

Honolulu, Hawaii

APR 02 2018

RE: GOV. MSG. NO. 616

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred Governor's Message No. 616, submitting for study and consideration the appointment of:

CHIEF JUDGE OF THE INTERMEDIATE APPELLATE COURT

G.M. No. 616 LISA M. GINOZA,
for a term to expire in 10 years,

begs leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Judge Lisa M. Ginoza for service on the Intermediate Court of Appeals as Chief Judge.

Your Committee received testimony in support of the appointment of Judge Lisa M. Ginoza from Hawaii Women Lawyers, the Honorable Craig H. Nakamura, the Honorable Daniel Foley-retired, and eighteen individuals. Your Committee received testimony in opposition to the appointment of Judge Lisa M. Ginoza from one individual. Your Committee received comments on the appointment of Judge Lisa M. Ginoza from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors found the appointee to be qualified for the position of Chief Judge of the Intermediate Court of Appeals based on established criteria for determining the qualifications of judicial and executive appointments generally using the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Specifically, the Board uses the following



criteria in its deliberations: integrity and diligence, legal knowledge and ability, professional experience, judicial temperament, financial responsibility, public service, health, and ability to perform the responsibilities and duties required of the position for which the applicant has been nominated. The Board's rating system includes the categories of "qualified" and "not qualified".

Judge Lisa M. Ginoza received her Bachelor of Science degree, with highest distinction, in political science from Oregon State University, and her Doctorate of Jurisprudence from the William S. Richardson School of Law, where she was casenote editor and casenote co-author for the University of Hawai'i Law Review. She currently serves as an Associate Judge of the Intermediate Court of Appeals, where she has presided as lead judge in three hundred ninety merit decisions, authored twenty-seven published opinions and thirty-four separate concurring or dissenting opinions. In total, she has taken part in 1,178 merit decisions covering broad and varying areas of substantive law.

Prior to her appointment to the Intermediate Court of Appeals, Judge Ginoza served as First Deputy Attorney General of the State of Hawai'i, where she assisted the Attorney General in leading a department with over one hundred seventy attorneys. At the Department of the Attorney General, she had detailed involvement in a wide variety of matters, including litigation involving the State or its officials, advice and counsel to public officers, review of proposed legislation, asset forfeiture cases, investigation of administrative and criminal matters, administrative issues involving the Department, and coordinating efforts in numerous areas between federal, state, and county governments. Judge Ginoza also previously served as a partner with McCorriston Miller Mukai Mackinnon, where her private litigation practice included insurance cases, personal injury litigation, commercial and contract disputes, employment and discrimination lawsuits, and products liability cases at all court levels, including the Hawai'i Supreme Court, Ninth Circuit Court of Appeals, and Supreme Court of the United States.

Judge Ginoza has been active in the legal community throughout her career, including as a member of the Commission on Professionalism, co-chair of the Judicial Administration Committee of the American Judicature Society, and judge in the annual High School Mock Trial competition put on by the Young Lawyers Division of the Hawaii State Bar Association. She also regularly



volunteers to speak with students visiting the Judicial History Center and also visits schools and other locations to speak with students.

Testimony submitted in support of Judge Ginoza's appointment commend the strength of her reasoning and the clarity of her decisions. As an Associate Judge of the Intermediate Court of Appeals, her written decisions are thoroughly researched, well-reasoned, and logically presented. Numerous testifiers praised her leadership abilities, strong work ethic, integrity, and commitment to fair and sound decision-making. In addition to her judicial qualifications, Judge Ginoza has also demonstrated strong administrative skill in her role as First Deputy Attorney General.

Your Committee finds that, based on the testimony submitted on her behalf, Judge Lisa M. Ginoza has the experience, temperament, judiciousness, and other competencies to be the Chief Judge of the Intermediate Appellate Court, and has the broad legal expertise, superb character, outstanding judicial temperament, and unwavering commitment to justice that are essential for a Chief Judge.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC
Consent

Gov. Msg./Jud. Com. No.:* GM 616	Committee Referral: JDC	Date: 3/28/2018		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Consent 2347 <input type="checkbox"/> Not Consent 2349				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.				✓
TOTAL	4	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one Message/Communication per Record of Votes