

APR 27 2011

RE: JUD. COM. NO. 4

1392

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
Judiciary Communication No. 4, submitting for study and
consideration the appointment of:

DISTRICT COURT OF THE FIRST CIRCUIT, STATE OF HAWAII

J.C. No. 4 MELANIE MITO MAY,
for a term to expire in six years,

begs leave to report as follows:

Your Committee has reviewed the resume submitted by the
appointee and finds Melanie Mito May to possess the requisite
qualifications to be appointed to the District Court of the First
Circuit, State of Hawaii.

Testimony in support of the appointment of Melanie Mito May
was submitted by the Chief of Police for the Maui Police
Department; the Executive Staff of the Honolulu Fire Department;
the Executive Director of the Waikiki Health Center; the President
and Chief Executive Officer, Director of Human Resources
Operations, and Human Resource Services Manager of ALTRES, Inc.;
and eighteen individuals. Comments were submitted by 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
Judge for the District Court 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 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."

Ms. May received her Bachelor of Science degree, cum laude, in Commerce from Santa Clara University, and her Juris Doctor degree from Hastings College of the Law. She has been a partner with the firm of Marr Jones and Wang since 2003, and she was an associate with the firm from 1997 until she became a partner. Her practice involved representing clients in federal and state court, arbitration, mediation, and administrative proceedings before the Hawai'i Civil Rights Commission, the United States Equal Employment Opportunity Commission, the Department of Labor and Industrial Relations, and the United States Department of Labor. Ms. May concentrated her practice in employment law, litigating discrimination, harassment, retaliation, wrongful termination, disability, and wage and hour cases, including several class actions. She also assisted private and public sector employers in developing employment policies, trained supervisory and nonsupervisory employees regarding compliance with state and federal laws, and provided guidance and counsel to management on a wide range of employment law issues. Prior to her work with Marr Jones and Wang, she served as a law clerk to Judge Kevin S.C. Chang and to Judge Daniel G. Heely.

Ms. May has also volunteered as a Court Annexed Arbitration Program arbitrator from 2002 to the present. Additionally, she has also contributed to the community, participating on the Kamiloiki Elementary School Community Council, the Waikiki Health Center Board of Directors, and the Honolulu Japanese Junior Chamber of Commerce.

Testimony submitted in support of Ms. May's appointment highlighted her abilities as a legal advocate, including skillful legal analysis, articulate writing, and emphasis on civility, even under the most adversarial circumstances. Testifiers also praised her ability to explain complex legal concepts to clients and other attorneys in a clear and concise fashion. She has a reputation in the legal community as being intelligent, prepared, hard-working,

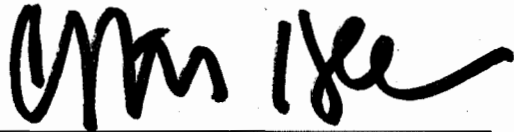


honest, responsible, compassionate, fair, reasonable, patient, and well organized.

Your Committee finds that, based on the testimony submitted on her behalf, Melanie Mito May has the experience, temperament, judiciousness, and other competencies to be a District Court judge, and has a good sense of where the equities, rights, and responsibilities lie in a case, which is essential for a District 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,

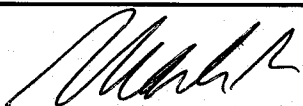


CLAYTON HEE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL
Consent

Gov. Msg./Jud. Comm. No.:* JC 4	Committee Referral: JDL	Date: 4/26/11		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
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 Judiciary Communication per Record of Votes