

Center for Alternative Dispute Resolution

The Judiciary
State of Hawaii



Annual Report

Report Number 31

July 1, 2018 to June 30, 2019

*Presented to the
Thirty-First 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 CADR's work during Fiscal Year 2018 to 2019.

Sincerely,
Mark E. Recktenwald
Chief Justice

Highlights from Fiscal Year 2018 - 2019

Programs

CADR designs and helps implement alternative dispute resolution (ADR) programs for state and county governments. The programs encourage parties to avoid unnecessary litigation and encourage early and fair conflict resolution.

- Administered the Hawaii Appellate Mediation Program from its inception in 1995 to the end of June 2019, the Hawaii Appellate Mediation Program brought in 720 cases, with nine active (pending mediation). Of the 711 cases that have concluded, 53 percent have settled or partially settled. During FY 2018-2019, the Hawaii Appellate Mediation program settled or partially settled 10 cases.
- Assisted the Family Court, First Judicial Circuit, with the Volunteer Settlement Master Program.
- Played a significant role in the revitalization of the workplace mediation program and, during FY 2018-2019, led the statewide launch under its new name the Workplace Dispute Resolution Program (WDRP). The WDRP, which provides additional options for judiciary employees to resolve workplace disputes, is administered by CADR.

Direct Services

CADR provides mediation, facilitation, and process design services for cases involving public policy.

- Conducted two National Issues Forum Institute: *A House Divided – What Would We Have to Give Up to Get the Political System We Want?* and *Coming To America – Who Should We Welcome, What Should We Do?*

Highlights from Fiscal Year 2018 - 2019

Training, Education, Research, and Outreach

CADR provides training workshops for State and City and County employees:

- Working It Out: Skills for Managing Conflict
- Foundation for Collaborative Leadership: Building a Toolbox
- Foundation for Collaborative Leadership: Communicating for Productive Results with Appreciative Inquiry
- Handling Difficult Situations in the Workplace
- Mediation in the Workplace
- Planning and Facilitating Effective Meetings

CADR provides and hosts ADR-related workshops for the public and promotes educational outreach.

CADR co-sponsored seminars, lectures, and community talking circles with legal and ADR organizations, including the Hawaii State Bar Association - ADR Section; Association for Conflict Resolution - Hawaii Chapter; Native Hawaiian Bar Association; The Mediation Center of the Pacific; University of Hawaii Manoa Matsunaga Institute for Peace and Conflict Resolution; Accord 3.0; and the Hawaii Friends of Restorative Justice:

- Conflict Management Training for City and County of Honolulu Senior Leadership Program
- Girl Scouts Mediation Workshop - Judiciary History Center, The Mediation Center of the Pacific
- Educational brochures for district courts
- Peer Mediation Conference, Sue Chang, Mediation Works
- *Compassionate Listening Workshop*, Lorenn Walker
- *Mediation in Hawaii 1.0*, Hawaii State Bar Association - ADR Section
- *Hooponopono and Restorative Justice*, Malina Kaulukukui and Lorenn Walker
- *Recognize and Respond to Passive Aggressive Behavior*, Marina Piscolith.
- *Conflict Resolvers: Signature Moves*, Elizabeth Kent
- Hawaii Friends of Restorative Justice: *Aloha Hooponopono and Forgiveness in Hawaii*

Highlights from Fiscal Year 2018 - 2019

Community Mediation Centers

Fiscal Year 2019 (7/1/18 to 6/30/19) Report Information: The Mediation Centers of Hawaii, Incorporated served 6,316 clients in Fiscal Year 2019.



Mediation. It Works!

VOLUNTEERS

Judge Riki May Amano (ret.)
Judge Joel August (ret.)
Daniel Bent
Judge Karen Blondin (ret.)
Professor Addison Bowman (Emeritus)
Robin Campaniano
Corlis J. Chang
Louis Chang
Chuck Crumpton
Reid Daugherty
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.)
Judge Walter Kirimitsu (ret.)
Justice Robert Klein (ret.)
Ralph La Fontaine
Ivan Lui Kwan
Judge Victoria Marks (ret.)
Georgia McMillen
Judge Douglas McNish (ret.)
Judge Marie Milks (ret.)
Chief Justice Ronald Moon (ret.)
Richard Mosher
Judge Gail Nakatani (ret.)
Patricia Kim Park
Taylor Phillips
Judge Shackley Raffetto (ret.)
Judge Frank Rothschild (ret.)
Judge Nancy Ryan (ret.)
Judge Sandra Simms (ret.)
Judge Leland Spencer (ret.)
Thomas Stirling
Judge Allene Suemori (ret.)
Owen Tamamoto
Judge Michael Town (ret.)
Judge Diana van De Car (ret.)
Judge Diana Warrington (ret.)
Arne Werchick
Judge Andrew Wilson (ret.)

BOARD OF ADVISORS

Judge Karen Blondin (ret.)
Judge Michael Broderick (ret.)
Tana Kekina-Cabaniero
Aaron Chung
Linda Colburn
Councilmember Brandon Elefante
Professor Kem Lowry
Valerie S. Mariano
Barry Marr
Judge Lawrence Reifurth
Owen K. Tamamoto
Laurie Arial Tochiki
Keith Y. Yamamoto

Hawaii State Judiciary
Center for Alternative Dispute Resolution
417 South King Street, Room 207
Honolulu, Hawaii, 96813
Phone: 808-539-4237; Fax: 808-539-4416
Email: cadr@courts.hawaii.gov
Website: www.courts.state.hi.us/cadr