

Center for Alternative Dispute Resolution

**The Judiciary
State of Hawaii**



Annual Report

Report Number 29

July 1, 2016 to June 30, 2017

*Presented to the
Twenty-Ninth Legislature*

*Pursuant to
Hawaii Revised Statutes §613-4*

Aloha,

The Center for Alternative Dispute Resolution (CADR) ensures that alternative dispute resolution is available in Hawaii. Alternative dispute resolution offers opportunities for early, party-driven, efficient, and fair solutions.

CADR:

- Designs and helps implement alternative dispute resolution programs for state and county government;
- Mediates and facilitates public policy disputes referred by elected or appointed government officials;
- Manages the Judiciary's purchase of services contract for mediation and related dispute resolution services; and
- Promotes alternative dispute resolution through training and education.

This report summarizes the CADR's work during Fiscal Year 2017.

Sincerely,
Mark E. Recktenwald
Chief Justice

Highlights from Fiscal Year 2016 - 2017

Programs

CADR designs and helps implement alternative dispute resolution programs for state and county governments. The programs encourage parties to avoid unnecessary litigation and encourage early and fair conflict resolution. This past year, CADR:

- Administered the Hawaii Appellate Mediation Program. During the fiscal year, 19 appellate cases were settled.
- Assisted the Family Court, First Judicial Circuit, with the Volunteer Settlement Master Program, and the pilot project for on-site mediation of paternity cases.

Direct Services

CADR provides mediation, facilitation, and process design services for cases involving public policy. This past year, CADR:

- Provided assistance for the Judiciary's Strategic Planning process;
- Assisted with developing a statewide Workplace Dispute Resolution Program for Judiciary employees;
- Assisted with developing implicit bias training for Judiciary employees;
- Facilitated public forums on current policy-defining issues such as end-of-life choices and police-community relations; and
- Assisted with facilitating community Dialogue on Race.

Highlights from Fiscal Year 2016 - 2017

Training, Education, Research & Outreach

CADR promotes alternative dispute resolution through training, education, and outreach. CADR provided the following alternative dispute resolution-related classes to state and county employees:

- Working It Out: Skills for Dispute Resolution
- Communications Skills for Managing Conflict
- Handling Difficult Situations in the Workplace (Two-part series)
- Planning and Facilitating an Effective Meeting

CADR collaborations included co-sponsoring the following events:

- Native Hawaiian Peacemaking Concepts (Hooponopono) - 100 plus attorneys received CLE credits
- Advanced Mediation Practice: Techniques for Handling Righteously Indignant Parties and Lawyers
- Strategies to shift impasse in Family Dispute Resolution
- Hawaii Arbitration Vacatur Rulings; Its Ramifications and Recommendations
- Lawyers as Changemakers -- The Global Integrative Law Movement
- Opening Statements and Beyond, a Strategic Approach to Mediation
- Girl Scouts -- Finding Common Ground Through Mediation/ADR

CADR presented at the following events:

- HSBA -- Hawaii Women Lawyers Webinar/Seminar "Restorative Justice"
- Seventh Annual International Cyber-Conference on Dispute Resolution: A Global Conversation on the State and Practice of Dispute Resolution

Highlights from Fiscal Year 2016 - 2017

Community Mediation Centers

CADR administers the Judiciary's purchase of services (POS) contract for mediation and related alternative dispute resolution services statewide. The contractor, Mediation Centers of Hawaii, Inc. (MCH), is an umbrella organization for five community mediation centers located throughout the state.

This past year, MCH opened 3,116 new cases and served over 7,500 clients. Trained mediators across the state collectively conducted 2,258 sessions and contributed 7,638 hours. More than 2,000 cases were mediated with 54 percent resulting in written agreements.

Kauai Economic Opportunity, Incorporated, Mediation Program

Phone: (808) 245-4077

Kuikahi Mediation Center (Hilo)

Phone: (808) 935-7844

Maui Mediation Services (Maui County)

Phone: (808) 244-5744

The Mediation Center of the Pacific, Incorporated (Oahu)

Phone: (808) 521-6767

West Hawaii Mediation Center (Kona)

Phone: (808) 885-5525

VOLUNTEERS

Judge Riki May Amano (ret.)
Judge Joel August (ret.)
Daniel Bent
Judge Karen Blondin (ret.)
Professor Addison Bowman (Emeritus)
Robin Campaniano
Louis Chang
Molly Dong
Justice James Duffy (ret.)
Jackie Earle
Judge Max Graham
Diane Hastert
Judge Eden Hifo (ret.)
Kenneth Hipp
Judge Colleen Hirai (ret.)
James Hoenig
Judge Walter Ikeda (ret.)
Elizabeth Kent
Joseph Kiefer
Judge Walter Kirimitsu (ret.)
Justice Robert Klein (ret.)
Ralph La Fontaine
Judge Evelyn Lance (ret.)
Judge Rosalyn Loomis (ret.)
*Colin L. "Bud" Love
Ivan Lui Kwan
Judge Victoria Marks (ret.)
Georgia McMillen
Judge Douglas McNish (ret.)
Judge Marie Milks (ret.)
Chief Justice Ronald Moon (ret.)
Richard Mosher
General Frances Mossman (ret.)
Judge Gail Nakatani (ret.)
Patricia Kim Park
Judge Shackley Raffetto (ret.)
*Justice Mario Ramil (ret.)
Judge Eric Romanchak (ret.)
Judge Frank Rothschild (ret.)
Judge Nancy Ryan (ret.)
Jenna Saito
Judge Sandra Simms (ret.)
Thomas Stirling
Judge Allene Suemori (ret.)
Judge Michael Town (ret.)
Ted Tsukiyama
Judge Diana van De Car (ret.)
Judge Diana Warrington (ret.)
Judge Andrew Wilson (ret.)
Judge Patrick Yim (ret.)

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*With grateful appreciation for their dedication to the profession of alternative dispute resolution, Justice Ramil, Holly, and Bud will be missed.

Mediation. It Works!



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