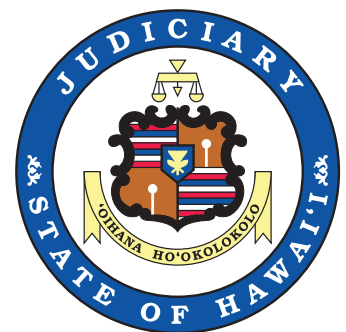


HAWAII STATE JUDICIARY

ANNUAL REPORT

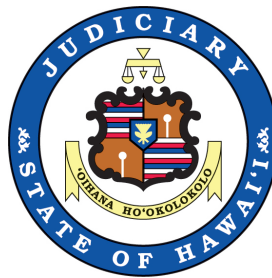
2017



Note: Due to requirements set by the Americans with Disabilities Act, diacritical marks properly used in Hawaiian language words have been omitted from this report to ensure online compatability with screen reader programs.

Hawaii State Judiciary Annual Report 2017

This report describes the ongoing efforts of the Hawaii State Judiciary to administer justice for the people of Hawaii.



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.

Contents

| | |
|--|----|
| Welcome..... | 5 |
| Equal Access to Justice for Everyone | 6 |
| Keeping Communities Safe | 12 |
| Protecting Our Children and Families..... | 21 |
| Stewardship in our Communities..... | 25 |
| Language Assistance Services..... | 28 |
| Natural Resources and the Environment..... | 30 |
| Settling Disputes Without Going to Court..... | 32 |
| Law Library: A Community Resource..... | 34 |
| Applying Technology for Greater Access..... | 38 |
| Kona Judiciary Complex | 40 |
| Investing in Future Generations | 42 |
| People Making a Difference | 46 |
| Structure of the Court System | 50 |
| Office of the Administrative Director of the Courts..... | 51 |
| Courts of Appeal..... | 52 |
| Circuit Court..... | 55 |
| Family Court..... | 58 |
| District Court | 60 |
| Support Services | 63 |
| Financial Resources | 64 |

Welcome

Aloha,

It is my pleasure to present this report on the work of the Hawaii State Judiciary in 2017.

As the third branch of government, the Judiciary is entrusted with administering justice in our communities and promoting the rule of law – the principle that every citizen and institution is subject to the law. Our courts provide equal justice under the law in a manner that is fair, transparent, accessible, and effective.

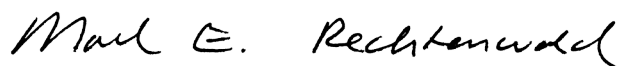
The Judiciary's work involves not only deciding cases, but also providing public services and programs necessary for the monitoring and rehabilitation of individuals in the criminal justice system. This report details the Judiciary's efforts to address these needs, and shares some of the major accomplishments from 2017.

There is still much to be done to advance justice and the rule of law in our communities, and as we look to the future, it is important to note that the Judiciary is sensitive to our state's economic situation. We therefore continue to pursue innovations that improve operations, minimize costs, and use existing resources with maximum efficiency.

We are grateful for the strong support of the Legislature and the Governor, who are our partners in addressing the challenges of tomorrow.

As we continue working together, I am highly optimistic that the years ahead hold great promise, both for resolving our most difficult problems, and for realizing our nation's promise of equal justice for all.

With Warmest Regards,



Chief Justice Mark E. Recktenwald
Hawaii Supreme Court



Chief Justice Mark E. Recktenwald

Equal Access to Justice for Everyone

The Hawaii State Judiciary is committed to increasing access to justice in our courts. For those 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.

Access to Justice Initiatives

Our judicial system exists to provide equal justice for all. This ideal is compromised and the promise of equal justice rings hollow if people cannot meaningfully participate in their legal matters by telling their side of the story in court.

In Hawaii, there are thousands of people who must represent themselves in civil cases each year because they cannot afford an attorney. Faced with navigating a legal system that is foreign to the average person, many simply give up.

Since 2011 the Judiciary has prioritized a number of initiatives designed to increase access to the courts and court services for all people. Significant progress towards achieving this goal has been made through a continuum of meaningful and appropriate services, including the use of courthouse self-help centers, technology, and language access services.

The Justice Index Findings, released in May 2016 by the National Center for Access to Justice, ranked Hawaii:

- *First in the nation for providing support for people with limited English proficiency (LEP).*
- *Among the top three states in the country for progress towards making access to justice a reality for all people*
- *In the top five states for providing support to self-represented litigants*

Courthouse Self-Help Centers

The Judiciary has partnered with the Hawaii State Bar Association and Legal Aid Society of Hawaii to maintain self-help centers in courthouses across the state, where volunteer attorneys provide information to individuals representing themselves in civil legal cases. The information people receive at the centers helps them more effectively present their case in court.

Overview:

- As of October 2017, more than 19,000 people have been assisted at the courthouse self-help centers.
- The first courthouse Self-Help Center opened in Fall of 2011 on Kauai.
- The centers are designed to serve self-represented litigants who wish to consult with volunteer attorneys about civil legal matters.
- There are six Self-Help Centers available statewide, at the courthouses in Lihue on Kauai, Kapolei and Downtown Honolulu on Oahu, Wailuku on Maui, Hilo and Kona on Hawaii Island.
- More than 450 volunteer attorneys currently provide legal information and advice.
- The services are provided at our courthouses with no cost to the litigant, and virtually no cost to the state.



Kauai attorneys were recognized for their volunteer service to the community at the November 29 Kauai County Bar Association meeting. They provided free legal information to more than 450 people in 2017.

First row from left: Mai Shiraishi, Sonia Song (AmeriCorps Advocate), Sherman Shiraishi, Katherine Caswell, Nancy Budd, Hawaii Supreme Court Chief Justice Mark E. Recktenwald. Second row from left: Kai Lawrence, Allison Lee, Judge Kathleen Watanabe. Third row: Deputy Administrative Director of the Courts Brandon Kimura.

Numbers of People Assisted at Courthouse Self-Help Centers October 2011 - October 2017

| | |
|--------------------------------|---------------|
| Honolulu District Court | 4,609 |
| Kapolei Family Court | 1,455 |
| Maui Courthouse | 3,659 |
| Hilo Courthouse | 4,731 |
| Kona Courthouse | 2,175 |
| Kauai Courthouse | 2,610 |
| TOTAL ASSISTED | 19,239 |

Technology for Improved Access to Justice

The Hawaii State Judiciary is also using technology to reach people who may not be able to visit the courthouse self-help centers.

Hawaii Self-Help Interactive Forms

Since 2013 the Judiciary has partnered with the Legal Aid Society of Hawaii to develop interviews for an interactive software that helps the public complete certain civil legal forms. Similar to TurboTax®, the "A2J Author" software asks users plain-language questions about their case, and prepares the forms with their responses. The Judiciary set up work stations at court self-help centers across the state to provide access to the forms by court users. In 2014-2015, the Judiciary and Legal Aid worked together to expand on the number of forms as well as increase public awareness of the forms through a partnership with the Hawaii State Public Library system.

Thirty-eight civil legal forms and petitions have now been made available through the Hawaii Self-Help Interactive Forms on the LawHelp.org/HI website.

Continued on page 8

Access to Justice Initiatives (cont.)

Free Legal Answers Online Tool: HOP

In 2016, Volunteer Legal Services Hawaii launched Hawaii Online Pro Bono, or “HOP,” a free web-based tool that allows income-qualifying residents to request brief advice and counsel from volunteer Hawaii attorneys.

When users post a question on the secure website (hawaii.freelegalanswers.org) they receive a response from a volunteer attorney who is a member of the Hawaii State Bar Association. With answers to legal questions, users can better understand their situation and assess options.

Top Court Website in the Nation

The Hawaii State Judiciary website was voted the No. 1 court website in the country in the National Association for Court Management’s (NACM) 2016 Top 10 Court Technology Solutions Awards.

A panel of nine judges noted that the Hawaii State Judiciary website’s success was due, in part, to innovations that significantly improve access to the courts – especially for self-represented litigants and those with limited English proficiency. Hawaii includes information in more languages than the majority of U.S. courts and the website is easy to navigate.

Hawaii Courts Mobile App

In January 2017, the Judiciary launched the Hawaii Courts Mobile App, a free mobile application that provides quick access to a wealth of information about Hawaii’s state courts. With the launch, Hawaii became only the second statewide judiciary in the country to offer a mobile service.

Using a mobile device, people can more easily access information about Hawaii’s state courts and Judiciary services. For details see the “Information Technology for Improved Access” section on page 39 of this report.

Language Access Services

According to U.S. census data, one in four Hawaii residents speaks a language other than English at home, and one in eight is considered limited English proficient.

The Judiciary has made great strides in increasing access to justice for persons requiring language access services. It provides:

- Free of charge, interpreters for everyone with a substantial interest in every type of court case, and to people who access the many other Judiciary services.
- Interpreting services in about 45 different languages for clients with limited English proficiency.
- 394 interpreters in the Judiciary’s Court Interpreter Certification Program.
- Statewide mandatory staff training on language access services for all Judiciary staff, so that it can uphold the highest standards of service.
- Website accessibility to information in 14 languages other than English – more languages than the majority of U.S. courts according to the National Association for Court Management (NACM) in their 2016 *Top 10 Court Technology Solutions Awards*.

The Judiciary is also working on translating court forms from English into the 12 languages most frequently encountered in our state courts.

Microsoft Selects Hawaii to Develop New Technology for Access to Legal Help



Chief Justice Mark E. Recktenwald welcomed, left, Carly Ichiki and David Heiner from Microsoft, and Liz Keith from ProBono Net to Aliiolani Hale for the kickoff of the innovative legal access portal program on September 14.

After a competitive application process, Hawaii and Alaska were selected as the recipients of a grant for \$1 million in programmer time and other support to help develop and pilot a new, statewide online portal where users can access information about legal services providers, social services providers, non-profits, and the courts. The Microsoft Corporation, the Legal Services Corporation, and ProBono Net Talk will partner with the Legal Aid Society of Hawaii (LASH) to develop this new online program.

Based on a user's explanation of the issues s/he is facing, the program will quickly, conveniently, and accurately refer people to the services they need. Because this portal will be using artificial intelligence, it will learn from each interaction, and the system's accuracy and responsiveness will improve over time.

The Hawaii State Judiciary, Hawaii Access to Justice Commission, Hawaii State Bar Association, and other legal service organizations provided strong support for LASH's application. The Hawaii Justice Foundation, Hawaii State Bar Foundation, Hawaii Women's Legal Foundation, and Hawaii Community Foundation have each pledged additional funding to ensure the project's success.

Justice For All Grant



Brandon Kimura, Special Assistant to the Administrative Director of the Courts, facilitates a group discussion with community representatives from various islands at the statewide kick-off meeting of Hawaii's Justice For All Project, April 17.

In November 2016, the National Center for State Courts (NCSC) and the Public Welfare Foundation announced that Hawaii was selected as one of seven states to receive a Justice for All grant (25 states applied). Hawaii was awarded nearly \$100,000 to enhance access to justice for Hawaii's citizens. The Hawaii Justice Foundation (HJF) also committed partial matching funds of up to \$50,000 over two years.

Following the receipt of the grant, a Justice For All Committee was formed with representatives from HJF, the Hawaii Access to Justice Commission, local legal service providers, the Hawaii State Bar Association, the Hawaii State Legislature, and the Hawaii State Judiciary to carry out the administrative duties of the grant, including:

1. Conducting a state assessment to inventory resources, services, and capabilities currently available, and identify those that are needed
2. Creating a strategic action plan to better meet the legal needs of all.

A total of 13 community listening sessions were held on Kauai, Oahu, Maui, Molokai, Lanai, and the Big Island, with:

- Representatives of vulnerable communities, including domestic violence survivors, rural community members, native Hawaiians, at-risk of homelessness community members, immigrant communities, and kupuna, who discussed access to justice challenges
- Homeless services and social services providers
- Domestic violence service providers, and
- Public librarians and providers who discussed the challenges of trying to support the populations they serve.

Six additional meetings were convened that invited feedback and input from network partners, including leaders from state and county agencies, the healthcare industry, organized labor, immigration attorneys, members of the State Legislature, and others.



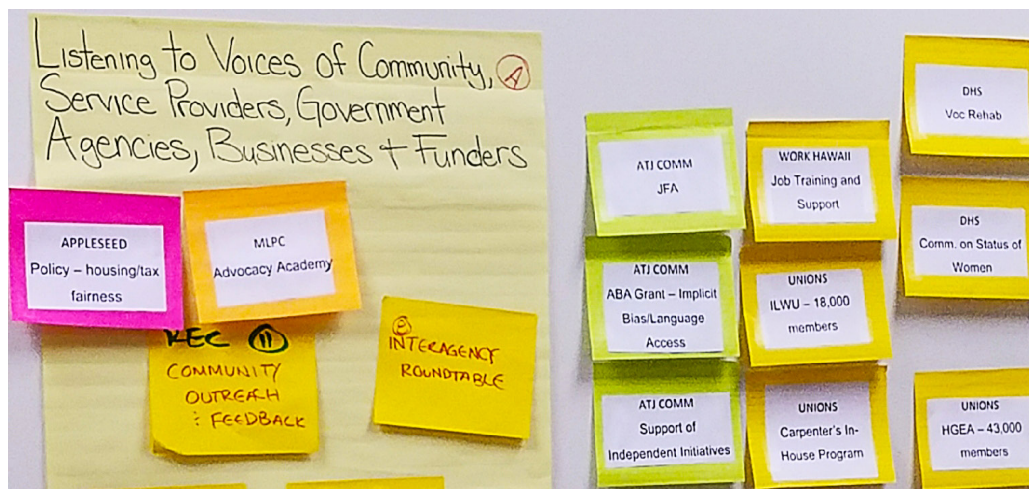
Community listening sessions were held statewide with members of the public, service providers, government agency representatives, labor union representatives, members of the Legislature, and others.

The resulting strategic plan is based on four proposed recommendations to meet essential civil legal needs of everyone in our communities:

1. Community Navigators: Providing formal and informal community leaders with broader, deeper, and more accurate information so that they can better support those whom they are already helping.
2. Strengthen connections among institutions and alignments of social service programs and resources: By encouraging network partners to leverage resources that can resolve a combination of legal, social, and health service challenges, Hawaii can avoid social challenges that are compounded over time.

3. Interagency Roundtable: Convening regular meetings of agencies that focus on civil legal needs to coordinate meaningful access to justice across the continuum of needs.
4. Promoting the use of preventative legal assessments in various settings: Integrating legal needs assessments ("legal checkups") as a tool to increase awareness and identify opportunities to address challenges with essential civil legal needs before they escalate.

The strategic plan was submitted to the National Center for State Courts, and in 2018 the group will apply for second year funding to plan more specifically and begin implementing the supplemental ideas.



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.

HOPE: Reducing Crime, Helping Probationers, Saving Tax Dollars

Hawaii's Opportunity Probation with Enforcement (HOPE) is an intensive supervision program that strives to reduce victimization, crime, and drug use, while saving taxpayers' dollars.

HOPE includes some of the toughest cases – high-risk probationers 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.

For a successful HOPE program, three elements are necessary:

1. Probation officers (social workers) and/or treatment providers using evidence-based principles (EBP) to help probationers deal with any medical, emotional, and behavioral issues
2. A patient judge, who understands addiction, creating an encouraging, caring, and supportive environment
3. A swift, certain, consistent, and proportionate sanctions component (no graduated sanctions)

Through creative applications of existing laws and resources, HOPE has proven effective at both reducing crime and helping offenders, while saving millions of tax dollars in the process. Hawaii stands out as a national example of innovative community supervision.

Program Overview:

- There are currently eight HOPE sites in Hawaii; two each on Oahu and Hawaii Island; one each on Maui and Kauai
- If a probationer is having problems in general probation, s/he may be placed with HOPE
- If s/he is having problems in HOPE, has failed at substance abuse treatment, and just can't stop using drugs, s/he is placed with the Hawaii Drug Court.
- Analogizing Hawaii's justice system to a medical care system, general probation is like the outpatient clinic, HOPE Probation is like the medical-surgical wing, and Drug Court is like the Intensive Care Unit.

The adult probation continuum in Hawaii



Drug Court: Proven Alternative to Incarceration

Drug Court is an innovative program designed to address crimes related to substance abuse, and provide alternatives to incarceration, while saving taxpayer dollars.

Drug Court programs have been established on Oahu, Hawaii Island, Kauai, Maui, and Molokai 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 state gets a better cost-benefit return by helping them avoid incarceration and become employed, drug-free, law-abiding citizens.

Drug Court is an 18-month program of intensive court-based outpatient substance abuse treatment with mental health and medical follow-up, frequent and random drug and alcohol testing, assistance with obtaining employment and housing, random home visits, strict curfew monitoring, frequent review hearings before the Drug Court judge, along with incentives for clients who maintain sobriety and either attend school or training, or are gainfully employed.

Far-Reaching Benefits of Drug Courts

- Since the establishment of Hawaii's first Drug Court in 1996, more than 2,000 people have graduated and found success in improving their lives.
- The majority have not been convicted of new felonies for up to three years after graduating from the program.

- Drug Courts have been successful in rehabilitating individuals, and restoring and reuniting families.
- Drug Courts have helped ease the social costs of incarceration that would otherwise impact the children and extended family members of participants, including:
 - Reduced quality of life, lost earnings while the parent is incarcerated, lost future earnings, lost taxes to the state on lost earnings, up-front criminal justice system costs, the cost of parole, foster care for the children of some prisoners, etc.

More than 25 years of scientific research on Drug Courts consistently shows that:

- Drug Courts significantly reduce drug use, drug relapse, and criminal behavior, with substantial cost savings to the community.
- Simply incarcerating drug-offenders has not been effective at reducing recidivism or continued substance abuse after release from incarceration, nor cost-effective for communities.
- Drug rehabilitation most often results in improved outcomes for the clients, their families, and the community.

Maui/Molokai Drug Court Milestone: 600 Successful Graduates



Second Circuit Chief Judge Joseph Cardoza (left) is joined by Judge Richard Bissen (center) and Judge Rhonda Loo (right) in congratulating one of the Maui/Molokai Drug Court's 17 graduates at the November 9 graduation ceremony. The court also celebrated a milestone by commemorating the success of the 607 individuals who have completed the program since it began in 2000.

There was much to celebrate at the Maui/Molokai Drug Court's 61st Graduation Ceremony on November 9. With 17 participants completing the final steps of their intensive court-based treatment, the program achieved a milestone – more than 600 successful graduates since the court first convened in 2000.

Second Circuit Chief Judge Joseph Cardoza recalled, "When our Drug Court was in its infant stages, the participants organized a Christmas party for their families.

"As I walked in and saw the 264 children in attendance, I was overwhelmed. At that moment it became crystal clear to me that the help we provide adult participants in Drug Court directly impacts the lives of their children, the next generation of our community.

"Across the nation, studies find that drug courts produce significant reductions in both drug relapse and criminal behavior, leading to significantly fewer crimes, re-arrests, and days incarcerated. All of this results in cost savings to the community," said Judge Joseph Cardoza.

Veterans Treatment Court: Restoring Veterans to Health



First Circuit Veterans Treatment Court Presiding Judge Edward H. Kubo, Jr. (left) congratulates a participant in the program's January 13 graduating class. U.S. Army Lieutenant Colonel (Ret.) Matthew K.H. McCarville, an Associate Vice President at Morgan Stanley Wealth Management (right), served as the distinguished speaker. It was the First Circuit Veterans Treatment Court's fourth graduation ceremony.

The mission of the Veterans Treatment Court (VTC) is to help veterans in the judicial system build positive, constructive lives while still holding them accountable for their conduct. The VTC partners with various community-based substance abuse, mental health, and veteran-specific service providers, and the Veterans Administration (VA) to help veterans and their families recover and regain chances for a successful future.

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.

An integral part of the program's success is 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.

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, visit the [Veterans Treatment Court page](#) on the Hawaii State Judiciary website, under the "Special Projects & Events" tab.

Veterans Treatment Court Updates

Veterans Treatment Court Launches on Kauai

The Fifth Circuit launched its Veterans Treatment Court Program on November 15, 2017, with the induction of a U.S. Air Force veteran as its first participant.

"The Fifth Circuit Court hopes that this opens the door to more veterans coming to court to take advantage of these services," said Fifth Circuit Chief Judge and Veterans Treatment Court Judge Randal Valenciano. "We want the program to expand, to recognize the sacrifice, and to acknowledge the service of all people in the military."

Judge Valenciano also expressed his appreciation to the Fifth Circuit staff and the Kauai agency representatives who worked so hard and collaborated so well to make the program possible.

Big Island Veterans Treatment Court

The Big Island Veterans Treatment Court (BIVTC) program was implemented in 2014, after successfully applying for a three-year federal grant. The program's goal was to serve 24 justice-involved veterans. BIVTC exceeded this goal, however, by serving 26 veterans by year two, 12 months ahead of schedule.

In 2017, the federal grant expired. While funding to continue the program is not currently available, the Judiciary and the Hawaii Island community are committed to continuing to grow and help veterans with the BIVTC.

Currently, there are nine veteran participants in Hilo and nine in Kona and both sites continue to receive new veteran referrals. Volunteer veteran mentors continue to work with the BIVTC participants to support and guide them through the intensive program.

In 2017, a professional evaluator assessed the effectiveness of BIVTC. Preliminary findings indicate that the program has made a positive impact on the veterans it serves, with the most profound effect experienced by graduates of the program.

To date, the BIVTC program has celebrated 11 successful graduates.

Why Hawaii Needs a Court for Veterans

"There are thousands of veterans living in our community; the small percentage in the criminal justice system have a unique profile. Before entering the military, they were law-abiding citizens. During or after military service, their lives changed.

"Placing veterans into conventional treatment programs does not work because their experiences often fall beyond the realm of the normal human experience.

"Veterans Courts play a vital role in helping veterans return home, both physically and emotionally. In the military, they served every one of us. It benefits all concerned to do our best to help our veterans find a path to restoring their lives."

*Second Circuit Chief Judge & Veterans
Court Judge Joseph Cardoza*

DWI Court: Accountability, Treatment, Safer Streets

According to the Centers for Disease Control and Prevention, Hawaii has a high rate of fatal crashes that involve impaired driving, compared to the national average.* The Honolulu Driving While Impaired (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:

- Reduces individual recidivism rates
- Improves public safety on our roadways, and
- Saves taxpayer dollars otherwise spent on the arrest, prosecution, and imprisonment of these offenders.

According to research reported by the National Drug Court Institute, 25 percent of those arrested for DWI become repeat offenders. Most interventions for repeat DWI offenders have produced mixed or nonsignificant results. Only programs that combine multiple service components, including substance use disorder treatment, intensive court or probation supervision, monitoring technologies such as interlocks, and driver's license restrictions, demonstrate consistent positive effects.**

Three national studies show that the benefits of DWI Court programs lasted for at least four years, well after participants' discharge from their programs.

Continued on page 18

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

| 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 |

* Centers for Disease Control and Prevention (2014a, December). *Sobering facts: Drunk driving in Hawaii*. Atlanta, GA: Centers for Disease Control and Prevention.

and

National Highway Traffic Safety Administration (2016). *Traffic safety facts 2015 data: Alcohol-impaired driving*. Washington DC: National Highway Traffic Safety Administration.

** National Drug Court Institute (2016). *Painting the Current Picture: A National Report on Drug Courts and Other Problem-Solving Courts in the United States*. Douglas B. Marlowe, JD, PhD Carolyn D. Hardin, MPA Carson L. Fox, JD.

DWI Court (cont.)

DWI courts provide intensive supervision of repeat offenders and improve their compliance with substance use disorder treatment and monitoring devices.

In DWI Court, 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. During recovery, participants have been observed to make important personal improvements.

With successful substance abuse treatment through the DWI Court Program, potential future arrests were avoided, resulting in significant cost savings.

Since the program's inception in January 2013:

- 36 offenders (67.9 percent) graduated
- 7 offenders (13.2 percent) are currently enrolled
- 10 offenders (18.9 percent) either withdrew or were terminated for non-compliance
- Only two graduates reoffended (a 6 percent recidivism rate) for subsequent drunk driving arrests.
 - In comparison, there is a 25 percent recidivism rate for subsequent drunk driving arrests among those who chose not to be screened or join the DWI Court Program.

Special thanks to the Honolulu DWI Court partner organizations:

- *Hawaii State Department of Transportation*
- *Honolulu Police Department*
- *Office of the Public Defender*
- *Mothers Against Drinking and Driving (MADD) Hawaii Chapter*
- *University of Hawaii Department of Psychiatry*

Honolulu County Offender Reentry Program



A First Circuit Court Probation Officer counsels an HCORP client.

The Honolulu County Offender Reentry Program (HCORP) is an innovative partnership of the Judiciary, University of Hawaii Social Services Research Institute, Department of Public Safety, and private agencies to:

- Control criminal justice system costs
- Manage prison overcrowding
- Reduce offender recidivism
- Prevent future victimization

This project, funded through a 3-year, \$1.2 million grant from the Substance Abuse and Mental Health Services Administration, brings together judges, probation officers and treatment providers to help sentenced felony probationers under the jurisdiction of the Judiciary obtain immediate access to behavioral health care in the community.

Existing reentry programs are almost exclusively designed for prisoners who are released back into the community on parole after serving 5-, 10- or 20-year prison terms. HCORP focuses on those who are sentenced to probation and uses their shorter jail terms to prepare them for transition back into

the community. It works with the Judiciary's HOPE program to have probation violators committed to jail, but eligible for early release if they are able to enroll in a community substance abuse program. It also provides case management services that prepare the offender for release and gives them important tools for success, including health insurance coverage from their very first day on probation. All HCORP participants are transitioned into treatment programs directly from jail, thereby greatly enhancing the potential for successful adjustment into the community.

The project follows best practices and evidence-based principles in responding to:

- The factors that put offenders at risk for violating probation or committing new crimes.
- The health care needs of offenders with substance use and/or mental health problems.

This project significantly changes prior practice of offenders being released from jail after serving the entire term, with instructions to report

Continued on page 20

(HCORP cont.)

to a substance abuse treatment program for an assessment and then wait for a bed space. Often, during this waiting period, offenders relapsed, absconded, or committed new crimes. When space did become available, health insurance was often delayed, and, services were provided through the Judiciary's purchase of service contracts.

The HCORP project began providing services to probationers housed at the Oahu Community Corrections Center in May 2015. As of September 2017, 89 moderate- to high-risk participants have been served. Program evaluation findings indicate that HCORP has:

- Reduced the number of days that offenders sit in jail awaiting release to community-based substance abuse and/or mental health treatment. Estimated savings in incarceration costs per participant: over \$16,800.
- Reduced the number of offenders released to the community without health insurance. Estimated savings in uninsured treatment costs per participant: \$4,860.
- Reduced the number of offenders who were re-incarcerated for violating probation or committing new crimes. Just over 23 percent of HCORP clients have been re-arrested for a probation violation within one year of release, and less than four percent re-sentenced to prison for committing a new crime.

Next steps

Scale up reentry services to include additional:

- Jail and prison inmate populations
- Wrap-around peer support, supported employment, and reentry housing services
- Interagency data sharing infrastructures for comprehensive program evaluation and continuous quality assurance and improvement.

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 complying with 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. These may include treatment and supervision, 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.

Protecting Our Children and Families

To promote the reconciliation of troubled juveniles with their families, render appropriate rehabilitation and punishment to offenders, and reduce juvenile delinquency, family law cases are managed through the state's Family Courts. The Judiciary also assists families and children in need through a variety of special programs and services.

Girls Court

Girls Court is the Judiciary's innovative effort to stem the rising tide of female delinquency in Hawaii, where the proportion of female juvenile arrests has been significantly higher than the national average. Hawaii launched one of the nation's first Girls Court models in 2004 on Oahu. It has proven to be a remarkable success. Research has shown that participants have committed 88 percent fewer violations of the law, 98 percent fewer status offenses, and the number of runaways has decreased by 89 percent.

Girls Court provides gender-responsive programs and services that more effectively target at-risk and delinquent girls, or boys who identify as female. It 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.

The three components of the Girls Court program are comprehensive/intensive court supervision and support, therapy, and experiential activities. Family engagement is a key component and opportunities to learn healthy communication skills and strengthen family connections are provided throughout the year.

2017 Updates:

Oahu Girls Court

- Became a permanent Judiciary program
- Expanded outside of the juvenile justice system with its first group of girls who are only foster care-involved (March)
- Initiated work with juvenile justice-involved youth who have been victims of commercial sexual exploitation of children (November)

For all participants 2014 to 2017:

- Successful Completion: 90 percent
- Law violation during program: 1
- Pregnancies: 0
- In school or obtained diploma: 100 percent
- Number of times participants ran away:
 - Before: 201
 - During: 35
 - After: 9

Kauai Girls Court:

- Successful completions: 5
- Unsuccessful completions: 2
- The third treatment group is scheduled to graduate in April 2018.

Truancy Court

Truancy (lack of school engagement) is a serious problem in the United States that may negatively impact the future of our young people. Truancy has been identified as one of the early warning signs of delinquent activity, dropping out of school, and students at higher risk of being drawn into drugs, alcohol, or violence.

A 2006 University of Hawaii study of inmates in Hawaii prisons revealed that 80-89 percent of inmates reported that they were truant from school. 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 percent are most likely to become high school dropouts.

The Truancy Court Collaboration Pilot Project (TCCP) was launched in July 2015 by the First Circuit Family Court under the leadership of then-First Circuit Family Court Chief Judge R. Mark Browning, Judges Catherine H. Remigio and Lanson K. Kupau. The TCCP was a collaboration of volunteers from the Judiciary, Department of Education, the Department of the Attorney General, and the Office of the Public Defender.

Waianae Intermediate School, which had the highest rate of truancy among middle schools on Oahu, with an eighth grade attendance rate below 85 percent, was the site for the pilot project.

Of the 63 students in Pilot Year One, most had missed more than three months of the prior school year. By the end of the project's first year, 78 percent completed the school year with less than 10 unexcused absences.

The early results for Pilot Year Two show approximately 76-78 percent improvement among the 92 students in the program.

Truancy Court Expands to Kauai

In partnership with numerous Kauai agencies and organizations, a Truancy Court Collaboration Pilot Project (TCCP) was launched in September to improve school attendance and family engagement on Kauai.

Under the leadership of Fifth Circuit Family Court Judge Edmund Acoba, the program aims to reduce truancy by addressing the hardships and barriers that students and their families face. Truancy Court uses positive, meaningful interventions which are culturally sensitive, and employ place-based community connections through education, engagement, and enforcement.

By encouraging family engagement, rewarding positive behavior, empowering students and also holding them responsible, the Truancy Court gives students the tools to make good choices and achieve their full potential.

Overview:

- For FY 2018, there are 13 active participants in the Truancy Court Program: Four Waimea Canyon Middle School students and nine Waimea High School students.
- Since August, the program appears to be successful for all 13 participants. Formal Truancy petitions have been averted.

Pilot Year One on Kauai is currently in progress. If effective, the program may eventually be expanded to all middle and high schools on Kauai.

Hawaii Children's Justice Centers

The Hawaii Children's Justice Centers are programs of the Hawaii State Judiciary. They are accredited members of the National Children's Alliance with more than 700 Children's Advocacy Centers across the nation. The program brings together a multi-disciplinary team of professionals who coordinate their activities and investigations of child abuse and neglect.

Children who are victims of crime have a variety of needs requiring special attention. To meet those needs, the Centers provide a homelike and child-friendly setting.

Interview rooms in the Centers provide a warm environment where children can feel as relaxed and safe as possible while being interviewed about reports of serious physical abuse, sexual abuse, and as witnesses to crimes.

In this comfortable environment, children and families interact with specially-trained professionals who address their physical, mental and emotional needs.

Will the case go to court?

The Department of Human Services may bring a case to Family Court if it appears to be in the best interest of the child. The county Police Department determines whether a case will be sent to the Prosecutor's Office for possible criminal action. Once a case is at the Prosecutor's Office, a deputy prosecuting attorney and a victim witness counselor are assigned. The Center is available for their meetings with the child. As with the professionals from other agencies, the prosecuting attorney and advocate are specially trained to help the child and family go through the court process in as supportive a manner as possible.

Serving All of Hawaii

A unique feature of the centers is the public/private partnerships between the Judiciary and the community. Originally founded by local Rotary Clubs, each center is supported by its Friends of the Children's Justice Center, a nonprofit organization that provides resources for the professionals who work with victims, and the children and families served by the programs.

The centers are geographically dispersed to meet the needs of children statewide:

- Oahu
- East Hawaii
- West Hawaii
- Maui
- Kauai

Hawaii Children's Justice Centers (cont.)



The Statewide Children's Justice Center staff. First row seated: Jasmine Mau-Mukai, Statewide Director; Susan Anderson, Secretary, West Hawaii; Mia McNeil, Secretary, Kauai; Hollie Dalapo, Secretary, Maui; Carol Shoji, Secretary, Oahu. Second row: Sandy Kaneda, Clerk, Oahu; Stacy Jacobson, Forensic Interview Specialist, Maui; Nancy Tolentino, Forensic Interview Specialist, Oahu; Marcy Caston, Forensic Interview Specialist, Kauai; Maggie Thorpe, Program Director, West Hawaii; Karla Huerta-Balocan, Program Director, Kauai; Melissa Kanemitsu, Forensic Interview Specialist, Hawaii Island; Lisa Pang-Saito, Social Worker, Oahu. Third row: Susan Pang-Gochros, Chief Staff Attorney & Director of Intergovernmental and Community Relations; Chassy Kunihiro (CJC EH), TerriLynn Lum, West Hawaii; Karen Kimm, Secretary, Intergovernmental and Community Relations.

Partner Agencies:

- Department of Human Services Child Welfare Services
- County Police Departments
- Offices of the Prosecuting Attorney
- Victim Witness Assistance programs
- Department of the Attorney General
- Crisis counseling and medical services
- Treatment providers
- Community volunteers
- The Armed Forces
- Federal Bureau of Investigations
- Homeland Security Investigations

Statistics:

- In Hawaii, more than 50 percent of reported victims of crime are under 18 years of age.
- Research shows that one in four girls and one in six boys will be sexually assaulted by the time they are 18.
- On average, the Centers see approximately 1,000 children per year. This statistic is not a true reflection of the magnitude of the problem as child sex abuse is often not reported. Some studies conclude that only 10 percent of children "tell."

Stewardship in our Communities

The Hawaii State Judiciary provides services that promote justice for members of our community when no one else is providing the assistance that is needed.

Office of the Public Guardian

The Office of the Public Guardian (OPG) is a state-wide Judiciary program that serves as guardian of incapacitated persons when appointed by the court. The office is not appointed if a suitable guardian is available and willing to serve, unless the court finds that appointment of the public guardian meets the best interests of the individual.

The OPG's staff includes social workers who serve as guardians of incapacitated persons, along with an accountant, an account clerk, a social work supervisor, and a director who manages and directs statewide operations from Oahu.

OPG provides a standby guardian for after-hours medical emergencies, weekends and holidays. This guardian is available to make emergency medical decisions.

OPG also serves as finance manager, representing the aged, blind and disabled for Social Security Administration (SSA) benefits and Supplemental Security Income (SSI).

Guardianship cases are often complex and challenging due to the growing numbers of OPG clients who are frail, elderly and medically compromised, or mentally ill and unstable. The complexity and multiplicity of issues requiring decision-making for these once functioning citizens may include major health/medical care intervention,

disposition of property and financial assets in the absence of a conservator or finance manager, procurement of entitlements to cover the cost of care, and management of placement options and needed services.

As of December 2017, there were 724 statewide OPG cases:

- *Oahu: 626*
- *Maui: 27*
- *Hawaii Island: 52*
- *Kauai: 19*

Stewardship in our Communities (cont.)

STAE (Steps to Avoid Eviction)

In 2015, the Hawaii State Judiciary began a grass-roots networking effort called Steps to Avoid Eviction (STAE). STAE is an early intervention program that informs renters and landlords about community resources that can help renters maintain payments and avoid eviction, and also ensure that landlords can consistently collect rental income. The program includes resources that both tenants and landlords may use to resolve disputes without going to court.

By the time landlord-tenant cases enter the judicial system, it is often too late for the parties to resolve their issues amicably. The courts see many landlords who are struggling to make ends meet after tenants skip months of rent, and also tenants contending with unpaid bills, often after unexpected circumstances.

As of 2017, STAE programs have been established on Oahu, Maui, and Kauai. The programs generally include representatives from the Judiciary, various state and county government agencies, private non-profits and charitable organizations, community legal service providers, mediation centers, and private attorneys.

The STAE groups on these islands have created informational flyers, which are distributed with the help of participating organizations.

The Judiciary hopes that by providing information on available resources, landlords and tenants will talk with each other when issues arise and address their problems without filing lawsuits, thereby saving time, money, and avoiding difficult and costly evictions.

Community Outreach Court

In January, the Judiciary, the City and County of Honolulu Department of the Prosecuting Attorney, and the Hawaii State Public Defender collaborated on a successful pilot project to test the effectiveness of a Community Outreach Court (COC) in Honolulu, using grant monies secured by the prosecutor's office from the U.S. Department of Justice and the Center for Court Innovation.

The purpose of the pilot COC program was to assist people in Honolulu – some of whom are homeless – in taking care of their outstanding criminal and traffic cases. While these cases often involve minor criminal matters, a criminal record or outstanding bench warrants can prevent a person from getting a job, obtaining or renewing a driver's license, which in turn can contribute to problems of homelessness.

The COC offers combined accountability and treatment options to reduce crime and recidivism. It uses alternative sentences (e.g. community service) and mandatory participation in programs deemed appropriate based on a defendant's need for specific mental health services, substance abuse treatment, sustenance, and shelter.

A crucial component of the COC is access to social service providers. The court brings together a broad cross section of social service providers that can immediately connect program participants to the assistance they need.

On June 23, Gov. David Ige signed Act 55, Session Laws of Hawaii 2017, formally establishing the Community Outreach Court starting July 1, 2017, within the Judiciary for three years.



Honolulu Community Outreach Court Presiding Judge Clarence Pacarro welcomes the participants and provides advice on how they can make best use of the assistance that is available through the community service provider organizations that work with the Outreach Court program.

In the future, the COC will travel outside of the traditional courtroom setting to various community sites. At these locations, it will hold hearings and dispose of nonviolent, non-felony cases in which the prosecuting attorney and public defender have negotiated plea agreements for defendants who may have difficulty attending a traditional court setting or paying fines.

In the next phase, the Judiciary will partner with legal service providers to work on any civil obligations the participants may have (e.g. an outstanding civil judgment) which can also perpetuate circumstances leading to homelessness.

The chief justice will submit a report on the Community Outreach Court to the legislature and the governor at least 20 days prior to the convening of the regular legislative sessions of 2018, 2019, and 2020.

The Legislature will evaluate the Community Outreach Court and determine whether it should be expanded to other counties.

Between January and October 2017:

- *Community Outreach Court sessions held: 16*
- *Cases cleared: 528*
- *36 participants (includes repeats) completed 424.5 hours of community service enroll in a community substance abuse program*

Language Assistance Services

Many people who come before the courts, or receive Judiciary services, are not able to meaningfully participate due to limited English proficiency, or speech or hearing impairments. The Hawaii State Judiciary is committed to providing meaningful access to court processes and services through language support and assistance.

According to U.S. census data, one in four Hawaii residents speaks a language other than English at home, and one in eight is considered limited English proficient (LEP).

For this reason, the Judiciary dedicates the necessary resources to language services for court customers each year:

- Court interpreters are provided, free of charge, for everyone with a substantial involvement in every type of court case, including defendants, parties, and witnesses.
- In accordance with the Americans with Disabilities Act (ADA) and the ADA Amendments Act of 2008 (ADAAA), the Judiciary pays the costs of providing sign language interpreters or computer assisted real-time transcription for persons who are deaf or who have a speech or hearing impairment.
- Language services are provided at all points of contact with the public, including in-person and telephone encounters.
- The Office on Equality and Access to the Courts (OEAC) has improved and increased the services available to Hawaii's growing LEP population by:
 - Providing interpreting services for LEP clients in as many as 45 different languages.
 - The Judiciary is currently translating court forms from English into the 14 languages

most frequently encountered in Hawaii state courts.

- Conducting statewide mandatory staff training on language access services for all Judiciary staff, so that the Judiciary can uphold the highest standards of service.

In 2016, Hawaii ranked first in the nation for its support for people with limited English proficiency.* Much of our success is attributable to the time and care Judiciary employees and volunteers provide LEP customers, and we are continuing to improve language access.

Language Interpreting in the Courts

Language interpreters play an essential role in the administration of justice. The courts use interpreters when a party or witness in a case has limited-English proficiency or is unable to hear, understand, speak or use English sufficiently to effectively participate in court proceedings. Interpreters help ensure such persons have equal access to justice and keep court proceedings functioning efficiently and effectively.

There are 394 interpreters in the Judiciary's Court Interpreter Certification Program.

** Justice Index 2016 Findings, from the National Center for Access to Justice*

The Court Interpreter Certification Program

The Court Interpreter Certification Program promotes and ensures equal access for limited-English proficient, deaf, and hard-of-hearing defendants and witnesses by providing the best qualified interpreters available. The program also aims to expand and improve the Judiciary's pool of qualified interpreters by establishing a minimum standard for court interpreter certification and coordinating the screening, training, and testing to assist interpreters in meeting and surpassing this standard.

Office on Equality and Access to the Courts

The Judiciary's Office on Equality and Access to the Courts develops, implements, and administers statewide programs and policies relating to access to the courts for linguistic minorities. The office recruits, registers, educates, and tests interpreters.

For more information, contact:

Office on Equality and Access to the Courts

Hawaii State Judiciary
426 Queen Street, Room B17
Honolulu, Hawaii 96813-2914
Phone: (808) 539-4860
Facsimile: (808) 539-4203
E-mail: OEAC@courts.hawaii.gov

Top Requested Languages Fiscal Year 2015

In FY 2015, the Judiciary provided interpreting services in as many as 45 languages, assisting limited English proficient court customers in 10,592 court proceedings at a total cost of \$687,056.

Hawaii State Judiciary High Demand Interpreted Languages: Statewide FY 2015

1. Chuukese
2. Ilokano
3. Marshallese
4. Korean
5. Spanish
6. Vietnamese
7. Tagalog
8. Japanese
9. Tongan
10. Samoan
11. Cantonese
12. Mandarin
13. Pohnpeian
14. American Sign Language (ASL)
15. Kosraean

Natural Resources and the Environment

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

Environmental Court

Hawaii's Environmental Courts were established in 2014 with the enactment of Hawaii Revised Statutes Chapter 604A "Environmental Courts." Hawaii is 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 across the state include:

- The local police departments
- Prosecuting attorneys
- Public defenders
- The private defense bar
- Corporation counsels
- Department of the Attorney General
- Department of Land and Natural Resources Division of Conservation and Resources Enforcement
- Court administrators
- Chief judges
- District and circuit court judges assigned to the Environmental Courts

Environmental Court: Charges Filed in Circuit Court, FY 2017

| All Charge Codes | Number of Charges |
|--|-------------------|
| • HAR 13-121-3(a) Hunting prohibited | 2 |
| • HAR 13-121-3(b) Hunting prohibited firearm | 3 |
| • HAR 13-123-6 Hunting hours | 1 |
| • HAR 13-123-7 Artificial Light Prohibited | 1 |
| • HAR 13-209-4(1) Nature Preserves | 1 |
| • HRS 183D-26(a) Hunting on private lands prohibited | 3 |
| • HRS 183D-27 Night hunting on private lands | 2 |
| • HRS 195D-4.5 Taking a Monk Seal prohibited | 1 |

These 14 charges were filed in 11 cases; eight cases had one charge and three had two charges.

Environmental Court: District Court Case Initiations July 1, 2016 to June 30, 2017 - By Type of Charge

| | First Circuit | Second Circuit | Third Circuit | Fifth Circuit | Total |
|--|---------------|----------------|---------------|---------------|--------------|
| • Fishing & Marine Life Violations | 89 | 105 | 39 | 16 | 249 |
| • Open Fires | 7 | 13 | 2 | 1 | 23 |
| • Endangered species / preservation of public property | 3 | 6 | 9 | 2 | 20 |
| • Weapons & Firearms | 2 | 4 | 4 | 0 | 10 |
| • Motor Vehicles / Parking | 147 | 373 | 5 | 10 | 535 |
| • Public Order | 129 | 73 | 179 | 48 | 429 |
| • Alcohol & Drugs | 17 | 19 | 29 | 0 | 65 |
| • Hunting Related | 15 | 42 | 28 | 0 | 85 |
| • Animal Control | 20 | 4 | 2 | 0 | 26 |
| • Boating & Boat Operation | 59 | 37 | 36 | 3 | 135 |
| • Litter & Pollution Control | 8 | 6 | 3 | 0 | 17 |
| • Other | 24 | 11 | 25 | 1 | 61 |
| All Charge Codes | 520 | 693 | 361 | 81 | 1,655 |

These 1,655 charges were filed in 1,606 cases; 30 cases involved 2 or more Environmental Court charges.

Settling Disputes Without Going to Court

Hawaii State courts strive to offer services that enable parties to reach a resolution to disputes on their own. Alternative Dispute Resolution helps parties avoid the cost of litigating in court, can result in quicker resolutions, and helps to preserve relationships. Mediation, arbitration, facilitation, and coaching provide an alternative to litigation.

Center for Alternative Dispute Resolution

Hawaii's courts have been on the forefront of the alternative dispute resolution (ADR) movement. ADR processes place decisions in the hands of disputing parties while encouraging discussion and collaborative exploration of mutually acceptable solutions.

Since 1980, the Hawaii State Judiciary has utilized the services of neighborhood justice centers, sponsored research on family and juvenile restitution mediation, and supported the development of community-based mediation and arbitration projects.

Today, the Judiciary's Center for Alternative Dispute Resolution (CADR) is dedicated to promoting the practice and use of ADR processes throughout Hawaii. CADR promotes alternative dispute resolution through direct services, training, education, and outreach. The Judiciary also provides free mediation services for *all* small claims and residential landlord-tenant cases statewide.

Fiscal Year 2017 Highlights

CADR introduced new courses and revamped existing ones for state and county employees, including:

- Working It Out-Skills for Dispute Resolution
- Communications for Managing Conflict
- Handling Difficult Situations in the Workplace
- Planning and Facilitating an Effective Meeting

CADR also facilitated National Issues Forum Institute (NIFI) forums for the community held at the Hawaii State Capitol and at the University of Hawaii at Manoa. CADR moderated deliberative community dialogues on "End of Life Issues-What should we do for those who are dying?" and "Safety & Justice-How should communities reduce violence?"

Appellate Mediation Program

For cases on appeal, the Judiciary's Appellate Mediation Program (AMP) offers mediation in selected civil cases. Implemented in 1995, the program's objective is to provide an alternative to appellate litigation. The cases may be selected for mediation or a party may request to participate voluntarily. Retired judges and attorneys appointed by the Supreme Court serve as volunteer mediators. The appeal is temporarily stayed during the mediation. A variety of cases are resolved through the program, including foreclosure, landlord-tenant, business, and divorce cases.

In Fiscal Year 2017, the program settled 19 cases.

Center for Alternative Dispute Resolution

For those seeking a private resolution of their cases without the uncertainty, stress, time, and expense often involved in litigation, alternative dispute resolution, including arbitration (non-binding),

Continuing Legal Education on Hooponopono



Beadie Kanahele Dawson, Esq., with the Hawaii State Judiciary Center for Alternative Dispute Resolution's Director, Cecelia Chang (left), and Research Analyst, Anne Marie Smoke (right).

A special continuing legal education event on the use of Hooponopono in legal settings and mediation was hosted by the Hawaii State Judiciary's Center for Alternative Dispute Resolution (CADR) on March 16. "Native Hawaiian Peacemaking Concepts," presented by Hooponopono Haku Beadie Kanahele Dawson, drew more than 150 attorneys and mediators to the State Supreme Court courtroom and Hoapili Hale, the Maui courthouse, where the event was telecast to participating judges and court personnel.

Dawson spoke on Hooponopono, the traditional Hawaiian art of conflict resolution, and emphasized that its principles and practices can be applied to resolving a wide range of legal disputes involving international, business, land title, land use, and community-based issues. She discussed real-life examples of using Hooponopono and mediation to resolve conflicts.

This event was co-sponsored by the Native Hawaiian Bar Association, Hawaii State Bar Association ADR & Litigation Sections, Association for Conflict Resolution – Hawaii, and the Mediation Center of the Pacific.

settlement conferences (conducted by judges), and mediation could be the answer. For more information contact:

The Center for Alternative Dispute Resolution

Aliiolani Hale

417 South King Street, Room 207

Honolulu, Hawaii 96813

Phone: (808) 539-4ADR (4237)

E-mail: CADR@courts.hawaii.gov

Web: http://www.courts.state.hi.us/services/alternative_dispute/alternative_dispute_resolution

Law Library: A Community Resource

The Hawaii State Law Library System collects, organizes, and disseminates information and materials related to legal research and judicial administration. The library system makes these resources available to the general public for legal research and study.

The Hawaii State Law Library System (HSLLS) is comprised of the Supreme Court Law Library and its satellite libraries located in the Second (Maui), Third (Hawaii Island) and Fifth (Kauai) Circuits. HSLLS is a primary legal resource for the courts, legal community, and the public. The system houses more than 80,000 volumes of legal materials relating to Hawaii, the United States and foreign countries, and provides electronic resources and databases for legal research. The Supreme Court Law Library (SCLL) in Honolulu serves as the administrative headquarters of HSLLS.

Attorneys and their staff members, government agency personnel, legislators, and the general public make considerable use of library facilities on all islands.

Services

HSLLS libraries are used for legal research, with selected materials circulating. SCLL provides document delivery and Hawaii Legislative History services at a nominal cost, and library personnel assist users with basic legal reference needs.

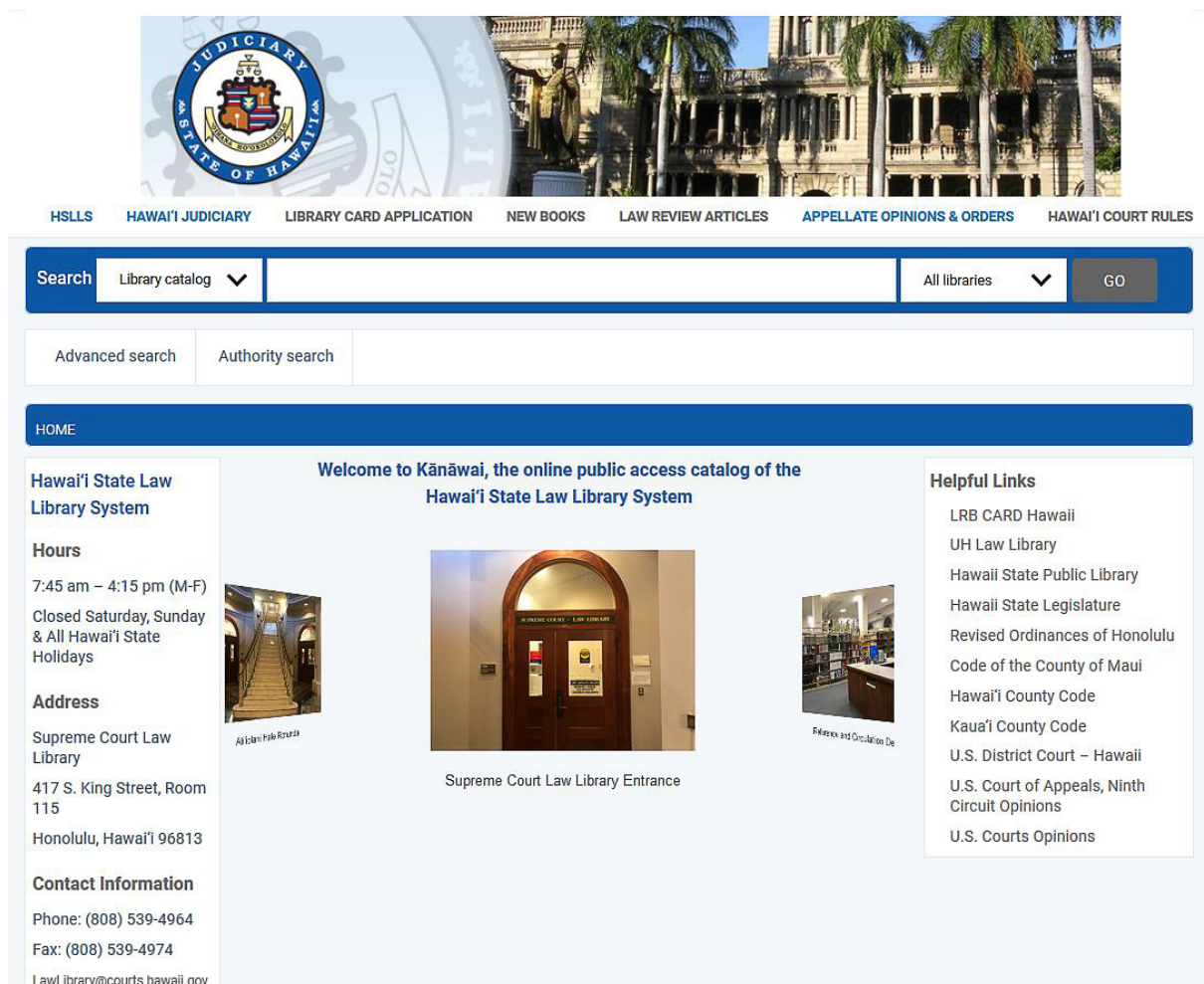
SCLL performs the budgeting, planning and purchasing for the entire Hawaii State Law Library System and is responsible for furnishing primary and secondary legal resources for the judges' chambers and administrative offices throughout the Judiciary.

Materials Available

The collections of the libraries include materials in print, microfilm, microfiche, CD-ROM, and electronic formats. The contents of the materials cover primary law for all federal and state jurisdictions, as well as practice materials for all major areas of law. The HSLLS also subscribes to a variety of electronic resources available via public access computers and the internet.

The collections meet the standards of the American Association of Law Libraries for Appellate Court Libraries and State Law Libraries. These professional standards formally recognize that access to justice is a fundamental right of every citizen in the United States, and that access to meaningful legal information is an essential element of this right.

The Supreme Court Law Library is a selective depository for federal documents distributed through the U. S. Government Publishing Office, and a full depository for publications produced through the State Justice Institute grant program.

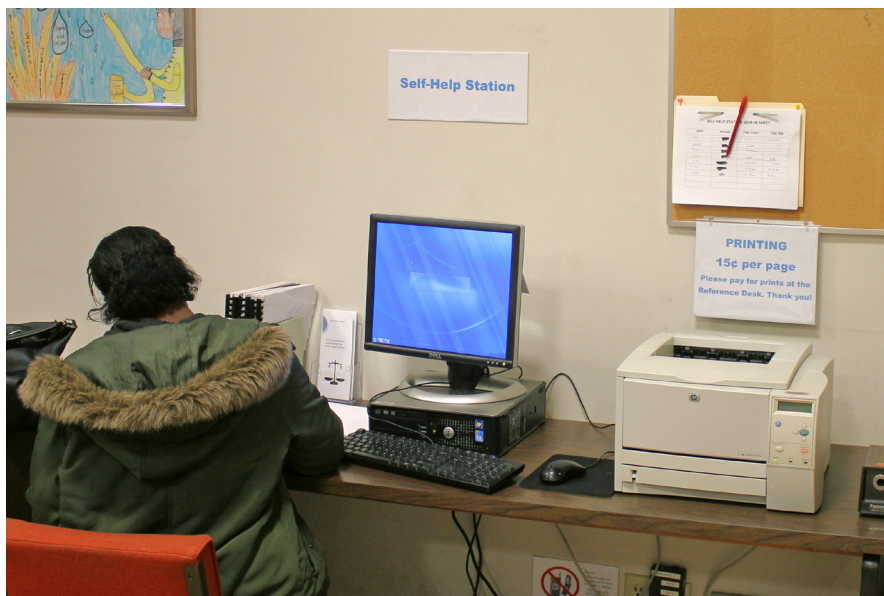


Kanawai: Online Public Access Catalog

In April, the Hawaii State Law Library System moved its catalog and holdings online with the launch of a new public access catalog called Kanawai (<http://kanawai.bywatersolutions.com>). Kanawai, which means "law" in the Hawaiian language, provides an online listing of the holdings of all libraries in the Hawaii State Law Library System, including resources available at the Supreme Court Law Library in Honolulu and the courthouse law libraries located on Kauai, Maui, and Hawaii Island in both Hilo and Kona.

This system also supports circulation and acquisition activities of the Supreme Court Law Library which have brought library operations into the 21st century.

Law Library System (cont.)



New Self-Help Station at the Supreme Court Law Library

In 2017, SCLL launched a Self-Help Station to assist litigants who represent themselves in court. These users may now conduct legal research and create and print legal court forms. Some of the features of the Self-Help station are free access to:

- A dedicated computer terminal with word processing software for self-represented individuals to create legal forms (15 cents per page to print)
- Legal research databases
- Legal information and resources through the Judiciary Court Forms web page
- Legal Aid Society of Hawaii's legal resources page at <http://LawHelp.org/HI>, which includes:
 - Online "know your rights" brochures relating to consumer debt, immigration, public benefits, family law, housing, discrimination, abuse and harassment, veterans, Native Hawaiian rights, seniors and life planning, and more. Some brochures available in multiple languages.
 - Interactive interviews for civil legal forms.

- A Legal Services Portal to match users with particular civil legal needs to specific service providers and applicable legal information.

- Fact sheets on Annulment, Divorce, Separation, Probate, Child Support Modification and Child Custody Modification, designed to provide a basic understanding of legal rights and information on initiating the legal process.
- Court form templates through legal databases and in print formbooks in the library collection.

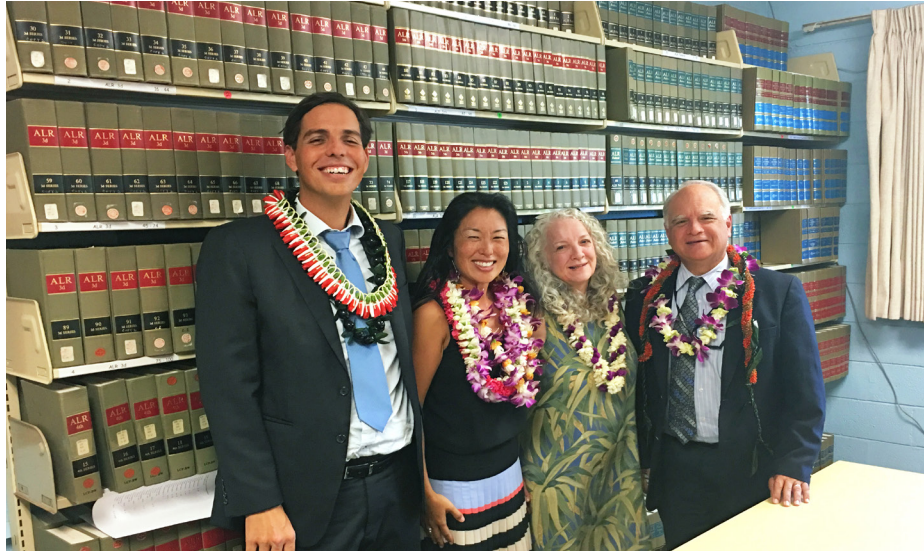
The response from users of the Self-Help Stations has been overwhelmingly positive.

The Judiciary Supreme Court Law Library is excited to have this new service as part of its mission to enhance access to justice for self-represented litigants.

For more information, please contact the Supreme Court Law Library at (808) 539-4964, send an e-mail to lawlibrary@courts.hawaii.gov, or visit the law library web site at:

<https://hilawlibrary.wordpress.com>

Judiciary's Law Library Donates Books to West Maui Community



From left to right Lance Collins, Attorney for North Beach West Maui Benefit Fund; Jenny Silbiger, State Law Librarian; Madeleine Buchanon, Lahaina Public Library Branch Manager; and Joseph Cardoza, Chief Judge of the Second Judicial Circuit, celebrate a grassroots effort that will benefit the West Maui community.

The Hawaii State Judiciary continues to partner with the Hawaii State Public Library System to expand legal resources and increase access to justice. In November 2016, a collection of American Law Reports (ALR) and ALR Digest from the Third Circuit Court in Kona were donated to the Lahaina Public Library, with financial and technical assistance from the North Beach West Maui Benefit Fund. This collection of law books will supplement Lahaina Public Library's current legal holdings, which includes the Hawaii Revised Statutes, the Maui County Code, recent editions of the Hawaii Sessions Laws, and the Proceedings of the Charter Commissions of Maui, to allow residents to learn more about the law and conduct further legal research.

Applying Technology for Greater Access

Technology plays a vital role in providing the broadest possible access to the court's programs, services, and information.

System Upgrades for Greater Access

In January 2017, the Judiciary upgraded the Judiciary Information Management System (JIMS) and migrated all Circuit and Family Court Criminal (adult) cases from Hoohiki (the legacy mainframe) into eCourt Kokua. As a result, Judiciary employees, government agencies, law enforcement, attorneys, and the public all have greater access to court services:

- For the first time, court documents from Circuit and Family Court adult criminal cases are available online for purchase.
- Judiciary employees may now share data and documents between courts more quickly through electronic transfer.
- Law enforcement can get felony bench warrants within 24 hours via eBench Warrant statewide, and the data entry and filing of hard copies with new electronic warrants previously required has been eliminated.
- Attorneys may now eFile in Circuit and Family Court adult criminal cases via the Judiciary Electronic Filing and Service System (JEFS) 365 days of the year. They may also access case information and documents online quickly, and receive e-mail notices for all filings via JEPS.

More Upgrades Coming

All non-family civil cases are set to be integrated into JIMS by the end of 2019. Once implemented:

- Judiciary employees will be able to share non-family civil case data and documents between courts more quickly via electronic transfer.
- Attorneys will be able to eFile in Circuit and District Court civil cases (excluding Family Court civil cases) via JEPS for the first time, year-round. They will also be able to access civil case information and documents online quickly, and receive e-mail notices for all filings via JEPS.
- The public will be able to search eCourt Kokua instead of Hoohiki for online access to Circuit and District Court civil cases (excluding Family Court civil cases), and purchase documents from those cases online.

Second Statewide Judiciary to Launch Mobile App

In January 2017, the Judiciary launched a free mobile app available for both iOS and Android devices, and became the second statewide judiciary in the United States to offer this service to the public. The Hawaii Courts Mobile App helps provide easy access to information on Hawaii's state courts and Judiciary services, such as requesting court records, mediation, and free legal assistance.

Website analytics show that 37 percent of website users are viewing the Hawaii State Judiciary's website from their mobile device or tablet. There are also people in our community who do not own a computer, and their mobile device is the primary means by which they access the Internet. Homeless and people of limited English proficiency are two such groups that have come to our attention. The mobile app is a better way to reach these users and provide information in a format that makes it easier for them to navigate the legal system.

The current mobile app can be downloaded by searching "Hawaii Courts Mobile App" in your app store online.



Kona Judiciary Complex

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

A Critical Resource for West Hawaii



The Kona Judiciary Complex construction site, October 2017.

Construction of the new Kona Judiciary Complex is progressing on schedule.

Full funding for the construction of this critically needed facility was passed by the Legislature and approved by Gov. David Ige in 2015 after receiving strong backing from House and Senate leadership, Hawaii Island elected officials, many members of the bar associations and the community. These supporters recognize that holding court proceedings in three separate locations in buildings not designed to serve that purpose does not meet the growing needs of the West Hawaii community.

The Notice to Proceed with the project was formally issued on October 28, 2016, with Nan,

Inc. as the general contractor and Rider Levett Bucknall providing construction management consultation services.

The most notable issues encountered in 2017 were related to stringent water restrictions issued by the Hawaii County Department of Water Supply from January to September, limiting water usage by all North Kona residents and businesses to drinking, cooking and hygiene. All irrigation activities were prohibited. The contractor devised workarounds, and development has progressed according to plan.

The Kona Judiciary Complex is scheduled to open in late 2019. Once complete, it will provide the West Hawaii community with a permanent,



Aerial photograph of the Kona Judiciary Complex construction site, December 2017.



Above: Artist rendering of the completed Kona Judiciary Complex.

full-service court facility equipped to handle all court-related matters in a centralized, convenient, and safe and secure environment.

The three-story, 140,000-square-foot facility will house five courtrooms, a law library, a new 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. Plans also provide 290 parking stalls for public and employee vehicles.

The Judiciary is especially thankful to the State Legislature and Governor David Ige for appropriating the \$90 million needed to construct the building. Because of their commitment, and the support of the Kona community, the people of West Hawaii will have a courthouse that will meet their needs for many years to come.

Investing in Future Generations

The State Judiciary invests in Hawaii's future generations by engaging students in outreach programs and events designed to help them better understand the judicial system. These activities are designed to build understanding of the principles fundamental to our system of democracy, including individual liberties, the rule of law, and the protections these doctrines provide.

Courts in the Community



Laughter and learning were part of the Courts in the Community Program when high school students asked questions of the Hawaii Supreme Court Justices. The Hawaii Supreme Court heard oral argument on April 27, at Baldwin High School on Maui. From left to right: Event Moderator Judge Joel August (ret.), Associate Justice Richard Pollack, Associate Justice Paula Nakayama, Chief Justice Mark Recktenwald, Associate Justice Sabrina McKenna, and Associate Justice Michael Wilson.

Courts in the Community gives high school students unique, hands-on experiences in how the state judicial system works. Under Courts in the Community, the full, five-member Hawaii Supreme Court travels to high schools on the different islands to hear oral argument in an actual case.

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.

Nation's First Judicial Outreach Week Comes to Hawaii

Commemorating America's first National Judicial Outreach Week (March 5 – 11, 2017), Hawaii state judges met with student and community groups to promote public understanding of the rule of law.

In this photo, Oahu Judge William Domingo shows a sketch of Lady Justice to eighth grade students visiting his courtroom at the First Circuit Court Building. He used the sketch to explain the Judiciary's role in applying the rule of law equally for all people.



Courts in the Community Participation 2012 - 2017

| Semester / Year | Host School | Participating Schools* | Number of Students |
|-----------------|--|------------------------|--------------------|
| Spring 2012 | Farrington High School (Oahu) | 2 | 200 |
| Fall 2012 | Baldwin High School (Maui) | 7 | 450 |
| Fall 2013 | Waiakea High School (Hawaii Island, Hilo) | 7 | 200 |
| Spring 2014 | Kealakehe High School (Hawaii Island, Kona) | 7 | 475 |
| Fall 2014 | Mililani High School (Oahu) | 7 | 350 |
| Spring 2015 | Kauai High School (Kauai) | 7 | 300 |
| Fall 2015 | Waianae High School (Oahu) | 5 | 350 |
| Fall 2016 | McKinley High School (Oahu) | 9 | 470 |
| Spring 2017 | Baldwin High School (Maui) | 9 | 503 |
| Fall 2017 | Waiakea High School (Hawaii Island, Hilo) | 5 | 191 |
| Winter 2017 | Castle High School (Oahu) | 5 | 220 |
| | Total | 70 | 3,709 |

**Some schools have participated in multiple Courts in the Community events.*

Investing in Future Generations (cont.)

Oral Argument at University of Hawaii William S. Richardson School of Law



After oral argument, the Supreme Court Justices engage in a lively discussion with law students and UH William S. Richardson School of Law Dean Avi Soifer (standing far left in the photo).

In April, Justices of the Hawaii Supreme Court heard oral argument in *State of Hawaii vs. Sean Conroy* at the University of Hawaii at Manoa William S. Richardson School of Law. This was the Supreme Court's seventh oral argument at the University since 2011. This event was made possible through an ongoing partnership between the Judiciary and the UH Richardson School of Law.

Judiciary History Center

The Judiciary History Center offers schools, colleges, and the general public a number of law-related educational activities and resources. In fiscal year 2016-17, the Center welcomed 129,000 visitors, including 17,650 students, helping them become more informed, involved, and effective citizens.

For example, 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 justice system.

Some of this year's visiting students re-enacted a hearing from the *Oni v. Meek* trial, learning how decisions of the courts shaped and responded to rapid changes during the 19th century Kingdom



of Hawaii. Students played the roles of the judge, bailiff, court clerk, attorneys, and others involved in the case.

The Center's website also offers prepared lessons for use in the classroom and in the Restored 1913 Courtroom at Aliiolani Hale, home of the Hawaii Supreme Court. For more information, visit: jhchawaii.net.

230th Anniversary of the U.S. Constitution



Hawaii Intermediate Court of Appeals Associate Judge Lisa Ginoza discusses Constitution Day with students visiting the Judiciary History Center on September 13.

Elementary school students visiting the Judiciary History Center in September were welcomed by Intermediate Court of Appeals Associate Judge Lisa Ginoza and Chief Justice Mark Recktenwald, who expanded their civics education experience as part of Constitution Day 2017, the annual celebration of the rights and liberties afforded to all Americans by the United States Constitution.

Hawaii Access to Justice Commission's 2017 Essay and Video Contest



Winners of the Hawaii Access to Justice Commission's 2017 essay and video contest were honored at the October 26 Pro Bono Celebration. Front row left: Emily and Elise Kuwaye (Kaimuki Christian School), Lona Girardin (Seabury Hall), Hawaii State Bar Association President Nadine Ando, Rep. Della Au Belatti. Back row left: Hawaii Access to Justice Commission Chair Justice Simeon Acoba (ret.), Mya Hunter (Trinity Christian School), Madison Pratt (Keaau High School), and Kylie Alarcon, video winner (Aiea High School).

People Making a Difference

The Hawaii State Judiciary's accomplishments reflect the dedication of the more than 1,900 individuals serving our court system. Each day, these employees help fulfill our mission, and their efforts have far-reaching impacts upon the lives of those who depend on the courts to resolve disputes and ensure justice.

Chief Judge Ronald Ibarra Receives 2017 HSBA President's Award

Third Circuit Chief Judge Ronald Ibarra (ret.) was this year's recipient of the Hawaii State Bar Association (HSBA) President's Award for Distinguished Service. The award recognizes extraordinary contributions and lifetime achievement that best exemplify the mission statement of the HSBA: To unite and inspire Hawaii's lawyers to promote justice, serve the public, and improve the legal profession.

During his 28-year career with the Judiciary, Judge Ibarra made significant contributions to the state, including leading the committee that drafted Hawaii's first rules on probate and trust proceedings, modernizing the Hawaii Probate Code, establishing the Big Island's Drug Court and Veterans Treatment Court programs, and garnering support for construction of the new Kona Judiciary Complex in West Hawaii. He also served on more than 15 Judiciary and State Bar committees.



Associate Justice Earns International Recognition

Hawaii Supreme Court Associate Justice Sabrina McKenna was honored at the second annual Association of Corporate Counsel (ACC) Foundation's Global Women in Law & Leadership Reception and Honors Dinner held in New York City on June 20. She was recognized for her significant contributions to the legal profession, excelling as a leader, and for being instrumental in helping other women advance into leadership roles.

The ACC noted that Justice McKenna has long championed breaking barriers for the development of fellow women leaders. She frequently speaks on civil rights topics in the U.S. and internationally, and co-chaired the Hawaii Supreme Court's Committee on Equality and Access to the Courts and the Committee on Court Interpreters and Language Access, which help provide opportunities for groups frequently underrepresented in the justice system.



Chief Justice Honored with 2017 Spirit of Justice Award

Chief Justice Mark E. Recktenwald (holding bowl) received the Hawaii Justice Foundation's (HJF) 2017 Spirit of Justice Award. Presenting the award are (left) HJF Executive Director Robert LeClair, Administrative Director of the Courts Rodney Maile, and HJF President William S. Hunt.



Chief Justice Mark E. Recktenwald received the Hawaii Justice Foundation's Spirit of Justice Award on October 25 at the Foundation's 2017 Annual Meeting held in the Hawaii State Supreme Court Courtroom.

"Chief Justice Recktenwald has been a leader in bringing access to justice to higher prominence in Hawaii. He is the moral impetus behind all of our state's access to justice initiatives. With his leadership and input, community interest has increased," said Robert J. LeClair, Hawaii Justice Foundation executive director.

The Spirit of Justice Award is the organization's most prestigious award, given annually to individuals who have made a substantial contribution to access to justice.

Lawyer as Problem Solver: Cecelia Chang, Director, CADR

Cecelia C.Y. Chang, Director of the Judiciary's Center for Alternative Dispute Resolution (CADR), is the 2017 recipient of the Lawyer as Problem Solver Award from The Mediation Center of the Pacific, Inc.

The award was presented by Tracey Wiltgen, Executive Director of The Mediation Center of the Pacific, at the organization's annual Volunteer Recognition and Mahalo Gathering on December 8.

Wiltgen said that Chang was selected to receive this year's award for her effectiveness in reaching out to attorneys and encouraging them to use mediation instead of litigation to achieve the best outcomes for their clients.



2017 Jurist of the Year and Judiciary Employees Honored



Supreme Court Chief Justice Mark E. Recktenwald (left) congratulates the Hawaii State Judiciary's highest awardees of 2017: First Circuit Court Judge Virginia Lea Crandall, the Jurist of the Year, and Distinguished Service Award recipients Iris Murayama, Hawaii State Judiciary Deputy Administrative Director of the Courts; and Colin Rodrigues, Deputy Chief Court Administrator, Second Circuit (Maui, Molokai, Lanai).

First Circuit Court Judge Virginia Lea Crandall was presented with the 2017 Jurist of the Year award by Chief Justice Mark E. Recktenwald, at the Hawaii State Judiciary's 2017 Statewide Incentive Awards Ceremony on September 22. Individual and group awards were also presented to the following employees:

Distinguished Service Award (the Judiciary's highest merit award): Iris Murayama, Deputy Administrative Director of the Courts; and Colin Rodrigues, Deputy Chief Court Administrator, Second Circuit (Maui, Molokai, Lanai).

Meritorious Service Award: Dee Wakabayashi, Director of Human Resources; and Marilyn Hasegawa, Program Specialist, Juvenile Client and Family Services Branch, Fifth Circuit (Kauai).

Group Meritorious Service Award: Third Circuit (Hawaii Island) Drug Court Staff: Hilo Office – Pagan Devela, Gabrielle Chow, Marlyce Correia, Keri Kimura, and Dustin Cueva; Kona Office –

Yvonne Keanaaina, Wendy Terada, Rodney Branco, and Daralyn Kimiye Villesca.

Spirit of the Judiciary Award: Sudarat Pindavanija, IT Specialist, Judiciary Information Management System (JIMS); and David Lam, Chief Court Administrator, Fifth Circuit (Kauai).

Certificate of Commendation: Nicole Morrison, Supervisor, Administrative Driver's License Revocation Office; and Star Haleamau, Judicial Clerk, Traffic Violations Bureau, Third Circuit (Hawaii Island) Kona Office.

Group Certificate of Commendation: Administration Fiscal Office: Tracy Chan, Accountant; Myrna Fong, Account Clerk; and Noreen Miyasato, Account Clerk; and Third Circuit (Hawaii Island) Judicial Clerks, Client Services Division, Juvenile Services Branch, Clerical Section, Hilo Office – JoAnn Hirako, Supervisor; Katherine-Anne Schubert, Tammi Mansinon, Tiana Akiu; and Kona Office – Leah Anu Morimoto.

Volunteers in Public Service to the Courts



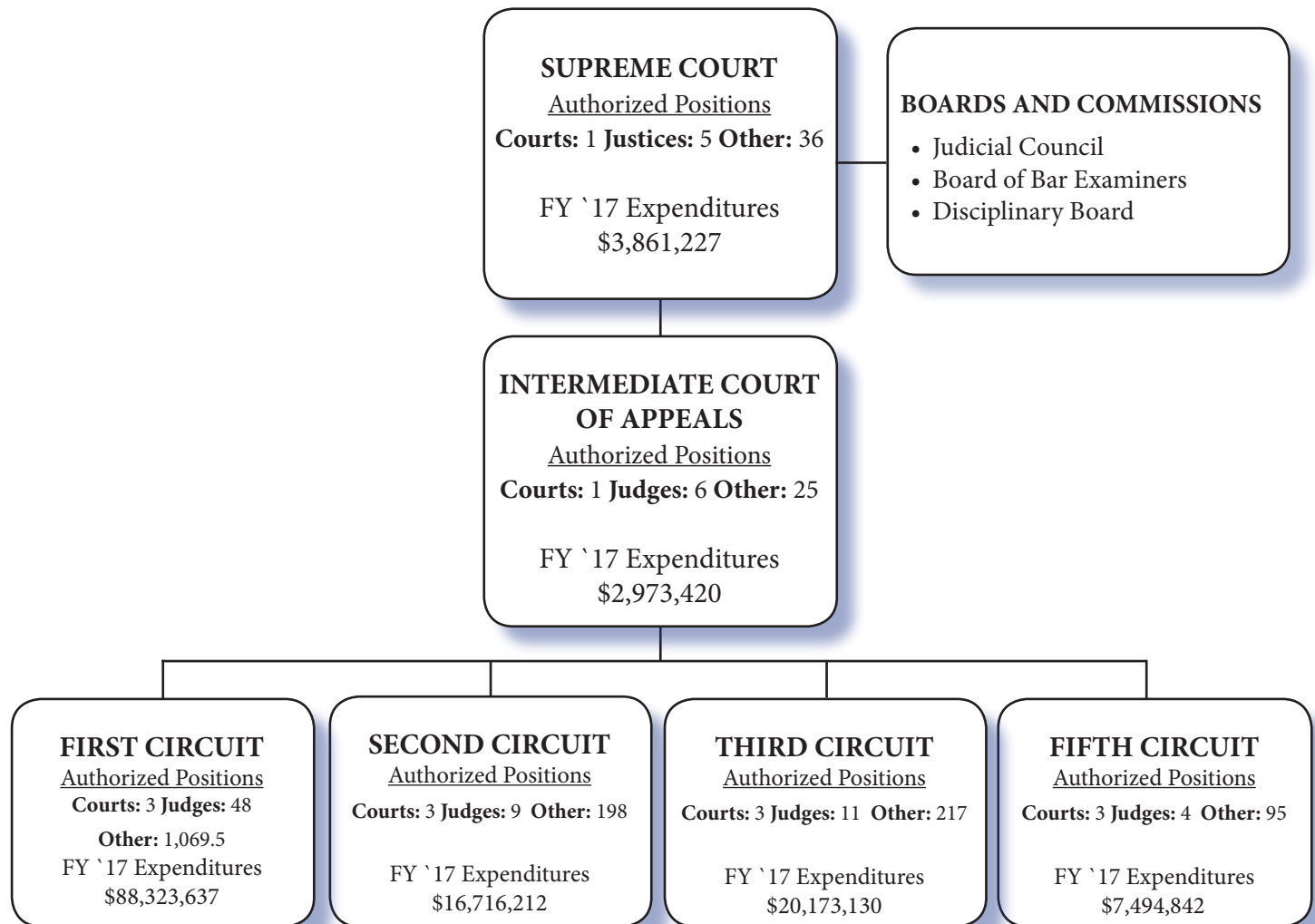
At the September 29 Volunteer Recognition Ceremony, Chief Justice Mark Recktenwald (left) and Administrative Director of the Courts Rodney Maile (right) thank Deborah and Leonard Chong, and their therapy dog, Pohaku, for the many hours they spend providing support and comfort to participants in Oahu's Veterans Treatment Court.

During the 2016-17 Fiscal Year, 1,224 Oahu volunteers provided invaluable service through the Volunteers in Public Service to the Courts Program (VIPS), contributing more than 55,000 hours of combined assistance, for a total estimated in-kind donation of \$509,786 to the Hawaii State Judiciary. This is the fifth consecutive year that the program has had the support of more than 1,000 volunteers.

Since 1971, over 21,000 volunteers have contributed more than 14 million hours to the Hawaii 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 Hawaii state court system, visit: www.courts.state.hi.us/outreach/volunteer_opportunities, or call (808) 539-4880.

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.

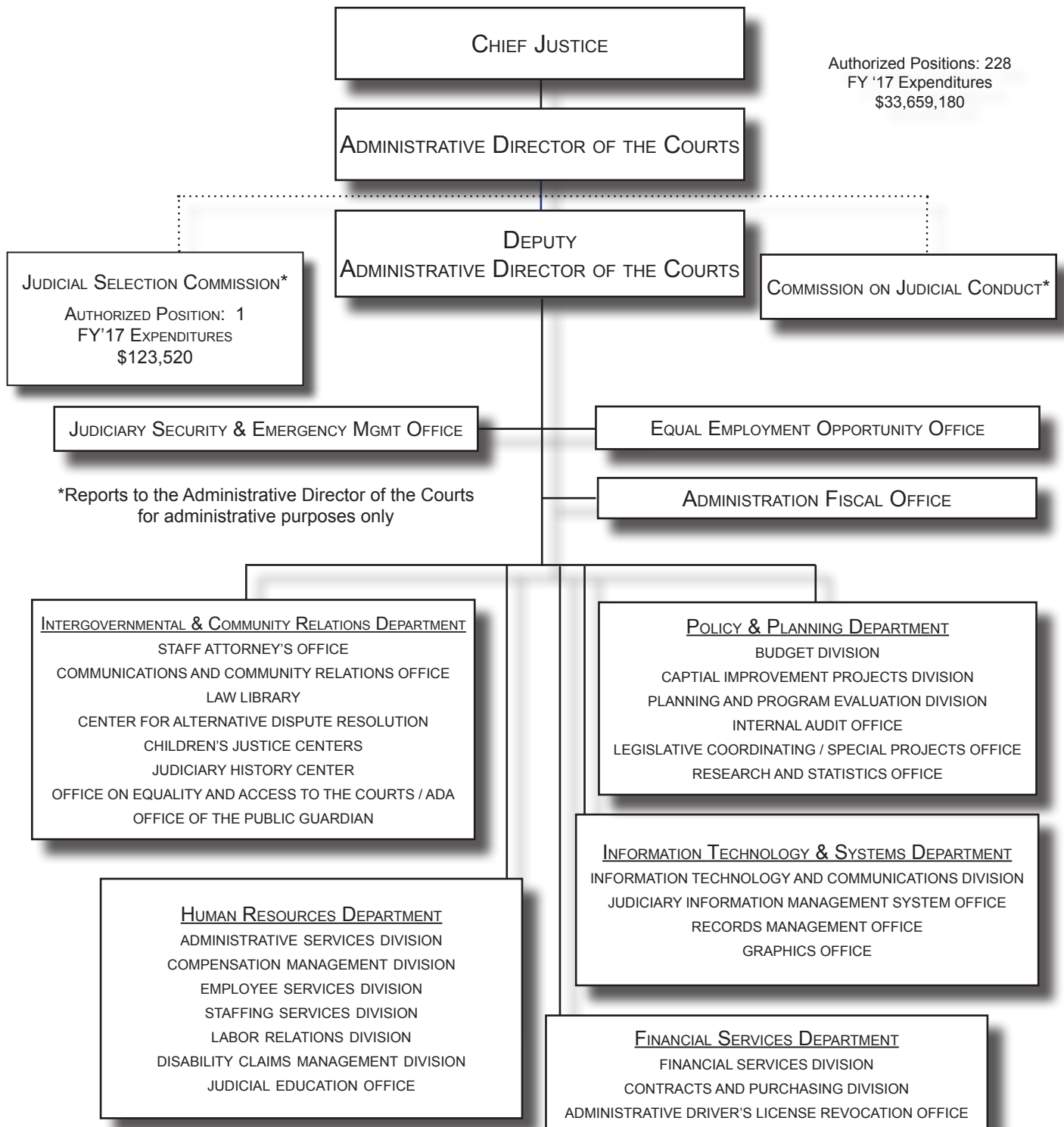
The Second Circuit serves the County of Maui, which includes the islands of Maui, Molokai and Lanai.

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

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

The Fifth Circuit serves the County of Kauai, which includes the islands of Kauai and Niihau.

Office of the Administrative Director of the Courts



Authorized Positions: 228
FY '17 Expenditures
\$33,659,180

Courts of Appeal

Supreme Court

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

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 also hears:

- Reserved questions of law from

the circuit courts, the land court, and the tax appeal court;

- Certified questions of law from federal courts;
- Applications for writs to judges and other public officers;
- Complaints regarding elections.

In addition, it:

- Makes rules of practice and procedure for all state courts;
- Licenses, regulates, and disciplines attorneys; and
- Disciplines judges.

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 Hawaii 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 Hawaii.

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

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

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 Alexa D.M. Fujise

June 10, 2004 - June 9, 2024

Associate Judge Katherine G. Leonard

January 30, 2008 - January 29, 2028

Associate Judge Lawrence M. Reifurth

March 11, 2010 - March 10, 2020

Associate Judge Lisa M. Ginoza

May 6, 2010 - May 5, 2020

Associate Judge Derrick H.M. Chan

April 13, 2017 - April 12, 2027



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

Courts of Appeal (cont.)

Status Of Pending Cases

There were 868 primary cases and 84 supplemental proceedings pending in the Courts of Appeal at the end of the fiscal year.

Actions Filed

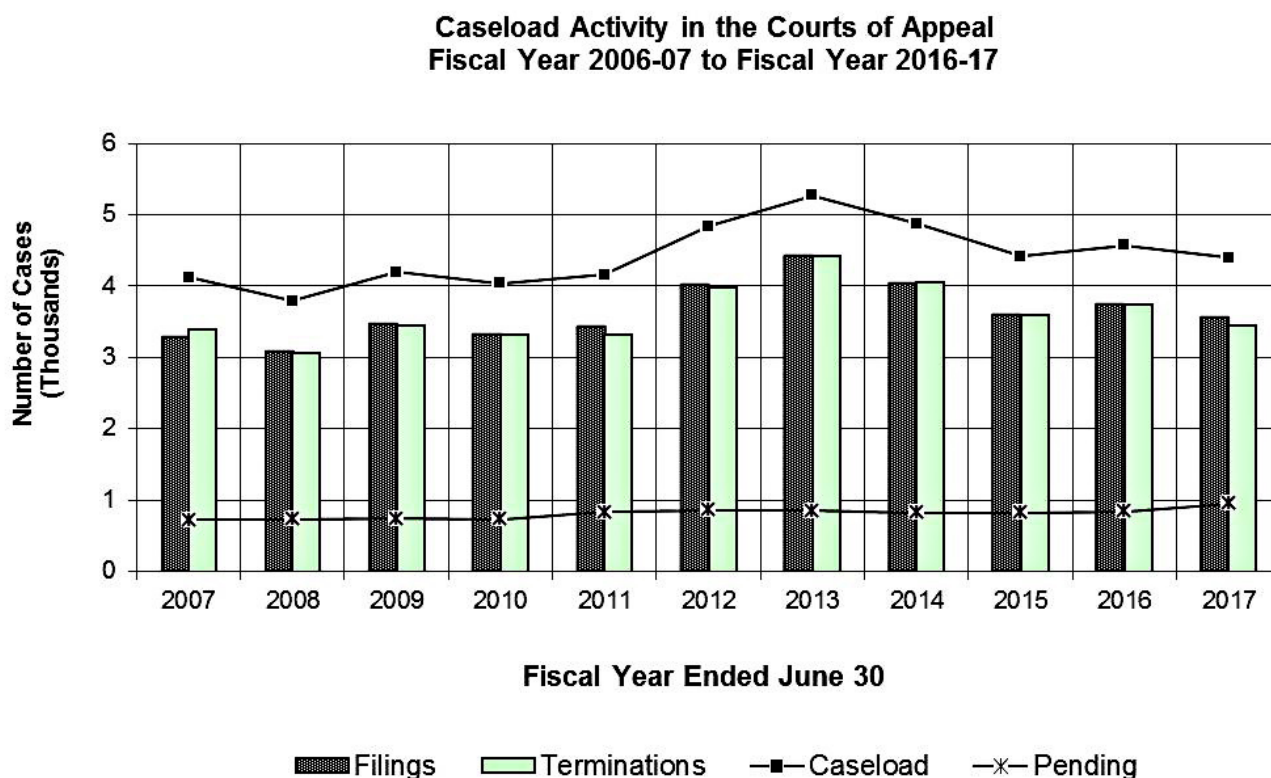
There were 954 primary cases filed in the Courts of Appeal during the 2016-17 fiscal year (22 applications for transfer, 860 appeals, and 72 original proceedings).

Supplemental proceedings, which arise out of primary cases, are comprised of motions and special stipulations. In fiscal year 2016-17, 2,603 supplemental proceedings were filed in the Courts of Appeal.

Terminations of supplemental proceedings decreased from 2,877 last year to 2,583 this year.

Terminations

The Courts of Appeal terminated 862 primary cases during fiscal year 2016-17, compared with 858 primary cases terminated during the previous fiscal



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. It also has 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 mechanic's liens and misdemeanor violations transferred 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 16,332 cases in fiscal year 2016-17. Of the cases filed, 11,933, or 73 percent, were civil cases, and 4,399, or 27 percent, were criminal cases.

Terminations

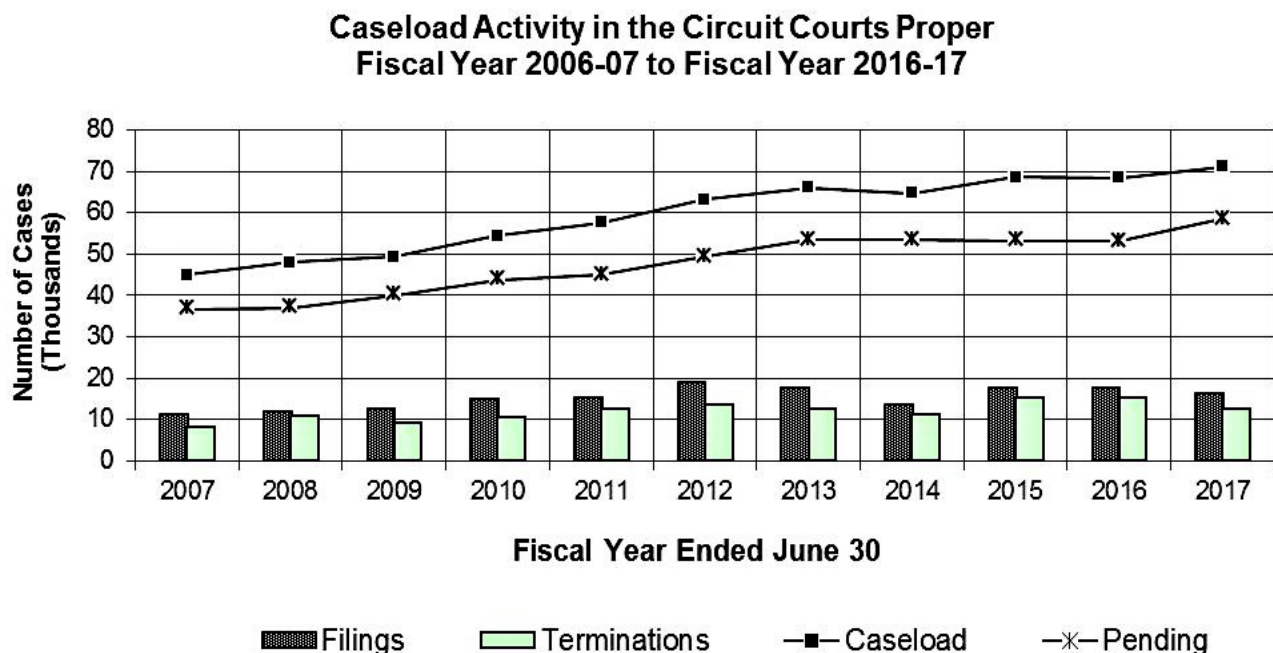
During fiscal year 2016-17, the Circuit Courts terminated 12,658 cases.

Status of Pending Cases

At the end of the 2016-17 fiscal year, a total of 58,521 cases were pending in the Circuit Courts.

Adult Probation Divisions

There were 3,059 investigations completed during fiscal year 2016-17. In supervision cases, where persons were placed on probation or subject to court-ordered control, including offenders released from the Hawaii State Hospital, there were 5,332 new placements added to the 19,457 cases pending at the start of the fiscal year. Of these, 4,368 cases were closed, leaving 20,421 open at the end of the 2016-17 fiscal year.



Circuit Court Judges and their Terms

First Circuit

Paul B. K. Wong

1st Division

May 29, 2012 - December 19, 2027

Catherine H. Remigio

2nd Division

Deputy Chief Judge / Senior Family
Court Judge, Family Court
April 7, 2017 - April 6, 2027

R. Mark Browning

3rd Division

Chief Judge

May 6, 2010 - May 5, 2020

Glenn J. Kim

4th Division

April 30, 2007 - April 29, 2027

Jeannette H. Castagnetti

5th Division

Deputy Chief Judge

Civil 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

Todd W. Eddins

8th Division

April 7, 2017 - April 6, 2027

Virginia Lea Crandall

9th Division

April 1, 1991 - March 31, 2021

Rhonda A. Nishimura (retired)

10th Division

June 20, 2003 - July 31, 2017

Keith K. Hiraoka

11th Division

April 7, 2017 - April 6, 2027

Shirley M. Kawamura

12th Division

December 17, 2015 - December 16,
2025

Matthew J. Viola

13th Division

August 26, 2010 - December 19, 2027

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

Deputy Chief Judge

Criminal Division

September 30, 2010 - September 29,
2020

Bert I. Ayabe

21st Division

June 10, 2004 - June 9, 2024

Karen T. Nakasone

22nd Division

November 1, 2011 - October 31, 2021

Rowena A. Somerville

23rd Division

December 20, 2017 - December 19,
2027

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

Chief Judge

April 18, 1994 - April 17, 2024

Henry T. Nakamoto

2nd Division

Senior Family Court Judge

October 30, 2017 - October 29, 2027

Ronald Ibarra (retired)

3rd Division

Chief Judge

May 10, 1989 - June 30, 2017

Robert D. S. Kim

3rd Division

November 21, 2017 - November 20, 2027

Melvin H. Fujino

4th Division

Deputy Chief Judge

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, 2027

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 25,084 cases were filed in the Family Courts in fiscal year 2016-17.

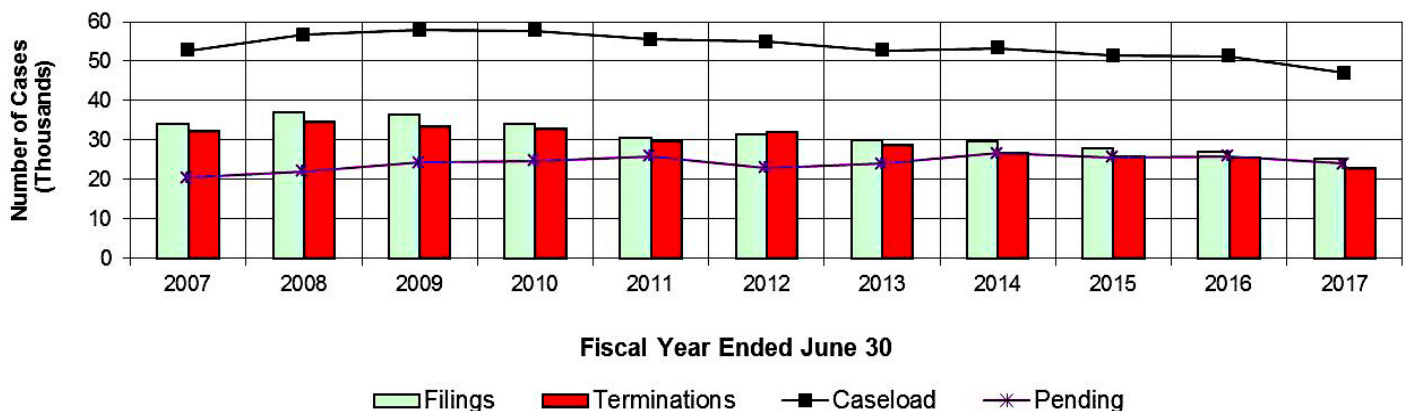
Terminations

Terminations totaled 22,946 in fiscal year 2016-17.

Status of Pending Cases

There were 23,948 cases pending at the end of fiscal year 2016-17.

**Caseload Activity in the Family Courts
Fiscal Year 2006-07 to Fiscal Year 2016-17**



Family Court Judges and their Terms

First Circuit

Catherine H. Remigio

First Circuit Court

2nd Division

Deputy Chief Judge / Senior Family
Court Judge, Family Court

April 7, 2017 - April 6, 2027

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, 2023

Sherri-Ann L. Iha

August 26, 2010 - August 25, 2022

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

Kevin A. Souza

February 15, 2013 - February 14, 2019

Bode A. Uale

October 27, 1992 - October 26, 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 (retired)

March 9, 2007 - August 31, 2017

Lloyd A. Poelman

December 13, 2013 - December 12,
2019

Third Circuit

Henry T. Nakamoto

2nd Division

Senior Family Court Judge

October 30, 2017 - October 29, 2027

Aley K. Auna, Jr. (retired)

April 4, 2000 - December 30, 2017

Fifth Circuit

Randal G. B. Valenciano

Fifth Circuit Court

1st Division

Chief Judge / Senior Family Court
Judge

June 14, 2007 - June 13, 2027

Edmund D. Acoba

May 27, 2011 - May 26, 2023

District Court

Mission

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

The District Courts have exclusive jurisdiction over traffic infractions and summary possession or ejectment proceedings (landlord-tenant), regardless of the claim amount. The District Courts also have jurisdiction over non-jury trial civil cases where the debt, amount, damages, or value of the property claimed does not exceed \$40,000, or where the remedy sought is specific performance valued under \$40,000, criminal offenses punishable by fine or by imprisonment not exceeding one year, cases arising from violations of

a county ordinance, and petitions for restraining orders for relief from and for injunctions against harassment.

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

Caseload Activity (*Excluding Traffic*)

Actions Filed

During the 2016-17 fiscal year, 51,778 cases were filed in the District Courts. Civil actions represented 39% of filings, and criminal actions represented 61% of filings.

Terminations

A total of 49,527 cases were terminated in the District Courts during the fiscal year.

Status of Pending Cases

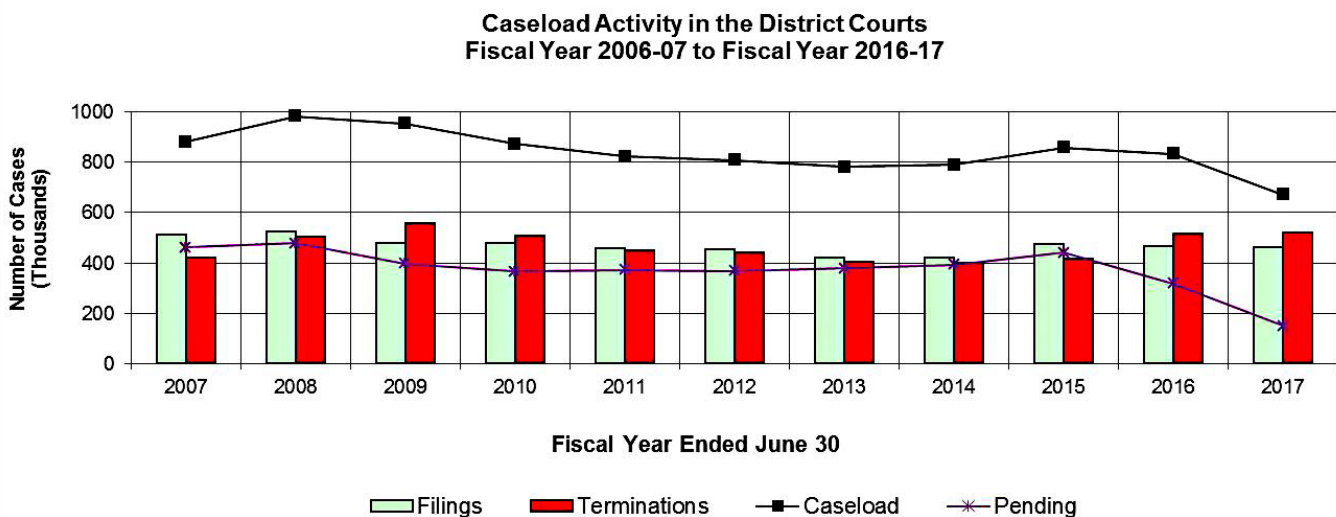
There were 46,825 cases pending at the end of fiscal year 2016-17.

Caseload Activity (*Traffic and Parking*)

New filings totaled 412,175 cases in fiscal year 2016-17.

Terminations totaled 472,831 cases in fiscal year 2016-17.

Pending cases at the end of fiscal year 2016-17 totaled 102,115 cases.



District Court Judges and their Terms

First Circuit

Lono J. Lee

Deputy Chief Judge

June 10, 2003 - June 9, 2021

James H. Ashford

September 30, 2013 - September 29, 2019

Brian Costa

June 2, 2017 - June 1, 2023

William M. Domingo

May 18, 2015 - May 17, 2021

Hilary Benson Gangnes

May 22, 2002 - May 21, 2020

Jessi L.K. Hall

December 20, 2017 - December 19, 2023

James S. Kawashima

June 30, 2016 - June 29, 2022

Darolyn Lendio Heim

June 2, 2017 - June 1, 2023

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, 2023

Trish Morikawa

June 2, 2017 - June 1, 2023

Clarence A. Pacarro

June 7, 2002 - June 6, 2020

Michael K. Tanigawa

August 26, 2010 - August 25, 2022

Second Circuit

Kelsey T. Kawano

Deputy Chief Judge

August 29, 2008 - August 28, 2020

Adrienne N. Heely

May 14, 2012 - May 13, 2018

Blaine J. Kobayashi

October 12, 2010 - October 11, 2022

Keith E. Tanaka (retired)

March 9, 2007 - August 31, 2017

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

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, 2023

Michael K. Soong

Deputy Chief Judge

January 3, 2017 - January 2, 2023

Per Diem Judges

First Circuit

Patricia C. Aburano
Salina Kanai Althof
Gale L.F. Ching
Michelle N. Comeau
Rebecca A. Copeland
Paula Devens-Matayoshi
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
Wilson M.N. Loo
Michael A. Marr
Linda S. Martell
Coralie Chun Matayoshi
Patricia A. McManaman
Dyan K. Mistsuyama
John A. Montalbano
Trish K. Morikawa
Kevin T. Morikone
Russel S. Nagata
Florence T. Nakakuni
Alvin K. Nishimura
Maura M. Okamoto

Blake T. Okimoto
Andrew T. Park
Karen M. Radius
Kenneth J. Shimozone
Randal I. Shintani
Frances Q.F. Wong

Second Circuit

Jan K. Apo
Dexter D. Del Rosario
Michelle L. Drewyer
Kirstin Hamman
Fredrick Matson Kelley
Douglas J. Sameshima

Third Circuit

Anthony K. Bartholomew
Peter Bresciani
Robert John Crudele
Mahilani E.K. Hiatt
Charles Harrison Hite
Bruce Alan Larson
Michael J. Udovic
Diana L. Van De Car

Fifth Circuit

Jonathan J. Chun
Robert M. Goldberg
Daniel G. Hempey
Joseph N. Kobayashi
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 Hawaii by providing professional, responsive administrative support to the Chief Justice, the courts, and Judiciary programs. Support services help to expedite, facilitate, and enhance the mission of the Judiciary.

Administration

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

The Equal Employment Opportunity 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 Graphics Office.

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.



Top row from left: David Lam, Fifth Circuit (Kauai) Chief Court Administrator; Lester Oshiro, Third Circuit (Hawaii Island) Chief Court Administrator; Susan Gochros, Chief Staff Attorney & Director of Intergovernmental and Community Relations; Kevin Thornton, Director of IT & Business Services; Elizabeth Zack, Supreme Court Staff Attorney; Tom Mick, Director of Policy & Planning; Rodney Maile, Administrative Director of the Courts. Bottom row from left: Dee Wakabayashi, Director of Human Resources; Sandy Kozaki, Second Circuit (Maui) Chief Court Administrator; Iris Murayama, Deputy Administrative Director of the Courts (ret.); Rochelle Kau, Supreme Court Chief Clerk; Lori Okita, First Circuit (Oahu) Chief Court Administrator.

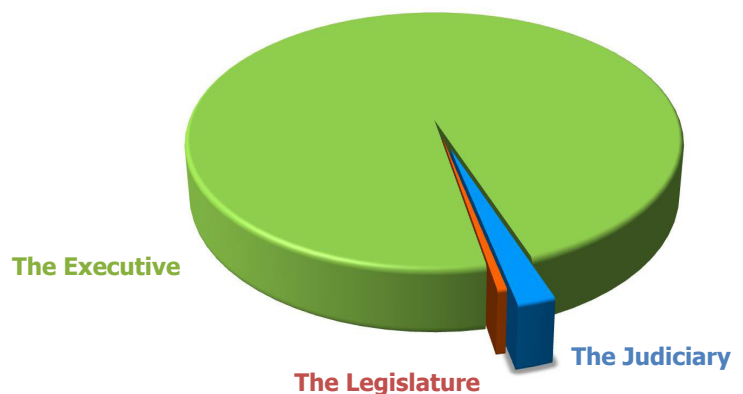
Financial Resources

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

The Legislature appropriated \$163,017,707 from the State General Fund for operations during the current fiscal year, which constitutes 2.10% 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.

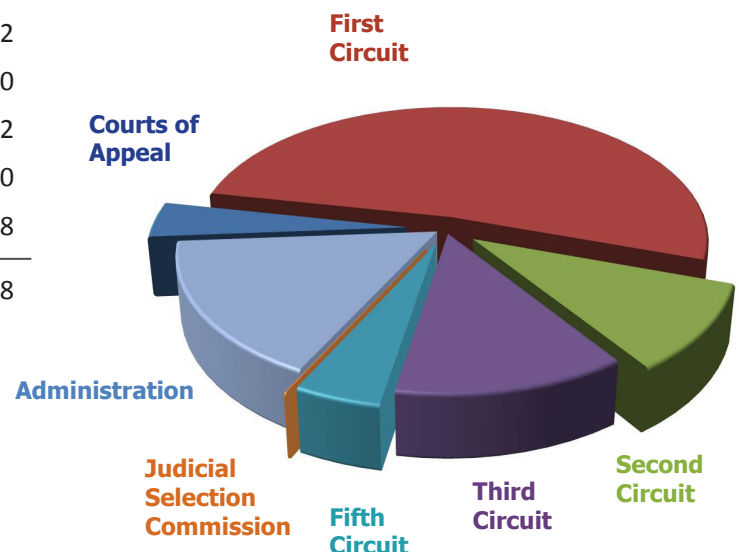
Total State Government Appropriations From State General Fund Fiscal Year 2016-2017

| | | |
|-----------------|--------|------------------------|
| The Judiciary | 2.25% | \$163,017,707 |
| The Legislature | 0.55% | \$41,206,078 |
| The Executive | 97.20% | \$7,556,583,424 |
| Total | | \$7,760,807,209 |



State General Fund Expenditure By Court Element Fiscal Year 2016-2017

| | | |
|-------------------------|--------|----------------------|
| Court of Appeals | 4.20% | \$6,834,647 |
| First Circuit | 52.02% | \$84,648,409 |
| Second Circuit | 10.27% | \$16,716,212 |
| Third Circuit | 12.40% | \$20,173,130 |
| Fifth Circuit | 4.61% | \$7,494,842 |
| Judicial Selection Comm | 0.08% | \$123,520 |
| Administration | 16.42% | \$26,722,248 |
| Total | | \$162,713,008 |

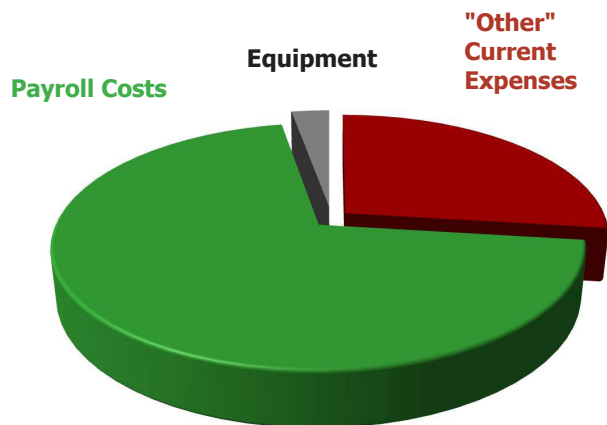


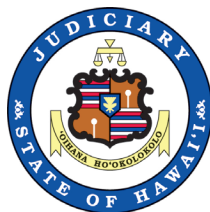
| Program | | FY 2016 Actual Expenditures | FY 2017 Actual Expenditures | Biennium Budget Appropriations* FY 2018 | Biennium Budget Appropriations* FY 2019 |
|---------------|--------------------------------------|-----------------------------------|-----------------------------------|---|---|
| JUD 101 | <i>Courts of Appeal</i> | | | | |
| | General Fund | 6,562,487 | 6,834,647 | 6,926,345 | 7,082,080 |
| JUD 310 | <i>First Circuit</i> | | | | |
| | General Fund | 82,154,888 | 84,648,409 | 84,618,183 | 85,199,717 |
| | Special Fund | 3,528,645 | 3,675,228 | 4,303,649 | 4,303,649 |
| JUD 320 | <i>Second Circuit</i> | | | | |
| | General Fund | 16,418,941 | 16,716,212 | 16,897,963 | 17,531,816 |
| JUD 330 | <i>Third Circuit</i> | | | | |
| | General Fund | 19,406,333 | 20,173,130 | 19,970,037 | 20,218,755 |
| JUD 350 | <i>Fifth Circuit</i> | | | | |
| | General Fund | 7,582,334 | 7,494,842 | 7,765,050 | 8,117,391 |
| JUD 501 | <i>Judicial Selection Commission</i> | | | | |
| | General Fund | 117,197 | 123,520 | 98,790 | 98,790 |
| JUD 601 | <i>Administration</i> | | | | |
| | General Fund | 25,703,612 | 26,722,248 | 26,762,596 | 26,417,387 |
| | Special Fund | 7,365,377 | 6,904,950 | 7,993,737 | 7,993,737 |
| | Revolving Fund | 13,151 | 31,982 | 343,261 | 343,261 |
| Totals | | | | | |
| | General Fund | 157,945,792 | 162,713,008 | 163,038,964 | 164,665,936 |
| | Special Fund | 10,894,022 | 10,580,178 | 12,297,386 | 12,297,386 |
| | Revolving Fund | 13,151 | 31,982 | 343,261 | 343,261 |

* Subject to final legislative review.

**State General Fund Expenditures
By Cost Category
Fiscal Year 2016-2017**

| | | |
|--------------------------|--------|----------------------|
| Equipment | 2.15% | \$4,467,588 |
| "Other" Current Expenses | 27.47% | \$43,939,713 |
| Payroll Costs | 70.37% | \$114,305,707 |
| Total | | \$162,713,008 |





Produced by the
Hawaii State Judiciary
Communications and Community Relations Office
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