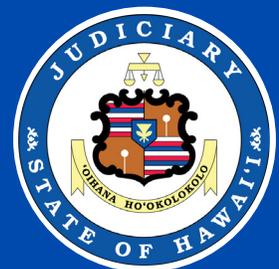




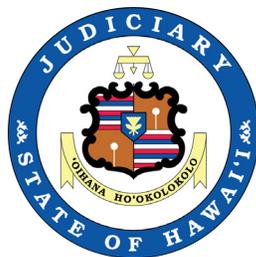
# 2023 Annual Report Hawai'i State Judiciary



Cover: Hoapili Hale Courthouse from Main Street in Wailuku, Maui, August 2017.

# Hawai'i State Judiciary Annual Report 2023

This report describes the ongoing efforts of the Hawai'i State Judiciary to administer justice for the people of Hawai'i.



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.

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# Message from the Chief Justice



Aloha,

The Maui Wildfires of August 8 marked the defining event of 2023 for the Judiciary.

The fires caused heartbreaking loss of life and damage. Thousands of people lost their homes, including some Judiciary employees in Lahaina. Within hours, people from around the state stepped up to help, notably among them, Hawai'i's civil legal service providers and the legal community, including members of the Maui County Bar Association, some of whom also lost their homes. They came together to provide free legal assistance to anyone who needed it.

We are inspired by the resiliency of the people of Maui and the dedication of the legal community. The Judiciary is committed to the recovery effort, and will assist with that work no matter how long it takes.

Throughout 2023, the Judiciary pursued several initiatives to enhance the accessibility, effectiveness, and fairness of our courts. After receiving funding from the Legislature for a Women's Court pilot program on O'ahu, we established the state's first court program specially designed for adult women. Women's Court, now known as Mohala Wahine, has enrolled its first participants, providing trauma-informed services to address the unique needs of women in the justice system.

The Judiciary also turned a strong collective focus towards the challenges faced by individuals with mental health conditions who come into contact with the criminal justice system, and we are working closely with Governor Green, the Department of Health, county police, prosecutors and public defenders, and the Legislature on more effective ways to address mental illness in our communities.

Finally, construction began on a new courthouse in Wahiawā this September. We are grateful to the Legislature for supporting our efforts to provide more court services for the people of central O'ahu.

I am proud of these collaborative efforts to make Hawai'i a safer and more just place. Moving forward, we will continue to be a dynamic institution that meets the needs of the people while guaranteeing equal justice under law . . . committed to judicial independence, the rule of law, and access to justice.

Mahalo nui loa for your support,

A handwritten signature in black ink that reads "Mark E. Recktenwald". The signature is written in a cursive, flowing style.

Mark E. Recktenwald  
Chief Justice of Hawai'i

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# Maui Wildfire Recovery

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*The fires that consumed Lahaina and parts of Kula on August 8 were the deadliest U.S. wildfires in more than a century. The Judiciary worked to provide immediate relief to survivors, and is maintaining long-term efforts to help Maui recover.*

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## The Second Circuit Provides Malu for Lahaina

Judiciary personnel and retirees were among those whose families were impacted by damage or loss of a home. The Lahaina Courthouse, however, was spared. Staff reopened the courthouse on September 1, after the building was found to have no physical damage and deemed safe for occupancy. Located just a few blocks from the burn area and close to the Federal Emergency Management Agency's (FEMA) Mega Disaster Recovery Center,\* the Lahaina Courthouse would function as a helpful resource, providing malu (shade, shelter, protection, peace, strength) for the community.

Court personnel made adjustments to accommodate a variety of needs. A computer was installed in one of the witness rooms so that West Maui residents could appear for hearings remotely on Zoom, saving them a trip to Wailuku. Public defenders were given access to a witness room to



*The Lahaina District Courthouse.*

*\* FEMA's Mega Disaster Recovery Center was located at the Lahaina Civic Center to give in-person access to representatives from different organizations that provided assistance to those affected by the fires including FEMA, the American National Red Cross, the Maui Bar Association, the Maui Humane Society, and other federal, state, and city agencies.*



*Judge Christopher Dunn, Grace Ganio-Marzan, Shawn Michael Rabino, Mae-Anthonette Simon, Leni Alba, Melecia Kim-Ho'opai, and Chief Justice Mark Recktenwald at the Lahaina District Courthouse after the fires.*

assist community members who walked in with legal questions. The courthouse's multi-purpose room was also opened for community use. The State Department of Health's Adult Mental Health Division used the multi-purpose room to conduct individual and family counseling sessions.

In Wailuku, court staff took on extra work to support their colleagues in West Maui. When the Lahaina courtroom was not yet accessible to the public, Lahaina's cases were convened in Wailuku District Court. The Lahaina District Courthouse resumed full operations on September 5.

### **Statewide Judiciary Support**

Judiciary personnel throughout Hawai'i collaborated to help their colleagues in Lahaina. Within a week of the fire, they gathered food, diapers, toiletries, and other supplies to ship to Maui. Employees also hosted bake sales and sent the proceeds to the Lahaina team. In addition, many donated to the GoFundMe webpages of Judiciary team members whose families were impacted by the fires.

Chief Justice Mark Recktenwald entered an order<sup>1</sup> authorizing judges with cases involving parties or attorneys directly impacted by the wildfires, to suspend, toll,<sup>2</sup> extend, or grant relief from

<sup>1</sup> *SCMF-23-0000502 - In re August 2023 Hawai'i Fire Disaster.*

<sup>2</sup> *Tolling stops the running of a time period set by a rule or statute.*

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*Maui Wildfire Recovery (cont.)*



*From left, First Circuit District Court Judge Thomas Haia, Scott Yamada, Ian Pali, Judge Kristine Yoo Nakamatsu, Jan Koroki, Judge Shellie Park-Hoopili, Mitchell Yoshikane, James Fallau, and Paul Aoki load donated goods for shipment to Maui.*



*Judiciary employees at the Honolulu Circuit District Court shop for plants, crafts, and food prepared and donated by coworkers to raise funds in support of the wildfire recovery on Maui.*

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deadlines, time schedules, or filing requirements imposed by applicable statutes, rules, or court orders. He also created the Maui Response Team to coordinate Judiciary efforts and connect those offering support with individuals who need it.

### **Language Assistance**

English is not the primary language spoken in many Lahaina homes, where residents speak Spanish, Marshallese, Ilocano, Tagalog, Tongan, Chuukese, and ‘ōlelo Hawai‘i. The Judiciary’s Office of Equality and Access to the Courts (OEAC) has for many years recruited speakers of non-English languages to serve as court interpreters, and now has an extensive pool of language-access talent. The response team asked OEAC to create a list of interpreters who would be willing to volunteer their language assistance services to Maui. In less than 48 hours, 126 interpreters and translators volunteered. The list was made available to the Maui County Bar Association (MCBA) and the Maui Courthouse Navigators. The Federal Emergency Management Agency (FEMA) was also provided the list as a recruiting resource for their language access contract work. To support the Hawaii State Bar Association’s (HSBA) Maui Disaster Hotline, the Judiciary gave access to its Language Link account so that callers who needed language assistance had interpreters to facilitate the call.

### **Ongoing Recovery Support**

Chief Justice Recktenwald met with the MCBA to learn about the needs of their recovery efforts. Along with the requests for rescheduling, extensions, and language access, MCBA advised that there would be a significant rise in probate proceedings given the tremendous loss of life. There was also concern that attorneys who want to help their community would have difficulty continuing to do so *pro bono* (no cost) because of the case expenses they would have to shoulder while working through their own personal recovery. To address these concerns, Second Circuit Chief Judge Peter T. Cahill allowed for the automatic waiver of the probate filing fee for fire cases serviced by *pro bono* or *low bono* (low cost) attorneys.

Besides the connection with MCBA and HSBA, Chief Justice Recktenwald and the recovery team maintained contact with the no- or low-cost civil legal service providers helping in the recovery efforts, including the Legal Aid Society of Hawai‘i, Volunteer Legal Services Hawai‘i, The Legal Clinic, Native Hawaiian Legal Corporation, and the State Office of the Public Defender.

The Hawai‘i State Judiciary recognizes the exemplary public service of Second Circuit staff who, under the leadership of Chief Judge Peter Cahill, Deputy Chief Judge Blaine Kobayashi, Chief Court Administrator Sandy Kozaki, Deputy Chief Court Administrator Ernest Delima, Court Administrator Malia Ferreira, and Rural Courts Section Supervisor Grace Ganio-Marzan, provided essential support to the residents and legal professionals of Maui during this critical time.

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*Maui Wildfire Recovery (cont.)*



*Deputy Administrative Director of the Courts Brandon Kimura, Chief Justice Mark Recktenwald, Chief Judge Peter Cahill, Chief Judge Joseph Cardoza (ret.), members of the Maui County Bar Association, judges, and Judiciary employees met at Hoapili Hale in Wailuku to discuss Maui recovery efforts.*



*Chief Justice Mark Recktenwald visited the Family Assistance Center in Kā'anapali, where volunteer attorneys provided legal information for those affected by the fire.*

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# Equal Access to Justice for Everyone

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*For those without legal representation, navigating the courts may be daunting. The Hawai'i State Judiciary is committed to increasing access to justice for everyone. We accomplish that in many different ways, both in our courtrooms and in our communities.*

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## Free Legal Consultations at Self-Help Centers Top 36,000



*Supporters of the Honolulu District Court Access to Justice Room in 2023 include, from left: Judiciary Innovations Officer Angela Kuo Min, Chief Justice Mark E. Recktenwald, Dana Harada, James Rooney, Michael Goodman, Max Kimura, Kenneth Go, Rex Fujichaku, Michelle Chapman, State Rep. Scot Matayoshi, Deputy Chief Judge Melanie May, Gil Doles, Becky Gardner, David Kopper, Andrea Lovitt, Micah Smith, Christine Daleiden, Sara Goldstein, Steven Nichols, student 'Āina Alcubilla with her father Sergio Alcubilla, and Hawai'i State Law Librarian Jenny Silbiger.*

Each year, thousands of Hawai'i residents represent themselves in our courts, probably with little understanding of the legal system or how court processes and procedures work. Appearing without a lawyer, they can risk serious potential consequences for their families, their homes, and their livelihoods. Faced with navigating a legal system that is unfamiliar to most, many simply give up.

To increase access to justice in civil legal matters for all people, especially low- and moderate-income Hawai'i residents, the Judiciary has partnered with the Hawaii State Bar Association and Legal Aid Society of Hawai'i to maintain self-help centers in courthouses across the state, where volunteer attorneys provide information to individuals representing themselves in civil legal cases. This assistance helps them to better understand their legal options and determine a course of action that can serve their needs.

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## *Equal Access to Justice for Everyone (cont.)*



*Attorneys and Judiciary staff who provided operational support for the Kapolei Access to Justice Room in 2023 include, from left: Deputy Chief Judge Matthew Viola, Micah Smith, Chief Justice Mark Recktenwald, Mari Kishimoto Doi, P. Gregory Frey, Ann Isobe, Dyan Mitsuyama, Amberlynn Alualu, Shannon Hackett, Ellen Politano, Lynnae Lee, Kevin Adaniya, Judiciary Innovations Officer Angela Kuo Min, Carol Tribbey, and Hawai'i State Law Librarian Jenny Silbiger.*

Since October 2011, individual attorneys, law firms, and professional legal associations have volunteered, providing more than 36,000 free legal consultations to people seeking assistance, many of whom could not afford a lawyer.

Attorneys volunteering at the Honolulu District Court and Kapolei Access to Justice Rooms in 2023 were honored for their service at special recognition ceremonies with Chief Justice Mark E. Recktenwald in December, in the Hawai'i Supreme Court courtroom.

Hundreds of attorneys have volunteered since the opening of O'ahu's Access to Justice Rooms in 2012, and they have helped thousands of people with a variety of civil legal matters in district and family courts, including landlord tenant cases, collection cases, temporary restraining orders, and divorce. These benefits have been provided at almost no cost to the public.

Attorneys interested in volunteering at a self-help center, or seeking other pro bono opportunities, are invited to visit the Hawai'i Access to Justice Commission website, and click the menu item "[How to Help.](#)"

For more information on the courthouse self-help centers, visit the Self-Help Centers page on the Hawai'i State Judiciary website, under the "[Self-Help](#)" tab.



*Hawai'i Supreme Court Chief Justice Mark E. Recktenwald and members of the Judiciary's Administration team met with Kaua'i Bar Association members on December 1 and thanked them for volunteering their time with the Kaua'i Self-Help Center. First row, left: District Family Court Judge Stephanie R.S. Char, Deputy Administrative Director of the Courts Brandon Kimura, Per Diem Judge Robert Goldberg, Kaua'i County Attorney Kim Torigoe, Chief Justice Mark E. Recktenwald, Current Kauai Bar President Todd Dickenson. Second row: Daryl Dobashi, Laura Barzilai, Emiko Meyers, District Court Judge Michael K. Soong. Third row: Deputy Prosecuting Attorney, Demetrious Efstratiou, Lisa Lum, Kaua'i County Prosecuting Attorney Rebecca Like, Per Diem Judge Jonathan Chun, Per Diem Judge Laurel Loo. Fourth row: Nancy Ruiz, Circuit Court Judge Kathleen N.A. Watanabe, Chief Judge Randal G.B. Valenciano, Mallorie Aiwohi. Back row: Self-Help Center AmeriCorps Advocate Sarah Santos, Kaua'i Legal Aid Managing Attorney Jay Mason, Deputy Public Defender Jasen Nielson, Deputy Prosecuting Attorney Matthew Arakawa.*

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## Kona Courthouse Self-Help Center 10th Anniversary



*At the Kona Courthouse Self-Help Center's 10-year anniversary, volunteer attorneys received certificates of appreciation for the many hours they donated assisting Hawai'i residents with civil legal matters. From left: Matt Sylva, Stephen Frye, Brit Barker, Chief Justice Mark Recktenwald, Donna Payesko, Patrick Wong, Chief Judge Ronald Ibarra (ret.), Scott Shishido, and Third Circuit Chief Judge Robert Kim.*

Hawai'i's legal community celebrated the 10-year anniversary of the Kona Courthouse Self-Help Center at an event sponsored by the West Hawai'i Bar Association on January 19, 2024. Supreme Court Chief Justice Mark E. Recktenwald and Third Circuit Chief Judge Robert D.S. Kim honored attorneys for the time they spent giving free consultations to people who sought legal assistance at the Center. Many of those individuals could not afford a lawyer.

"Since October 2013, the Kona Self Help Center has provided legal information and assistance to 4,165 individuals, at almost no cost to the state," said Chief Justice Recktenwald. "This is only possible because of the amazing partnership between the Hawaii State Bar Association, the Legal Aid Society, and AmeriCorp staff who help support the Center, and the dedicated local bar who has provided countless volunteer hours on various civil matters ranging from evictions to divorce. I am so very grateful to the attorneys who volunteer their time at our centers. Your generosity has been essential to ensuring equal access to justice in our courts."

Hawai'i's courthouse self-help centers were established as part of the Judiciary's commitment to increasing access to justice in the courts. In Kona, these services were initially offered at a Self-Help "Desk" in the basement of the former Keakealani Courthouse in Kealahou. Through collaboration of the Judiciary, the Hawai'i Access to Justice Commission, the Hawaii State Bar Association, the West Hawai'i Bar Association, and the Legal Aid Society of Hawai'i, the Self-Help Desk was, for six years, a key resource in the effort to increase access to justice for the community.

Today, individuals seeking legal assistance for civil (non-criminal) matters may visit The Chief Judge Ronald Ibarra Self Help Center at the Keahuolu Courthouse. The center is named after the Third Circuit's retired chief judge in recognition of the pivotal role he played expanding access to justice in Hawai'i by establishing the original Kona Self-Help Desk. The center provides easy access to the courthouse law library and other resources to support the legal needs of the community.

## **Courthouse Self-Help Center Legal Consultations**

Attorneys volunteering at Hawai'i's six courthouse self-help centers in 2023 continued providing free legal information and assistance by phone or videoconference, and the Hilo center returned to holding some in-person appointments for the first time since the pandemic.

The use of remote options enables members of the public to engage with the volunteer attorneys from anywhere. This benefits not only those in the military who may be out of state, or those who have business on the United States mainland, all participants are relieved of the challenges inherent in any in-person appointment, such as having to take time away from work during business hours, travel to the courthouse, gas and parking costs, bringing materials to the appointment (which they might not know they need), dependent care issues, etc.

The remote model also appears to be beneficial for attorneys, who have the option of providing consultations remotely while maintaining their work schedules.

Language translation services, including American Sign Language interpreters, continue to be provided upon request.

### **Free Legal Consultations at Courthouse Self-Help Centers October 2011 – November 2023**

<b>Honolulu District Court</b>	9,150
<b>Kapolei Family Court</b>	2,831
<b>Maui Courthouse</b>	7,565
<b>Hilo Courthouse</b>	8,338
<b>Kona Courthouse</b>	4,165
<b>Kaua'i Courthouse</b>	4,649
<b>TOTAL CONSULTATIONS</b>	<b>36,698</b>

## **Rural Paternity Advocate Pilot Project**

The Hawai'i State Judiciary continues to seek and implement innovative ways to address the unmet civil (non-criminal) legal needs of low- and moderate-income people throughout the state. Thinking beyond current practices and experimenting with unconventional approaches is often required to further improve accessibility of the justice system for everyone, including those who cannot afford legal assistance.

In 2022, the Legal Aid Society of Hawai'i (LASH) proposed a program that would allow specially trained paralegals to provide representation in a very limited context of paternity cases to individuals who do not have a lawyer. The need for such a program arose from the observation that there were simply not enough lawyers providing services for people who need help with family court paternity cases. In addition, the State Child Support Enforcement Agency worked to establish paternity and child support, but did not get involved in the custody and visitation issues often raised in these cases. With nowhere to turn for help, many come to court unprepared to deal with important family legal issues.

LASH collaborated with Third Circuit Chief Judge Robert D.S. Kim, District Family Judge Darien Nagata, and Judiciary staff to develop a pilot project for Hilo where there are currently fewer attorneys and access to justice services is more limited. In October 2022, they submitted a formal proposal to the Hawai'i Supreme Court.

On May 15, 2023, the Supreme Court issued its order establishing the Third Circuit Rural Paternity Advocate Pilot Project,<sup>1</sup> enabling paralegals employed by LASH in Hilo to serve as advocates for self-represented individuals in paternity or other practice areas as authorized by the Court, in which low-income parties are significantly underrepresented. The Court's order stipulated that participating advocates are to be supervised by a Hawai'i-licensed attorney and in accordance with the [Hawai'i Rules of Professional Conduct \("HRPC"\)](#).

The advocates were required to complete several intensive training sessions before taking on their first case. The curriculum included 14 classroom hours (covering paternity law, paternity law civil procedure, paternity law case strategy, mediation, paternity law court advocacy, client interviewing, and ethics), five courtroom observation hours, and 10 to 50 hours shadowing an attorney working paternity cases.

Upon completion of the training, advocates were prepared to engage in a limited scope of practice, including interacting with self-represented parties and opposing parties or their legal representatives, participating in mediation and/or negotiating a resolution, and providing full representation for their clients in court.

The advocates are prohibited from independently engaging in the practice of law outside the scope of this project. The clients must be eligible for services by the LASH, and must not be represented by an attorney.

<sup>1</sup> *SCMF-23-0000343 - In Re Rural Paternity Advocate Pilot Project*

The pilot period for this model project will last at least 18 months to provide adequate time for training, court observation and shadowing, and ample time for advocacy such that an evaluation of the program can occur.

The court's order directs LASH to submit a report on the pilot project to the Supreme Court on or before February 7, 2025. The report will set forth: 1) the pilot project's performance (e.g., the number of matters included in the project); 2) a recommendation regarding the long-term or permanent implementation of the pilot project; and 3) any other information to determine whether the pilot project has achieved the benefits envisioned by the proposal. The report may also include a request to extend the program.

If successful, the Rural Paternity Advocate Pilot Project will be another resource for increasing access to justice for the people of Hawai'i.

## Online Dispute Resolution



Translation Disclaimer

Select Language

Powered by Google Translate

Home

Log in

### Need help?

For faster answers to your questions click [Submit Help Request](#) to contact our Customer Support team.

### Testimonials

"As a defendant pro per in a Pima County Superior Court, I can't tell you how much I appreciate your service. Filing is so easy and saves one heck of a lot of paper. I only wish that the older established law firms would get with the program and stop snail-mailing stuff."

-- Blue Skies, Anne Hopkins

[more](#) >

## Prepare Your Court Case Online Fast, Easy & Secure

1

Answer our easy-to-follow questions. We'll guide you every step of the way.

2

We will fill out the exact forms and papers you need.

3

We will help you file and get ready for your next steps.

It's as easy as that - a do-it-yourself service that's fast and stress-free!

### Available in Hawaii

#### Small Claims

You may do the following using this online program to:

#### Start a New Case To

- Recover money owed to you (up to \$5,000)
- Recover your residential security deposit (no monetary limit)

Hawai'i's Small Claims ODR Pilot Program provides a system for people who are not represented by a lawyer (sometimes called self-represented litigants (SLRs) or *pro se* litigants) to initiate a small claims case, make a payment or request a filing fee waiver, submit documents to the court, and negotiate to resolve a dispute entirely online using [TurboCourt](#).

TurboCourt is an online platform featuring an easy-to-follow format, free of complex language, for filing and managing case documents. It provides interactive guided preparation of court forms, and e-filing capabilities. TurboCourt also supports parties in mandatory mediation of small claims cases.

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## *Equal Access to Justice for Everyone (cont.)*

Additionally, because this program is all online, it allows parties to file cases at their convenience, without having to take time off work, find care for a family member, and incur the costs of gas and parking, or the time and expense of public transportation to a courthouse, thereby reducing community and environmental impacts.

With the launch of the ODR Pilot in the Fifth Circuit (Kaua'i County) in February 2023, online dispute resolution for small claims cases is now available statewide. System data shows that in the project's third year, more than half of TurboCourt users continue to file their cases outside of business hours (50.3%), a true example of convenience leading to better access to justice.

From July 1, 2021 through March 2023, a total of 2,016 cases were electronically submitted with 1,688 cases accepted (83.7%) by the courts. Reasons for rejection consistently include parties filing in the wrong jurisdiction or attorneys using TurboCourt.

As of June 2023, approximately 79% of all accepted cases were filed in the First Circuit (O'ahu), 12% in the Second Circuit (Maui County), 7% in the Third Circuit (Hawai'i island), and 2% in the Fifth Circuit (Kaua'i County).

While the number of cases that have been self-negotiated and resolved within the TurboCourt portal remains low (25 total; First Circuit, 20 cases; Second Circuit, 3 cases; and Third Circuit, 2 cases), the system provides litigants the means to initiate and resolve their cases entirely within the portal, at any time of the day, at their convenience.

The Judiciary notes that some users prefer to have their day in court, and want personal interaction in their cases. As such, there are many who complete the initial filings on TurboCourt, but do not reach an agreement within the portal to resolve their case. These parties will return to court for free court-ordered mediation. In particularly contentious or complex cases, the parties may benefit from the services of a professional mediator.

### ***Future of ODR***

The Supreme Court entered an order <sup>1</sup> on June 8, 2023, extending the ODR Pilot Project through June 30, 2024. One of the main priorities in year three is integration between the TurboCourt portal and Judiciary's case management system. This integration will create greater efficiency by streamlining the work currently done by court staff. The courts will also continue exploring how parties other than SLRs can utilize the system, and future expansion of ODR options to other areas of law.

<sup>1</sup> SCMF-21-0000381 - *In the Matter of the Small Claims Online Dispute Resolution Pilot Project, Order 06/08/2023*

## 2023 Pro Bono Celebration



*From left: Hawai'i Supreme Court Associate Justice Todd Eddins, attorneys Daniel Kawamoto, Maile Osika, Zachary McNish, Lily Ling, Madisson Heinze, Marie Laderta, and Chief Justice Mark Recktenwald at the Hawai'i Access to Justice Commission's 2023 Pro Bono Celebration on October 26, honoring attorneys who gave free legal assistance to their communities.*

Attorneys who performed free legal work in support of community non-profit legal services providers, indigent parties, and individuals who do not have a lawyer, were honored at the Hawai'i Access to Justice Commission's 2023 Pro Bono Celebration on October 26.

Commission Chair Judge Joseph Cardoza (ret.), Hawai'i Supreme Court Chief Justice Mark Recktenwald, Associate Justice Todd Eddins, Intermediate Court of Appeals Chief Judge Lisa Ginoza, Hawaii State Bar Association President Rhonda Griswold, along with State Rep. Della Au Belatti and Attorney General Anne Lopez gathered with honorees and special guests in the Supreme Court courtroom for the annual ceremony.

Volunteer attorneys who staffed the Access to Justice Rooms at the Honolulu District Court and the Ronald T.Y. Moon Judiciary Complex in Kapolei were recognized for their extensive community service. Since the centers opened in 2012, attorneys have provided nearly 12,000 consultations, at no charge, to people seeking legal assistance.

Among the evening's highlights were awards presented to attorneys and law firms who donated time and expertise to Hawai'i's civil legal service providers. The 2023 awardees (and the organizations they assisted) are:

Jim Davy (American Civil Liberties Union (ACLU) of Hawai'i), Gary Slovin (Hawaii Justice Foundation), Sean Hartlieb (Legal Aid Society of Hawai'i), Maile Osika, Madisson Heinze, Kristin Holland, and Paul Alston (Hawaii Disability Rights Center), Jacky Mena (Hawaii State Bar Association), Zachary McNish (Native Hawaiian Legal Corps.), Bruce McEwan (The Mediation Center of the Pacific), and Lily Ling, Marie Laderta, and Daniel Kawamoto (Volunteer Legal Services of Hawai'i).

The Pro Bono Celebration, held annually during [National Pro Bono Week](#), was sponsored by the Hawai'i Access to Justice Commission, the Hawaii Justice Foundation, and the Hawaii State Bar Foundation, with the support of the Hawaii State Bar Association.

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# Keeping Communities Safe

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

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## Women's Court

The First Circuit (O'ahu) Women's Court pilot program is working to keep justice-involved women out of jail and prison by addressing common underlying issues specific to women who have committed non-violent crimes. Success in these endeavors will help establish affirmative changes in the lives of both the women involved in the program and their children, thereby improving social circumstances for Hawai'i's next generation.

Rather than sending women to jail for non-violent crimes, the program is based on the probation model used by other specialty courts (e.g., Girls Court and Veterans Court programs), with the core objective of providing gender-responsive services in mental health, substance use disorder treatment, education, as well as training in domestic violence prevention and life-skills.

Additionally, Women's Court seeks to enhance community safety by reducing recidivism through trauma-informed care, and cultural practices.

By making these issues a priority rather than a supplement to the way the court deals with non-violent women offenders, the program provides a strategy for addressing the risk of recurring involvement with the justice system.

### Program Developments

Several development benchmarks have been achieved under the leadership of Circuit Court Judge Trish Morikawa:

1. The program is staffed with a dedicated judge, program supervisor, four social workers and a judicial clerk.
2. Following consultations with cultural experts from the community, Women's Court has come to be known as Mohala Wahine, which means blossoming woman.
3. Program policies and procedures, partnerships with law enforcement, substance use disorder treatment providers, community agencies, program tracks for admissions, and phase goals have been completed.
4. The Mohala Wahine program has three phases which include Phase One: Intensive Case Management and Supervision, Phase Two: Psychoeducational Group Work and Community Engagement, and Phase Three: Aftercare and Commencement.

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5. Hearings with the first participants occurred in early 2023.
  6. According to best practices of the National Drug Court Institute (NCDI), the Mohala Wahine program is being evaluated for effectiveness by a third party, the Institute on Violence, Abuse and Trauma (IVAT), in addition to acquiring and utilizing a data information management system (DIMS) to track progress and maintain accurate record keeping.

As of November 2023, 15 women were accepted into Mohala Wahine: 13 were active participants and two were accepted and awaiting petitions to enter into the program.

Forty-seven referrals were precluded (i.e., found to be ineligible for the program for various reasons), and nine women were eligible to participate but could not be accepted because of the pilot program's limitations.

When a defendant applies for entry to Mohala Wahine, multiple assessments are conducted during the screening phase to ensure that the program is receiving the most appropriate referrals from the defense attorneys. Each assessment takes approximately two hours and consists of multiple screening tools that are used to identify needs and risks, and provide a comprehensive case plan for each participant. A Trauma Assessment and Adverse Childhood Experiences Survey (ACES) further enhances the identification of specific trauma needs that the participants will have to address in their recovery throughout the program. Participants may be referred to trauma-responsive providers in the community as needed.

Ten program participants are currently in Phase One and four have moved to Phase Two. No women that were accepted to the pilot program were removed.

The four participants that have begun Phase Two are preparing to enter the psychoeducational groups, which will continue for 12 months. The curriculum includes:

- Trauma and mental health treatment
- Family support, including parenting, education, and relationship improvement
- Life-skills training
- Educational and vocational training
- Domestic violence prevention
- Medical services and health education
- Substance use disorder detection, prevention, and treatment
- Mentoring
- Housing support.

In addition to the aforementioned topics, the practice of traditional Hawaiian hula and chant will be included in phase two of the group work. Hula and chant will complement the participants' learning and enhance their wellbeing through physical and mental exercises which include repetition of motion and memorization of words. The inclusion of a Native Hawaiian wellbeing framework called Kukulu Kumuhana will also be implemented to address holistic wellness (mind, body, and spirit).

Going forward, the court will work to continue the pilot program, as Mohala Wahine provides gender-responsive and trauma-informed practices in a problem-solving court model, which has the potential to improve recidivism rates among women by providing services that are focused on the unique needs of women in a community setting.

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## Women's Court (cont.)

### Background

To address the significant increases in the number of women entering Hawai'i jails and prisons over the past 40 years, on July 6, 2022, Gov. David Ige signed into law the bill establishing a three-year Women's Court pilot program on O'ahu.<sup>1</sup>

Data collected by the federal Bureau of Justice Statistics shows that the number of women incarcerated between 1980 (26,326) and 2015 (210,291) increased 700%, outpacing the growing number of incarcerated men by more than 50%.<sup>2</sup>

The Legislature recognized that innovation is necessary to prevent more women being incarcerated, and moreover, help them break the cycle of re-entering the criminal justice system.



*The plaza of Ka'ahumanu Hale, the Circuit Court courthouse on O'ahu.*

<sup>1</sup> House Bill No. 2421, H.D. 1, S.D. 1 (Act 243 Session Laws of Hawai'i 2022)

<sup>2</sup> According to non-profit advocacy group *The Sentencing Project*, total counts of incarcerated women by 2020 indicated a 30% reduction from the prior year in response to the COVID-19 pandemic. Analysis from May 2022 shows the number of incarcerated women increased by more than 475% between 1980 (26,326) and 2020 (152,854).

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## Drug Court: A Proven Alternative to Incarceration

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

Drug Courts on O‘ahu, Maui, Moloka‘i, Hawai‘i island, and Kaua‘i deal with many of the most troubled, most addicted offenders on court-ordered supervision. These offenders are the ones in greatest need of drug court services and 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

Hawai‘i’s experience corresponds with 30 years of scientific research on drug court programs nationwide, which consistently shows that:

- 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 courts significantly reduce drug use, drug relapse, and criminal behavior, with substantial cost savings to the community.
- Drug courts have been successful in rehabilitating individuals, and restoring and reuniting families.
- They have also helped ease the social costs of incarceration that would otherwise impact the children and extended family members of participants, through reduced quality of life, lost earnings, lost future earnings, lost taxes to the state, up-front criminal justice system costs, the cost of parole, foster care for the children of some prisoners, etc.

More than 2,500 people have graduated from Hawai‘i drug court programs statewide since the establishment of the state’s first drug court on O‘ahu in 1996.

The majority have not been convicted of new felonies for up to three years after graduating from the program.

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## Drug Court Program Highlights

### O'ahu Drug Court

From the start of the O'ahu Drug Court in 1996 to June 2023, this intensive team approach has graduated 1,096 individuals, helping them overcome substance abuse, reconcile family relations, and become gainfully employed.

Circuit Court Judge Trish K. Morikawa has served as presiding judge of the First Circuit's Drug Court, Mental Health Court, Veterans Treatment Court, and HOPE programs since June 28, 2022.

As of November, the O'ahu Drug Court had 114 participants and expected to admit/accept three more. From July 1, 2022 to June 30, 2023, the program celebrated nine new graduates. Drug Court graduations continue to be held both remotely by video on Zoom and in-person.

Staff conducted Intensive Outpatient Treatment Program (IOP) sessions at the Specialty Court office three times a week with approximately 10 participants. In-person treatment resumed in March 2023. During the COVID-19 pandemic shutdown, individual and group counseling was maintained through online videoconferencing using the web-based video applications Zoom and Webex. After staff returned to in-office work, they updated the IOP curriculum. Participants are now learning the Matrix Model<sup>1</sup> and Seeking Safety Model.<sup>2</sup> In addition, Drug Court counselors purchased art supplies with funding from the State Department of Health's Alcohol and Drug Abuse Division (ADAD), and have incorporated art therapy as part of their curriculum.

### Adult Drug Court Graduation Totals as of Fiscal Year 2022–2023

O'ahu Drug Court	1,096
Maui Drug Court	713
Moloka'i Drug Court	40
Big Island Drug Court	375
Kaua'i Drug Court	279
<b>TOTAL GRADUATES</b>	<b>2,503</b>

<sup>1</sup> The Matrix Model is a structured, multi-component behavioral treatment model that consists of evidence-based practices, including relapse prevention, family therapy, group therapy, psycho-education, and self-help, delivered in a sequential and clinically coordinated manner.

<sup>2</sup> A seeking safety therapy program is an evidence-based treatment designed to increase safety in individuals who have experienced trauma and/or substance abuse.



*An O'ahu Drug Court Intensive Outpatient Treatment Program (IOP) session administered by Drug Court Counselor Danielle Boter.*

### **Program Goals**

- Drug Court staff are planning quarterly community service events that will help program participants reintegrate into the community by giving back. Engagements such as these are recommended by All Rise (formerly known as the National Association of Drug Court Professionals (NADCP)) for improvement of drug court programs. The first event was December 12, 2023 at Paepae o He'eia, Kāne'ohe Fishpond. The team is also working with the Honolulu Police Department's Community Policing Division, to organize additional community service events.
- The First Circuit Specialty Court team continues to utilize and update data in the recently acquired Drug Court Information Management System (DIMS), and is now able to produce court reports, curfew checks, and statistical reports on a regular basis. The Specialty Court programs are also working with Datagain, producer of the DIMS software suite, to transfer all data from the current case management system, Caseload Explorer, to DIMS so that information from previous years will be easily accessible.

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## Maui / Moloka'i Drug Court

During the past year, Judge Kelsey T. Kawano, the Second Circuit's primary adult drug court judge, directed program efforts toward supporting positive changes in participants through a behavior modification technique used mainly by treatment providers called contingency management.

Research on intensive supervision programs has shown that extending four rewards for every punishment/penalty can result in a higher completion rate – 70% or more – for individuals under supervision.<sup>1</sup>

Recognizing that external rewards can eventually lead to participants developing an internal rewards system for living life without criminal behaviors and substance use,<sup>2</sup> Judge Kawano and court officers focused on identifying verifiable, positive changes in clients for possible opportunities to receive rewards.

Rewards were given through what is known as the Fishbowl Procedure. Small and low-cost rewards were displayed in a plastic fishbowl that sat in the courtroom on the attorney's table. The rewards were given on a contingency basis when participants made small, incrementally positive progress in drug court.<sup>3</sup>

When Judge Kawano was made aware of a participant's positive progress in the program, he invited the participant to, "Take a dip in the fishbowl!" The plastic fishbowl contained things like snack bars, woven key chains, trinkets made from paracord, and small envelopes containing positive recovery-oriented affirmation statements.



<sup>1</sup> Wodahl, Garland, Culhane, McCarthy (2011). *Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections*, *Criminal Justice and Behavior*, 38(4).  
Sage Journals:

<https://journals.sagepub.com/doi/abs/10.1177/0093854810397866>

<sup>2</sup> National Drug Court Institute, *Drug Court Practitioner Fact Sheet September, 2012*  
"Behavior Modification 101 for Drug Courts: Making the Most of Incentives and Sanctions"  
By Douglas B. Marlowe, JD, PhD, Chief of Science, Policy & Law, National Association of Drug Court Professionals

Page 4: *Fishing for Tangible Resources*

<https://allrise.org/wp-content/uploads/2022/07/Incentives-and-Sanctions.pdf>

<sup>3</sup> *This Addiction Treatment Works. Why Is It So Underused?* - *The New York Times* (nytimes.com), Abby Goodnough, October 27, 2020, *New York Times*.

<https://www.nytimes.com/2020/10/27/health/meth-addiction-treatment.html>

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The Maui / Moloka'i Drug Court Drug Court Program works to provide participants with life skills that lead to real recovery, thereby reducing recidivism, which improves public safety in our communities, and simultaneously saves limited tax dollars otherwise spent on further arrests, criminal prosecutions, and incarceration of these offenders.

During the fiscal year, 46 participants were admitted to the program.

There have been 713 graduates of Maui Drug Court and 40 graduates of Moloka'i Drug Court since the programs started.

### **Big Island Drug Court**

The Third Circuit's Adult Drug Court and Veterans Treatment Court Programs are managed by the Big Island Drug Court (BIDC) Division. The Division serves individuals who have significant substance use and mental health challenges and who are at high risk for recidivism (i.e., the tendency of a convicted criminal to reoffend).

The BIDC Adult programs in Hilo and Kona, which launched in 2002, have now helped 375 individuals graduate to a second chance at life.

This past year, the Hawai'i island community dealt with many of the same challenges faced by the rest of the state, including:

- Overcrowding in island jails
- Increases in demand for limited drug and mental health treatment resources
- A rise in fentanyl use and overdoses
- Limited affordable housing and other resources for justice-involved individuals attempting to reintegrate back into the community.

BIDC staff addressed these issues by leveraging nationally recognized evidence-based best practices in working with program participants, continuing professional education and training for staff, innovative use of technology, and community collaboration.

### ***Integrating Technological Advancements***

To help prevent further overcrowding in island jails, the BIDC minimized incarcerations by increasing community supervision through the use of Global Positioning System (GPS) devices such as ankle monitors, as well as mobile phone apps to better track the movements of program participants. These tools helped Drug Court to confirm that appropriate daily tasks and appointments were completed, and to verify that participants were meeting their recovery goals (e.g., attending Alcoholics Anonymous meetings or treatment, meeting employment requirements, adhering to curfews, etc.).



*Front entrance to the Hale Kaulike courthouse in Hilo on Hawai'i island.*

SmartStart Breathalyzers were also used for monitoring sobriety 24 hours a day, seven days a week. The device prompted participants three times each day to blow into the breathalyzer to check for the presence of alcohol, regardless of whether the individual is driving. This has proven a much more intensive and effective way of deterring alcohol use.

The staff also continued work on acquiring a drug court database to track participants and identify ways to improve program effectiveness and efficiency.

### ***Refining the Program Structure***

One of the areas for improvement identified for drug court programs nationally, as verified by research and other evidence, is enrollment of minorities to match rates at which those groups enter the justice system.

While there is no evidence that the BIDC has this issue, program administrators have taken note of recent efforts by All Rise (formerly the National Association of Drug Court Professionals) strongly encouraging drug courts nationwide to combat this issue through strict adherence to objective criteria for program admittance, in place of an admissions process based on subjective evaluation.

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Moreover, the BIDD converted its eligibility criteria in February 2022, and in 2023 focused on enhancing the objective review of each case to increase admissions of those suffering from severe mental illness.

### ***Life Skills Classes***

The BIDD has started to offer life skills classes to clients both in Drug Court as well as those in regular probation, providing training in how to write a resume, interview for jobs, and how to manage finances.

### ***Boosting Collaborative Therapeutic Interventions***

The BIDD team worked to develop deeper and more effective collaborations, resulting in a greater range of treatment programs available to Drug Court participants, combined with timely and often faster entrance into community treatment programs with:

- Community-based substance use disorder (SUD) treatment providers
- Narcotics Anonymous (NA), Alcoholics Anonymous (AA), and other community recovery groups
- Mental health and medical treatment providers, especially around medically assisted treatment for SUDs
- Clean, sober, and transitional housing programs.

### ***Deepened Community Collaborations***

The team also fostered partnerships with employers and landlords to facilitate re-entry to the community by program participants.

In addition, the BIDD further increased incentives for program participants, including grants, loans, education, and work scholarships, through the non-profit Friends of Big Island Drug Court to improve the chances of each individual's success after graduation.

*“Substance use disorders continue to play a major part in many, if not most of the criminal cases that enter our courthouses in Hawai‘i.”*

*- Grayson Hashida, Big Island Drug Court Coordinator*

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## 2023 Statewide Adult Drug Court Conference



Hawai'i's second annual Statewide Adult Drug Court Conference drew specialty court staff and partners from across the islands to the Ko'olau Ballrooms & Conference Center in Kāne'ohe, where they engaged with national experts discussing the latest research on treatment court best practices.

From October 17-18, 166 attendees, including judges and treatment court personnel from each judicial circuit, probation officers, prosecutors, and public defenders, participated in continuing professional education and training on methods of enhancing public safety through efficient crime reduction and prevention services. They also learned about activities that assist and guide offenders during their rehabilitation.

The event began with opening remarks by Hawai'i Supreme Court Chief Justice Mark E. Recktenwald. This year's featured speakers were Steve Hanson, M.S. Ed., a senior treatment consultant for the National Association of Drug Court Professionals (NADCP); Erin Rodriguez, a licensed clinical professional counselor and licensed addiction counselor with certifications from the National Association for Alcoholism and Drug Abuse Counselors (NAADAC); Dr. Kevin Baldwin, a clinical psychologist with a dual emphasis on research and forensics; retired Montana District Judge Gregory Pinski; and Jacqueline Van Wormer, Ph.D., the director of research for the NADCP.

Presentations included updates on the influx of drugs to Hawai'i, the increased mental health and trauma histories probationers bring to the courts, and the most effective approaches to addressing these issues. Speakers also shared important findings on team communication, gender responsive treatment, the role of the judge in treatment, and self-care for treatment court professionals.

The event was made possible thanks to funding from a federal Bureau of Justice Assistance grant awarded to the O'ahu Drug Court Program in 2020. Additional financial support was provided by the State Department of Health's Alcohol and Drug Abuse Division (ADAD).

Organizers conveyed special thanks to the ADAD, All Rise (National Association of Drug Court Professionals), Chief Justice Reckentwald, and First Circuit (O'ahu) judges and staff.

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## Veterans Treatment Court: Getting Back on Track

The military requires recruits to meet high standards of character and moral integrity, and those with significant criminal records are not allowed entry. If service members encounter serious hardships after returning to civilian life, their experiences often fall well beyond the scope of issues that conventional treatment programs are equipped to handle.

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

One study shows that VTC participants experience significant improvement in the areas of housing, social relationships, depression, post-traumatic stress disorder (PTSD), substance abuse, mental and emotional health, and overall functioning and well-being.\*

Volunteer veteran mentors from every branch of military service understand the difficulties these men and women face, and play an integral role in the program's success.

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

## Program Updates

### O'ahu Veterans Treatment Court

Since the O'ahu Veterans Treatment Court (OVTC) program launched in 2013, the program has provided veterans in the justice system with assistance obtaining much needed services. Seventy-one have graduated from the intensive treatment program and rejoined the community.

Judge Trish K. Morikawa has served as presiding judge of the OVTC since June 27, 2021. Under her leadership, the program supervised 25 active clients in 2023. Four individuals were referred to the court for possible admission. Eleven completed the intensive court treatment program and celebrated their graduation back into the community.

In March 2023, the OVTC program supervisor launched a new curriculum with in-person peer support groups meeting at the Specialty Court office on a weekly basis. Five to 10 participants attended each session. The goal for the group is to build a positive pro-social network amongst peers and peer support. The group continues to work together to seek housing, maintain sobriety and reduce stress reactions to everyday circumstances.

\* *Community Mental Health Journal* (February 2016, Volume 52, Issue 2, pp 127-135)  
<https://pubmed.ncbi.nlm.nih.gov/25682282/>

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## *Veterans Treatment Court: Getting Back on Track (cont.)*

### **Program Goals**

- Under management of the First Circuit Specialty Courts Program team, the Veterans Treatment Court participants will be included in the new Drug Court Information Management System (DIMS). The program will identify opportunities for improved effectiveness and efficiencies from its court reports, curfew checks, and statistical reports. Specialty Court staff are currently working with the DIMS vendor, Datagain, to transfer all data from the current case management system, Caseload Explorer, so that information from previous years will be easily accessible.
- Veterans Court staff are also planning quarterly community service events that will help program participants reintegrate into the community by giving back. Engagements such as these are recommended by All Rise (formerly known as the National Drug Court Institute (NDCI)) for improvement of drug court programs. The first event was held December 12, 2023 at Paepae o He'eia, Kāne'ohe Fishpond (story on page 33). The team is also working with the Honolulu Police Department's Community Policing Division, to organize additional community service events.

### **Big Island Veterans Treatment Court**

The Third Circuit's Adult Drug Court and Veterans Treatment Court Programs are managed by the Big Island Drug Court (BIDC) Division. The Division serves individuals who have significant substance use and mental health challenges and who are at high risk for recidivism (i.e., the tendency of a convicted criminal to reoffend).

The BIVTC programs in Hilo and Kona, which launched on November 10, 2014, in conjunction with Veterans Day, have now assisted 29 individuals graduate and rejoin their communities.

This past year, the Hawai'i island community dealt with many of the same challenges faced by the rest of the state, including:

- Overcrowding in island jails
- Increases in demand for limited drug and mental health treatment resources
- A rise in fentanyl use and overdoses
- Limited affordable housing and other resources for justice-involved veterans attempting to reintegrate back into the community.

## Preserving He'eia Fishpond



First Circuit (O'ahu) Specialty Court participants and staff held a community service event at the He'eia Fishpond in Kāne'ohe. Team members helped preserve the site by moving and stacking rocks and coral, and doing additional maintenance in the area.



The He'eia Fishpond located in He'eia, is a kuapā-style fishpond enclosing 88 acres of water. The kuapā (wall) was built by residents of the area 600 to 800 years ago on Malauka'a, a fringing reef that extends away from the shoreline, completely encircling the fishpond. The kuapā is possibly the longest in the Hawaiian Islands, measuring an estimated 1.3 miles (7,000 feet).

The December 12 event was designed to help Drug Court and Veteran's Treatment Court participants build relationships with each other, find a sense of purpose, and to give back to their community. Such therapeutic engagements are recommended by All Rise, formerly known as the National Association of Drug Court Professionals (NADCP), and practiced by many specialty courts around the nation. This was the first community service project for the First Circuit Specialty Courts in more than 20 years.

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## *Veterans Treatment Court: Getting Back on Track (cont.)*

BIVTC staff addressed these issues by leveraging nationally recognized evidence-based best practices in working with program participants, continuing professional education and training for staff, innovative use of technology, and community collaboration.

### ***Integrating Technological Advancements***

To help prevent further overcrowding in island jails, the BIVTC minimized incarcerations of veterans by increasing community supervision through the use of Global Positioning System (GPS) devices such as ankle monitors, as well as mobile phone apps to better track the movements of program participants. These tools helped court staff to confirm that appropriate daily tasks and appointments were completed, and to verify that participants were meeting their recovery goals (e.g., attending AA meetings or treatment, meeting employment requirements, adhering to curfews, etc.).

SmartStart Breathalyzers are also used for monitoring sobriety 24 hours a day, seven days a week. The device prompted participants three times each day to blow into the breathalyzer to check for the presence of alcohol, regardless of whether the individual is driving. This has proven a much more intensive and effective way of deterring alcohol use.

The staff also continued work on acquiring a database to track participants and identify ways to improve program effectiveness and efficiency. Information from the database will give staff important insights on individual participants, as well as the performance of both Drug Court and the Veterans Treatment Court programs in key areas.

### ***Life Skills Classes***

The Big Island Drug Court has started to provide life skills classes to veteran participants, as well as Drug Court participants and clients in regular probation, providing training in how to write a resume, interview for jobs, and how to manage finances.

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### ***Boosting Collaborative Therapeutic Interventions***

The BIDC team worked to develop deeper and more effective collaborations, resulting in a greater range of treatment programs available to Veterans Treatment Court participants, combined with timely and often more expedient entrance into community treatment programs with:

- Community-based substance use disorder (SUD) treatment providers
- The United States Department of Veterans Affairs (VA)
- Narcotics Anonymous (NA), Alcoholics Anonymous (AA), and other community recovery groups
- Mental health and medical treatment providers, especially around medically assisted treatment for SUDs
- Clean, sober, and transitional housing programs.

### ***Deepened Community Collaborations***

The team fostered partnerships with employers and landlords to help veterans in the program rejoin the community.

In addition, the BIVTC worked with the non-profit Friends of Big Island Drug Court to increase incentives for the veterans, in the form of grants, loans, education, and work scholarships, that help improve the participant's chance of success after graduation.



*Judge's bench in the Keahuolū Courthouse in Kona on Hawai'i island.*

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## DWI Court: Accountability, Treatment, Safer Streets

### Program Evaluation Results

Following a recommendation from the State of Hawai'i Department of Transportation, Honolulu's Driving While Impaired (DWI) Court hired the Northwest Professional Consortium, Inc., (NPC Research) to conduct a three-year process, outcome, and cost evaluation to confirm the program's effectiveness and identify areas for improvement.

From April 5-7, 2023, three evaluators from NPC Research performed a site visit at Honolulu District Court. They interviewed all of the DWI Court team members, conducted a focus group with program participants, and observed a pretrial meeting and court hearing. Overall, they found Honolulu's DWI Court to be performing very well and adhering to many best practices that are known to significantly reduce recidivism and/or increase cost savings. They identified many program strengths, including an exceptional multidisciplinary team with strong judicial leadership, and stated that the program has high rates of participant success, with a higher graduation rate than the national average.

Since the program's inception in January 2013:

- 72 offenders have graduated
- 21 offenders are currently enrolled
- 14 offenders either withdrew or were terminated from the program
- 11 offenders are in the screening process.

Three national studies establish that benefits from DWI Court programs lasted for at least four years, well after participants' discharge from their programs.<sup>1</sup>

The DWI Court staff conduct quarterly checks on program participants, graduates, and those who were referred but did not enter the program and have learned that Honolulu's DWI Court has produced significant reductions in recidivism. Those who joined the DWI Court Program show a 15% reduction in recidivism for subsequent OVUII (Operating a Vehicle Under the Influence of an Intoxicant) arrests after five years, and a 16% reduction in recidivism for subsequent Driving While License Suspended or Revoked for OVUII (Hawai'i Revised Statutes (HRS) §291E-61 and §291E-62) charges after five years, in comparison to those who were eligible but did not enter the program.

### Program Description

The Honolulu Driving While Impaired (DWI) Court is a court-supervised, comprehensive treatment program for impaired driving offenders. It includes regular court appearances, frequent case management meetings, electronic alcohol monitoring, drug testing, attendance at self-help

<sup>1</sup> 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, page 18.

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meetings, and participation in a treatment program. Participants are also provided with support services to assist with education, employment, housing, and other personal goals which contribute to success in recovery.

The DWI Court Program was founded 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.

For entry into the voluntary Honolulu DWI Court, the participant must plead guilty or no contest, but execution of the sentence is stayed pending compliance and completion of program requirements. The program involves 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 often make important personal improvements.

#### ***Participant feedback on DWI Court***

*“This program changed my life. I was going nowhere fast. This program stopped me in my tracks and put me on the right track.”*

*“Treatment and court are two awesome combinations that keep you busy and focused and make it easier.”*

*“The reason I’m still here is the team. The team cares so much for me and my family. It took time – some trials and tribulations – getting to this point. The team really helped me. They’re awesome. The amazing team makes us want to do it rather than have to do it. They’re so compassionate. It really changed my life.”*

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## *DWI Court: Accountability, Treatment, Safer Streets (cont.)*

Just one drunk driver may have devastating impacts on many lives in our community, including pedestrians, bikers, pets, other drivers, family members, and even the drunk driver themselves, with a cascade of consequences, including permanent physical disability or death, legal fees, property repairs, loss of wages and long-term earning potential, and liability paid out to victims and their families for injury and loss of life.

Research by the National Drug Court Institute found that 25% of those arrested for DWI become repeat offenders. Most interventions for repeat DWI offenders have produced mixed or non-significant results.

Only programs that combine multiple service components, including substance abuse disorder treatment, intensive court or probation supervision, monitoring technologies such as interlocks, and drivers' license restrictions, demonstrate consistent positive effects.<sup>1</sup>

Beyond the personal improvements that participants experience during recovery, sustained substance abuse treatment and recovery also provides social and economic benefits to participants who would likely have faced future arrests if not for intervention.

This reduction in recidivism benefits the community by improving public safety on our roadways and saving taxpayers costs for arrest, prosecution, and incarceration.

The program receives grant monies from the National Highway Traffic Safety Administration (NHTSA), which have been distributed to the DWI Court by the Hawai'i State Department of Transportation since January 2012. Additional program funding was secured in October 2018 through a partnership with the Hawai'i Department of Health's Alcohol and Drug Abuse Division. This alliance improves access to treatment in the community and supports the recovery needs of program participants.

### *Special thanks to the Honolulu DWI Court partner organizations:*

- *Hawai'i State Department of Transportation*
- *Hawai'i State Department of Health, Alcohol and Drug Abuse Division*
- *Honolulu Police Department*
- *City and County of Honolulu Department of the Prosecuting Attorney*
- *Hawai'i State Office of the Public Defender*
- *Mothers Against Drunk Driving (MADD), Hawai'i Chapter*

<sup>1</sup> *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, page 18.*

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## Mental Health Court

The Judiciary's Mental Health Courts (MHC) are designed to address the particular needs of people with mental illness in the criminal justice system, and the challenges associated with managing this population. Defendants with mental illness released to the community on supervision often have difficulty complying with the terms and conditions of probation. They also have extensive treatment and service needs requiring supervision strategies that traditional courts are not designed to provide.

### O'ahu Mental Health Court

Established in 2005, the O'ahu Mental Health Court (OMHC) is a specialty court that redirects offenders from jail to community-based treatment with intensive supervision to deal with public safety issues and to support the recovery of defendants diagnosed with severe and persistent mental illness (SPMI). The OMHC team is led by the presiding judge and includes a dedicated public defender, dedicated prosecutor, OMHC program staff, and clinical support from staff with the State Department of Health's Adult Mental Health Division.

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 OMHC program, participants who are redirected from incarceration to treatment receive multiple benefits, including treatment and supervision support, reduced jail sentences, and possible early termination of probation or dismissal of charges.

Each participant is supervised by the OMHC court case supervisor/probation officer. At graduation, all defendants will have met required expectations and received effective treatment, indicating recovery. The OMHC is derived from a strength-based model and motivates participants through graduated sanctions, rewards, and incentives.

The OMHC team, led by Judge Trish K. Morikawa, supervised, on average, 41 individuals in various stages of the program during the fiscal year. One term of probation expired and that person is no longer on supervision. All other participants continued in their work to complete the program's requirements.

Since its inception, the OHMC has helped 55 individuals complete the intensive court program and rejoin the community.

The Mental Health Unit (MHU), which is used synonymously with the Mental Health Court, supervises offenders who are acquitted of felony and misdemeanor offenses and placed on conditional release. Individuals on conditional release suffer from physical and mental disease and a wide range of social-psychological problems. While they are not a part of the OMHC, they are supervised by its probation officers.

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## *Mental Health Court (cont.)*

In 2023 the MHU managed 271 conditional release cases, including individuals on conditional release from the neighbor islands.

The OMHC holds a peer support group by video conference on Zoom once a week for all participants and graduates. Topics include self-care, coping skills, expressing support through difficult times, and goal-setting.

### **Maui Mental Health Court**

The Second Circuit's (Maui, Moloka'i, and Lāna'i) Mental Health Court was established in 2014 to consolidate under one judge all circuit and family court criminal matters that require determination of a defendant's physical or mental fitness to proceed with trial.<sup>1</sup> The court addresses the particular needs of this population, streamlines the process, and brings consistency to the management of these cases.

The Maui Mental Health Court (MMHC) continues to provide specialized management of these cases during preset scheduled hearings twice a month. These cases involve participants appearing in person and by videoconferencing from the Hawai'i State Hospital, Kahi Mohala, the various correctional facilities in Hawai'i, as well as defendants and their extended families, case managers and treatment providers from the community. This streamlined process allows all of the participants, including the attorneys, Maui Community Mental Health clinicians, and treatment providers to meet and discuss the progress of each individual defendant on a regular and consistent basis.

The population supervised by the MMHC in 2023 increased for the third consecutive year. Under the leadership of Second Circuit Court Judge Kirstin M. Hamman, the court managed between 89 and 96 defendants in Maui County in various stages of the program. The defendants range from those who have been on conditional release for many years, to defendants who have just filed motions for an examination with respect to physical or mental disease, disorder, or defect under Hawai'i Revised Statutes §704-404 and §704-407.5.

Thirteen defendants left the MMHC, either because the attorneys requested an examination which determined that the defendant was no longer in need to the MMHC's specialized supervision, or the defendant was found fit for trial in standard court proceedings. MMHC did not have any contested hearings in 2023.

After COVID-19 safety precautions were lifted in the Second Circuit, the MMHC continued to conduct hearings by video conference from Moloka'i, Lāna'i, the Hawai'i State Hospital, Kahi Mohala, the Maui Community Correctional Center (MCCC), O'ahu Community Correctional Center (OCCC), and other locations around the state. MHC also continues to take video appearances for defendants on conditional release appearing from neighbor islands.

<sup>1</sup> *Hawai'i Revised Statutes (HRS) Chapter 704 - Penal Responsibility and Fitness to Proceed*

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## Criminal Justice Research Institute

The Criminal Justice Research Institute (CJRI) was established in 2019<sup>1</sup> under Hawai'i Revised Statutes (HRS) Chapter 614, within the office of the chief justice. CJRI is dedicated to examining all aspects of the criminal justice system – including Hawai'i's criminal pretrial system. The Institute works to assist the State with understanding the criminal justice system in a more comprehensive way, and to help ensure the protection of individual rights, increase efficiencies, and control costs, if warranted.

The CJRI is charged with establishing a centralized statewide criminal pretrial justice data reporting and collection system. Based on the CJRI's research of other jurisdictions conducting similar work, the most efficient and cost-effective approach to establish this system is to extract, link, and merge data from existing databases into a centralized data warehouse. This would work with data across existing databases in the state's criminal pretrial system, and would not require additional data entry or databases from other agencies. The establishment of the pretrial database and reporting system will address a number of key barriers which currently limit capacity to conduct research across the State's criminal pretrial system, including issues with combining data from different agencies' databases, the need to reformat operational data collected by different agencies so that it can be utilized in research, and transforming text data for use in quantitative analysis.

To support this work, the CJRI recommended legislation for an appropriation request to fund the creation of the pretrial database and reporting system. This appropriation would cover the costs of creating a system that extracts data across the three statewide data sources collecting criminal pretrial data, and then links and merges this data into one data warehouse. With a centralized source for pretrial data, CJRI will have the ability to produce pretrial system performance metrics in a more timely and more comprehensive manner, meeting the goals of the State.

The appropriation request was introduced on behalf of CJRI in the 2023 legislative session in House Bill No. 68 by Rep. Scot Z. Matayoshi, a member of CJRI's board of directors, and was signed into law by Gov. Josh Green as Act 147 on June 29, 2023, effective July 1, 2023. CJRI kicked off the project's development and implementation in early fall following the execution of contracts with its information technology development partners. Additionally, CJRI continues to collaborate with staff in the Hawai'i Department of Public Safety, the Judiciary, and the State Department of the Attorney General's Criminal Justice Data Center to incorporate the three main statewide data sources into the pretrial database and reporting system. Once the database is established - following a two-year proposed development and implementation timeline - CJRI will have a centralized source of data to calculate and report out on the criminal pretrial performance metrics in accordance with HRS §614-3.

<sup>1</sup> Act 179, Session Laws of Hawai'i 2019 (House Bill 1552 H.D. 2 S.D. 2 C.D. 1)

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## *Criminal Justice Research Institute (cont.)*

In addition to the work toward establishing a pretrial database and reporting system, CJRI staff engaged with stakeholder groups across the state’s criminal justice system. A survey was conducted to learn more about the ways in which violent crime information is collected in arrest records across all four county police departments in the state. This survey arose out of a need to learn more about violent crime data for the Department of the Attorney General's Gun Violence and Violent Crimes Commission. Relatedly, CJRI staff conducted a descriptive analysis exploring violent offenses among women at the Women’s Community Correctional Center (WCCC) on O’ahu for the Judiciary's Women’s Corrections Implementation Commission. CJRI is providing assistance to the State House Concurrent Resolution (HCR) 23 Task Force,<sup>2</sup> which requests that the Hawai’i Correctional System Oversight Commission to convene a task force to examine and make recommendations regarding existing procedures of the Hawai’i Paroling Authority setting the minimum terms of imprisonment. CJRI staff prepared a summary detailing sentencing policies, practice, and research to provide background for task force members and the public. CJRI continues to collaborate with agencies in order to use research in understanding the criminal justice system.

More information on the CJRI can be found in the “Criminal Justice Research Institute 2023 Annual Report” on the Hawai’i State Judiciary’s “Reports” web page, as well as <http://cjrihawaii.com>.



Home page of the State of Hawai'i Criminal Justice Research Institute website, <http://cjrihawaii.com>.

<sup>2</sup> State of Hawai'i House of Representatives, Thirty-Second Legislature, 2023, House Concurrent Resolution (H.C.R.) 23 H.D. 1 S.D. 1

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# Supporting Children and Families

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*The state's family courts promote the reconciliation of distressed juveniles with their families, render appropriate rehabilitation and punishment to offenders, and reduce juvenile delinquency. The Judiciary also assists families and children in need through a variety of special programs and services.*

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## Hawai'i Zero-to-Three Court

### Program Updates

There were 12 families, 11 infants and toddlers, and 19 total children in the care of the Hawai'i Zero-to-Three (HZTT) Court program on O'ahu in 2023.

HZTT Court holds monthly in-person hearings to ensure judicial oversight and accountability of the HZTT team and the families. Prior to the start of the hearings, the team reviews each case. Visitation, progress in services, concerns, and any other updates are discussed.

Parent Activity days are occurring virtually in the form of Parent Café, a peer-to-peer learning program about the five protective factors (parental resilience, social connections, concrete supports, knowledge of parenting and child development, and social emotional competence of children).

Family Hui hosts the Parent Café for our HZTT families on the second and fourth Wednesdays of each month. Family Hui also provides a new book and an activity kit once a month for families/caregivers to do with their child(ren) to enhance the relationships and give information on age-appropriate development.

Family Team Meetings continue to occur regularly for HZTT families. The meetings are both virtual and in person. Some meetings are held in person to accommodate those with technological challenges or who are deemed to need in-person contact. The purpose of the Family Team Meeting is to ensure the cases are on track to timely permanency; keeping all team members accountable to each other and the court.

These meetings are held monthly, in between court hearings, ideally two weeks after the court hearing. The meetings provide team members time to initiate or complete tasks before the next hearing. Some families with multiple challenges/barriers to reunification are referred to the EPIC 'Ohana, Inc., Family Wrap Hawai'i Program for additional support. The Wrap Program offers monthly meetings, a parent partner, navigator, and facilitator.

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## *Hawai'i Zero-to-Three Court (cont.)*

### **Program Accomplishments**

- Partnered with the Association for Infant Mental Health Hawai'i for child-parent psychotherapy services.
- Continued networking with community resources, and the program manager remains actively engaged in different workgroups related to child abuse and neglect.
- Staff coordinated a series of presentations to inform and build capacity in parents while they are in the program, and after their cases have been closed. Topics and presenters included:
  - Family Planning – Kalihi Palama Health Center
  - Early intervention services that support the development of infant and toddlers from birth to three years of age – State Department of Health (DOH)
  - Adult dental services under Medicaid – Community Corps Management
  - Supplemental Nutrition Assistance Program-Education (SNAP-Ed) – University of Hawai'i Cooperative Extension Service
- HZTT has taken on more unidentified perpetrator cases (serious harm cases where the perpetrator of harm is undetermined). Frequent court hearings, close contact with the parties and service providers, along with open communication and courageous conversations with the family, have helped HZTT make good progress with these cases.
- Team members received continuing education on community resources where they can refer families in need of specialized assistance. Staff attended presentations by the Lili'uokalani Trust's Ho'okahua program, the Association for Infant Mental Health Hawai'i, and Volunteer Legal Services Hawai'i's Re-Employment and Community Service Work Program (RACS).

*The HZTT team hosted its annual holiday event on December 19, 2023. The children received gifts and a visit by Santa Claus, with picture taking, arts and crafts. The Violet and Vivian Fund gave gifts to the participating families.*



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## Partnerships

HZTT continues to maintain and build partnerships in the community. Existing partnerships include:

- The All State 0-3 Team: A workgroup focusing on children in child welfare between the ages of 0 and 3, comprised of the State Department of Human Services, Child Welfare Services (DHS/CWS), State Department of Health (DOH), and HZTT. This collaboration has led to the CWS contracted service, comprehensive counseling, and support services prioritizing HZTT families for services (parenting education, domestic violence, counseling, outreach, etc.).
- Family Programs Hawaii's Family Strengthening Center to prioritize HZTT families for psychological evaluations, developmental evaluations, and therapeutic services, including Parent-Child Attunement Therapy, Parent Child-Interaction Therapy, and individual therapy.
- The HZTT Program Manager is a member of the Early Childhood Action Strategy (ECAS) Team 2 – Safe and Nurturing Families.
- The Violet and Vivian Fund (VVF) that provides resources for HZTT families that meet their criteria. VVF is able to assist with supporting families and resource families with needs when no other resources are available.
- EPIC 'Ohana Inc., on their parent partner program (the Two Makua Pilot Program), and prioritizing HZTT families for the Family Wrap Hawai'i Program.
- Lili'uokalani Trust's Ka Pili 'Ohana Program (developing relationships between birth parent(s) and the resource families for better foster care outcomes for native Hawaiian children).
- HZTT is collaborating with the Association for Infant Mental Health Hawai'i for child-parent psychotherapy.

*Santa and his helpers at the HZTT holiday event, December 19, 2023. From left: HZTT Designated Deputy Attorney General Kellie Kerten, Per Diem Judge Paul T. Murakami, Judge Jessi L. Hall, and HZTT Designated Deputy Attorney General Lianne Onishi.*



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## *Hawai'i Zero-to-Three Court (cont.)*

### **Developing Partnerships**

- Lili'uokalani Trust's Ho'okahua program is a supportive initiative for young parents of Hawaiian ancestry with a child between the ages of 0-5 in their care. Only a few agencies/programs are being selected to refer families to the Trust's Ho'okahua, and HZTT is in this select group.

### **Program Goals**

- Continue to strive for expeditious permanency for children and strengthening families.
- Continue to maintain and develop partnerships to better support our infants/toddlers and their families.
- Continue to build HZTT Court team awareness of community resources and services through presentations during monthly team meetings of different agencies.
- Increase awareness of the HZTT program through ongoing training of new hires at the DHS/CWS on a quarterly basis (already arranged with CWS staff development) and continuing to network with various agencies in the community to maintain collaborative relations.
- Continue engagement in community agency workgroups and collaborate with agencies working with the zero-to-three population.
- Invite agencies and community resources to present to the HZTT Court team at monthly meetings.

### **Program Description**

The Hawai'i Zero-to-Three (HZTT) Court is a specialty program under the First Circuit (O'ahu) Family Court that works to safeguard young children who are removed from their parents due to neglect and abuse by providing trauma-informed care to the whole family.

The primary function of the HZTT Court is to ensure that maltreated infants and toddlers involved in the child welfare system reach permanency (reunification with family, legal guardianship, or adoption) in a timely manner, while limiting the number of foster placements and providing appropriate developmental assessments and interventions.

HZTT also provides trauma-informed care to the whole family. The HZTT team works to strengthen the family to prevent recidivism (i.e., the tendency of a convicted criminal to reoffend) and/or any future contact with the child welfare system.

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This is a voluntary court program and parents must be willing to participate. Once a family is accepted into HZTT, they stay in HZTT until permanency is reached.

The two main goals of HZTT are: 1) getting the child(ren) to permanency in a timely manner, and 2) strengthening the family to prevent recidivism and/or any future contact with the child welfare system.

***Primary criteria for admission:***

1. Adjudicated with family court; and
2. Must have at least one child between the ages of zero and three.

HZTT also accepts cases of abandoned infants to help move them to permanency in a timely manner, while ensuring that their needs are being met.

Preference is given to cases with children who are in foster custody. Upon admission into the HZTT Court, the family will be provided with a designated team consisting of a program manager, a Child Welfare Services (CWS) social worker from the State Department of Human Services (DHS), a state attorney general, and guardian ad litem who are trained and knowledgeable at providing resources to families with young children between the ages of zero and three years old.

Since its inception in 2009, HZTT has served 106 families, involving 136 infants and toddlers (ages zero to three).



*The Ronald T.Y. Moon Judiciary Complex, Kapolei, Hawai'i*

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## Girls Court

### Program Updates

The Girls Court Program Coordinator, Valerie Lazo, and staff continue to be active participants in, and contributors to, the Judiciary's Commercially Sexually Exploited Children (CSEC) Steering Committee and CSEC Multi-Disciplinary Team (MDT) led by the Judiciary's Children's Justice Center on O'ahu. Lazo is also an active member of the Honolulu Human Trafficking Task Force (HHTTF) led by the City and County of Honolulu Prosecutor's Office.

Girls Court spearheaded National Human Trafficking Awareness Day events for the Judiciary in January, including ribbon tying, posting fliers at various O'ahu courthouses, along with ribbon distribution statewide, and sign waving events. The Girls Court staff and girls put together posters and ribbons. Many community and government agencies collaborated with Girls Court to spread awareness including Judiciary staff and judges, the Susannah Wesley Community Center (SWCC), the State Department of Health Public Health Nurses, the State Department of the Attorney General's Missing Child Center – Hawaii, the State Department of Human Services Child Welfare Services Branch, the Children's Justice Center, the United States Attorney's Office, Honolulu Police Department, Hawaii Youth Correctional Facility (HYCF) Kawaioloa Campus, and many more. The support was overwhelmingly positive.

Staff also engaged in a number of collaborative conversations with the Vera Institute and National Crittenton Foundation to discuss potential projects for Girls Court and other on-island girls programming opportunities on a national level.

Additionally, Girls Court will extend its partnership with Women Speaking Out (WSO) to coordinate monthly themed workshops for the girls focusing on healthy relationships, self-empowerment, skill building, etc.

Following the Maui wild fires, Girls Court was not able to offer the Haleakalā Adventure to participants in 2023, however, the program has been presented with an opportunity to hold two excursions to Haleakalā National Park in 2024 and is coordinating arrangements for both events.

*The majority of girls served by Girls Court have high Adverse Childhood Experiences (ACEs) scores because they have a history of prior victimization and trauma. This is the most common contributor to a girl's involvement in the justice system.*

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## **New Admissions**

New admissions for CSEC and non-CSEC youth are ongoing, allowing for girls most in need to receive services. A total of 18 new youth, and their families, received services this year. There are a handful of pending referrals and new admissions scheduled to occur before the end of December.

Girls Court continues to provide various forms of support for girls who have had their court status closed and moved on from the program. Staff maintain positive and engaging relationships with these girls and provide personal assistance to ensure they become resourceful members of the community. Examples of the kinds of support include reconnecting to girls on their birthday, collaborating to revise a resume, or connecting girls to community providers when there is a need.

## **Continuing Education Highlights**

Girls Court staff engaged in numerous training and education opportunities covering a wide range of topics, including:

- Child trafficking prevention
- Ho'opono
- Drug testing
- Child maltreatment specialty certification training
- The dynamics of domestic violence and serving children exposed to domestic violence
- Officer safety training – Natural Response Control Tactics (NRCT) Level I & II certification for new trainers

## **Assisting the International Community**

On March 16, Girls Court Presiding Judge Dyan Medeiros and Program Coordinator Valerie Lazo met with Professor Hiroko Goto of Japan's Chiba University Law School. Professor Goto, who leads the school's juvenile law and gender law programs, met Girls Court's founding judge Karen Radius (ret.) in 2008 and took interest in the program. During her visit to Hawai'i this year, she sought further discussions to assist with initiating a similar specialty court for teenage girls in Japan.

The O'ahu Girls Court team will continue to provide support for ongoing efforts in Japan to address special needs of girls, specifically, needs which have not been served by the traditional system of justice.

In September, the Girls Court was invited to the meeting of National Park Superintendents of the Pacific Region, which included representatives from Samoa and Saipan, at the Pearl Harbor Memorial. Judge Radius and Lazo spoke about the court's successful partnership with the

Haleakalā National Park, including how and why that partnership was developed, and described how that collaboration continues to make positive impacts with the girls who have engaged in the experience. Several other National Park Superintendents expressed interest in creating similar opportunities for the Girls Court youth and families.

Also in September, Girls Court met with Sisters Inside ([sistersinside.com.au](http://sistersinside.com.au)) from Australia during their conference visit to Honolulu. Girls Court hosted a meet-and-greet collaboration for the visiting team at Hale Hilina'i. Sisters Inside founder Debbie Kilroy reached out with interest to partner with Girls Court. Established in 1992, Sisters Inside is an independent community organization based in Queensland, which advocates for the collective human rights of women and girls in prison, and their families, and provides services to address their individual needs.

\*All proceeds were donated to judiciary employees severely impacted by the Maui wildfires..



### Kōkua for MAUI HALE HILINA'I FOOD & CRAFT FAIR



## Kōkua for Maui

Seven Girls Court participants volunteered during their fall break to help with the First Circuit Family Court's Food & Craft Fair fundraiser for Maui, on October 12 at the Hale Hilina'i facility. All proceeds were donated to the Judiciary employees who were severely impacted by the Maui wildfires.

The girls contributed in a variety of ways by cooking rice, preparing beef luau bowls, learning to make a pretzel snack dish to sell, packing and pricing items, creating price list signs, assisting "customers" who attended the sale, and working the cashier station.

One of the girls set a goal of raising more than \$500, which the team achieved in spite of Hale Hilina'i being one of the Judiciary's smallest O'ahu facilities. Through this event, the girls took an active role in contributing to the island community, learned new skills, and spent quality time with the Girls Court staff.

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## Program Goals

- Continue to assess and refine Girls Court CSEC sub-group and J-Cohort (Juvenile Cohort) programming.
- Expand and develop new community resources and relationships that positively support the girls and their families.
- Enhance the Girls Court website to provide more resources to youth, families, and communities.
- Review and update intake screening forms to reflect more trauma informed, strength-based questions.

## Background

Girls Court is the Judiciary's innovative effort to address issues of female delinquency. The First Circuit (O'ahu) Family Court launched one of the nation's first Girls Court models in 2004 when the proportion of female juvenile arrests in Hawai'i had become significantly higher than the national average. The program has been a remarkable success.

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 girls and their families, return girls to school or appropriate educational programs, and introduce them 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. All three components combine to provide services and support that address the underlying issues such as physical and/or sexual abuse and strained family relations while holding participants accountable.

Family engagement is a key part of the program and opportunities to learn healthy communication skills and strengthen family connections are provided throughout the year.

Girls Court judges and staff regularly consult with members of the public, as well as people from other states who seek information on the successful practices of Hawai'i's Girls Court.

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Girls Court serves girls and families that are moderate- to high-risk, including commercially sexually exploited children (CSEC) who have been to court and placed on probation or supervision in the First Circuit. This has required the court to adjust its approach from group intervention to individualized intervention based on best practices for CSEC victims. All CSEC-confirmed youth serviced by Girls Court in 2023 have complex trauma histories.

These changes have required an increased intensity of the services provided, including working closely with public and private agencies to tailor existing resources to the needs of participants and their families, more intensive case management, and a “wrap-around” approach that is individualized for each participant.

The gender responsive services provided by Girls Court are based on research on what works with this population. Services must take into account how and why a girl is involved in the justice system and must utilize a trauma-informed approach. Developing the service plan (and modifying it during the case) and providing services in this manner takes a tremendous amount of time. Today’s probation officers also have to deal with programs ending suddenly and services being withdrawn from minors on short notice. Girls Court staff are actively involved in multidisciplinary teams and task forces designed to coordinate care for trafficking/CSEC victims. Girls Court probation officers spend a significant portion of their time engaging in this individualized, intense work.

### **Measuring Success**

Given the complexity of Girls Court cases, “success” cannot be measured or defined in terms of statistics. Best practices in juvenile justice require that an individualized approach be taken in the management of each girl’s case. Girls Court determines “success” by reviewing the individual goals set and achieved by each youth. The goals are set out in a case plan which is created based on the results of the Youth Assessment and Screening Instrument (YASI™) and with input from the minor, the minor’s family, and staff. Examples of such goals include reducing recidivism after admission into Girls Court, reducing runaway charges, completing academic obligations, living a sober lifestyle, creating healthier family relationships, engaging in pro-social activities, and making healthier life choices. The goals are achieved through various techniques tailored to the individual needs of each youth.

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## Addressing Chronic Absenteeism on Maui

### Kāko‘o Kula (School Support)

The Kāko‘o Kula (school support) Program (KKP) is a new initiative designed to provide support and guidance to students for whom chronic school non-attendance has been recognized as a concern, and may result in court action.

KKP is a collaboration of the Judiciary’s Second Circuit Juvenile Client & Family Services (JCFS) Branch and the State Department of Education’s (DOE) Baldwin Complex and Kekaulike Complex District Offices. It incorporates early intervention on and off campus, connecting the student and families with resources in the community to minimize barriers and other issues that may affect school attendance.

The program launched on October 16 at Iao Intermediate School, which was chosen as the test site due to the high rate of youth identified as being chronic or high-risk for absenteeism.

Within seven days of receiving a referral from the school, the JCFS staff meet with the student and parent(s) or legal guardian(s). Joining the KKP program is voluntary. After the student and legal guardian(s) are provided information about KKP, they have the opportunity to avoid formal court intervention by participating. If they agree, for the next 30 days, JCFS staff will meet with the student and their family weekly to promote improved school attendance. Thereafter, meetings take place every other week for 60 days.

With the support of the Friends of the Children’s Justice Center, the KKP can provide students and/or parents with various incentives and needs which may include alarm clocks, school supplies, back packs, sporting equipment, gas cards, snacks, uniforms, money for school lunches, personal hygiene products, bus passes etc., to help eliminate barriers and promote improved school attendance.

Both the Judiciary and DOE hope that the KKP will expand to other schools in the near future.

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## Juvenile Drug Court

### Program Update

The O'ahu Juvenile Drug Court (JDC) accepts both medium-risk, medium-needs clients and high-risk, high-needs clients, treating substance abuse problems combined with delinquent behaviors.

**Track I:** Clients are in administrative monitoring. The monitoring is less intensive and diversion to other community programs is endorsed.

**Track II:** Clients are adjudicated for non-violent offenses, including petty misdemeanors, misdemeanors, and felonies. Court hearings are frequent, ranging from once a week to once a month. Juveniles receive intensive probation, case management, and treatment services. This also includes weekly and random alcohol and drug testing. Assessments are conducted periodically and reported to the presiding judge on a weekly basis during the client's court hearings. The program further provides intensive substance abuse counseling, pro-social activities, and mentoring. As clients progress, monitoring becomes less intensive.

**Track III:** To expand access to JDC services, the program has implemented a Track III for violent felony offenders (sex offenders are excluded). These clients have frequent court hearings, intensive case management, weekly alcohol and drug testing, drug assessments and treatment services, family therapy, individual mentoring, and incentive programs. They receive anger management therapy services such as Aggression Replacement Training (ART) – a cognitive behavioral intervention program to help children and adolescents improve social skill competence and moral reasoning, better manage anger, and reduce aggressive behavior. Other specialized treatment services include anger management group, and/or multi-systemic therapy. They are excluded from group activities and pro-social activities until they are reassessed and evaluated for lesser substance abuse care.

Clients graduate from the JDC program with positive energy, better self-esteem, and a sense of accomplishment.

### Juvenile Drug Court Strategy

JDC's treatment program provides six to 24 months of intensive judicial supervision and an array of support services and intensive monitoring, which are intended to address the underlying problems contributing to the juvenile's involvement in the court system. The program helps the participants achieve sustained sobriety and become safe, productive members of our community.

Treatment ranges from counseling with an individual substance abuse counselor to residential treatment programs. Compliance primarily consists of regular and frequent, unannounced drug testing. JDC also emphasizes family engagement as a vital component of the treatment process.

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Participants are held accountable for compliance with court orders and JDC employs a system of graduated sanctions for non-compliance. Requirements include:

- Taking frequent drug tests
- Calling the JDC “hotline” between 4 and 6 a.m. daily to check for orders to report for a random drug test
- Appearing at frequent court hearings – at least weekly during the initial phase of the program
- Participation with substance abuse counseling
- Participation with needed services to support the recovery process that includes family engagement, community involvement, and mental health treatment
- Complying with curfews or home detention
- Regularly attending school
- Obtaining employment, when possible
- Participating in numerous community service projects
- Participating in pro-social activities.

JDC recognizes achievement and progress, and rewards good behavior and compliance almost immediately. It uses a formalized system of incentives for compliance with core program requirements.

### **Program Achievements**

In an analysis of youth admitted to the JDC who graduated, the most recent statistics show a recidivism rate of approximately 17%, meaning that approximately 83% of all JDC graduates post no new convictions up to three years following completion of the program. This compares favorably to the recidivism rate for youth who were not admitted to the JDC.

Youth who were admitted but were terminated from JDC (i.e., failed to complete the program requirements, absconded, aged-out, committed new felony offenses) had a recidivism rate of approximately 41% (a 59% success rate) within three years. This shows that the criminogenic factor decreased because skills and knowledge were gained while in the program.

Although terminated from the program, their recidivism rate compares favorably to a random sample of 100 youth who were referred to the JDC and declined to be in the program (minor not interested), absconded before entering the program, referral to be in the program withdrawn, or did not meet the eligibility criteria. This group had a recidivism rate of 62% within the three years of their referral to the JDC - a success rate of only 38%.

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## *Juvenile Drug Court (cont.)*

Since the program's inception in 2001:

- 159 JDC clients have graduated
- 27 committed new offenses after graduating from the program within three years (17 percent recidivism)
- Currently, there are 25 active JDC clients (with 4 pending referrals in the screening process with the possibility of being admitted)

These statistics do not capture the more subjective measures of success, which are assessed on an individual basis. There are many young men and women who are leading productive, drug and crime-free lives because they participated in JDC. Some have gone on to community colleges and/or local and mainland universities and colleges. Other youth become productive members of the workforce.

### **Recent Developments**

In an effort to address the critical problem of low participation and engagement by Native Hawaiian and Pacific Islander (NHPI) parent(s) and legal guardian(s) whose children are placed on probation with the JDC, the court applied for and was awarded a Justice Assistance Grant (JAG) through the Hawai'i Attorney General's Office in 2021 to initiate Parental Engagement Empowerment Resource (PEER) groups.

According to the National Council on Crime and Delinquency, *"It is inefficient and ineffective to focus services on a system-involved youth who later will be sent home to a family that is not functioning well and/or does not offer the youth needed support to reconnect with the community."* (National Council on Crime & Delinquency et al., 2014)

JDC's PEER initiative received its first families in May 2022. This year, the JDC team continued to develop the use of PEER groups. For 10 weeks, the six participating families were educated in their native language, with an opportunity to have a translator in the group. They participated in activities and discussions that included the Honolulu Police Department, the City and County of Honolulu Department of the Prosecuting Attorney, the State Office of the Public Defender, and the State Department of Education.

To promote better understanding of the JDC program in the community, in 2022, team members partnered with the Pacific Gateway Center to translate the JDC handbook to six different languages (Hawaiian, Samoan, Chuukese, Marshallese, Tagalog, and Laotian). The JDC Handbook is now provided to each participating family in their native language.

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An additional component of the project included partnering with a “Navigator” who helped the families find community resources, “navigate” through the specifics of court orders, and serve as liaison with the JDC probation officer and the courts. Navigators also supported and guided the group members, helping to adjust the group dynamics to facilitate the conduct necessary for the group activities, including the “do’s and don’ts” of the present culture and adjustment to appropriate behaviors when dealing with prosecuting attorneys, public defenders, the police, court probation officers, and other service providers that assist with the minor and/or the family’s concerns.

It is essential to provide NHPI parent(s)/legal guardian(s) with the necessary tools to develop strong parenting skills to more effectively support their child’s development and recovery. One study noted that, *“If juvenile offenders return to an unchanged problematic environment, it is unlikely that any positive change will be sustained.”*<sup>1</sup>

Going forward, the JDC will continue to foster an environment that supports NHPI parent(s)/legal guardian(s) and maximizes their empowerment through the use of PEER Groups. The JDC wants NHPI families to experience a sense of familiarity and understand that they are not alone. These groups will provide NHPI families with the opportunity to share their hesitations, frustrations, and/or doubts about their youth’s involvement in the justice system. Our goal is to break down the social and cultural barriers to build confidence and resilience for NHPI families and their youth involved in the Hawai’i JDC Program.

The JDC has also continued to utilize outpatient adolescent substance abuse services with Hina Mauka and CARE Hawaii, and continues to work alongside the Coalition for a Drug Free Hawaii to provide family therapy services.

## **Background**

The O’ahu Juvenile Drug Court (JDC) was established in 2001 where it has operated within the Family Court of the First Circuit. It strives to enhance the effectiveness of Hawai’i’s juvenile justice system and its substance abuse service delivery and treatment through early and consistent intervention, and by diverting individuals struggling with addiction from further involvement with the juvenile and/or criminal justice system.

<sup>1</sup> Mulder, E., Brand, E., Bullens, R., & Van Marle, H. (2010). *A classification of risk factors in serious juvenile offenders and the relation between patterns of risk factors and recidivism. Criminal Behavior and Mental Health, 20, 23 – 38.* From (1) (PDF) *A classification of risk factors in serious juvenile offenders and the relation between patterns of risk factors and recidivism* | Hjalmar van Marle - [Academia.edu](https://www.academia.edu/11310555/A_classification_of_risk_factors_in_serious_juvenile_offenders_and_the_relation_between_patterns_of_risk_factors_and_recidivism): [https://www.academia.edu/11310555/A\\_classification\\_of\\_risk\\_factors\\_in\\_serious\\_juvenile\\_offenders\\_and\\_the\\_relation\\_between\\_patterns\\_of\\_risk\\_factors\\_and\\_recidivism](https://www.academia.edu/11310555/A_classification_of_risk_factors_in_serious_juvenile_offenders_and_the_relation_between_patterns_of_risk_factors_and_recidivism)

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## *Juvenile Drug Court (cont.)*

The JDC also works toward ensuring public safety and to protect minors and/or their family members from further trauma. Most, if not all JDC clients have experienced some form of trauma and issues related to trauma, including sex abuse, commercial sexual exploitation, physical, psychological, and emotional abuse. These adverse childhood experiences are strongly linked to deviant behavior and/or substance abuse. At times, close family members experience the same trauma the client has experienced, consequently affecting the familial relationships and connections.

Eligible youth must have an ongoing pattern of alcohol or substance abuse. Typical substances abused include marijuana, crystal methamphetamine (“ice”), cocaine, heroin, prescription drugs, and alcohol. As of 2023, the JDC has not seen use of fentanyl in the juvenile population, but this drug is becoming increasingly available around the nation, including Hawai‘i. JDC staff are monitoring the trends with fentanyl and studying its dangers, effects, and toxicity. Continued training will help enhance the JDC staff’s knowledge of this very powerful and addictive drug.



*The plaza of Ka'ahumanu Hale, the Circuit Court courthouse on O'ahu.*

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## Children’s Justice Program / Hawai‘i Children’s Justice Centers

### Program Update

The Children’s Justice Centers (CJCs) of Hawai‘i operate facilities where children who may be victims of abuse or witnesses to a crime, are forensically interviewed by trained professionals and staff in a neutral, child-friendly, and safe setting.

Each CJC coordinates a multidisciplinary team (MDT) of professionals to respond to the investigations and legal processes for children who are alleged victims of and witnesses to crime. They provide for the special needs of these children, preventing unnecessary trauma and ensuring justice.

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

- O‘ahu
- East Hawai‘i island
- West Hawai‘i island
- Maui
- Kaua‘i
- Satellite interview sites at Kapolei on O‘ahu, and on Lāna‘i and Moloka‘i.

During the 2022 State Legislative Session, the Children’s Justice Program statute was amended. Act 17, Session Laws of Hawai‘i 2022,<sup>1</sup> updated Hawai‘i Revised Statutes (HRS) Chapter 588, which covered child sex abuse and serious physical child abuse only, to include the investigation and management of cases involving suspected or confirmed child sex trafficking, commercial sexual exploitation of children, other child maltreatment, and child witnesses to crime or violence.

### **CJC Friends (Public/Private Partnership)**

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

### **Training and Continuing Education**

The program continues to coordinate/collaborate on training for hundreds of professionals that include virtual platforms. Trainings cover dynamics of child sexual abuse; forensic interviewing of children and enhancing resiliency for professionals who are involved in child abuse cases.

### **Background**

The Hawai‘i Children’s Justice Program is an accredited member of the National Children’s Alliance (NCA) which is comprised of more than 950 Children’s Advocacy/Justice Centers nationwide.

<sup>1</sup> *Senate Bill 2114, 2022 Legislative Session*

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## *Children’s Justice Program / Hawai’i Children’s Justice Centers (cont.)*

It was established in 1986 and placed under the Judiciary by the Hawai’i State Legislature (Hawai’i Revised Statutes (HRS) Chapter 588). In 1988, the Children’s Justice Center (CJC) of O’ahu opened its doors. Other centers were established across the state thereafter.

### **Partner Agencies**

The Children’s Justice Centers work in collaboration with numerous organizations, including:

- State of Hawai’i Department of Human Services – Child Welfare Services
- State of Hawai’i Department of the Attorney General
- United States Attorney’s Office
- County police departments
- The Armed Forces
- The Federal Bureau of Investigation (FBI)
- Homeland Security Investigations (HSI)
- County offices of the prosecuting attorneys
- The courts
- Victim witness assistance programs
- Victim advocacy & crisis counseling programs
- Medical services
- Mental health/clinical services
- Community volunteers



*Entryway to the West Hawai’i Children’s Justice Center.*

## Hawai'i Children's Justice Centers Statistics

Children's Justice Centers (CJC)	Total Number of Children Tracked for Fiscal Year 2022–2023	Total Number of Child Interviews for Fiscal Year 2022–2023
CJC O'ahu	939	479
CJC East Hawai'i	391	149
CJC West Hawai'i	239	70
CJC Maui	145	114
CJC Kaua'i	159	68
<b>Total</b>	<b>1,873</b>	<b>880</b>

- In Hawai'i, more than 50% of reported victims of crime are under 18 years of age.
- Research shows that one in four girls and one in six boys may be sexually assaulted by the time they are 18.
- On average, the Children's Justice Centers provide services to more than 1,000 children per year.

These statistics are not a true reflection of the magnitude of the problem because child abuse is often not reported. Some studies conclude that only 10% of children "tell," especially related to sexual abuse.

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## Rep. Linda Ichiyama Wins National Advocacy Award



*Rep. Linda Ichiyama, left, accepts the Bud Cramer Advocacy Award from Teresa Huizar, chief executive officer of the National Children's Alliance (NCA), at the NCA Recognition Awards 2023 Leadership Conference, June 5.*

Hawai'i State Rep. Linda Ichiyama (Fort Shafter Flats-Salt Lake-Pearl Harbor) was in Washington, D.C., on June 5, 2023, to receive the Bud Cramer Advocacy Award from the National Children's Alliance (NCA). Directors from the Hawai'i Children's Justice Centers were in attendance.

Jasmine Mau-Mukai, statewide director of the Hawai'i Children's Justice Centers, nominated Rep. Ichiyama for her demonstrated commitment and dedication to children through her extraordinary promotion of the children's advocacy center model.

The award is named for Congressman Bud Cramer, the former Alabama District Attorney who advocated for children to have safety from harm, and minimize trauma, with access to justice.

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# Stewardship in our Communities

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*The Hawai'i State Judiciary provides services that promote justice for members of our community who have extraordinary challenges.*

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## Community Outreach Court

The Community Outreach Court (COC) is a mobile court that seeks to assist residentially-challenged individuals (e.g., houseless, sheltered, pending eviction, one pay check from being houseless), who may also be experiencing challenges with mental health, alcohol or substance use disorders, and/or physical health concerns. The program is voluntary and available to non-violent offenders only.

Participants are often charged with minor criminal quality-of-life related offenses (e.g., park use) and traffic violations. With unresolved court cases and outstanding bench warrants, these individuals may be unable to obtain jobs or renew driver's licenses – factors that, in turn, can lead to homelessness.

The mobile court brings the courtroom (judge, bailiffs, court clerks, and social workers), attorneys, and treatment providers out into the community, to meet participants in non-traditional settings. This approach helps the court overcome obstacles that prevent legal matters from being resolved, including transportation challenges faced by defendants who must travel long distances to appear for hearings, defendants' feelings of intimidation in formal court settings, and lack of understanding of the legal process that may deter people from coming to court.

To reduce crime and recidivism, the COC combines accountability with access to services. Participants are sentenced to perform community service work in lieu of jail or fines and fees, and are offered immediate connection with community-based social service providers. These providers are invited to attend all COC hearings where they can meet with participants in private and help them obtain basic necessities (e.g., food and shelter), medical care, treatment, counseling, and other support. This aspect of COC is especially beneficial for those who may have difficulty seeking assistance for such issues.

Individuals who wish to work toward resolving their cases may apply through the State Office of the Public Defender to participate in COC. Applicants must undergo a background check and thorough evaluation by both the offices of the state public defender and the county prosecuting attorney.

The COC conducts hearings on cases for which the public defender and prosecuting attorney have negotiated plea agreements for the disposition of a defendant's outstanding charges and bench warrants. Proposed disposition of cases may include community service, driver education, or other court-ordered conditions.

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## *Community Outreach Court (cont.)*

### **O'ahu Mobile Court Update**

District Court Judge Thomas Haia has worked with the O'ahu Community Outreach Court (OCOC) since 2022 to expand the program's outreach and increase the number of locations for holding court. COC now convenes once a month in three locations: in Kāne'ohe at Lili'uokalani Trust - Kīpuka Ko'olau Poko, in Honolulu at the Hawai'i Health and Harm Reduction Center, and in Wai'anae at the Wai'anae Public Library.

To ensure that every participant's specific needs are addressed, Judge Haia meets with each one privately before court is convened. He then manages the hearings to confirm that individual needs are attended to, and encourages each participant to make healthy lifestyle changes.

OCOC welcomed District Court Judge Shellie K. Park-Hoapili to the team in August 2023. Judge Park-Hoapili presided over her first OCOC hearing at the Wai'anae Public Library on September 1, when four people were admitted to the program and two participants graduated. Judge Park-Hoapili brings a wealth of knowledge and experience dealing with complex legal issues. She is known for her fairness and integrity within the legal community. Judges Haia and Park-Hoapili alternate their OCOC coverage from month to month.

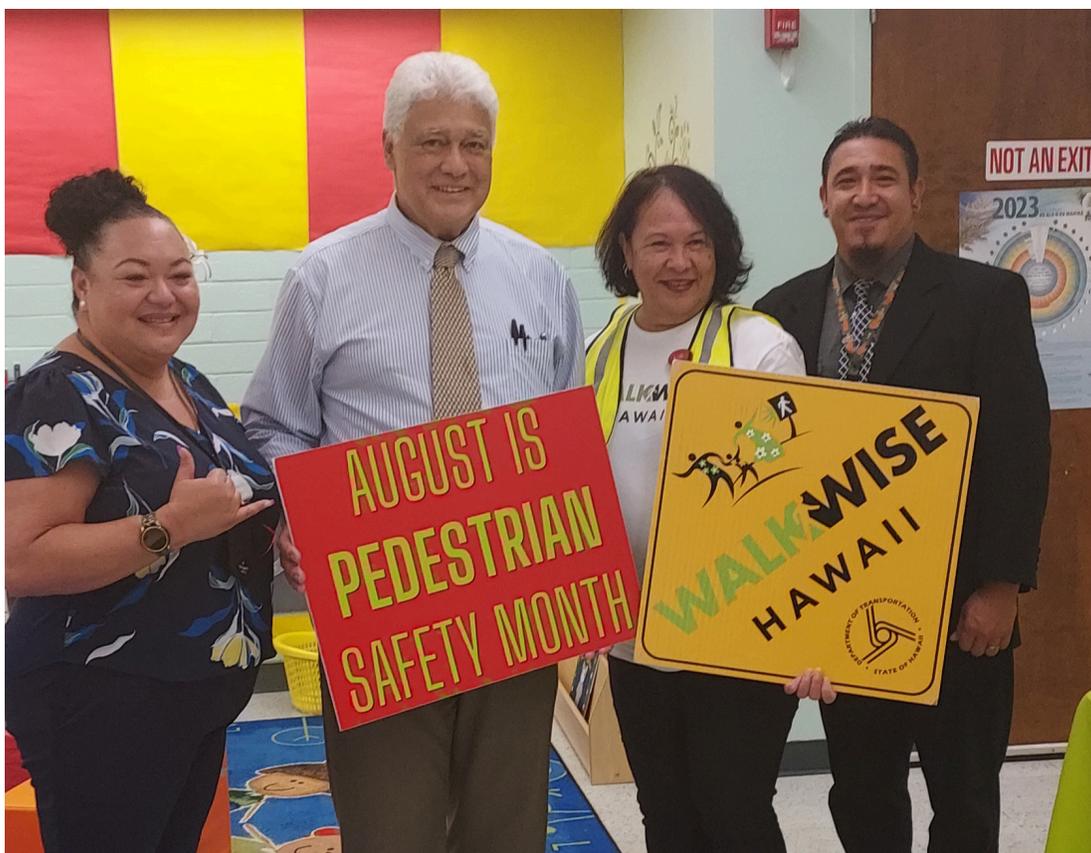


*Judge Shellie Park-Hoapili speaks with Community Outreach Court Participants at the Hawai'i Health and Harm Reduction Center in Kaka'ako on October 20, 2023.*

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## ***Program Developments***

Court staff have discovered that a number of OCOC participants have physical limitations preventing them from doing traditional community service work. In response, an alternative community service program was created. Spearheaded by the Judiciary's Adult/Juvenile Community Service and Restitution Unit (A/JCSRU) in collaboration with the Honolulu District Court's Driver Education Unit (DEU), the Learning Empowerment Action Program (LEAP) provides a series of classes that cover relevant topics such as resume building and employment applications, lifestyle, financial literacy and budgeting, basic computer skills, assistance with applying for Supplemental Nutrition Assistance Program (SNAP) benefits, self-care and stress management, driver/pedestrian education, and assistance with reviewing the driving permit manual and test questions. Classes are offered to participants at their respective OCOC site, and time spent in the classes goes toward their court-ordered community service hours.



*From left, Assistant Driver Education Administrator Punahale Pires, Judge Thomas A.K. Haia, Walk Wise Hawai'i representative Angie Ishihara, and Community Outreach Court Supervisor Kawika Miranda, at Community Outreach Court in Wai'anae, August 4, 2023.*

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## *Community Outreach Court (cont.)*

### **Community Engagement**

To increase the island-wide benefit of the OCOC by providing services to as many qualified individuals as possible, in 2023, the staff worked to raise awareness of the program and participating social service organizations.

Community outreach events were held at the Pūnāwai Rest Stop in Chinatown, Waimānalo District Park in Waimānalo, St. Augustine Church in Wahiāwa, The Institute for Human Services - Hale Mauiola Shelter at Sand Island, and the River of Life Mission hub at Sunset Beach Christian Church on O'ahu's North Shore.

In 2024, OCOC will work to expand the program's reach by alternating between a Kaka'ako site and one in Waikiki. The court also anticipates making OCOC more accessible to participants on O'ahu's North Shore and the central O'ahu area by opening a Wahiawā site to alternate with Kāne'ōhe. The Wai'anae location will also be maintained.

Other areas of continuing development include finding ways to collaborate with the Department of the Prosecuting Attorney on screenings, or procuring additional resources, including staff, to streamline the time-consuming screening process. Staffing shortages have slowed new OCOC admissions during the past year. The prosecutor's office is working to hire more staff, which will help with eligibility screening.

The OCOC is also investigating ways to "clear" cases, perhaps returning them to the originating court, and re-establish communication when contact with an OCOC participant is lost.

Security is indispensable for the safety of the participants, court staff, and attorneys. Court cannot take place without the presence of deputy sheriffs, police officers, and security officers. The OCOC needs program funding to sustain security.

Logistics, including the availability of appropriate meeting sites, is a continuing challenge. Being able to meet program participants in the communities where they reside is essential to the success of OCOC .

### **Statistics**

Data provided by the Honolulu Prosecutor's Office and State Office of the Public Defender shows that from January 2017 to October 2023:

- 562 individuals graduated/completed the program
- 9,061 cases were cleared and are no longer active
- 6,349 community service work hours were completed by program participants
- 828 bench warrants were recalled.

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***O‘ahu Community Outreach Court’s partner organizations include, but are not limited to:***

- O‘ahu-wide: Hawai‘i State Judiciary Driver Education Unit, City and County of Honolulu’s Crisis Outreach Response and Engagement Program (C.O.R.E.), Hawai‘i CARES/Crisis Line (also known as the statewide access line), Affordable Housing and Homeless Alliance, Aloha United Way, Child and Family Services, the State Department of Transportation’s Walk Wise Hawai‘i, Gregory House, Hale Kipa, Housing Solutions, The Institute for Human Services, The Kuewa Project, Inc., Legal Aid Society of Hawai‘i, Partners in Development, United States Department of Veterans Affairs’ Healthcare for Homeless Veterans (HCHV) Program, Partners In Care, American Job Center, Helping Hands Hawai‘i, Hawai‘i Food Bank.*
- Honolulu: Angel Network Charities, Kalihi-Palama Health Care for the Homeless Project, Safe Haven (Mental Health Kokua), Pūnāwai Rest Stop (Mental Health Kokua), Salvation Army Family Services, Waikiki Health Center, Hawai‘i Health & Harm Reduction Center (former Community Health Outreach Work (C.H.O.W.) to Prevent AIDS Project), Partners in Development, River of Life Mission, St. Augustine by the Sea Church.*
- Wai‘anae: Wai‘anae Public Library, Maili Land, ‘Ohana Ola O Kahumana, Volunteer Legal Services of Hawai‘i, Catholic Charities Hawai‘i, Kealahou West O‘ahu, Power House Church – Wai‘anae.*
- Wahiawā: Achieve Zero (formerly known as ALEA Bridge)*
- Windward: Lili‘uokalani Trust Kīpuka Ko‘olau Poko in Kāne‘ohe and Waimānalo, Weinberg Village Waimānalo, Windward Community College, Po‘ailani, Waimānalo Health Center.*
- The State Department of Health’s Alcohol and Drug Abuse Division provides OCOC participants with bus passes to attend court, complete community service, or seek employment.*

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## *Community Outreach Court (cont.)*

### **Maui Community Outreach Court**

The Second Circuit District Court, in partnership with the State Office of the Public Defender, Maui County Prosecutors Office, and Maui County Police Department, launched the Maui Community Outreach Court (MCOC) on August 26, 2022 at the Kihei Public Library. Deputy Chief Judge Blaine J. Kobayashi presided over the hearing with the court's first participant.

The MCOC concept, modeled after the First Circuit (O'ahu) Community Outreach Court, gives participants a chance to get their lives back on track, without the financial and legal burdens of unpaid citations. Participants do community service in lieu of paying fines and fees, and, if successful in the program, may then work towards acquiring a driver's license and stable employment.

In March 2023, MCOC was relocated to the Hoapili Hale courthouse in Wailuku to service participants more effectively. Hearings were convened on the third Friday of every month.

The public defender and county prosecutor continued working together to carefully screen potential participants for the program. MCOC currently focuses on assisting individuals who have committed non-violent quality of life offenses.

A staffing session for MCOC took place on the Wednesday before scheduled hearings. These sessions provided opportunities for the judge and attorneys to review each case and ensure any issues were addressed ahead of the actual court hearing. Court staff also provided updates on cases and made adjustments to the court calendar as necessary.

The number of participants is growing as the program continues to develop. As of September, the program had 14 participants.

### ***Statistics***

- 22 program participants
- 72 community service work hours completed by program participants
- 17 individuals graduated/completed the program
- 322 cases for 16 persons were cleared and are no longer active
- 266 driver's license stoppers were lifted.

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## Office of the Public Guardian

### *Mission Statement*

***“Our mission is to serve as public guardians for incapacitated persons. We are court-appointed professionals who strive to make informed decisions in the best interests of the persons we serve by carrying out all responsibilities with competence and efficiency, respect and compassion, humility and integrity. In so doing, we safeguard the rights, dignity, humanity, and quality of life for each protected person entrusted to our care.”***

The Office of the Public Guardian (OPG) is appointed by the court as a last resort for an incapacitated adult (over the age of 18) when there are no friends or family members willing to serve as their guardian, or when family members are not appropriate candidates. Public Guardians fulfill the legal status of guardianships by making informed decisions in the best interest of each ward. In so doing, they safeguard the rights, dignity, humanity, and quality of life for each protected person entrusted to their care. OPG researches each individual’s unique circumstances, including their backgrounds and history, diagnoses and medical conditions, mental health status, disabilities, injuries, financial status, lack of housing, citizenship, military benefits, insurance coverage, familial ties, and end-of-life situations. This provides critical information required for OPG staff to properly make decisions on the ward’s behalf.

Experts are occasionally retained to handle matters such as ownership of properties, business dealings, trusts, civil and criminal matters, and inheritances. Obtaining personal information is necessary for OPG to make informed decisions about a person’s health care and overall welfare. The issues in question are often interconnected with other aspects of a person’s life situation, so careful consideration is needed when making decisions, large and small.

An important aspect of OPG’s work involves setting up needed services for wards to ensure long-term stability and a continuum of care for their quality of life. OPG is like a hub on a wheel where the hub represents the center of a person’s life and the spokes are the providers of services such as social security, other income sources, banks, placement options, insurances, medical services, caregivers, and case management agencies.

The most common types of diagnoses identified in wards of the OPG are developmental disabilities, mental illnesses, elderly/memory loss, dementias, medical issues and traumatic brain injuries (TBI). Because the correct diagnoses are not always apparent or available to the guardian, finding appropriate care may be challenging.

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## *Office of the Public Guardian (cont.)*

### 2023 Highlights

The O'ahu guardians travelled to Maui and Kaua'i counties to visit OPG wards and found that most of their needs were being met, and that the information from the providers was comprehensive and accurate.

In one instance, a ward living in a nursing facility seemed content spending most of his day sitting in a wheelchair observing the daily operations, participating in group activities, or lying in bed. During our meeting, he mentioned, "I like go holo-holo," meaning he wanted to go on outings. The OPG guardian assessed his finances, diet, medical health, and other capabilities, and then arranged several outings for him at various visitor attractions in Lahaina, Kula, and the mall. OPG then hired a professional medical escort to take him "holo-holo" and this experience uplifted his overall emotional health.

OPG is grateful to the Hawai'i State Legislature for reinstating its budget this year. Funding for three positions was also reinstated and OPG is actively recruiting to fill the vacancies.

OPG conducted in-service trainings for state departments, the courts, and other agencies. Attendees were given an overview of public guardianships, along with the duties and some of the challenges of properly serving as a guardian. By sharing the complexities of caring for OPG wards, participants gained understanding about the ways that many systems must work together to create solutions as challenges arise. OPG staff fostered stronger working relationships through these meetings to better serve the public.

The current client-to-guardian ratio in Hawai'i is approximately 110-120 clients to one guardian. The National Guardianship Association recommends a ratio of 30-40 clients per guardian. In 2023, OPG received approximately 70 new guardianship petitions and 68 clients passed away. Handling the end-of-life situations was complex, and involved funeral planning, working with medical personnel and hospice, insurance companies, and attaining death certificates and account closures. The OPG office on O'ahu carries the majority of guardianship cases throughout the state, with six guardianship specialists overseeing nearly 600 incapacitated persons. The Hawai'i island guardian is covering the Kaua'i cases until that public guardian position is filled.

### **Goals for 2024**

OPG's focus in 2024 is to review and improve systems, and continue educating the public about guardianships and the important role the OPG fulfills in our community.

## Addressing Period Poverty

The Judiciary is committed to providing equitable access to public facilities by reducing barriers faced by individuals. One such barrier is period poverty, or lack of access to safe and hygienic menstrual products.

“We are in the process of installing menstrual product dispensers in the first-floor women’s restrooms of all courthouses,” said Angela Min, Chief Innovations Officer of the Hawai’i State Judiciary. “Ali’iōlani Hale on O’ahu was first, followed by Pu’uhonua Kaulike on Kaua’i, and Hoapili Hale and Lahaina District Courthouse on Maui. By the end of 2023, the Third Circuit (Hawai’i island) courthouses will also be equipped with the dispensers.

“We want to say a special mahalo to the non-profit Ma’i Movement, and its co-founder Nikki-Ann Yee who greatly assisted the Judiciary in launching this movement in our courthouses,” Min added.



*Angela Min, left, with Ma’i Movement Kaua’i representative Sarah Kern, delivering a dispenser to Pu’uhonua Kaulike Courthouse. Kern is a teacher at Chiefess Kamakahelei Middle School.*



*On May 23, 2023, Hawai’i State Judiciary Chief Innovations Officer Angela Min, Lt. Gov. Sylvia Luke, Rep. Rachele Lamosao, Rep. Jenna Takenouchi, and Rep. Linda Ichiyama were among the many members of the Hawai’i State Legislature and their staff who hosted a “Period Party” to kick off a statewide campaign for access to free menstrual products in public places, including state courthouses.*

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# Office of Disciplinary Counsel

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*To protect the public and preserve the integrity of the judicial process and legal profession, the Hawai'i Supreme Court requires all lawyers licensed or otherwise admitted to practice law in Hawai'i to comply with the Hawai'i Rules of Professional Conduct. The Office of Disciplinary Counsel investigates and prosecutes ethical misconduct claims against attorneys.*

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Attorney regulation in Hawai'i is within the exclusive control of the Hawai'i Supreme Court.<sup>1</sup> Attorneys licensed in any of the United States or its territories, who are licensed or admitted in Hawai'i, or who render or offer to render legal services in Hawai'i, are subject to the court's disciplinary authority. In 1975, the Court established the Disciplinary Board and its Office of Disciplinary Counsel (ODC).<sup>2</sup> These quasi-judicial agencies function as the court's special masters. The entire disciplinary system is funded by attorney registration fees and not by the taxpayer.

The Disciplinary Board consists of 18 volunteer members who serve staggered three-year terms (initial appointments may be for less than three years). One third of the Board's members are non-lawyers.

The Board exercises general control over the disciplinary process by hiring an attorney to serve as chief disciplinary counsel for ODC, publishing ethics opinions, developing operating budgets, and receiving monies collected by the Hawaii State Bar Association to fund the disciplinary system, along with other functions necessary to aid the court in the attorney discipline system.

The ODC works under the Disciplinary Board and is tasked with investigating any allegations of lawyer misconduct within its jurisdiction. In July 2022, the ODC's jurisdiction was significantly expanded to include any lawyer admitted to practice law in any U.S. state or territory, who renders or offers to render services in Hawai'i. This change was necessitated by a significant increase in legal services being offered to Hawai'i residents via the internet and telecommuting technologies.

ODC receives, investigates and processes hundreds of complaints each year. To meet the changing environment, ODC has restructured its operations, reducing its physical office space requirements in favor of telecommuting and paperless operations. Realized rent and elimination of off-site

<sup>1</sup> *Hawai'i State Constitution Article 6, Section 7; Hawai'i Revised Statutes §605-1 and -2*

<sup>2</sup> *Rules of the Supreme Court of the State of Hawai'i, Rule 2.4 et seq.; In re Disciplinary Board, 91 Haw. 363, 368-369 (1999)*

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storage costs have enabled ODC to invest in more people to investigate cases and provide mission-focused services. ODC is now closing cases faster than they come in, resulting in a significant reduction in case backlog – which in turn benefits the public and the courts as the system is more responsive.

The ODC currently employs four full-time and six part-time attorneys, two full time non-attorney investigators (one of which is a supervised law student intern authorized to engage in a limited practice of law), and four full time administrative staff members. The ODC each year processes hundreds of complaints lodged against lawyers, and every complaint needs to be investigated to determine whether remedial action or formal prosecution is necessary.

At the same time, ODC has been implementing procedures to redirect disciplinary actions away from a reactive model (post-misconduct activity), toward a proactive model (prevention). Working with the court and the Disciplinary Board, ODC has facilitated test cases of disciplinary probation, rehabilitation and educational outreach. ODC also staffs ethics hotlines (both telephone and web portal submissions), fields calls from the public, and provides original training programs to improve lawyer adherence to professional standards.

In the wake of the tragic August wildfires in Lahaina and upcountry Maui, the ODC reacted promptly to the reported deluge of lawyers without Hawai'i licenses that descended upon the disaster area. On August 14, 2023, the ODC issued a news release warning the public to beware of fraudulent legal practices and unlicensed attorneys, and also provided information on how victims could easily verify the licensing status of any practitioner offering services. On September 1, ODC participated in a teleconference with the Maui County Bar Association to provide ethics guidance to Maui lawyers who were assisting victims and navigating the crises.

ODC staff were also interviewed for numerous media events, and were the subject of several news stories, including articles by Honolulu Civil Beat, the Wall Street Journal, the Denver Gazette, and Bloomberg Press. To further enhance public understanding of the crises, ODC participated in Hawai'i Public Radio and Hawaii News Now (television) programs. ODC was also featured on the internet talk show Law Across the Sea for its August 23, 2023, episode, "*Maui Wildfires Attract Sharks*,"<sup>3</sup> sponsored by the non-profit ThinkTech Hawaii.

<sup>3</sup> "*Maui Wildfires Attract Sharks*," *Law Across The Sea on ThinkTech Hawaii*, Aug 23, 2023 <https://www.youtube.com/watch?v=bQOZA7LeTK0>

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*Office of Disciplinary Counsel (cont.)*



*Hawai'i Chief Disciplinary Counsel Bradley R. Tamm appeared on non-profit ThinkTech Hawaii's internet talk show Law Across the Sea, August 23, 2023, for the episode titled "Maui Wildfires Attract Sharks."*

In connection with the Lahaina tragedy, the ODC is currently investigating dozens of alleged unlicensed practice of law advertising rule violations. The ODC is pursuing 21 individual non-Hawai'i lawyers for alleged misconduct and expects that number will increase in the months to come. Actual criminal conduct is outside the ODC's jurisdiction and is referred to the State Attorney General's Office for possible prosecution. However, ODC may prosecute the unauthorized practice of law (UPL), which, under the Hawai'i Rules of Professional Conduct (HRPC), violates both HRPC Rule 5.5 (Unauthorized Practice of Law) and Rule 8.4(b) (commission of criminal act).

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# Language Assistance Services

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*Many people who come before the court or who receive Judiciary services need language assistance to meaningfully participate because of limited English proficiency or speech or hearing impairments. The Hawai'i State Judiciary is committed to providing access to court processes and services through language support and assistance.*

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## Office on Equality and Access to the Courts

According to U.S. census data, one in four Hawai'i residents speaks a language other than English at home, and one in eight is considered limited-English proficient (LEP). This underscores the importance of the Judiciary providing language services for court users each year.

The Judiciary's Office on Equality and Access to the Courts (OEAC) has improved and increased the services available to Hawai'i's growing LEP population by:

- Providing interpreting services for LEP clients in as many as 50 different languages
- Translating court forms and information from English into as many as 14 of the languages most frequently encountered in Hawai'i state courts
- Conducting statewide mandatory staff training on language access services for all Judiciary staff.

In 2021, Hawai'i was ranked seventh in the nation for support it provides people with limited-English proficiency, and first for its support for people with disabilities.<sup>1</sup>

Court interpreters are provided, free of charge, for everyone with a substantial interest in every type of court case, including defendants, parties, and witnesses. Interpreters help ensure that LEP persons can meaningfully participate in their court case.

The Judiciary pays the costs of sign language interpretation or computer assisted real-time transcription for persons who are deaf or who have a speech or hearing impairment, in accordance with the Americans with Disabilities Act (ADA) and the ADA Amendments Act of 2008 (ADAAA).

Language services are provided at all points of contact with the public, including in-person and telephone encounters.

The OEAC develops, implements, and administers statewide programs and policies relating to access to the courts for linguistic minorities. The office also recruits, registers, educates, and tests interpreters.

<sup>1</sup> *Justice Index 2021 Findings, from the National Center for Access to Justice*

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## Language Assistance Services (cont.)

### Language Interpreting in the Courts

Language interpreters play an essential role in the administration of justice. The Hawai'i state courts use interpreters when a party or witness in a court case has limited English proficiency and is unable to read, write, speak, or understand English sufficiently to meaningfully participate in court proceedings. Interpreters support them in obtaining equal access to justice and help court proceedings run efficiently and effectively.

The Judiciary annually provides interpreters for approximately 9,000 court proceedings and continues to expand its pool of qualified, freelance interpreters in a multitude of high-demand languages.

#### Hawai'i State Judiciary High-Demand Interpreted Languages Fiscal Year 2022-2023

- |                |               |
|----------------|---------------|
| 1. Chuukese    | 9. Japanese   |
| 2. Ilokano     | 10. Samoan    |
| 3. Marshallese | 11. Pohnpeian |
| 4. Spanish     | 12. Tongan    |
| 5. Korean      | 13. Cantonese |
| 6. Tagalog     | 14. Russian   |
| 7. Mandarin    | 15. Kosraean  |
| 8. Vietnamese  |               |

### The Judiciary's Court Interpreter Certification Program

The Court Interpreter Certification Program promotes and ensures equal access for limited-English proficient persons by providing the most qualified interpreters available, at no charge, for court proceedings. The program also strives to expand and improve the Judiciary's pool of qualified interpreters by establishing a minimum standard for court interpreter certification and coordinating screening, training, and testing of interpreters.

As of June 30, 2023, there were more than 369 interpreters speaking 51 languages on the Court Interpreter Registry (list of interpreters), including 14 certified and certified master interpreters in French, Ilokano, Laotian, Mandarin, and Spanish.

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In 2023, 75 individuals statewide attended the Basic Orientation Workshop for new court interpreter applicants, which is the first program requirement for interpreters to become qualified to interpret in the Hawai'i state courts.

### **Legal Interpreter Course**

When Kapiolani Community College (KCC) sought a partnership with OEAC to develop a legal interpreter course, the resulting collaboration was a 15-week, online, non-credit course taught by OEAC staff. Sessions began October 25 at KCC, and have continued every Wednesday evening, with an in-person, half-day class planned for January 27, 2024.

Through a Good Jobs Hawai'i Grant awarded to KCC, the 13 students in the current cohort were provided tuition waivers, loaner laptops, portable hotspot devices for mobile internet access, and fully funded travel for January's in-person class. Students who complete the course will be offered credit for completing the Basic Orientation Workshop, which is the first mandatory minimum requirement for the Judiciary Court Interpreter Program.

This project furthers OEAC's efforts to promote language access and recruit court interpreters from college campuses and also supports the State's workforce development initiatives.

## **Continuing Education**

### **Domestic Violence, Sex Assault, Stalking, and Dating Violence**

Sixty-two interpreters statewide attended a one-day intermediate level course, *Skills Building for Interpreters in Domestic Violence, Sex Assault, Stalking and Dating Violence Cases*. This specialized training was offered on Maui, Kaua'i, Hawai'i island (Hilo and Kona), and O'ahu from August to September to develop a cadre of interpreters who are better able to interpret in these special case types. These events were produced with funding from the United States Department of Justice's Office of Violence Against Women, and the Hawai'i State Coalition Against Domestic Violence.

The training included a presentation on domestic violence, sex assault, stalking and dating violence by the Hawai'i State Coalition Against Domestic Violence, followed by interactive modules to allow interpreters to practice their simultaneous and consecutive interpreting and sight translation skills with exercises involving domestic violence, sex assault, and stalking scenarios.

### **Language Access – Navigating Towards a New Normal**

OEAC Equality & Access Coordinator Debi Tulang-De Silva served as emcee for the 2023 Hawai'i Conference on Language Access, sponsored by the State Office of Language Access (OLA), on August 29 at the Ala Moana Hotel. More than a 170 people attended in-person from across the state, including state and county government personnel, service providers from non-profit and private sectors, cultural organizations, community advocates/leaders, as well as interpreters and translators.

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## *Language Assistance Services (cont.)*

The year's conference theme *Language Access – Navigating Towards a New Normal* highlighted the importance of using "plain language," delved into the role technology plays in ensuring accessibility, and the importance of qualified language service providers.

Under the current leadership of the OLA, OEAC has been actively involved in both planning and organizing conferences, having been invited to collaborate with OLA since 2018. Both OLA and OEAC share similar goals of advancing language access within government services, programs, and activities. Working together not only amplifies the efforts of each agency but also demonstrates their strong commitment to language access.

### **Victim of Crime Act (VOCA) Language Access Conference**

Court Interpreting Services Coordinator Melody Kubo was a panelist at the Victims of Crime Act (VOCA) Language Access Learning Community II, November 14-15, 2023. Sponsored by the United States Department of Justice's Office for Victims of Crime (OVC) VOCA Center and the State of Hawai'i Department of the Attorney General's Crime Prevention and Justice Assistance Division – Grants and Planning Branch, the language access learning community gathered administrators from states receiving VOCA funding from the Department of Justice including Kentucky, Nevada, Oregon, and the Commonwealth of the Northern Marianas Islands. Kubo served as a featured panelist sharing her knowledge and expertise on topics such as language access in Hawai'i, language access services and resources, and recruiting, training, and credentialing interpreters.

## **Supporting 'Ōlelo Hawai'i interpreters**

### **Hawaiian Language Oral Exam**

The Hawai'i State Judiciary is actively participating in the effort to expand use of the Hawaiian language.

In Fiscal Year 2022-2023, the Judiciary provided Hawaiian language interpreters in 27 cases.

The Judiciary, in partnership with the Ka Haka 'Ula o Ke'elikōlani Hawaiian Language College at the University of Hawai'i at Hilo, and the State Office of Language Access, continued to develop oral exam testing for Hawaiian language court interpreters. The pilot program, launched in September 2023, included a 16-week online course, culminating in oral exam administration in May 2024. Twelve interpreters from across the state registered for the pilot course and exam.

In January 2018, the Judiciary established a Hawaiian Language Interpreter Policy to accommodate anyone who prefers to speak 'ōlelo Hawai'i in court proceedings by providing, to the extent reasonably possible, a Hawaiian language interpreter at no charge.

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## Community Engagement and Outreach

The Office on Equality and Access to the Courts has increased outreach to Pacific Island communities to inform them of the availability of language services at the courts, recruit new interpreters in high-demand languages, and obtain commitment by prospective interpreters to attend two special interpreter workshops.

In partnership with the OLA, OEAC staff met with community leaders in Hilo and Kaua'i monthly to build relationships and gain trust and support. These efforts culminated in two court interpreting trainings offered on Kaua'i from December 5-6, and in Hilo from December 14-15.

Since September 2023, OEAC and OLA have met with target communities in Hilo and Kaua'i more than 10 times. OEAC is expanding this effort to O'ahu and Maui.

The OLA and OEAC recognize that working collaboratively with community groups, especially limited-English proficient (LEP) individuals who are affiliated by geographic proximity, cultural values, or linguistic needs, is an essential part of addressing and improving language access with regard to state government services and functions.

## Chuukese, Marshallese, and Ilokano Interpreter Skills Practice Kits - First of Their Kind in the U.S.

While in-language professional development resources are scarce, the Hawai'i state courts encounter high demand for interpreter services in Chuukese, Marshallese, and Ilokano.

The Judiciary recognizes the importance of quality interpreting services, and prioritized an OEAC project to provide interpreters with professional development materials in these languages based on *The Interpreter's Edge, Generic Edition*, published by Acebo, which was created to train court interpreters and is widely regarded as the leading resource of its kind.

With support of a Justice for Families Grant from the United States (U.S.) Department of Justice, Office of Violence Against Women, distributed through the Hawai'i State Coalition Against Domestic Violence, the OEAC developed a court interpreter training curriculum in Chuukese, Marshallese, and Ilokano to help interpreters develop critical interpreting skills and improve the competency and quality of interpreters in court and other settings. These kits – the first of their kind in the U.S. for these languages – will be made available to interpreters through the law libraries in each of Hawai'i's judicial circuits.

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## *Language Assistance Services (cont.)*

### *‘Ōlelo Hawai‘i Program: Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo*

In the 2022 Judiciary budget bill, the Hawai‘i State Legislature created a new position for the implementation of an ‘Ōlelo Hawai‘i Program.<sup>2</sup>

House Bill 1870 and Senate Bill 2734, also introduced in 2022, noted that article XV, section 4, of the Hawai‘i State Constitution affirms that English and ‘ōlelo Hawai‘i (Hawaiian language) shall be the official languages of the state. The state constitution also provides for the preservation and promotion of Hawaiian culture, history, and language in various provisions including article X, section 4, which states, "The State shall promote the study of Hawaiian culture, history and language." Moreover, the United States Census Bureau's 2009-2013 American Community Survey Five-Year Estimates reported that ‘ōlelo Hawai‘i ranks number five in languages other than English spoken at home in the state.

Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo launched in December 2022 when the Judiciary’s new ‘ōlelo Hawai‘i program administrator was hired.

The Judiciary is committed to enlisting specialists, agencies, and sources of knowledge to implement the recommendations enumerated in the Report of the Hawaiian Language Web Feasibility Task Force in accordance with 2015 House Concurrent Resolution No. 217, House Draft 1, Senate Draft 1 (HCR 217). As an important step in that work, Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo is tasked with increasing resources and services available in ‘ōlelo Hawai‘i through the Judiciary, including court interpretation, website translation, archival legal language research, lexicon development, document and form translation, and educational services.

In one of its early contributions, Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo joined the State Office of Language Access (OLA) and the Judiciary’s Office of Equality and Access to the Courts (OEAC) this year as they continued their work on developing of the first Hawaiian language court interpreter course and oral exam. The first cohort completed the course in December 2023 and will be taking the hō‘ike mahele ha‘i waha (Hawaiian oral exam) in 2024.

The training course and exam will help to increase the number of qualified ‘ōlelo Hawai‘i court interpreters and enhance the Judiciary’s ability to service court users who wish to use ‘ōlelo Hawai‘i.

Papa Hana ‘Ōlelo Hawai‘i Ho‘okolokolo also procured an archive-quality document scanner in 2023, and is working with the King Kamehameha V Judiciary History Center to digitize the Judiciary’s collection of documents – including those in ‘ōlelo Hawai‘i – and photographs. Digitization of these rare and often fragile documents is the first step in safely making them available to the program and the public for research.

Papa Hana ‘Ōlelo Hawai‘i looks forward to the many projects that will increase the presence of ‘ōlelo Hawai‘i throughout the Judiciary.

<sup>2</sup> *House Bill 1536, Act 194, Session Laws of Hawai‘i 2022*

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# Settling Disputes Without Going to Court

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*The Center for Alternative Dispute Resolution makes alternative dispute resolution (ADR) broadly available throughout the state so disputes may be resolved without the emotional and financial costs of litigation, while also preserving relationships. ADR services through the Judiciary helps build public confidence in our judicial systems while expanding access to justice.*

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## Center for Alternative Dispute Resolution

The success rate of remote mediation and online training, ongoing since the pandemic, has been a welcome surprise and boost for programs of the Center for Alternative Dispute Resolution (CADR). Accessibility to ADR processes and statewide reach of CADR educational programs renewed demand. Through partnerships with community mediation centers around the state and other ADR partners, in Fiscal Year 2022-2023 CADR met the demand by providing education and outreach programs while also growing the Appellate Mediation Program Volunteer Mediator Panel.

As always, CADR thanks its volunteers and Board of Advisers for their support, and its staff for their hard work.

### **CADR's Core Services – At a Glance**

- Design and implement alternative dispute resolution programs for state and county government
- Mediate and facilitate public policy disputes referred by elected or appointed government officials
- Manage the Judiciary's purchase of services contract for mediation and related dispute resolution services
- Promote alternative dispute resolution education through workshops, seminars, and formal training programs.

## Program Highlights: Fiscal Year 2022-2023

### **Hawai'i Appellate Mediation Program**

The Hawai'i Appellate Mediation Program (AMP) was established in 1995 (pursuant to Rules 3.1 and 33 of the Hawai'i Rules of Appellate Procedure). AMP provides an alternative means for resolving civil appeals and enhancing public confidence in the court system. Through the AMP, parties on appeal work with experienced mediators to resolve cases without the cost and burden of litigation, and with the benefit of having a self-determined outcome.

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## Settling Disputes Without Going to Court (cont.)

In Fiscal Year 2022-2023, AMP added 22 new cases to its 16 pending cases. Of the 38 active cases during this period, 26 closed with the following results: 10 settled or partially settled; 14 did not settle; and 2 were withdrawn prior to mediation. Twelve cases carried over to the new fiscal year.

Since AMP's inception, 802 cases entered the program. The overall settlement rate for closed cases is 49%.

### AMP Volunteers

The Appellate Mediation Program relies on volunteer mediators – retired justices, judges, and retired or semi-retired attorneys – who give their time and expertise to make mediation an option to litigation in the Intermediate Court of Appeals (ICA).

During Fiscal Year 2022–2023, volunteer mediators provided over 400 hours of mediation services for 38 active cases in the Appellate Mediation Program (AMP).

In September 2023, the following five individuals were welcomed by Chief Justice Mark E. Recktenwald as new panel mediators:

William “Ned” Busch, Esq.

Thomas William Cestare, Esq.

Jerry M. Hiatt, Esq.

Hon. Mahilani E.K. Hiatt

Hon. Richard W. Pollack

### Mediator Training and Professional Development

The *Appellate Mediation Advanced Skills and Professional Development Symposium*, created and delivered in partnership with the Mediation Center of the Pacific, was held over two days in June 2023. The symposium was guided by Mediation Center of the Pacific Executive Director Tracey Wiltgen and featured a diverse and distinguished list of guest speakers, including veteran and master mediator Hon. Michael Broderick (ret.); Steve Emmert, founder of the Virginia State Appellate Mediation Program and principal spokesman for Virginia's appellate lawyers; Judge Lynn Duryee, Judicial Arbitration and Mediation Services, Inc. (JAMS) mediator/arbitrator and author of *Mastering Mediation: 50 Essential Tools for the Advanced Practitioner*; Brendon Ishikawa, co-author of *Appellate Mediation: A Guidebook for Attorneys and Mediators*; John R. Van Winkle, mediator/arbitrator and former chair of the American Bar Association's Section of Dispute Resolution; Susan Guthrie, mediator/arbitrator and creator and host of the award-winning *The Divorce & Beyond Podcast with Susan Guthrie*; with moderators and AMP mediators Lou Chang, Chuck Crumpton, Dick Mosher, Hon. Rhonda Nishimura (ret.), and AMP Administrator Anne Marie Smoke. Participants earned two CLE credits.

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## Appellate Mediation Program Volunteer Mediators Honored for a Fourth Consecutive Year

Fiscal Year 2022–2023 was the fourth consecutive year that the Access to Justice Commission recognized the AMP Mediators for their pro bono contributions.

The Pro Bono Awards are given annually as part of the American Bar Association’s [National Pro Bono Week](#) recognizing outstanding mediators, attorneys, and law firms who have generously given their time to make a difference in their community. The awards support the continued growth of access to justice in Hawai‘i.

### 2022–2023 Appellate Mediation Program Volunteer Mediators

Currently, 50 Appellate Mediation Program Volunteers serve generously at the behest of the chief justice. Their time and expertise are invaluable resources for this program that saves litigants time and money while also freeing up the Hawai‘i Intermediate Court of Appeals so it may address other cases.

Hon. Simeon R. Acoba, Jr. (ret.)	Hon. Robert G. Klein (ret.)
Hon. Riki May Amano (ret.)	Ralph R. La Fontaine, Esq.
George B. Apter, Esq.	Hon. Rosalyn Loomis (ret.)
Hon. Joel E. August (ret.)	Stanley Majka, Esq.
Hon. Karen N. Blondin (ret.)	Georgia K. McMillen, Esq.
J. William "Ned" Busch, Esq.	Hon. Douglas S. McNish (ret.)
Robin K. Campaniano, Esq.	Hon. Marie N. Milks (ret.)
Thomas W. Cestare, Esq.	Richard C. Mosher, Esq.
Corlis J. Chang, Esq.	Hon. Gail C. Nakatani (ret.)
Louis L.C. Chang, Esq.	Hon. Rhonda A. Nishimura (ret.)
Charles W. Crumpton, Esq.	Maura M. Okamoto, Esq.
Hon. James E. Duffy (ret.)	Patricia Kim Park, Esq.
Jacqueline L.S. Earle, Esq.	Hon. Richard W. Pollack (ret.)
David H. Franzel, Esq.	Hon. Shackley F. Raffetto (ret.)
Hon. Max W.J. Graham (ret.)	Hon. Nancy Ryan (ret.)
Hon. Mahilani E.K. Hiatt (ret.)	Hon. Karl K. Sakamoto (ret.)
Jerry M. Hiatt, Esq.	Hon. Sandra A. Simms (ret.)
Diane D. Hastert, Esq.	Hon. Leland H. Spencer (ret.)
Hon. Eden Elizabeth Hifo (ret.)	Thomas L. Stirling, Esq.
Kenneth B. Hipp, Esq.	Hon. Allene K. Suemori (ret.)
Hon. Colleen K. Hirai (ret.)	Owen K. Tamamoto, Esq.
James K. Hoenig, Esq.	Hon. Michael A. Town (ret.)
Hon. Douglas H. Ige (ret.)	Arne Werchick, Esq.
Elizabeth Kent, Esq.	Hon. Andrew P. Wilson (ret.)
Hon. Walter S. Kirimitsu (ret.)	Hon. Patrick K.S.L. Yim (ret.)

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## *Settling Disputes Without Going to Court (cont.)*

### **Workplace Dispute Resolution Program**

The Workplace Dispute Resolution Program (WDRP) is administered by CADR to provide mediation and facilitation as an option for employees in workplace disputes. Employees are provided a safe place off site through Hawai'i's five community mediation centers, where work problems can be discussed confidentially and resolved, at no cost.

The program was originally introduced in 2012 as the Workplace Mediation Program to provide Judiciary employees with an informal way to resolve workplace concerns. A committee composed of representatives from Human Resources, the Equal Employment Opportunity Office, the CADR, and Judiciary Staff Attorney's Office expanded the services of the program and reintroduced it in 2019 as the Workplace Dispute Resolution Program.

Since the program's expansion in 2019, 19 cases have been reviewed and five were referred for mediation.

CADR delivered a WDRP training in June 2023 for Judiciary Supervisors participating in the Judiciary Supervisor Mentorship Program.

## **Training, Education, Research, & Outreach**

### **ADR-Related Workshops and Educational Outreach for Governmental Employees**

CADR provided the following workshops to state and county employees, including departments/offices within the Judiciary, Office of the Governor, Department of Health, Department of Education, and the City and County of Honolulu. CADR continues to provide training by invitation for Leadership Honolulu – the City and County of Honolulu Advanced Management Mastery Program:

- CADR 1.0 *Working It Out: Skills for Managing Conflict*
- CADR 1.3 *Collaborative Workplace: Skills for Cultivating Collaboration*
- CADR 1.4 *Collaborative Workplace: Giving Feedback for Productive Outcomes*
- CADR 6.0 *Empathic Communications: The Path to Seeing More Deeply*
- CADR 7.0 *Hot Buttons*

### **Supervisor Mentorship Program**

CADR delivered four specially tailored training sessions to the first cohort of mentors and mentees in the Judiciary's new Supervisor Mentorship Program.

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## Seminars, Lectures, and Community Forums

- CADR Virtual Brown Bag Sessions – Skills for Problem Solving featuring special guest speakers; co-presented with local ADR partners:
  - *The Art of Science of Mediation and the Hurdles Along the Way*
  - *Communicating with Empathy: The Path to Seeing More Deeply*
  - *The Emotional and Psychological Aspects of Mediations and Their Ethical Implications*
  - *Identity-Based Conflict and the Stages of Reconciliation*
  - *Applying Restorative Justice Practices to Mediation*
  - *Dealing with High Conflict Personalities in Mediation*
  - *The What, Why and How Transformative Mediation*
  - *How AI Can Assist Mediating Condominium Disputes*
- CADR co-sponsored and participated on a speaker panel at the 36th Annual Peer Mediation Conference: *Having a Career in the Field*, on April 5, 2023.

***CADR is grateful for its partnerships with the following organizations who make lectures and community forums possible:***

- *Accord 3.0*
- *Conflict Resolution Alliance*
- *Hawai'i Friends of Restorative Justice*
- *Hawaii State Bar Association – ADR Section*
- *Kaua'i Economic Opportunity, Inc., Mediation Program*
- *King Kamehameha V Judiciary History Center*
- *Ku'ikahi Mediation Center*
- *Matsunaga Institute for Peace and Conflict Resolution, University of Hawai'i at Mānoa*
- *Maui Mediation Services*
- *The Mediation Center of the Pacific*
- *West Hawai'i Mediation Center*

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## Settling Disputes Without Going to Court (cont.)

### Continuing Legal Education (CLE)

CADR develops programs to deliver continuing education to the legal community. Of the training and outreach events CADR provided in Fiscal Year 2022-2023, three offered five cumulative CLE credits.

### Fall 2022 Externship

The Center works with universities like Pepperdine's Straus Institute to help students fulfill curriculum requirements in ADR fields of study while expanding their network of professionals and getting exposure to real-life ADR application.

Mahalo to 2022 intern Jack Moore who provided invaluable assistance producing CADR educational and outreach programs. With the successful completion of his CADR externship, Moore earned his Master of Dispute Resolution at the Straus Institute. He is currently teaching mediation at the University of Hawai'i's Matsunaga Institute for Peace and Conflict Resolution.

## Community Mediation Centers

CADR administers a contract for mediation and related dispute resolution services with Mediation Centers of Hawai'i, Inc. (MCH). MCH serves as an umbrella organization for the five community mediation centers throughout the state.

The centers, located on Hawai'i island (Hilo and Kona/Waimea), Kaua'i, Maui, and O'ahu are key partners in providing affordable mediation services statewide. The mediation centers handle landlord/tenant matters, neighbor/neighbor disputes, consumer/merchant issues, workplace related disagreements, and domestic cases, among others.

In Fiscal Year 2022-2023, MCH served 15,615 clients and opened 4,369 cases.

## CADR Board of Advisors

Hon. Karen Blondin (ret.)

Hon. Michael Broderick (ret.)

Tana Kekina-Cabaniero

Aaron S.Y. Chung

Linda Colburn

State Sen. Brandon Elefante

Valerie S. Mariano

Barry Marr

Owen K. Tamamoto

Laurie Arial Tochiki

Keith Y. Yamamoto

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# Applying Technology for Greater Access

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*Technology plays a vital role in fulfilling the Judiciary's mission by providing greater access to the court's programs, services, and information.*

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## Remote/Hybrid Hearings Yield Greater Access, Transparency, Convenience

We have seen first-hand the benefits remote hearings have provided. Many individuals no longer need to take a day off work, find dependent care, fight traffic or take the bus to attend a court hearing. Instead, they can join a court hearing from home, work, or out in the community - which can mean the difference between making an appearance in their case and a default judgment.

Remote hearings helped Hawai'i's courts maintain public health during peaks of the COVID-19 pandemic, and also support our community during devastating times such as the months following the August 8 wildfires on Maui. In response to the reported difficulties people faced getting in and out of Lahaina, the Judiciary set up a remote hearing kiosk at the Lahaina District Courthouse within days of its re-opening. This station provided displaced attorneys or court users with computer and internet access to attend hearings held at Wailuku or in other circuits – free of charge. The Judiciary also continues to offer access to the free remote hearing kiosk in the Supreme Court Law Library on O'ahu.

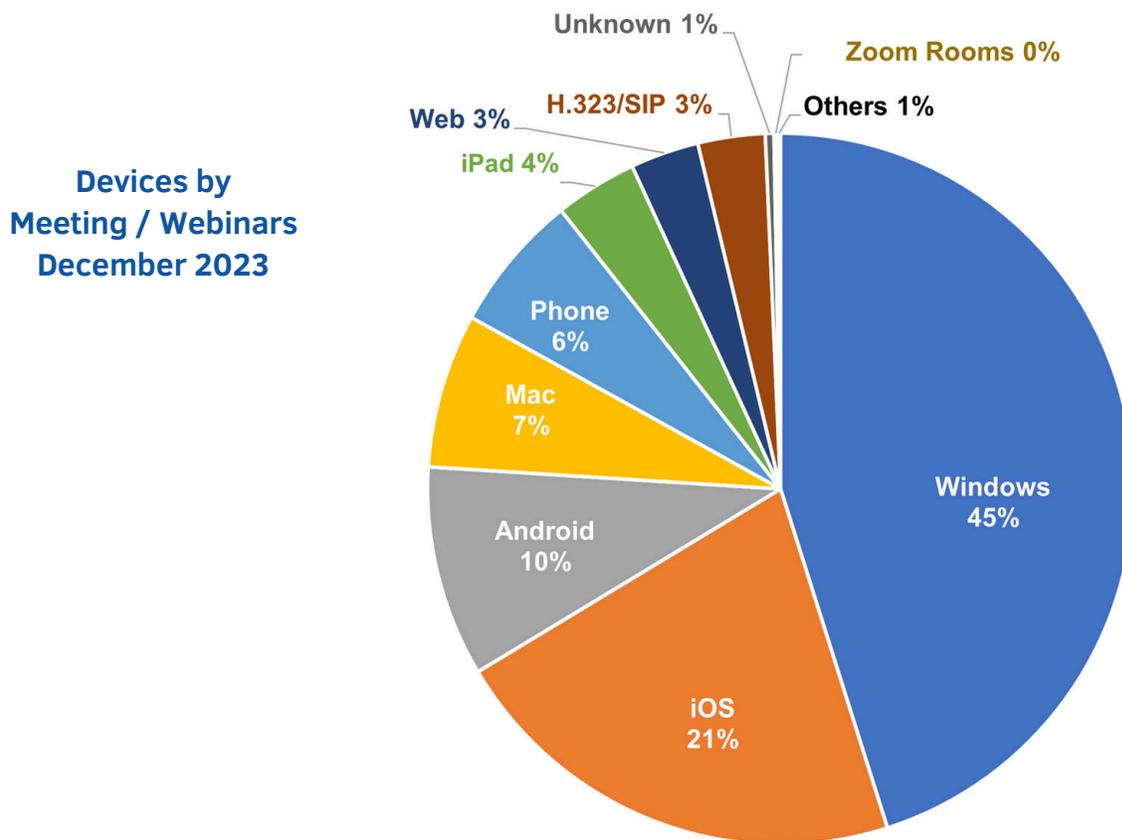
Hawai'i's district, circuit, and family courts held more than 739,479 remote hearings from August 2020 through December 2023. Almost half of those hearings were in the First Circuit (O'ahu). The Second Circuit (Maui County) and Third Circuit (Hawai'i island) held a comparable number of hearings remotely, while the Fifth Circuit (Kaua'i County) had the lowest number. Certain hearings such as trials and confirmation of sale motions for foreclosures, which must be conducted in person because of the potential to re-open bidding at the hearing, continue to be held in person, but in the majority of cases, parties are now given the choice of attending remotely or in-person.

The Judiciary continues to strive to accommodate the diverse needs of court users and improve access to justice for everyone. Not everyone has access to the internet and technology resources, or knows what to expect during a remote proceeding. To assist with these issues, in 2023, the Judiciary updated its [Do's and Don'ts of Remote Hearings](#) video for court patrons and the public.

For more information, visit the [Remote Court Hearings page](#) under the "For Public" tab at the top of the [Hawai'i State Judiciary website](#).

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## Applying Technology for Greater Access (cont.)



The Judiciary is mindful of the “digital divide” and continues to investigate ways of providing additional resources to the public. Issues the courts are monitoring include:

- The frequency of court users who do not have the equipment to effectively participate in remote hearings;
- Numbers of court users who are not proficient in the operation of their own computer or mobile device (e.g., the ability to quickly mute and unmute);
- Difficulties court users have using the preferred remote hearing software programs;
- Challenges court interpreters face in providing adequate interpretation services remotely to those with limited English proficiency (LEPs); and
- The difficulties individuals with disabilities have in participating remotely.

Another important concern is ensuring that appearing remotely rather than in-person does not negatively affect outcomes, particularly in criminal proceedings. The Judiciary continues to conduct its own investigations of important questions that are being asked nationally about these issues.

While the Judiciary remains vigilant of these concerns, it has also taken note of feedback from attorneys and the public who say that remote and hybrid hearings provide advantages to many different court users with different needs and circumstances.

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## eCourt Kokua Calendar Search

In August, the Judiciary launched a new feature on [eCourt Kokua](#) that gives the public the ability to search for information about upcoming court hearings in the Judiciary Information Management System (JIMS). This scheduling information is available for all case types, except those that are confidential, such as family court cases involving minors.

“Modernizing court systems is a priority for the Judiciary and we are delighted to offer this added capability for court users, attorneys, news media, and the general public,” said Chief Justice Mark E. Recktenwald.

“We developed this so that anyone can see, at-a-glance, future hearings on specific cases of interest,” said Angela K. Min, the Judiciary’s Innovations Officer. “With the already highly utilized remote hearings and access to court records and documents online, our goal is to continue to increase access and convenience to our court system.

“The online system provides a two-week view of upcoming hearings. You can search by case identification (ID) number or by court/location,” Min said.

If you search by case ID number, you can see all upcoming hearings associated with that specific case. If you search by court/location, you can see all upcoming hearings in all cases for that specific courtroom.

The information on the site is updated in real time as hearing dates are entered into the system.

In addition to the online system, the courts will continue to post daily calendars at the courthouses, as has been the practice.

## eReminder Service: Greater Court Efficiency, Taxpayer Savings

The eReminder program is the Judiciary’s ongoing effort to expand the innovative use of technology to make the courts more accessible, understandable, and helpful to the public. The service is offered as a courtesy to anyone wanting to keep abreast of upcoming hearings with the explicit understanding that eReminders are not a legal notice from the courts.

When parties appear for court as scheduled, hearings are more productive, court dates do not have to be rescheduled, the courts run more efficiently, and case backlogs can be avoided, all of which saves taxpayer dollars. The program may also help significantly reduce government costs related to a defendant’s failure to appear in court, including issuance of new warrants, police resources spent on arrests, prosecutor caseloads, and court administrative time.

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## *Applying Technology for Greater Access (cont.)*

The Judiciary does not charge for this service, which is open to litigants, attorneys, interested parties, the news media, and the public. Subscribing is easy. Users may access eReminder online 24 hours a day, seven days a week. Subscribers must have a valid email address and United States cell phone number that can receive text or email messages. The eReminder service is available for 25 types of court proceedings for a variety of district, circuit, and family cases, including circuit court criminal, criminal citation, criminal written complaints, and family court criminal.

The First Circuit (O'ahu) District Court has the most eReminder subscriptions, and the lowest eReminder subscriptions remain in the Second Circuit (Maui, Moloka'i, Lāna'i). The majority are subscriptions for traffic crime cases. From February 2021 to December 2023, more than 39,000 eReminders were sent in 13,403 cases, helping thousands of individuals statewide with an extra reminder about their upcoming court dates. The Judiciary will continue to monitor eReminders to determine the extent to which they help improve court appearance rates and also develop enhancements to the tool. For more information, visit:

[www.courts.state.hi.us/ereminder](http://www.courts.state.hi.us/ereminder)

## **eCitations**

Grant funds from the State Department of Transportation have enabled the Judiciary's Second Circuit Traffic Violations Bureau and the Maui County Police Department (covering Hāna, Lahaina, Wailuku, and Lāna'i) to partner with Thin Blue Line in testing the overall effectiveness and benefits of eCitations.

The Traffic Violations Bureau continues to experience faster processing times and more accurate data input with eCitations in comparison to manual citations.

People who receive paper citations, as well as prosecutors, court staff, and the police themselves sometimes have difficulty deciphering a police officer's handwritten notes. Electronic citations resolve this issue and eliminate delays in delivering citations to the courts which can lead to case dismissals. For the courts, eCitations reduce staff processing time and provide for more timely online access to traffic cases by the public.

During the 2023 Legislative session, House Bill 1468 and Senate Bill 1078 (both "Relating to Electronic Citations") proposed the establishment of a statewide electronic citation program. The measures did not pass, but the proposals may be re-introduced in the future for further consideration.

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# Law Library: A Community Resource

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*The Hawai'i 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.*

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The Hawai'i State Law Library System (HSLLS) is comprised of the Supreme Court Law Library (SCLL) on (O'ahu) and its satellite libraries located in the Second (Maui County), Third (Hawai'i island), and Fifth (Kaua'i County) circuits. HSLLS is a primary legal resource for the courts, legal community, and the public. The system houses more than 295,000 volumes of legal materials relating to Hawai'i, the United States, and foreign countries, and provides electronic resources and databases for legal research. The SCLL serves as the administrative headquarters of HSLLS.

Attorneys and their staff members, government agency personnel, legislators, and the general public patronize library facilities on all islands

## Services

HSLLS libraries are used for legal research, with selected materials available for check out. SCLL provides [document delivery](#)\* and Hawai'i legislative history research services at a nominal cost, and library personnel assist users with basic legal reference needs.

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

## Materials Available

The collections of the libraries include materials in print, microfilm, microfiche, and electronic formats. These 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 on public access computers and the internet.

The HSLLS's 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 United States Government Publishing Office.

*\*Members of the public, the legal community, and businesses may place a document delivery request for legal information, including specific pages of documents, books, citations, etc., and library staff mail paper copies or e-mail PDF files to the requester.*

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## Law Library: A Community Resource (cont.)

### New Resources & Exhibits for the Public

#### Videos

The following were added to the Law Library’s website, under the “Education/Training” tab:

[histatelawlibrary.com/education-training](http://histatelawlibrary.com/education-training)

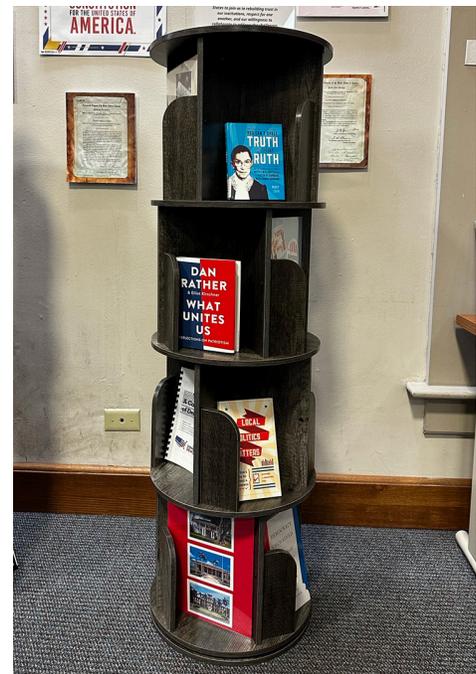
- **Generative Artificial Intelligence:** The topic of generative artificial intelligence has captured worldwide attention. State Law Librarian Jenny Silbiger was invited by the Hawaii State Bar Association to conduct two webinars on Generative AI and the Legal Profession. The webinar recordings and accompanying documents are available at the Hawai‘i State Law Library System’s “Education/Training” web page.
- **Legislative History:** The SCLL added a series of seven videos to the HSLLS “Education/Training” web page to help users learn how to conduct Hawai‘i legislative history research using the Hawai‘i State Legislature website. What was once a research task based solely on print materials, the library staff has evolved and refined to adapt users’ research skills to online access of materials. The videos were developed as short form content to allow patrons to learn at their own pace and in small increments as the online legislative history research process entails many steps. The video topics covered are: Overview, Session Laws of Hawai‘i, House and Senate Journals, Committee Reports: Overview, Committee Reports: 2013-Present, Committee Reports: 2008-2012, and Committee Reports: 1999-2007.

#### Zine Collection

The SCLL curated a zine collection that provides access to information from a variety of viewpoints. The hope and intent is for library patrons to broaden their perspective and knowledge of legal and legal-related matters.

Zines are often self-published original works of alternative literature that are disseminated in a magazine-like format. The majority of zines are printed in non-commercial tiny runs, usually “cut and pasted” text and images merged into a story, and are made by people known as “zinesters.”

The zine collection is housed at the SCLL in Honolulu. Visitors will find the collection near the reference desk, in a rotating shelf display (pictured on the right).



## Law Day 2023

The 2023 Law Day theme was *Cornerstones of Democracy: Civics, Civility, and Collaboration*. The SCLL staff worked on editing a zine titled *Voting: A Cornerstone of Democracy*, which is featured in an online display ([histatelawlibrary.com/lawday/law-day-2023](http://histatelawlibrary.com/lawday/law-day-2023)). A physical display was also assembled and features new books that were recently added to the collection and are related to the theme of Law Day 2023.

## American Bar Association (ABA) Book Collection

A collection of over 800 titles from the American Bar Association (ABA) was added to enhance the Library's LexisNexis eBook Digital Library. This boost in the library's electronic book collection brings more content to the hands of library patrons as the LexisNexis digital collection is available both on-site and remotely for all patrons regardless of affiliation status. Patrons must make a request for free registration with the SCLL.

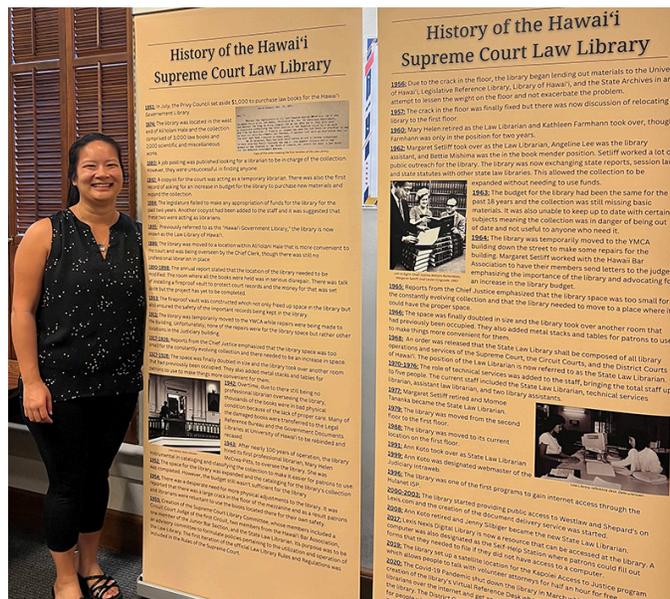
## SCLL Meeting Space

The SCLL began offering the use of a meeting space on the basement level of the library. Judiciary staff, other Hawai'i government agencies, non-profit, and for-profit organizations are welcome to reserve the space. There is a nominal fee charged to non-profit and for-profit organizations based on their status. Applications for use of the Meeting Space are subject to approval and availability on a first-come, first-served basis. More details about the Meeting Space are available on the HSLLS website under the "Services" tab:

[histatelawlibrary.com/services/scll-meeting-space](http://histatelawlibrary.com/services/scll-meeting-space)

## Supreme Court Law Library: Poster Exhibit

For the Hawai'i Library Association's annual conference in November 2022, the HSCLL staff made a presentation about the history of the Supreme Court Law Library. The presentation is available for viewing on the Law Library's "Education/Training" web page. Staff thought it would also be beneficial to have a display in the library. In 2023, Law Library Technician Joely Alt created two posters that are now housed in the Supreme Court Law Library next to the public computer terminals. Judiciary staff and members of the public can visit the Law Library and read about its 172-year history.



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# Investing in Future Generations

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*The Judiciary invests in Hawai'i's future generations by engaging students and the public in outreach programs and events designed to help them better understand the judicial system. These initiatives highlight principles that are fundamental to our system of democracy, including individual liberties, the rule of law, and the protections these doctrines provide.*

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## PACE Commission Elevating Civic Education and Engagement in Hawai'i Schools and in the Community

The Commission to Promote and Advance Civic Education (PACE), established by the Hawai'i Supreme Court in 2021, furthered its mission of promoting civic education and engagement to those of all ages across the state. Commission members collaborated with the Judiciary, University of Hawai'i William S. Richardson School of Law, Hawaii State Bar Association, Hawai'i State Department of Education (DOE), Hawai'i Association of Independent Schools (HAIS), and the American Judicature Society (AJS), to move civic education and engagement to the front burner.

### Lawyers Visiting Schools, Constitution Day 2023

A tremendous first step for engaging students in discussions of civics took place when PACE commissioners Ruth Oh and Professor Troy Andrade were invited to speak to the Health & Wellness classes at 'Ewa Makai Middle School on September 18 and 19.

As co-chairs of the Hawaii State Bar Association's Civic Education Committee, Oh and Andrade introduced their Constitution Day pilot project to approximately 500 sixth graders. Presentations covered laws and how they are created, the Rule of Law, checks and balances on powers of the three branches of government, what lawyers do, civics, civility, and collaboration in our democracy, as well as Hawai'i's Civil Liberties & the Constitution Day.

In observance of Constitution Day 2023 (September 17), they also discussed the United States Constitution, and how Hawai'i Congresswoman Patsy Mink was the driving force behind Title IX, the 1972 legislation that prohibits educational institutions from receiving federal funds if they have discriminated on the basis of sex in admissions, recruitment, financial aid, housing, or athletics.

The event was such a success that the school invited Oh and Andrade back for an encore presentation on May 10 and May 13, 2024, for approximately 500 seventh grade students.



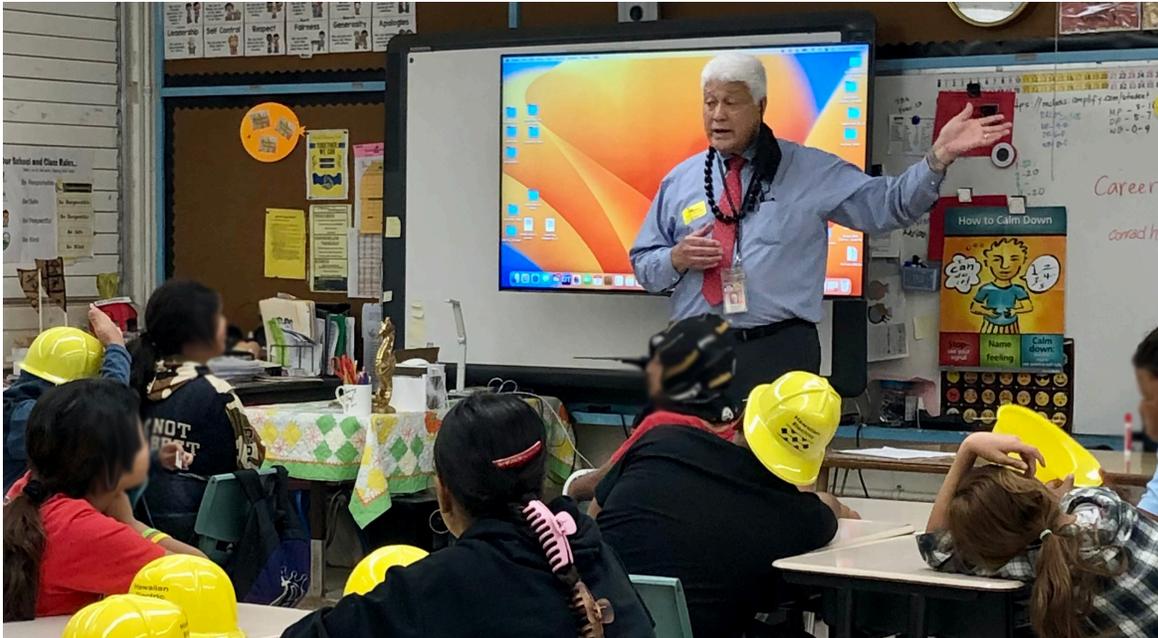
*From left, Carol Kitaoka, Big Island member of the Hawaii State Bar Association (HSBA) Civic Education Committee (CEC), joined PACE Commissioners and HSBA CEC co-chairs Ruth Oh and Troy Andrade for their Constitution Day pilot project at ‘Ewa Makai Middle School, September 18 and 19, 2023.*

## Civics Awareness Month 2023

Following Gov. Josh Green’s proclamation declaring November 2023 Civics Awareness Month, Hawai‘i Intermediate Court of Appeals Chief Judge Lisa Ginoza, chair of the PACE Commission observed, “At a time when there has been growing concerns about government, low voter turnout, and divided communities across our nation, civic education has become even more urgent and relevant. Civic education is a way to re-engage the community, empower every citizen, and restore faith in democracy so that everyone can play an active role in shaping the future of our state and nation. Indeed, with the passing of U.S. Supreme Court Justice Sandra Day O’Connor on December 1, a champion for civic education who founded iCivics – a national entity dedicated to civics – we are reminded that each generation must take up the cause of civic education.”

State Rep. Amy Perruso, Vice-Chair of the PACE Commission, added: “Education is a core responsibility of our public education system, and we need to invest in this work throughout our system from pre-K to university, so that our young people are prepared to work collaboratively with others, to problem-solve to address community issues, and to develop the capacity to govern democratically, with aloha. These are all skills that have to be developed, and it is our responsibility to make sure there is adequate support for these efforts.”

## Judges Engage with the Community



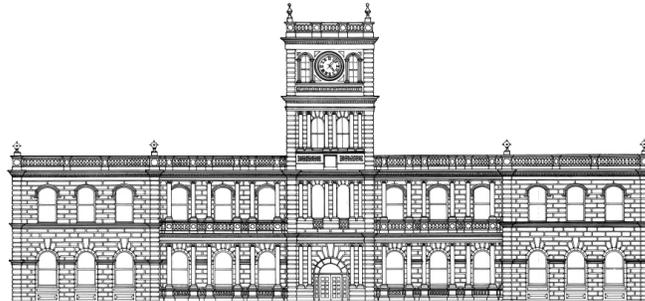
*First Circuit District Court Judge Thomas Haia spoke with Wai'anae Elementary 4th graders on March 7 about what it is like being a judge.*

Hawai'i state judges met with students and teachers in a variety of settings during National Judicial Outreach Week (NJOW) 2023 to discuss their roles as judges, the rule of law, and the work courts do to maintain open and transparent government, provide a fair and impartial system of justice, and protect the fundamental legal rights of all citizens.

First Circuit (O'ahu) District Court Judge Thomas A.K. Haia visited Wai'anae Elementary School where he spoke with fourth graders about how to become a judge, how the judicial process works, different types of judges and lawyers, what he likes and dislikes about his job, and the importance of doing well in school and making good choices.

Second Circuit District Court Judge Christopher M. Dunn participated in a Career Day event at Haiku Elementary School where he spoke to more than 40 fourth and fifth grade students, their teachers, and administrative staff. He had barely begun delivering his carefully prepared remarks when hands shot up and he spent the entire time answering a myriad of questions like, "Did you ever send anyone to jail?" "Have you ever had any celebrities in your courtroom?" "Why do judges wear a robe?" "Do you bang the gavel?" "What's the most serious case you ever had?" The questions kept coming beyond his 30-minute limit and Judge Dunn, with the help of the principal, was able to thank his enthusiastic audience and make way for the next speaker.

## King Kamehameha V Judiciary History Center



The mission of the King Kamehameha V Judiciary History Center (JHC) is to promote civic education and engagement by preserving and interpreting the history of Hawai'i through the lens of law, public policy, and the courts. JHC provides learning opportunities on the judicial process and Hawai'i's legal history, from ke au 'ōiwi wale (the native-only period) to kēia manawa (present day). Its exhibitions, research, and educational programs explore the transformations of the concept of justice in Hawai'i, throughout successive Polynesian migrations, Western contact, and subsequent immigration.

The Center is an administrative program of the Judiciary and a permanent educational institution, serving as a bridge between the Judiciary and the community. It receives financial support from the Friends of the Judiciary History Center of Hawai'i, a non-profit attached to the JHC.

During Fiscal Year 2022–2023, the JHC offered schools, colleges, and the general public a number of law-related educational activities and resources.

The History Center invites teachers to schedule in-person or virtual tours for their classes at:

[www.jhchawaii.net/schedule-a-tour](http://www.jhchawaii.net/schedule-a-tour)

Teachers can access prepared lessons on the Center's website for use in the classroom and in the restored 1913 Courtroom in Ali'iōlani Hale. For more information, visit: [jhchawaii.net](http://jhchawaii.net).

### Visitor Interactions 2022-2023

- Group Tours: 3,000 people
- Website Visits: 42,995
- YouTube Visits: 5,855

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## Judiciary History Center Activities 2022-2023

### Civic Education – Students

***Courts in the Community:*** Under the leadership of Chief Justice Mark E. Recktenwald, Courts in the Community offers public and private high school students an opportunity to better understand the function of the judicial branch of government and observe an actual oral argument. Instead of conducting oral argument in the Supreme Court courtroom, the Hawai'i Supreme Court convenes at a public school where other schools in the area are also invited to bring students to observe the proceedings. Prior to the hearing, students are taught about the case by volunteer attorneys from the Hawaii State Bar Association (HSBA). Under guidance of the attorneys, students argue the pending case themselves in a moot court activity. After learning about the case, This hands-on, experiential learning program culminates with the students attending the actual Supreme Court oral argument at the "host school."

***We the People:*** In a hybrid in-person/virtual simulated congressional hearing competition held on February 4, 2023, teams from Kealakehe High School and Mililani High School competed to represent Hawai'i at the National Finals in Washington, D.C. This year, Kealakehe High School went on to represent the state. Students from Lā'ie Elementary also conducted a virtual showcase hearing. On March 10, students from Lā'ie Elementary convened at Ali'iōlani Hale for a We the People competition showcase where they presented their understandings of American constitutional governance.

***Project Citizen Research Program:*** During the 2022-2023 school year, students at Kealakehe High School along with hundreds of other students from six western states participated in the Project Citizen Research Program, an initiative funded by a grant from the United States Department of Education to the Center for Civic Education and Georgetown University. The research program was designed to show the effectiveness of the Center for Civic Education's Project Citizen curriculum, which is active citizenship at its best. It engages young people in cooperative, project-based learning wherein they work as a class to monitor and influence local public policy. Students identify a problem in their community, research alternative policy-based solutions, develop a class policy proposal to address the problem, and design a political action plan to convince public officials to adopt and implement the policy.

***School Tours:*** During the past year, JHC was open for school tours and in-person guided visits on a limited basis. Staff continued to reach out to schools using JHC's successful virtual school tours program and further encouraged educators to make use of JHC's online resources. Through both in-person and virtual tours, JHC engaged with nearly 2,000 students. The History Center's website had more than 42,000 new visits and its YouTube channel was viewed more than 5,800 times. Virtual educational tours and videos supplement school curriculums and provide an exciting alternative learning environment for students and teachers. A variety of school tour formats have been developed to complement the Hawai'i State Standards for grades two through twelve and the College, Career, and Civic Life Framework.

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## Teacher Professional Development

***Project Citizen Professional Development Project:*** JHC used moneys remaining from a \$94,000 grant from the Center for Civic Education received during the previous fiscal year to host teachers from seven western states participating in the Project Citizen Research Program, which is funded by the United States Department of Education. JHC staff worked with the Center for Civic Education and Georgetown University on its implementation. The teachers attended a five-day summer professional development institute in Hawai'i and twelve hours of online sessions. During the academic year teachers engaged their students in the Project Citizen curriculum, submitting a portfolio to a regional showcase and they received support from mentor teachers and a regional online community. As part of the project, teachers completed pre- and post-surveys of their civic knowledge and instructional methods, then supervised students as they completed pre- and post-surveys.

***We the People: Civics that Empowers All Students (CEAS):*** Research demonstrates that effective instruction in the We the People curriculum increases students' problem-solving, critical-thinking, decision-making, and communication skills, which are essential to academic success across disciplines and 21st-century work and civic life. This year, the JHC was awarded another grant from the Center for Civic Education with funding from the United States Department of Education. *We the People: Civics that Empowers All Students (CEAS)* is a three-year study conducted by the Center for Civic Education and Georgetown University that utilizes the We the People curriculum and targets teachers and students in high needs areas. During each of the three one-year cohorts JHC is partnering with the State of California to introduce the curriculum to upper elementary and middle schools in California and Hawai'i. In June of 2023, JHC hosted 20 teachers from California and seven teachers from Hawai'i for the week-long summer institute that introduced the teachers to the curriculum and set out the parameters of the study.

## Museum Renovation

In June 2020, JHC and its non-profit, the Friends of the Judiciary History Center of Hawaii, began a partnership with award winning, Kentucky-based design firm Solid Light, Inc., to redesign exhibitions for Ali'iōlani Hale. To continue planning, the Judiciary contracted local architecture firm AEPAC, from July 2022 to March 2023, to produce an architectural assessment and recommendation report (analyzing mechanical, electrical, and plumbing systems (MEPS), hazardous materials management (HAZMAT), Americans with Disabilities Act (ADA) compliance, and interior design). The findings will be crucial for Solid Light's next phase of exhibit design, and for the Judiciary's own infrastructure knowledge.

***National Endowment for the Humanities:*** In January 2023, the Friends of the Judiciary History Center of Hawaii applied for a \$75,000 Planning Grant from the National Endowment for the Humanities' Public Humanities Project. The grant aims to fund the next design phase, which involves updating the design schedule, creating a to-scale computer model (exhibit matrix) of the museum based on AEPAC's report, finalizing the story outline from the 2021 Vision Plan, and

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incorporating Hawaiian cultural elements such as ‘ōlelo Hawai‘i (Hawaiian language), mo‘olelo (story, myth, legend and history), mele (songs, anthems, chants, poetry), and oli (a chant that is not danced to, also the action of chanting) to enhance the exhibits and visitor experience. The new museum narrative will focus on Kanaka Maoli perspectives and include stories of immigrants who contributed to Hawai‘i’s civic history. The goal is to expand the public’s understanding of Hawai‘i’s legal heritage through an investigative and interpretive approach that encourages curiosity and empathy among visitors, ultimately inspiring them to engage in their community – an essential mission of the JHC.

## Collections

In January 2023, O’Connor Playdon Guben & Inouye LLP donated over 100 small (8" x 5") leather-bound land transaction journals from the private law practice of William R. Castle. These notebooks show that W.R. Castle’s practice seems largely to have focused on real estate on behalf of the sugar plantation industry, and likely date to the first decades of the 20th century. The journals are filled with data from title searches and include what appear to be transcriptions of deeds and wills affecting parcels of land inherited from Land Commission grantees or passed on through intestacy. The notes, in several different handwritings, may have supported the Castle law firm’s preparation of title abstracts or for non-judicial foreclosures on mortgages held by descendants and legatees of kuleana land grantees. Castle and his agents reportedly researched and facilitated purchases and/or mortgage foreclosures to create large estates in land for investors in the sugar plantation and processing industries.

The Supreme Court Law Library donated a small box of miscellaneous records in March 2023. It included newspaper clippings, printed reports, floor plans, letters/invitations, photographs, and meeting minutes pertaining to the Judiciary, Ali‘iōlani Hale, William L. Lee, and neighboring historic sites.

## Research

***Hawai‘i Constitutions:*** Perry Arrasmith (University of Hawai‘i post-graduate), joined the JHC as a research volunteer in April 2023 to help staff document the history of Hawai‘i’s constitutions. Arrasmith’s working draft is titled, “*Hawai‘i’s Constitutional Evolution: A Brief Synthesis.*” On May 20, 2023, he conducted an oral history interview at Ali‘iōlani Hale with Calvin Ching, Judiciary Delegate from the 1978 Constitutional Convention. The interview was overseen by JHC Executive Director Matt Mattice, recorded, and transcribed. The interview, along with Perry’s research essay, will be shared on the JHC’s online collections portal for free public access.

## Public Programs

The Hawaii State Bar Association Civic Education Committee and JHC continued their annual programming partnership by collaborating to celebrate Civil Liberties & the Constitution Day. On January 30, 2023, audiences gathered on the Zoom videoconferencing platform to address the theme of "Diversity in our Community." Policy insights and personal experiences were shared by First Circuit District Family Court Judge Rebecca A. Copeland, Intermediate Court of Appeals Chief Judge Lisa M. Ginoza, and The Pōpolo Project founder and executive director Dr. Akiemi Glenn. Civil Liberties & the Constitution Day honors individuals committed to protecting the civil rights and liberties of all. The day coincides with the birthday of civil rights icon Fred Korematsu, who challenged the constitutionality of imprisoning nearly 120,000 Japanese Americans during World War II.

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# Promoting Diversity, Equity & Inclusion

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*The Hawai'i State Judiciary is committed to improving diversity, equity, and inclusion throughout our organization.*

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Judicial diversity is a matter of great importance in our community and to the fair administration of justice. The Judiciary is committed to creating a culture of inclusivity throughout our state courts that exemplifies the diversity in Hawai'i, and we encourage you to review our new [Judicial Diversity Dashboard](#) in the "Our Judges" section of the Hawai'i State Judiciary website home page.

The excerpts below show data from the Hawai'i State Judiciary's voluntary statewide demographic survey of full-time justices and judges, as of July 2023. By conducting this survey and sharing its results, we hope to advance transparency and understanding about who we are as an institution. This survey is only one part of a coordinated effort to support Diversity, Equity and Inclusion (DEI) within the Judiciary for both our employees and court users.

## Total Number of Hawai'i State Court Judges: 80

### Gender: Comparison to State Population - July 2023

Gender	Hawai'i Judges	State Population
Not Specified	0.0%	0.0%
Men	50.0%	50.3%
Women	50.0%	49.7%

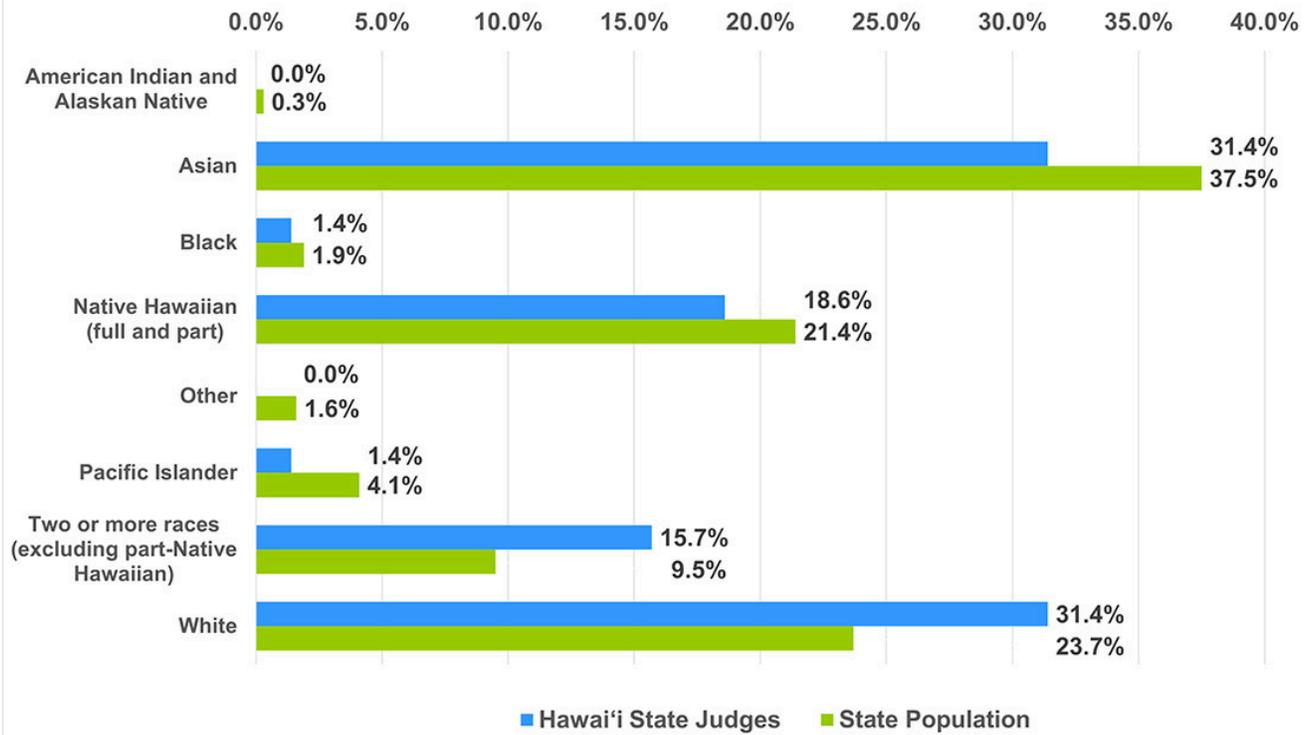
*Gender did not differ between judges statewide and the state population. A chi-square test was performed to examine the relation between gender and group (judges statewide vs. state). The relation between these variables was not statistically significant,  $\chi^2 (1, N = 80) = 0, p = 1$ .*

#### Data Sources

The data for the judges comes from the Hawai'i State Judiciary's Human Resources records collected at the time of each justice or judge's hiring.

State population data comes from the the United States Census 2022 [Population Estimates Program](#) ([Download table in Excel spreadsheet](#) format).

## Hawai'i State Judges Racial/Ethnic Ancestry: Comparison to State Population



*Racial/ethnic ancestry did not differ between judges statewide and the state population. A chi-square test was performed to examine the relation between racial/ethnic ancestry and group (judges statewide vs state). The relation between these variables was not statistically significant,  $\chi^2 (7, N = 70) = 6.64, p = 0.467$ .*

### Data Sources

The data for the judges comes from responses to a question on racial/ethnic ancestry from a Judiciary DEI survey conducted in 2023.

State population data comes from the United States Census 2021 ACS 5-Year Estimates, tables [B02001](#) and [B01003](#).

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# Facilities

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*The Hawai'i State Judiciary is committed to providing facilities and services that meet the critical legal needs of our communities by improving access to the civil, criminal, and family court justice system.*

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## New Wahiawā District Courthouse



*After Hawaiian Civic Club of Wahiawā Kahu Peter Lonoaea blessed the site of the future Wahiawā Civic Center, with the assistance of president Noelani DeVincent, dignitaries broke ground using traditional 'ō'ō – Hawaiian digging sticks.*

The groundbreaking ceremony for the new Wahiawā Civic Center was held September 27 on the grounds of the former civic center at 910 California Ave. Chief Justice Mark E. Recktenwald, joined other dignitaries, including Lt. Gov. Sylvia Luke, State Sen. Donovan Dela Cruz, State Department of Accounting and General Services Public Works Administrator Chris Kinimaka and Comptroller Keith Regan, who served as the ceremony's emcee.

In speaking with the attendees, Chief Justice Recktenwald shared plans for naming one of the new courtrooms in honor of the late District Court Judge Darolyn Lendio Heim, who passed away in December 2022. Judge Lendio Heim grew up in the neighboring Waialua, and often served as presiding judge for court proceedings in Wahiawā. He also noted that his predecessor, Chief Justice Ronald T.Y. Moon, grew up in Wahiawā.



*Since being relocated from its original site on California Avenue in 1985, the Wahiawā District Courthouse has occupied its current rental space at 1034 Kilani Avenue.*

Plans for the new Wahiawā District Court Courthouse include enhanced facilities, with the addition of a second courtroom, an office that will provide an array of services for individuals placed on court supervision, which include probation supervision, community service, and driver education referrals, that will relieve individuals of the time and expense of traveling to Honolulu for mandatory meetings with these programs.

The civic center is expected to be completed in 2025. In addition to the new courthouse, the civic center will also house other state and city agencies such as a satellite city hall, driver's license customer center, and health and human services offices, which will increase convenience and reduce commute times for residents by providing a one-stop shop for many essential government services.

The Legislature appropriated \$76 million for design and construction of the civic center in 2020.<sup>1</sup> Project bids came in lower than anticipated. The contract price is now approximately \$48.4 million. In 2023, the State Legislature allocated \$425,000 to assist with furnishing the courthouse interior.

The Judiciary is deeply grateful for the Legislature's support of the new civic center and courthouse, which together will provide better access to essential government services for the communities of Wahiawā, the North Shore, and Central O'ahu.

<sup>1</sup> Act 5, Session Laws of Hawai'i 2020 (Senate Bill 3080 S.D. 3 H.D. 1)

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# People Making a Difference

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*The Hawai'i State Judiciary's accomplishments reflect the dedication of the more than 1,700 people serving our court system. Each day, these individuals 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.*

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## Hawai'i Justice Sabrina McKenna Receives ABA Commission on Women in the Profession's Most Prestigious Award



Hawai'i Supreme Court Justice Sabrina S. McKenna received the 2023 Margaret Brent Women Lawyers of Achievement Award on August 6 at the 33rd Annual awards ceremony in Denver, CO.

Presented by the American Bar Association's Commission on Women in the Profession, it recognizes up to five outstanding women lawyers who have achieved professional excellence and paved the way for other women in the legal profession.

Justice McKenna was nominated by the National Asian Pacific American Bar Association, which noted that she “is a globally recognized trailblazer, a staunch advocate for diversity and inclusion in the legal profession, and a true role model, mentor, and heroine to women, especially in the LGBTQ and under-

represented communities. She epitomizes the spirit of Margaret Brent through her values, lived experiences, courage, and most importantly, her tireless dedication to inspiring and uplifting women and traditionally marginalized people with compassion, positivity, and optimism.”

“I am extremely humbled by this recognition,” Justice McKenna said. “I have been the beneficiary of the vision and leadership of women like Patsy Takemoto Mink, whom I consider my hero and guiding inspiration, to serve our community and motivate women to learn the law and use it to better the world.”

“Justice McKenna is richly deserving of this prestigious honor,” said Chief Justice Mark E. Recktenwald. “This is the highest award for women lawyers nationwide and the Hawai'i State Judiciary is absolutely overjoyed, and so proud of her.”

Past Hawai'i recipients of the Margaret Brent award are Congresswoman Patsy Takemoto Mink (1992), Ellen Godbey Carson (2006), and U.S. Sen. Mazie Hirono (2013). Judicial awardees include California Chief Justice Tani Cantil-Sakauye (2012), and United States Supreme Court Justices Ruth Bader Ginsburg (1993) and Sandra Day O'Connor (2000).

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## Celebrating Justices Paula A. Nakayama and Michael D. Wilson

Nearly 30 years to the day that she was sworn-in as an Associate Justice of the Hawai'i Supreme Court (April 22, 1993), the Honorable Paula A. Nakayama celebrated her last day of Judiciary service with a Mahalo Lunch for friends and co-workers in the Supreme Court courtroom.



Guests wishing to bid her aloha waited in a long line that ended with Chief Justice Mark E. Recktenwald, presenting Justice

Nakayama with a gift and a framed proclamation in which he declared Friday, April 21, 2023, to be “Justice Paula A. Nakayama Day” in the Courts of the State of Hawai'i.

The following month, Supreme Court Associate Justice Michael D. Wilson retired after nearly 30 years in service to the State. At a luncheon with many of his colleagues and friends, he was recognized by Chief Justice Recktenwald with a framed proclamation declaring Tuesday, May 23, 2023 as “Justice Michael D. Wilson Day” in the Courts of the State of Hawai'i.

## Chief Judge Browning Recognized

After more than 28 years of service with the Hawai'i State Judiciary, First Circuit (O'ahu) Chief Judge R. Mark Browning retired. Chief Justice Mark E. Recktenwald issued a proclamation noting highlights of Judge Browning's distinguished career, and declaring Friday, December 22, 2023 “Chief Judge R. Mark Browning Day” in the Courts of the State of Hawai'i.



The Judiciary is grateful for Judge Browning's years on the bench, displaying the highest integrity, sound judgment, and keen knowledge of the law, and for leading by example with intelligence and heart. He has had a profound impact on the Family Court and also in probate court.

Judge Browning's exceptional leadership in addressing the multitude of challenges precipitated by the unprecedented pandemic was strategic, fair, and focused on the safety of court users and staff. Judge Browning has also been an outstanding mentor to countless judges and employees.

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## 2023 Jurist of the Year and Judiciary Employees Honored



Third Circuit (Hawai'i island) Chief Judge Robert D.S. Kim was presented with the 2023 Jurist of the Year Award by Chief Justice Mark E. Recktenwald at the Judiciary's Statewide Employee Awards Ceremony on September 29.

The presentation was part of the annual employee Incentive Awards Ceremony, which recognizes Judiciary personnel for outstanding contributions to public service.

“Chief Judge Kim did an exceptional job addressing the challenges brought on by the pandemic, especially with the serious staffing shortage the Third Circuit faced and the temporary closure of the South Kohala

Courthouse, working through the myriad of challenges to reopen it and be fully operational,” said Chief Justice Recktenwald. “He became the Third Circuit’s ‘MacGuyver,’ innovating ways to keep the work of the courts going, and ensuring that services to the Big Island community were not compromised. He has maintained excellent communications with the Big Island bar, and has convened meetings on pressing challenges such as mentally ill individuals in the criminal justice system. He consistently demonstrates an abundance of aloha, and immediately offered resources and suggestions to support our Maui ‘ohana following the wildfires. He has been forthright in publicly addressing challenges in the criminal justice system, thereby heightening the trust and confidence the public has in our government.”

The Judiciary also presented individual and group awards to employees who distinguished themselves through exceptional service and accomplishments.



*Supreme Court Operations Officer / Bailiff Curt Shibata (center) receives the Distinguished Service Award from Administrative Director of the Courts Rodney Maile (left) and Hawai'i Supreme Court Chief Justice Mark Recktenwald (right), recognizing his many outstanding contributions to the Judiciary and the people of Hawai'i.*

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## Chief Judge Kim Honored by Hawaii County Bar Association



Third Circuit Chief Judge Robert D.S. Kim was honored by the Hawaii County Bar Association with a Meritorious Service Award for a lifetime of service to the community. He received this recognition at the 18th Annual Kuikahi Mediation Center Recognition Dinner, which was held in conjunction with the Hawaii County Bar Association on November 12.

On hand to congratulate Chief Judge Kim were Judge Kanani Laubach, Judge Jeffrey Hawk, Judge Mahilani Hiatt (ret.), Judge Darien Ching Nagata, Judge Jill Hasegawa, Judge Jeffrey Ng, Per Diem Judge Bruce Larson, and Judge Peter Kubota.

## Judiciary Team Honored with 2023 HJF Spirit of Justice Award



Chief Justice Mark E. Recktenwald (right) congratulates Judiciary personnel who received the Hawaii Justice Foundation's (HJF) 2023 Spirit of Justice Award on October 25. From left: Karen Takahashi, Lori Rutherford, Gary Teramae, Tom Mick, Brandon Kimura, and Rodney Maile. The HJF honored these individuals with its prestigious award for the work they do with Foundation to administer Hawai'i's Indigent Legal Assistance Fund (ILAF).

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## Volunteers in Public Service to the Courts – Maui Style



*Family Court Judge James R. Rouse serves lunch to volunteer Scott Hopkins of Maui's Feed My Sheep, Inc. On October 27, the Second Circuit's volunteers of 2023 enjoyed a lunch feast served by (from left) Judge Rouse, Chief Judge Peter T. Cahill, Circuit Court Judge Michelle L. Drewyer, Family Court Judge Adrienne N. Heely Caires, District Court Judge Annalisa M. Bernard Lee, Circuit Court Judge Kelsey T. Kawano, Circuit Court Kirstin M. Hamman, and Chief Justice Mark E. Recktenwald.*

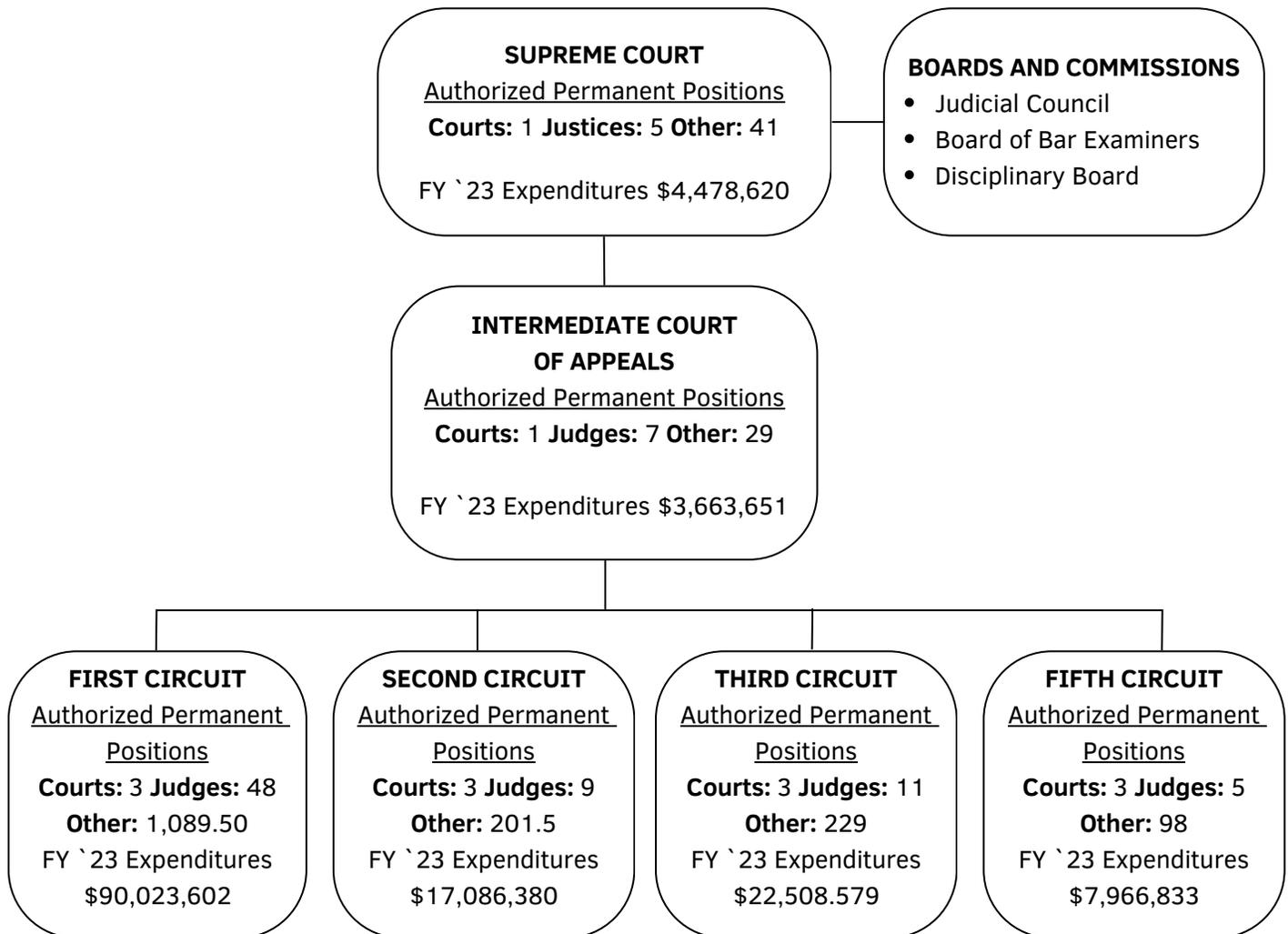
The Judiciary celebrated the remarkable service of its volunteers at the Second Circuit's (Maui, Moloka'i, and Lāna'i) Annual Volunteer Recognition Ceremony on October 27. Attendees included unpaid helpers from community service sites located in Maui County, Court Appointed Special Advocates (CASA), and Volunteers in Public Service (VIPS) who served as law clerks, court navigators, case aides, clerical aides, and those who supported of the Second Circuit's Veteran's Court, and the Friends of the Children's Justice Center of Maui.

Collectively, these individuals contributed more than 23,000 hours during Fiscal Year 2022-2023 (community service site volunteers: 18,536 hours; CASAs 344 hours; VIPS volunteers more than 5,000 hours).

Chief Justice Mark E. Recktenwald, Second Circuit Chief Judge Peter T. Cahill, Mayor Richard T. Bissen, Jr., Deputy Administrative Director of Courts Brandon M. Kimura, and Second Circuit judges and staff were among those who gathered with honorees at the Wailuku Hongwanji Mission to distribute certificates of appreciation and prizes, and enjoy a barbecue feast.

The Second Circuit has been coordinating volunteer appreciation receptions going back to at least the 1980s (except for years of economic recession and during the height of the COVID-19 pandemic), with themes such as "Western," "International," "The 80s," and "Candy."

# Structure of the Court System



Hawai'i's Courts of Appeal are comprised of the Supreme Court and the Intermediate Court of Appeals. Hawai'i's trial level is comprised of Circuit Courts and District Courts. Family Courts are included in the District and Circuit Courts. Hawai'i's trial courts function in four circuits that correspond approximately to the geographical areas served by the counties.

The First Circuit serves the City and County of Honolulu.

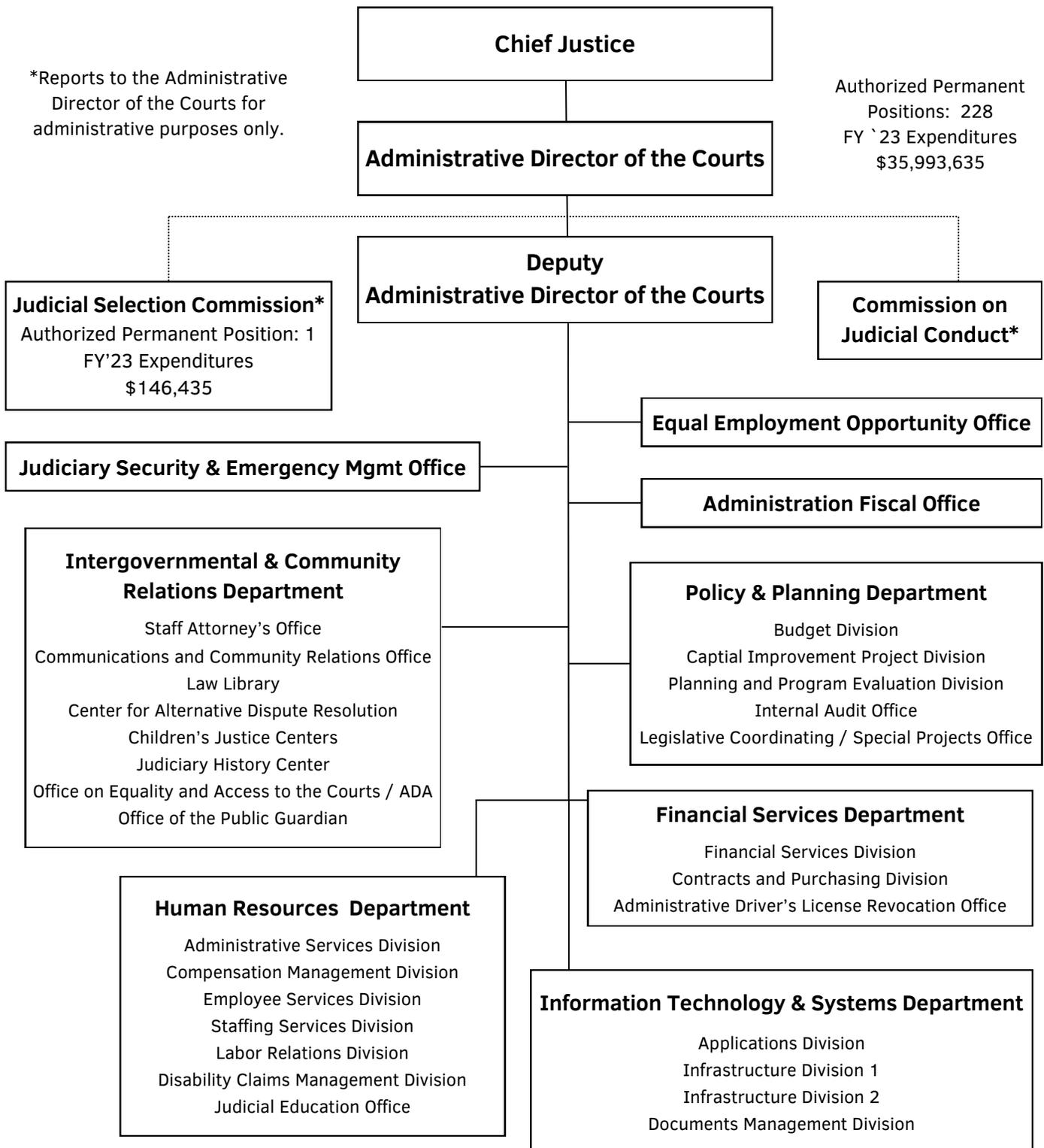
The Second Circuit serves the County of Maui, which includes the islands of Maui, Moloka'i and Lāna'i.

The Third Circuit, divided into the districts of Hilo and Kona, serves the County of Hawai'i.

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

The Fifth Circuit serves the County of Kaua'i, which includes the islands of Kaua'i and Ni'ihau.

# Office of the Administrative Director of the Courts



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# Courts of Appeal

## Supreme Court

The Supreme Court of Hawai'i 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 Hawai'i 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 Hawai'i for not less than 10 years preceding their nomination. After initial appointment, the Judicial Selection Commission determines whether a justice will be retained in office. A justice may not serve past age 70.

## Supreme Court Justices and their Terms

**Chief Justice Mark E. Recktenwald**

September 14, 2010 - September 13, 2030

**Associate Justice Paula A. Nakayama (retired)**

April 22, 1993 - April 21, 2023

**Associate Justice Sabrina S. McKenna**

March 3, 2011 - March 2, 2031

**Associate Justice Michael D. Wilson (retired)**

April 17, 2014 - March 31, 2023

**Associate Justice Todd W. Eddins**

December 11, 2020 - December 10, 2030



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## Intermediate Court of Appeals

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

The ICA 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 on the facts upon which the controversy depends.

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

The ICA is composed of seven 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 Lisa M. Ginoza

May 6, 2010 - April 23, 2028

#### Associate Judge Katherine G. Leonard

January 30, 2008- January 29, 2028

#### Associate Judge Keith K. Hiraoka

November 19, 2018 - November 18, 2028

#### Associate Judge Clyde J. Wadsworth

October 21, 2019 - October 20, 2029

#### Associate Judge Karen T. Nakasone

November 2, 2020 - November 1, 2030

#### Associate Judge Sonja M.P. McCullen

October 1, 2021 - September 30, 2031

#### Associate Judge Kimberly Tsumoto Guidry

May 31, 2023 - May 30, 2033



Chief Judge Ginoza



Judge Leonard



Judge Hiraoka



Judge Wadsworth



Judge Nakasone



Judge McCullen



Judge Tsumoto Guidry

## Courts of Appeal (cont.)

### Status of Pending Cases

There were 904 primary cases and 77 supplemental proceedings pending in the Courts of Appeal at the end of Fiscal Year 2022–2023.

### Actions Filed

There were 724 primary cases filed in the Courts of Appeal during the 2022–2023 fiscal year

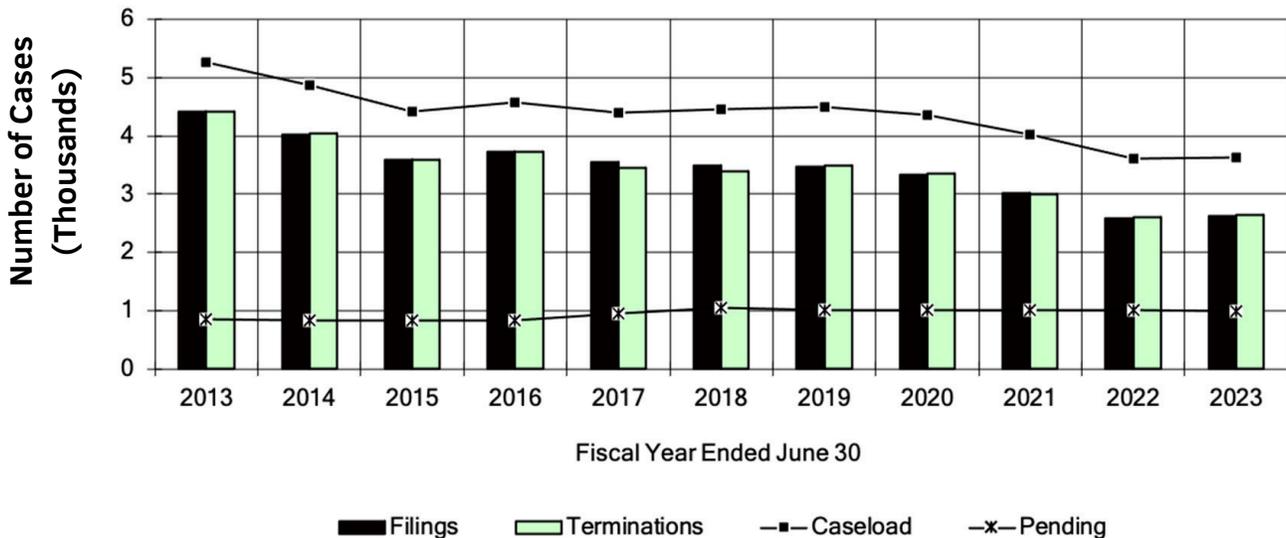
(43 applications for transfer, 566 appeals, and 115 original proceedings).

Supplemental proceedings, which arise out of primary cases, are comprised of motions and special stipulations. In Fiscal Year 2022–2023, 2,025 supplemental proceedings were filed in the Courts of Appeal.

### Terminations

The Courts of Appeal terminated 730 primary cases during Fiscal Year 2022–2023, compared with 640 primary cases terminated during the previous fiscal year. Terminations of supplemental proceedings increased from 1,965 last year to 2,037 this year.

**Caseload Activity in the Courts of Appeal  
Fiscal Year 2012–2013 to Fiscal Year 2022–2023**



# Circuit Courts

## Mission

The mission of the circuit courts is to expeditiously and fairly adjudicate or resolve all matters within their jurisdiction in accordance with the law.

All jury trials are held in the circuit courts, which have general jurisdiction in civil and criminal cases. They also have exclusive jurisdiction in probate, guardianship, and criminal felony cases, as well as civil cases where the contested amount exceeds \$40,000. Circuit courts share concurrent jurisdiction with district courts in civil non-jury cases that specify amounts between \$5,000 and \$40,000.

Additional cases dispensed by the circuit courts include 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. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

## Actions Filed

Filings in the circuit courts totaled 15,019 cases in Fiscal Year 2022-2023. Of the cases filed, 11,383, or 76%, were civil cases, and 3,363, or 24%, were criminal.

## Terminations

During Fiscal Year 2022-2023, the Circuit courts terminated 10,214 cases.

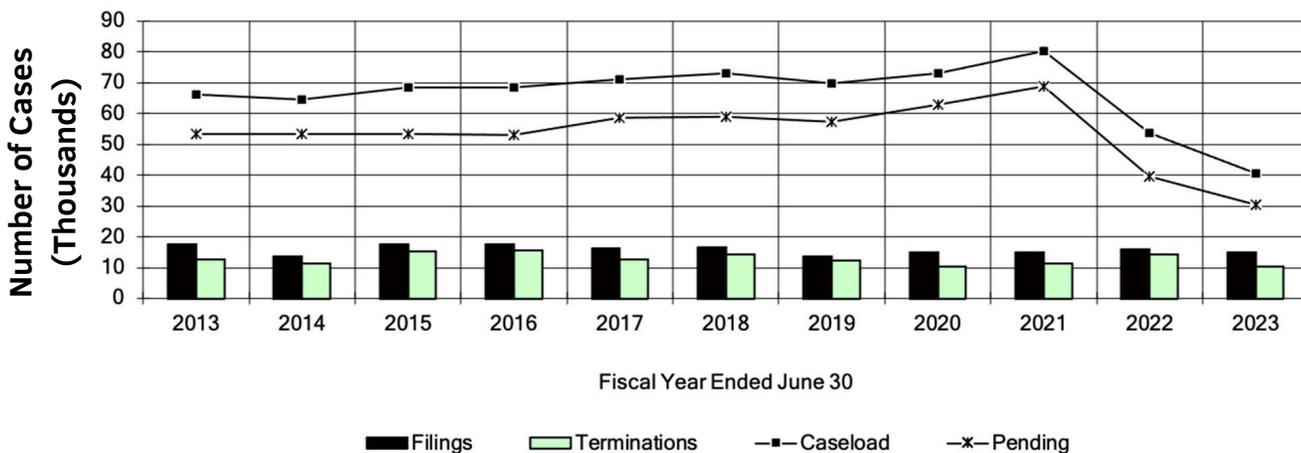
## Status of Pending Cases

At the end of Fiscal Year 2022-2023, a total of 30,344 cases were pending in the circuit courts.

## Adult Probation Divisions

During Fiscal Year 2022-2023, 6,571 investigations were completed. In supervision cases, with persons on probation or subject to court-ordered control, including offenders released from the Hawai'i State Hospital, there were 4,554 new placements added to the 14,369 cases pending at the start of the fiscal year. Of these, 3,837 cases were closed, leaving 15,086 open at the end of the fiscal year. For felony and misdemeanor investigations, there were an additional 74 interstate courtesy/compact investigations, 408 mental evaluations, and an additional 195 courtesy supervision cases.

**Caseload Activity in the Circuit Courts**  
Fiscal Year 2012-2013 to Fiscal Year 2022-2023



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## Circuit Court Judges and their Terms

### First Circuit

**Paul B. K. Wong**

1st Division  
December 20, 2017 - December 19, 2027

**Catherine H. Remigio**

2nd Division  
April 7, 2017 - April 6, 2027

**R. Mark Browning (retired)**

3rd Division  
Chief Judge  
May 6, 2010 - December 29, 2023

**John M. Tonaki**

4th Division  
October 28, 2019 - October 27, 2029

**Jeannette H. Castagnetti**

5th Division  
Deputy Chief Judge - Civil  
September 30, 2010 - September 29, 2030

**Jeffrey P. Crabtree**

6th Division  
November 25, 2014 - November 24, 2024

**Dean E. Ochiai**

7th Division  
February 15, 2013 - February 14, 2033

**Kevin T. Morikone**

8th Division  
December 16, 2021 - December 15, 2031

**Lisa W. Cataldo**

9th Division  
January 6, 2020 - January 5, 2030

**James H. Ashford**

10th Division  
April 24, 2018 - April 23, 2028

**Kevin A. Souza**

11th Division  
October 28, 2019 - October 27, 2029

**Shirley M. Kawamura**

12th Division  
Deputy Chief Judge - Criminal  
December 17, 2015 - December 16, 2025

**Matthew J. Viola**

13th Division  
Deputy Chief Judge / Senior  
Family Court Judge  
December 20, 2017 - December 19, 2027

**Gary W.B. Chang**

14th Division  
June 1, 1999 - May 31, 2029

**Clarissa Y. Malinao**

15th Division  
December 16, 2021 - December 15, 2031

**Christine E. Kuriyama (retired)**

16th Division  
November 25, 2014 - May 31, 2023

**Ronald G. Johnson**

17th Division  
October 28, 2019 - October 27, 2029

**Vacant**

18th Division  
December 31, 2019

**Fa'auuga L. To'oto'o**

19th Division  
October 7, 2010 - October 6, 2030

**Trish K. Morikawa**

20th Division  
October 28, 2019 - October 27, 2029

**James S. Kawashima**

21st Division  
November 30, 2022 - November 29, 2032

**Shanlyn A. S. Park**

22nd Division  
December 16, 2021 - December 15, 2031

**Rowena A. Somerville**

23rd Division  
December 20, 2017 - December 19, 2027

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## Second Circuit

**Kirstin M. Hamman**

1st Division  
December 17, 2021 - December  
16, 2031

**Peter T. Cahill**

2nd Division  
Chief Judge /Senior Family Court  
Judge  
September 17, 2012 - September  
16, 2032

**Kelsey T. Kawano**

3rd Division  
December 20, 2019 - December  
19, 2029

**Michelle L. Drewyer**

4th Division  
June 13, 2023 – June 12, 2033

## Third Circuit

**Peter K. Kubota**

1st Division  
May15, 2020 - May14, 2030

**Henry T. Nakamoto**

2nd Division  
October 30, 2017 - October 29,  
2027

**Robert D.S. Kim**

3rd Division  
Chief Judge  
November 21, 2017 - November  
20, 2027

**Wendy M. DeWeese**

4th Division  
Senior Family Court Judge  
December 2, 2021- December 1,  
2031

## 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 Courts

## Mission

The mission of the family courts 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 courts also hear traditional domestic relations cases, including divorce, non-support, 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. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

## Actions Filed

A total of 19,046 cases were filed in the family courts in Fiscal Year 2022-2023.

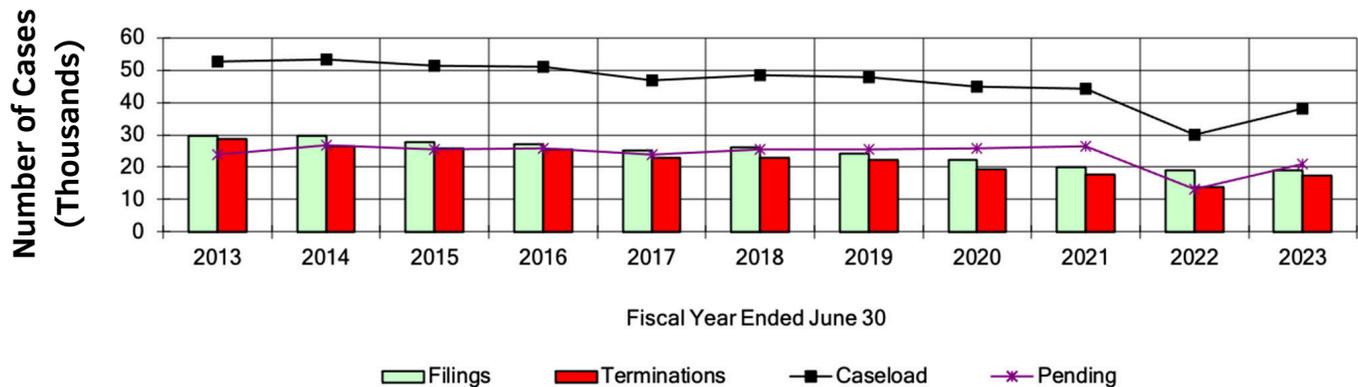
## Terminations

Terminations totaled 17,316 in Fiscal Year 2022-2023.

## Status of Pending Cases

There were 20,854 cases pending at the end of Fiscal Year 2022-2023.

**Caseload Activity in the Family Courts  
Fiscal Year 2012-2013 to Fiscal Year 2022-2023**



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## Family Court Judges and their Terms

### First Circuit

**Matthew J. Viola**

13th Division

Deputy Chief Judge / Senior  
Family Court Judge

December 20, 2017 - December  
19, 2027

**Rebecca Ann Copeland**

January 6, 2020 - January 5, 2026

**Thomas A. K. Haia**

November 2, 2020 - November 1,  
2026

**Jessi L. K. Hall**

December 20, 2017 - December  
19, 2029

**Lesley N. Maloian**

August 30, 2021 - August 29, 2027

**Dyan M. Medeiros**

July 10, 2015 - July 9, 2027

**John A. Montalbano**

November 30, 2022 - November  
29, 2028

**Courtney N. Naso**

November 2, 2020 - November 1,  
2026

**Alvin P.K.K. Nishimura**

December 10, 2019 - December 9,  
2025

**Elizabeth Paek-Harris**

November 2, 2020 - November 1,  
2026

**Natasha R. Shaw**

June 9, 2022 – June 8, 2028

**Kenneth J. Shimozono**

August 30, 2018 - August 29, 2024

### Second Circuit

**Peter T. Cahill**

2nd Division

Chief Judge / Senior Family Court  
Judge

September 17, 2012 - September  
16, 2032

**Adrienne N. Heely**

May 14, 2012 - May 13, 2024

**James R. Rouse**

March 25, 2021 - March 24, 2027

### Third Circuit

**Wendy M. DeWeese**

4th Division

Senior Family Court Judge

December 2, 2021 - December 1,  
2031

**Jill M. Hasegawa**

July 1, 2022 - June 30, 2028

**M. Kanani Laubach**

Deputy Chief Judge

August 10, 2016 - August 9, 2028

**Jeffrey W.S. Ng**

May 5, 2021 - May 4, 2027

**Joanna E. Sokolow**

August 3, 2022 - August 2, 2028

### Fifth Circuit

**Randal G.B. Valenciano**

1st Division

Chief Judge / Senior Family Court  
Judge

June 14, 2007 - June 13, 2027

**Stephanie R.S. Char**

December 17, 2020 - December  
16, 2026

# District Courts

## Mission

The mission of the district courts is to serve the people of Hawai'i through the fair and efficient adjudication and resolution of cases and controversies brought before them.

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. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

## Caseload Activity (excluding traffic)

### Actions Filed

During Fiscal Year 2022-2023, 43,755 cases were filed in the district courts.

Civil actions represented 41% of filings, and criminal actions represented 59% of filings.

## Terminations

A total of 66,076 cases were terminated in the district courts during the fiscal year.

## Status of Pending Cases

There were 22,657 cases pending at the end of the fiscal Year.

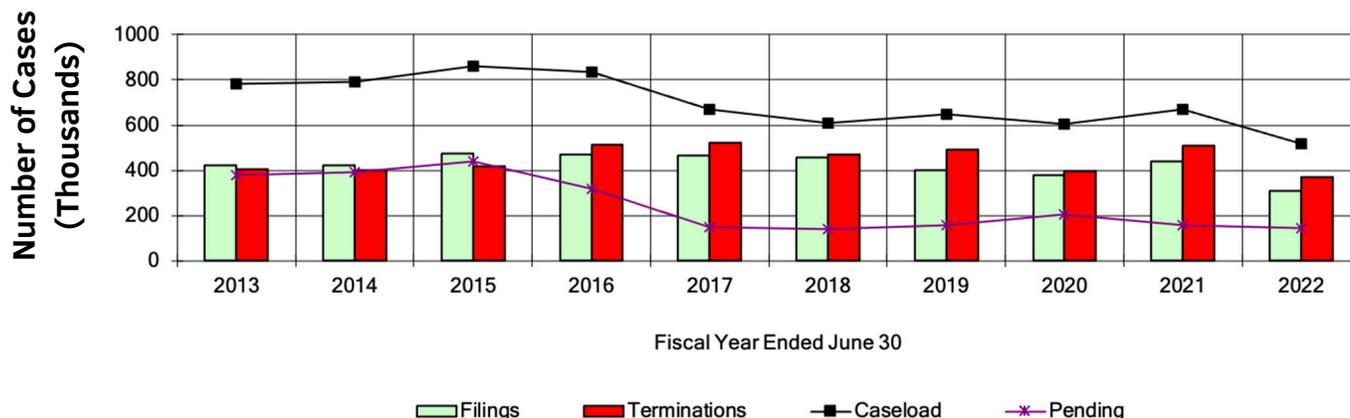
## Caseload Activity (traffic and parking)

New filings totaled 315,342 cases in Fiscal Year 2022-2023.

Terminations totaled 350,529.

Pending cases at the end of the fiscal year totaled 139,586 cases.

**Caseload Activity in the District Courts  
Fiscal Year 2012-2013 to Fiscal Year 2022-2023**



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## District Court Judges and their Terms

### First Circuit

**Melanie Mito May**  
Deputy Chief Judge  
June 23, 2011 - June 22, 2029

**Robert J. Brown**  
October 9, 2023 – October 8, 2029

**Brian A. Costa**  
June 2, 2017 - June 1, 2029

**William M. Domingo (retired)**  
May 18, 2015 - December 29, 2023

**Tracy S. Fukui**  
November 16, 2020 - November 15, 2026

**David M. Hayakawa**  
October 23, 2023 – October 22, 2029

**Timothy E. Ho**  
November 30, 2022 - November 29, 2028

**Karin L. Holma**  
November 16, 2020 - November 15, 2026

**Erika E. Ireland**  
October 9, 2023 – October 8, 2029

**Summer M.M. Kupau-Odo**  
November 29, 2018 - November 28, 2024

**James C. McWhinnie (retired)**  
December 17, 2015 - October 19, 2023

**Andrew T. Park**  
November 16, 2020 - November 15, 2026

**Shellie K. Park-Hoapili**  
June 9, 2022 - June 8, 2028

**Kristine Y. Yoo**  
August 30, 2018 - August 29, 2024

**Bryant G.F.Y. Zane**  
November 16, 2020 - November 15, 2026

### Second Circuit

**Blaine J. Kobayashi**  
Deputy Chief Judge  
October 12, 2010 - October 11, 2028

**Christopher M. Dunn**  
March 25, 2021 - March 24, 2027

**Annalisa M. Bernard Lee**  
October 28, 2022 - October 27, 2028

### Third Circuit

**M. Kanani Laubach**  
Deputy Chief Judge  
August 10, 2016 - August 9, 2028

**Darien W.L. Ching Nagata**  
May 20, 2016 - May 19, 2028

**Jeffrey A. Hawk**  
November 4, 2019 - November 3, 2025

**Kimberly B.M. Tsuchiya (formerly Taniyama)**  
December 2, 2021 - December 1, 2027

### Fifth Circuit

**Michael K. Soong**  
Deputy Chief Judge  
January 3, 2017 - January 2, 2029

**Gregory H. Meyers**  
August 16, 2022 - August 15, 2028

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## Per Diem Judges

### First Circuit

William C. Bagasol  
Jason R. Burks  
Gale L.F. Ching  
Michelle N. Comeau  
Peter C.K. Fong  
Steven L. Hartley  
Miriah E. Holden  
Sherri-Ann L. Iha  
Ann S. Isobe  
Ronette M. Kawakami  
Denise K.H. Kawatachi  
Harlan Y. Kimura  
Wilson M.N. Loo  
Dyan K. Mitsuyama  
Paul T. Murakami  
Edwin C. Nacino  
Clarence A. Pacarro  
Maria Frances Penn  
Kaupena F. Soon  
Myron H. Takemoto  
Chris A.K. Thomas  
Lynne T.T. Toyofuku  
Bode A. Uale  
Dean K. Young

### Second Circuit

Lauren M.S. Akitake  
Bevanne J. Bowers  
Lance D. Collins  
Fredrick Matson Kelley  
Douglas R. Wright

### Third Circuit

Ann S. Datta  
Joseph P. Florendo, Jr.  
David R. Harada-Stone  
Mahilani E.K. Hiatt  
Bruce Alan Larson  
Cynthia T. Tai

### Fifth Circuit

Jonathan J. Chun  
Robert M. Goldberg  
Glen T. Hale  
Laurel K.S. Loo

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# Support Services

## Mission

The mission of the Office of the Administrative Director of the Courts is to promote the administration of justice in Hawai'i by providing professional, responsive administrative support to the Chief Justice, the courts, and Judiciary programs. Support services help to expedite, facilitate, and enhance the mission of the Judiciary.

## Administration

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

The Equal Employment Opportunity Officer and the Judiciary Security Emergency Management Office are attached to the Office of 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 the: Applications Division, Infrastructure

Division 1, Infrastructure Division 2, and the Documents Management Division.

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 the Administrative Drivers' License Revocation Office.



March 25, 2023, marked the 20th anniversary of the grand opening of Abner Pākī Hale, the Kāneʻohe District Courthouse.

# Financial Resources

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

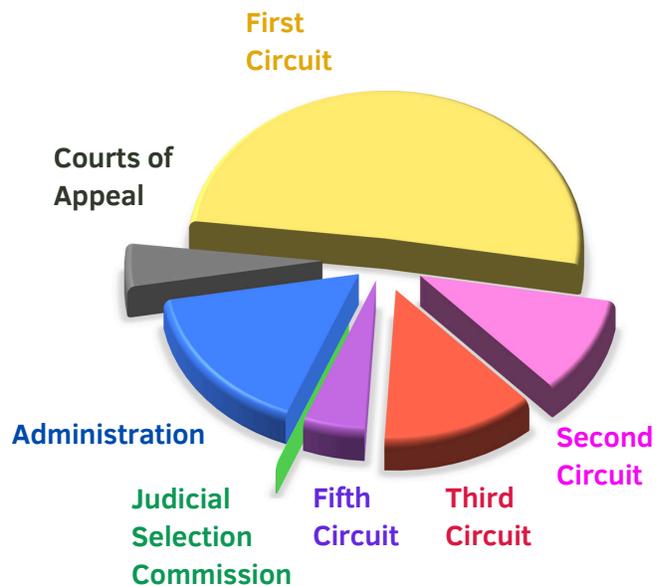
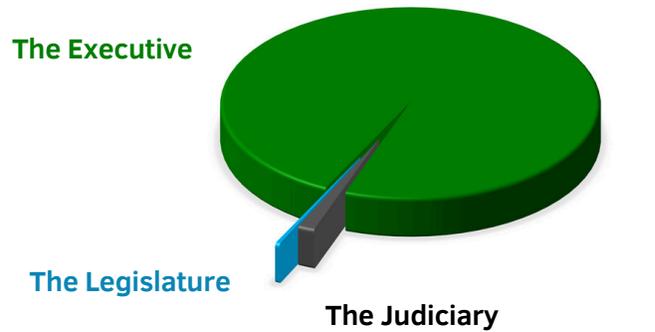
The Legislature appropriated \$175,247,259 from the State General Fund for Judiciary operations during Fiscal Year 2022–2023. The Judiciary's appropriations constituted 1.44% of the total state general fund appropriations. Other operating monies come from federal funds, trust funds, and special funds such as the Driver Education and Training Fund.

## Total State Government Appropriations From State General Fund Fiscal Year 2022–2023

The Judiciary	1.44%	\$175,247,259
The Legislature	0.38%	\$46,325,070
The Executive	98.18%	\$11,923,204,723
<b>Total</b>		<b>\$12,144,777,052</b>

## State General Fund Expenditure By Court Element Fiscal Year 2022–2023

Courts of Appeal	4.67%	\$8,142,271
First Circuit	50.53%	\$88,010,680
Second Circuit	9.81%	\$17,086,380
Third Circuit	12.92%	\$22,508,579
Fifth Circuit	4.57%	\$7,966,833
Judicial Selection Comm	0.08%	\$146,435
Administration	17.40%	\$30,305,940
<b>Total</b>		<b>\$174,167,118</b>

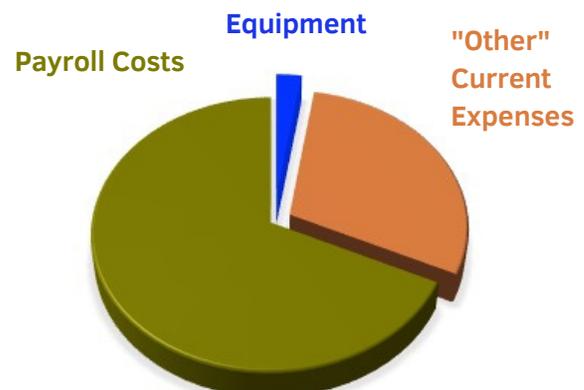


Program		FY 2022 Actual Expenditures	FY 2023 Actual Expenditures	Biennium Budget Appropriations* FY 2024	Biennium Budget Appropriations* FY 2025
<i>JUD 101</i>	<i>Courts of Appeal</i>				
	General Fund	7,651,348	8,142,271	9,948,644	9,914,727
<i>JUD 310</i>	<i>First Circuit</i>				
	General Fund	83,530,496	88,010,680	93,530,037	96,525,409
	Special Fund	2,196,347	2,012,922	4,177,883	4,261,273
<i>JUD 320</i>	<i>Second Circuit</i>				
	General Fund	17,288,513	17,086,380	19,398,739	19,999,098
<i>JUD 330</i>	<i>Third Circuit</i>				
	General Fund	20,811,945	22,508,579	23,437,911	24,380,777
<i>JUD 350</i>	<i>Fifth Circuit</i>				
	General Fund	8,321,971	7,966,833	8,755,703	9,225,420
<i>JUD 501</i>	<i>Judicial Selection Commission</i>				
	General Fund	56,708	146,435	110,099	114,074
<i>JUD 601</i>	<i>Administration</i>				
	General Fund	26,621,483	30,305,940	31,286,318	33,048,731
	Special Fund	5,309,977	5,677,146	8,195,369	8,241,219
	Revolving Fund	4,658	10,548	343,261	343,261
<b>Totals</b>					
	General Fund	164,282,464	174,167,118	186,467,451	193,208,236
	Special Fund	7,506,324	7,690,068	12,373,252	12,502,492
	Revolving Fund	4,658	10,548	343,261	343,261

*\* Subject to final legislative review.*

**State General Fund Expenditures By Cost Category Fiscal Year 2022–2023**

Equipment	2.50%	\$4,348,342
"Other" Current Expenses	29.52%	\$51,419,827
Payroll Costs	67.98%	\$118,398,949
<b>Total</b>		<b>\$174,167,118</b>



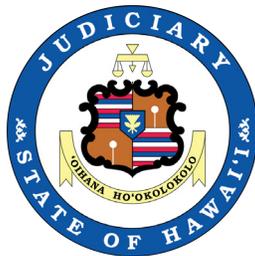
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***“Public service is the lifeblood of the Judiciary. It defines who we are as an institution. The Judiciary’s role in our democracy is different from other branches of government, but we share the common goal of serving the public.”***

***“Our core mission is to decide cases fairly and impartially in accordance with the law. But our work doesn’t end when the gavel falls. We implement programs to address the root causes of recidivism, such as drug use and mental illness, and to respond to other urgent community needs. We embrace this expanded role.”***

***- Hawai’i Supreme Court Chief Justice Mark E. Recktenwald  
State of the Judiciary Address, January 25, 2023  
Senate Chambers, Hawai’i State Capitol***



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