Aloha Neighbors,

The 2016 legislative session is underway and was preceded by House Finance and Senate Ways and Means Committee informational briefings on the budget. These informational briefings with the different departments can be viewed at http://olelo.granicus.com/ViewPublisher.php?view_id=13.

In this newsletter, the Governor’s release of his budget late last year is highlighted in the column to the right. The Legislature will continue to review the budget throughout this session.

A substantial portion of this newsletter is dedicated to the Hawaii Supreme Court’s oral arguments held last month at Waianae High School providing a great opportunity for students to see first-hand how the judicial system works. I’m grateful for the Judiciary’s selection of Waianae High School as a site to participate in its Courts in the Community program.

Finally, I’m co-hosting a Community Workshop regarding the Lualualei Flood Mitigation Study on Tuesday, January 26 from 7-8:30pm at the Kamehameha Schools Community Learning Center at Maili at 87-790 Kulaiku Street. The purpose of the Lualualei Flood Mitigation Study is to propose feasible alternatives to the larger capital improvement projects recommended by the 2001 Lualualei Flood Study. This community workshop is your opportunity to discuss options for minimizing the flooding problems in the Puuhulu, Paakea, Iliili, Mikilua and Hakimo areas.

It is my honor to continue to serve you. Feel free to contact me if I can be of assistance.

Mahalo,

Jo Jordan,  
District 44 Representative
Courts in the Community: Hawaii Supreme Court Takes Oral Argument to Waianae

As part of the Judiciary’s Courts in the Community outreach program, the Hawaii Supreme Court heard an oral argument at Waianae High School. 325 students from Waianae, Campbell, Pearl City and Waipahu High Schools, as well as Island Pacific Academy had the opportunity to learn more about the Judiciary’s role in government and its function in resolving disputes in a democratic society.

Under the program, the court convenes in schools to hear oral argument in cases pending before the court. This is the seventh argument in the program, which began in 2012.

To prepare for the oral argument, the participating juniors and seniors from each high school studied a curriculum developed by the Kamehameha V Judiciary History Center and the Students for Public Outreach and Civic Education of the University of Hawaii’s William S. Richardson School of Law. Attorneys from the Hawaii State Bar Association (HSBA) volunteered their time and facilitated a moot court activity in the participating classrooms.

The HSBA and the Hawaii State Bar Foundation generously provided the students with lunches and transportation to and from their schools in Leeward Oahu.

The court heard an oral argument for In re Garcia v. Robinson, which is a case that involves what a patient
must establish in proving a violation of a doctor’s duty of disclosure. The case was initiated by Mr. Edwin Garcia, a security guard, who suffered a lower back injury at work. Mr. Garcia was referred to Dr. Bernard Robinson and claims that Dr. Robinson made certain representations during his initial consultation regarding the success rate of lower back surgery, pain expectations, and recovery time from the surgery. Dr. Robinson disputes that these statements were made and indicated that he disclosed all the risks before performing surgery, including the risk that the surgery might not be beneficial to Mr. Garcia, and that Mr. Garcia signed an informed consent form. Dr. Robinson performed lower back surgery on Mr. Garcia and Mr. Garcia’s condition didn’t improve after the surgery. The lower courts ruled in favor of Dr. Robinson concluding that Mr. Garcia didn’t meet the requirements to establish an informed consent claim and Mr. Garcia appealed.


The oral argument was followed by two separate question-and-answer sessions for the students; one with the attorneys and another with the five justices.
Representative Jo Jordan
House of Representatives
415 S. Beretania St., Room 323
Honolulu, HI 96813

Community Workshop
regarding the
Lualualei Flood Mitigation Study

Tuesday, January 26, 2016
7:00 – 8:30 p.m.
Kamehameha Schools
Community Learning Center at Mā‘ili
87-790 Kulauku Street, Wai‘anae
Refreshments will be served from 6:30 p.m.

Photo courtesy of Kamehameha Schools