

TO: Board of Directors, American Judicature Society
FR: Civil Justice Subcommittee
DT: 12/4/18
RE: Annual Report

Our Subcommittee met regularly this year, with good participation and dialogue by our committee members. We examined three areas where our input may be helpful. More specifically:

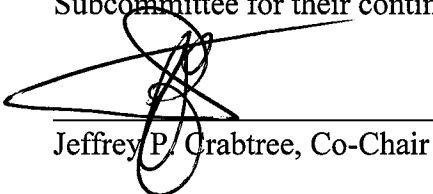
1) We considered Chief Justice Recktenwald's Task Force on Civil Justice Improvements, established by Order dated June 19, 2018. Their report is due on or before July 1, 2019. Our Subcommittee agreed it would not be appropriate to comment on any specific ideas, issues, or proposals during the initial stages of the Task Force's work, unless invited to do so. We are monitoring the progress of the Task Force, and we look forward to evaluating their findings and recommendations next year.

2) We also looked at whether and how to support the Judiciary's continuing requests to the Legislature to fund additional judges. We looked at the two positions proposed for First Circuit: a Family Court-Criminal (Domestic Violence) position, and a Family Court position in Kapolei.

- A. We ultimately could not reach consensus on the Family Court-Criminal (Domestic Violence) position. We also did not want to intrude on the work of the AJS Criminal Justice Subcommittee on that issue, so we decided to "stay in our lane" and not comment on the FC-CR (Domestic Violence) position.
- B. Regarding the Judiciary's requested additional Family Court position in Kapolei, the position was previously approved, but was not funded. It is clear to us an additional judge is necessary. Case volume is high, and the assigned judges cannot cover all the hearings, so multiple per diem judges are filling in. Together, the per diem judges are essentially covering a full-time position. Even with the per diem judges' efforts and dedication, we believe the participants deserve a full-time judge with specialized knowledge and training. We believe a full-time judge leads to more timely, thorough, and consistent decision-making, and reduces the administrative burden and expense of juggling multiple per diem judges. If AJS can support the Judiciary's "ask" for funding, our Subcommittee stands ready to support, e.g., by providing information or testimony if requested.

If you have any questions or need clarification, feel free to contact me at 538-5181.

Respectfully, and with thanks to our entire
Subcommittee for their continuing efforts,



Jeffrey P. Crabtree, Co-Chair