

## *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

by

Robert D. S. Kim

Chief Court Administrator, Third Circuit

Hawai‘i Island, State of Hawai‘i

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**Bill No.:** Senate Bill No. 267, Relating To District Court Judges.

**Purpose:** Establishes one (1) additional district court judgeship in the Third Circuit.

#### **Judiciary's Position:**

The Judiciary respectfully urges your support for the creation and funding of a new District Court Judge position in the Third Circuit for the Kona District Court. This request is not made lightly; it arises from a critical and urgent need to address the severe strain on the Kona District Court, where a single judge currently bears the immense responsibility of handling nearly 16,000 individual cases annually. This unsustainable situation jeopardizes the Judiciary's ability to fulfill its core mission to administer justice in an impartial, efficient, and accessible manner.

When the first District Court Judge was sworn in in Kona nearly forty (40) years ago, the population served by the court was just over 23,000 residents. Since then, the population has nearly tripled to over 62,000 residents. Judicial resources in the Third Circuit have not kept pace with this explosive growth. Despite the increase in population—and the corresponding increase in case filings—the Kona District Court continues to rely on a single judge. This has created untenable caseloads that overwhelm court operations and hinder the Judiciary's ability to effectively serve the public.



The consequences of this state of affairs are far-reaching and deeply concerning. To accommodate the extraordinary volume of cases, the Kona District Court has been forced to schedule nearly every available minute of court time. Traffic court calendars routinely exceed 70 individual defendants in a single morning, many of whom may have multiple cases on calendar. Litigants are frequently obliged to wait hours—sometimes over lunch and into the afternoon—for their cases to be heard. Court sessions often run from 8:30 a.m. until the close of business without a substantial break for the judge or court staff. District Court staff often must alternate lunch breaks to keep hearings running uninterrupted, and attorneys, public defenders, prosecutors, and litigants are also subjected to these grueling schedules, which take a toll on their health, morale, and efficiency.

This relentless pace also compromises the judge's ability to address other critical judicial duties, such as reviewing search warrants, making judicial determinations of probable cause, and, most concerning, processing applications for temporary restraining orders (TROs). Moreover, delays in hearings and case resolutions have led to long waiting periods for litigants and victims, adversely affecting their trust in the judicial system and imposing significant personal and financial hardships. Litigants in rural communities like Hawai'i Island, where public transportation is limited, may face particularly dire consequences from overscheduling, repeated continuances, and late case calls, including missing work they cannot afford to miss, or even missing the last bus home and being forced to sleep outside the courthouse.

The cascade of inefficiencies that result from a lack of sufficient judicial resources undermine the quality of justice delivered by the Kona District Court. One judge, no matter how dedicated, cannot sustainably balance the competing demands of timeliness and thoroughness under the current circumstances. The immense pressure on staff, attorneys, and litigants is demoralizing, leads to burnout, and diminishes the public's confidence in the Judiciary.

The addition of a second District Court Judge in Kona is the only viable solution to this urgent crisis. A second judge would not only reduce individual caseloads, but also allow the court to operate more efficiently, dispose of cases more promptly, and provide litigants and victims with the timely and equitable justice they deserve. This investment in judicial resources in the Third Circuit is essential to maintaining the integrity of the court system and ensuring that it remains accessible and fair to all.

Moreover, as there is currently a vacant District Court courtroom at the Keahuolu Courthouse (Courtroom 2B), the addition of a second District Court Judge will not require any additional capital improvement costs.



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The Judiciary respectfully asks for your consideration and support in approving this critical budget request. Thank you for your commitment to strengthening our judicial system and addressing the pressing needs of the Third Circuit and our Hawai'i Island community.

Thank you for the opportunity to testify on this important bill.

**JON N. IKENAGA**  
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**SB NO. 267 RELATING TO DISTRICT COURT JUDGES.**

Chair Karl Rhoads, Vice Chair Mike Gabbard, and Honorable Committee Members,

The Office of the Public Defender (OPD) **supports this bill.**

We support the Judiciary's request to staff courtrooms appropriately to fulfill the constitutional rights of our clients and the public. We can provide data regarding this measure upon request. We note that, as programs and courtrooms are added throughout the state, commensurate positions within the Office of the Public Defender must be created and staffed to meet demand.

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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](mailto:cokcouncil@kauai.gov).

Sincerely,

**ADDISON BULOSAN**  
Councilmember, Kaua'i County Council

AAO:slr

**TESTIMONY**

Senate Committee on Judiciary

**Hearing: Tuesday January 28, 2025 (9:15 a.m.)**

TO: The Honorable Karl Rhoads, Chair  
The Honorable Mike Gabbard, Vice Chair

FROM: Mark M. Murakami, HSBA President

RE: Senate Bill No. 267 – RELATING TO DISTRICT COURT  
JUDGES

Chair Rhoads and members of the Senate Committee on Judiciary, the Hawaii State Bar Association (“HSBA”) appreciates the opportunity to offer testimony in **STRONG SUPPORT** of Senate Bill No. 267.

The Hawaii State Bar Association wholeheartedly endorses Senate Bill No. 266, which advocates for the establishment of an additional judicial position in the First Circuit District Court. The expeditious and equitable resolution of court proceedings and the provision of remedies for litigants are fundamental tenets of the American judicial system. The District Court handles a diverse array of cases impacting everyday life, such as landlord-tenant disputes and temporary restraining orders (TROs). Given the substantial number of cases District Courts hear annually, it is imperative that this court ensures a timely disposition and has the requisite resources necessary.

Court proceedings have experienced delays due to a variety of reasons, coupled with a surge in criminal, civil, and family filings, resulting in backlogs that necessitate resolution. Moreover, the intricate nature of litigation across all levels of the State Judiciary poses additional challenges to case disposition. The addition of an extra Third Circuit District Court position is not just desirable but essential. On any given day, the calendars of Oahu's downtown and rural District Courts are filled, requiring the presence of litigants, attorneys, law enforcement, witnesses, experts, probation officers, social workers, and other individuals essential to court proceedings.

Individuals rightfully anticipate and require prompt resolutions to civil and family disputes. Accordingly, the HSBA **STRONGLY SUPPORTS** Senate Bill No. 266, recognizing the imperative need for an additional First Circuit District Court position and urges you to pass this bill.

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*Reply to:* **KARYN A. DOI, CHAIR**  
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**E-MAIL: karyn@leu-okuda.com**

January 26, 2025

**Re: S.B. 227 (Relating To District Court Judges)**  
**Hearing: January 28, 2025 9:15 a.m.**  
**Testimony in Support**

Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and Committee Members:

This testimony is submitted on behalf of the Collection Law Section ("CLS") of the Hawaii State Bar Association.\*

The CLS **supports** this bill. An additional judgeship will assist the court to hear and decide cases in a timely manner and will assist the court in avoiding backlog. Hearing and deciding cases in a timely manner promotes justice and is important to every person in Hawaii.

Thank you.

/S/ William J. Plum  
WILLIAM J. PLUM  
Vice Chair  
The Collection Law Section

*\* The comments and recommendations submitted reflect the viewpoint of the Collection Law Section of the Hawaii State Bar Association only. This viewpoint has not been reviewed or approved by the HSBA Board of Directors.*

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January 28, 2025

Senator Karl Rhoads, Chair  
Senator Mike Gabbard, Vice Chair  
and members of the Senate Committee on Judiciary  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Re: **S.B. 267 (District Court Judges)**  
**Hearing Date/Time: Tuesday, January 28, 2025, 9:15 a.m.**

I am Marvin Dang, the attorney for the **Hawaii Financial Services Association** (“HFSA”). The HFSA is a trade association for Hawaii’s consumer credit industry. Its members include Hawaii financial services loan companies (which make mortgage loans and other loans, and which are regulated by the Hawaii Commissioner of Financial Institutions), mortgage lenders, and financial institutions.

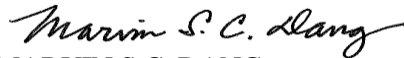
The HFSA **supports** this Bill.

This Bill establishes 1 additional District Court judgeship in the **Third Circuit**.

The Third Circuit consists of the island of Hawai`i in the County of Hawai`i.

An additional District Court Judge in the Third Circuit will enable the District Court to reduce the backlog of cases because hearings and trials can be scheduled more expeditiously. This result will have a positive impact on the court system and the public.

Thank you for considering our comments in our testimony.



MARVIN S.C. DANG

Attorney for Hawaii Financial Services Association

(MSCD/hfsa)