

Honolulu, Hawaii

JUL 09 2018

RE: JUD. COM. NO. 2

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

Sir:

Your Committee on Judiciary, to which was referred Judiciary Communication No. 2, submitting for study and consideration the appointment of:

DISTRICT FAMILY COURT OF THE FIRST CIRCUIT

J.C. No. 2 KENNETH J. SHIMOZONO,
for a term to expire in 6 years,

begs leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Kenneth J. Shimozone for service on the District Family Court of the First Circuit, State of Hawaii.

Your Committee received testimony in support of the appointment of Kenneth J. Shimozone from the Office of the Public Defender, the Honorable David W. Lo (retired), and twenty-four individuals. Your Committee received comments on the appointment of Kenneth J. Shimozone from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) found the appointee to be qualified for the position of District Family Court Judge of the First Circuit based on established criteria for determining the qualifications of judicial and executive appointments generally utilizing the American Bar Association Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those Guidelines include the following criteria, which are not exclusive: integrity and diligence, legal knowledge and ability, professional experience,



judicial temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties required of the position for which the applicant has been appointed. The HSBA Board ratings system includes the categories of "qualified" and "not qualified".

Kenneth J. Shimozone received his Bachelor of Science degree in speech communication from Oregon State University, where he was on the honor roll. He later earned his Doctorate of Jurisprudence from Willamette University College of Law, where he was on the national moot court competition team and received honors in legal research and writing. Since October 2017, he has served as a per diem Judge in the District Family Court of the First Circuit while continuing his private practice at Takemoto and Shimozone, LLC.

Mr. Shimozone has been a partner at Takemoto and Shimozone, LLC, since 2005 and has represented defendants charged with traffic, misdemeanor, and felony offenses in criminal litigation including indigent defendants as a court appointed attorney. He has also represented clients in civil litigation cases involving temporary restraining orders. Prior to entering private practice, he served as a deputy public defender in the state Office of the Public Defender from 1995 until 2005. Throughout his career, Mr. Shimozone has vigorously represented his clients in a manner that preserves and advances the fundamental integrity of the law, as well as takes the specific circumstances of his clients' individual situations into account.

Mr. Shimozone has been involved with the legal community throughout his career. He has served as grand jury counsel to the Circuit Court of the First Circuit since 2011, and has been a member of the Hawaii Board of Examiners of the Hawaii Supreme Court since 2016. In addition, he participated in free legal clinics on the Island of Hawaii while serving as the West Hawaii Director of the Hawaii State Bar Association Young Lawyers Division from 1995 until 1996.

Testimony submitted in support of Mr. Shimozone's appointment describes his legal expertise, strong work ethic, and tireless advocacy for justice on behalf of every person he has represented. He has earned the respect of judges before whom he has appeared for his service to his clients, preparedness of his arguments before the court, and respectful conduct toward the court, court staff, and other parties. He has also demonstrated a kind and



thoughtful demeanor, impartiality, and sound legal judgment in his capacity as a per diem District Family Court Judge.

Your Committee finds that based on the testimony submitted on his behalf, Mr. Shimosono has the experience, temperament, judiciousness, and other competencies to serve as a Judge of the District Family Court of the First Circuit.

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.:* JCZ	Committee Referral: JDC	Date: 7/9/18		
<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	5	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
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