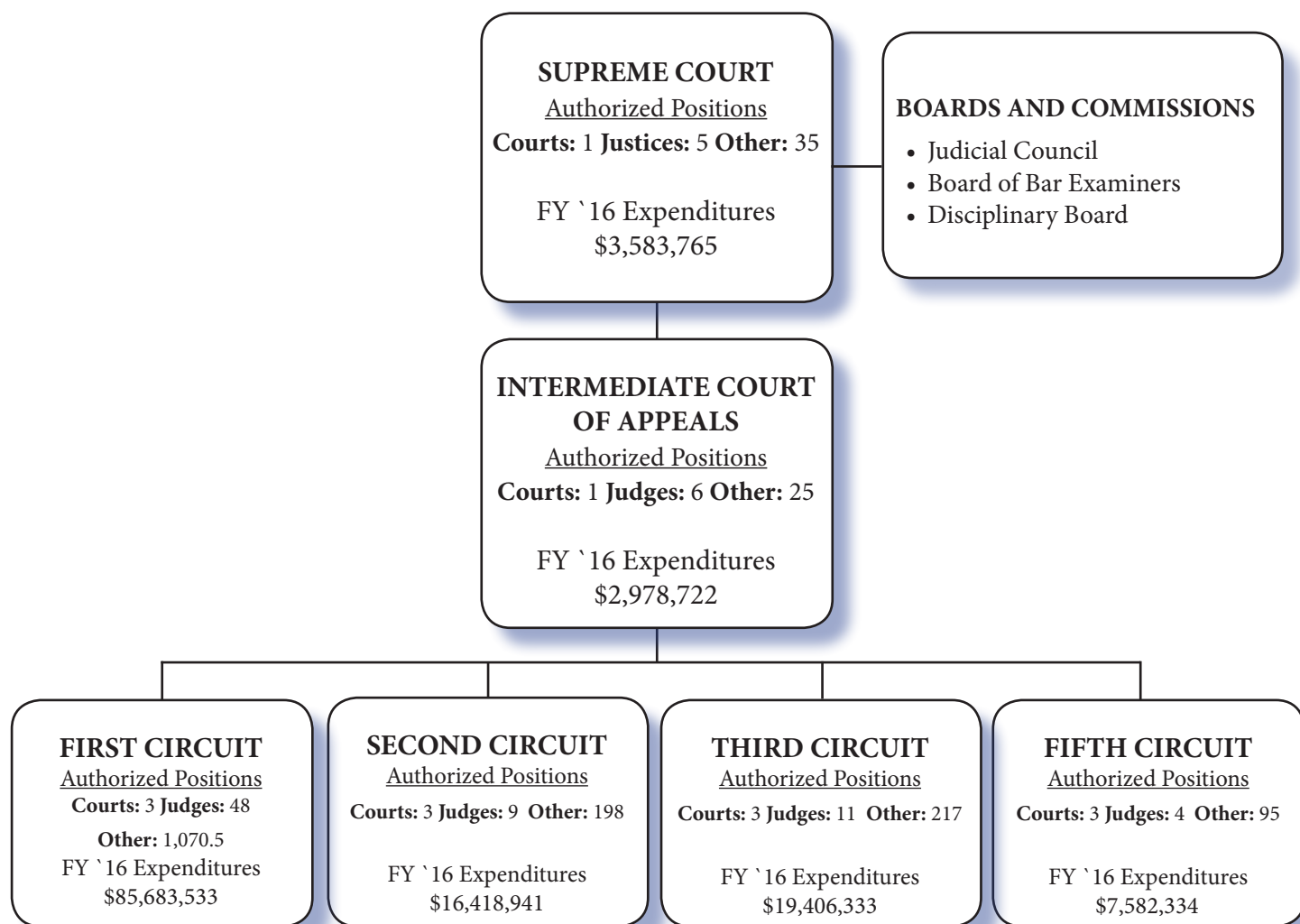
2016 WINNER

- Law Enforcement will have delivery of felony bench warrants within 24 hours via eBench Warrant statewide, and the data entry and filing of hard copies with new electronic warrants currently required will be eliminated.
- Attorneys will be able to eFile in Circuit and Family Court adult criminal cases via the Judiciary Electronic Filing and Service System (JEFS) 365 days of the year.

They will also be able to access case information and documents online quickly, and receive e-mail notices for all filings via JEFS.

- The public will be able to search eCourt Kokua instead of Ho'ohiki for online access to Circuit and Family Court adult criminal cases, and purchase public documents online for electronically filed documents in Circuit and Family Court adult criminal cases.

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 District and 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.

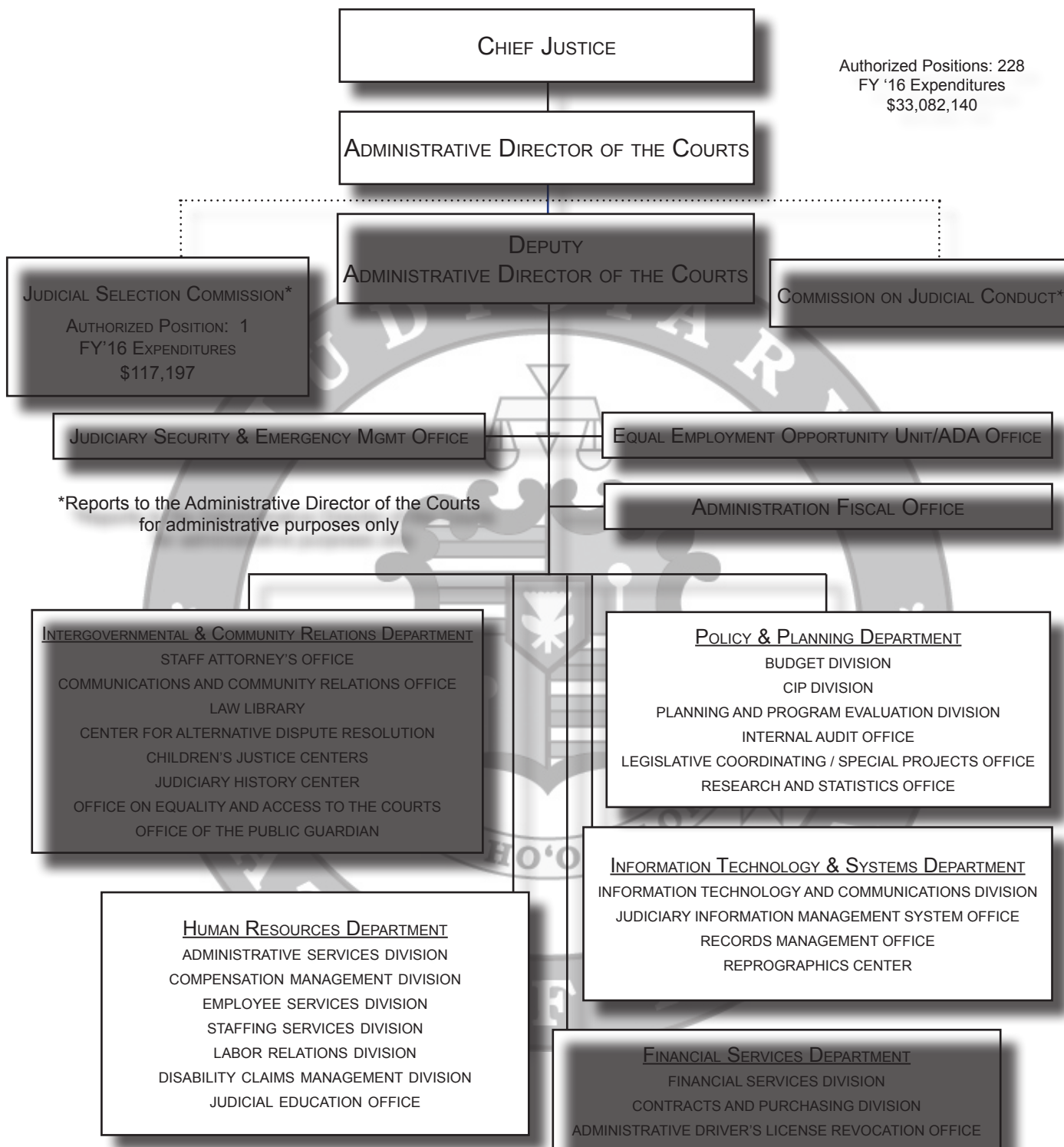
The Second Circuit serves the County of Maui, which includes the islands of Maui, Moloka'i and Lana'i.

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.

Office of the Administrative Director of the Courts



Courts of Appeal

Supreme Court

The Supreme Court of Hawai‘i 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 appointed 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 appointment is subject to confirmation by the State Senate. Each justice is initially appointed for a 10-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 10 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, 1993 - 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



(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.

Intermediate Court of Appeals

The Intermediate Court of Appeals (ICA) hears almost all appeals from trial courts and some agencies in the state of Hawai‘i.

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 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 ICA is composed of six judges who sit on panels of three. Judges are appointed 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 appointment is subject to confirmation by the State Senate. Each judge is initially appointed for a 10-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.

Intermediate Court of Appeals Judges and their Terms

Chief Judge Craig H. Nakamura

April 16, 2009 - September 15, 2019

Associate Judge Daniel R. Foley (retired)

October 2, 2000 - December 30, 2016

Associate Judge Alexa D.M. Fujise

June 10, 2004 - 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



(Front row left to right) Associate Judge Daniel Foley; Chief Judge Craig Nakamura; Associate Judge Alexa Fujise; (back row left to right) Associate Judge Katherine Leonard, Associate Judge Lawrence Reifurth, and Associate Judge Lisa Ginoza.

Courts of Appeal *(cont.)*

Status Of Pending Cases

There were 774 primary cases and 64 supplemental proceedings pending in the Courts of Appeal at the end of the fiscal year.

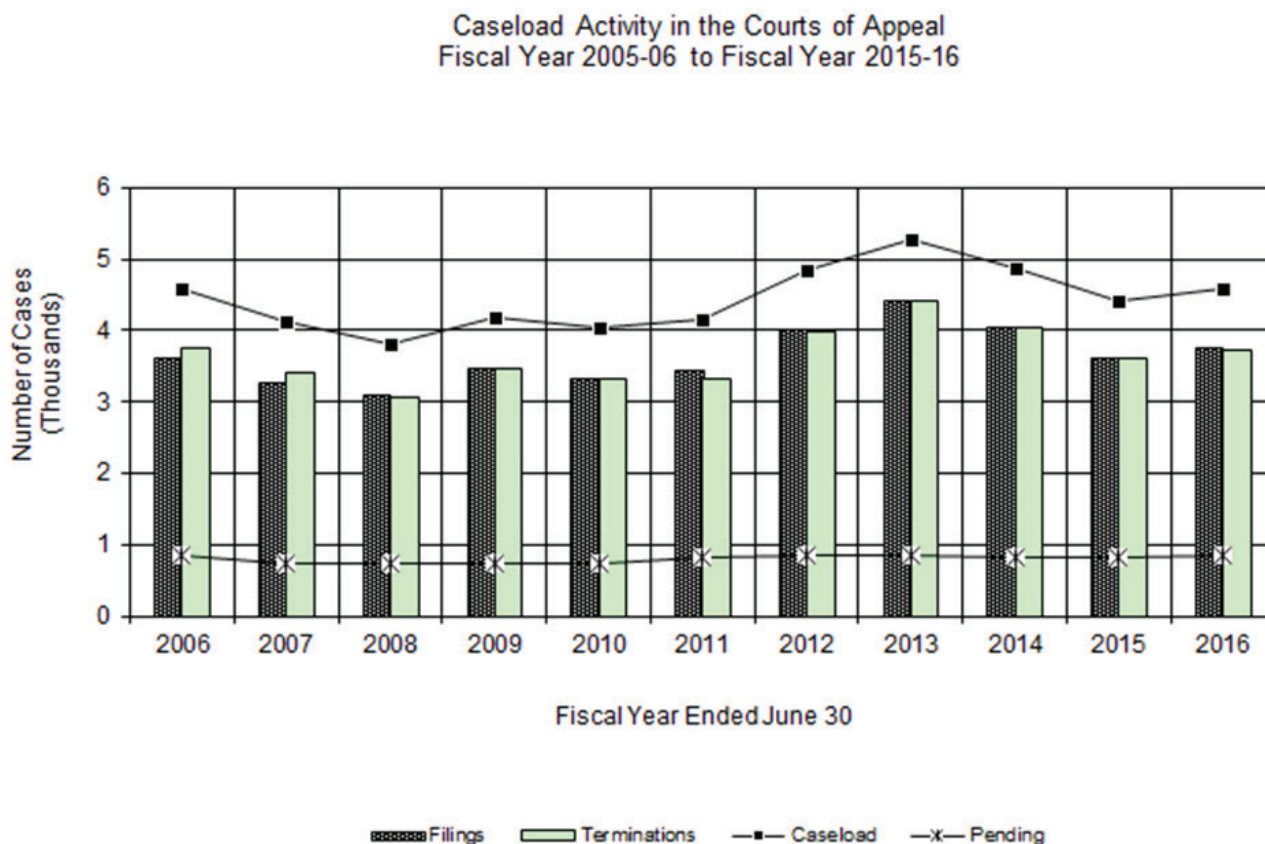
Actions Filed

There were 855 primary cases filed in the Courts of Appeal during the 2015-16 fiscal year (23 applications for transfer, 746 appeals, and 86 original proceedings).

Supplemental proceedings, which arise out of primary cases, are comprised of motions and special stipulations. In fiscal year 2015-16, 2,883 supplemental proceedings were filed in the Courts of Appeal.

Terminations

The Courts of Appeal terminated 858 primary cases during fiscal year 2015-16, compared with 670 primary cases terminated during the previous fiscal year.



Circuit Court

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 trans-

ferred from the District Courts for jury trials.

Circuit Court judges are appointed to 10-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 appointees are subject to confirmation by the State Senate.

Actions Filed

Filings in the Circuit courts totaled 17,676 cases in fiscal year 2015-16. Of the cases filed, 12,974, or 73%, were civil cases, and 4,702, or 27%, were criminal cases.

Terminations

During fiscal year 2015-16, the Circuit Courts terminated 15,456 cases.

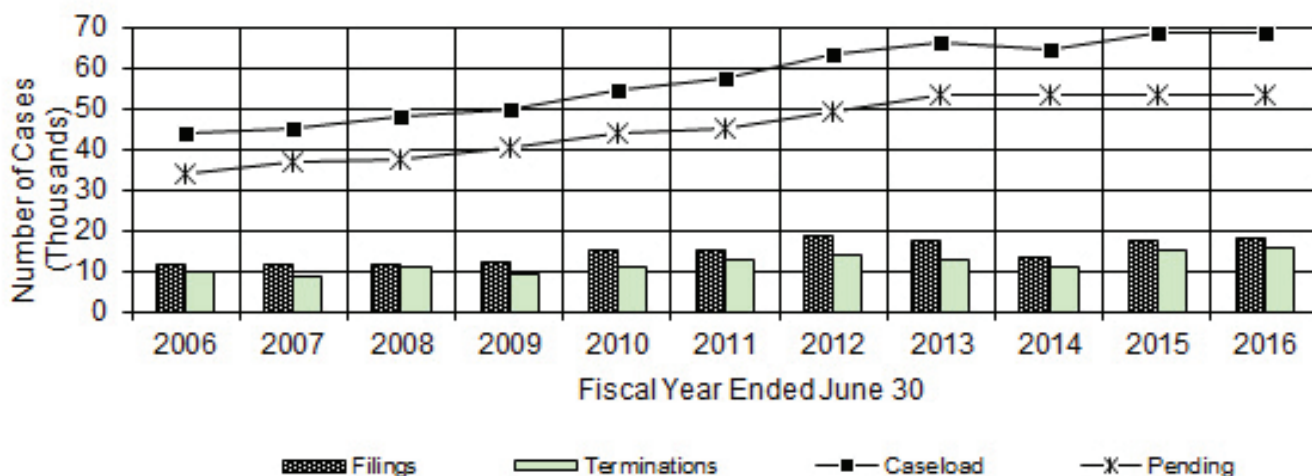
Status of Pending Cases

At the end of the 2015-16 fiscal year, a total of 53,019 cases were pending in the Circuit Courts proper. This includes 11,335 criminal cases, of which 8,814 were active or deferred cases and 2,521 were inactive cases.

Adult Probation Divisions

There were 3,455 investigations completed during fiscal year 2015-16. 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 5,926 new placements added to the 19,498 cases pending at the start of the fiscal year. Of these, 4,949 cases were closed, leaving 20,475 open at the end of the 2015-16 fiscal year.

**Caseload Activity in the Circuit Courts Proper
Fiscal Year 2005-06 to Fiscal Year 2015-16**



Circuit Court Judges and their Terms

First Circuit

Karl K. Sakamoto (retired)

1st Division

June 1, 2000 - December 30, 2016

Steven S. Alm (retired)

2nd Division

May 14, 2001 - August 31, 2016

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 Perkins (retired)

8th Division

Deputy Chief Judge
Criminal Division

May 6, 1994 - June 30, 2016

Virginia Lea Crandall

9th Division

April 1, 1991 - March 31, 2021

Rhonda A. Nishimura

10th Division

June 20, 2003 - June 19, 2023

Karen S. S. Ahn (retired)

11th Division

May 10, 2000 - June 30, 2016

Shirley M. Kawamura

12th Division

December 17, 2015 - December 16, 2025

Dexter D. Del Rosario (retired)

13th Division

April 15, 1994 - December 30, 2016

Gary W. B. Chang

14th Division

June 1, 1999 - 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, 2004 - June 9, 2024

Karen T. Nakasone

22nd Division

November 1, 2011 - October 31, 2021

Derrick H. M. Chan

23rd Division

Chief Judge

August 25, 2000- August 24, 2020

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, 1999 - June 23, 2019

Richard T. Bissen, Jr.

4th Division

April 29, 2005 - April 28, 2025

Third Circuit

Greg K. Nakamura

1st Division Deputy Chief Judge / Senior Family Court Judge

April 18, 1994 - April 17, 2024

Glenn S. Hara (retired)

2nd Division

June 25, 2004 - December 30, 2016

Ronald Ibarra

3rd Division

Chief Judge

May 10, 1989 - May 9, 2019

Melvin H. Fujino

4th Division

December 18, 2015 - December 17, 2025

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, 2005 - August 16, 2025

Family Court

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

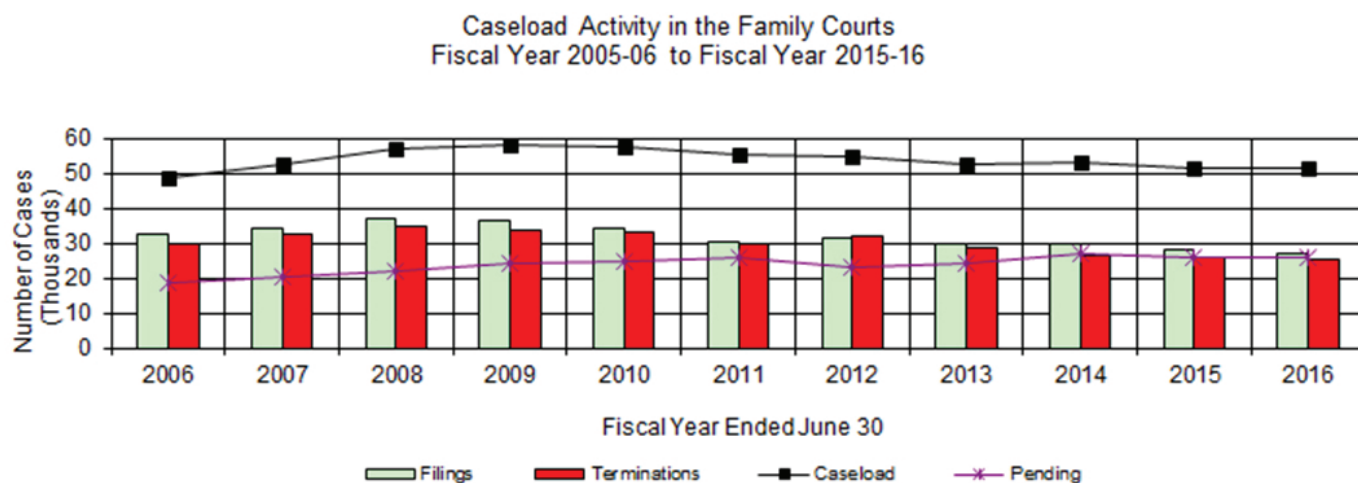
A total of 27,067 cases were filed in the Family Courts in fiscal year 2015-16.

Terminations

Terminations totaled 25,425 in fiscal year 2015-16.

Status of Pending Cases

There were 25,816 cases pending at the end of fiscal year 2015-16.



Family Court Judges and their Terms

First Circuit

R. Mark Browning

First Circuit Court

3rd Division

Deputy Chief Judge / Senior Family Court Judge

May 6, 2010 - May 5, 2020

Fa‘auuga L. To‘oto‘o

First Circuit Court

19th Division

October 7, 2010 - October 6, 2020

Jennifer L. Ching

June 24, 2005 - June 23, 2017

Sherri-Ann L. Iha

August 26, 2010 - August 25, 2022

Lanson K. Kupau

June 9, 2011 - June 8, 2017

Paul T. Murakami

June 7, 2002 - June 6, 2020

Dyan M. Medeiros

July 10, 2015 - July 9, 2021

Steven M. Nakashima

August 26, 2010 - August 25, 2022

Catherine H. Remigio

June 23, 2011 - June 22, 2017

Kevin A. Souza

February 15, 2013 - February 14, 2019

Bode A. Uale

October 27, 1992 - October 26, 2022

Matthew J. Viola

August 26, 2010 - August 25, 2022

Second Circuit

Joseph E. Cardoza

Second Circuit Court

3rd Division

Chief Judge / Senior Family Court Judge

June 24, 1999 - June 23, 2019

Keith E. Tanaka

March 9, 2007 - 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 / Senior Family Judge

April 18, 1994 - April 17, 2024

Aley K. Auna, Jr.

April 4, 2000 - April 3, 2018

Henry T. 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

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.

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 2015-16 fiscal year, 54,535 cases were filed in the District Courts. Civil actions represented 41% of filings, and criminal actions represented 59% of filings.

Terminations

A total of 50,000 cases were terminated in the District Courts during the fiscal year.

Status of Pending Cases

There were 65,722 cases pending at the end of fiscal year 2015-16.

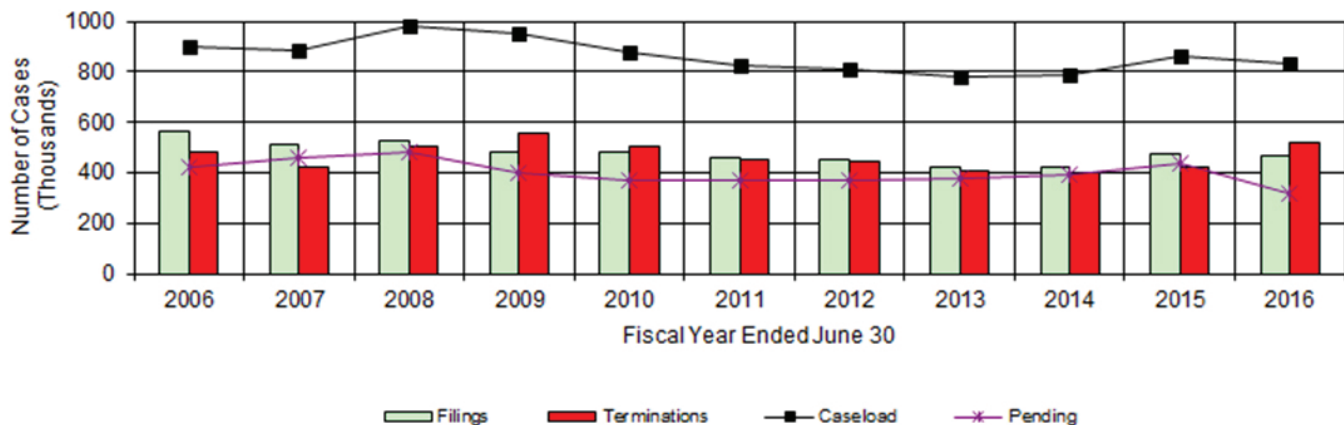
Caseload Activity (*Traffic And Parking*)

New filings totaled 413,586 cases in fiscal year 2015-16.

Terminations totaled 465,248 cases in fiscal year 2015-16.

Pending cases at the end of fiscal year 2015-16 totaled 252,785 cases.

Caseload Activity in the District Courts
Fiscal Year 2005-06 to Fiscal Year 2015-16



District Court Judges and their Terms

First Circuit

Barbara P. Richardson (retired)

Deputy Chief Judge

May 5, 2000 - December 30, 2016

James H. Ashford

September 30, 2013 - September 29, 2019

William M. Domingo

May 18, 2015 - May 17, 2021

Hilary Benson Gangnes

May 22, 2002 - May 21, 2020

Gerald H. Kibe (retired)

January 6, 1995 - December 30, 2016

Lono J. Lee

June 10, 2003 - June 9, 2021

David W. Lo (retired)

August 23, 2000 - December 30, 2016

Linda K. C. Luke

December 29, 1986 - December 28, 2022

James C. McWhinnie

December 17, 2015 - December 16, 2021

Melanie Mito May

June 23, 2011 - June 22, 2017

Clarence A. Pacarro

June 7, 2002 - June 6, 2020

Michael K. Tanigawa

August 26, 2010 - August 25, 2022

Paul B. K. Wong

May 29, 2012 - May 28, 2018

Lanson K. Kupau

June 9, 2011 - June 8, 2017

James S. Kawashima

June 30, 2016 - June 29, 2022

Second Circuit

Kelsey T. Kawano

Deputy Chief Judge

August 29, 2008 - August 28, 2020

Adrianne N. Heely

May 14, 2012 - May 13, 2018

Blaine J. Kobayashi

October 12, 2010 - October 11, 2022

Keith E. Tanaka

March 09, 2007 - March 08, 2019

Lloyd A. Poelman

December 13, 2013 - December 12, 2019

Third Circuit

Henry T. Nakamoto

Deputy Chief Judge

June 10, 2014 - June 9, 2020

Harry P. Freitas

June 1, 2007 - May 31, 2019

Margaret Masunaga

December 2, 2014 - December 1, 2020

Lloyd X. Van De Car (retired)

June 1, 2007 - July 29, 2016

Darien W. L. Ching Nagata

May 20, 2016 - May 19, 2022

M. Kanani Laubach

August 10, 2016 - August 9, 2022

Dakota K. M. Frenz

October 31, 2016 - October 30, 2022

Fifth Circuit

Edmund D. Acoba

May 27, 2011 - May 26, 2017

Trudy K. Senda (retired)

Deputy Chief Judge

May 4, 2001 - December 30, 2016

Per Diem Judges

First Circuit

Patricia C. Aburano
Ronald A. Albu
Gale L. F. Ching
Rebecca A. Copeland
Brian A. Costa
Richard J. Diehl
Philip M. Doi
Peter C. K. Fong
David J. Gierlach
Thomas A. K. Haia
Steven A. Hartley
Jeffrey A. Hawk
Na‘unani‘u Kamali‘i
Lenore K. J. H. Lee
Wilson M. N. Loo
Michael A. Marr
Linda S. Martell
Paula Devens-Matayoshi
Patricia A. McManaman

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
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

Fifth Circuit

Jonathan J. Chun
Robert M. Goldberg
Daniel G. Hempey
Joseph N. Kobayashi
Laurel Loo
Joe P. Moss
Sara Lee Silverman

Support Services

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. 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/Americans with Disabilities Act Officer

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 Coordinating 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.



On April 6 the Kaua'i Children's Justice Center, the Kaua'i Police Department, Department of Health, YWCA, Friends of the Children's Justice Center of Kaua'i, and others planted a pinwheel garden in front of the YWCA to create awareness of child abuse on Kaua'i. The pinwheels symbolize every child's right to a positive childhood and serve as a visual reminder that the community of Kaua'i is actively supporting families in preventing the risk factors that lead to child abuse.

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.

Combined, the **State General and the Capital Project funds** represent over **94.4 percent** of the funding source of the **Judiciary expenditures**. The Legislature appropriated **\$158,236,146** from the **State General Fund** for **operations** during the current fiscal year, which constitutes **2.25%** 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.

Total State Government Appropriations From State General Fund Fiscal Year 2015-2016

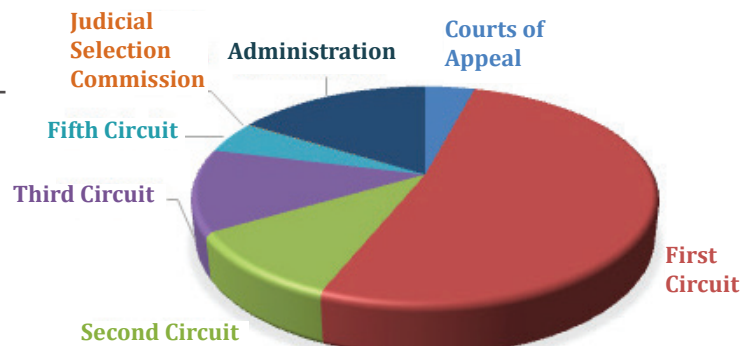
The Judiciary	2.25%	\$158,236,146.00
The Legislature	0.55%	\$38,604,414.00
The Executive	97.20%	\$6,834,494,727.74
Total		\$7,031,335,287.74



State General Fund Expenditure By Court Element

Fiscal Year 2015-2016

Court of Appeals	4.15%	\$6,562,486.87
First Circuit	52.01%	\$82,154,888.40
Second Circuit	10.40%	\$16,418,940.80
Third Circuit	12.29%	\$19,406,333.35
Fifth Circuit	4.80%	\$7,582,333.97
Judicial Selection Comm	0.07%	\$117,196.68
Administration	16.27%	\$25,703,611.85
Total		\$157,945,791.92



Program		FY 2016 Actual Expenditures	FY 2017 Planned Expenditures	Proposed Biennium Budget Appropriations* FY 2018	Proposed Biennium Budget Appropriations* FY 2019
JUD 101	<i>Courts of Appeal</i>				
	General Fund	6,562,487	6,879,797	6,980,704	7,072,757
JUD 310	<i>First Judicial Circuit</i>				
	General Fund	82,154,888	84,354,505	85,364,131	85,934,459
	Special Fund	3,528,645	4,303,649	4,303,649	4,303,649
JUD 320	<i>Second Judicial Circuit</i>				
	General Fund	16,418,941	16,858,861	17,165,631	17,396,252
JUD 330	<i>Third Judicial Circuit</i>				
	General Fund	19,406,333	19,922,476	20,176,683	20,345,759
JUD 350	<i>Fifth Judicial Circuit</i>				
	General Fund	7,582,334	7,747,614	7,984,148	8,200,043
JUD 501	<i>Judicial Selection Commission</i>				
	General Fund	117,197	98,790	98,790	98,790
JUD 601	<i>Administration</i>				
	General Fund	25,703,612	27,155,664	27,512,596	27,167,387
	Special Fund	7,365,377	7,993,737	7,993,737	7,993,737
	Revolving Fund	13,151	343,261	343,261	343,261
Totals					
	General Fund	157,945,792	163,017,707	165,282,683	166,215,447
	Special Fund	10,894,022	12,297,386	12,297,386	12,297,386
	Revolving Fund	13,151	343,261	343,261	343,261
* Subject to final legislative review.					

**State General Fund Expenditures
By Cost Category
Fiscal Year 2015-2016**

Equipment	2.15%	\$3,401,074.55
"Other" Current Expenses	27.47%	\$43,394,398.11
Payroll Costs	70.37%	\$111,150,319.26
Total		\$157,945,791.92

