

STAND. COM. REP. NO.

Honolulu, Hawaii

NOV - 5 2015

RE: GOV. MSG. NO. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
First Special Session of 2015  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred Governor's Message No. 1, submitting for study and consideration the appointment of:

CIRCUIT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII

G.M. No. 1                 SHIRLEY KAWAMURA,  
for a term to expire in ten years,

begs leave to report as follows:

Your Committee has reviewed the resume and statements submitted by the appointee and finds Shirley Kawamura to possess the requisite qualifications to be appointed to the Circuit Court of the First Circuit, State of Hawaii.

Testimony in support of the appointment of Judge Kawamura was submitted by Retired Judge "Bambi" Eden Elizabeth Hifo, Circuit Court of the First Circuit; State of Hawaii Organization of Police Officers; and forty individuals. Comments regarding the appointee were submitted by the Hawaii State Bar Association.

The Hawaii State Bar Association (HSBA) Board of Directors found the appointee to be qualified for the position of Circuit Court Judge, First Circuit, based on all categories of the HSBA criteria that includes: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties of the position.



Judge Kawamura received her Bachelor of Arts degree with Honors in Sociology at Brown University and her Doctorate of Jurisprudence from Stanford Law School. Since May 2012, she has served as a presiding District Court Judge of the First Circuit where she has primarily presided over the mental health, weed and seed, and criminal trial calendars and has managed and adjudicated cases in specialty courts, including Mental Health Treatment, Jail Diversion, and Driving While Impaired Courts. She also led the revision of the Driving Under the Influence (DUI) Benchbook and is in charge of training new judges presiding over the criminal and traffic calendars. Furthermore, for the past fourteen months, she has served as an Acting Circuit Court Judge of the First Circuit in various divisions and adjudicated cases on the felony criminal trials calendar.

Prior to her appointment to the District Court bench, Judge Kawamura served as an Associate Attorney with Kawashima Lorusso, LLP, focusing on the areas of personal injury; wrongful death; professional legal, accounting, broker, and medical malpractice; business, real estate, and contract disputes; and flood cases. She also previously served as a Senior Felony Trial Deputy with the Office of the Public Defender. As a Deputy Public Defender, she researched, prepared, and argued appellate briefs and substantive motions; gained extensive bench and jury trial experience; and managed and directed hundreds of criminal cases to successful resolution in District, Family, and Circuit Courts of the State of Hawaii.

Judge Kawamura is licensed to practice law in Hawaii. She is a member of the Judicial Administration Committee, Committee on Equality and Access to Courts, Mental Health Advisory Board, Driving While Impaired Court Steering Committee, and Hawaii Chapter of the American Inns of Court. She also previously served as a Volunteer Guardian Ad Litem and Board Member of the Legal Aid Society of Hawaii.

The testimony uniformly found Judge Kawamura well-qualified, with common sense to balance real-life considerations with legal principles in making determinations. Testifiers, including former colleagues and opposing counsel, describe her as prepared, professional, compassionate, and sharp. As a sitting judge, testifiers affirmed her as a thoughtful and composed jurist who treats all who appear before her with respect, even-handedness, sensitivity, and humility.



Judge Kawamura commented to your Committee that our justice system works well when all involved play their roles well and know their boundaries. Although Judge Kawamura describes the judicial branch of our government as rules- and procedure-oriented in contrast to the legislative and executive branches, which are more results-oriented, her experience in implementing Driving While Impaired and Mental Health courts satisfies her that specialty courts have a substantial role in bending us towards a common community goal of improving access to justice.

As such, your Committee finds that, based on testimony submitted on her behalf, Shirley Kawamura has the experience, temperament, judiciousness, and other competencies to be a Circuit Court Judge. She has a good sense of where the equities, rights, and responsibilities lie in a case, which is essential for a Circuit Court Judge.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor 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 and  
Labor,

  
GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**  
**Advise and Consent**

Governor's Message No.:* <b>GM 1</b>	Committee Referral: <b>JDL</b>	Date: <b>11/05/15</b>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
KAHELE, Gilbert	✓			
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>6</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original      Yellow      Pink      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

\*Only one Governor's Message per Record of Votes