

**Daniel J. Padilla**

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**From:** American Judicature Society <info@americanjudicaturesociety.org>  
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**To:** Daniel J. Padilla  
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## **Chairman's Report to All Members and Friends**

Aloha All! Our warmest best wishes to you and yours for the upcoming Holiday Season!

On behalf of the board of AJS, I first want to thank all of you for your support and assistance throughout this past year. Many of you were involved in our activities this past year, and together, we have been able to accomplish much for AJS and our judicial reform community. We look for your continuation of the same throughout the next year.

I cannot emphasize enough how much you have made a huge difference in our ability to continue our work to promote the administration of justice here in Hawaii and increasingly throughout our country.

The work before us continues to grow. With an increasingly concerned and often polarized public, the strains on our judiciary and its independence have grown. Judicial elections continue to be expensive and contentious in many

states. So much so that the *Brennan Center* is now proposing to have state judiciaries change to merit selection of judges, thus minimizing or eliminating judicial elections. AJS now stands out as one of the few independent judicial reform organizations that continue to actively support an independent, accountable, and fair judiciary. Given these times and the continued and growing efforts of all of you, I am often reminded that support for AJS and what it stands for and its potential, is growing, as evidenced by the continuing support of people throughout Hawaii and the country. It is not easy, as we do not have enough resources, but we continue to work at it. We want to highlight some of the ways we have done it this past year. Please review this and our other committee reports, as we will continue this dialogue at the annual meeting with our suggestions of what is coming up for AJS in 2019:

**(1) The Work of Our Committees.** As you know, much of our work and our reputation, both now and in the past, is and has been accomplished by our committees, several of which have only been formed this year. Many of our members, who wish to be active, belong to committees. Some of our committees primarily monitor and report on what is going on in their substantive areas of concern while others regularly work, as the committees on Communications and Membership do. You will have access to all of our committee reports, whether in writing or orally during our annual meeting; please review them. If you wish to join a committee next year, please let us know. We will try to accommodate as many of you as we can.

**(2) Maintenance and Enhancement of AJS's Credibility.** Critical to our work, whether by committee or otherwise, is the ability to work on projects at a high level of performance, thoroughness and ethics. AJS has traditionally been, and existed as, a judicial reform organization anchored by a substantive platform in judicial independence, judicial accountability and ethics, judicial education and merit selection. Whatever it has accomplished over a hundred years depended on its credibility as a trustworthy organization-- independent, reliable, and effective in its sole focus on judicial issues. For example, Hawaii's

merit selection system was formed with the significant involvement and advice of AJS, whether at the Constitutional Convention of 1978 and with Hawaii's Judicial Selection Commission's development of its commission rules. This has also been evidenced in our committee work; and more recently by the State House's designation of AJS to do a study on the separation of powers issues contained in House Resolution 21. That work has begun with committee members: Lt. Gov. Doug Chin, Ninth Circuit Judge Richard Clifton, ICA Judge (Ret.) and St. Louis Schools President (retl) Walter Kirimitsu, U.H. Law Professor Melody MacKenzie, HGEA's head Randy Perreira, Chief U.S. District Court Judge Mike Seabright, U.H. Research Corporation Executive Director Sylvia Yuen, and staff member, Daniel Padilla.

AJS's credibility as an impartial and knowledgeable expert on judicial issues continues on a national level and international level as well. For example, this past June, Debbie Rubin, a producer at CBS News in New York City, reached out to AJS in search of answers to questions that she had relating to the recent recall of Judge Persky from the California Bench. Also, AJS has received a request from the Provincial Court of British Columbia (the "Court") to purchase copies of the 1961 AJS Publication "Handbook for Judges; An Anthology of Inspirational and Other Helpful Writings for Members of the Judiciary", which the Court plans to give to each judge that is appointed.

The preservation of our continued credibility for the long term will depend on substantive academic support. An important part of that effort is to affiliate with a university(ies) and/or law school(s). Law schools that have indicated varying (although generally limited until AJS has developed appropriate guidelines) degrees of interest are Vanderbilt, Georgetown, and Hawaii. We have commenced that search with the formation of a Law School Affiliation(s) Committee. As you may know, AJS reform efforts in its early years were led by Dean Oscar Pound and other law school deans, who actively promoted judicial reform. Such relationships with academia have continued.

**(3) AJS's Website and Social Media.** We have delved directly into the technological age with our well-designed website and social media pages. Daniel Padilla, with the guidance of the Communications Committee, has designed and maintains a first-class website that attempts to keep all of our members and interested parties in the loop. If you haven't visited it yet, I invite you to <http://www.americanjudicaturesociety.org> and see what an outstanding website it is. Along with the website, AJS is developing its social media presence, especially with our Mainland supporters, by maintaining pages on both Facebook and Twitter. If you are active on social media, be sure to "like" AJS at <https://www.facebook.com/ajs1913/>. The Communications Committee will have a separate report that highlights these and other aspects of its communications and public relations efforts.

**(4) The Planning for Our National Convention.** The AJS Steering Committee has been meeting regularly and at least monthly to review the viability of whether to have a national convention, and then to plan for it. After several months of study and discussion, the committee has decided to proceed with the recommendation that the convention be held. With the formation of a strong committee that includes Tim Johns and Randy Tanaka, both of whom were the key leaders of the *Asia-Pacific Economic Cooperation (APEC)* and the *IUCN World Conservation Congress* -- both with over 2,000 attendees -- the committee has been undertaking the planning of the convention. The committee believes that whether there are 200 or 2,000 attendees, we should proceed with further planning and development of the convention. With the strong support of Chief Justice March Recktenwald, and with the assistance of Judge Richard Clifton, the *Conference of Chief Justices*, and then by both CJ Recktenwald and Chief Justice Robert Torres, president of the *American Judges Association*, adoption of resolutions of both organizations supporting AJS's rebuilding and of the convention. Chief Judge Lisa Ginoza also had led the effort to have the *Council of Chief Judges of the State Courts of Appeal (CCJSCA)* also support a similar resolution, and today she announced that it had also been adopted. After considerable discussion, the Committee has

agreed on the theme of “Judicial Independence in an Age of Political Polarization”. The topic is timely and enticing, and we plan to have prominent speakers from throughout the country. And, already we have received many commitments of attendance from people throughout the country. At the convention, we want to provide a forum for the development of a higher level of participation in judicial education and involvement. We want to continue to the discussion of merit selection, accountability and higher standards of judicial ethics. We want to promote the development of state chapters that provide the level of education and support of an independent judiciary, which is under increasing attack throughout many states. Our steering committee for the convention is hard at work in planning for the convention.

Hawaii could be a good base for a national movement for judicial reform. Support for this is evident here: Hawaii has a strong and independent judiciary, a well-tested and successful merit selection process, a diverse judiciary (perhaps the most diverse state judiciary in the country), and an effective judicial accountability system (through its commission on judicial conduct, its judicial evaluation system and its judicial retention system). For those throughout the country who wish to exchange ideas and thoughts about reform, Hawaii has a formidable laboratory here[but other locations would be considered.]

**(5) Future Endeavors.** I’m sure you will agree that the work that is outlined above, as has been completed to date, not only for the convention, but also our other activities and programs to promote the development of a viable and permanent base for AJS, has been significant. As we expand, we will be operating at a higher level. This will mean there will be a need for a more active group of AJS leaders and members to fill the growing need for volunteers. We will also be working on additional resources, including a separate base of support for this expanding work. Russell Lau, Ivan Lui Kwan, and I are working on this, and we will have a further report at the time of the annual meeting.

**(6) Final Notes.** Finally, in addition to the work of all of you, I would like to use this opportunity to especially thank our behind-the-scenes staff members: Daniel Padilla and Ian Wesley-Smith (with regular guidance from Bill Harstad), as well as Ross Taosaka, assistant to Russell Lau; Bernadette Lee, assistant to Ivan Lui-Kwan, and, of course, my assistant, Jan Asari, for their relentless dedication and assistance to AJS.

We look forward to seeing you at this Thursday's Annual Meeting at The Pacific Club.

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