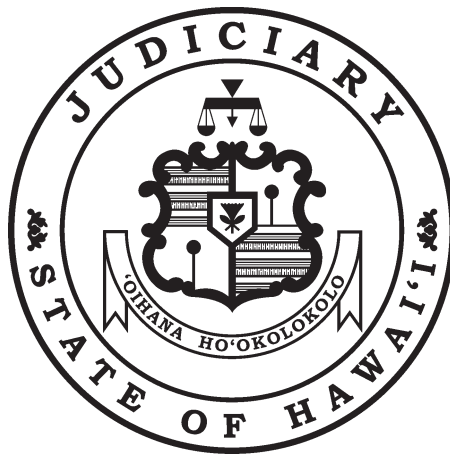

The Judiciary State of Hawai‘i



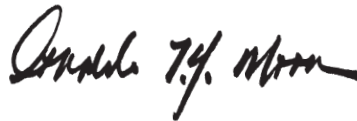
2008 Annual Report

*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 our 2008 Annual Report that details the work of the Judiciary during the past year. As an independent branch of government, the Judiciary's role is to administer justice in an impartial manner, free from outside influences.

This report reflects the dedication of the men and women who work in the court system. Each day, these employees strive to fulfill our mission, knowing that what they do may have far-reaching impacts upon people's lives. I am proud of our employees' work and extend to them my heartfelt thanks and appreciation. I also thank another valuable part of our Judiciary family—the many volunteers who unselfishly give of their time and talent to serve the people of Hawai'i.

On behalf of the Judiciary, I also extend our sincere appreciation to the Legislature for its continued support of our budgetary needs and legislative initiatives. I also wish warm *aloha* to Governor Linda Lingle, her cabinet and members of the Legislature. We pledge our continued commitment to working with you to build a dynamic and progressive judicial system. Our mutual quest for excellence depends on our cooperative and collaborative efforts.



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

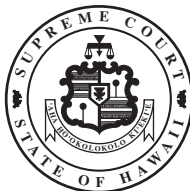




Table of Contents

MONTH-BY-MONTH HIGHLIGHTS	1
STRUCTURE OF THE JUDICIARY	
Court System	9
Administrative System	10
NEW JUDICIAL APPOINTMENTS	11
COURTS OF APPEAL	13
Supreme Court	15
Intermediate Court of Appeals	17
Land Court	19
Tax Appeal Court	19
TRIAL COURTS	20
Circuit Courts	21
Family Courts	25
District Courts	28
Per Diem Judges	31
SUPPORT SERVICES	32
FINANCIAL RESOURCES	33

Month-by-Month Highlights

FEBRUARY

FIRST MENTAL HEALTH COURT GRADUATES CELEBRATE NEW BEGINNINGS



From left: Mental Health Court's first graduates, Alexander Macgilivray, Ronald Labasan, and Anthony Merriweather pose with (second from left) Judge Michael Wilson and retired Judge Marcia Waldorf.

February 19 was a day of celebration for Ronald Labasan, Alexander Macgilivray, and Anthony Merriweather who earned the distinction of being the first graduates of the First Circuit's Mental Health Court.

The Mental Health Court began in 2005 to help those with serious and persistent mental illness become productive and law-abiding community members.

The Mental Health Court currently has 27 participants, and can accommodate approximately 30 clients. The court meets weekly with representatives from the Prosecutor's Office, the Office of the Public Defender, probation services, and service providers to assess referrals to the court, review participants' progress, and recommend rewards and graduated sanctions.

TEACHER TRAINING: LEARNING THE LAW AT THE HISTORY CENTER

A group of Hawai'i teachers participated in a free two-day workshop at the Judiciary History Center on February 29 and March 1. A teaching American History grant allows the History Center to conduct a two-day annual workshop on the United States Constitution for three years. This year, 29 teachers including 22 from public schools (10 from the neighbor islands), six private schools, and one home school teacher researched the 1928 wiretapping case of *Olmstead v. United States*. Roy Olmstead and several other petitioners argued that the wiretap violated their right to privacy under the Fourth Amendment.

Robert Leming, Director of the We the People program at the Center for Civic Education, and Tom Vontz, Professor of Education at Kansas State University, addressed the right to privacy questions from a national perspective. Intermediate Court of Appeals Judge Daniel Foley provided a local context by explaining the extra steps taken by the constitutional delegates to ensure privacy rights through the Hawai'i State Constitution.

Month-by-Month Highlights

MARCH

KAUA'I OPENS CUSTOMER SERVICE CENTER



Legal Documents staff (from left) Doreena Olivas, Lorna Ching, Danette Fujii (behind the service window), and Janis Eghan are helping self-represented parties at the new Customer Service Center.

Parties who do not have lawyers can obtain information about court procedures and forms at the new Customer Service Center on the lobby of the Kaua'i Judiciary Complex. Although staff cannot provide legal advice, they will provide court forms, assist with document filings, and answer general questions about court procedures.

The Customer Service Center, which began serving the public on March 3, is staffed by personnel from the Legal Documents Branch Monday through Friday, from 9 a.m. to 1 p.m. The center is equipped with public access computers, copiers, and a microfilm reader/copier.

CHILDREN'S CENTERS UPGRADE RECORDING EQUIPMENT

In March, the O'ahu Children's Justice Center (CJC) installed new digital audio visual recording equipment, replacing its VHS video recorders and decks. The new equipment can burn three DVDs simultaneously while recording to a hard drive for back-up purposes. The DVDs are in a format that can be played on any standard DVD player.

The new equipment was installed in each of the three O'ahu CJC interview rooms and in the four centers on the neighbor islands. The equipment was purchased with a grant from the American Bar Association and supplemental funds from the County of Hawai'i Office of the Prosecuting Attorney, Children's Justice Grants, and the Geneva Foundation.

Video interviews of children involved in allegations of abuse or who are witnesses to crimes spares the children from being retraumatized by multiple interviews.

"WHEN FEAR REIGNED" DEBUTS AT HISTORY CENTER

When Fear Reigned, a short film about the impact of martial law in Hawai'i during World War II, debuted at the King Kamehameha V Judiciary History Center on March 19. The film shows how civil rights were curtailed and Hawaii's civilian courts were replaced by military courts during martial law.

The film was followed by a panel discussion moderated by University of Hawai'i Law Professor Jon Van Dyke. Doris Nye, whose parents were interned after the attack on Pearl Harbor, shared her childhood experience during the discussion. Other members of the panel were filmmaker Tom Coffman, who examined the process of portraying legal history through film, and human rights lawyer Edmund Burke, who volunteered to represent a defendant held in the U.S. Guantanamo Bay detention camps in Cuba.

Month-by-Month Highlights

APRIL

FAMILY COURT REFORMS JUVENILE DETENTION SYSTEM

The First Circuit Family Court received a grant from the prestigious Annie E. Casey Foundation to start reform of Hawaii's juvenile detention system.

A four-person team of national juvenile detention experts visited Hawai'i in April to meet with stakeholders, assess the strengths and weaknesses of the juvenile detention system and its agency and community partners, and develop immediate strategies to reform the system.

The Judiciary's Juvenile Detention Facility on O'ahu is a 24-hour secure facility currently housing over 70 minors while their cases are adjudicated. Children from all islands may be confined there by court order. It is the only secured juvenile detention facility in the state.

NEW RULES TO EXPEDITE APPEALS IN CHILD PROTECTIVE ACTIONS

On April 3, the Hawai'i Supreme Court issued an order establishing a pilot project to further expedite the appeals process in child abuse and neglect cases. The pilot project and the new, temporary rules are effective for appeals filed after July 1, 2008 and until June 30, 2009.

One timesaving measure is that extensions of time for any act required by the new rules of the Hawai'i Rules of Appellate Procedure will not be allowed absent "extraordinary cause."

MAY

MUNICIPAL SERVICES BUREAU COLLECTS \$3.9 MILLION FOR STATE IN UNPAID TRAFFIC FINES

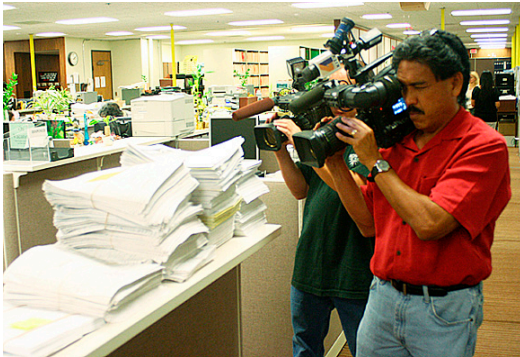


Municipal Services Bureau CEO Patrick Swanick (left) answered questions from reporters at a May 29 press conference.

On May 28, Patrick Swanick, CEO of Municipal Services Bureau (MSB), the agency contracted to collect delinquent traffic fines and fees, met with Judiciary officials. He reported that MSB collections increased by 300 percent since the Judiciary began submitting cases to MSB electronically on a daily basis in November 2007.

Mr. Swanick reported that MSB settled a total of 56,060 cases and collected \$3.9 million in unpaid traffic-related fines and fees, a significant portion of which was remitted to the State of Hawai'i general fund.

eBENCH WARRANT TEST SHOWS SYSTEM'S PROMISE



After their preview of the eBench Warrant Project on May 21, the media visited the Legal Documents Branch in Kāiākeaouli Hale where they videotaped the scanning of warrants into the computer.

The Judiciary plans to implement eBench Warrant, a system that will streamline the bench warrant process by allowing warrants to be delivered to O'ahu, Hawai'i, Maui, and Kaua'i police departments and the Sheriff Division by electronic means rather than hard copy. A beta version of the eBench Warrant software has received positive reviews from the law enforcement community.

eBench Warrant will allow law enforcement officers to view and print certified copies for service 24-hours a day, seven days a week at their own substation or from internet-connected laptop computers and printers in police vehicles. This will eliminate the need for officers to physically retrieve paper warrants from the Sheriff Division. Law enforcement will be able to sort the database to identify individuals with multiple warrants or sort by street names to determine where warrant "sweeps" may be conducted.

The initial version of eBench Warrant will include traffic warrants. The addition of criminal, grand jury, and other bench warrants to the system is the Judiciary's eventual goal.

JULY

HAWAII'S HOPE PROGRAM DRAWS NATIONAL ATTENTION

On July 24, First Circuit's innovative probation program, Hawaii's Opportunity Probation with Enforcement, called "HOPE," was the focus of an in-depth article in the *Wall Street Journal* on the day Judge Steven Alm gave a presentation about HOPE at a conference in Washington, D.C. The conference, hosted by the Pew Charitable Trusts, was attended by top criminal justice policymakers and analysts.

Dr. Angela Hawken, Professor of Economics and Policy Analysis at Pepperdine University and Mark Kleiman, Professor of Public Policy at the University of California at Los Angeles, began studying the HOPE program in October 2007.

Their preliminary research shows that HOPE successfully reduces drug use and crime, even among difficult populations such as methamphetamine abusers, sex offenders and domestic violence offenders. According to Dr. Hawken and Dr. Kleiman, five percent of HOPE probationers missed appointments with their probation officers compared to 12 percent of non-HOPE offenders. Also, 11 percent of those in the HOPE program tested positive for drug use compared to 26 percent of non-HOPE probationers.

Month-by- Month Highlights

ACCESS TO JUSTICE COMMISSION CONVENES

Supreme Court Associate Justice Simeon Acoba convened the first official meeting of the Access to Justice Commission (AJC) on July 23.

The AJC was established by the Hawai'i Supreme Court on May 1, 2008 to provide ongoing leadership and oversee efforts to improve the delivery of civil legal services for low- and moderate-income Hawai'i residents.

The 22 commission members spent their first meeting discussing procedures and establishing committees to brainstorm ideas and carry out the commission's work.

According to an *Access to Justice* 2007 report, only one in five low- and moderate-income Hawai'i residents have their civil legal needs met and legal service providers are able to serve only one in three of those who contact them for assistance.



The Hawai'i Supreme Court Justices welcomed Access to Justice Commission members at the first commission meeting on July 23. First row (l-r): Hon. Simeon Acoba, Jr., Hon. Steven Levinson, Hon. Ronald Moon, Hon. Paula Nakayama and Hon. James Duffy, Jr. Second row: Hon. Simone Polak, Puanani Burgess, Moya Gray, Lillian Koller, Mary Anne Magnier and Jill Hasegawa. Third row: Hon. Calvin Murashige, Shannon Wack, Rai Saint Chu, Hon. Greg Nakamura and Mahealani Wendt. Fourth row: Patti Lyons, Elton Johnson, Charles Greenfield and Hon. Daniel Foley. Fifth row: Dean Aviam Soifer and Hon. Richard P. Guy (ret.).

AUGUST

VOLUNTEERS THANKED



Pictured from left are: Rick Keller, Administrative Director of the Courts, volunteer Shaiw-Mei Schmidt, Chief Justice Ronald Moon, and Bryan St. Arnault, acting manager of the Volunteers in Public Service to the Courts.

Volunteers in Public Service to the Courts, better known as VIPS, recognized those who generously volunteer their time to the appellate courts, First Circuit courts, and Administration at an August 8 ceremony in the Supreme Court Courtroom.

Chief Justice Ronald Moon and Administrative Director Rick Keller personally thanked the volunteers for their contributions.

In the past fiscal year, 610 volunteers performed 30,000 hours of service, which represents an estimated in-kind contribution of more than \$215,000.

SEPTEMBER

JUDICIARY INFORMATION MANAGEMENT SYSTEM VISION BECOMING REALITY

The Judiciary revealed a new roadmap outlining milestones until 2014, for the statewide integrated case management system, also known as JIMS. Upcoming projects include the development of a module that will allow potential jurors to request exemptions and deferrals online. An accounting module will generate financial reports automatically and eliminate the need for court staff to enter financial data more than once. JIMS will also be expanded to include criminal records and allow for electronic filing of court documents.

PROMOTING LANGUAGE ACCESS

On September 26, the Judiciary celebrated Language Access Month by participating in a community fair at the Hawai'i State Capitol Rotunda.

Staff from the Judiciary's Office on Equality and Access to the Courts (OEAC) recruited court interpreters, and answered questions about the Judiciary's efforts to ensure that Hawai'i residents with limited English proficiency have access to court services at no charge.

Debi Tulang-De Silva of OEAC flew to Guam to help court officials establish an interpreter program. Like Hawai'i, the population of Guam is ethnically diverse and many languages are spoken including Chamorro, Chuukese, Japanese, Korean, Palauan, Pingelapese and Tagalog.

Month-by-
Month
Highlights

OCTOBER

**JURIST OF THE YEAR
AND EMPLOYEES HONORED**



(l-r) Judge Joseph Florendo (being congratulated by Chief Justice Moon), Rachel Yuen, and Wayne Taniguchi were among those recognized for their exemplary service to the Judiciary.

Chief Justice Ronald Moon honored Third Circuit District Court Judge Joseph Florendo as “Jurist of the Year” during a ceremony on October 17 in the Supreme Court courtroom. Chief Justice Moon selected Judge Florendo after reviewing nominations from court employees and attorneys.

Also at the ceremony, employee award recipients from the courts on O’ahu, Maui, Kaua’i, and the Big Island were honored. The recipients were selected from individual and group nominations submitted by judges and Judiciary employees. The award recipients are:

Meritorious Service

Wayne Taniguchi, Facilities Management, First Circuit

Rachel Yuen, Office of the Chief Court Administrator, First Circuit

Group Meritorious Service

Courtroom Services, Kona District Court, Third Circuit: Henrietta Chong, Lisa Ciriako, Joseph Gusman, Elaine Nahakuelua, Wendy Terada

Spirit of the Judiciary

Joseph Amico, Adult Client Services Branch, Second Circuit

Facilities Management, First Circuit:
Robby Paulino, Aganoa “Mika” Savaii,
Derek Yazaki

Certificate of Commendation

Lori Rutherford, Legislative Coordinating/
Special Projects Office, Policy and Planning
Department, Administration

Group Certificate of Commendation

Juvenile Client and Family Services Branch, Fifth Circuit: Cedric Antaraais, Dinah Claytor, Tisha Fontanilla, Michelle Gibans, Marilyn Kaohi, June Kodani, Carol Matsumura, Sandra Ordille, Tina Rapozo, Kenneth Rosa, Arlene Sumida, Alexandra Thompson, Helene Yamamotoya, Kari Yamashiro

**WAI'ANAE HIGH STUDENTS PREMIERE
RESTORATIVE JUSTICE VIDEO**



(l-r) Elizabeth Kent, Director of the Center for Alternative Dispute Resolution, thanks Searider Production Advisor Solomon Alfapaoa and cast members Brittini Dinong and Ashley Guerrero for their work on "Restoring J."

On October 8, guests at the Judiciary History Center premiered a thought-provoking fictional video, "Restoring J," written and produced by Searider Productions of Wai'anae High School.

"Restoring J" centers around two students who come to terms with their actions and the consequences of a firecracker prank gone awry.

The Judiciary's Center for Alternative Dispute Resolution worked with the Wai'anae High students to develop the video.

Started in 1993, Searider Productions has more than 200 Wai'anae High School students enrolled in video production, newswriting, digital/web design, animation and audio production classes.

NOVEMBER

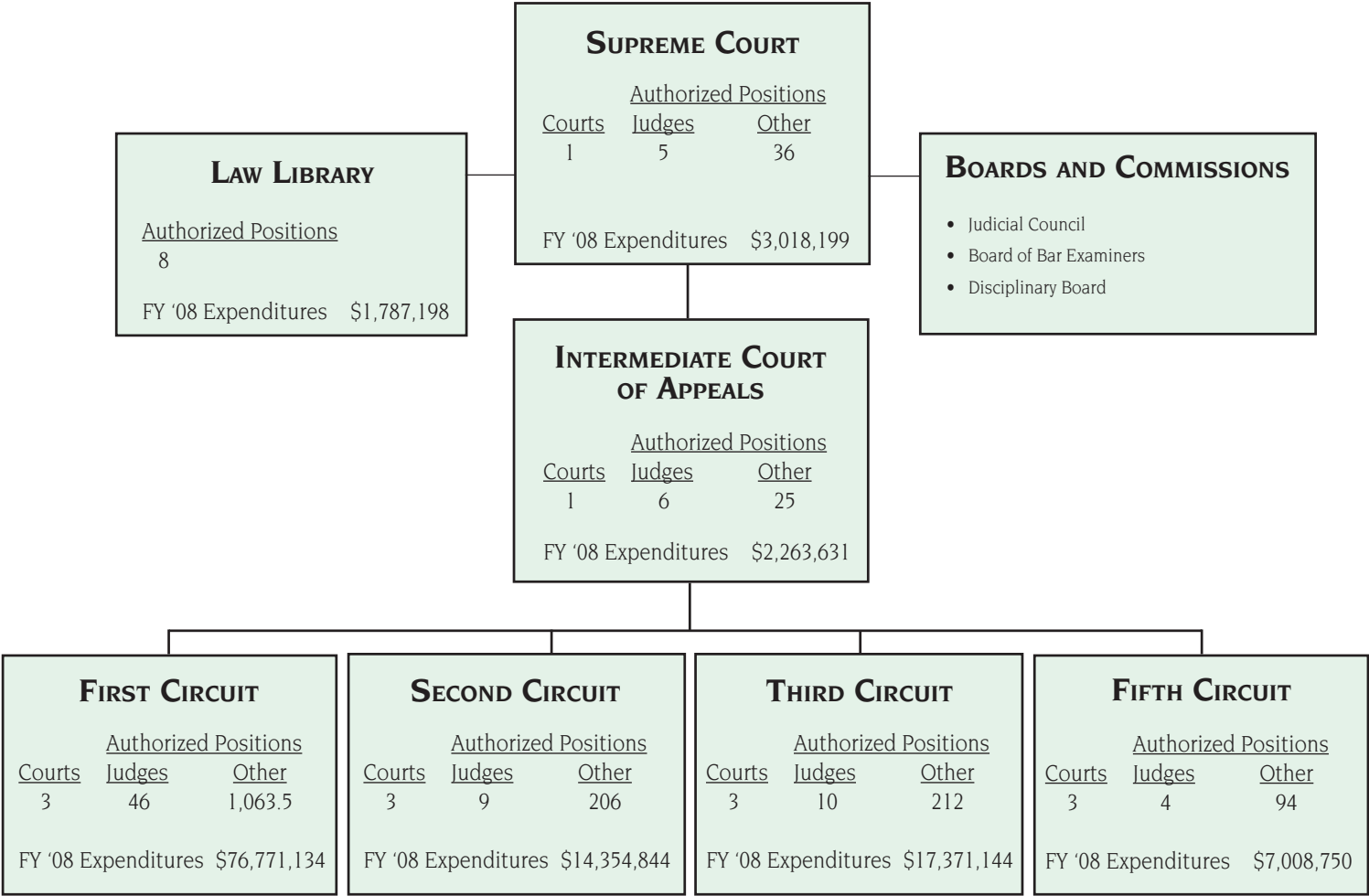
**JASMINE MAU-MUKAI RECOGNIZED AS
AN "INSPIRATIONAL LEADER"**

Jasmine Mau-Mukai was recognized by the Pacific Buddhist Academy at its annual awards dinner on November 7. The event is held to honor individuals selected by the Academy as "inspirational leaders in the field of health and human services."

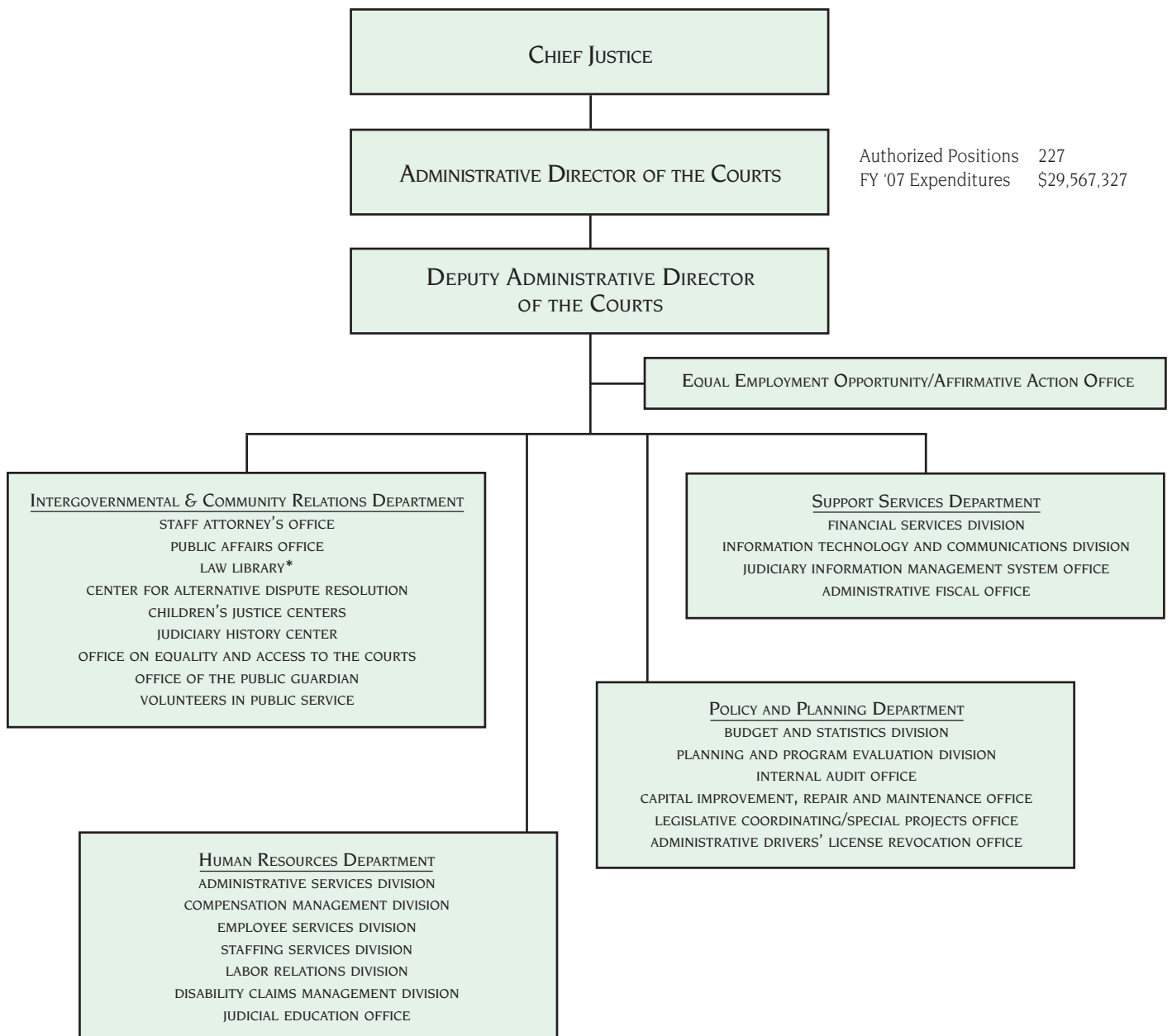
Jasmine was recognized for her work as the statewide director of the Children's Justice Centers. There are Centers on O'ahu, Maui, Kaua'i and in Hilo and Kona where children are interviewed about reports of sexual and physical abuse and as witnesses to crime. The Children's Justice Center's mission is to provide for the special needs of children as witnesses and reduce their trauma by coordinating the investigations, treatment and legal processes.

Pacific Buddhist Academy is the first Shin Buddhist high school in the western world. It is licensed by the Hawai'i Association of Independent Schools.

Structure of the Court System



Structure of the Office of the Administrative Director of the Courts



* Funding reflected under Courts of Appeal

New Judicial Appointments



**Associate Judge
Katherine G. Leonard**
*January 30, 2008 through
January 29, 2018*

Associate Judge Katherine G. Leonard

Katherine G. Leonard was sworn in as an Associate Judge of the Intermediate Court of Appeals on January 30, 2008.

Judge Leonard joined the law firm of Carlsmith Ball LLP in 1992, where she was a partner for over ten years prior to her judicial appointment. As a lawyer, she practiced in complex commercial, financial, real estate, environmental, trust and business law litigation and dispute resolution.

Judge Leonard received her law degree from the William S. Richardson School of Law, where she served as the Editor-in-Chief of the *Law Review* and received numerous academic honors. Following law school, she was a law clerk for Justice Robert J. Klein (ret.).

Judge Leonard was a founding Board Member of the Hawai'i Chapter of the American Judicature Society and continues to serve an active role in the Hawai'i Chapter.



**Judge Anthony K.
Bartholomew**
*June 6, 2008 through
June 5, 2014*

Judge Anthony K. Bartholomew

Anthony K. Bartholomew was appointed by Chief Justice Ronald Moon as judge of the District Family Court of the Third Circuit. Prior to his appointment, he served as a deputy public defender with the Office of the Public Defender in Hilo, was an associate with the Honolulu law firm of Hart and Wolf from 1984-1989 and from 1994-1995, and in private practice from 1989 to 1994. While in private practice, Judge Bartholomew appeared in the state Circuit and District courts, U.S. District Court, and the Military Court Martial at Pearl Harbor.

He received his law degree from the William S. Richardson School of Law in 1983.

New Judicial Appointments

Judge Kelsey T. Kawano

Kelsey T. Kawano was sworn in as judge of the District Court of the Second Circuit on August 29, 2008. He had been a solo practitioner since 1994 and handled family, business, employment and real estate law cases. He had been in private practice since 1984 and served as a part-time district court judge since 2006.

Judge Kawano received his law degree from the University of Washington School of Law in 1984.



Judge Kelsey T. Kawano
*August 29, 2008 through
August 28, 2014*

Judge Melvin H. Fujino

Melvin H. Fujino was appointed by Chief Justice Ronald Moon as judge of the District Family Court of the Third Circuit, a newly-established judgeship for the North/South Kohala and Hamakua Districts. Before joining the Department of the Attorney General in 2007, Judge Fujino served for 15 years as a Deputy Prosecuting Attorney. He was the supervisor and community oriented prosecutor for the West Hawai'i branch of the Hawai'i County Prosecuting Attorneys Office.

Judge Fujino received his law degree from the Gonzaga School of Law in Spokane, Washington, in 1985.



Judge Melvin H. Fujino
*December 19, 2008 through
December 18, 2014*

Courts of Appeal

ACTIONS FILED

There were 635 primary cases filed in the Courts of Appeal during the 2007-08 fiscal year – 563 appeals and 72 original proceedings.

Supplemental proceedings, which arise out of primary cases, are comprised of motions, special stipulations and applications for certiorari. In fiscal year 2007-08, 2,436 supplemental proceedings were filed in the Courts of Appeal.

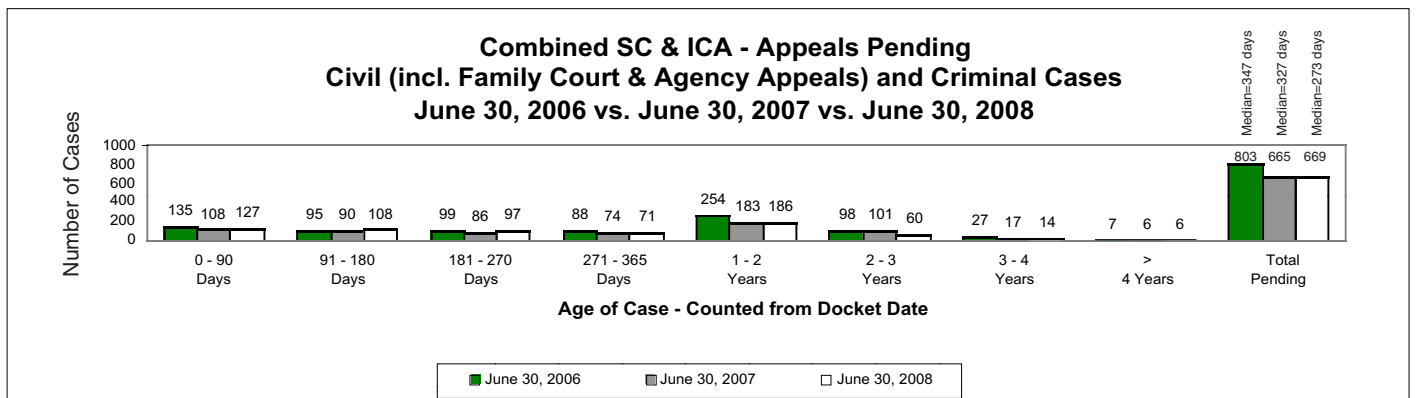
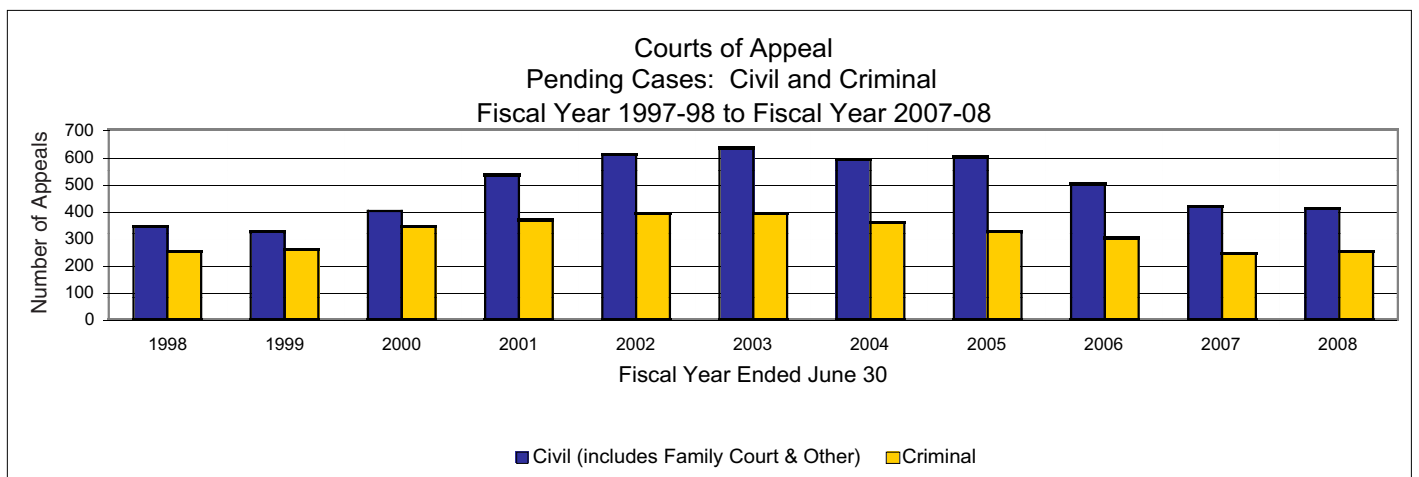
TERMINATIONS

The Courts of Appeal terminated 631 primary cases during fiscal year 2007-08, compared to 761 primary cases terminated during the previous fiscal year. Terminations of supplemental proceedings decreased from 2,634 last year to 2,434 this year.

STATUS OF PENDING CASES

There were 678 primary cases and 53 supplemental proceedings pending in the Courts of Appeal at the end of the fiscal year. Of the 731 pending cases, 80% were being briefed, 16% were ready to be scheduled for hearing or, in the case of supplemental proceedings, ready and awaiting decision without further hearing, and 4% had been taken under advisement and were awaiting decision.

*Courts of
Appeal*



Supreme Court

The Supreme Court of Hawai'i is the State's court of last resort. The Supreme Court hears appeals that are properly brought before the court upon applications for writs of certiorari to the Intermediate Court of Appeals and applications for transfer from the Intermediate Court of Appeals.

The Supreme Court also:

- hears reserved questions of law from the circuit courts, the land court, and the tax appeal court;
- hears certified questions of law from federal courts;
- hears applications for writs to judges and other public officers;
- hears complaints regarding elections;
- makes rules of practice and procedure for all state courts;
- licenses, regulates, and disciplines attorneys; and
- disciplines judges.

Each appeal is decided on the basis of the written record. In some cases, the court may hear oral arguments. The court takes no evidence, except in original proceedings. Each justice, or a substitute from the Intermediate Court of Appeals or the Circuit Court, participates in every substantive matter before the court.

The Supreme Court is composed of a Chief Justice and four Associate Justices. Justices are nominated by the Governor from a list of not less than four and not more than six names submitted by the Judicial Selection Commission. A justice's nomination is subject to confirmation by the State Senate. Each justice is initially appointed for a ten-year term. To be considered for appointment, a person must be a resident and a citizen of the state and of the United States and licensed to practice law by the Supreme Court of Hawai'i for not less than ten years preceding their nomination. After initial appointment, the Judicial Selection Commission determines whether a justice will be retained in office. A justice may not serve past age 70.

The members of the Supreme Court are Chief Justice Ronald T. Y. Moon and Associate Justices Steven H. Levinson, Paula A. Nakayama, Simeon R. Acoba, Jr. and James E. Duffy, Jr.

Supreme Court

ACTIONS FILED

During fiscal year 2007-08, 110 primary cases were filed in the Supreme Court. There were also 257 supplemental proceedings filed before the Supreme Court.

TERMINATIONS

Terminations of primary cases decreased from last fiscal year – 202 cases to 162.

STATUS OF PENDING CASES

At the end of the fiscal year, 28 primary cases and 16 supplemental proceedings were pending. All pending supplemental proceedings were complete and awaiting decision.

JUSTICES AND THEIR TERMS

CHIEF JUSTICE RONALD T.Y. MOON

March 31, 2003 - March 30, 2013

ASSOCIATE JUSTICE STEVEN H. LEVINSON

Retired December 31, 2008

ASSOCIATE JUSTICE PAULA A. NAKAYAMA

April 22, 2003 - April 21, 2013

ASSOCIATE JUSTICE SIMEON R. ACOBA, JR.

May 19, 2000 - May 18, 2010

ASSOCIATE JUSTICE JAMES E. DUFFY, JR.

June 27, 2003 - June 26, 2013

Intermediate Court of Appeals

The Intermediate Court of Appeals (ICA) hears nearly all appeals from trial courts and some agencies in the State of Hawai'i. The ICA is composed of six judges who sit on panels of three. Judges are nominated by the Governor from a list of not less than four and not more than six names submitted by the Judicial Selection Commission. A judge's nomination is subject to confirmation by the State Senate. Each judge is initially appointed for a ten-year term. After initial appointment, the Judicial Selection Commission determines whether a judge will be retained in office. A judge may not serve past age 70.

The Intermediate Court of Appeals has discretionary authority to entertain cases submitted without a prior suit when there is a question of law that could be the subject of a civil action or a proceeding in the Circuit Court or Tax Appeal Court, and the parties agree upon the facts upon which the controversy depends.

Cases in the Intermediate Court of Appeals may be transferred to the Hawai'i Supreme Court upon application to the Supreme Court under circumstances set out in the Hawai'i Revised Statutes. The ICA's Judgments on Appeal and dismissal orders are subject to the Hawai'i Supreme Court's discretionary review by way of an application for a writ of certiorari.

The current members of the Intermediate Court of Appeals are Chief Judge Mark E. Recktenwald, and Associate Judges Corinne K. A. Watanabe, Daniel R. Foley, Craig H. Nakamura, Alexa D. M. Fujise and Katherine G. Leonard.

*Intermediate
Court of
Appeals*

ACTIONS FILED

A total of 527 primary cases and 2,179 supplemental proceedings were assigned to the ICA in fiscal year 2007-08. Primary cases are assigned from the Supreme Court, while supplemental proceedings may be filed directly with the ICA or transferred from the Supreme Court.

TERMINATIONS

During fiscal year 2007-08, the ICA terminated 79% of its total caseload. This figure includes 471 primary cases and 2,169 supplemental proceedings.

STATUS OF PENDING CASES

At the end of the 2007-08 fiscal year, 650 primary cases and 37 supplemental cases were pending, representing 21% of the total caseload for the year.

JUDGES AND THEIR TERMS

CHIEF JUDGE MARK E. RECKTENWALD

April 30, 2007 - April 29, 2017

ASSOCIATE JUDGE CORINNE K.A. WATANABE

May 11, 2002 - May 10, 2012

ASSOCIATE JUDGE KATHERINE G. LEONARD

January 30, 2008 - January 29, 2018

ASSOCIATE JUDGE DANIEL R. FOLEY

October 2, 2000 - October 1, 2010

ASSOCIATE JUDGE CRAIG H. NAKAMURA

April 8, 2004 - April 7, 2014

ASSOCIATE JUDGE ALEXA D.M. FUJISE

June 10, 2004 - June 9, 2014

Land
Court

DESCRIPTION

The Land Court has exclusive statewide jurisdiction over the registration of title to real property and over all disputes that may arise after title registration. Also, the court has jurisdiction over matters pertaining to the Land Court Registration law (Chapter 501, Hawai‘i Revised Statutes).

The Land Court judge sits in Honolulu but hears cases brought from all islands.

ACTIONS FILED

In fiscal year 2007-08, 6 cases were filed in the Land Court. Combined with the 32 cases pending at the end of the last fiscal year, the Land Court handled a total caseload of 38 cases.

In addition, the Land Court processes 3,693 ex parte petitions from fiscal year 2008.

TERMINATIONS AND PENDING CASES

Nine cases were terminated during fiscal year 2007-08, leaving 29 cases pending at the start of the new fiscal year.

Tax Appeal
Court

DESCRIPTION

The Tax Appeal Court has exclusive jurisdiction to hear appeals under state laws, including, but not limited to, income tax, general excise tax, franchise tax and real property taxations directly from assessments and/or from the Boards of Review.

Like the Land Court, the Tax Appeal Court judge sits in Honolulu but hears cases brought from all islands.

ACTIONS FILED

In fiscal year 2007-08, 126 cases were filed in the Tax Appeal Court. Combined with the 334 pending cases at the end of the last fiscal year, the Tax Appeal Court’s total caseload was 460 cases.

TERMINATIONS AND PENDING CASES

The Tax Appeal Court terminated a total of 87 cases, or 19% of the court’s caseload, during the 2007-08 fiscal year. At the close of the fiscal year, 373 cases remained pending.

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 circuits that correspond approximately to the geographical areas served by the counties.

The First Circuit serves the City and County of Honolulu.

The Second Circuit serves the County of Maui, which includes the islands of Maui, Moloka'i and Lāna'i.

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

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

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

Circuit Courts

STRATEGIC MISSION

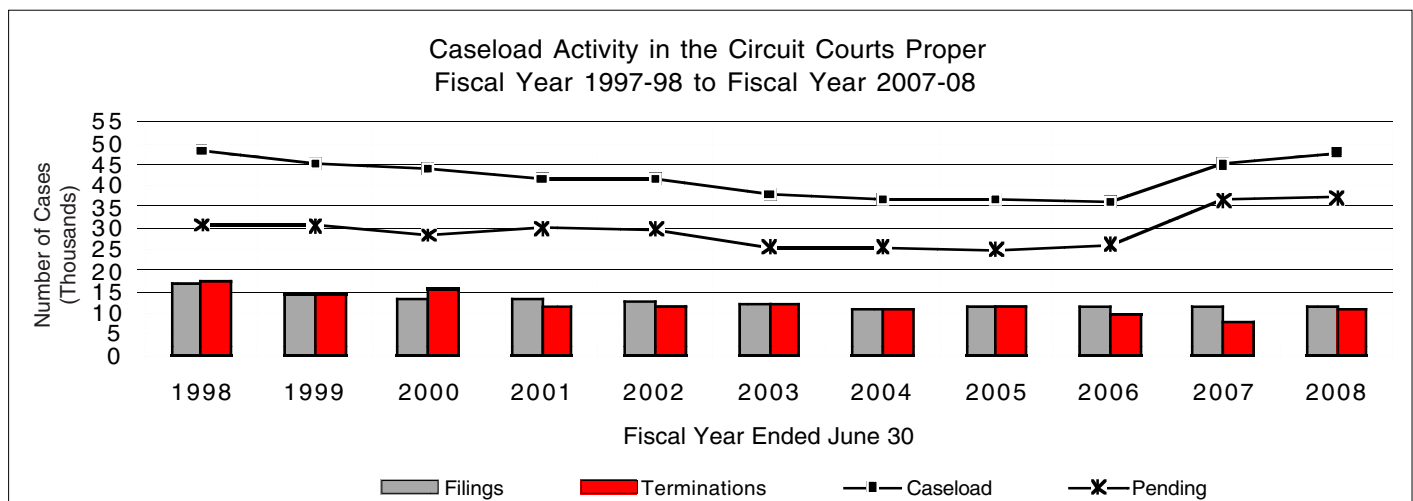
The mission of the Circuit Court is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with the law.

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 \$25,000. Circuit Courts share concurrent jurisdiction with District

Courts in civil non-jury cases that specify amounts between \$10,000 and \$25,000. Additional cases dispensed by the Circuit Courts include mechanics' liens and misdemeanor violations 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 confirmation by the State Senate.



Circuit Courts

ACTIONS FILED

Filings in the Circuit Courts proper totaled 11,661 cases in fiscal year 2007-08. Of the cases filed, 4,198, or 36%, were civil cases; and 4,480, or 38%, were criminal cases.

TERMINATIONS

During fiscal year 2007-08, the Circuit Courts terminated 10,832 cases.

STATUS OF PENDING CASES

At the end of the 2007-08 fiscal year, a total of 37,073 cases were pending in the Circuit Courts proper. This includes 2,754 inactive criminal cases and 5,438 criminal cases on deferred status.

ADULT PROBATION DIVISIONS

There were 4,780 investigations completed during fiscal year 2007-08. In supervision cases, where persons were placed on probation or subject to court-ordered control, including offenders released from the Hawai'i State Hospital, there were 6,216 new placements added to the 19,211 cases pending from the previous fiscal year. Of these, 6,077 cases were closed, leaving 19,350 open at the end of the 2007-08 fiscal year.

Circuit Court Judges and Their Terms

FIRST CIRCUIT

KARL K. SAKAMOTO, 1ST DIVISION
June 1, 2000 - May 31, 2010

STEVEN S. ALM, 2ND DIVISION
May 14, 2001 - May 13, 2011

VICTORIA S. MARKS, 3RD DIVISION
May 26, 2004 - May 25, 2014

GLENN J. KIM, 4TH DIVISION
April 30, 2007 - April 29, 2017

EDEN ELIZABETH HIFO, 5TH DIVISION
April 30, 2003 - April 29, 2013

MICHAEL D. WILSON, 6TH DIVISION
May 10, 2000 - May 9, 2010

RICHARD W. POLLACK, 7TH DIVISION
May 10, 2000 - May 9, 2010

RICHARD K. PERKINS, 8TH DIVISION
May 6, 2004 - May 5, 2014

VIRGINIA LEA CRANDALL, 9TH DIVISION
April 1, 2001 - March 31, 2011

RHONDA A. NISHIMURA, 10TH DIVISION
June 20, 2003 - June 19, 2013

KAREN S. S. AHN, 11TH DIVISION
May 10, 2000 - May 9, 2010

RANDAL K. O. LEE, 12TH DIVISION
April 22, 2005 - April 21, 2015

DEXTER D. DEL ROSARIO, 13TH DIVISION
April 15, 2004 - April 14, 2014

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

KAREN N. BLONDIN, 15TH DIVISION
DEPUTY CHIEF JUDGE
CIVIL DIVISION
May 11, 2002 - May 10, 2012

PATRICK W. BORDER, 16TH DIVISION
April 8, 2004 - April 7, 2014

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

FRANCES Q. F. WONG, 18TH DIVISION
DEPUTY CHIEF JUDGE/
SENIOR FAMILY COURT JUDGE
May 11, 2002 - May 10, 2012

MICHAEL A. TOWN, 19TH DIVISION
April 30, 2003 - April 29, 2013

COLLEEN K. HIRAI, 20TH DIVISION
CHIEF JUDGE
May 6, 2004 - May 5, 2014

BERT I. AYABE, 21ST DIVISION
June 10, 2004 - June 9, 2014

SABRINA S. MCKENNA, 22ND DIVISION
June 30, 2005 - June 29, 2015

DERRICK H. M. CHAN, 23RD DIVISION
DEPUTY CHIEF JUDGE
CRIMINAL DIVISION
August 25, 2000 - August 24, 2010

*Circuit Court Judges
and Their Terms*

SECOND CIRCUIT

SHACKLEY F. RAFFETTO, 1ST DIVISION
CHIEF JUDGE/SENIOR FAMILY COURT JUDGE
June 9, 2004 - June 8, 2014

JOEL E. AUGUST, 2ND DIVISION
June 10, 2002 - June 9, 2012

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

RICHARD T. BISSEN, JR., 4TH DIVISION
April 29, 2005 - April 28, 2015

THIRD CIRCUIT

GREG K. NAKAMURA, 1ST DIVISION
DEPUTY CHIEF JUDGE/
SENIOR FAMILY COURT JUDGE
April 18, 2004 - April 17, 2014

GLENN S. HARA, 2ND DIVISION
June 25, 2004 - June 24, 2014

RONALD IBARRA, 3RD DIVISION
CHIEF JUDGE
May 10, 1999 - May 9, 2009

ELIZABETH A. STRANCE, 4TH DIVISION
March 31, 2005 - March 30, 2015

FIFTH CIRCUIT

RANDAL G.B. VALENCIANO, 1ST DIVISION
CHIEF JUDGE/SENIOR FAMILY COURT JUDGE
June 14, 2007 - June 13, 2017

KATHLEEN N. A. WATANABE, 2ND DIVISION
August 17, 2005 - August 16, 2015

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.

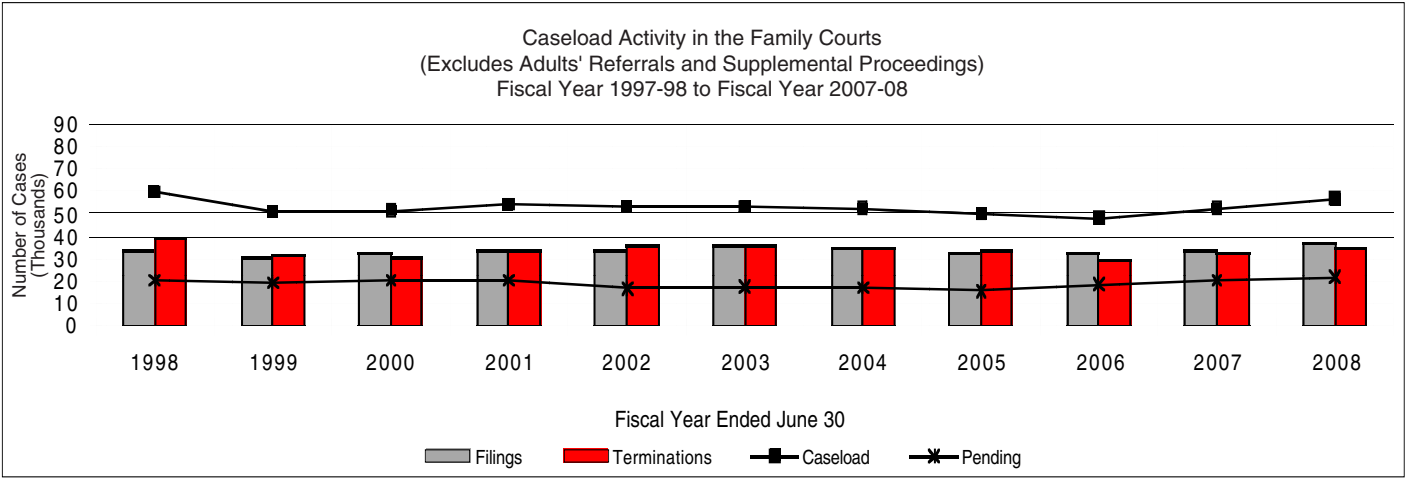
DESCRIPTION

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

The Family Court hears all legal matters involving 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.



*Family
Courts*

ACTIONS FILED

A total of 36,932 cases were filed in the Family Courts in fiscal year 2007-08.

TERMINATIONS

Terminations totaled 34,749 in fiscal year 2007-08.

STATUS OF PENDING CASES

There were 22,013 cases pending at the end of fiscal year 2007-08.

Family Court Judges and Their Terms

FIRST CIRCUIT

FRANCES Q. F. WONG,
FIRST CIRCUIT COURT
18TH DIVISION
DEPUTY CHIEF JUDGE/
SENIOR FAMILY COURT JUDGE
May 11, 2002 - May 10, 2012

PATRICK W. BORDER,
FIRST CIRCUIT COURT
16TH DIVISION
April 8, 2004 - April 7, 2014

RHONDA A. NISHIMURA,
FIRST CIRCUIT COURT
10TH DIVISION
June 20, 2003 - June 19, 2013

MICHAEL F. BRODERICK
June 6, 2003 - June 5, 2009

R. MARK BROWNING
June 6, 2003 - June 5, 2009

JENNIFER L. CHING
June 24, 2005 - June 23, 2011

KENNETH E. ENRIGHT
February 28, 2003 - February 27, 2009

CHRISTINE E. KURIYAMA
May 20, 2004 - May 19, 2010

LINDA K. C. LUKE
December 29, 2004 - December 28, 2010

PAUL T. MURAKAMI
June 7, 2008 - June 6, 2014

KAREN M. RADIUS
December 9, 2006 - December 8, 2012

BODE A. UALE
October 27, 2004 - October 26, 2010

SECOND CIRCUIT

SHACKLEY F. RAFFETTO,
SECOND CIRCUIT COURT, 1ST DIVISION
CHIEF JUDGE/SENIOR FAMILY COURT JUDGE
June 9, 2004 - June 8, 2014

KEITH E. TANAKA
March 9, 2007 - March 8, 2013

GERONIMO VALDRIZ, JR.
May 26, 2006 - May 25, 2012

THIRD CIRCUIT

GREG K. NAKAMURA,
THIRD CIRCUIT COURT, 1ST DIVISION
DEPUTY CHIEF JUDGE/SENIOR FAMILY
COURT JUDGE
April 18, 2004 - April 17, 2014

ALEY K. AUNA, JR.
April 4, 2006 - April 3, 2012

ANTHONY K. BARTHOLOMEW
June 6, 2008 - June 5, 2014

MELVIN H. FUJINO
December 19, 2008 - December 18, 2014

LLOYD X. VAN DE CAR
June 1, 2007 - May 31, 2013

FIFTH CIRCUIT

RANDAL G.R. VALENCIANO,
FIFTH CIRCUIT COURT, 1ST DIVISION
CHIEF JUDGE/SENIOR FAMILY COURT JUDGE
June 14, 2007 - June 13, 2017

CALVIN K. MURASHIGE
June 25, 2005 - June 24, 2011

District Courts

STRATEGIC MISSION

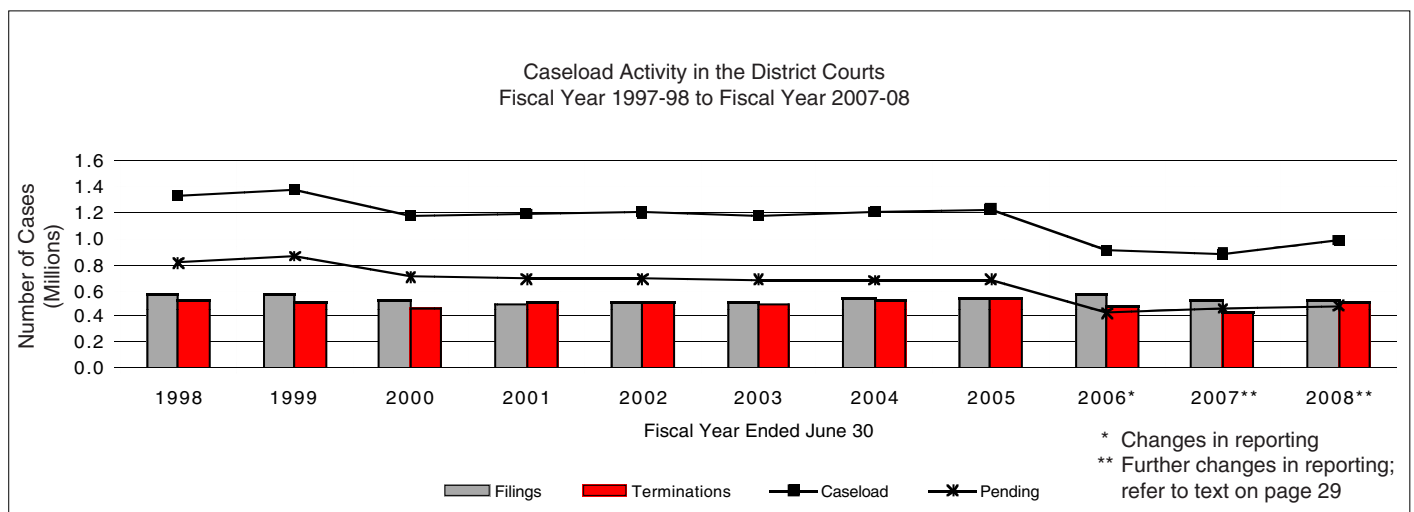
The mission of the District Court is to serve the people of Hawai'i through the fair and efficient adjudication and resolution of cases and controversies brought before it.

DESCRIPTION

The District Courts have exclusive jurisdiction over traffic infractions and summary possession or ejectment proceedings (landlord-tenant), regardless of the claim amount. The District Courts also have jurisdiction over non-jury trial civil cases where the debt, amount, damages or value of the property claimed

does not exceed \$25,000, or where the remedy sought is specific performance valued under \$25,000, 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.

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.



District Courts

CASELOAD ACTIVITY (EXCLUDING TRAFFIC)

ACTIONS FILED

During the 2007-08 fiscal year, 61,777 cases were filed in the District Courts. Civil actions represented approximately 36% of filings, criminal actions 59% and other violations 5%.

TERMINATIONS

A total of 50,385 cases were terminated in the District Courts during the fiscal year.

PENDING CASES

There were 87,456 cases pending at the end of fiscal year 2007-08.

CASELOAD ACTIVITY (TRAFFIC AND PARKING)

A criminal traffic case involving multiple offenses is counted as one case, beginning in fiscal year 2006-07.

New Filings:	464,717 cases
Dispositions - Entry of Judgment:	454,237 cases
Active Pending Cases:	260,852 cases
Inactive Pending Cases:	129,945 cases

*District Court Judges
and Their Terms*

FIRST CIRCUIT

COLETTE Y. GARIBALDI
DEPUTY CHIEF JUDGE
February 28, 2003 - February 27, 2009

WILLIAM A. CARDWELL
May 20, 2004 - May 19, 2010

HILARY BENSON GANGNES
May 22, 2008 - May 21, 2014

LESLIE ANN HAYASHI
November 5, 2008 - November 4, 2014

GERALD H. KIBE
January 6, 2007 - January 5, 2013

FAYE M. KOYANAGI
June 10, 2003 - June 9, 2009

LONO J. LEE
June 10, 2003 - June 9, 2009

DAVID W. LO
August 23, 2006 - August 22, 2012

CHRISTOPHER P. MCKENZIE
May 22, 2008 - May 21, 2014

EDWIN C. NACINO
May 6, 2005 - May 5, 2011

RUSSEL S. NAGATA
October 5, 2004 - October 4, 2010

CLARENCE A. PACARRO
June 7, 2008 - June 6, 2014

BARBARA P. RICHARDSON
May 5, 2006 - May 4, 2012

FA'AUUGA TO'OTO'O
December 9, 2006 - December 8, 2012

SECOND CIRCUIT

RHONDA I. L. LOO
DEPUTY CHIEF JUDGE
May 1, 2003 - April 30, 2009

DOUGLAS H. IGE
Retired June 30, 2008

KELSEY T. KAWANO
August 29, 2008 - August 28, 2014

SIMONE C. POLAK
May 28, 2004 - May 27, 2010

THIRD CIRCUIT

JOSEPH P. FLORENDO, JR.
DEPUTY CHIEF JUDGE
November 3, 2004 - November 2, 2010

HARRY P. FREITAS
June 1, 2007 - May 31, 2013

BARBARA T. TAKASE
May 26, 2004 - May 25, 2010

FIFTH CIRCUIT

TRUDY K. SENDA
DEPUTY CHIEF JUDGE
May 4, 2007 - May 3, 2013

CALVIN K. MURASHIGE
June 25, 2005 - June 24, 2011

Per Diem Judges

FIRST CIRCUIT

Patricia C. Aburano
Jeannette H. Castagnetti
Gale L.F. Ching
Darryl Y. C. Choy
James H. Dannenberg
Paula Devens
Philip M. Doi
Peter C.K. Fong
James H. Hershey
Lenore K.J.H. Lee
Wilson M.N. Loo
Michael A. Marr
Linda S. Martell
William J. Nagle, III
Alvin K. Nishimura
Blake T. Okimoto
Catherine H. Remigio
Nancy Ryan
Randal I. Shintani
Clyde E. Sumida
Matthew J. Viola
William K. Wallace, III
Timothy David Woo, Jr.

SECOND CIRCUIT

Jan K. Apo
Mimi Desjardins
Michelle L. Drewyer
Renata E. Foster-Au
Paul L. Horikawa
Barclay E. MacDonald
Lloyd A. Poelman
Richard A. Priest, Jr.
Eric G. Romanchak
Douglas J. Sameshima

THIRD CIRCUIT

William S. Chillingworth
Ben H. Gaddis
Steven J. Kim
David K. Kuwahara
Wayne C. Metcalf, III
Jeanne L. O'Brien
William E. Smith
Andrew P. Wilson

FIFTH CIRCUIT

Max W.J. Graham, Jr.
Walton D.Y. Hong
Joseph N. Kobayashi
Laurel Loo
Joe P. Moss
Frank D. Rothschild

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 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 Equal Employment Opportunity and Affirmative Action Office is attached to the Deputy Administrative Director.

Administrative programs are divided into four departments. The Intergovernmental and Community Relations Department includes: Staff Attorney, Public Affairs, King Kamehameha V Judiciary History Center, Children's Justice Centers, Law Library, Center for Alternative Dispute Resolution, Equality and Access to the Courts, Office of the Public Guardian and Volunteers in Public Service. The Support Services Department includes: Financial Services, Information Technology and Communications, Judiciary Information Management System, and Admin Fiscal. The Policy and Planning Department includes: Budget and Statistics, Planning and Program Evaluation, Internal Audit, Administrative Driver's License Revocation Office and Special Projects/Legislative Office. The Human Resources Department includes: Administrative Services, Compensation Management, Employee Services, Labor Relations, Staffing Services, Disability Claims Management and Judicial Education.

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 each biennium with operating monies allocated from the State General and Special Funds and capital improvement monies from the State Capital Project Fund.

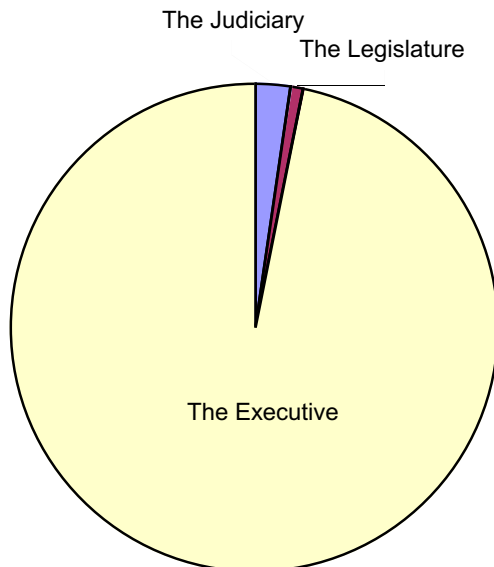
Combined, the State General and the Capital Project Funds represent over 96 percent of the funding source of all Judiciary expenditures. The Legislature appropriated \$143,828,753 from the State General Fund for operations during the current fiscal year, and \$27,250,000 to the Judiciary from the State 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 2008-2011 BUDGET SUMMARY

PROGRAM	FY 2008 Actual Expenditures	FY 2009 Planned Expenditures	Biennium Budget Appropriations*	
			FY 2010	FY 2011
JUD 101 - COURTS OF APPEAL				
General Fund	7,048,172	7,397,336	7,566,428	7,631,540
Revolving Fund	20,856	243,261	243,261	243,261
JUD 310 - FIRST CIRCUIT				
General Fund	73,721,014	76,878,570	79,512,933	80,540,640
Special Fund	3,050,120	3,693,111	3,777,131	3,784,971
JUD 320 - SECOND CIRCUIT				
General Fund	14,354,844	16,143,028	16,616,351	16,914,207
JUD 330 - THIRD CIRCUIT				
General Fund	17,371,144	19,051,323	19,578,412	19,733,694
JUD 350 - FIFTH CIRCUIT				
General Fund	7,008,756	7,316,426	7,812,771	8,047,096
JUD 501 - JUDICIAL SELECTION COMMISSION				
General Fund		99,292	99,292	99,292
JUD 610 - ADMINISTRATION				
General Fund	24,123,250	23,559,655	24,245,676	25,547,229
Special Fund	5,422,624	5,683,661	8,396,900	6,930,290
Revolving Fund	21,453	100,000	100,000	100,000
TOTALS				
General Fund	143,627,180	150,445,630	155,431,863	158,513,698
Special Fund	8,472,744	9,376,772	12,174,031	10,715,261
Revolving Fund	42,309	343,261	343,261	343,261

* Subject to final legislative review.



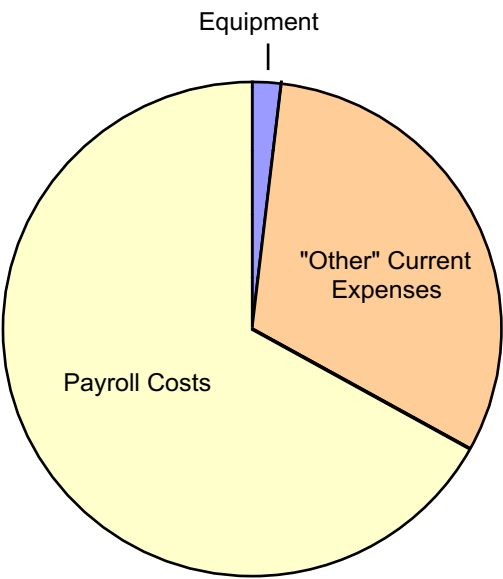
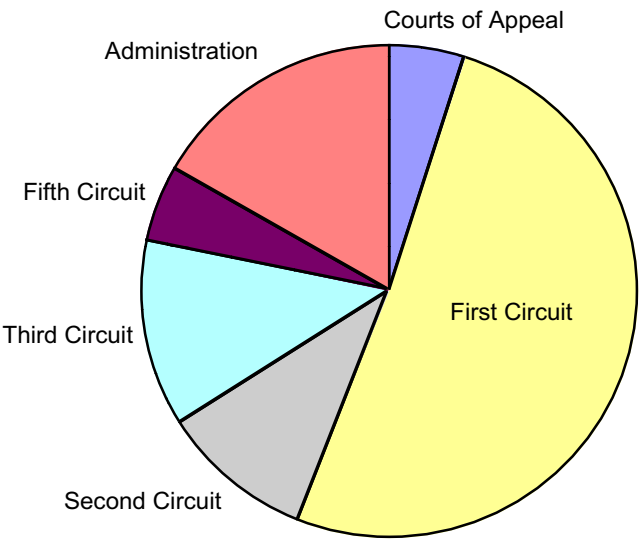
TOTAL STATE GOVERNMENT APPROPRIATIONS FROM STATE GENERAL FUND FISCAL YEAR 2007-08

The Judiciary	2.55%	\$ 143,828,753
The Legislature	.67%	37,537,489
The Executive	96.78%	5,445,181,617
Total		\$ 5,626,547,859

Financial
Resources

STATE GENERAL FUND EXPENDITURES
BY COURT ELEMENT
FISCAL YEAR 2007-08

Courts of Appeal	4.9%	\$ 7.0 million
First Circuit	51.3%	73.7 million
Second Circuit	10.0%	14.4 million
Third Circuit	12.1%	17.4 million
Fifth Circuit	4.9%	7.0 million
Administration	16.8%	24.1 million
Total		\$ 143.6 million



STATE GENERAL FUND EXPENDITURES
BY COST CATEGORY
FISCAL YEAR 2007-08

Equipment	2%	\$ 3.6 million
"Other" Current Expenses	31%	43.9 million
Payroll Costs	67%	96.1 million
Total		\$ 143.6 million

List of Available Judiciary Publications

IF YOU ARE INTERESTED IN THE FOLLOWING PUBLICATIONS, PLEASE CONTACT:

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

Internet site: www.courts.state.hi.us

PUBLICATIONS

Are You Interested in Being a Court Interpreter?

Attorney-Client Relations Program

Center for Alternative Dispute Resolution

Dispute Resolution Procedures

Going to Probate Court?

Going to Small Claims Court?

Mediation Times

Selecting a Facilitator

Selecting a Mediator

What is Facilitation?

When You Have Disputes, There Are Choices

Children and Divorce

Children's Justice Center of O'ahu

Commission on Judicial Conduct

Community Mediation

Community Service Sentencing Branch

Court Orientation Tours

Disciplinary Complaints Against Lawyers

King Kamehameha V Judiciary History Center

Lawyer Referral Information Service

The Judiciary State of Hawai'i 2008 Annual Report

The Judiciary State of Hawai'i 2008 Statistical Supplement

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) and
Deferred Acceptance of No Contest (DANC) Pleas (TRT 18:00)*

Broken Scales: Justice Under Influence (TRT 18:17)

Informational Video on Small Claims (TRT 16:18)

Informational Video on Traffic Violations (TRT 15:15)

Jury Orientation Video (TRT 18:25)

Mediation: An Alternative to Court (TRT: 18:00)

The Purple Family: Divorce Education Video (TRT 23:52)