

## AMERICAN JUDICATURE SOCIETY -- HAWAI'I CHAPTER

### REPORT OF THE SPECIAL COMMITTEE ON PUBLIC KNOWLEDGE, UNDERSTANDING AND CONFIDENCE IN THE COURTS

#### I. THE COMMITTEE'S MANDATE

In December of 2006, the Honorable Ronald T.Y. Moon, Chief Justice of the Hawai'i Supreme Court, presented his annual speech on the state of the Hawai'i Judiciary to the American Judicature Society, Hawai'i Chapter. Chief Justice Moon's speech focused on a responsibility that he believes falls on the entire Hawai'i legal community; that is, actively to pursue improving the public's knowledge and understanding of how government works and to encourage the public's participation in it.

Chief Justice Moon noted that one of the missions of the American Judicature Society ("AJS") is to promote public understanding of the justice system which, in turn, promotes one of the primary goals of AJS: to secure and promote an independent judiciary and fair system of justice. The Chief Justice concluded his remarks with this challenge to the AJS: help our citizens acquire the knowledge and, most importantly, the desire to monitor government, including the justice system, and to actively participate in ways that will ensure the preservation of democratic principles and processes. The AJS Hawai'i Chapter accepted the Chief Justice's challenge and formed the Special Committee on Public Knowledge, Understanding and Confidence in the Courts.<sup>1</sup>

The Committee was tasked with addressing the concern that the public may not fully understand the workings of our government, and, in particular, our court systems, thus creating misunderstandings and apprehension by the public. Recent surveys reflect alarming levels of public knowledge of our system of government and the role of the judiciary within that system.<sup>2</sup>

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<sup>1</sup> The members of the Special Committee are: **Co-Chairs:** Alan Oshima, Esq. (Director, Senior Advisor, Hawaiian TelCom); The Honorable J. Michael Seabright, Judge, U.S. District Court for the District of Hawai'i; **Reporter:** Michelle Imata, Partner, Carlsmith Ball LLP; **Judges:** The Honorable James E. Duffy, Associate Justice, Hawai'i Supreme Court; The Honorable Rhonda A. Nishimura, Judge, First Circuit Court; The Honorable Patrick W. Border, Judge, First Circuit Court; The Honorable Russel S. Nagata, Judge, District Court, First Circuit; **Lawyers:** Aviam Soifer, Dean, William S. Richardson School of Law; Ted N. Pettit, Partner, Case Lombardi & Pettit; Steven B. Songstad, Esq., HSBA Designee; **Community Leaders:** Herman Aizawa, Superintendent, Department of Education (retired); The Honorable Walter S. Kirimitsu, Former Judge, Intermediate Court of Appeals and President, Saint Louis School; The Honorable Norman Sakamoto, Chair, State Senate Education Committee; Roger Takabayashi, President, Hawai'i State Teachers Association; Barbara J. Tanabe, President, Ho'akea Communications, LLC; **Ex-Officio and Liaison to AJS Hawai'i Chapter Board:** Jean Aoki, League of Women Voters.

<sup>2</sup> (1) "The Nation's Report Card: Civics 2006," released May 16, 2007 by the National Assessment of Education Progress ([http://nationsreportcard.gov/civics\\_2006](http://nationsreportcard.gov/civics_2006)) reports that only five percent of 12th graders were able to explain our system of checks and balances; (2) a 2006 report from the Annenberg Public Policy Center (<http://www.annenbergpublicpolicycenter.org>) summarized results from several surveys regarding the public and the courts and found that only one-third of Americans could name all three branches of government, while one-third could not name any. The report found that Americans consistently rank the Supreme Court as the most trusted body in the government, but only 58 percent believe that if the President disagrees with a Supreme Court ruling, the President should follow the Supreme Court's ruling rather than do what the President thinks is in the country's best interest. Further,

The Committee was asked to review these issues and to make recommendations to the Governor, the Legislature, and the Hawai'i educational system leaders, as well as to the Hawai'i Judiciary. Chief Justice Moon expressed his hope that this Special Committee would provide a concrete action plan for the implementation of programs in Hawai'i to increase public knowledge, understanding and confidence in our legal system.

This Report first discusses the Committee's investigation and findings on the status of civics education and programs in (i) Hawai'i's educational system, (ii) the Judiciary, (iii) the Hawai'i State Bar Association, and (iv) other state bar-sponsored programs. The role of Hawai'i's news media in understanding and promoting confidence in the courts is also examined.

The Committee's recommendations conclude this Report. In brief, among other things, the Committee recommends the following: (a) prompt action to establish a Hawai'i Institute for Civics Education ("HICE"), with oversight by a broad-based advisory committee composed of representatives of existing civics groups and programs; (b) creation of a 501(c)(3) non-profit corporation for fundraising activities by the advisory committee to allow for hiring of a director of HICE to explore partner arrangements with existing civics programs and to create new programs suited specifically for Hawai'i; (c) creation of an effective and comprehensive website on civics programs and activities; and (d) specific programs within the Judiciary to develop a higher quality of news coverage and understanding of court procedures.

## **II. MEETINGS AND REVIEW PROCESS**

The Committee held its first meeting in August of 2007 and then met approximately once each month thereafter through the summer of 2008. The Committee initially focused on the current status of civics education and programs in Hawai'i and on dissemination of information relating to the public's understanding of the Judiciary and the judicial process.

The following provides a brief overview of the Committee's findings:

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nearly half said it is essential or very important to be able to impeach or remove a judge from office if the judge makes an unpopular ruling. The "2007 Annenberg Judicial Survey" found that those who are less knowledgeable about courts and government are more likely to believe that judges are biased and less likely to believe that the courts act in the public interest; (3) "Civics Education," a report prepared for the American Bar Association in 2005 by Harris Interactive ([http://www.justiceteaching.org/resource\\_material/ABASurvey.pdf](http://www.justiceteaching.org/resource_material/ABASurvey.pdf)) surveyed adults ages 18 and older, and found that just over half of Americans can correctly identify the three branches of government. In fact, more than one in five respondents believed that the three branches are the Republican, Democrat, and Independent branches. With respect to the courts, less than half of respondents correctly identified judicial responsibilities, while 29 percent of those surveyed believe that the role of the judiciary is to "Advise the President and Congress about the legality of an action they intend to take in the future."; (4) "Knowing About Courts," a 2007 report presented at the annual meeting of the Midwest Political Science Association ([http://www.allacademic.com/meta/p196799\\_index.html](http://www.allacademic.com/meta/p196799_index.html)), discusses the consequences of public knowledge and understanding of the judiciary. The report reviews recent research documenting the relationship between being knowledgeable about courts and extending them respect and legitimacy. It concludes that there is a tendency for those who are more knowledgeable about the Supreme Court to be more supportive of the institution.

A. Hawai'i's Educational System

Initial discussions of the Committee focused on the current status of civics education and programs in Hawai'i. See, Attachment, "Survey of Civics Related Programs in Hawai'i."

1. The Public Schools. Graduation requirements include earning four credits in social studies from grades 9 to 12.<sup>3</sup>

Various ongoing Department of Education ("DOE") work groups review and approve learning materials and course and credit approvals to align them to standards and benchmarks. Of note is a new group, The Civics Responsibility Work Group, being formed to review civics education.

2. The Independent Schools. In evaluating social science curriculum and integration of civics learning in Hawai'i's independent schools, the Committee reviewed and discussed, as an example, the program currently offered at Saint Louis School.<sup>4</sup>

Saint Louis School also participates in the Kids Voting Hawai'i program.

3. The University of Hawai'i and the William S. Richardson School of Law. The William S. Richardson School of Law engages in extensive outreach in K-12 public education.

B. Hawai'i's Judiciary

In addition to surveying the available programs in Hawai'i's educational system, the Committee also sought input from Hawai'i's Judiciary on its existing civics and other outreach programs. See Attachment, "Survey of Civics Related Programs in Hawai'i."

To inform the public about various court processes and procedures, the Judiciary has informational brochures and booklets on various topics available without charge.<sup>5</sup> The Committee

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<sup>3</sup> Teachers are using the following, including various websites, to provide them with specific curriculum and lesson plans currently available for use in their classrooms:

<http://www.cyberlearning-world.com/lessons/dec8usg.htm>

<http://www.crf-usa.org/lessons.html>

<http://www.lessonplanspage.com/SSGovtDecIndepenBillRights36.htm>

<http://members.mobar.org/civics/JudiciaryLP.htm>

[http://www.courts.state.hi.us/page\\_server/News/Speeches/Articles/380C1D38AA88F856F2DE51D532.html](http://www.courts.state.hi.us/page_server/News/Speeches/Articles/380C1D38AA88F856F2DE51D532.html).

<sup>4</sup> Online resources that Saint Louis teachers frequently access for civics-related content are: Center for Civic Education <http://www.civiced.org>; Close-up Foundation <http://www.close.org>; Constitutional Rights Foundation <http://www.crf-usa.org>.

<sup>5</sup> These materials include the following: Are You Interested in Being a Court Interpreter? -- Attorney-Client Relations Program -- Center for Alternative Dispute Resolution -- Dispute Resolution Procedures -- Going to Probate Court? -- Going to Small Claims Court? -- Mediation Times -- Selecting a Facilitator -- Selecting a Mediator -- What is Facilitation? -- When You Have Disputes, There Are Choices -- Children and Divorce -- Children's Justice Center of O'ahu -- Commission on Judicial Conduct -- Community Mediation -- Community Service Sentencing Branch -- Court Orientation Tours -- Disciplinary Complaints Against Lawyers -- King Kamehameha V Judiciary History Center -- Lawyer Referral Information Service -- The Judiciary State of Hawai'i 2007 Annual Report -- The Judiciary State of

also discussed Hawai'i's jury selection process and recognizes that one of the most powerful tools for education of the public on the functions of the law is service on a jury. Participation in a trial as a juror is the most direct form of citizen involvement in the justice system that is contemplated by the United States Constitution. At some point following the formation of HICE, the Committee hopes that HICE will allocate resources to study ways to make Hawai'i's jury selection and service process as simple and user friendly as possible, including consideration of alternate jury selection approaches, in order that prospective jurors will appreciate, and even look forward to becoming involved when they are selected to be a prospective juror in a criminal or civil case. The Committee believes, for example, that some consideration should be given to amending state law to allow for use of the "single strike method" of jury selection.

C. The Hawai'i State Bar Association

Hawai'i's State Bar Association ("HSBA") and, in particular, its Young Lawyers Division ("YLD"), have worked on several projects to promote civics education.

At present, there are no HSBA standing committees addressing the area of civic or law-related education. The YLD represents the service-arm of HSBA and conducts numerous law-related activities throughout the year, including the well-received High School Mock Trial Program (where volunteer lawyers coach mock trial teams as they take a case from start to finish, culminating in mock trial competitions between schools). YLD's emphasis, however, centers on targeted youth groups and the general public responding to specific social issues rather than "civics education."

D. Other States: Bar-Sponsored Programs

The Committee reviewed the websites for a number of state judiciary and state bar programs concerning civics education. After initial research, the Committee focused on state programs in Missouri and Kentucky. Although the two programs have differing purposes, funding, activities and objectives, both encompass an effective website and dedicated, professional staffing.

1. Missouri Model.

a. Purpose of Program. The Missouri Bar is in its fourteenth year of sponsoring a Citizenship Education Program. The mission of the Missouri program states:

The mission of the Missouri Bar Citizenship Education Program is to promote and encourage the education of all citizens for a lifetime of responsible citizenship through programs about the law, the constitution and our system of government.

The purpose of the Program is broad, as evidenced by its numerous activities. Some of the Bar-sponsored activities include the following:

- Brochures for judges, lawyers and educators.

- Outstanding Citizen Program.
- Awards for outstanding civic educators in Missouri.
- Support for youth programs such as YMCA Youth in Government and Kids.
- Voting.
- Law-related education in juvenile justice settings.
- Annual Law Day Conference – a professional development opportunity for teachers.
- We the People . . . The Citizen and the Constitution – a three-day summer institute for teachers, funded in part by Center for Civic Education.
- Project Citizen lesson plans for educators and middle school students sponsored in part by the Center for Civic Education.
- Missouri Press Association newspaper activities on citizenship education.
- Checks and Balances – Internet casts (webcasts) concerning the three branches of government, in collaboration with the Department of Elementary and Secondary Education Service Learning and the Missouri School Boards Association ("MSBA").
- Constitution and Bill of Rights Day Programs – Internet casts (webcasts) featuring a panel to discuss constitutional issues in collaboration with the MSBA.
- Civics Library of the Missouri Bar – lesson plans, content materials and links to various Internet resources on civic education topics.

The Bar programs are guided by the Missouri Bar Advisory Committee on Citizenship Education. Members of this Committee include most of the civic education stakeholders in Missouri. Representatives of the Judiciary, Missouri Bar, law firms, school boards and administrators, government agencies, colleges and universities, civic groups, community organizations and business sector comprise the Advisory Committee. There are approximately fifty members who represent organizations that provide a broad base of resources in complementary services and programs in civics education. An active, synergistic advisory committee is one of the strong points of the Missouri program.

b. Objectives. The objectives of the Missouri program are to provide public information and education about the judiciary, the Constitution, various areas of the law, and to coordinate civics education throughout the State. In particular, the Missouri program focuses on education in the school system through various workshops, civic education programs, and development of lesson plans and materials for teachers.

c. Funding. The Missouri program has an annual budget of approximately \$250,000, which includes salaries for its director and staff, supplies, and other budgetary items. Salaries total approximately \$110,000 per year. Funding is provided through dues charged by the Missouri Bar to licensed lawyers. In addition, the Missouri program receives annual grants from the Center for Civics Education (\$70,000 – \$90,000), and donations from the Missouri Bar Foundation (\$10,000 – \$15,000).

d. Activities and Websites. The Missouri program hosts an effective website at [www.mobar.org](http://www.mobar.org) with up-to-date information on a variety of activities, such as those mentioned above. In addition, the Missouri Bar also sponsors another website, [www.ShowMeCourts.org](http://www.ShowMeCourts.org), which contains detailed information about Missouri's judicial system. Lesson plans and handouts, a civics library, activities and discussion points and other materials are available at the websites to assist learning about the judicial system and constitutional law.

e. Director. The Committee interviewed Millie Aulbur, who has been the Director of Legal Education for the Missouri Bar since 1994. She is a full-time employee. Ms. Aulbur is an enthusiastic and knowledgeable lawyer who is dedicated to the objectives of the Missouri program. Ms. Aulbur has emphasized to the Committee the importance of strong leadership for any bar-sponsored program on civics education. Ms. Aulbur has developed many of the lesson plans and other materials at the Missouri Bar website and generously offered to make those materials available for use and/or modification by the HSBA or the Judiciary in developing its own program and website.

## 2. Kentucky Model.

a. Purpose of Program. The Kentucky Law Related Education ("LRE") program was created in 1990 by the Administrative Office of the Courts, Kentucky Court of Justice. The division of LRE is organized under the Department of Juvenile Services. The LRE was formed specifically to deal with juvenile delinquency and educating citizens about the law, the legal process and the fundamental principles of constitutional democracy. The LRE program consists of various training programs on the court system to juvenile justice practitioners, law enforcement officials, educators, court personnel, and lawyers throughout Kentucky.

The LRE program is unusual because the majority of state-sponsored programs are administered by their respective Bars.

b. Objectives. As stated the goals of LRE are to:

- Demystify the law in legal proceedings.
- Provide a balanced view of the law.
- Develop critical thinking abilities.
- Prevent delinquent behavior.
- Increase interaction with members of the legal community.

- Teach youth their rights and responsibilities under the law.

c. Funding. The LRE Program is funded by the State of Kentucky through its Judiciary. The budget includes funding for a director and staff for LRE and court-designated workers ("CDWs") who help juveniles under age eighteen charged with criminal offenses to enter a diversion program. This allows the juvenile to carry out restitution without court action and without creating a formal court record, depending on the ruling of the court. CDWs are employed by the administrative office of the courts. The exact amount of funding by the Kentucky Judiciary for its LRE Program is not available.

d. Activities and Website. A number of programs have been developed by the LRE Program.<sup>6</sup> Participants benefit from LRE materials presentations by justice system experts, field experiences such as courtroom tours and mock trials, and opportunities to participate in civic and community projects.

The Kentucky Program maintains an active website at <http://courts.ky.gov/lre>. Links to promote the goals of law-related education and programs are the website.

e. Director. Deborah Williamson, Ph.D., is the Director of LRE for the Court of Justice in Kentucky. The Committee interviewed Dr. Williamson to learn about her experience working with the Kentucky Judiciary to develop and promote law-related education programs, with an emphasis on juvenile outreach programs. Dr. Williamson has drawn on many national resources such as Center for Civic Education, the U.S. Department of Education, National Crime Prevention Council, Street Law, Inc., and other resources to develop Kentucky's program. Dr. Williamson stressed the importance of an energetic and knowledgeable individual acting as director to insure a successful program.

#### E. The News Media's Role in Understanding of the Courts

Another material component in understanding and promoting confidence in the courts is the role of the news media. The Committee examined the current status of media coverage of the courts in Hawai'i and conducted an informal survey with news media professionals.

1. Assessment. The news media in Hawai'i has undergone significant changes in recent years. Reflecting the trend on the mainland where competition from alternative media channels has led to falling revenues and drastic cost cutting, traditional news media outlets such as newspapers and television stations have reduced their news gathering operations. In Hawai'i, news operations have tighter budgets, less experienced editors and reporters, and more reliance on news stories which can be produced quickly and simply.

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<sup>6</sup> Some of the Kentucky LRE Programs include the following: (1) "We the People ... The Citizen and the Constitution" - Grades 4 - 12; (2) "We the People . . . Project Citizen" - Grades 5-8; (3) Truancy Diversion Program - Grades K-12; (4) Kentucky Mock Trial Program -- Grades 9-12; (5) Kentucky Teen Court Program - Grades 9-12; (6) Community Works - Grades 7 - 12; (7) Bobby and the Court Designated Worker - Grades 3-6; (8) Street Law: A Course in Practical Law - Grades 9-12; (9) Under 18: Under the Law - Grades 6-12; and (10) School Violence Prevention Demonstration Program - Grades K-12.

The Committee conducted an informal survey with news media professionals who provided the following observations:

- The current generation of reporters are likely less familiar with the judicial process because of the de-emphasis of civics education in schools.
- News reporters tend to be generalists so courts need to be far more proactive to help reporters understand the importance of rulings.
- Cameras in the courts have helped the public understand what happens in court, but the news media gravitate to criminal trials so complex but important civil cases might be overlooked.

2. Issues. Absent a sensational crime story or celebrity suspect, news coverage of the courts is no longer a priority or a routine "beat." News professionals who participated in our survey identified the following issues:

- Editors and reporters, especially in television, tend to be inexperienced or unfamiliar with the procedures of the judicial system.
- Reporters, pressed to file multiple stories, focus on stories that require less time and research, and significant trials or court rulings might be overlooked.
- With rare exception, reporters assigned to the courts are provided no training or resource materials to improve their professional understanding of the judicial system.

News professionals also cite issues with the Judiciary which make coverage of the courts more difficult. They include:

- Judicial staff insensitivity to news media deadlines.
- Lack of access to an authority or spokesperson on major cases.
- Propensity of judges to seal documents or close hearings.
- Lack of online access to state court documents.
- Rules restricting interviews with judges.

The news professionals also identified existing programs and initiatives that are helpful in their coverage of the courts. They include:

- Camera in the courts – this state program has given the public a better understanding of what happens inside the courtroom.
- Online materials – PACER allows public access to federal court documents, even after courts are closed.



- Recordings – Ninth Circuit hearings are available on recordings for reporters to develop accurate, in-depth reports.
- Proactive communications from judges – some judges make copies of rulings available to discuss with reporters early enough to help write news stories.

### III. RECOMMENDATIONS

The Committee was tasked with addressing the concern that the public does not fully understand the judiciary, thus creating misunderstandings and apprehension by the public. The Committee unanimously recommends that the following steps be taken to improve the general level of understanding of civics and thus, the role of the judiciary:

- Creating HICE - an organization to address civics education and the judiciary's role in our society.
- Improving news media access to public information and activities of the judiciary.

#### A. Development of a Comprehensive and Sustainable Civics Education Program

An understanding of the judiciary begins with education. The Committee recommends the development of a comprehensive and sustainable education program aimed at Hawai'i's schools, including providing teachers with the tools and training necessary to provide meaningful education regarding civics education and the judiciary. To accomplish this goal, the Committee recommends the creation of HICE.

HICE would be comprised of a broad-based advisory committee, drawing from existing civic groups and programs. The stakeholders in civics education in Hawai'i should be identified and invited to join this advisory committee to develop objectives and to guide HICE's activities and programs. HICE's mission would be to work with all existing civics education groups and to coordinate a sustainable effort to improve the level of civics education and the public's knowledge of the judiciary's role in our society. At a minimum, the advisory committee should include representatives from the following stakeholders:

- The Judiciary
- The Executive Branch
- The Legislature
- Hawai'i State Bar Association (including the Young Lawyers Division)
- State of Hawai'i Department of Education
- Hawai'i Association of Independent Schools

- William S. Richardson School of Law
- News Media
- Universities and Colleges
- Community and Civic Organizations
- Businesses and Union Participants

**B. HICE's Salaried Director**

The Committee strongly recommends that HICE should appoint a full-time salaried director. The Committee cannot overstate the importance of a strong, resourceful and energetic individual to provide firm guidance and sustainability. Although the director need not be a lawyer, the director should be familiar with the legal process and Hawai'i's court system.

**C. Collaboration With Other Organizations**

The Committee further recommends that HICE partner with existing civics education programs and create new programs suited specifically for Hawai'i. In this regard, the Committee finds that the William S. Richardson School of Law and the HSBA/YLD are uniquely situated to partner with HICE to provide needed services. Including as many of the above-listed stakeholders in HICE's programs will substantially improve HICE's ability to carry out its mission.

**D. Creation of a Robust Website**

One of the early goals of HICE should be to create an effective and comprehensive website. The website would be a resource for all of Hawai'i's citizens, including students and teachers. To accomplish HICE's goals, the website should publish general information regarding the courts, the history of the judiciary in the United States and Hawai'i, lesson plans, calendar of events, news media guidelines, and other related services.

**E. Assuring Sustainability**

1. **Hawai'i State Bar Association's Possible Role.** The Committee is aware that its proposal is far reaching and will involve considerable expenditure. Nonetheless, any program that is developed needs to consider long-term viability and continuity of its programs to ensure success. After researching and discussing various models used by other states, the Committee believes that the creation of HICE, with an advisory board and a full-time director, is most likely to achieve these goals. In this regard, the Committee believes, after consultation with HSBA, that it may be possible for HSBA to house and provide administrative support to HICE and its director. This would minimize fixed expenses for HICE.

The Committee discussed various funding possibilities. The Committee heard, consistently and from several individuals and groups, that an increase in HSBA dues to pay for this effort would meet stiff resistance. In fact, many have said that any effort dependent on HSBA dues would be sure to fail, and HSBA itself echoed these concerns. Nonetheless, one option is to fund HICE, at least in

part, through an increase in bar dues. Upon reflection, the Committee believes that the HSBA should be asked to consider an increase in dues to raise a minimum of \$50,000 annually. This base amount can then be supplemented by grants and other fundraising activities. Without a base level of support, the Committee believes that it would be difficult to attract and retain qualified applicants for director.

2. State of Hawai'i Funding. Funding from the State of Hawai'i also appears problematic. With increasing pressures on the state budget and a cut in DOE's budget, it is unrealistic to expect state lawmakers to fund a new program. However, state funding can be considered for future services and programs.

3. Grants and Fundraising as a 501(c)(3). The Committee ultimately determined that the most likely source of additional funding would be through grants and fund-raising by HICE as a 501(c)(3) non-profit corporation. Broad-based public support should be sought. The director of HICE should be tasked with seeking sources of funds and working with organizations (including the AJS) and foundations to obtain the necessary funds to ensure that HICE will be a long-term, sustainable organization.

F. The Role of the News Media

The Committee believes that a higher quality of news coverage would result in an increased level of confidence in and understanding of the judiciary.

1. The Judiciary Should Review Communication Approaches. The Committee recommends that the courts consider:

- Facilitating access by the news media to the judicial system;
- Developing and maintaining a website with updates and content that includes useful news media tools such as glossary of terms, judicial code of conduct, and contacts of judicial staff;
- Improving online capabilities for all court filings and news media resources.
- Identifying a spokesperson at each court to respond to news media queries.
- Providing a rostrum of retired judges who can provide background on the court process, answer questions regarding complex areas of the law, and mentor young reporters.

2. News Media Training. Periodic training of the news media would result in a better-educated news corps and thus more accurate reporting. Courts should consider:

- Hosting training programs for the media, to be held annually or semi-annually.
- Inviting media professionals to special events such as swearing-in ceremonies, retirements, commemorative celebrations, and similar functions.

3. The Role of HICE with the News Media. Finally, a forum should be developed to ensure that the media is obtaining accurate information, and inaccuracies can be immediately addressed. HICE should consider creating a process to immediately correct inaccurate or misleading news media information.

## ATTACHMENT

### **"Survey of Civics Related Programs in Hawai'i"**

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
<b>Hawai'i Department of Education ~ The Public Schools</b>	Social Studies, including civics education, are taught yearly in classrooms from Kindergarten to Grade 12. The curriculum listed incorporates the rights, privileges and responsibilities of being a citizen in our state, nation and the world.	Grades K-3 curriculum covers social studies from a broad-based perspective. Grade 4 curriculum covers pre-contact Hawai'i and Politics. Grade 5 curriculum covers Early American History and Politics. Grade 6 curriculum covers Ancient Civilizations through Pre-Modern Times and Governance. Grade 7 curriculum covers the History of the Hawaiian Kingdom and Pacific Islander Studies. Grade 8 curriculum covers United States History and the Constitution through Reconstruction from the Civil War through the 20th Century. Grade 9 curriculum covers United States History, Early 20th Century from Immigration to Present. Grade 10 curriculum covers World History through Modern Times. Grade 11 curriculum covers a semester of Modern History of Hawai'i and a semester of Participation in Democracy. Grade 12 curriculum covers two semester courses from a list of 17. The most popular include Economics, Psychology, and Global Studies.

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### "Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
<p><b>The Independent Schools</b> ~ <b>Saint Louis School</b> (School Year 2008 – 2009)</p> <p>(In evaluating social science curriculum and integration of civics learning in Hawai'i's independent schools, the Committee reviewed and discussed, as an example, the program currently offered at Saint Louis School.)</p>	<p>Social Science Courses</p>	<p>Grade 4 curriculum covers Hawaiian Studies, with a focus on Hawaiian history prior to European contact.</p> <p>Grade 5 curriculum (Social Science 5) includes basic elements of maps and globes; physical and human characteristics of space; patterns of economic interdependence.</p> <p>Grade 6 curriculum (Social Science 6) includes government and its functions; values, beliefs, principles of American constitutional democracy.</p> <p>Grade 7 curriculum (World Geography) focuses on relation of the United States to other nations; distribution of important resources; human actions in global stewardship.</p> <p>Grade 8 curriculum covers United States History, European colonization; Revolution and nation-building; industrialization; Civil War; Depression; World Wars; Civil Rights.</p> <p>Grade 9 curriculum covers Modern Hawaiian History, Hawaiian history from 1760 to the present; native issues; self-determination.</p> <p>Grade 10 curriculum covers Modern European History, Western civilization from 1600 to the present.</p>

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**"Survey of Civics Related Programs in Hawai'i"**

<b><u>Organization or Entity</u></b>	<b><u>Program or Activity</u></b>	<b><u>Description</u></b>
<b>(con't...) The Independent Schools Saint Louis School</b>		Grade 11 curriculum covers US History, European colonization to the Modern Era; Advanced Placement US History, United States history from colonies to the present; and, Economics (one semester), Essentials of macroeconomics.  Grade 12 curriculum covers US Government (functions and structure of American government at state and federal levels); the Constitution; Advanced Placement US Government & Politics (college-creditable component to US Government); and Advanced Placement Psychology.

## ATTACHMENT

### "Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
University of Hawai'i – William S. Richardson School of Law	K-12 Public Education	The School of Law engages in extensive outreach in K-12 public education.
	Volunteer Work	Volunteer work ranges from teaching classes on legal matters to coaching Mock Trial and We the People teams. The Law School students also participate in school based career fairs throughout the state.
	Street Law Programs	School of Law students initiated two Street Law programs last year to teach teens who are at risk or incarcerated about the basic laws that affect their lives. The basic goal was to model and inspire at risk youngsters to think about going to college and even, perhaps, to imagine law school in their futures. Law students, several alumni, advisor Jaimie Kunichika, and retired judge James Burns worked together to offer two separate six-week programs.
	Free Speech and Constitutional Law Curriculum	School of Law students and professors developed a Free Speech and constitutional law curriculum for high school students. Law students have presented this curriculum to high school students throughout the state. A group of Waianae High School students won the 2008 First Freedom Award, sponsored by the Student Television Network, and enjoyed a trip to Washington to be part of the opening ceremony for the new "Newseum."



**ATTACHMENT**

**"Survey of Civics Related Programs in Hawai'i"**

<b><u>Organization or Entity</u></b>	<b><u>Program or Activity</u></b>	<b><u>Description</u></b>
(cont'...) University of Hawai'i – William S. Richardson School of Law	Native Hawaiian Law	This project involves developing a curriculum that focuses on Native Hawaiian law for students at the Anuenue public charter immersion school. The six-week curriculum covers issues centered on water, language, land, historic preservation, and nationhood.
	Multidisciplinary Project	A multidisciplinary project revolves around a class taken by rising professionals from the schools of Education, Nursing, and Social Work as well as Law. The class involves partnering with Farrington High School in various ways, such as the development of a curriculum for faculty and administration about domestic violence, working as mentors with an at-risk student group, and helping foster children draft and lobby for legislation during this year's legislative session.  Although in the planning stage, the Law School also expects to partner with Kamehameha Schools and Big Brothers Big Sisters of Honolulu to begin a volunteer law student program for students at Waimanalo Intermediate School in January, 2009.

# ATTACHMENT

## "Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
<b>The Hawai'i State Judiciary</b> The Hawai'i State Judiciary's civics and outreach programs are conducted primarily through the King Kamehameha V Judiciary History Center ("JHC") and the Judiciary's Public Affairs Office ("PAO"). JHC civic programs target students and teachers, and center visitors who tour the exhibits, view the movies and watch the historical reenactments and other special presentations put in by the center. PAO outreach programs target the general public, court users, including lawyers, litigants, service providers, and others. JHC is a permanent educational institution created to inform and provide learning opportunities about the judicial process and Hawai'i's legal history from pre-contact to present. JHC civic initiatives include school tours of its exhibits, curriculum and DVDs, teacher training, and a Speaker's Bureau program. Other Judiciary offices provide civics and outreach programs in support of the offices' respective missions.	Judges in the Classroom  The Trial of Nathaniel Bacon  Authority vs. Power and Rules and Law  Animal Cases	This program introduces students to Hawai'i's juvenile justice system. The lessons include guidelines for a discussion on the difference between the trial and appellate courts, Hawai'i's laws as they pertain to minors, a judge's role as an interpreter of law, and what it takes to become a judge. The lessons were developed for judges to use during school speaking engagements.  The Trial of Nathaniel Bacon is a mock-trial activity created to meet the Social Studies benchmarks for the DOE's fifth grade students. Focusing on the conflicts that arose between the Native Americans and the Colonists, the curriculum also examines the conflict between the Colonists themselves and the courts of early America.  Authority Versus Power and Rules and Laws, a two-part lesson plan, was developed to address the DOE's third grade Social Studies benchmarks. Students learn to differentiate between power backed by "might" and power backed by "right."  Animal Cases, developed to introduce lower elementary students to the judicial process, is a collection of scripted court cases based on transcripts from the District Courts of the Hawaiian Kingdom. Cases involving theft of a chicken, runaway pigs, and reckless horseback riding, encourage student jurors to consider evidence, issues of choice and consequence, social responsibility, and justice.

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(con't...) The Hawai'i State Judiciary	DVDs and Videos	The Judiciary offers several DVDs and videos with civic education content. Broken Scales: Justice Under Influence is accompanied by a speaker's kit for use by judges and focuses on the separation of powers and importance of an independent Judiciary. When Fear Reigned examines martial law during World War II and its impact on American democracy and the system of checks and balances. Work It Out, Restoring J, and Mediation: An Alternative to the Courts stress the important role of mediation and civic engagement in our society.
	Teacher Training Initiatives	The Judiciary provides professional development for Hawai'i's teachers through several teacher training initiatives conducted by JHC. The School Violence Prevention Demonstration Project ("SVPDP") is designed to improve students' civic knowledge, skills, and attitudes. SVPDP helps teachers learn how to teach their students about civic education, constitutional doctrine, and public policy theory. Participating teachers receive six to eight days of professional development throughout the school year, and class sets of three curricula.  We The People includes instruction in a curriculum that examines the U.S. Constitution and Bill of Rights.  JHC is conducting a third teacher training initiative through a Teaching American History Grant ("TAHG") from the DOE. Currently in the second of three years, the TAHG workshop targets 8th grade U.S. History and ninth grade Participation in Democracy teachers. The training focuses on the U.S. Constitution.

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con't... The Hawai'i State Judiciary	Speakers Bureau	JHC arranges for judges to speak at schools and community groups, and provides curriculum materials as needed. Judges may talk about the role of the courts, careers in the legal profession, and other topics of interest.
	Lunch 'n Learn Law	Lunch 'n Learn the Law is a series of free information seminars about specific areas of the law and the courts. Volunteer presenters include judges, lawyers and other subject-matter experts. The one-hour sessions are held monthly, from January to November, in the Supreme Court courtroom. Topics include small claims, credit and bankruptcy, landlord-tenant issues, elder law, and labor and employment disputes.
	Hawai'i State Judiciary Website	PAO is responsible for the Judiciary's Internet website, <a href="http://www.courts.state.hi.us">www.courts.state.hi.us</a> , a gateway to online court services, case information, and other resources. The website contains Circuit and Family Court case records and District Court traffic case records, appellate opinions, self-help legal information, Hawai'i Rules of Court, news releases, employment listings and an online application form, court forms, and caseload statistics.

As the official voice of the Judiciary, PAO regularly disseminates news to the print and broadcast media and will clarify inaccuracies and/or misrepresentations carried in the press.

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cont'... The Hawai'i State Judiciary	Media Release / Letters to the Editor	Judges often publish articles in The Honolulu Advertiser in observance of Law Week to promote greater public understanding of, and appreciation for, the judicial and legal systems. Topics have included judicial independence, restorative justice, burden of proof, the importance of civic education, judicial elections, balancing public access against privacy rights, right to counsel, sentencing, judicial decision-making, etc.
	Public Access	The Hawai'i State Judiciary implemented a program to streamline services and provide up-front personalized assistance through Court Concierge Desks and Customer Service Centers. The program is called Ho'okele, which means "to guide" in Hawaiian. Under this program, the first stop for a court user is a Court Concierge Desk located at the entry point to the two courthouses on Punchbowl Street and on Alakea Street. In addition to providing directional information, the Concierge staff performs "triage" by determining the type of assistance that is needed and directing the user to the proper court or, if appropriate, to an outside agency.
		The Customer Service Center gives court users more options by providing opportunities for self-learning, self-help, and individualized assistance. At the Center, a court user can pick up informational brochures, forms, and self-help packets; browse through reference material; or view videos on court procedures. There are two Centers located in downtown Honolulu.

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cont'... The Hawai'i State Judiciary	Family Court Self-Help Packets	Family Court developed educational, self-help packets with forms and instructions for the following types of cases: Uncontested Divorce with Children; Uncontested Divorce without Children; Guardianship for an Incapacitated Person; Guardianship of a Minor; Change of Custody and/or Visitation in Paternity Actions; Uniform Child Custody Jurisdiction Act; Establishing a Foreign Adoption; Appeal from the Administrative Orders of the Office of the Child Support Hearings; and Motion for Pre- or Post-decree Relief in Divorce Cases.
	Divorce Law in Hawai'i	The Divorce Law in Hawai'i informational program assists the public in understanding the state's divorce laws in order to assist separating families through the difficult period of marital-action cases (divorce, annulment, separation, and separate maintenance). The free sessions include an overview of custody, visitation, child support, property division, alimony and other issues related to divorce, including mediation.
	Courthouse Assistance Project	On July 1, 2008, a collaborative effort between the state court system's Fifth Circuit and the Legal Aid Society of Hawai'i began called the Courthouse Assistance Project. This new office provides legal advice and other assistance to persons who cannot afford an lawyer who may be eligible to receive free or low-cost legal help for divorce, TROs, small claims, landlord/tenant, and other civil cases filed in the Family and District Courts.

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cont'... The Hawai'i State Judiciary	Adult Client Victim Services	Adult Client Services of the First Judicial Circuit provides services to assist victims and their families as they proceed through the criminal justice system. Information found on the Judiciary's website includes: your rights as a victim of a criminal act, how Adult Client Services assists crime victims, how to submit a victim impact statement, sentencing of the offender, how to seek restitution from the offender, how to seek government compensation for certain types of crimes, how to be notified or comment on an offender's transfer request to another state, and where to go for help.
	Publications	To inform the public about various court processes and procedures, the Judiciary has informational brochures and booklets available for free, on various topics.

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Young Lawyers Division of the Hawai'i State Bar Association (YLD)	High School Mock Trial Program	The Mock Trial competition consists of high schools from state wide who compete by acting as lawyers and witnesses in simulated civil and criminal trials before actual judges.
	College and Career Fairs	Volunteer lawyers travel to College and Career Fairs to visit with middle and high school students who are interested in a legal career and to inform them of the roles of lawyers in the community.
	Junior Judges	Volunteer lawyers go to 3rd-5th grade classrooms to discuss the various challenges and difficult decisions facing our young students. Through the use of video clips depicting various scenarios, lawyers talk with the students about a variety of topics, including: cheating, destroying property, bullying, teasing, peer pressure, and drugs/alcohol, and walk the students through the "right decisions" and the consequences of making bad choices.
	Law Week	Held in conjunction with National Law Week (typically in May), lawyers participate in various public events and projects which educate people about the law. Law Week activities include general clinics at neighborhood shopping centers, and other public locations, social activities and education/awareness programs for the public and members of the bar.



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<p>con't ...  <b>Young Lawyers Division of the Hawai'i State Bar Association (YLD)</b></p>	<p>Legal Line</p>	<p>Every Wednesday evening between the hours of 6 pm - 7 pm, volunteer lawyers answer questions from the public concerning various legal topics and provide helpful legal information, basic insight and direction as to where the individual may go for help.</p>
	<p>Ready For The World</p>	<p>Volunteer lawyers visit local high schools to talk with students about various topics, including: their civic rights and responsibilities upon turning 18, civic responsibilities, voting, jury duty, credit and debt, housing, and employment among other topics.</p>
	<p>Goldlocks</p>	<p>Volunteer lawyers work with elementary school students through the judicial process with particular emphasis on the jury: putting Goldlocks on trial for her crime against the Three Bears.</p>