

# **REPORT OF THE LONG RANGE PLANNING COMMITTEE OF THE AMERICAN JUDICATURE SOCIETY - HAWAI'I CHAPTER**

**October 2013**

## **I. INTRODUCTION**

In the summer of 2013, the Hawai'i Chapter ("the Chapter") of the American Judicature Society ("AJS") impaneled a Special Committee on Long Range Planning ("the Committee") to recommend goals to guide the Chapter for at least the next five years.<sup>1</sup>

To set a future course in keeping with the Chapter's history and structure, the Committee organized itself into three subcommittees—1) a subcommittee assessing the Chapter's history and current status; 2) a subcommittee identifying goals to guide future actions; and 3) a subcommittee examining fundraising issues. The subcommittees reported to the Committee, which now makes the recommendations contained in this report.

The Committee was asked to complete this report on an expedited basis. For that reason,

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<sup>1</sup> The Committee had thirteen members. Three were judges: the Hon. Susan O. Mollway, United States District Court for the District of Hawaii (Co-Chair of the Committee); the Hon. Katherine G. Leonard, Hawai'i Intermediate Court of Appeals (Vice Chair); and the Hon. Virginia L. Crandall, Hawai'i Circuit Court (First Circuit). Nine were attorneys: William E. Atwater, Esq. (Co-Chair of the Committee); Meredith A. Burns, Esq.; Douglas S. Chin, Esq.; Calvert G. Chipchase IV, Esq.; Ivan M. Lui-Kwan, Esq.; Rod Maile, Esq.; Frederick "Fritz" W. Rohlfing, Esq.; Gerald Y. Sekiya, Esq.; and John "Jack" M. Tonaki, Esq. Also on the Committee as a community leader was graphic designer and activist Momi Cazimero. In addition, the Committee had as ex-officio members the Hon. James S. Burns (Ret.), former Chief Judge of the Hawai'i Intermediate Court of Appeals and current President of the Chapter, and Lawrence S. Okinaga, Esq., past President of the Chapter and of AJS's national organization. The Committee thanks Wayne Wagner for his assistance in integrating the subcommittee reports.

the Committee narrowed its focus, anticipating that issues related to matters discussed in this report might be expanded on by future committees.

## **II. HISTORY AND CURRENT STATUS OF THE HAWAI‘I CHAPTER**

### **A. Overview**

Founded in 1998, the Chapter is an independent, nonprofit, nonpartisan organization. It was the first AJS state chapter in the nation. “The purpose of the Hawai‘i Chapter shall be to support the American Judicature Society (“AJS”) and to promote the effective administration of justice on a national and local level.” Amended By-Laws, Art. II, Sec. 1. The mission of AJS is to secure and promote an independent and qualified judiciary and a fair system of justice.

The Chapter seeks to promote a fair, impartial, independent local and national judiciary through its diverse membership and committee structure. With its current membership of 127 judges, attorneys, scholars, community leaders, and other laypersons,<sup>2</sup> the Chapter is able to identify issues and make recommendations that represent a broad spectrum of interests and expertise. The Chapter presents its findings and recommendations on these justice-related topics primarily through reports issued by committees.

The Chapter’s committee structure is governed by Article VI, Section 1 of the Chapter’s Amended By-Laws, which states: “The Chairperson may, with the approval of the Hawai‘i Board, establish such standing or special committees as the Chairperson deems necessary to properly carry on the activities and programs of the Hawai‘i Chapter in support of AJS’s

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<sup>2</sup> Membership has dwindled in recent years, dropping from 269 persons in December 2003 to a little more than 150 members in December 2007, then to 129 members in December 2009.

purposes.” There are two types of committees: standing committees and special committees. Standing committees are permanent panels that generate reports on current issues within a particular subject area. Special committees are appointed by the Chairperson to report on a particular issue, such as judicial selection, retention, or review. Past reports have also concerned jury selection, court security, and discovery issues. Because these reports are collaboratively authored by well-respected jurists, lawyers, scholars, businesspersons, and other leaders in the community, the committee reports have typically been treated as reliable and informative resources by the legal community.<sup>3</sup>

In its first 15 years, the Chapter has succeeded in its stated purpose. The Chapter has supported AJS as a national organization financially and by contributing insightful reports and playing an active part in AJS’s national administration. The Chapter has also promoted the effective administration of justice locally through various efforts. Much of the Chapter’s effectiveness and success has flowed from Hawaii’s judicial selection system, which in contrast to systems in other jurisdictions, is not burdened by elections for judges. Some of the Chapter’s success has also been a result of its committee structure, which focuses members’ energy and expertise on topics of interest. A major reason for the health and contributions of the Chapter has been the caliber and commitment of its diverse membership.

**B. Chronology of AJS in Hawai‘i and the Hawai‘i Chapter**

This Committee has prepared the following timeline of major AJS and Chapter events in

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<sup>3</sup> For example, the 1999 Special Committee on Judicial Performance Evaluations worked closely with the Hawaii State Bar Association and the Hon. Ronald T. Y. Moon, then Chief Justice of the Hawai‘i Supreme Court, to develop Judicial Evaluation Review Panels that are still used to evaluate and provide feedback to state judges.

Hawai'i:

- 1967:** AJS sponsors a Citizens' Conference for Hawaii's Judicial System. Subjects include judicial selection, tenure, disqualification, and the need to improve judicial facilities.
- 1978:** During the 1978 Hawai'i State Constitutional Convention, AJS provides testimony and information regarding the merit selection of judges.
- 1989:** AJS assists with the first Citizens' Conference on Judicial Selection. The purpose of the conference is to broaden understanding of the judicial selection process and explore areas of potential improvement. The conference produces workshop reports on improving the selection process, criteria for selection, applicants, due process in selection and retention, confidentiality, and communication with the public.
- 1991:** AJS co-sponsors the Hawai'i Judicial Foresight Conference. AJS also gives a presentation to the Hawai'i Commission on Judicial Conduct.
- 1993:** AJS facilitates the Second Annual Citizens' Conference on Merit Selection, which includes six workshops ranging from confidentiality to the role of politics in judicial selection. Of the 21 recommendations made by the two Citizens' Conferences, 17 were adopted.
- 1994:** At the request of the Judicial Selection Commission, AJS initiates a Nominating Commissioners Institute in Hawai'i to be held every two years, in which it recommends rules of procedure followed in other states, with a special emphasis on rules of ethics for nominating commissioners. The Judicial Selection Commission uses these recommendations to revise its own rules.
- 1997:** Larry Okinaga is elected President of AJS's national organization and serves in that capacity until 1999.
- 1998:** **The Hawai'i Chapter of AJS is established.** Hawai'i is the first state to create and support an active AJS state chapter.
- 1999:** The Chapter assists with the Forum on Judicial Independence.

- 2003:** Larry Okinaga receives the AJS Justice Award, the highest award given by AJS, in recognition of his years of dedicated leadership in judicial administration and reform. As of December 2003, the Chapter has 269 members.
- 2006:** The Chapter convenes a Special Committee on the Judiciary, Lawyers, and the Issue of Conflicts in the Judicial System, which surveys Hawaii's federal and state judges on matters relating to judicial disqualification.
- 2008:** The Chapter recognizes former Chief Justice of the Hawai'i Supreme Court, William S. Richardson, with the Herbert Harley Award. The fundraiser held on October 30, 2008, at which Chief Justice Richardson's award is presented, yields net funds of \$50,000. The Chapter contributes \$25,000 of that sum to the national AJS organization.
- 2011:** AJS, which had not held training programs for Judicial Selection Commission members every two years as planned, resumes training. (A training session for the current members of the Judicial Selection Commission is scheduled for October 9, 2013.)

**C. List of Committees**

**1. Standing committees:**

- Civil Justice
- Communications
- Criminal Justice
- Finance
- Judicial Administration
- Judicial Selection, Retention and Accountability
- Membership
- Program
- Sidebar

**2. Current special committees:**

- Special Committee on the Mandatory Retirement Age of Hawai'i State Judges
- Special Committee on the Disclosure of Names of Judicial Applicants
- Awards/100<sup>th</sup> Annual Celebration Committee

### **3. Past special committees:**

**1999:** Judicial Performance Evaluations

**2001:** One-Tier Trial Court

**2002:** Unpublished Appellate Court Opinions • Business Courts • Judicial Selection and Retention

**2004:** Judicial Selection System • Per Diem Judges

**2005:** The Judiciary, Lawyers, and the Issue of Conflicts

**2006:** Court Security • Judicial Independence and Accountability

**2007:** ABA Model Judicial Code • Public Knowledge, Understanding and Confidence in the Courts

**2009:** Jury Size Report • E-Discovery Issues

**2010:** Effects of the Economy • Rules Governing Mediation • Judicial Careers and Selectivity

For further information on the history and structure of the Chapter, please see the following attached exhibits: Overview of the AJS in Hawai‘i (Exhibit A); Midweek’s feature on the 2007 Herbert Harley Award ceremony and fundraiser (Exhibit B); the 2007 Awards Committee Report and Recommendation (Exhibit C); the Chapter’s Amended By-Laws (Exhibit D); “AJS State Chapters—A Citizen Perspective” by Momi Cazimero (Exhibit E); Chapter committees (Exhibit F); and a chart of officers and directors from 1998-2013 (Exhibit G).

### **III. LONG RANGE GOALS<sup>4</sup>**

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<sup>4</sup> The Goals subcommittee discussed the Chapter’s past accomplishments during its 15-

## A. Goals

The Committee proposes that the Chapter adopt the following goals:

1. **To secure and promote an independent and qualified judiciary and a fair system of justice, which is the overall mission of AJS, while continuing to be nonpolitical, nonpartisan, welcoming to all viewpoints, and dominated by none.**

Comment: The Committee recommends that promoting AJS's mission continue to be the Chapter's main goal. The Committee also intends that the goals it is recommending be consistent with the AJS Strategic Plan Overview, adopted by AJS's national board on May 18, 2007.

2. **To increase public knowledge of the Chapter's activities and to increase public accessibility—particularly electronic—to the Chapter's work product.**

Comment: The Committee recognizes that the Chapter's committee reports are not easily accessible to the public. To improve electronic access to its reports, i.e., via the Chapter's website, the Committee suggests using some of the money raised by the Chapter through its fundraiser(s) to hire a webmaster to make the reports more accessible.

3. **To broaden and diversify the Chapter's membership among new judges, young attorneys, and community leaders, including those not directly involved in the legal field, through the inclusion of these people in Chapter activities and projects, and through outreach to the Young Lawyers Division of the**

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year history, the Chapter's strengths, and areas needing improvement. Resources evaluated included the AJS Strategic Plan Overview adopted by the national board on May 18, 2007, the AJS website, and the Chapter's current bylaws. The subcommittee also solicited comments from peer sources, including Hawaii State Bar Association officers, Federal Bar Association officers, and other members of the Long Range Planning Committee.

**Hawaii State Bar Association and to analogous divisions in other organizations.**

Comment: Attracting a membership more diverse in age and experience is a high priority. The Committee discussed possible ways to accomplish this goal, including the pros and cons of term limits for directors. Term limits were recognized as a possible way to facilitate the transition to a new generation of leaders and avoid the “halo” effect that long-term officers and/or directors might acquire (i.e., the tendency for others to defer automatically to long-serving officers and/or directors). However, the tremendous experience, collective wisdom, and authority represented by the existing board was acknowledged, and concern was voiced about unintentionally sacrificing these attributes prematurely.

Although the Committee is not recommending term limits, some concern was expressed about the Chapter’s heavy reliance on a small number of individuals who have become so fundamental to the Chapter’s identity and leadership that the Chapter may not remain vital when they decide to step down. Continuing the Chapter’s high-caliber work will require the dedication of many individuals.

Besides targeting newly appointed judges, the Committee also suggests inviting more young attorneys and other young professionals and community leaders to participate in the Chapter’s special committees and encouraging them to “work their way up” through AJS. Younger members could be invited to join active standing or special committees. Events offering mandatory continuing



professional education (MCPE) or continuing legal education (CLE) credits could be held, the Sidebar program could be expanded, local law students could be recruited, young attorneys could be surveyed to gauge awareness of AJS and retention in the Sidebar program, a young lawyers division could be created for the Chapter, other young lawyer events could be held to give young lawyers an opportunity to interact with judges and attorneys, and other young community leadership groups could be engaged and partnerships could be formed.

Finally, to aid recruitment and inclusiveness in general, the Chapter must create greater awareness of AJS within the legal community. Particular attention should be paid to publicizing and helping people understand the benefits of AJS membership.

4. **To increase the influence of the Chapter's work on justice system stakeholders, including legislators, the bar, the judiciary and the general public.**
5. **To assist the national organization through grass-roots efforts to promote its mission and financial stability and through outreach and nonfinancial support of other regional chapters.**

Comment: This goal recognizes recent developments within the national AJS organization, including the substantial decrease or loss of charitable revenue from a primary source, the relocation of the national headquarters to Vanderbilt University, and the resignations of AJS's experienced national executive director and deputy director, purportedly because of the relocation.

Recognizing the challenges facing the national AJS and other state chapters, and the relative strength of the Chapter, the Goals subcommittee suggested sharing "the

Hawai‘i model” (i.e., the Hawai‘i Chapter’s example) with them. The subcommittee noted the success of the Chapter’s special committees in forming task forces to address important legal issues in the local community. To the extent other chapters could benefit from this model, this could revitalize those chapters and help them increase their membership, which would in turn, benefit the national organization.

- 6. To reassess and revitalize the work of the Chapter’s current standing committees, continue the highly respected work of its special committees, and encourage a broader base of members in both.**

Comment: The special committees have been highly productive because of their focused missions and relatively short-term deadlines. The work of the standing committees, however, has been less consistent and visible. A standing committee with a particular subject-matter expertise may simply adopt a special committee report, with one or two additional resource members. In some instances, special committees have evolved into standing committees upon completion of a report, only to struggle to initiate new projects.

Although it discussed restructuring the standing committees, the Long Range Planning Committee concluded that its proper focus was on identifying the issues, not on the nuts and bolts of addressing them.

## **B. Limitations of This Report**

- 1.** The report deliberately omits specific activities or an action plan concerning how the proposed goals should be accomplished. The Committee suggests that this task be left to future special committees charged with

implementation. Because the Committee does not know whether or not the Chapter's Board will adopt the Committee's proposed goals, the Committee has not articulated ways to accomplish these proposed goals.

The minutes of the Goals subcommittee's meetings are attached to this report as Exhibit H to give future special committees a starting point for discussion and to avoid duplicating efforts.

2. The proposed goals do not specifically call for a review of the Chapter's current By-laws. The Committee discussed whether this opportunity had been missed as a long-range goal. For example, with respect to term limits for officers and directors, the Chapter's current practice of reappointing directors may not be consistent with the current By-Laws. At minimum, the By-Laws could be clarified. The Chapter's By-Laws and practices with respect to the duration of terms may be relevant to the Chapter's ability to attract a more diverse membership.

The Committee decided not to propose a review of the Chapter's By-Laws as a stand-alone goal. Such a review may naturally occur as a future special committee considers ways to implement one or more of the Committee's proposed goals.

#### **IV. FUNDRAISING**

##### **A. Analysis**

The Committee, through its Fundraising subcommittee, considered the advisability of scheduling regular fundraisers, as well as the appropriate frequency and nature of any fundraisers.

Using the three basic Chapter goals relating to fundraising, the subcommittee compared the pros and cons of regularly scheduled fundraising events and special fundraising events:

<b>Goals</b>	<b>Regularly Scheduled Fundraising Events</b>	<b>Special Fundraising Events</b>
<b>Increase operating revenues</b>	<b>PRO:</b> Modest but predictable returns <b>CON:</b> Modest returns	<b>PRO:</b> Potentially greater returns <b>CON:</b> More costly; requires greater number of substantial contributors/contributions
<b>Increase membership</b>	<b>PRO:</b> Modest but sustainable events that the public and the Chapter members can afford to attend (with guests) <b>CON:</b> Could become tedious over time	<b>PRO:</b> Special events targeted to attract specific groups <b>CON:</b> More costly events may prevent larger audience from participating and joining AJS
<b>Increase public awareness</b>	<b>PRO:</b> Lower event costs - greater participation; enhances inclusivity; predictable (scheduling) <b>CON:</b> Unless events are sustainable/engaging, no long-term benefits	<b>PRO:</b> Potentially greater event participation depending on public interest and degree of support for honoree(s) <b>CON:</b> More costly events may create sense of exclusivity, leading to less public acceptance, sustained involvement/support

The Committee noted several additional factors. Special fundraising events have built-in limitations. Typically, special fundraising events have targeted monetary goals and rely heavily on the celebrity of the honoree(s) to fill seats. Given the finite number of potential donors, honorees, and non-AJS supporters, the same AJS members are asked to solicit a disproportionate share of contributors for special fundraising events. The Chapter also does not have the staff or infrastructure to support large fundraisers on a sustained basis.

The Committee cannot recommend either a regularly scheduled fundraising program or special fundraisers, because there is no expenditure plan or priority list of items to guide the

Committee. The Committee also notes that there do not appear to be specific provisions governing the division of proceeds between the Chapter and the AJS national organization.

**B. Recommendations**

Based on the above analysis, the Committee recommends:

- 1. That a special committee be appointed to consider the funding needs of the Chapter, and an expenditure plan or budget be developed, before more fundraising activities are planned.**
- 2. That the Chapter consider whether to seek grants from foundations and other funding sources for specific planned activities or events.**

**V. CONCLUSION**

The Long Range Planning Committee concluded that the Chapter should set goals that expand on the success of its first 15 years. To this end, the Committee has proposed goals for broadening and diversifying the Chapter’s membership, increasing the Chapter’s influence with stakeholders in the justice system, and raising the public’s awareness of its work by making its reports more accessible to the public online. The Committee also has proposed a reassessment of its standing committees, which, while key to the AJS’s influence, can still be improved. The Committee’s main conclusion is that the Chapter should continue to focus on promoting AJS’s mission of securing and protecting an independent and qualified judiciary and a fair system of justice in a nonpolitical, nonpartisan way.

**Appendix:**

- Exhibit A. Overview of the AJS in Hawai‘i
- Exhibit B. Midweek’s feature on the 2007 Herbert Harley Award ceremony and fundraiser
- Exhibit C. 2007 Awards Committee Report and Recommendation
- Exhibit D. The Chapter’s Amended By-Laws
- Exhibit E. “AJS State Chapters—A Citizen Perspective” by Momi Cazimero
- Exhibit F. Chapter committees

- Exhibit G. Chart of officers and directors from 1998-2013**
- Exhibit H. Minutes from the June 19, 2013 Meeting of the Goals subcommittee**  
**Minutes from the July 2, 2013 Meeting of the Goals subcommittee**  
**Minutes from the July 16, 2103 Meeting of the Goals subcommittee**



## **The American Judicature Society in Hawaii**

Founded in 1913, the American Judicature Society is an independent, non-partisan, membership organization working nationally to protect the integrity of the American justice system. AJS's diverse and broadly based membership – including judges, lawyers and members of the public – promotes fair and impartial courts through research, publications, education and advocacy for judicial reform. The work of AJS focuses primarily on judicial ethics, judicial selection, access to justice, criminal justice reform, and the jury system.

Throughout its history, AJS has worked closely with national, state and local bar associations and other organizations to develop and implement justice system reforms. AJS has worked closely with justice system stakeholders and the broader public in Hawaii to study and promote a range of improvements to judicial selection, judicial ethics, access to the courts, and the criminal justice system.

### **Current AJS leaders in Hawaii**

Ivan Lui-Kwan, Board of Directors  
Momi Cazimero, National Advisory Council  
Gerald Sekiya, National Advisory Council  
*\*\*See page two for a list of former AJS leaders from Hawaii*

### **Selected AJS activities in Hawaii**

- 2011: AJS held a training program for judicial nominating commissioners.
- 2007: AJS met with the Hawaii Chapter to discuss the procedures and events pertaining to Judicial Nominating Commissions.
- 2006: The Hawaii Chapter of AJS convened the Special Committee on the Judiciary, Lawyers, and the Issue Conflicts in the Judicial System. The committee surveyed all Hawaii federal and state judges on topics related to judicial disqualification.
- 1998: Hawaii became the first state to create and support an active American Judicature Society Chapter.
- 1994-Present: AJS conducted a Nominating Commissioners Institute in Hawaii at the request of its Judicial Selection Commission. AJS provided the commission with rules of procedure from other states to facilitate revisions of their own rules, with particular attention to rules of ethics for nominating commissioners. The event has continued to operate every two years since.
- 1993: AJS staff facilitated the Second Annual Citizens' Conference on Merit Selection. The event presented six workshops ranging in topics from confidentiality to the proper role of politics in judicial selection.

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- 1991: AJS gave a presentation to the Hawaii Commission on Judicial Conduct.
- 1991: AJS co-sponsored the Hawaii Judicial Foresight Congress, "The Courts in the 21<sup>st</sup> Century." Over 300 judges, lawyers and citizens were in attendance.
- 1967: AJS sponsored a Citizens' Conference for Hawaii's Judicial System. The event was dedicated to the study and discussion of how the Hawaii court system could be improved to better serve the people. Topics included judicial selection, tenure and disqualification, and the need to improve existing judicial facilities.

**AJS Award Recipients from Hawaii**

**Justice Award Recipients**  
Lawrence Okinaga, 2003

**Herbert Harley Award Recipients**  
William Richardson, 2007  
George Chaplin, 1991  
Herman T. Lum, 1988  
Herbert C. Cornuelle, 1986

**Former AJS Leaders from Hawaii**

**AJS Past President**

Lawrence Okinaga, 1997-1999

**AJS Board of Directors, 1913-2011**

Clinton R. Ashford  
Margery Bronster  
Hon. James S. Burns  
J. Russell Cades  
Momi Cazimero

Herbert C. Cornuelle  
Bert T. Kobayashi, Jr.  
Harold W. Nickelson  
Lawrence Okinaga  
Frank D. Padgett

Charles P. Russ, III  
Gerald Sekiya  
C. Nils Tavares  
Wilfred Tsukiyama  
Thomas M. Waddoups  
Heaton L. Wrenn



# HONOLULU PA'INA

## Judicature Society's Herbert Harley Award

The American Judicature Society Hawaii state chapter's board of directors and members honored former *lāte* chief justice William S. Richardson as their 2007 recipient of the AJS Herbert Harley Award. The Herbert Harley Award is the American Judicature Society's (AJS) premier award and is reserved for individuals who make outstanding contributions that substantially improve the administration of justice in their state.

Photos by Eugene Hopkins  
Photos available at [www.midweek.com](http://www.midweek.com)



Irene Hirano, William S. Richardson and U.S. Sen. Dan Inouye



Lawrence Okinaga, Sandy Fong, William S. Richardson, Polly Seto and Ivan Lu-Kwan



Jim Burns, Barbara and Bill Richardson



(front, from left) Susan Old Mottley, Ernie Tomimbang, Momi Cazimero, Marie Mills, (back) Sabrina Makenna, Craig Nakamura, Walter Ozawa, Mark Reckterwald, Stuart Ho and Gary Chang



Helen Gillmor, William S. Richardson, Chief Justice Warren Moon



(front, from left) Kirsten Fujitani, Peter Starn, Jennifer Sabas, state Sen. Colleen Hanabusa, Helen Gillmor, (back) Walt Kanaokua, Chris Nasu, Ron Hancock, Frances Lu-Kwan and John Gillmor



Russell Lau, Dale and Linda Fong and Daniel Lau



(front, from left) Kitty and Frank Damon, (back) Larry Foster, Mark Levin, Charlie Booth, Melody Mackenzie and Avi Seifer



(front, from left) Williamson Cheng, Virginia Horch, David Calles, (back) Danielle Conway-Jones and Justin Lovinson

Awards Committee Report and Recommendation  
American Judicature Society

June 28, 2007  
Honolulu, Hawaii

A. Recommendation of Nominees

1. **Herbert Harley Award**—Named after the founder of AJS, the Harley Award is the Society's premier state award and is reserved for individuals or entities that make outstanding efforts and contributions that substantially improve the administration of justice in their state.

Recipient Recommendation: Chief Justice (Retired) William S. Richardson

Contributions by Chief Justice (Retired) William S. Richardson:

- The law school, which is the product of his vision, has produced monumental impacts:
    1. Provided access to legal education and to the law profession for many Hawaii residents
    2. Many of these Hawaii residents who are now practicing attorneys make a major impact on Hawaii's society, and judicial, government, business and education systems as judges, prosecutors, deputy attorneys general, deputy corporation counsel, deputy public defenders, educators, in-house counsel, and private practitioners
  - The body of law which he authored as Chief Justice of the Hawaii Supreme Court has had lasting impact on Hawaii law in areas including shore line boundaries, beach access, water rights and konohiki rights
  - His demeanor, reflecting exemplary judicial temperament, and character serve as good models of behavior for others
2. **Special Merit Citation**—This award is intended to allow recognition of projects and efforts that benefit some aspect of the judicial system including those that are narrowly focused or time specific.

Recipient Recommendation: Hawaii Opportunity Probation Enforcement ("Hope Probation")

Results of Hope Probation:

- Positive test results are down by 85%
- Missed appointments are down by 65%

- Initial research shows fewer arrests for new crimes and fewer motions to revoke probation
  - See Attachment
3. Lifetime Distinction Award—This award is reserved for individuals who have invested their lives in improving the judicial system in Hawaii, and have served our Hawaii community with distinction throughout their lives.

Recipient Recommendation: Samuel P. King, Senior Judge, U.S. District Court

Contributions by Judge Samuel P. King:

- Judge King was the prime force in the establishment of the Family Courts in the Hawaii State Judiciary
- He has served with distinction and over a long period of time in the U.S. District Court and on the Ninth Circuit
- His participating authorship of the broken trust essays demonstrated his courage and clarity of judicial intellect

#### B. Forums for Recognition of Award Recipients

1. AJS Annual Meeting
2. Hawaii State Bar Association Annual Convention
3. Hawaii State Judiciary Newsletter
4. Hawaii Bar Journal
5. William S. Richardson School of Law all Alumni Meeting
6. Conventional Media

#### C. Objectives of AJS Awards

1. Recognize persons or organizations who have made significant contributions toward the improvement of the administration of justice
2. Inspire others to do the same

#### Committee Members

Simeon R. Acoba, Associate Justice, Supreme Court of Hawaii  
 Lane C. Hornfeck, Starn O'Toole Marcus & Fisher  
 Gregory L. Lui-Kwan, Cronin Fried Sckiya Kekina & Fairbanks  
 Ivan M. Lui-Kwan, Starn O'Toole Marcus & Fisher  
 Kekoa McClellan, Central Pacific Bank, Hawaii Pacific University  
 J. Michael Seabright, U.S. District Judge, District of Hawaii  
 Avi Soifer, Dean, William S. Richardson School of Law

AMENDED BY-LAWS  
OF THE HAWAI'I CHAPTER  
OF THE AMERICAN JUDICATURE SOCIETY  
FOR THE EFFECTIVE ADMINISTRATION OF JUSTICE

Article I.

**NAME AND ADDRESS**

The name of the organization shall be the Hawai'i Chapter of the American Judicature Society (the "Hawai'i Chapter"). The initial location of the Hawai'i Chapter is 2200 ASB Tower, 1001 Bishop Street, Honolulu, Hawai'i 96813. The initial mailing address of the Chapter is Post Office Box 656, Honolulu, Hawai'i 96809.

Article II.

**PURPOSES AND POWERS**

Section 1. Purposes. The purpose of the Hawai'i Chapter shall be to support the American Judicature Society ("AJS") and to promote the effective administration of justice on a national and local level.

Section 2. Powers. By the acceptance of a charter from AJS, the Hawai'i Chapter agrees to abide by the chapter policies and procedures, as determined from time to time, by the Executive Committee of AJS.

The Hawai'i Chapter shall have only such powers as specifically determined by the Executive Committee of AJS (the "Executive Committee"), the President of AJS (the "President") and the governing board of the Hawai'i Chapter (the "Hawai'i Board"). Whenever the President is referred to herein, the President may act by himself or herself or through a designated representative. In exercising its powers, the Hawai'i Chapter shall be guided by the following principles: (a) it will only consider issues of common interest that are universal to AJS as a whole or fully compatible with such issues; (b) it will only participate in meetings, activities and events that have the prior approval of the President, or his or her designated representative, which approval shall not be unreasonably withheld; and (c) the Hawai'i Chapter's activities shall support AJS and the Executive Committee. The Hawai'i Chapter shall not incorporate unless specifically authorized by the Executive Committee.

The Hawai'i Chapter will make every effort in its deliberations, decisions and activities to be sensitive to and reflective of the demographics of the State of Hawai'i.

### Article III.

#### **MEMBERSHIP**

Section 1. Membership. Membership in the Hawai'i Chapter shall be open to members of AJS resident in the State of Hawai'i.

Section 2. Voting Rights. Each member described in Section 1 of this Article III shall be entitled to vote on each matter submitted to a vote of the members of the Hawai'i Chapter.

Section 3. Annual Meeting. The annual meeting of the members of the Hawai'i Chapter shall be held in the month of December in each year, beginning in 1998 for the purpose of transacting such business as may come before the meeting. The agenda for the annual meeting shall include a report of the previous year's events and fiscal results and the proposed budget and activities for the prospective year.

Section 4. Meetings. Meetings of the members of the Hawai'i Chapter shall be held at the discretion of the Hawai'i Board at such places, dates and times as are determined by it, or when called by the Chairperson of the Hawai'i Chapter (Chairperson), or by the President or his or her designated representative.

Section 5. Notice of Meetings. Notice stating the place, day, hour and agenda of any meeting of the Hawai'i Chapter shall be delivered, either personally, by mail, e-mail, or by facsimile transmission (FAX), to each member, not less than fifteen (15) days before the date of such meeting, by or at the direction of the President or his or her designated representative, the Chairperson or the Secretary of the Hawai'i Chapter (the "Secretary"). If mailed, the notice of meeting shall be deemed to be delivered when deposited in the United States mail addressed to the member at his or her address as it appears on the records of the Hawai'i Chapter or AJS, with postage thereon prepaid. If e-mailed or transmitted via FAX, the notice of meeting shall be deemed delivered when the information is transmitted electronically to the member at his or her e-mail address or FAX number. The notice of meeting shall not be deemed delivered if the person attempting to

transmit the notice by e-mail or FAX learns that the attempted transmission did not reach the member.

Section 6. Quorum. One-third of the members of the Hawai'i Chapter shall constitute a quorum for any meeting of the Hawai'i Chapter. If a quorum is not present at any meeting of the members, a majority of the members present may adjourn the meeting without further notice.

Section 7. Voting. All decisions made at the meetings shall be decided by a majority of the members present in person or by proxy and entitled to vote, if a quorum is present, unless a different majority is required in these By-Laws.

Section 8. Proxies. At any meeting of the Hawai'i Chapter, a member entitled to vote may vote by proxy executed in writing by the member to a member who is personally present at the meeting.

Section 9. Removal. Any member may be removed for cause at any time by the Executive Committee of AJS.

#### Article IV.

##### **THE HAWAI'I BOARD**

Section 1. Purposes and Powers. Subject to AJS's chapter policies and procedures, as determined from time to time, the control and management of the affairs of the Hawai'i Chapter shall be vested in the Hawai'i Board. The Hawai'i Board shall serve in cooperation with the President or his or her designated representative and the Executive Committee. The Hawai'i Board may undertake of its own initiative any action which, in the discretion of the President or his or her designated representative, does not conflict with its charter, the Hawai'i Chapter policies and procedures, the Certificate of Incorporation or the By-Laws of AJS or these By-Laws, and which promotes the effective administration of justice and the purposes of AJS.

Section 2. Composition and Number. The President, and the Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, Treasurer, and Assistant Treasurer of AJS are the seven (7) ex-officio members of the Hawai'i Board, with full rights, voting and otherwise. In addition thereto, the Hawai'i Board shall have an additional thirty-one (31) members ("non-ex-officio Hawai'i Board members") selected by the Hawai'i Board

from among the members of the Hawai'i Chapter nominated by the Nominating Committee.

Section 3. Term. At the first Annual Meeting of the Hawai'i Board, five (5) non-ex-officio Hawai'i Board members shall be elected for two-year terms, and five (5) non-ex-officio Hawai'i Board members shall be elected for one-year terms. Thereafter, the term of each non-ex-officio Hawai'i Board member shall be for two years until the commencement of the relevant annual meeting of the Hawai'i Board. Thereafter, the term of each non-ex-officio Hawai'i Board member shall be terminated only upon resignation of the non-ex-officio Hawai'i Board member.

Section 4. Vacancies. Any mid-term vacancy occurring on the Hawai'i Board shall be filled by the Chairperson, in consultation with the President, and the individual(s) appointed to fill such vacancy shall serve until the commencement of the next annual meeting of the Hawai'i Board.

Section 5. Annual Meeting. An annual meeting of the Hawai'i Board to transact such business as may come before the meeting, shall be held in the month of December of each year, preceding the annual meeting of the Hawai'i Chapter. At its annual meeting, the non-ex-officio members of the Hawai'i Board whose terms have not expired shall act to fill the positions of Officers and other Hawai'i Board Members who have resigned.

Section 6. Regular and Special Meetings. Regular meetings of the Hawai'i Board shall be held quarterly at such places, dates and times as are determined in advance by the President or the Chairperson. Special meetings of the Hawai'i Board shall be held whenever called by the President, the Chairperson or by a majority of the Hawai'i Board members in office.

Section 7. Notice of Meetings. Notice stating the place, date and time of any meeting of the Hawai'i Board shall be delivered, either personally, by mail, e-mail, or by FAX, to each Hawai'i Board member entitled to vote at such meeting, not less than fifteen days before the date of such meeting, by or at the direction of the person or persons calling such meeting pursuant to Section 6 of Article V. In case of a special meeting or when required by these By-Laws, the purposes for which the meeting is called shall be stated in the notice. If mailed, the notice of a meeting shall be deemed to be delivered when deposited in the United States mail addressed to the Hawai'i Board member at his or her address as it appears on the

records of the Hawai'i Chapter with postage thereon prepaid. If e-mailed or transmitted via FAX, the notice of meeting shall be deemed delivered when the information is transmitted electronically to the Hawai'i Board member at his or her e-mail address or FAX number. The notice of meeting shall not be deemed delivered if the person attempting to transmit the notice by e-mail or FAX learns that the attempted transmission did not reach the Hawai'i Board member.

Section 8. Hawai'i Board Action by Unanimous Consent. Any action which may be taken at a meeting of the Hawai'i Board, may be taken without a meeting if a consent in writing, setting out the action so taken, shall be signed by all of the Hawai'i Board members entitled to vote with respect to the subject matter of the action, including all ex-officio members.

Section 9. Quorum. A quorum for the transaction of business at any meeting of the Hawai'i Board shall consist of a majority of the Hawai'i Board members in office.

Section 10. Voting. A majority of the Hawai'i Board members present in person and entitled to vote, if a quorum is present, shall be necessary to decide any matter before the Hawai'i Board.

Section 11. Participation in Meetings by Telephone, Videoconference or Similar Device. Any one or more of the members of the Hawai'i Board or any standing or special committee of the Hawai'i Board may participate in a meeting of the Hawai'i Board or such committee by means of a conference telephone, videoconference or similar device allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at a meeting.

#### Article V.

#### **OFFICERS**

Section 1. Election. Commencing with the first annual meeting of the Hawai'i Board, the Hawai'i Board shall elect the Officers of the Hawai'i Chapter. The election of an officer to fill an officer position vacated mid-term shall take place at any meeting of the Hawai'i Board. The election of an officer to an officer position vacant because of expiration of the term shall take place at the annual meeting of the Hawai'i Board and, if the election does not then occur, it shall occur at any subsequent meeting of the Hawai'i Board.



Section 2. Officers. The Officers of the Hawai'i Chapter shall consist of a Chairperson, a Vice-Chairperson, a Secretary, an Assistant Secretary, a Treasurer, and an Assistant Treasurer, each of whom shall be members of the Hawai'i Board by virtue of their respective offices, and all of whom must be members of AJS. If the office of any Officer becomes vacant for any reason, the vacancy shall be filled by the Hawai'i Board.

Section 3. Term. At the first Annual Meeting of the Hawai'i Board, the Chairperson, the Secretary and the Treasurer shall be elected for two-year terms, and the Vice-Chairperson, the Assistant Secretary, and the Assistant Treasurer shall be elected for one-year terms. Thereafter, each Officer shall be elected for a two-year term. Whenever an Officer serves two consecutive two-year terms, he or she shall be ineligible for re-election for one year immediately thereafter.

Section 4. Duties.

(a) Chairperson - The Chairperson shall be the Chief Executive Officer of the Hawai'i Chapter and ex-officio member of all committees. The Chairperson shall, subject to the approval of the Hawai'i Board, appoint all committee chairs and members. The Chairperson shall be invited to attend the meetings of the Executive Committee and the Board of Directors of AJS, other than executive sessions thereof. The Chairperson shall preside over all meetings of the Hawai'i Chapter and the Hawai'i Board and perform such other duties as the office demands. The Chairperson shall also work closely with the Vice-Chairperson to keep him or her informed and knowledgeable about the administration and operation of the Hawai'i Chapter and to develop future leadership potential. In June of each year, the Hawai'i Chairperson shall prepare an annual report to AJS describing the activities of the Hawai'i Chapter for the immediately preceding year.

(b) Vice-Chairperson - The Vice-Chairperson shall perform such duties as the Chairperson or the Hawai'i Board shall determine. In the event of absence, or disability of the Chairperson, the Vice-Chairperson shall act for the Chairperson, subject to all restrictions applicable to the Chairperson. The Vice-Chairperson shall assist the Chairperson as needed and keep informed about the Hawai'i Chapter's programs and activities. The Chairperson and the Vice-Chairperson shall serve overlapping terms.

(c) Secretary. The Secretary, with the assistance of the Assistant Secretary, shall attend all meetings of the Hawai'i

Chapter membership and Hawai'i Board, and shall record the minutes of all proceedings in books to be maintained for that purpose. He or she shall give or cause to be given notice of all meetings, and shall take care of all correspondence under the supervision of the Chairperson and shall perform other duties as may be prescribed by the Hawai'i Board or the Chairperson. The Assistant Secretary shall, in the event of the Secretary's absence or inability to act, perform the duties and functions of the Secretary. The Secretary and the Assistant Secretary shall serve overlapping terms.

(d) Treasurer. The Treasurer shall direct the funds and shall keep full and accurate accounts of receipts and disbursements, present an annual report to the Hawai'i Board at the close of the fiscal year and shall deposit all moneys and other valuable effects with the Comptroller of AJS in the name and to the credit of the Hawai'i Chapter or as may be otherwise authorized by the President or the Executive Committee of AJS. The Treasurer of the Hawai'i Chapter shall authorize disbursements of the funds of the Hawai'i Chapter as may be authorized by the Chairperson and/or Hawai'i Board and shall render to the Hawai'i Board members at their regular meetings, or whenever required, an account of all his or her transactions as Treasurer and of the financial condition of the Hawai'i Chapter. The Assistant Treasurer shall, in the event of the Treasurer's absence or inability to act, perform the duties and functions of the Treasurer.

In addition, the Treasurer will present a preliminary report and budget to the Hawai'i Board prior to the end of the Hawai'i Chapter's fiscal year in the month of April. The Treasurer and the Assistant Treasurer shall serve overlapping terms.

(e) Responsibilities of All Officers - All Officers should attend meetings of the Hawai'i Chapter in addition to Hawai'i Board and other meetings as required by the Hawai'i Board. All Officers should personify the values and philosophy of AJS, further the purposes of AJS, demonstrate goodwill and inclusiveness to all, and by their actions enhance the spirit and reputation of AJS.

Section 5. Removal. Officers may be removed with cause at any time by the affirmative vote of the majority of the Hawai'i Board or may be removed with or without cause by the President or the Executive Committee of AJS.

## Article VI.

### COMMITTEES

Section 1. Authority of Committees. The Chairperson may, with the approval of the Hawai'i Board, establish such standing or special committees as the Chairperson deems necessary to properly carry on the activities and programs of the Hawai'i Chapter in support of AJS's purposes. Such committees shall perform such duties as the Hawai'i Board or the Chairperson may direct. The Chairperson shall appoint the chairpersons or co-chairpersons and members of the committees, the terms of which shall be for one year commencing and ending on the dates of the relevant annual meetings of the Hawai'i Chapter.

Section 2. Nominating Committee. There shall be a nominating committee consisting of five members of the Hawai'i Board appointed by the Chairperson in consultation with the President. Members of the Nominating Committee shall serve at the discretion of the Chairperson. A vacancy in the Nominating Committee may be filled by the Chairperson at any time. Except as provided in these By-Laws, the Nominating Committee shall submit to the Hawai'i Board, at every annual meeting, the names of persons recommended by such committee for election to fill expiring terms or vacancies as Officers and additional Hawai'i Board members.

Section 3. Committee Chairpersons. The chairperson or co-chairpersons of a committee will be responsible for the proper function of his or her committee; will abide by these By-Laws and the By-Laws and chapter policies and procedures of AJS. General responsibilities include maintaining detailed records of the committee's activities; and remaining available to assist any successor chairperson or co-chairpersons. All questions pertaining to each committee should be brought to the attention of the chairperson or co-chairpersons of such committee. Each committee chairperson or co-chairpersons should attend all regular meetings of the Hawai'i Chapter and Hawai'i Board and, if requested, report about the activities of his or her committee.

Section 4. Meetings of Committees. Meetings of committees are to take place at the call of the chairperson or co-chairpersons of the committee, the Chairperson, or the President, with adequate notice to all committee members, the Chairperson, and the President.

Article VII.

**AMENDMENTS**

These By-Laws may be amended by the Executive Committee of AJS upon its own initiation or upon the proposal by the Hawai'i Board. Any such Hawai'i Board proposal to amend these By-Laws shall be given due consideration by the Executive Committee of AJS, but the final decision to amend these By-Laws shall remain with the Executive Committee of AJS.

Article VIII.

**DUES**

The Hawai'i Board may establish such annual dues from time to time in such amounts, and with such due dates, as it may deem necessary in its discretion, subject to the approval of the President or the Executive Committee of AJS. The annual dues shall be fixed so as to cover the operational expenses of the Chapter.

Article IX.

**FUNDS, MONIES AND CONTRIBUTIONS**

Section 1. Remittances. All funds, monies, contributions and other property received, held, given to or in the custody or control of the Hawai'i Chapter are the funds and property of AJS. The net receipts of such funds shall be remitted promptly to the Treasurer of AJS, unless otherwise authorized by the President or Executive Committee of AJS.

Section 2. Bank Accounts. Should the Hawai'i Chapter be authorized by the President or the Executive Committee of AJS to establish and operate one or more separate bank accounts for the Chapter, such accounts shall be established pursuant to procedures applicable generally to AJS's bank accounts, with such authorized signatures within or outside the Hawai'i Chapter as such procedures shall permit.

Section 3. Loans. The Hawai'i Chapter shall have no right to borrow money in its name or in the name of AJS.

Section 4. Contracts. Except as determined in advance by the President or the Executive Committee of AJS, the Hawai'i Chapter shall not bind AJS in any contractual or other relationship or arrangement.

Article X.

**SUSPENSION AND REVOCATION**

The Executive Committee of AJS may suspend or revoke the charter issued to the Hawai'i Chapter, with or without cause, and vest all of its powers and functions in the President.

Article XI.

**DISSOLUTION**

Section 1. Conditions. Dissolution of the Hawai'i Chapter shall be decided on the same conditions as an amendment to these By-Laws under Article VII herein.

Section 2. Funds. In the event of the dissolution of the Hawai'i Chapter, all monies of the Hawai'i Chapter shall remain with AJS for its general purposes.

Article XII.

**DISPUTES**

In the event of a dispute within the Hawai'i Chapter, the Hawai'i Board shall attempt to resolve the issues presented. All disputes not resolved by the Hawai'i Board shall be appealable by either party to the Executive Committee of AJS, whose decision shall be final and binding on the parties.

## AJS State Chapters— A Citizen Perspective

The alliance between AJS state chapters and the national organization is enhanced when they work toward the common goals of improving the delivery of justice and engaging in meaningful community outreach. The Hawaii State Chapter has made significant strides toward these goals since its formation in the late 1990s.

In Hawaii, community leaders have joined with representatives of the bar, the bench, and academia to address a range of issues that impact the state's justice system. The chapter has formed more than a dozen special committees and task forces to study and make recommendations on topics such as judicial selection and retention, the jury system, and alternative dispute resolution. Upon the completion of deliberations, committees issue comprehensive reports with recommendations that are made available to the public, legislators, and administrators of the court. By addressing issues in a judicious manner, the Hawaii chapter earns visibility and relevance in the community.

All committees of the Hawaii State Chapter include lawyers, judges, and non-lawyers. Community involvement provides important inclusiveness and characterizes the membership of the American Judicature Society. It unifies the legal and non-legal communities to achieve broader representation and promote citizen participation in judicial reforms and improvements.

Strong AJS state chapters bring issues forward that keep the national organization connected and relevant. Likewise, a strong AJS national organization is vital to the states it serves because it has the stature and capacity to improve the delivery of justice throughout the country.

It is important to recognize the perception of non-legal individuals who view those associated with the court as members of an "exclusive club." And yet, the significance of the courts and their place in a democracy depends on the acceptance by the people of the judiciary as an equal, third branch of government. Citizen participation in the work of the American Judicature Society builds bridges between the judiciary and the people it serves. \*

—MOMI CAZIMERO  
HONOLULU, HAWAII



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- [Sidebar](#)
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### Civil Justice (Including Family Court, ADR)

Reviewing, monitoring and, if applicable, making recommendations relating to matters affecting our civil justice system in Hawaii. Such matters may include a timely review of matters affecting access to courts; family court; forms of alternative dispute resolution (including mediation rules).

- Gerald Kibe, Co-Chair
- Terry Thomason, Co-Chair
- William Atwater
- Karen Blondin
- Colleen Hirai
- Ted Pettit
- Sylvia Yuen

### Criminal Justice

Reviewing, monitoring and, if applicable, making recommendations relating to matters affecting the administration of our criminal justice system in Hawaii. Specific projects could include access to justice, the relevance of cultural differences of minorities and their impact on the courts.

- Armina Ching - Co-Chair
- John Tonaki - Co-Chair
- Kevin Chang
- Carol McNamee

### Finance

Administer matters relating to the finances and the financial activities of the Chapter. No Chapter fundraising activities are anticipated for some time. It may be requested by the Chapter's Judicial Administration Committee to assist it in reviewing and making recommendations regarding the Report and conclusions of the Chapter's Special Committee on the Public Knowledge, Understanding and Confidence in the Courts.

- Russell Lau, Chair
- Robert Alm
- William Atwater
- Neal Kanda
- Mark Rossi



Exhibit F

**Judicial Administration**

Reviewing, monitoring and, if applicable, making recommendations relating to court structures, organization, and operations and relationships with other organizations (whether governmental, community or otherwise) and the public. The Committee shall review and recommend appropriate alternatives to the final report of the Chapter's Special Committee on the Public Knowledge, Understanding and Confidence in the Courts.

Richard Clifton, Co-Chair  
 Sabrina McKenna, Co-Chair  
 Mark Bennett  
 James Kawachika  
 Rod Moale  
 Alan Oshima  
 Randy Ferreira  
 J. Michael Seabright

**Judicial Selection, Retention and Accountability**

Reviewing, monitoring, and, if appropriate, making recommendations on matters relating to issues relating to merit selection generally, and particularly the process and procedures affecting the selection and retention of Hawaii judges, both state and federal. These matters include, but are not limited to, the Judicial Selection Commission, its Constitutional mandate, the Rules of the Commission and its work. The Committee will review alternatives to addressing the conclusions and recommendations of Chief Justice Moon in his annual report to the Chapter relating to the role of the HSDA as well as other organizations in the selection and retention process.

William Atwater, Co-Chair  
 Victoria Marks, Co-Chair  
 Leslie Kobayashi  
 Colin Miwa  
 Susan Oki Mollway  
 Frederick Rohlfing  
 Gerald Sekiya

**Membership**

Developing and promotion of membership policies and activities among existing members and encouraging and enlisting new members from the Hawaii community, whether judges, lawyers or community members interested in improving the administration of justice. Specific projects could include the creation of a website for the Hawaii Chapter consistent with the AJS National website and a focus on increasing interested corporate leaders and members.

Neal Kanda, Chair  
 Doug Chin  
 Michelle Imata  
 James Kawachika  
 Gerald Kibe  
 Ivan Lui-Kwan  
 Carol McNamee

**Programs**

Reviewing, developing and overseeing programs that may be offered by the Hawaii Chapter.

Robert Toyofuku, Chair  
 Karen Blondin  
 Michelle Imata  
 Leslie Kobayashi  
 Susan Oki Mollway

**Communications**

Publishing and distributing of a quarterly newsletter of appropriate matters relating to developments, activities and accomplishments of the Hawaii Chapter. The Committee shall also provide notices of meeting applicable to the membership, including but not limited to notices of the annual meeting of the Chapter.

Colleen Hirai, Co-Chair  
 Ivan Lui-Kwan, Co-Chair  
 Neal Kanda  
 Carol McNamee



Victoria Marks  
Colin Miwa

**Sidebar**

Planning, promoting and organizing the annual Sidebar Program.

Colin Miwa, Co-Chair  
Paula Nakayama, Co-Chair  
Carme Okinaga, Co-Chair  
Gary Chang  
Duane Miyashiro  
Caryn Okinaga

**HSC Special Committees**

**2012 Special Committee on the Mandatory Retirement Age of Hawaii State Judges - Charter and Final Report**

Should the mandatory retirement age of 70 years old for judges be repealed?

*Co-chairs: Justice Steven Levinson (Ret.) and Colin Miwa*

**2010 Standing Committee on Judicial Selection, Retention and Accountability - Final Report**

The standing committee reviews, monitors and if appropriate makes recommendations on matters relating to issues of merit selection and the process and procedures affecting the selection and retention of Hawaii judges, both state and federal

*Co-chairs: Hon. Victoria S. Marks (ret.) and William Atwater*

**2010 Judicial Careers and Selectivity - Charter - Final Report**

The Special Committee looked for ways to preserve our country's strong need for an independent and competent judiciary as well as for the high quality of our judiciary for the present and the long term.

*Co-chairs: Hon. Virginia Crandall and Mark Ross*

**2010 Rules Governing Mediation**

A Special Committee will review the mediation rules and to make recommendations on whether the Hawaii Supreme Court should consider adopting mediation rules for civil cases in the Circuit and District Courts

*Co-chairs: Gary Chang and James Kawachika*

**2010 Effects of the Economy - Charter - Final Report**

The Special Committee was created to see how our courts are doing under the circumstances, to examine the significant issues facing them, and to suggest ways to address them.

*Chair: Robert Alm*

**2009 Discovery Issues**

To review and consider whether Hawaii State Courts should consider its Rules relating to e-Discovery and Initial Disclosure issues.

*Co-Chairs: Hon. Katherine Leonard and William McCarrison*

**2009 Jury Size Report - Request from Supreme Court to study the issue**

To review the issue of whether or not the size of juries shall be reduced from twelve to six in civil and non-serious criminal trials.

*Co-chairs: Hon. David Ezra and Constance Lau*

**2007 Public Knowledge, Understanding, and Confidence in the Courts**

*Co-chairs: Alan Oshima and J. Michael Seabright*

**2007 ABA Model Judicial Code**

*Co-chairs: Lisa Ginoza and Richard W. Pollack*

**2006 Judicial Independence and Accountability**

*Co-chairs: Sabrina McKenna and Donna Tanour*

**2006 Court Security**

*Co-chairs: Terry Thomason, Walter Ozawa and Robert Toyofuku*

**2005 The Judiciary, Lawyers and The Issue of Conflicts in the Judicial System**

*Co-chairs: Susan Oki Maloney and William E. Atwater*

**2004 Per Diem Judges**

*Chair: William Atwater*

**2004 Judicial Selection System**

*Co-chairs: Warren Luke and Victoria S Marks*

**2002 Judicial Selection and Retention (2003 Report)**

*Chair: Robert Alm*

**2002 Business Courts**

*Co-chairs: Robert F. Clarke and Colleen Hira*

**2002 Unpublished Appellate Court Opinions**

*Chair: Bert Kobayashi, Jr*

**2001 One Tier Trial Court**

*Chair: Warren Luke*

**1999 Judicial Performance Evaluation**

*Chair: Dan Case*

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	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Name	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	
2	James Burns, Chair	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
3	Momi Cazimero, Vic Cl	x	x	x	x	x	x	x	x	x								
4	Kate Leonard, Sec'y	x	x	x	x	x	x	x							x		x	
5	Hilary Ganges, Asst Sec'y	x	x	x	x	x	x	x	x		x Sec'y							
6	Richard Lim, Treas	x	x	x	x	x	x	x										
7	Larry Foster, Asst Treas	x	x	x	x	x	x	x										
8	Larry Okinaga, Past Pr	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
9	Gerry Sekiya	x	x	x	x	x	x	x	x									
10	Robert Toyofuku	x	x	x	x	x	x	x										
11	Ivan Lui-Kwan	x	x	x	x	x	x	x	x									
12	Richard Clifton	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x Vice Chair
13	Bert Kobayashi, Jr.	x	x	x	x	x	x	x										
14	Larry Meacham		x	x	x	x												
15	Frances Wong		x	x	x	x	x	x										
16	Burnham H. Greeley	x	x	x	x	x	x	x										
17	Clinton Ashford	x	x	x	x													
18	Barry Kurren	x	x	x	x	x	x	x	x	x	x	x						
19	Margery Bronster	x	x	x	x	x	x											
20	Charles Russ		x	x	x													
21	Kevin Chang		x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
22	Warren Luke						x											
23	James Kawachika						x	x	x	x	x	x	x	x	x	x	x	
24	William E. Atwater								x	x	x	x	x	x	x	x	x	
25	Mark Bennett							x	x	x	x	x	x	x	x	x	x	
26	Douglas Chin											x	x	x	x	x	x	
27	James Duffy								x	x	x	x	x					
28	Colleen K. Hirai								x	x	x	x	x	x	x	x	x	x Asst Treas
29	Neal Kanda								x	x	x	x	x	x	x	x	x	
30	Gerald H. Kibe											x	x	x	x	x	x	
31	Russell J. Lau								x	x	x	x	x	x	x	x	x	x Treas
32	Victoria Marks								x	x	x	x	x	x	x	x	x	
33	Sabrina McKenna								x	x	x	x	x	x	x	x	x	
34	Carol McNamee										x	x	x	x	x	x	x	
35	Colin O. Miwa											x	x	x	x	x	x	
36	Duane R. Miyashiro								x	x	x	x	x	x	x	x	x	x Sec'y
37	Susan Oki Mollway								x	x	x	x	x	x	x	x	x	x Asst Sec'y
38	Randy P. Perreira											x	x	x	x	x	x	
39	Mark E. Recktenwald											x	x					
40	Mark A. Rossi											x	x	x	x	x	x	
41	Aviam Soifer								x	x	x	x	x	x	x	x	x	
42	Terry E. Thomason								x	x	x	x	x	x	x	x	x	
43	John A. Tonaki											x	x	x	x	x	x	
44	Dr. Sylvia Yuen											x	x	x	x	x	x	
45	Paula Nakayama													x	x	x	x	
46	Robert A. Alm													x	x	x	x	
47	Lea Crandall														x	x	x	

Exhibit G