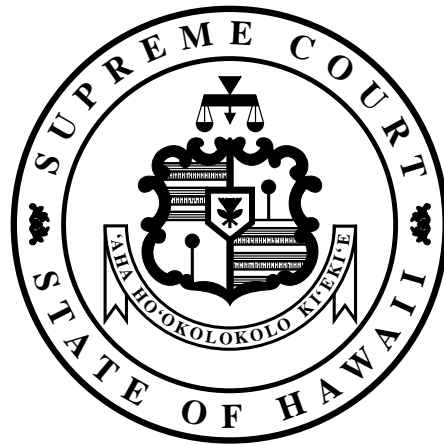

The Judiciary State of Hawai‘i



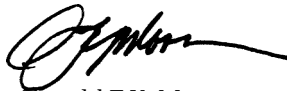
Annual Report
July 1, 1998 to June 30, 1999

The mission of the Judiciary, as an independent branch of government, is to administer justice in an impartial, efficient, and accessible manner in accordance with the law.

I am pleased to present to you the Judiciary's 1999 Annual Report detailing the work of Hawaii's third branch of government.

As the report demonstrates, the people who work in the courts strive each day to meet the mission of the Judiciary. I am very proud of the work that they do and extend my thanks and appreciation to each and every one of our judiciary employees, and the many volunteers of the State of Hawai'i Judiciary. It is my privilege to report the results of their efforts to you.

I also acknowledge the critical assistance that the Legislature has provided the Judiciary in supporting our budgetary needs and legislative initiatives. The work reflected in this Annual Report would not have been possible without the Legislature's support and cooperation.



Ronald T.Y. Moon
Chief Justice
Hawai'i Supreme Court

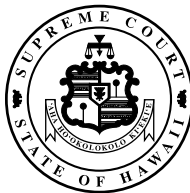


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1998–1999 Highlights

ACHIEVING COURT EXCELLENCE

In 1998, Chief Justice Ronald Moon and Administrative Director of the Courts Michael Broderick announced that the Judiciary would conduct a systematic and comprehensive reexamination of its structure, procedures, and scope and functions. The intent of the improvement effort was to initiate structural changes to increase efficiency, reduce duplication, produce cost savings, and generate additional revenue.

Over a period of one year, Judiciary representatives and its consultants surveyed all 1,700 Judiciary employees, as well as litigants, jurors, legislators, and the general public; conducted in-depth interviews with approximately 150 Judiciary and non-Judiciary employees; reviewed reports and studies of the Judiciary completed over the past 10 years; and held many hours of deliberations with a special committee comprised of Judiciary employees from all levels, all circuits, and all courts. The year-long effort culminated in July 1999 with the adoption of a plan to implement 29 substantive recommendations for change.

Implementation of the 29-point plan, called “Achieving Court Excellence (ACE),” began in 1999 and will be completed in phases. Included among the 29 goals outlined are the following:

- form a one-tier court system which will give the Judiciary the flexibility to assign judges to preside in any court, whether Circuit, Family or District;
- relocate, close, consolidate, or expand branch courts on each island depending on caseload, population, demand, and ease of access to court services;
- consolidate all probation offices into an adult and juvenile division;
- consolidate the more than 20 central administrative divisions into three divisions;
- consolidate court administrative offices into one per circuit to include one

administrative judge and one court administrator per circuit;

- decentralize certain administrative support functions to meet user needs more quickly and effectively;
- charge reasonable fees to help recoup copying and other costs;
- assess reasonable offender fees and library user fees;
- develop and install a statewide, unified, court management information system and a statewide communication and information sharing system;
- create one-stop customer service counters in the courthouses where members of the public and attorneys can complete all or at least most of their business;
- streamline and simplify the traffic violations process and decriminalize more traffic offenses;
- provide employees with merit pay increases or bonuses as a reward for exceptional performance;
- develop customer-oriented performance standards for employees and hold staff accountable to those standards; and
- make the Judiciary a voting participant in contract negotiations.

HAWAII DRUG COURT EXPANDS

Since its inception in 1996, the Hawaii Drug Court Program has been very successful in treating non-violent offenders addicted to drugs. Of the 348 offenders accepted into the program thus far, 113 have graduated while 156 remain active. Because of the program’s success in treating drug-addicted offenders, in 1999 the Hawaii State Legislature established Drug Court as a permanent program of the First Circuit Court.

This year, in conjunction with the U.S. Department of Justice’s “Weed and Seed” program, the Hawaii Drug Court launched a special “track” for Weed and Seed clients. Under the program, representatives from the Hawaii Drug Court, social service organizations, and federal, state, and city law enforcement agencies work closely with community organizations, residents, private businesses, and non-profit service providers to “weed out” offenders for placement into the

Drug Court program. The state's first official "weed and seed" community is the Downtown/Kalihi/Palama area in Honolulu.

The past year also saw the Hawai'i Drug Court embark on a new program to treat offenders who have psychiatric disorders in conjunction with alcohol and drug abuse. The Hawai'i Drug Court is the first drug court in the nation to treat offenders who have mental-health and drug-addiction problems. The new dual-diagnosis track will result in a more comprehensive and effective treatment program. Grants from the U.S. Department of Justice's Edward Byrne Memorial Formula Grant Program and the Hawai'i State Department of the Attorney General helped to fund the new program.

TECHNOLOGICALLY POISED FOR THE 21ST CENTURY

This past year, the Judiciary finalized and adopted a technological vision through the Year 2010. The vision represents a strategic outlook of the role technology will play in providing better and faster service and greater access to the courts in the 21st Century.

At the center of the technological vision is an integrated case-management system, called the Judiciary Information Management System (JIMS). Currently, the Judiciary's case-management systems, which are not integrated, are antiquated, fragmented, and cumbersome. Many of these systems were designed and implemented in piecemeal fashion in the 1970s and have not had a major overhaul since then.

Under the JIMS case-management system, all information (e.g., juvenile proceeding reports, traffic citations, filings, arrest reports, etc.), will be available to various internal and external sources, which include court offices, branches of government, and the public.

Utilizing JIMS, the public will be able to access information about specific cases, inquire about traffic matters, obtain traffic abstracts, file motions, or schedule hearings in a user-friendly environment without going to the courthouse. With improved technology, court forms and documents can be completed on-line and electronically filed

with the courts using credit, debit, or smart cards.

The JIMS system will be implemented in phases, beginning in late 2000. Anticipated completion is within approximately seven years.

LOOKING FOR PERMANENT, SAFE, AND LOVING HOMES FOR HAWAII'S CHILDREN

Although the Family Court of the First Circuit and the Department of Human Services (DHS) have improved the rate of adoptions significantly, from 25 in 1995 to 235 in 1998, more parental rights are being terminated and more children are being placed in foster custody. As of July 31, 1999, over 890 children statewide – 600 on O'ahu alone – are in foster custody.

To address this problem, the First Circuit Family Court convened representatives from Family Court, the DHS, The Casey Family Program, Child and Family Services, and



Hundreds of people gathered at the Adoption Expo to learn about the adoption process in Hawai'i.

guardians ad litem and foster parents. This group was joined by others to form the Adoption Connection. The primary goal of the organization is to get more children adopted.

Since its formation, there has been strong community support for the Adoption Connection. More than \$160,000 has been raised in charitable contributions, and many individuals and organizations from both the private and public sectors — including the Junior League, Rotary Club, the Bradley and Victoria Geist Foundation, the Friends of Foster Kids, and the Hawai'i Adoption and Permanency Alliance – have provided support.

1998–1999 Highlights

1998–1999 Highlights

To increase public awareness, three television commercials were produced at no cost to the state. The awareness effort culminated in a public forum held at the Kamehameha Schools. Hundreds of people showed up to learn about the adoption process and hear keynote speakers Chief Justice Ronald Moon; First Lady Vicky Cayetano; Susan Chandler, DHS Director; and Judge John Bryant.

In anticipation of the large number of adoptions which may result from the forum, the Family Court assembled more than 125 public and private mental health professionals for a post-adoption training seminar. At the seminar, Hawaii's mental health professionals received expert training in various counseling services designed to help new adoptive families.

COURT ACCESS PROGRAM RECEIVES NATIONAL AWARD

The Hawaii Supreme Court Committee on Equality and Access to the Courts was selected as one of 10 recipients nationwide to receive the Foundation for Improvement of Justice's award for innovative programs. Under the leadership of co-chairs District Court Judge Leslie Hayashi and Attorney James Duffy, and with substantial support from the Judiciary's Office on Equality and Access to the Courts, the Hawaii State Bar Association, and over 75 volunteers, the Committee has developed a number of programs to improve the quality of justice for Hawaii's immigrant population. Some of the Committee's innovative programs include the Multilingual LawLine; informational videos on Small Claims and Traffic Violations, which are captioned for the deaf and hard-of-hearing and dubbed into Ilocano and Korean; a directory of bilingual attorneys and paralegals; and an immigrant outreach directory. A \$10,000 award was presented to Committee representatives at an awards ceremony in Atlanta, Georgia.



The Judiciary hosted judges and legal professionals from across the country for the 11th Annual Meeting of the National Consortium of Task Forces and Commissions on Racial and Ethnic Bias in the Courts. Pictured above (l to r) Keynote speaker Professor Ronald Takaki, Carol Takaki, Stella Moon, and Chief Justice Ronald Moon.

HAWAII HOSTS NATIONAL CONSORTIUM ON RACIAL AND ETHNIC BIAS IN THE COURTS

Supreme court justices, judges, bar leaders, and court administrators from across the country were in Hawaii on April 30 and May 1, 1999 to participate in the Eleventh Annual National Consortium of Task Forces and Commissions on Racial and Ethnic Bias in the Courts. The Consortium consists of 30 task forces created by state supreme courts, federal court jurisdictions, and Canadian provinces to study and promote equality in the courts. The Hawaii State Supreme Court and its Committee on Equality and Access to the Courts served as hosts for the meeting. During the convention, attendees met on a range of topics, including cultural barriers to court access, culture-based dispute resolution, court interpreting, native rights, and trends in civil rights.

GRANT MONIES FUND NEEDED PROJECTS

Monies received through outside donations, contributions, and grants have become an important source of funding for the many courts and programs of the Hawaii State Judiciary. During 1998, the Judiciary received nearly \$1.4 million from federal grants, state matching funds, and other sources to fund 13 grant requests, the largest amount ever raised by the Judiciary in one year. This is a significant increase compared to 1990, when \$550,000 was raised to fund three grant requests.

Because the Judiciary's appropriation from state general funds addresses only the Judiciary's most pressing needs, court staff have been resorting to outside funding to develop and launch innovative and worthwhile projects with greater frequency and success. As an example, the Judiciary's highly successful Hawai'i Drug Court program received \$500,000 from the federal government, which was supplemented by \$1.2 million in matching funds from the State to cover operating costs for the first 18 months.

60 STATE JUDGES EVALUATED ON COURTROOM PERFORMANCE

This year, a total of 60 judges were evaluated under the Hawai'i State Judiciary's Judicial Performance Program, the largest number of judges ever evaluated in one year. As of the end of 1999, all currently eligible full-time judges have been evaluated.

The evaluation results are gathered from confidential surveys submitted by practicing members of the bar.

Summarized aggregate results are contained in five reports published since the implementation of the Judicial Performance Program. According to the fifth and latest report, overall, the 60 judges did well in all areas evaluated.

Hawaii's Judicial Performance Program, which is one of only 13 judicial evaluation programs in the nation, was established as a permanent program by Chief Justice Ronald Moon in 1993.

Chief Justice Moon uses the evaluations to provide guidance and counsel to the judges and meets with each judge to discuss their performance. The Judiciary also has released summarized aggregate evaluation results to increase public confidence while preserving the anonymity of the respondents and protecting the independence and integrity of the Judiciary. In addition, upon request, the Chief Justice will provide evaluation information on individual judges to the Judicial Selection Commission.

The program is administered by a 13-member committee consisting of judges, members of the bar, court personnel, and private citizens.

VIDEO TO HELP DIVORCING FAMILIES COMPLETED

More than 5,500 marital action cases (divorce, annulment, separation, and separate maintenance) were filed in the Hawai'i courts during fiscal year 1998-99. Of this number, approximately 49 percent, or 2,700 cases, involved children.

To assist separating families through this difficult period, the Family Court requires parents and their children to attend a divorce education program. In the First Circuit, the program is called Kids First. An innovative video, titled "The Purple Family," was recently completed and will be incorporated into the Kids First program.



A scene from "The Purple Family."

In "The Purple Family," the family's "world" is purple. But one day, Dad puts on a red tie, and Mom starts wearing "a little blue." This slightly wacky, but emotionally honest story shows the family's struggle as it goes through the separation process.

Copies of the video are available at the law libraries or Hawai'i state libraries. In addition, the video may be purchased from the Friends of Kids First for \$25 a copy.

LAWYER CERTIFICATION APPROVED BY HAWAII SUPREME COURT

As of July 1, 1999, lawyers in good standing who have successfully completed a certification program accredited by the American Bar Association may petition the Supreme Court for a Certificate of Specialization.

1998-1999 Highlights

1998–1999 Highlights

Lawyers who receive a Certificate of Specialization may advertise that they are certified as a specialist in a field of law and approved by the Hawai'i Supreme Court.

Lawyers who are not certified by the Supreme Court may communicate the fact that they are certified as a specialist in a field of law by a named organization provided that the claim is accompanied by a statement that "The Supreme Court of Hawai'i grants Hawai'i certification only to lawyers in good standing who have successfully completed a specialty program accredited by the American Bar Association."

"MEET YOUR JUDGES" FORUMS COMMEMORATE LAW WEEK

Hundreds of people attended five "Meet Your Judges" forums held simultaneously on May 5 on O'ahu, Maui, Kaua'i, and in Hilo and Kona on the Big Island, to learn about the work of judges and the state court system. During the forums, judges from the appellate, circuit, family, and district courts answered questions and discussed a range of court-related topics, including sentencing, jury selection, domestic violence, judicial independence, judicial selection, the role and structure of the court system, and more.

The objectives of the "Meet Your Judges" forums were to help "demystify" the courts, to provide an arena for judges to hear from members of the general public, and to commemorate Law Week.



"Meet Your Judges" forums were held simultaneously at five different sites throughout the state.

To further commemorate Law Week, five articles, written by Chief Justice Ronald Moon and Judges Jeffrey Choi, Sabrina McKenna, Clifford Nakea, and Shackley Raffetto, were published in the *Honolulu Advertiser* on five consecutive days. In an effort to educate the public about the state court system, the Chief Justice and judges wrote about the appellate process, the different standards of proof required in criminal cases as compared to civil cases, the role of the trial judge after the jury renders its verdict, sentencing determinations, and jury nullification.

VIDEO CONFERENCING IN THE THIRD JUDICIAL CIRCUIT

The Third Judicial Circuit (the island of Hawai'i) is using video technology for selected court proceedings between Kona Circuit Court and in-custody defendants and their attorneys located 109 miles away at the Hawai'i Community Correctional Center (HCCC) in Hilo.

Arraignments and motions may be conducted by video if the in-custody defendant voluntarily waives his or her right to be physically present in court. Custody defendants at HCCC may also use video conferencing to communicate with their attorneys, as well as with probation officers in the Kona Adult Probation Office. The four locations equipped for video conferencing are: Kona Circuit Court courtroom, Kona Circuit Court interview room, HCCC arraignment and plea room, and HCCC interview room.

The project, which was supported through an award from the Bureau of Justice Assistance, U.S. Department of Justice, duplicates the success of First Circuit Court's video conferencing system. Approximately 97 percent of all defendants in custody at O'ahu Community Correctional Center are arraigned by video each year.

2000 Legislative Priorities

JUDICIAL SALARY INCREASE

Last year, HB 20 (Act 65) as enacted did not reflect the full intent of the 1999 Legislature. The Judiciary appreciates the Legislature's commitment to make the necessary adjustments to the appropriate sections of Hawaii's Revised Statutes to reflect the intended increase.

SUPPLEMENTAL BUDGET

The Judiciary's supplemental budget request for FY 2000-01 is \$98.3 million, approximately equal to the FY 1999-00 general fund appropriation of \$98.4 million.

Aware that the current economic realities require difficult resource allocation decisions, the Judiciary's supplemental budget request is limited in focus, addressing only the most pressing needs. Additional resources are being requested for necessary technology enhancements, essential court support services (e.g., POS funding to support the Maui Drug Court, additional guardian ad litem funding for the Third Circuit, and resources to lease necessary office space in both the Third and Fifth Circuits), and a very limited number of positions.

Over the past decade, the Judiciary's rate of growth in appropriations and expenditures was essentially limited to the rate of increase for inflation in the state. During this time, the demand for court services continued to outpace the resources provided. The Judiciary addressed part of this disparity through innovative methods and cost-cutting strategies to achieve effective adjudication without compromise to the principles of justice. Although the Judiciary remains committed to reducing costs and increasing efficiency, the current level of appropriated resources clearly limits the quality of services available to those seeking assistance from the courts. As a result, the Judiciary's general fund supplemental budget request provides

for additional funding to ensure the provision of necessary services.

To directly address concerns over the size and cost of state government, the Judiciary is pursuing a major initiative, Achieving Court Excellence (ACE), which will restructure and improve Judiciary operations throughout the state. In the meantime, the Judiciary has restricted its resource requests to those which provide the greatest opportunity to immediately serve those seeking the court's assistance.

Technology Enhancements

Technology-related requests of approximately \$1.1 million account for just over 50 percent of the new funding requests contained in this year's supplemental budget. Technology enhancements are central to the success of the Judiciary's effort to provide Hawaii's people with more timely case resolution. To this end, in 1999, the Judiciary finalized and published its technological vision, which represents a strategic outlook on the role technology will play in the Judiciary through the Year 2010.

One of the major technology issues that is addressed in the budget is the lack of connectivity between Oahu's rural courts. The courts currently lack the networking capability needed to link the rural courts' technological systems together.

Another issue included in the supplemental budget is a request to support a new Human Resources Information System. For the past several years, the Judiciary has been searching for an on-line personnel system that would make the retention and retrieval of position and employee data more timely and practical. Further delay would be extremely counter-productive.

The area of technology improvements also includes a group of smaller requests that, in general, represent replacements for, or enhancements to, existing systems.

2000 Legislative Priorities

Court Security

Court security continues to be a major concern. Experience has shown that nationwide, and also here in Hawaii, courts are not immune to acts of violence. To ensure that Hawaii's citizens will have confidence in the Judiciary's ability to provide a safe courthouse environment, adequate court security has become a necessity. With past assistance from the Legislature, the Judiciary has made substantial improvements in this area during the last half of the 1990s.

The Judiciary's most pressing security concern remains the need to ensure safety in court buildings by conducting necessary searches on individuals at all entry points. To this end, the Judiciary's supplemental budget includes a request for additional resources for security guards in the rural courts.

Maui Drug Court

The growing drug offender population continues to pose a serious threat to public safety on all islands. Faced with a significant rate of substance abuse among its offender population and limited resources with which to address this problem, the Second Circuit Court plans to establish a Maui Drug Court. A portion of the requested funding will be identified as the state matching requirement for a federal grant which will assist in defraying the start-up costs associated with the Drug Court.

Capital Improvement Projects

The proposed capital improvements include funding for three projects. The first request provides land acquisition funds for the Hilo Judiciary Complex. The remaining requests provide limited resources to continue repair work on the roof of the Supreme Court Building (Ali'iolani Hale) and to renovate the Koloa court facilities on Kaua'i.

Support Staff

Although there are substantial staffing needs throughout the Judiciary, the Judiciary has chosen to follow a conservative approach in our request for additional staffing. This year's supplemental budget requests funding for only four and one-half permanent positions and four temporary positions.

The decision to limit staffing requests is also based on pending finalization of the Judiciary's internal restructuring initiative (ACE).

ADDITIONAL JUDGESHIP FOR KAUA'I

The Judiciary is extremely grateful to last year's Legislature for funding the budget request for additional judgeships on the Big Island, O'ahu, and Kaua'i. This year, amending the statute to authorize the appropriated judgeship on Kaua'i will be a priority.

At the present time, one circuit court judge is assigned to the Fifth Circuit (which includes the islands of Kaua'i and Ni'ihau) and serves as the Circuit Court Civil and Criminal Administrative Judge, the Arbitration Judge, and the Senior Family Court Judge. Based on a five-year average, the Fifth Circuit has the highest case filing rate per judge in the state.

JURY SERVICE

Consistent with the positions of the U.S. Supreme Court and the American Bar Association, the Judiciary contends that the selection of a jury from a representative cross-section of the population is critical to our justice system. To allow automatic exemption from jury service based upon employment status alone, therefore, would be contrary to traditional concepts of democracy and equality. To that end, the Judiciary will seek legislation that removes all exemptions from jury service, except for jurors who have

*2000
Legislative
Priorities*

served within the last year. Hawai'i currently is among the minority of states that allow more than two juror exemptions. In Hawai'i, exemptions are made for attorneys; heads of executive departments; elected officials; judges of the United States, State or County; ministers or priests; physicians; dentists; and members of the armed forces or militia, police, and fire department.

The recommendation to repeal exemptions from jury service was made by the 1998 Hawai'i Committee on Jury Innovations for the 21st Century, which consisted of judges, administrators, legislators, attorneys, and former jurors.

RECORDS MANAGEMENT

Legal documents filed with the court are required to be maintained in storage by the court for periods from two years up to perpetuity. Each year, newly filed legal documents create 2,000 cubic feet of additional court records and cost the Judiciary up to \$84,000 to rent private storage facilities. Unfortunately, the courts do not have the space to store the records on-site.

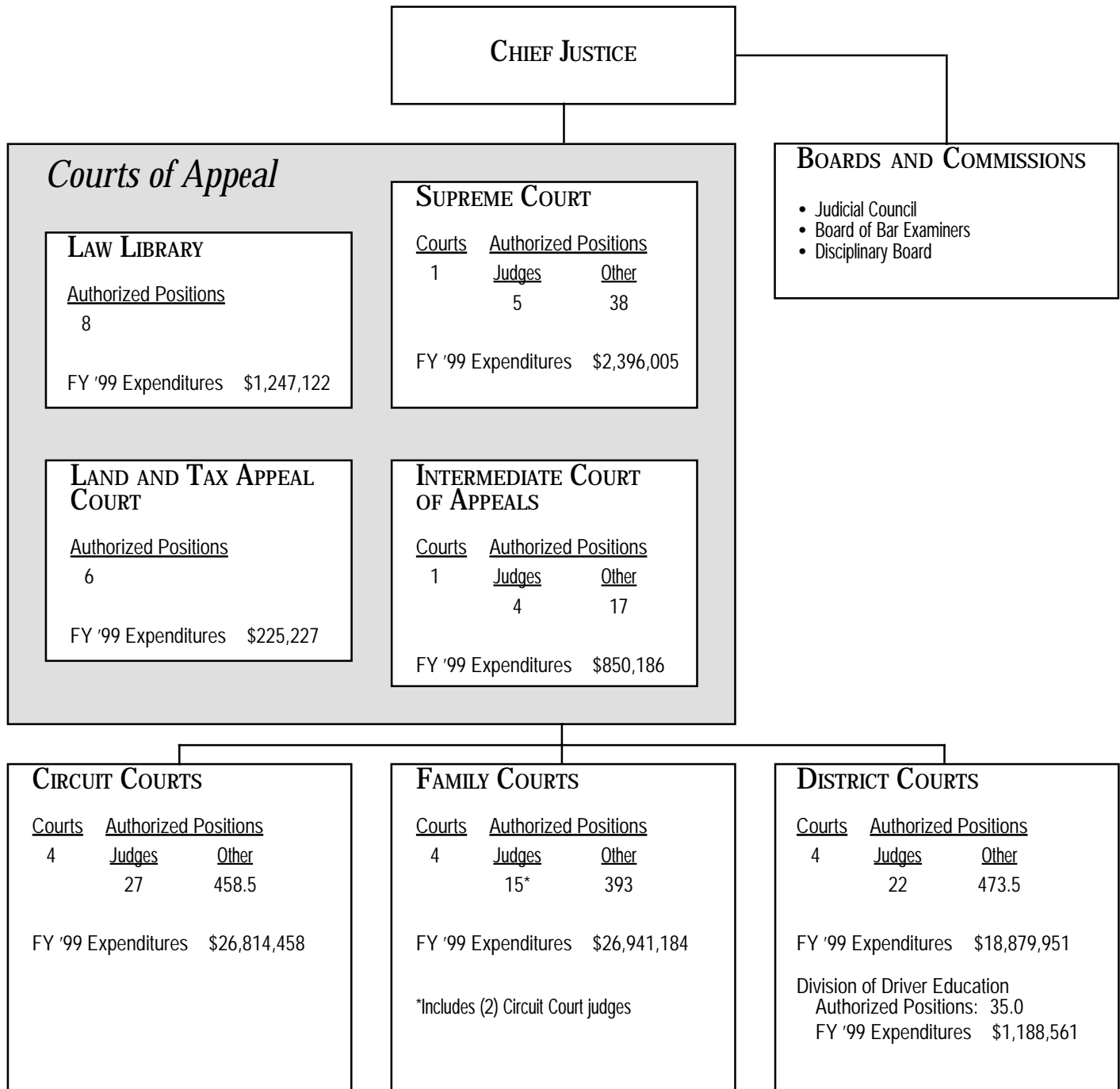
The Judiciary will seek Legislative support to establish a \$5 surcharge on the initial court filing fee in civil cases, except for small claims, petitions for temporary restraining orders, petitions for protective orders, in forma pauperis cases, and any proceeding on behalf of the State or County. The fees from the surcharge will be deposited into a newly-established revolving fund, which will be used for records storage and conversion services.

PROBATION USER SERVICE FEE

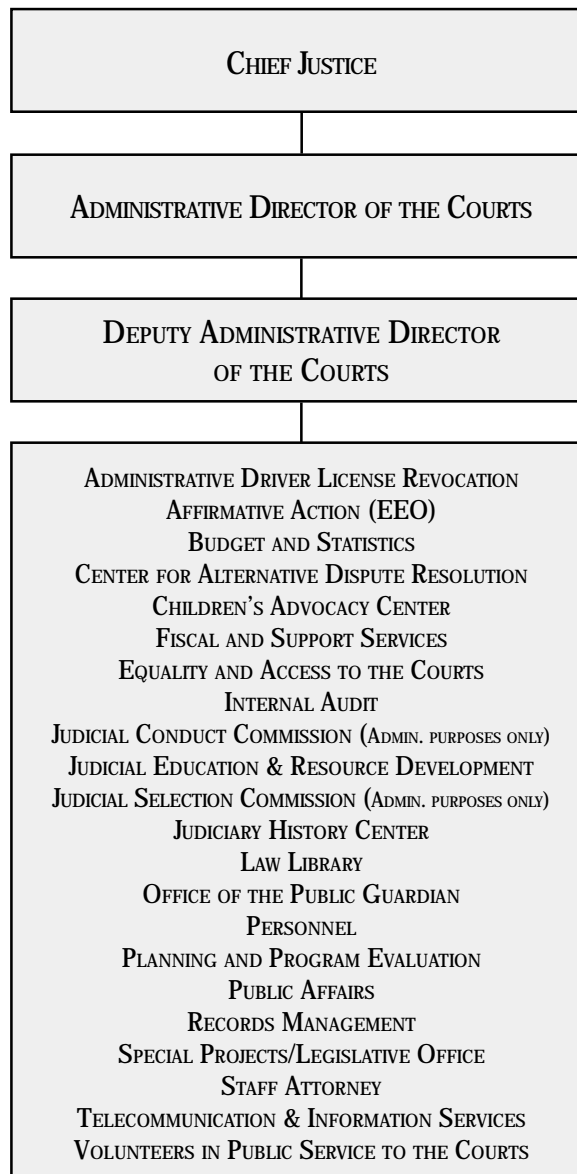
In Hawai'i, the probation offender population rises each year. As a result, it is difficult for the courts to provide mandated services and to effectively collect and enforce restitution. The authorization to impose a probation user service fee and establish a special fund is an important ACE initiative for which the Judiciary is seeking support. Under the proposed legislation, all adult offenders who are sentenced to probation or are granted a motion to defer acceptance of guilty or nolo contendere plea will be required to pay a probation fee which will be placed into a special fund. The fund will provide the necessary revenues to enhance monitoring, enforcement, and collection of fees, fines, restitution, other monetary obligations owed by defendants, and other terms and conditions of probation. In addition, such a fee will increase probationer accountability and responsibility.

More than 40 states have enacted legislation authorizing probation fees.

Structure of the Court System

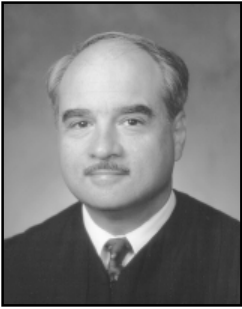


Structure of the Office of the Administrative Director of the Courts



Authorized Positions: 236
FY '99 Expenditures \$16,226,205

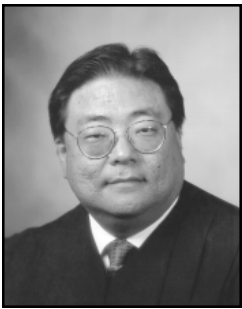
New Judicial Appointments



Judge Joseph E. Cardoza
June 24, 1999 - June 23, 2009

JUDGE JOSEPH E. CARDOZA

Judge Joseph Cardoza was appointed to the Circuit Court of the Second Judicial Circuit on June 24, 1999. Prior to his appointment to the Circuit Court, he was a senior partner in the law firm of Cardoza and Fukuoka. He served previously as Maui County's prosecuting attorney from 1983 to 1991, deputy prosecuting attorney from 1977 to 1983, and deputy county attorney from 1975 to 1976. Judge Cardoza received his bachelor's degree from Washington State University and law degree from the University of Puget Sound School of Law, now known as the Seattle University School of Law. He has been licensed to practice law in Hawai'i since 1975.



Judge Gary W.B. Chang
June 1, 1999 - May 31, 2009

JUDGE GARY W.B. CHANG

Judge Gary Chang was appointed to the Circuit Court of the First Judicial Circuit on June 1, 1999. Prior to his appointment to the Circuit Court, he was a partner with the law firm of Matsui Chung Sumida & Chang. He previously served as a deputy attorney general with the State of Hawai'i Department of the Attorney General. Judge Chang received a bachelor of arts degree from the University of Hawai'i and law degree from the University of Gonzaga Law School in Washington. He has been licensed to practice law in Hawai'i since 1979.

*New Judicial
Appointments*



Judge Reynaldo D. Gaulty
March 5, 1999 - March 4, 2009

JUDGE REYNALDO D. GAULTY

Judge Reynaldo Gaulty was appointed to the Circuit Court of the First Judicial Circuit on March 5, 1999. Prior to his appointment to the Circuit Court, he was the Insurance Commissioner with the Department of Commerce and Consumer Affairs, State of Hawai'i. He previously served as a member of the Hawai'i Senate from 1986 to 1996, where he chaired the Senate Judiciary Committee and the Senate Human Services Committee. From 1982 to 1986, he was a member of the State of Hawai'i House of Representatives. Judge Gaulty received his bachelor's degree from the State University of New York at Albany and law degree from the William S. Richardson School of Law, University of Hawai'i. He has been licensed to practice law in Hawai'i since 1980.



Judge Calvin K. Murashige
June 25, 1999 - June 24, 2005

JUDGE CALVIN K. MURASHIGE

Judge Calvin Murashige was appointed to the District Court of the Fifth Judicial Circuit on June 25, 1999. Prior to his appointment to the District Court, he was a partner in the law firm of Shiraiishi and Murashige. He previously served as Kaua'i County's deputy prosecuting attorney with the Office of the Prosecuting Attorney, and deputy attorney general with the Department of the Attorney General. Judge Murashige received his undergraduate degree from Hamilton College in New York and law degree from George Washington University in Washington, D.C. He has been licensed to practice law in Hawai'i since 1974.

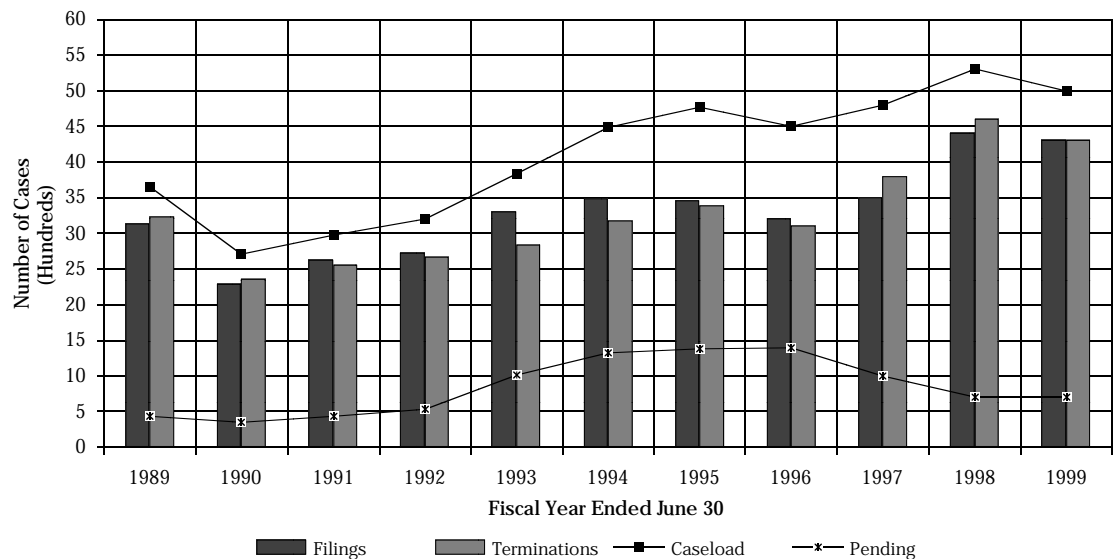
Courts of Appeal

The Judiciary's appellate level is composed of the Supreme Court and the Intermediate Court of Appeals (ICA). The Courts of Appeal hear appeals from all trial courts and specific state boards and agencies.

Generally, cases assigned to the Supreme Court involve the formulation and development of the law, while cases assigned to the ICA involve possible trial court error or the application of settled law. An ICA decision may be reviewed by the Supreme Court upon request by any party, though the Supreme Court may exercise its discretion in accepting the matter.

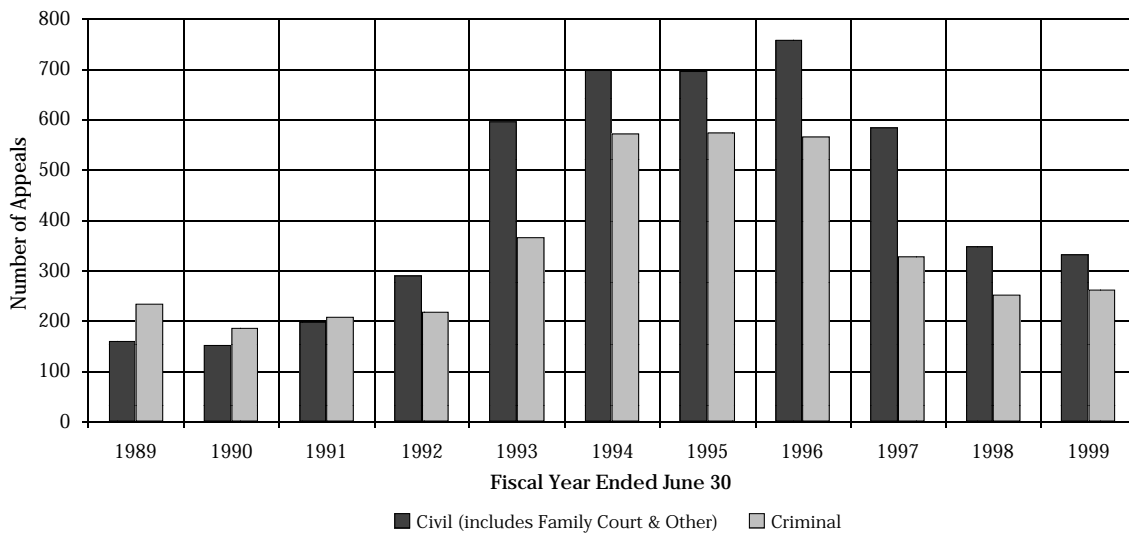
Members of the Supreme Court and Intermediate Court of Appeals are appointed to an initial ten-year term by the Governor. The Governor selects appointees from a list of not less than four and not more than six names submitted by the Judicial Selection Commission. All appointments must be confirmed by the State Senate.

Caseload Activity in the Courts of Appeal
Fiscal Year 1988-89 to Fiscal Year 1998-99

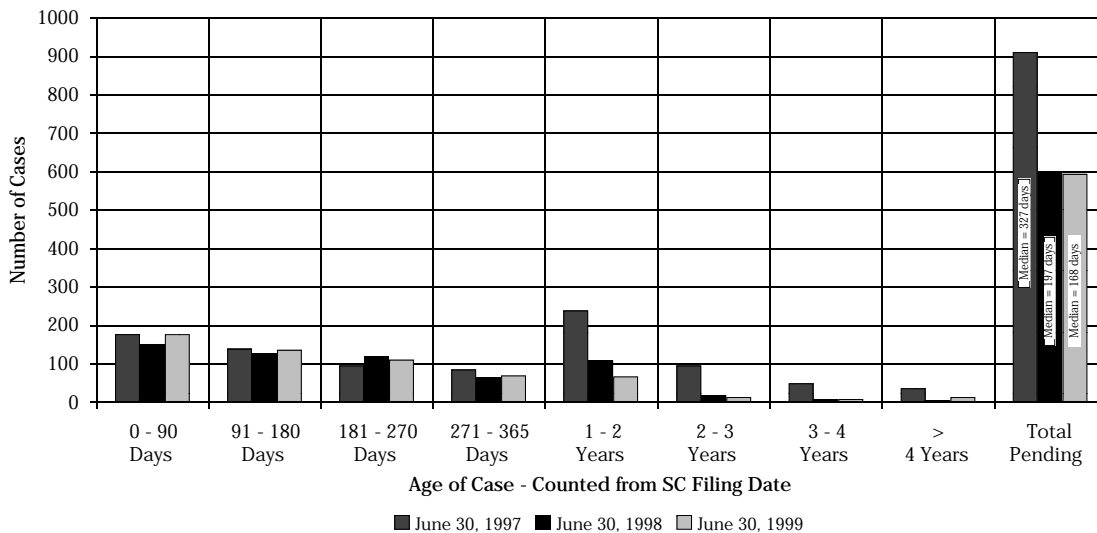


Courts of Appeal

**Courts of Appeal
Pending Cases: Civil and Criminal
Fiscal Year 1988-89 to Fiscal Year 1998-99**



**Combined SC & ICA - Appeals Pending
Civil (incl. Family Court & Agency Appeals) and Criminal Cases
June 30, 1997 vs. June 30, 1998 vs. June 30, 1999**



Supreme Court

STRATEGIC MISSION

The mission of the Supreme Court is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; to license and discipline attorneys; to discipline judges; and to make rules of procedure for all Hawai'i courts.

COURT DESCRIPTION

The Supreme Court of Hawai'i is the State's highest court. Its decisions are binding on all other Hawai'i courts.

In Hawai'i, the primary mission of the Supreme Court is to review the decisions of the lower courts in which appeals have been allowed. The cases that are reviewed on appeals have been initiated in either a trial court or agency.

In addition to its appellate functions of examining results reached in lower courts and of redefining and developing the body of state law, the Supreme Court is also responsible for the formulation of court rules, the licensing and disciplining of attorneys, and the determination of judicial fitness.

In Hawai'i, the Chief Justice is also responsible for the administration of all courts in the state and appoints a director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration.

JUSTICES AND THEIR TERMS

CHIEF JUSTICE RONALD T.Y. MOON
March 31, 1993 - March 30, 2003

ASSOCIATE JUSTICE ROBERT G. KLEIN
March 31, 1992 - March 30, 2002

ASSOCIATE JUSTICE STEVEN H. LEVINSON
April 7, 1992 - April 6, 2002

ASSOCIATE JUSTICE PAULA A. NAKAYAMA
April 22, 1993 - April 21, 2003

ASSOCIATE JUSTICE MARIO R. RAMIL
May 13, 1993 - May 12, 2003

*Intermediate
Court of
Appeals*

STRATEGIC MISSION

The mission of the Intermediate Court of Appeals is to provide timely disposition of appeals from trial courts and state agencies, including the resolution of the particular dispute and explication of the law for the benefit of the litigants, the bar, and the public.

COURT DESCRIPTION

The second highest court in the state, the Intermediate Court of Appeals (ICA) shares concurrent jurisdiction with the Supreme Court in reviewing legal matters brought before the Courts of Appeal. Usually the ICA reviews trial court decisions for errors while the Supreme Court reviews matters involving the formulation of the law. The ICA has the authority to reverse, remand, modify, or affirm decisions of the trial courts.

JUDGES AND THEIR TERMS

CHIEF JUDGE JAMES S. BURNS

May 14, 1992 - May 13, 2002

ASSOCIATE JUDGE CORINNE K. A. WATANABE

May 11, 1992 - May 10, 2002

ASSOCIATE JUDGE SIMEON R. ACOBA, JR.

May 26, 1994 - May 25, 2004

ASSOCIATE JUDGE WALTER S. KIRIMITSU

Resigned May 28, 1999

ASSOCIATE JUDGE JOHN S.W. LIM

June 1, 1999 - May 31, 2009

Land Court

DESCRIPTION

The Land Court is a statewide court of record which has exclusive jurisdiction of all applications for the registration of title to land and easements or rights in land held and possessed in fee simple within the state. It has the power to hear and determine all questions arising upon applications as they come before it under Chapter 501 of the Hawai'i Revised Statutes, subject to the rights of appeal.

Tax Appeal Court

DESCRIPTION

The Tax Appeal Court is a statewide court with jurisdiction over disputes concerning property, excise, liquor, income and insurance taxes.

The Tax Appeal Court is located in Honolulu and convenes in the other circuits (Hawai'i, Maui and Kaua'i) at least once per year to hear disputes concerning real property taxes.

Trial Courts

Hawaii's trial level is comprised of Circuit Courts and District Courts. Family Courts are included in the Circuit Courts. Hawaii's trial courts function in four judicial circuits that correspond approximately to the geographical areas served by the counties.

The First Judicial Circuit serves the City and County of Honolulu.

The Second Judicial Circuit serves the County of Maui, which includes the islands of Maui, Moloka'i (including the settlement of Kalawao), and Lana'i.

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

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

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

Circuit Courts

STRATEGIC MISSION

The mission of the Circuit Court is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

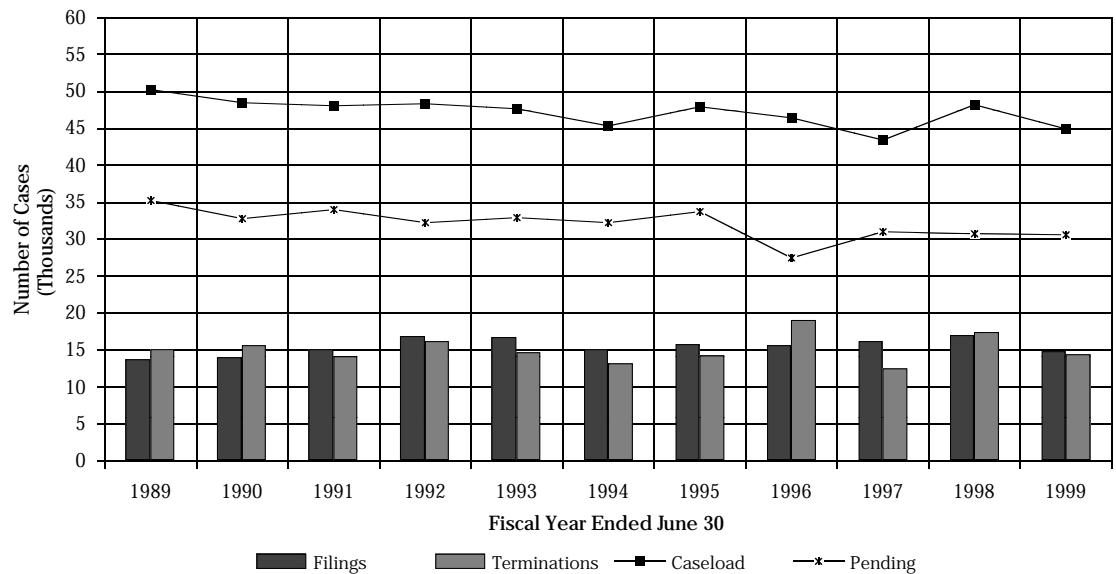
DESCRIPTION

All jury trials are held in the Circuit Courts, which have general jurisdiction in civil and criminal cases. They also have exclusive jurisdiction in probate, guardianship and criminal felony cases, as well as civil cases where the contested amount exceeds \$20,000.

Circuit Courts share concurrent jurisdiction with District Courts in civil non-jury cases that specify amounts between \$10,000-\$20,000. Additional cases dispensed by the Circuit Courts include mechanics' lien, and misdemeanor violations that are transferred from the District Courts for jury trials.

Circuit Court judges are appointed to ten-year terms by the Governor from a list of not less than four and not more than six nominees provided by the Judicial Selection Commission. The nominees are subject to the consent of the State Senate.

Caseload Activity in the Circuit Courts Proper
Fiscal Year 1988-89 to Fiscal Year 1998-99



*Judges and
their Terms*

*Circuit Court
Judges*

FIRST JUDICIAL CIRCUIT

ELWIN P. AHU, 1ST DIVISION
April 11, 1997 - April 10, 2007

KEVIN S.C. CHANG, 2ND DIVISION
ADMINISTRATIVE JUDGE, CIVIL DIVISION
April 30, 1993 - April 29, 2003

VICTORIA S. MARKS, 3RD DIVISION
May 26, 1994 - May 25, 2004

GAIL C. NAKATANI, 4TH DIVISION
May 11, 1992 - May 10, 2002

EDEN ELIZABETH HIFO, 5TH DIVISION
April 30, 1993 - April 29, 2003

WENDELL K. HUDDY, 6TH DIVISION
April 7, 1990 - April 6, 2000

VACANT, 7TH DIVISION

RICHARD K. PERKINS, 8TH DIVISION
ADMINISTRATIVE JUDGE, CRIMINAL DIVISION
May 6, 1994 - May 5, 2004

VIRGINIA L. CRANDALL, 9TH DIVISION
April 1, 1991 - March 31, 2001

WILFRED K. WATANABE, 10TH DIVISION
April 30, 1995 - April 29, 2005

MELVIN K. SOONG, 11TH DIVISION
Retired December 30, 1999

VACANT, 11TH DIVISION

SANDRA ARLENE SIMMS, 12TH DIVISION
May 26, 1994 - May 25, 2004

DEXTER DEL ROSARIO, 13TH DIVISION
April 15, 1994 - April 14, 2004

JAMES R. AIONA, JR., 14TH DIVISION
Retired December 30, 1998

GARY W.B. CHANG, 14TH DIVISION
June 1, 1999 - May 31, 2009

KAREN N. BLONDIN, 15TH DIVISION
May 11, 1992 - May 10, 2002

MARIE N. MILKS, 16TH DIVISION
March 16, 1994 - March 15, 2004

HERBERT K. SHIMABUKURO, 17TH DIVISION
Retired December 30, 1998

REYNALDO D. GRAULTY, 17TH DIVISION
March 5, 1999 - March 4, 2009

FRANCES Q.F. WONG, 18TH DIVISION
May 11, 1992 - May 10, 2002

MICHAEL A. TOWN, 19TH DIVISION
April 30, 1993 - April 29, 2003

COLLEEN K. HIRAI, 20TH DIVISION
May 6, 1994 - May 5, 2004

SECOND JUDICIAL CIRCUIT

SHACKLEY F. RAFFETTO, 1ST DIVISION
ADMINISTRATIVE JUDGE, SENIOR JUDGE, FAMILY COURT
June 9, 1994 - June 8, 2004

ARTEMIO C. BAXA, 2ND DIVISION
June 12, 1998 - June 11, 2008

BOYD P. MOSSMAN, 3RD DIVISION
Retired December 31, 1998

JOSEPH E. CARDOZA, 3RD DIVISION
June 24, 1999 - June 23, 2009

THIRD JUDICIAL CIRCUIT

GREG K. NAKAMURA, 1ST DIVISION
April 18, 1994 - April 17, 2004

RIKI MAY AMANO, 2ND DIVISION
April 12, 1993 - April 11, 2003

RONALD IBARRA, 3RD DIVISION
ADMINISTRATIVE JUDGE, SENIOR JUDGE, FAMILY COURT
May 10, 1999 - May 9, 2009

FIFTH JUDICIAL CIRCUIT

GEORGE M. MASUOKA
ADMINISTRATIVE JUDGE, SENIOR JUDGE, FAMILY COURT
July 8, 1998 - July 7, 2008

Family Courts

STRATEGIC MISSION

The mission of the Family Court is to provide a fair, speedy, economical, and accessible forum for the resolution of matters involving families and children.

DESCRIPTION

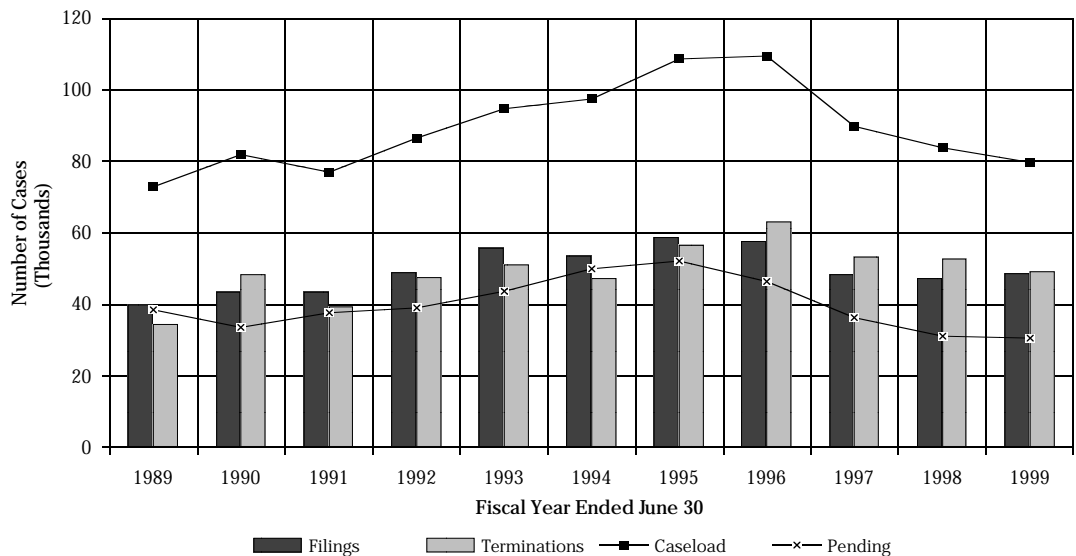
The Family Courts were established by statute in 1965 to deal with virtually all legal problems impinging on Hawaii's families and children.

The Family Court hears all legal matters confronting children, such as delinquency, waiver, status offenses, abuse and neglect, termination of parental rights, adoption, guardianships, and detention. The Family

Court also hears traditional domestic relations cases, including divorce, nonsupport, paternity, uniform child custody jurisdiction cases, and miscellaneous custody matters.

District Family Court judges are appointed to six-year terms by the Chief Justice from a list of at least six names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate.

Caseload Activity in the Family Courts
Fiscal Year 1988-89 to Fiscal Year 1998-99



*Judges and
their Terms*

*Family Court
Judges*

FIRST JUDICIAL CIRCUIT

DAN T. KOCHI, FIRST CIRCUIT COURT,
21ST DIVISION
SENIOR JUDGE, FAMILY COURT
April 15, 1994 - April 14, 2004

SABRINA S. MCKENNA, FIRST CIRCUIT COURT,
22ND DIVISION
June 30, 1995 - June 29, 2005

R. MARK BROWNING
June 6, 1997 - June 5, 2003

JOHN C. BRYANT, JR.
October 22, 1999 - October 21, 2005

DARRYL Y.C. CHOY
January 4, 2000 - January 3, 2006

KENNETH E. ENRIGHT
February 28, 1997 - February 27, 2003

LINDA K.C. LUKE
December 29, 1998 - December 28, 2004

KAREN M. RADIUS
December 9, 1994 - December 8, 2000

ALLENE R. SUEMORI
March 31, 1999 - March 30, 2005

BODE AMILALE UALE
October 27, 1998 - October 26, 2004

DIANA L. WARRINGTON
November 3, 1995 - November 2, 2001

SECOND JUDICIAL CIRCUIT

DOUGLAS SCOTT McNISH
Retired December 30, 1999

VACANCY

ERIC G. ROMANCHAK
October 29, 1994 - October 28, 2000

THIRD JUDICIAL CIRCUIT

BEN H. GADDIS
May 17, 1995 - May 16, 2001

VICTOR M. COX
Retired September 15, 1999

VACANCY

VACANCY

District Courts

STRATEGIC MISSION

The mission of the District Court is to serve the people of Hawai'i through the fair and efficient adjudication and resolution of cases and controversies brought before it.

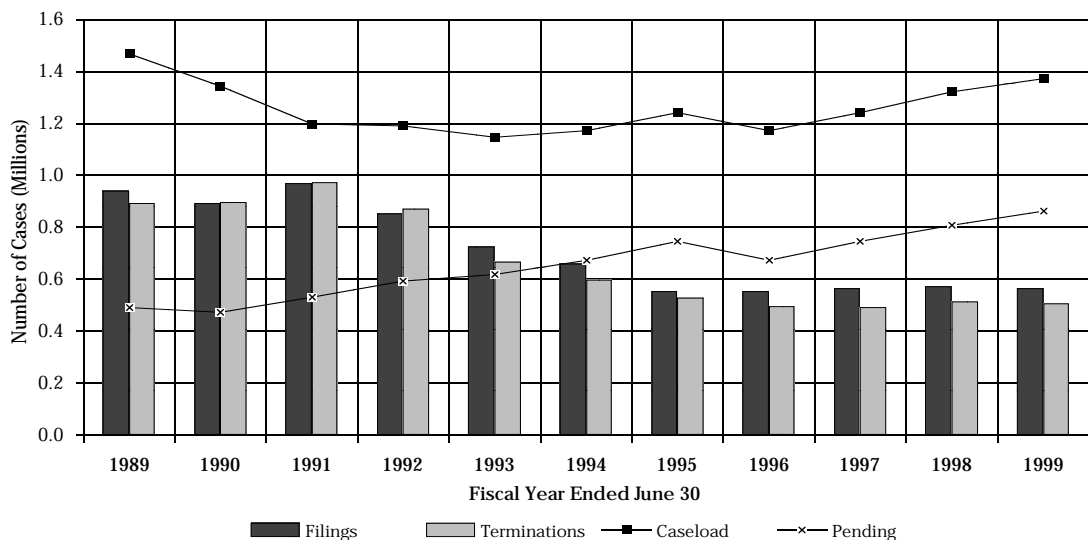
DESCRIPTION

The District Courts have exclusive jurisdiction over traffic infractions, summary possession or ejection proceedings (landlord-tenant), regardless of the amount of the claim, and non-jury trial civil cases where the relief sought is under \$10,000. The District Courts also have jurisdiction over civil cases where the debt, amount, damages, or

value of the property claimed does not exceed \$20,000, or where the remedy sought is specific performance valued under \$20,000, criminal offenses punishable by fine or by imprisonment not exceeding one year, cases arising from violations of a county ordinance, and petitions for restraining orders for relief from and for injunctions against harassment. There are no jury trials in the District Courts, except in driving under the influence of intoxicating liquor cases.

District Court judges are appointed to six-year terms by the Chief Justice from a list of at least six names submitted for each opening by the Judicial Selection Commission, subject to confirmation by the State Senate.

Caseload Activity in the District Courts
Fiscal Year 1988-89 to Fiscal Year 1998-99



*Judges and
their Terms*

*District Court
Judges*

FIRST JUDICIAL CIRCUIT

MARCIA J. WALDORF, 1ST DISTRICT
ADMINISTRATIVE JUDGE
January 3, 1997 - January 2, 2003

TENNEY Z. TONGG, 2ND DISTRICT
September 18, 1996 - September 17, 2002

FA'AUUGA TO'OTO'O, 3RD DISTRICT
December 9, 1994 - December 8, 2000

RUSSEL S. NAGATA, 4th District
October 5, 1998 - October 4, 2004

RHONDA A. NISHIMURA, 5TH DISTRICT
June 6, 1997 - June 5, 2003

DAVID L. FONG, 6TH DISTRICT
November 4, 1996 - November 3, 2002

I. NORMAN LEWIS, 7TH DISTRICT
August 1, 1998 - July 31, 2004

RUSSELL BLAIR, II, 8TH DISTRICT
November 3, 1995 - November 2, 2001

STEVEN M. NAKASHIMA, 9TH DISTRICT
Retired April 2, 1999

VACANT, 9TH DISTRICT

GEORGE Y. KIMURA, 10TH DISTRICT
May 22, 1998 - May 21, 2004

LESLIE A. HAYASHI, 11TH DISTRICT
November 5, 1996 - November 4, 2002

KAREN S.S. AHN, 12TH DISTRICT
June 3, 1994 - June 2, 2000

GERALD H. KIBE, 13TH DISTRICT
January 6, 1995 - January 5, 2001

COLETTE Y. GARIBALDI, 14TH DISTRICT
February 28, 1997 - February 27, 2003

SECOND JUDICIAL CIRCUIT

RHONDA I.L. LOO, 1ST DISTRICT
May 1, 1997 - April 30, 2003

DOUGLAS H. IGE, 2ND DISTRICT
June 28, 1996 - June 27, 2002

YOSHIO SHIGEZAWA, 3RD DISTRICT
ADMINISTRATIVE JUDGE
February 28, 1998 - February 27, 2004

THIRD JUDICIAL CIRCUIT

JEFFREY CHOI, 1ST DISTRICT
ADMINISTRATIVE JUDGE
September 1, 1999 - August 31, 2005

JOSEPH P. FLORENDO, JR., 2ND DISTRICT
November 3, 1998 - November 2, 2004

SANDRA E.P. SCHUTTE, 3RD DISTRICT
June 2, 1997 - June 1, 2003

FIFTH JUDICIAL CIRCUIT

CLIFFORD L. NAKEA
ADMINISTRATIVE JUDGE
June 27, 1998 - June 26, 2004

GERALD S. MATSUNAGA
Retired December 30, 1998

CALVIN K. MURASHIGE
June 25, 1999 - June 24, 2005

*Per Diem
Judges*

**DISTRICT COURT OF THE
FIRST JUDICIAL CIRCUIT**

James R. Aiona, Jr.
Ronald G.S. Au
John Campbell, Jr.
Marilyn Carlsmith (Family Court)
Gale L.F. Ching (Family Court)
Loralyn Cramer (Family Court)
James H. Dannenberg
Paula Devens-Matayoshi
Philip Doi
Peter V.N. Esser
Peter C.K. Fong (Family Court)
Hilary Benson Gangnes
David J. Gierlach
Christine E. Kuriyama (Family Court)
Lenore K.J.H. Lee
David W. Lo
Wilson M.N. Loo (Family Court)
Michael A. Marr
Christopher P. McKenzie
Patricia Ann McManaman
Paul T. Murakami (Family Court)
William J. Nagle III (Family Court)
W. Patrick O'Connor
Lillian Ramirez-Uy (Family Court)
Barbara P. Richardson
Yvonne R. Shinmura
Timothy D. Woo, Jr.
Vernon Y.T. Woo (Family Court)

**DISTRICT COURT OF THE
SECOND JUDICIAL CIRCUIT**

Ruby A. Hamili
Richard E. Jr. Icenogle (Family)
Mary Blaine Johnston (Family Court)
Barclay E. MacDonald (Family Court)
John T. Vail (Family Court)

**DISTRICT COURT OF THE
THIRD JUDICIAL CIRCUIT**

K. Napua Brown (Family Court)
William S. Chillingworth (Family Court)
Victor M. Cox
Arne T. Henricks (Family Court)
Colin L. Love (Family Court)
Shawn Maile Nakoa
Eizabeth Ann Strance
Barbara T. Takase
George S. Yuda (Family Court)

**DISTRICT COURT OF THE
FIFTH JUDICIAL CIRCUIT**

Max W.J. Graham, Jr. (Family Court)
Walton D.Y. Hong (Family Court)
Joseph N. Kobayashi (Family Court)
Gerald S. Matsunaga
Frank D. Rothschild (Family Court)

Support Services

STRATEGIC MISSION

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

ADMINISTRATION

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

The Administrative Director also has the responsibility of coordinating the Judiciary's annual presentations to the Legislature, both for the Judiciary budget and for changes in laws relating to the operation of the judicial system.

Administrative programs include: Affirmative Action/EEO, Budget and Statistics, Fiscal and Support Services, Equality and Access to the Courts, Internal Audit, Judicial Education and Resource Development, Personnel, Planning and Evaluation, Public Affairs, Staff Attorney, Telecommunications and Information Services, and Volunteers in Public Service to the Courts. Other program components which carry statewide operational responsibilities are the Administrative Driver License Revocation Office, Center for Alternative Dispute Resolution, Children's Advocacy Center, Judicial Conduct Commission, Judicial Selection Commission, Judiciary History Center, Law Library, Office of the Public Guardian, Records Management, and Special Projects/Legislative Office.



Each year, the Judiciary recognizes employees and groups of employees for their efforts and commitment to public service. In 1999, Ronald Hajime, Adult Probation Administrator, became one of only nine individuals in the past 20 years to receive the Judiciary's most prestigious award, the Distinguished Service Award. (l to r) Chief Justice Ronald Moon, Ronald Hajime, and Incentive Award Committee Chair Associate Judge Simeon Acoba, Jr.



Helping to create a citizenry that is well-informed and capable of obtaining the services they desire from Hawaii's court system is a top priority for the Judiciary. Throughout the year, various court programs reach out to the public to teach classes, lead tours, and conduct seminars to provide information about Hawaii's state court system. (Above) Cheryl Lapper of Honolulu's District Court Civil Division teaches would-be legal secretaries during a legal training and certification program sponsored by the Hawaii State Bar Association.

Financial Resources

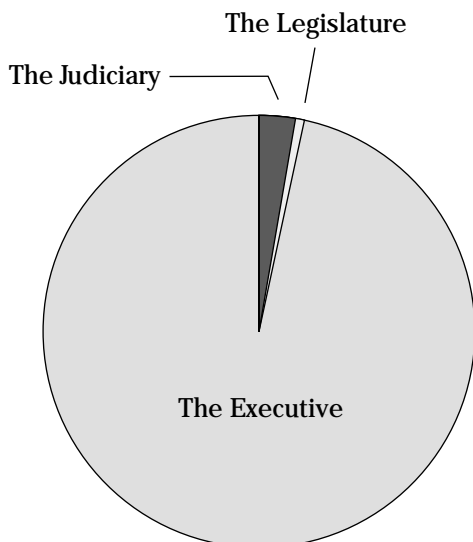
Appropriations for the Hawai'i State Judiciary are made by the Legislature on a statewide basis, with each fiscal year beginning July 1 and ending June 30. Both the operating and capital improvements budgets of the Judiciary are legislatively determined every biennium with operating monies allocated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

Combined, the State General and the Capital Project Funds represent over 96 percent of the funding source of all Judiciary expenditures. The Legislature appropriated \$93,848,905 from the State General Fund for operations during the current fiscal year, and \$11,945,000 was appropriated to the Judiciary from the State Capital Project Fund. Other operating monies come from federal funds, trust funds, and special revenue funds such as the Driver Education and Training Fund.

*Financial
Resources*

THE JUDICIARY OPERATING FUNDS FISCAL YEARS 1999-2001 BUDGET SUMMARY			
PROGRAM	FY 1999 Actual Expenditures	FY 2000 Appropriations	Supplemental Budget Request FY 2001
JUD 101 - COURTS OF APPEAL			
General Fund	4,860,582*	4,633,053	4,633,053
Revolving Fund	56,926	75,000	75,000
JUD 111 - CIRCUIT COURTS			
General Fund	26,814,458	26,077,341	26,479,576
JUD 112 - FAMILY COURTS			
General Fund	26,941,184	26,537,136	27,153,470
Special Fund	211,382	386,575	454,075
JUD 121 - DISTRICT COURTS			
General Fund	18,879,951	17,911,15	18,478,607
Special Fund	1,188,561	1,643,033	1,617,033
JUD 201 - ADMIN DIR SVCS			
General Fund	16,226,205	1,643,033	16,021,487
Special Fund	1,178,863	15,690,914	2,188,937
TOTALS			
General Fund	93,722,380	76,801,718	92,766,193
Special Fund	2,578,806	17,720,522	4,260,045
Revolving Fund	56,926	75,000	75,000

* Includes expenditures for the Commission on Judicial Conduct and the Judicial Selection Commission that were administratively transferred to the Administrative Director of Services Program.



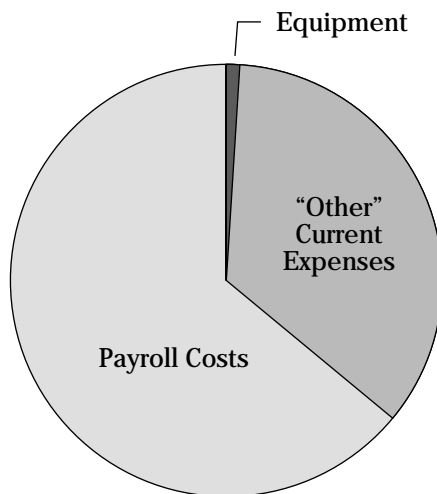
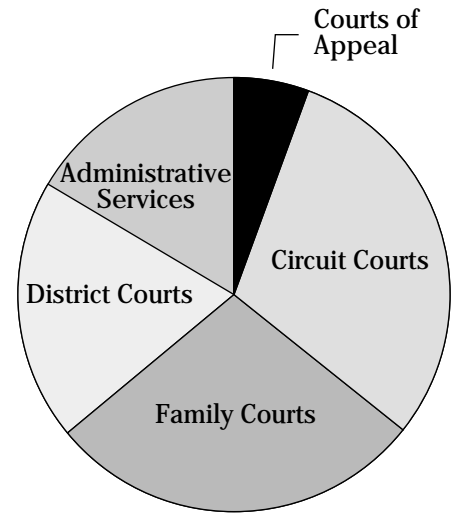
TOTAL STATE GOVERNMENT APPROPRIATIONS
FROM STATE GENERAL FUND
FISCAL YEAR 1998-99

The Judiciary	2.79%	\$ 93,848,905
The Legislature	.65%	21,866,713
The Executive	96.56%	3,246,354,660
Total		\$3,362,070,278

Financial Resources

STATE GENERAL FUND APPROPRIATIONS
BY COURT ELEMENT
FISCAL YEAR 1998-99

Courts of Appeal	5.2%	\$ 4.9 million
Circuit Courts	28.7%	26.9 million
Family Courts	28.7%	26.9 million
District Courts	20.1%	18.9 million
Administrative Services	17.3%	16.2 million
<hr/>		
Total		\$ 93.8 million



STATE GENERAL FUND APPROPRIATIONS
BY COST CATEGORY
FISCAL YEAR 1998-99

Equipment	1%	\$.9 million
"Other" Current Expenses	31%	28.7 million
Payroll Costs	68%	64.2 million
<hr/>		
Total		\$ 93.8 million

List of Available Judiciary Publications

THE FOLLOWING PUBLICATIONS ARE AVAILABLE
THROUGH:

The Judiciary Public Affairs Office
Ali'iolani Hale
417 South King Street
Room 206-C
Honolulu, Hawai'i 96813

Internet site: www.state.hi.us/jud

Publications

Being 18 - Local Style
Children and Divorce
Children's Advocacy Center of O'ahu
Commission on Judicial Conduct
Court Orientation Tours
Disciplinary Complaints Against Lawyers
Going to Small Claims Court? What Do You
Know About Mediation?
Going to Probate Court? What Do You Know
About Mediation?
Judiciary History Center
Lawline
Opening the Courthouse Doors; Increasing
Public Access to Hawaii's Courts
Selecting a Mediator - A Guide for the Public
Prepared by the Hawai'i State Judiciary
Center for Alternative Dispute Resolution
Speakers Bureau Program
The Judiciary State of Hawai'i Annual Report
(July 1, 1998 - June 30, 1999)
The Judiciary State of Hawai'i Statistical
Supplement (July 1, 1998 - June 30, 1999)
The Judiciary Welcomes Volunteers
Your Guide to Small Claims Court
Your Guide to Regular Claims Court

Videos

*An Informational Video on Deferred Acceptance of
Guilty (DAG)/Deferred Acceptance of No Contest
(DANC) Plea (TRT 18:00)*
Informational Video on Small Claims (TRT 16:18)
Informational Video on Traffic Violations (TRT 15:15)
Jury Orientation Video (TRT 18:25)
The Purple Family: Divorce Education Video (TRT 23:52)