



The Judiciary, State of Hawai‘i

Testimony to the Thirty-Third Legislature, 2025 Regular Session

Senate Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Tuesday, January 28, 2025, 9:15 a.m.

State Capitol, Conference Room 016 & Videoconference

by

Michelle Acosta

Deputy Chief Court Administrator, First Circuit

and

Dana Nakasato

Information Technology Officer, Applications Division

Information Technology and Systems Department

Bill No. and Title: Senate Bill No. 262, Relating to Prospective Jurors.

Purpose: Authorizes the Judiciary to determine the format of the juror qualification form and the means of its delivery and return. Removes the requirement that the form be mailed.

Judiciary's Position:

This is a Judiciary package bill, and we strongly support its passage.

Senate Bill No. 262 amends Section 612-3 of the Hawai‘i Revised Statutes to allow for the flexibility to utilize alternative forms of the delivery and return of the juror qualification form. The current language, as written, is too restrictive, as it only allows a juror qualification form to be mailed to prospective jurors and mailed back to the courts. With advances in technology, many government agencies are leveraging technology to modernize government services and how they provide information and services to their users.



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The amendment would provide the Judiciary with the flexibility to make strategic determinations regarding the use of appropriate and effective methods or platforms for the juror qualification form. The strategic use of alternative formats which include digital tools could make the process easier and more convenient for prospective jurors, while also encouraging greater participation in this important civic duty.

There is no appropriation requested.

Thank you for the opportunity to testify on Senate Bill No. 262.

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**Testimony of the Office of the Public Defender,
State of Hawai'i to the Senate Committee on Judiciary**

January 28, 2025

S.B. 262: RELATING TO PROSPECTIVE JURORS.

Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee:

The Office of the Public Defender submits comments and concerns regarding S.B. 262.

The Office of the Public Defender is concerned about the intent of this measure. On the face it appears to be a simple change in the formatting of a standardized form. However, it is unclear what changes the Judiciary is seeking and how they plan to format and implement the distribution, delivery and return system of the juror qualification forms. We have the following issues:

1. We are deeply concerned that if the Judiciary plans to digitize the juror qualification process by abandoning the mail in system, then a large segment of our available population ready and willing to participate in jury service will be disenfranchised – specifically, older jurors who may not be as technologically savvy as younger jurors (i.e. who may not be familiar with online processes, forms, QR codes, etc.) and jurors who may not have easy access to technology (i.e. cell phones, computers, etc.) because of limited monies or because they live in remote or rural areas with spotty to non-existent internet or cell service). We do not want these potential jurors, who may be willing and able to serve as jurors, to be disenfranchised from the process.

2. We are concerned that it is unclear what changes the Judiciary wishes to make to the standardized juror forms and whether they will be eliminating specific questions that are currently on the forms: employment, spouse's employment, number of children, connections to law enforcement, etc. This measure is short on details and seems to authorize changes carte blanche without any input from Stakeholders like the Office of the Public Defender, the Prosecuting Attorneys from the different jurisdictions around the State, and the Hawaii State Bar Association. We submit that the Judiciary should be required to participate in a review process with these Stakeholders before implementing any changes.

The Office of the Public Defender is not opposed to modernizing the jury qualification process; however, we want the process to be transparent, inclusive, and fair to ensure that any jury panel is a true representation and reflection of our community.

Thank you for the opportunity to comment on this measure.

COUNTY COUNCIL

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January 23, 2025

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

**SB 261, RELATING TO JURY DUTY,
SB 262, RELATING TO PROSPECTIVE JURORS,
SB 263, RELATING TO COMPENSATION FOR COURT-APPOINTED COUNSEL,
SB 264, RELATING TO THE EXAMINATION OF CRIMINAL DEFENDANTS,
SB 265, RELATING TO COMPENSATION FOR COURT-APPOINTED
REPRESENTATION,
SB 266, RELATING TO DISTRICT COURT JUDGES, AND
SB 267, RELATING TO DISTRICT COURT JUDGES
Senate Committee on Judiciary
Tuesday, January 28, 2025
9:15 a.m.
Conference Room 016
Via Videoconference**

Dear Chair Rhoads and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of SB 261, Relating to Jury Duty, SB 262, Relating to Prospective Jurors, SB 263, Relating to Compensation For Court-Appointed Counsel, SB 264, Relating to The Examination of Criminal Defendants, SB 265, Relating to Compensation for Court-Appointed Representation, SB 266, Relating to District Court Judges, and SB 267, Relating to District Court Judges. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of SB 261, SB 262, SB 263, SB 264, SB 265, SB 266, and SB 267, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of SB 261, SB 262, SB 263, SB 264, SB 265, SB 266, and SB 267. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

AAO:slr