

# JUDICIARY COMM. NO. 1



**Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII**  
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**Rodney A. Maile**  
ADMINISTRATIVE DIRECTOR

**Brandon M. Kimura**  
DEPUTY ADMINISTRATIVE DIRECTOR

December 19, 2017

The Honorable Ronald D. Kouchi  
President of the Senate  
State Capitol, Room 409  
Honolulu, HI 96813

The Honorable Scott K. Saiki  
Speaker of the House of Representatives  
State Capitol, Room 431  
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

Please find enclosed the following annual and legislatively-mandated reports from the Hawai'i State Judiciary:

- *The Judiciary's Supplemental Budget (2017-2019) and Variance Report (2016-2018)*, pursuant to Act 159, Session Laws of Hawai'i 1974 and Chapter 37, Hawai'i Revised Statutes (HRS);
- *The Judiciary's 2017 Annual Report Statistical Supplement*, pursuant to Section 601-3, HRS;
- *The Judiciary's Center for Alternative Dispute Resolution 2017 Annual Report*, pursuant to Section 613-4, HRS; and
- *The Judiciary's King Kamehameha V Judiciary History Center 2017 Annual Report*, pursuant to Section 6F-6, HRS;

In addition, the following reports to the Twenty-ninth Legislature submitted by the Administrative Director of the Courts are included in a single volume:

- *Report on the Spouse and Child Abuse Special Account*, pursuant to Section 601-3.6, HRS;
- *Report on the Parent Education Special Fund*, pursuant to Section 607-5.6, HRS;
- *Report on Parental Preferences in Government Contracts*, pursuant to Section 577-7.5, HRS;
- *Report on Statewide Substance Abuse Treatment Monitoring Program*, pursuant to Section 601-21, HRS;

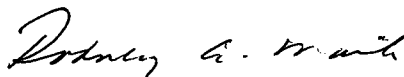
- *Biennial Report on the Indigent Legal Assistance Fund (ILAF)*, pursuant to Section 607-5.7(j);
- *Report on Complaints against Court-Appointed Child Custody Evaluators*, pursuant to Section 571-46.4, HRS;
- *Report on Fiscal Year 2016 Non-General Funds*, pursuant to Act 166, Session Laws of Hawai'i 2016; and
- *Report on Fiscal Year 2016 Repair and Maintenance in Judiciary-owned Facilities*, pursuant to Act 233, Session Laws of Hawai'i 2016.

In accordance with Section 93-16, HRS, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view electronic copies of these reports on the Judiciary's website at the following link: [http://www.courts.state.hi.us/news and reports/reports/reports.html](http://www.courts.state.hi.us/news%20and%20reports/reports/reports.html).

Should you have any questions regarding any of these reports, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 539-4896, or via e-mail at [Karen.T.Takahashi@courts.hawaii.gov](mailto:Karen.T.Takahashi@courts.hawaii.gov).

Sincerely,

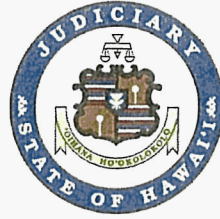


Rodney A. Maile  
Administrative Director of the Courts

Enclosures

c: Legislative Reference Bureau Library





**The Judiciary**  
State of Hawai'i

**Supplemental Budget  
(2017-2019)  
and  
Variance Report  
(2016-2018)  
Submitted to the  
Twenty-Ninth State Legislature**



**December 2017**

**To the Twenty Ninth State Legislature of Hawai'i  
Regular Session of 2018**

As Chief Justice of the Hawai'i Supreme Court and Administrative Head of the Judiciary, it is my pleasure to transmit to the Hawai'i State Legislature the Judiciary's FB 2017-19 Supplemental Budget and Variance Report. This document was prepared in accordance with the provisions of Act 159, Session Laws of Hawai'i, 1974, and Chapter 37 of the Hawai'i Revised Statutes, as amended.

Hawaii's courts provide an independent and accessible forum to fairly resolve disputes and administer justice according to the law. Consistent with this principle, the courts seek to make justice available without undue cost, inconvenience, or delay.

The Hawai'i economy continues to be strong and the overall economic outlook is relatively stable at the moment. However, even with that, the Hawai'i Council on Revenues at its most recent meeting expressed some uncertainty about the future and had particular concerns that the economy may have reached the end of its current expansionary cycle. While the Council noted that visitor arrivals and expenditures, job counts, and construction activities continued to be strong, members were also concerned that the construction cycle may have peaked. Further, various state and legislative officials have indicated that even with a projected budget surplus, funds will continue to be tight as there are many outstanding funding issues that need to be addressed, such as increasing health care costs and their impact on premiums.

Overall, the Judiciary is requesting 30.5 new permanent positions and additional funding of \$1.57 million for FY 2019, which is less than one percent of the Judiciary's current budget. Twelve of these positions are no-cost conversions of temporary to permanent positions for the very successful Hawai'i Opportunity Probation with Enforcement (HOPE) and Interagency Council on Intermediate Sanctions (ICIS) programs as funding has previously been provided by the Legislature.

The need for additional essential staffing is a major concern for the Judiciary, especially as workload continues to increase and becomes more detailed and complex, and as additional demands and requirements are placed on judges and staff. This concern especially relates to Courts of Appeal which is requesting an additional Staff Attorney position; to First Circuit which is requesting funding for an already authorized Family Court Judge and three support staff positions; and to Second and Fifth Circuits which are requesting positions and funding for a District Court Judge and a District Family Judge, respectively, as well as related support staff. Also important are requests for two additional bailiffs in Third Circuit, one each for the South Kohala Division and the Hilo Family Court; and for janitorial and facilities maintenance personnel for the Lahaina Courthouse and Kona, partly in response to the *Konno vs County of Hawai'i* decision by the Hawai'i Supreme Court and to the scheduled completion and opening of the new Kona Courthouse in 2019.

The only two other general fund budget requests directly relate to client services in the Second Circuit. Specifically, three Social Worker (Probation Officer) positions are needed to significantly reduce individual Probation Officer workload in Adult Client Services Branch's Domestic Violence, Special Services, and Pre-Sentence Investigation Units to a more

manageable size; and additional purchase of service contract funding is requested for the Maui/Moloka'i Drug Court to sustain treatment services at current levels and possibly expand the number of clients served.

Capital Improvement Project (CIP) requirements remain a major item of concern as the Judiciary's infrastructure continues to age and deteriorate, and as the population served and services provided by the Judiciary keep expanding. Our top priority CIP funding request is for \$5.8 million for furniture, fixtures, and equipment (FF&E) for our new Kona Judiciary Complex. Construction of the new courthouse is currently ongoing, with the project on schedule for opening in late summer/early fall 2019, so it is extremely important that the procurement process for the new FF&E begin early in FY 2019. Another \$10.1 million in CIP funding is being requested for FY 2019 to address certain critical needs, some of which relate to the health and safety of Judiciary employees and the public. Specifically, the Judiciary is requesting funds to upgrade and modernize fire alarm systems and elevators at Ka'ahumanu Hale in First Circuit, both of which are more than 30 years old, are tied into each other, and which continue to malfunction with greater frequency; and to reroof and repair leaks and damages at Pu'u honua Kaulike in the Fifth Circuit. Lastly, CIP lump sum funding of \$3 million is being requested so that we can address both continuing and emergent building issues.

The Judiciary recognizes that there are many competing initiatives and difficult choices to be made regarding limited available general fund and general obligation bond fund resources. We believe that our approach to our supplemental budget request reflects consideration of these concerns yet still provides a cost-effective opportunity to provide the necessary court and legal services to the public and to the clients we serve.

We know that the Legislature shares the Judiciary's commitment to preserving a fair and effective judicial system for Hawai'i. On behalf of the Judiciary, I extend my heartfelt appreciation for your continued support and consideration.

Sincerely,

A handwritten signature in black ink, reading "Mark E. Recktenwald". The signature is fluid and cursive, with the first name "Mark" being more prominent.

MARK E. RECKTENWALD  
Chief Justice  
December 19, 2017



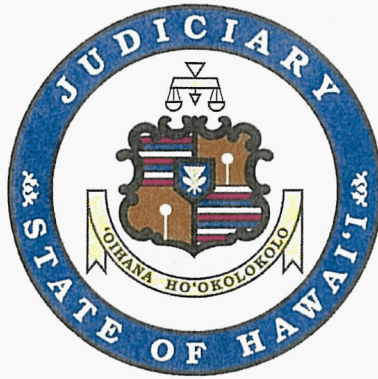
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# PART I



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## Introduction

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# INTRODUCTION

The mission of the Judiciary as an independent branch of government is to administer justice in an impartial, efficient, and accessible manner in accordance with the law.

## Judiciary Programs

The major program categories of the Judiciary are court operations and support services. Programs in the court operations category serve to safeguard the rights and interests of persons by assuring an equitable and expeditious judicial process. Programs in the support services category enhance the effectiveness and efficiency of the judicial system by providing the various courts with administrative services such as fiscal control and direction of operations and personnel.

The following is a display of the program structure of the Judiciary:

Program Structure Number	Program Level			Program I.D.
	I	II	III	
01	The Judicial System			
01 01	Court Operations			
01 01 01			Courts of Appeal	JUD 101
01 01 02			First Circuit	JUD 310
01 01 03			Second Circuit	JUD 320
01 01 04			Third Circuit	JUD 330
01 01 05			Fifth Circuit	JUD 350
01 02	Support Services			
01 02 01			Judicial Selection Commission	JUD 501
01 02 02			Administration	JUD 601

## Contents of Document

This document contains the Judiciary Supplemental Budget. It has been prepared to supplement the Judiciary Budget Document presented to the Legislature in December 2016, and serves as the basis for amending the Judiciary Appropriations Act (Act 195, SLH 2017) passed by the Twenty-Ninth State Legislature.

The following is an explanation of the sections contained in this document:

## Operating Program Summaries

The summaries in this section present data at the total judicial system level and at the court operations and support services levels.

## Operating Program Plan Details

The Supplemental Budget is presented by major program areas. Each program area includes a financial summary, followed by narratives on the program objectives, and related data. The budget requests are listed and then discussed.

## Capital Improvements Appropriations and Details

This section provides capital improvements cost information by project, cost element, and means of financing over the 6-year planning period.

## Variance Report

This section provides information on the estimated and actual expenditures, positions, measures of effectiveness, and program size indicators for major program areas within the Judiciary.

## The Budget

The recommended levels of operating expenditures for FY 2019 by major programs are as follows:

### Operating Expenditures (in \$)

Major Program	MOF	Current Appropriation	Supplemental Request	Total Request
Courts of Appeal	A	6,973,769	108,311	7,082,080
First Circuit	A	84,869,401	330,316	85,199,717
	B	4,303,649	---	4,303,649
Second Circuit	A	16,937,804	594,012	17,531,816
Third Circuit	A	20,018,501	200,254	20,218,755
Fifth Circuit	A	7,782,815	334,576	8,117,391
Judicial Selection Commission	A	98,790	---	98,790
Administration	A	26,417,387	---	26,417,387
	B	7,993,737	---	7,993,737
	W	<u>343,261</u>	<u>---</u>	<u>343,261</u>
<b>Total</b>	A	163,098,467	1,567,469	164,665,936
	B	12,297,386	---	12,297,386
	W	<u>343,261</u>	<u>---</u>	<u>343,261</u>

## Revenues

The projected revenues (all sources) for FY 2019 by major programs are as follows:

### Revenues (in \$)

Major Program	Amount
Courts of Appeal	78,200
First Circuit	33,537,140
Second Circuit	3,795,919
Third Circuit	4,687,230
Fifth Circuit	1,571,045
Administration	<u>134,925</u>
<b>Total</b>	<u><b>43,804,459</b></u>

## Cost Categories, Cost Elements, and Means of Financing

"**Cost categories**" identifies the major types of costs and includes operating and capital investment.

"**Cost elements**" identifies the major subdivisions of a cost category. The category "operating" includes personal services, other current expenses, and equipment. The category "capital investment" includes plans, land acquisition, design, construction, and equipment.

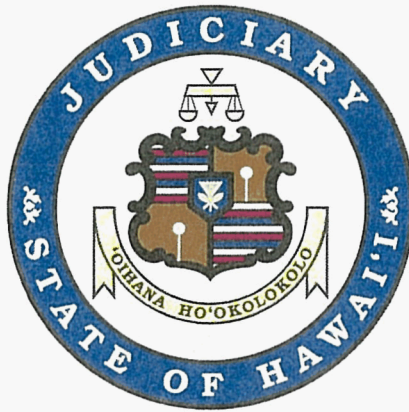
"**Means of financing**" (**MOF**) identifies the various sources from which funds are made available and includes general funds (A), federal funds (N), special funds (B), revolving funds (W), and general obligation bond funds (C).

This document has been prepared by the Office of the Administrative Director with assistance from the Judiciary staff. It is being submitted to the Twenty-Ninth State Legislature in accordance with the provisions of Chapter 37, Hawai'i Revised Statutes.



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## PART II



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## Operating Program Summaries

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POSITION IN PROGRAM STRUCTURE  
Level No. Title

Level I 01 The Judicial System  
Level II  
Level III

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	1,964.50 * ^ 124.02 #	0.00 * 0.00 #	1,964.50 * ^ 124.02 #	1,964.50 * ^ 124.02 #	30.50 * (12.00) #	1,995.00 * ^ 112.02 #	1,964.50 * ^ 124.02 #	1,995.00 * ^ 112.02 #
Personal Services	123,851,012	0	123,851,012	124,269,804	1,427,274	125,697,078	248,120,816	249,548,090
Other Current Expenses	50,839,181	0	50,839,181	50,525,249	80,000	50,605,249	101,364,430	101,444,430
Equipment	989,418	0	989,418	944,061	60,195	1,004,256	1,933,479	1,993,674
Motor Vehicles	0	0	0	0	0	0	0	0
Total Operation Costs	175,679,611	0	175,679,611	175,739,114	1,567,469	177,306,583	351,418,725	352,986,194
Capital & Investment Costs	7,750,000	0	7,750,000	1,600,000	18,880,000	20,480,000	9,350,000	28,230,000
Total Program Expenditures	183,429,611	0	183,429,611	177,339,114	20,447,469	197,786,583	360,768,725	381,216,194

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	1,922.50 * ^ 115.02 # 163,038,964	0.00 * 0.00 # 0	1,922.50 * ^ 115.02 # 163,038,964	1,922.50 * ^ 115.02 # 163,098,467	30.50 * (12.00) # 1,567,469	1,953.00 * ^ 103.02 # 164,665,936	1,922.50 * ^ 115.02 # 326,137,431	1,953.00 * ^ 103.02 # 327,704,900
Special Funds	42.00 * 9.00 # 12,297,386	0.00 * 0.00 # 0	42.00 * 9.00 # 12,297,386	42.00 * 9.00 # 12,297,386	0.00 * 0.00 # 0	42.00 * 9.00 # 12,297,386	42.00 * 9.00 # 24,594,772	42.00 * 9.00 # 24,594,772
Revolving Funds	0.00 * 0.00 # 343,261	0.00 * 0.00 # 0	0.00 * 0.00 # 343,261	0.00 * 0.00 # 343,261	0.00 * 0.00 # 0	0.00 * 0.00 # 343,261	0.00 * 0.00 # 686,522	0.00 * 0.00 # 686,522
G.O. Bond Fund	7,750,000	0	7,750,000	1,600,000	18,880,000	20,480,000	9,350,000	28,230,000
Total Financing	1,964.50 * ^ 124.02 # 183,429,611	0.00 * 0.00 # 0	1,964.50 * ^ 124.02 # 183,429,611	1,964.50 * ^ 124.02 # 177,339,114	30.50 * (12.00) # 20,447,469	1,995.00 * ^ 112.02 # 197,786,583	1,964.50 * ^ 124.02 # 360,768,725	1,995.00 * ^ 112.02 # 381,216,194

\* Permanent position FTE

# Temporary position FTE

^ Includes 2 permanent positions FTE for the Community Court Outreach Project per Act 195/17, Section 7(3)

## POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III		

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs								
	1,735.50 * ^	0.00 *	1,735.50 * ^	1,735.50 * ^	30.50 *	1,766.00 * ^	1,735.50 * ^	1,766.00 * ^
	104.54 #	0.00 #	104.54 #	104.54 #	(12.00) #	92.54 #	104.54 #	92.54 #
Personal Services	107,282,906	0	107,282,906	107,695,778	1,427,274	109,123,052	214,978,684	216,405,958
Other Current Expenses	33,190,161	0	33,190,161	33,190,161	80,000	33,270,161	66,380,322	66,460,322
Equipment	8,160	0	8,160	0	60,195	60,195	8,160	68,355
Motor Vehicles	0	0	0	0	0	0	0	0
	1,735.50 * ^	0.00 *	1,735.50 * ^	1,735.50 * ^	30.50 *	1,766.00 * ^	1,735.50 * ^	1,766.00 * ^
	104.54 #	0.00 #	104.54 #	104.54 #	(12.00) #	92.54 #	104.54 #	92.54 #
Total Operation Costs	140,481,227	0	140,481,227	140,885,939	1,567,469	142,453,408	281,367,166	282,934,635
Capital & Investment Costs	0	0	0	0	0	0	0	0
	1,735.50 * ^	0.00 *	1,735.50 * ^	1,735.50 * ^	30.50 *	1,766.00 * ^	1,735.50 * ^	1,766.00 * ^
	104.54 #	0.00 #	104.54 #	104.54 #	(12.00) #	92.54 #	104.54 #	92.54 #
Total Program Expenditures	140,481,227	0	140,481,227	140,885,939	1,567,469	142,453,408	281,367,166	282,934,635

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	1,694.50 * ^	0.00 *	1,694.50 * ^	1,694.50 * ^	30.50 *	1,725.00 * ^	1,694.50 * ^	1,725.00 * ^
	104.54 #	0.00 #	104.54 #	104.54 #	(12.00) #	92.54 #	104.54 #	92.54 #
General Fund	136,177,578	0	136,177,578	136,582,290	1,567,469	138,149,759	272,759,868	274,327,337
	41.00 *	0.00 *	41.00 *	41.00 *	0.00 *	41.00 *	41.00 *	41.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	4,303,649	0	4,303,649	4,303,649	0	4,303,649	8,607,298	8,607,298
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	1,735.50 * ^	0.00 *	1,735.50 * ^	1,735.50 * ^	30.50 *	1,766.00 * ^	1,735.50 * ^	1,766.00 * ^
	104.54 #	0.00 #	104.54 #	104.54 #	(12.00) #	92.54 #	104.54 #	92.54 #
Total Financing	140,481,227	0	140,481,227	140,885,939	1,567,469	142,453,408	281,367,166	282,934,635

\* Permanent position FTE

# Temporary position FTE

^ Includes 2 permanent positions FTE for the Community Court Outreach Project per Act 195/17, Section 7(3)

POSITION IN PROGRAM STRUCTURE  
Level No. Title

Level I 01 The Judicial System  
Level II 02 Support Services  
Level III

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	229.00 *	0.00 *	229.00 *	229.00 *	0.00 *	229.00 *	229.00 *	229.00 *
	19.48 #	0.00 #	19.48 #	19.48 #	0.00 #	19.48 #	19.48 #	19.48 #
Personal Services	16,568,106	0	16,568,106	16,574,026	0	16,574,026	33,142,132	33,142,132
Other Current Expenses	17,649,020	0	17,649,020	17,335,088	0	17,335,088	34,984,108	34,984,108
Equipment	981,258	0	981,258	944,061	0	944,061	1,925,319	1,925,319
Motor Vehicles	0	0	0	0	0	0	0	0
	229.00 *	0.00 *	229.00 *	229.00 *	0.00 *	229.00 *	229.00 *	229.00 *
	19.48 #	0.00 #	19.48 #	19.48 #	0.00 #	19.48 #	19.48 #	19.48 #
Total Operation Costs	35,198,384	0	35,198,384	34,853,175	0	34,853,175	70,051,559	70,051,559
Capital & Investment Costs	7,750,000	0	7,750,000	1,600,000	18,880,000	20,480,000	9,350,000	28,230,000
	229.00 *	0.00 *	229.00 *	229.00 *	0.00 *	229.00 *	229.00 *	229.00 *
	19.48 #	0.00 #	19.48 #	19.48 #	0.00 #	19.48 #	19.48 #	19.48 #
Total Program Expenditures	42,948,384	0	42,948,384	36,453,175	18,880,000	55,333,175	79,401,559	98,281,559

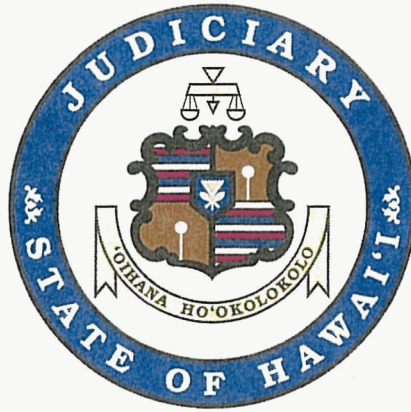
REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	10.48 #	0.00 #	10.48 #	10.48 #	0.00 #	10.48 #	10.48 #	10.48 #
General Fund	26,861,386	0	26,861,386	26,516,177	0	26,516,177	53,377,563	53,377,563
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	2.00 *
	9.00 #	0.00 #	9.00 #	9.00 #	0.00 #	9.00 #	9.00 #	18.00 #
Special Funds	7,993,737	0	7,993,737	7,993,737	0	7,993,737	15,987,474	15,987,474
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	343,261	0	343,261	343,261	0	343,261	686,522	686,522
G.O. Bond Fund	7,750,000	0	7,750,000	1,600,000	18,880,000	20,480,000	9,350,000	28,230,000
	229.00 *	0.00 *	229.00 *	229.00 *	0.00 *	229.00 *	229.00 *	229.00 *
	19.48 #	0.00 #	19.48 #	19.48 #	0.00 #	19.48 #	19.48 #	19.48 #
Total Financing	42,948,384	0	42,948,384	36,453,175	18,880,000	55,333,175	79,401,559	98,281,559

\* Permanent position FTE

# Temporary position FTE

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## PART III



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### Operating Program Plan Details

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## POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	01	Courts of Appeal

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	73.00 *	0.00 *	73.00 *	73.00 *	1.00 *	74.00 *	73.00 *	74.00 *
	1.00 #	0.00 #	1.00 #	1.00 #	0.00 #	1.00 #	1.00 #	1.00 #
Personal Services	6,531,196	0	6,531,196	6,578,620	103,236	6,681,856	13,109,816	13,213,052
Other Current Expenses	395,149	0	395,149	395,149	0	395,149	790,298	790,298
Equipment	0	0	0	0	5,075	5,075	0	5,075
Motor Vehicles	0	0	0	0	0	0	0	0
	73.00 *	0.00 *	73.00 *	73.00 *	1.00 *	74.00 *	73.00 *	74.00 *
	1.00 #	0.00 #	1.00 #	1.00 #	0.00 #	1.00 #	1.00 #	1.00 #
Total Operation Costs	6,926,345	0	6,926,345	6,973,769	108,311	7,082,080	13,900,114	14,008,425
Capital & Investment Costs	0	0	0	0	0	0	0	0
	73.00 *	0.00 *	73.00 *	73.00 *	1.00 *	74.00 *	73.00 *	74.00 *
	1.00 #	0.00 #	1.00 #	1.00 #	0.00 #	1.00 #	1.00 #	1.00 #
Total Program Expenditures	6,926,345	0	6,926,345	6,973,769	108,311	7,082,080	13,900,114	14,008,425

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	73.00 *	0.00 *	73.00 *	73.00 *	1.00 *	74.00 *	73.00 *	74.00 *
	1.00 #	0.00 #	1.00 #	1.00 #	0.00 #	1.00 #	1.00 #	1.00 #
General Fund	6,926,345	0	6,926,345	6,973,769	108,311	7,082,080	13,900,114	14,008,425
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	73.00 *	0.00 *	73.00 *	73.00 *	1.00 *	74.00 *	73.00 *	74.00 *
	1.00 #	0.00 #	1.00 #	1.00 #	0.00 #	1.00 #	1.00 #	1.00 #
Total Financing	6,926,345	0	6,926,345	6,973,769	108,311	7,082,080	13,900,114	14,008,425

\* Permanent position FTE

# Temporary position FTE

## **JUD 101 COURTS OF APPEAL PROGRAM INFORMATION AND BUDGET REQUESTS**

### **Supreme Court**

The mission of the Supreme Court is to provide timely disposition of cases, including resolution of particular disputes and explication of applicable law; to license and discipline attorneys; to discipline judges; and to make rules of practice and procedure for all Hawai'i courts.

### **Intermediate Court of Appeals (ICA)**

The mission of the ICA is to provide timely disposition of appeals from trial courts and state agencies, including the resolution of the particular dispute and explication of the law for the benefit of the litigants, the bar, and the public.

## **A. PROGRAM OBJECTIVES**

### **Supreme Court**

- To hear and determine appeals and original proceedings that are properly brought before the court, including cases heard upon
  - applications for writs of certiorari
  - transfer from the ICA
  - reserved questions of law from the Circuit Courts, the Land Court, and the Tax Appeal Court
  - certified questions of law from federal courts
  - applications for writs directed to judges and other public officers
  - applications for other extraordinary writs
  - complaints regarding elections
- To make rules of practice and procedure for all state courts
- To license, regulate, and discipline attorneys
- To discipline judges

### **ICA**

- To promptly hear and determine all appeals from the district, family, and circuit courts and from any agency when appeals are allowed by law.
- To entertain, at its discretion, any case submitted without suit when there is a question of law that could be the subject of a civil action or proceeding in the Circuit Court or Tax Appeal Court, and the parties agree to the facts upon which the controversy depends.

## **B. DESCRIPTION OF BUDGET REQUESTS**

**Staff Attorney for the ICA:** This request in funding of \$108,311 for FY 2019 for a staff attorney for the ICA will enhance the ICA's ability to handle its increased caseload and responsibilities under the restructured appellate system and improve the administration of law.

## **C. REASON FOR BUDGET REQUESTS**

**Staff Attorney for the ICA:** This request of \$108,311 for FY 2019 is to add a staff attorney to the ICA to address its increased caseload and responsibilities under the 2006 restructuring of Hawaii's appellate court system, which will serve to enhance the administration of the law throughout the judicial system.

Effective July 1, 2006, the Legislature restructured Hawaii's appellate court system to increase the ICA's caseload and responsibilities. Prior to July 1, 2006, all appeals were filed with the Hawai'i Supreme Court, which then designated a portion of those appeals to the ICA for disposition. After July 1, 2006, subject to a few exceptions, all appeals are filed with the ICA and the ICA is responsible for rendering a decision on these appeals, with the ICA's decisions subject to discretionary review by the Supreme Court.

The restructuring of the appellate system has significantly increased the ICA's caseload. Shortly before the restructuring, the ICA was responsible for between 40 and 45 percent of the appeals resolved each year, whereas the ICA is currently responsible for over 70 percent of the appeals resolved. The ICA also has a greater number of complex cases. Under the restructured appellate system, the ICA is responsible for resolving approximately 2,500 procedural and substantive motions that formerly were handled by the Supreme Court. One of the primary functions of the ICA staff attorneys is to assist the court in deciding these motions.

When the new appellate system was instituted, the ICA was allotted four staff attorneys and a supervising staff attorney. The ICA filled all these positions by early 2008, and no additional positions have been allotted to the ICA since then.

As an appellate court, the ICA's opinions establish law that is binding upon and provides guidance to trial courts and administrative agencies. Enhancing the ICA's ability to render well-reasoned decisions more expeditiously benefits the public and improves the administration of the law throughout the judicial system. A new staff attorney position will enable the ICA to resolve more appeals. It will enable high priority matters, e.g., cases involving termination of parental rights, which is necessary for a child to be adopted, criminal cases where the defendant is in custody, and other cases given priority by statute, to be resolved more expeditiously. In addition, the staff attorneys will be able to provide more services to the appellate clerk and the Appellate Mediation Program, which will serve to enhance access to justice for parties with cases in the appellate system.



## **JUD 310 FIRST CIRCUIT, JUD 320 SECOND CIRCUIT, JUD 330 THIRD CIRCUIT, AND JUD 350 FIFTH CIRCUIT PROGRAM INFORMATION**

The mission of each of the four circuits is to expeditiously and fairly adjudicate or resolve all matters within its jurisdiction in accordance with law.

### **A. PROGRAM OBJECTIVES**

- To assure a proper consideration of all competing interests and countervailing considerations intertwined in questions of law arising under the Constitutions of the State and the United States in order to safeguard individual rights and liberties and to protect the legitimate interest of the State and thereby ensure to the people of this State the highest standard of justice attainable under our system of government.
- To develop and maintain a sound management system which incorporates the most modern administrative practices and techniques to assure the uniform delivery of services of the highest possible quality, while providing for and promoting the effective, economical, and efficient utilization of public resources.
- To administer a system for the selection of qualified individuals to serve as jurors so as to ensure fair and impartial trials and thereby effectuate the constitutional guarantee of trial by jury.
- To provide for the fair and prompt resolution of all civil and criminal proceedings and traffic cases so as to ensure public safety and promote the general welfare of the people of the State, but with due consideration for safeguarding the constitutional rights of the accused.
- To conduct presentence and other predispositional investigations in a fair and prompt manner for the purpose of assisting the courts in rendering appropriate sentences and other dispositions with due consideration for all relevant facts and circumstances.
- To maintain accurate and complete court records as required by law and to permit immediate access to such records, where appropriate, by employing a records management system which minimizes storage and meets retention requirements.
- To supervise convicted and deferred law violators who are placed on probation or given deferments of guilty pleas by the courts to assist them toward socially acceptable behavior and thereby promote public safety.
- To safeguard the rights and interests of persons by assuring an effective, equitable, and expeditious resolution of civil and criminal cases properly brought to the courts, and by providing a proper legal remedy for legally recognized wrongs.

- To assist and protect children and families whose rights and well-being are jeopardized by securing such rights through action by the court, thereby promoting the community's legitimate interest in the unity and welfare of the family and the child.
- To administer, to the fullest extent permitted by law, the orders and decrees pronounced by the Family Courts so as to maintain the integrity of the judicial process.
- To supervise law violators who are placed on probation by the Family Courts and assist them toward socially acceptable behavior, thereby promoting public safety.
- To protect minors whose environment or behavior is injurious to themselves or others and to restore them to society as law-abiding citizens.
- To complement the strictly adjudicatory function of the Family Courts by providing services such as counseling, guidance, mediation, education, and other necessary and proper services for children and adults.
- To coordinate and administer a comprehensive traffic safety education program as a preventive and rehabilitative endeavor directed to both adult and juvenile traffic offenders in order to reduce the number of deaths and injuries resulting from collisions due to unsafe driving decisions and behavior.
- To develop a statewide drug court treatment and supervision model for non-violent adults and juveniles, adapted to meet the needs and resources of the individual jurisdictions they serve.
- To deliver services and attempt to resolve disputes in a balanced manner that provides attention to all participants in the justice system, including parties to a dispute, attorneys, witnesses, jurors, and other community members, embodying the principles of restorative justice.

#### **LAND COURT/TAX APPEAL COURT**

- To provide for an effective, equitable, and expeditious system for the adjudication and registration of title to land and easements and rights to land within the State.
- To assure an effective, efficient, and expeditious adjudication of all appeals between the tax assessor and the taxpayer with respect to all matters of taxation committed to its jurisdiction.
- To provide a guaranteed and absolute register of land titles which simplifies for landowners the method for conveying registered land.

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POSITION IN PROGRAM STRUCTURE  
Level No. Title

Level I 01 The Judicial System  
Level II 01 Court Operations  
Level III 02 First Circuit

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	1,128.50 * ^	0.00 •	1,128.50 * ^	1,128.50 * ^	12.00 *	1,140.50 * ^	1,128.50 * ^	1,140.50 * ^
	93.58 #	0.00 #	93.58 #	93.58 #	(12.00) #	81.58 #	93.58 #	81.58 #
Personal Services	68,600,307	0	68,600,307	68,859,685	326,256	69,185,941	137,459,992	137,786,248
Other Current Expenses	20,313,365	0	20,313,365	20,313,365	0	20,313,365	40,626,730	40,626,730
Equipment	8,160	0	8,160	0	4,060	4,060	8,160	12,220
Motor Vehicles	0	0	0	0	0	0	0	0
	1,128.50 * ^	0.00 *	1,128.50 * ^	1,128.50 * ^	12.00 *	1,140.50 * ^	1,128.50 * ^	1,140.50 * ^
	93.58 #	0.00 #	93.58 #	93.58 #	(12.00) #	81.58 #	93.58 #	81.58 #
Total Operation Costs	88,921,832	0	88,921,832	89,173,050	330,316	89,503,366	178,094,882	178,425,198
Capital & Investment Costs	0	0	0	0	0	0	0	0
	1,128.50 * ^	0.00 •	1,128.50 * ^	1,128.50 * ^	12.00 *	1,140.50 * ^	1,128.50 * ^	1,140.50 * ^
	93.58 #	0.00 #	93.58 #	93.58 #	(12.00) #	81.58 #	93.58 #	81.58 #
Total Program Expenditures	88,921,832	0	88,921,832	89,173,050	330,316	89,503,366	178,094,882	178,425,198

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	1,087.50 • ^	0.00 *	1,087.50 * ^	1,087.50 * ^	12.00 *	1,099.50 * ^	1,087.50 * ^	1,099.50 * ^
	93.58 #	0.00 #	93.58 #	93.58 #	(12.00) #	81.58 #	93.58 #	81.58 #
General Fund	84,618,183	0	84,618,183	84,869,401	330,316	85,199,717	169,487,584	169,817,900
	41.00 *	0.00 *	41.00 *	41.00 *	0.00 *	41.00 *	41.00 *	41.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	4,303,649	0	4,303,649	4,303,649	0	4,303,649	8,607,298	8,607,298
	0.00 •	0.00 *	0.00 *	0.00 •	0.00 *	0.00 •	0.00 *	0.00 •
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	1,128.50 * ^	0.00 *	1,128.50 * ^	1,128.50 * ^	12.00 •	1,140.50 * ^	1,128.50 * ^	1,140.50 * ^
	93.58 #	0.00 #	93.58 #	93.58 #	(12.00) #	81.58 #	93.58 #	81.58 #
Total Financing	88,921,832	0	88,921,832	89,173,050	330,316	89,503,366	178,094,882	178,425,198

• Permanent position FTE

# Temporary position FTE

^ Includes 2 permanent positions FTE for the Community Court Outreach Project per Act 195/17, Section 7(3)



## **JUD 310 FIRST CIRCUIT BUDGET REQUESTS**

### **A. DESCRIPTION OF BUDGET REQUESTS**

**Funding for a District Family Judge and Court Support Staff for the Family Court of the First Circuit:** In 2007, the Legislature authorized eight positions for two District Family Judges and six related court support staff with no funding. In 2012, the Judiciary received funding for four of these positions: one Judge and three court support staff. This request is for \$330,316 to fund the other previously authorized District Family Judge and three court support staff positions. These positions are necessary to address the heavy Family Court calendars and backlog issues, as well as the continual increase and complexities of familial cases heard before the court which impact the public's access to justice and safety.

**Convert 12 Budgeted Temporary Positions in the Interagency Council on Intermediate Sanctions (ICIS) and Hawai'i Opportunity Probation with Enforcement (HOPE) to Permanent Status:** This no-cost conversion request of two ICIS and ten HOPE temporary positions to permanent standing is an effort to establish continuity in manpower and to stabilize these very successful programs which are geared to achieve offenders' compliance with the terms and conditions of their probation, and to effect a reduction in recidivism.

### **B. REASON FOR BUDGET REQUESTS**

**Funding for a District Family Judge and Court Support Staff for the Family Court of the First Circuit:** In 2007, the First Circuit Family Court requested the creation and funding for two additional District Family Judges and six court support staff positions. In 2012, the Legislature approved funding for one District Family Judge and three court support staff positions. This request seeks \$330,316 in funding for the remaining four positions: a District Family Judge, two Court Clerks, and one Court Bailiff.

Presently, the Family Court Judges do not have enough time to give to individual litigants and cases. This problem has continued to grow with the significant increase in pro se litigants, who require additional court time, the overall heavy caseload in Family Court, and the increasing complexity of cases. Rather than request additional resources and despite staff shortages, the Family Court Judges and staff have worked to maximize their efforts to meet the increasing demand. However, working at such a pace and overtaxing of staff for so long have come at a very high cost. The conditions noted above have resulted in delays in scheduling and hearing cases, increases in the number of ex-parte motions requesting expedited hearings, and delays in the timely processing of documents. All of this contributes to the frustration of the judges, staff, and the public, in addition to impacting the public's access to justice and safety.

The total caseload numbers, as shown later on, do not accurately reflect the number of hearings per case, the length and complexity of these cases, the impact of the large number of self-representing litigants, and the changes in state and federal laws and regulations.

The Family Court of the First Circuit is divided into four divisions - Domestic, Special, Juvenile, and Adult Criminal. The Domestic Division deals with divorces, civil union divorces, and



interstate child custody cases that involve pre-divorce decree, divorce trial, and post-decree issues. The Special Division is responsible for cases involving paternities, Temporary Restraining Orders (TROs)/Orders for Protection, guardianship of minors and of incapacitated adults, involuntary and emergency mental health commitments, assisted community treatment, and adult hospitalizations. The Juvenile Division hears cases involving juvenile law violations, status offenses, and child abuse and neglect. The Adult Criminal Division is involved with cases related to Abuse of Family Household Member charges and violations of TROs and Orders for Protection.

### **Domestic Division**

Currently, three District Family Judge positions (one position is currently vacant) are assigned to this division, along with regularly assigned per diem judges to handle the volume of cases/hearings.

The Domestic Division handles hearings involving issues such as child custody and visitation, custody evaluations, child support, tax dependency, alimony, occupancy of home, property and real property division (including business valuations and divisions), division of retirement benefits, inheritance, division of stocks, division of financial accounts, payment of debts, awarding of vehicles, provision of health/dental insurance coverage for children and/or spouses, uncovered medical/dental expenses, extra-curricular activity expenses, private school expenses, post high school educational expenses, payment of taxes, need for firearms prohibition, and federal and military benefits. On any given court calendar, each judge has to decide any combination of these issues, all of which involve evidentiary hearings.

### **Motion to Set Calendar**

One example of the backlog in the Domestic Division is with the Motion to Set calendar. Motions to Set are settlement conferences and/or trial setting conferences. When a Motion to Set is filed, litigants currently have to wait approximately three to four months for a hearing date, then an additional five to six months for a trial date.

### **Pre/Post Divorce Decree Motions Calendar**

Another example of the backlogs affecting litigants is on the Wednesday Pre/Post Divorce Decree calendar. In presiding over these calendars, the Domestic Division Judges decide any combination of issues mentioned in the previous paragraphs.

Each judge hears approximately 7 to 10 cases on the morning calendar and 10 to 12 cases on the afternoon calendar. So this means that on any given Wednesday, each Domestic Division Judge presides over some 17 to 22 evidentiary hearings.

Another factor to consider on the Pre/Post Divorce Decree calendars is that over 50% of the cases on Domestic Division Judge Wednesday calendars involve at least one pro se litigant. Pro se litigants take up a considerable amount of court time. Due to the sheer volume of cases on Wednesday calendars, judges either run court overtime, which exhausts court staff, or rush through cases to complete their calendars in a timely manner.

## **Special Division**

Three District Family Judge positions (one position is vacant) are currently assigned to this division, along with regularly assigned per diem judges to handle the volume of cases/hearings.

### **Uncontested Adoptions**

One example of the backlog being experienced is with the Uncontested Adoption calendar. The petitions related to adoption in Family Court are unique because these are the only documents which are screened completely from start to finish by Family Court staff. Currently, about 40 to 50 petitions are waiting to be screened before they can be set for hearing. Adoption cases are becoming increasingly complex with having to confirm that the requirements of the Indian Child Welfare Act and the Hague Convention are met, consents are properly obtained from biological/birth parents in surrogacy cases, and proper documentation has been obtained in foreign adoption cases.

The lack of dedicated court time for these uncontested adoption petitions contributes to the backlog as well. Because of a lack of available calendaring time and lack of judges, and because adoptions are only one of the many cases that Special Division Judges hear, adoption hearings are held only one afternoon each week. Families wanting to adopt children are forced to wait many months to have their adoptions granted.

### **Paternity Calendar**

Another example of the backlog is with the Paternity calendar. These cases involve, but are not limited to, issues of legal and physical custody, child support, visitation, medical/dental health insurance coverage, the tax dependency exemption, payment of uncovered medical/dental expenses, child care costs, private school tuition, and extra-curricular activity expenses.

Like the Pre/Post Divorce Decree calendar, over 50% of the litigants who appear before the Special Division Judges handling the Paternity calendar are pro se litigants. As with Domestic Division Judges, the Special Division Judges spend a majority of their court time with the pro se parties.

Previously, when a paternity petition was filed, litigants had to wait approximately 10 months for a hearing date. To help alleviate this backlog, the Special Division Judges, with the help of the Senior Judge and Per Diem Judges, added additional calendars on Wednesday, Thursday, and Friday afternoons to hear paternity cases.

Now, litigants have to wait just five months for a hearing date. However, this is still a long time to wait for litigants who need child support or medical coverage for their children, or who have not been able to see or visit with their children for weeks or months prior to coming to Court. However, since this is just a temporary fix, the backlog will continue to build again like every other calendar in Family Court.

### **TRO/Order for Protection Calendar**

Special Division Judges hear TRO/Order for Protection cases on Mondays, Tuesdays, and Wednesdays. Even when the judges are not in court, they are also reviewing and deciding on ex-parte (non-hearing) TRO petitions daily. If an ex-parte TRO petition is granted, then a hearing is set. Due to the sheer amount of cases needing a hearing, Special Division Judges may go overtime and/or may rush through the cases to complete their heavy calendars while balancing



the extremely real safety concerns, domestic violence dynamics, and other concerns posed in these cases.

Like the other calendars in Family Court, a majority of the litigants who appear on the TRO calendar are pro se litigants which require additional court time by the Special Division Judges.

### **Juvenile Division**

Currently, four District Family Judges are assigned to this division.

#### **Child Abuse and Neglect Cases (“CPS Cases”)**

Child Protective Services (CPS) Review cases are heard during the morning calendar, which equates to approximately a three and half hour time span Monday through Friday, and further breaks down to approximately only 15 minutes per case.

These cases involve issues including, but not limited to, child abuse and neglect, domestic violence, safety, substance abuse, mental health, and termination of parental rights.

Given the gravity of the situation and the very real safety issues involved, Juvenile Division Judges balance the volume of the caseload and the seriousness of the issues while trying to build a working dynamic with the parties involved for the best interest of the children.

#### **Law Violators and Status Offenders (“Juvenile Offender”)**

These cases involve juveniles who break the law or commit an offense that brings them under the jurisdiction of Family Court based solely on their status as a minor such as skipping school, breaking curfew, etc. Currently, the wait for trial for a juvenile offender case is approximately three months.

Additionally, these Juvenile Division Judges also preside over our Specialty Courts: Juvenile Drug Court, Zero to Three Court, Girls Court, Family Drug Court, and Permanency Court. A Juvenile Judge is also presiding over the Imua Kakou Court (Voluntary Care to age 21), which was legislatively mandated, and our newest project, Truancy Court.

### **Other Factors Affecting Family Court Judges**

#### **Family Court Litigant Demographics**

Family Court has a self-help desk called the Ho‘okele Help Desk. There are Help Desk stations located in the Ronald T.Y. Moon Kapolei Courthouse and the Ka‘ahumanu Courthouse in Honolulu. In 2016, Family Court Help Desk employees assisted 60,926 litigants compared to 57,169 litigants in 2015, an increase of 7%. A majority of the phone calls and in-person help are for pro se litigants. The number of pro se litigants in need of assistance will continue to grow because of the complexity of Family Court cases.

These numbers illustrate the overwhelming volume of pro se litigants that pass through the Family Court doors on a daily basis. Over 50% of the cases involve at least one pro se litigant. Many of the cases have double pro se parties, which mean both parties choose to, or due to financial constraints are forced to, represent themselves through a Court process that is unfamiliar, intimidating, and extremely overwhelming. As a result, Family Court Judges spend a

considerable amount of court time interacting with the pro se litigants in court to help them resolve their issues.

### **Family Court Hearings are Evidentiary Hearings**

Unlike any other court, the majority of the hearings held in Family Court are evidentiary hearings which involve the taking of testimony from the parties and any other necessary witnesses, and which also may involve the introduction of exhibits. These hearings are extremely time consuming and require the full attention of the judge because they involve issues directly affecting families and children.

Sometimes, as a result of the calendar, each party is allotted only 15 minutes to present his or her case. This creates an access to justice issue as Family Court litigants are not fully afforded adequate time for their respective cases.

Not only do the litigants feel “rushed”, which impedes settlement and clogs the court calendar, but more importantly, litigants are often not satisfied with their Family Court experience as the presiding judge is compelled to quickly make a decision that affects their everyday lives.

### **Conclusion**

All of these hearings held in the Domestic, Special, and Juvenile Divisions involve issues that are sensitive in nature, highly emotional, and extremely important to the parties who appear before the Family Court Judges.

More often than not, the cases cross over among Divisions. It is not uncommon for a paternity case to have a related restraining order case and related child welfare case.

Ultimately, the cases that are heard in Family Court are unique in the sense that they involve fundamental issues that affect and are at the center of people’s everyday lives – the safety and well-being of their children and families.

In conclusion, Family Court needs the additional judgeship and court staff positions to be funded in order to meet the needs of our community.

Specifically, we are requesting funding for one permanent full-time Judge to preside over Family Court hearings, and for two permanent full-time Circuit Court Clerk II positions and one permanent full-time Court Bailiff II position to assist the judge in performing his/her duties in and outside of court and to help maintain efficient and consistent court operations.

The Court Clerks take minutes of court proceedings that become part of the court record, receive and file documents and exhibits, schedule hearings, and handle inquiries and concerns from attorneys, parties, and the public. While one Court Clerk is in court with the judge, the other Court Clerk will be in chambers, preparing documents and files for upcoming hearings, processing documents, entering minutes into the court’s data base systems of HAJIS, JUSTIS, ICAL or other data base systems, and answering telephone calls from attorneys and the public. The Court Clerks also manage and complete the daily tasks that are essential to ensure court mandates are fulfilled timely and forthwith as ordered by the court.



The Court Bailiff keeps order during court proceedings and facilitates the movement of cases being heard by the judges. The Court Bailiff also assists in directing the attorneys and parties to the correct courtroom or program, keeps order in the hallways by keeping parties to restraining order cases separate while they wait for their hearing to be called, and handles the phone calls from attorneys and parties who have permission to appear by phone for their hearing.

Our Kapolei Courthouse already has a courtroom, chambers, and office space available for the additional judge and staff.

According to the Judiciary's yearly caseload statistics, during FY 2017, the judges assigned to the Domestic Division handled 3,537 new cases plus the carryover of 4,286 cases from the prior fiscal year for a total caseload of 7,823 cases. The Domestic Division also handles Civil Union Actions and Proceedings which are included in the total number of cases per fiscal year. As such, each of the three Domestic Division Judges presides over trials and also has hearings to help parties reach an agreement and avoid court battles. Pre-trial and post-trial hearings are full evidentiary hearings, similar to the civil division, but without sufficient support staff and law clerks, and with no juries making dispositive decisions.

In FY 2017, the judges assigned to the Juvenile Division handled 3,711 new juvenile cases and 1,203 new "children on status" cases ("children on status" cases are defined primarily as probation, protective supervision, family supervision, foster custody, and permanent custody cases.) Adding 1,216 carry-over juvenile cases and 1,309 carry-over "children on status" cases from FY 2016, the Juvenile Division Judges handled a total of 7,439 cases in FY 2017. Again, the total number of cases does not reflect that number of actual hearings held in each case. Besides the initial hearings and trial, adjudicated cases require many subsequent hearings over a number of years. Additionally, these Juvenile Division Judges preside over our various Specialty Courts, the Imua Kakou Court (Voluntary Care to 21) mandated by the Legislature, and our new Truancy Court.

In FY 2017, the judges assigned to the Special Division handled 5,795 new restraining order, paternity, adoption, involuntary commitment, and guardianship cases, plus the carryover of 3,745 cases from the prior fiscal year, for a total caseload of 9,540 cases. Although not every hearing is a trial, every hearing represents a family with all the complexities found in any family, except these families have the additional burdens that require court actions, such as domestic violence.

Additionally, Family Court Judges rotate monthly being on call 24 hours a day, 7 days a week, for emergency hospitalizations and mental health commitment determinations. The judges and staff also work with the community to create solutions for problems facing our children; speak at schools; and volunteer their time, after-hours, for mock trials, moot courts, task force meetings, and other community or school efforts and activities. The circuit is divided geographically with each Family Court Judge assigned a geographic area and the judges are expected to become familiar with their area's schools, community needs, community leaders, and services.

All of the statistics do not account for one very important part of the duties of a judge, that is, preparing for cases. The judges must review and research the motions and other documents in the case file and related case files, as well as draft orders, decisions, and findings of fact and conclusions of law (Family Court Judges are without Law Clerks to assist them). Other responsibilities assigned to Family Court Judges include: conducting status, discovery, pre-trial,

settlement, and trial setting conferences; and participating in various community and other agency activities (e.g., attending school meetings with parents and students).

As a decision maker, the Family Court Judge must focus on the “best interest” of the child standard, render timely decisions, hear testimony and conduct other court activities, manage cases, and perform administrative duties. As a leader, the Family Court Judge collaborates with and convenes agencies and community stake-holder groups, works to improve the justice system, enforces accountability among stake-holders, trains and educates community participants, and improves and establishes service provisions for children and families. As a student, the Family Court Judge reviews relevant case materials; keeps current with professional journals and research articles; seeks new resources for more comprehensive servicing of children and families; meets with court personnel, other judges, and community groups/leaders; and attends judicial conferences and training workshops/sessions.

Over the last six years, Family Court, has seen an increase in the use of per diem judges. The table below shows the cost of per diem judge coverage since FY 2012:

<b>Fiscal Year</b>	<b>No. of Days</b>	<b>Cost</b>
2012	587	\$299,209
2013	657	334,485
2014	696	483,421
2015	769	544,821
2016	815	588,976
2017	1,099	810,117

The increase in cost for FY 2017 was the result of reassignment of Family Court Judges to help cover higher than usual judicial vacancies in the Circuit and District Courts. Unless the First Circuit continues to experience a higher level of judicial vacancies, per diem judge costs should return to previous levels as the vacancies are filled. Even with the additional judge, there will still be significant demand for per diem judge coverage as vacancies occur, and based on the need for judges to recuse themselves due to case conflicts, to attend meetings/provide services to various organizations and committees (both within the Judiciary and in the community), to attend training classes, to cover for judges temporarily reassigned to help other courts, and to sit in court when additional calendars are scheduled because of the demand for Family Court hearings. Presently, a per diem judge has been assigned to hear divorce cases every Wednesday in the Domestic Division since July, 2013.

The justification for the two new District Family Judge and Court Support staff positions was set forth in the Judiciary’s 2007-2009 Biennium requests. It included the following:

“Family Courts throughout the country, ours being no exception, have been compared to hospital emergency rooms as people who show up there are in crises and misery, and are often at their worst. Because our Family Court hears every kind of family problem, our judges see every family emergency imaginable. Children, sometimes as young as 11 years old, are arrested and



brought to Family Court for having made poor choices, and our judges must decide if the children should be sent to the Hawai'i Youth Correctional Facility, to a treatment program, or released back into the community.

What does the judge do when the parents of a 14 year old runaway girl, who is pregnant, addicted to methamphetamine and in love with her pimp, look to the court for help? Parents are also brought to Family Court for harming their children and our judges must decide whether or not to terminate their parental rights, sometimes for as long as 16 or 17 years, depending on the age of the child.

What does the judge do when an infant has been severely hurt, but no one can say for sure if either parent did it? Family members (spouses, grandparents, siblings, and grandchildren), boyfriends, and girlfriends come to our Family Court seeking orders prohibiting other family members from contacting them. What does the judge do when a wife says that yes, her husband did constantly beat her up and threaten her all the time, but he's been very nice since the TRO was issued and now she is adamant that he is not dangerous anymore? Our Family Court Judges are routinely asked to decide which parent gets to have the kids, inevitably altering forever the lives of not just the children, but of the parents as well.

What does a judge do when a divorcing parent decides to move to the mainland for a better job opportunity and wants to take the children with them, while the other parent wants to stay in Hawai'i with the children? These are gut-wrenching decisions, involving some of the most personal, emotional, and dangerous issues that exist. Yet, the painful reality, which has existed for some time now, is that the sheer volume of cases in Family Court makes it impossible to give the parties the time they want, need, and deserve, and to give the judges the time demanded by these complex and emotionally charged issues.

On any given morning (morning only, not a full day), a Family Court Judge handles between 10 and 20 Child Protective Services cases. These are cases where the judge must decide if the parents harmed their child and if so, whether to take the child from the parents. Looking at 15 cases in a morning, our Family Court Judges spend an average of just under 15 minutes per case, assuming that there are no delays that morning. Is 15 minutes a sufficient amount of time for a child?

In another real-life example, in one morning (morning only, not a full day), a Family Court Judge handles on average 12 to 15 TRO cases. These are cases where a judge must decide whether to restrain (keep away) fathers from mothers, grandchildren from grandparents, and so forth, and if so, for how long and under what conditions. Looking at 12 cases in a morning, our Family Court Judges spend between 17 and 18 minutes per TRO case. Again, this time-frame assumes no delays. Would someone so fearful of a relative that they sought a restraining order, or someone accused by a family member of needing to be restrained, feel that 17 to 18 minutes was enough time for the entire case to be presented and decided?

In one final example, it is very common for Family Court Judges to have only one day of trial to decide which divorcing parent gets custody of the children. This unbelievably short time-frame is a by-product of high caseload volume and few Family Court Judges. Further, devoting more than one day to trial would further delay other cases.

Finally, one can only imagine the pressure our judges are under knowing that they have to make such life-altering decisions in minutes. The implications of their decisions can be severe. If a child is returned home too soon, the child might be killed. If a TRO is denied, a grandmother or mother might die. If a child is not sent to the best home possible, the child's development may be impeded forever. Add to this is the reality that many of these cases include issues of chronic drug addiction, severe domestic violence, longstanding mental illness, poverty, and homelessness."

The additional Family Court Judge is critically needed to help families truly have their day in court. Authorization to fund the remaining Family Court Judgeship and three support staff positions is therefore requested to ensure that our judges have the collective resources to devote sufficient time to litigants and that justice is properly administered in Family Court cases.

**Convert 12 Budgeted Temporary Positions in the ICIS and HOPE Programs to Permanent Status:** First Circuit is requesting that six Social Workers and six Social Service Assistants working within the ICIS and HOPE programs be converted from temporary to permanent status. This is a no-cost conversion as funds were previously provided for these temporary positions.

ICIS (two positions): At the Order of the Chief Justice in 2002, ICIS was created with a vision to reduce recidivism by 30% among its adult offenders across the criminal justice system in Hawai'i, through the use of effective evidence-based risk assessments and treatment approaches. This effort has enabled the correct targeting of resources toward the higher risk offenders, that is, those who are responsible for the repeated criminal activity in the state, as well as being more efficient at managing the lower risk population.

The ICIS probation officer position was created in the Intake/Pre-Sentencing Units of the Adult Client Services Branch to assess risk and criminogenic needs of an offender using validated instruments. Performing this task at the presentence phase assists judges in setting conditions of release and assists probation staff in identifying the risk factors that require interventions.

The ICIS social service assistant collects DNA samples (buccal swab and print impressions) from all felons and maintains the data related to the collections in the Criminal Justice Information System supported by the Hawai'i Department of the Attorney General. DNA sample collections are mandated by Section 844D, HRS.

HOPE (ten positions): HOPE is a critical component in the continuum for felony probation supervision. Through ICIS's efforts, we can now triage offenders by risk and needs, and determine where and how a probationer's risk is better and more cost-effectively managed, whether it be probation-as-usual (at \$1,000/offender/year), HOPE (at \$1,500/offender/year), or our specialty courts where offender costs per year are generally much higher.

HOPE was created and shepherded by retired First Circuit Judge Steven Alm in response to Hawai'i Revised Statutes (HRS), 706-605.1, enacted in 1995, which mandates the Judiciary "to implement alternative programs that place, control, supervise, and treat selected defendants in lieu of a sentence of incarceration."

HOPE was designed as a probationer-centered collaborative strategy targeting higher risk, higher need probationers to effect behavioral change to reduce recidivism. HOPE's three-part strategy involves well-educated and skilled probation officers using evidence-based principles; a patient



judge who provides a caring and supportive environment; and swift, certain, consistent and proportionate sanctions. Given the large number of probationers with drug and alcohol issues, a robust drug testing component is critical to HOPE's success.

HOPE began in 2004 with 34 felony probationers; by 2010, it had some 1,800 probationers and now, just seven years later, HOPE has more than 2,600 probationers out of 3,800 probationers on active supervision and which includes all sex offenders on probation on O'ahu. This increase in growth by over 40% since 2010 attests to the success of, and commitment to, the program. The notable success is also documented by research by the Hawai'i Department of the Attorney General, Pepperdine University, UCLA, and the Smith Richardson Foundation in 2009. Probationers in HOPE, compared to those in the control group on probation-as-usual, used drugs 72% less often, were arrested 55% less often for new crimes, and were sentenced to prison 48% less often.

Follow up research published in 2014 showed that HOPE had impressive sustainability. By this time, with virtually all of the probationers no longer under supervision, HOPE's recidivism reduction effects persevered. Offenders who had been in HOPE were arrested for new crimes 23% less often (50% less often for drug offenses) and were being sent to prison 50% less often than those who had been in the control group. Given that prison in Hawai'i costs over \$50,000 per inmate per year, the cost savings realized by the HOPE strategy are substantial.

Initiatives based on HOPE have now begun in 32 states in the areas of probation, parole, and for pretrial; further, three states are also using the HOPE sanctions component to reduce inmate-on-inmate and inmate-on-staff assaults, and to reduce their overall reliance on restrictive housing/solitary confinement. Hawai'i has served as an effective model for implementing effective supervision in these areas.

The Judiciary seeks to make ICIS and HOPE permanent programs, and integrate them as an additional intermediate sanction within the criminal justice system. With improved compliance to probation officer appointments, drug testing, and treatment, offenders are more likely to demonstrate approved adjustment in the community. These efforts to change offender behavior has resulted in an overall reduction in recidivism of 27.6% to date. Given the appropriate resources, it is believed that ICIS and HOPE will continue to be a factor in this trend.

Employee turnover due to the temporary nature of these positions has resulted in increased risk exposure to the community (two of these positions are assigned to the sex offender unit and two others are assigned to manage the high risk, actively using substance abusers). Applicants and those filling temporary positions look for and will accept more desirable positions elsewhere that offer permanency. The turnover and continual recruitment and retraining efforts are neither a cost effective nor efficient way of utilizing limited resources. When employees leave and positions remain unfilled for a period of time, their caseloads require distribution to other staff who may already have caseloads of up to 150, resulting in less supervision of the offender. Moreover, the constant movement of cases resulting from employee turnover negatively affects the morale of program staff and the quality of the relationship between the probation officer and the probationer. Our drug testing capacity is also impacted by our inability to fill vacant positions.

Permanent positions within the ICIS and HOPE programs will play a vital role in their continued success and longevity, and help to stabilize these very successful and life changing programs that are geared to monitor the high risk offender. Research supports the fact that focusing attention on the high risk offender produces a larger impact on the reduction of crime since these are the individuals most likely to commit new crimes. We believe that this will benefit the community in many ways including improved public safety, fewer costly imprisonments, and more working individuals contributing to society

## POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	03	Second Circuit

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	207.00 *	0.00 *	207.00 *	207.00 *	7.50 *	214.50 *	207.00 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
Personal Services	12,469,310	0	12,469,310	12,509,151	474,732	12,983,883	24,978,461	25,453,193
Other Current Expenses	4,428,653	0	4,428,653	4,428,653	80,000	4,508,653	8,857,306	8,937,306
Equipment	0	0	0	0	39,280	39,280	0	39,280
Motor Vehicles	0	0	0	0	0	0	0	0
	207.00 *	0.00 *	207.00 *	207.00 *	7.50 *	214.50 *	207.00 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
Total Operation Costs	16,897,963	0	16,897,963	16,937,804	594,012	17,531,816	33,835,767	34,429,779
Capital & Investment Costs	0	0	0	0	0	0	0	0
	207.00 *	0.00 *	207.00 *	207.00 *	7.50 *	214.50 *	207.00 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
Total Program Expenditures	16,897,963	0	16,897,963	16,937,804	594,012	17,531,816	33,835,767	34,429,779

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	207.00 *	0.00 *	207.00 *	207.00 *	7.50 *	214.50 *	207.00 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
General Fund	16,897,963	0	16,897,963	16,937,804	594,012	17,531,816	33,835,767	34,429,779
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	207.00 *	0.00 *	207.00 *	207.00 *	7.50 *	214.50 *	207.00 *	214.50 *
	1.68 #	0.00 #	1.68 #	1.68 #	0.00 #	1.68 #	1.68 #	1.68 #
Total Financing	16,897,963	0	16,897,963	16,937,804	594,012	17,531,816	33,835,767	34,429,779

\* Permanent position FTE

# Temporary position FTE



## **JUD 320 SECOND CIRCUIT BUDGET REQUESTS**

### **A. DESCRIPTION OF BUDGET REQUESTS**

**District Court Judgeship and Support Staff:** Funding of \$341,954 is requested for a District Court Judge and related support staff to handle increased caseload and expand court calendars in the Second Circuit.

**Purchase of Service (POS) Contract Funding for Maui Drug Court (MDC):** The Second Circuit is requesting \$80,000 for MDC to continue treatment services with a POS contractor, and possibly expand the number of clientele served.

**Probation Officer Positions for Adult Client Services Branch (ACSB):** Funding of \$172,058 for three Social Worker positions is requested to support increased workload at the ACSB on Maui.

**Janitor Position for Lahaina District Court:** Second Circuit is requesting one half-time Janitor position for the Lahaina District Courthouse, pursuant to the 1997 Konno vs. County of Hawai'i ruling.

### **B. REASON FOR BUDGET REQUESTS**

**District Court Judgeship and Support Staff:** The Second Circuit is requesting \$341,954 to establish a District Court Judgeship and three related staff support positions. Congested court calendars, caused in part by increased case filings, combined with Maui County's unique tri-isle geography, remote rural jurisdictions, and demographics, have sometimes hindered and posed significant barriers to Second Circuit's ability to administer justice in a timely, accessible, and efficient manner.

The last District Court judge position for the Second Circuit was legislatively authorized in 1982, which increased the number of judge positions from two to three. Since then, the population of Maui County has more than doubled, from about 77,000 in 1982 to a projected 173,000 in 2017. Just from 2011 to 2017, the population is projected to increase by 16,000 or some 10.2%, while during this same basic period, new traffic filings increased by 30.3% from 21,694 to 28,276 cases and new criminal filings by 16.2% from 2,859 to 3,322 cases.

These statistics indicate that an additional judge and more court calendar time are needed in District Court as court calendars are currently inadequate. On Maui, nearly all District Court civil, criminal, and traffic cases in the Second Circuit fall within the venue of the Division of Wailuku, and are heard in Hoapili Hale in Wailuku. The District Court also convenes in Hāna and Lāna'i once a month, on Moloka'i three times per month, and in Lahaina three days per week. These calendars are insufficient to keep up with also the growing number of cases being filed in the rural and off-island courts, and have become quite congested, especially in Wailuku where the two courtrooms have court scheduled all day, every day of the week. Further, this heavy calendar workload sometimes does not allow Maui's District Court judges to timely attend

to other important judicial responsibilities such as requests for finding of probable cause for extended restraint of liberty of warrantless arrestees, review and approval of charging by felony information packet, orders pertaining to bail, execution of search warrants, orders to show cause, and approval of temporary restraining orders and protective orders; and review of and action on civil traffic written statements, traffic notices of discrepancies, and ex-parte and non-hearing motions.

It is expected that this new District Court judge and support staff (two District Court Clerks and one Bailiff) would be based at the Lahaina District Court. This would allow for increasing the Lahaina District Court from a three day to a five day a week rural court, and for the three District Court judges in Wailuku to expand the existing court calendars in Wailuku as well as in Hāna, Moloka‘i and Lāna‘i.

In summary, the additional judge and staff would not only help address the increasing number of filings and congested calendars, but would also accommodate the needs of the growing rural communities that are underserved at present and enable the judges to attend to other duties in a timelier manner.

**POS Contract Funding for MDC:** The Second Circuit is requesting an additional \$80,000 in POS contract funds for the MDC to continue treatment services with a POS contractor and possibly expand the number of clientele served.

Since August 2000, MDC has been providing evidenced based treatment services and supervision to offenders with a high risk for criminal behavior and criminal justice involvement on the island of Maui. On January 16, 2005, MDC expanded its services to the island of Moloka‘i. MDC participants are provided intensive substance abuse treatment that can help them live a clean and sober life, and thereby reunite with their families and become productive citizens.

Over the last five years, an average 114 clients were referred annually to the MDC program. In FY 2017, MDC provided services to 139 men and women who had chronic addictions to alcohol and other drugs. To date, MDC has been highly successful with 577 clients completing the Maui program and 30 completing the Moloka‘i program. Since MDC’s inception, the combined recidivism rate of MDC graduates is less than 14%. Currently, Maui has 68 MDC participants with a waitlist of 33 and Moloka‘i has 4 participants with no waitlist.

MDC provides an effective treatment alternative to incarceration and minimizes the cost to taxpayers. Based on its current compensation rate, the cost of MDC treatment for each participant in active treatment is \$5,560 annually (12 months of treatment). Defendants who are admitted into MDC save our community and State money by treating individuals who would otherwise face long-term imprisonment costing \$51,000 annually per offender. Ultimately, without treatment, the correctional system is severely impacted as it detains defendants with addictions in overcrowded correctional facilities. The State of Hawai‘i also achieves a significant cost savings when clients who complete the program have no further involvement in serious criminal behavior as is the case with over 86% of the MDC graduates who have not reoffended.

The MDC budget and contract amounts for these treatment services were \$417,000 for Maui and \$56,000 for Moloka‘i in FY 2017. On June 30, 2017, the contractor providing services for MDC



on Moloka'i closed its agency and terminated its contract with MDC due to inadequate funding. Since then, the sole Judiciary drug court counselor on Moloka'i has had to provide treatment services to clients while simultaneously continuing his intensive case management position's responsibilities. In addition, the MDC Clinical Supervisor on Maui has been traveling to Moloka'i at least twice a month to assist the counselor with treatment and supportive services.

In early 2017, the current MDC provider for Maui indicated that it would be unable to continue its services to clients after December 31, 2017, citing that it could no longer absorb the losses incurred by increasing operational costs.

Without the additional funding being requested, MDC clients may have to be placed on a waitlist for longer periods of time or admissions may have to be significantly reduced which would certainly negatively impact the Maui community. Clients may also be required to pay for their services which would then likely limit participation in MDC to only those who have the resources to do so. In the event the MDC provider on Maui terminates its contract with the Second Circuit, MDC program staff may be required to provide some of the services normally contracted out. The counselors and staff would then need to provide both intensive case management and treatment services which would result in a significant decrease in program capacity and effectiveness.

**Probation Officer Positions for ACSB:** The Second Circuit is requesting \$172,058 to establish three Social Worker IV Probation Officer positions in the ACSB to support increased workload resulting, in part, from legislative mandates and the increasing number of felony cases being charged. The addition of three Probation Officer positions will allow clients to obtain improved intervention and service levels as the average caseload per Probation Officer in three specific ACSB units would be reduced to more productive levels.

In 2012, the Hawai'i Justice Reinvestment Initiative (JRI) identified various contributing factors that negatively impacted the overall effectiveness of probation in Hawai'i such as "95% of felony probationers in Hawai'i are ordered to terms of more than 3 years vs. 83% in the largest US counties." The JRI also showed that "probation cases had been on supervision an average of 61 months in FY 2011 as compared to 49 months for FY 2006, a 25% increase in the length of supervision."

Four years later, Janet T. Davidson, Ph.D., Principle Investigator on behalf of the ACSBs statewide, identified the need for additional Probation Officers in the State of Hawai'i in her report, Adult Probation Officer Workload Study-Hawai'i ("Workload Study"). Conducted in January 2016, the Workload Study concluded that "the number of full-time equivalent (FTE) officers recommended based on this study has declined from the last report in 2006, but all categories still demonstrate shortages." The Workload Study also found that "probation statewide was short approximately 31 FTE Probation Officer positions." In particular, it identified that a minimum of four Probation Officer positions was needed within the Second Circuit ACSB in order to better assess offenders, change offender behavior, and address violations with effective interventions other than incarceration.

Legislative measures have impacted Probation Officers and contributed to increased workload in ACSB. HRS 706-605.1, Act 25, SLH 1995 mandated the Judiciary's responsibility to implement Intermediate Sanctions. In April 2002, the Interagency Council for Intermediate Sanctions

(ICIS) was established and set the stage for subsequent legislation focused on the Judiciary providing special or additional services to specific populations, which included:

- Related to sentencing of first time non-violent substance abusers (HRS 706-622.5);
- Required the Probation Officer to contact and keep victims of domestic violence informed of offender status (HRS 806-73(a) amended by the 2001 legislature);
- Established probation and treatment requirements for first time non-violent substance abusers (HRS 706-622.5 amended by the 2004 legislature);
- Required Probation Officer to explain sex offender registration requirements, complete registration documents, obtain fingerprints and enter registration information into the Criminal Justice Information System (HRS 846E amended by Act 45, SLH 2005);
- Required the collection of DNA samples of all convicted felons (Act 112, SLH 2005);
- Allowed first time non-violent C Felony property offenders with substance abuse problems to be sentenced to probation and treatment requirements (Act 230, SLH 2006); and
- Allowed for the sentence of probation for certain second time drug offenses (Act 140, SLH 2012).

Along with these legislative matters, other factors related to the criminal justice system have contributed to increases in Probation Officer workload. Information from the Maui County Department of the Prosecuting Attorney shows a continuing trend in the high number of felony level cases received and charged for the last five fiscal years:

**Table 1: Felony Cases Received and Charged – Second Circuit**

FY	Cases Received	Cases Charged*	Cases Information Charged**
2013	1,584	800	634
2014	1,787	907	742
2015	1,783	927	760
2016	1,846	1,059	892
2017	1,695	991	837

\*Prosecutor charges via Grand Jury

\*\*No Grand Jury; directly to preliminary hearing

The Judiciary's Annual Statistical Supplement also reflects this workload increase in the high number of disposed criminal cases:

**Table 2: Disposed Criminal Cases, Circuit Court Proper – Second Circuit**

FY	Disposed Criminal Cases
2013	624
2014	835
2015	918
2016	1,096
2017	875

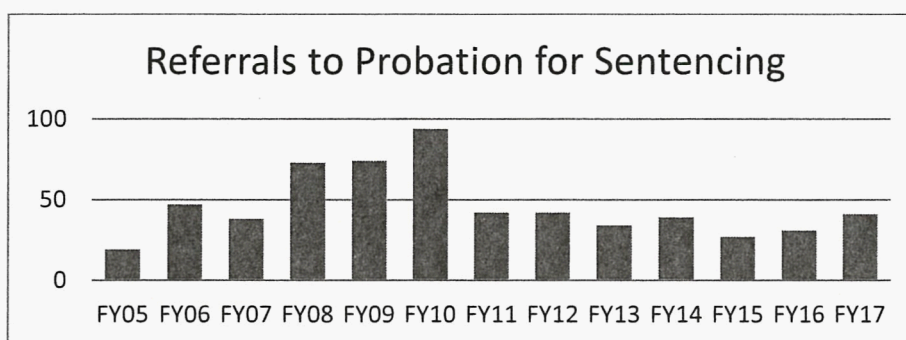


Further increases in the overall ACSB workload are reflected by the number of supervision cases managed and investigations completed:

**Table 3: Number of Supervisions Managed/Investigations Completed**

FY	Supervisions Managed	Investigations Completed
2013	3,557	829
2014	3,586	985
2015	3,726	1,062
2016	3,990	1,110
2017	3,961	943

Also of importance is the impact of sentencing under the HRS 706-622.5 legislative amendments, as shown below since 2004:



Such impact is felt at both the Intake and Supervision levels. Specifically, Intake Officers must ensure that statutory requirements are met in order to determine eligibility at the time of sentence. This involves reviewing case histories to ensure eligibility, making referrals to service providers, collecting completed assessments, and forwarding the applicable information to the sentencing courts. Supervision Officers are impacted by having to secure recommended treatment, ensure compliance and that statutory requirements are met should non-compliance become an issue, and provide required updates.

Ongoing research conducted by ICIS regarding recidivism, which is defined as any re-arrest or revocation within three years of the onset of supervision, shows considerable concern over the increased rate of recidivism in Maui County:

**Table 4: Recidivism Rates - Maui County**

FY	Recidivism Rates – Maui County:
FY 2005	40.5 %, lowest rate in the State of Hawai‘i
FY 2013	53.4%, highest rate in the State of Hawai‘i

U.S. Department of Justice and SAMHSA surveys have found that at least 9 percent of individuals on probation have a serious mental illness, and that individuals who have a serious mental illness and are on community supervision are significantly more likely to have their probation or parole suspended or revoked.

According to a State of Hawai'i Homeless Point-in-Time Count 2017 study conducted by the Department of Human Services, there were 7,220 documented homeless individuals statewide, of which 896 were in Maui County, an increase of 22 since 2012.

**Table 5: Number of Homelessness – Maui County**

	No. of Homelessness (Maui County)
2012	874
2013	876
2014	959
2015	1,137
2016	1,145
2017	896

The ACSB provides direct services to individuals who have various degrees of mental illness and homelessness. On Maui:

- 476 offenders currently being managed are experiencing some degree of mental illness; and
- 363 offenders currently being managed are experiencing some degree of homelessness, which is about 41 percent of the total homeless population of Maui County.

Probation Officers work directly with these high risk populations and face many uphill challenges that include:

- Limited community resources;
- Systems that are not responsive to the needs of the client;
- Community professionals who choose not to work with court mandated clients; and
- Inability by offenders to fulfill court ordered obligations due to these challenges.

As shown, many factors affect ACSB Probation Officer workload with such workload requirements essentially outweighing current dedicated resources. In 2006, the Second Circuit reorganized its ACSB staffing and used existing resources to create the Special Services Unit that would be tasked to manage the higher risk populations (i.e., sex offenders, HRS 706-622.5 cases for first time non-violent substance abusers, and conditional release cases). At that time, the staffing configuration was based on the following projections:

**Table 6: Projected Caseload per Probation Officer – FY 2006**

Unit	Probation Officers	Projected Caseload per Probation Officer
General Supervision	13	140
Domestic Violence	4	120
Special Services	5	75

Two of these three Units have seen an over 50% increase in average Probation Officer caseload since FY 2006, while a third Unit, Pre-Investigation, has also been experiencing a very high caseload, averaging 164 cases per Probation Officer over the last five years.

The average caseload per Probation Officer in FY 2017 for all four Units is shown in the following Table, along with the significant reduction that would occur in FY 2019 with the additional three Probation Officers being requested:

**Table 7: Caseload per Probation Officer – FY 2017 and 2019**

Unit	Actual FY 2017		Projected FY 2019	
	Probation Officers	Ave. Caseload per Prob. Off.	Probation Officers	Ave. Caseload per Prob. Off.
General Supervision	13	168	13	168
Domestic Violence	4	182	5	146
Special Services	5	167	6	139
Pre-Investigation	6	157	7	135

Current evidence based research is clear that in order to influence offenders, Probation Officers must spend time with the offender to build a working alliance. The last Workload Study revealed many issues and stressed the importance of “getting caseloads and workloads to manageable levels such that officers are able to perform their direct offender related tasks effectively”. Probation Officers have already received training in proven cognitive behavioral techniques that allow them to focus on changing the offenders’ thinking and belief structure, targeting specific behavior needs through effective assessment, and matching services to meet individual needs. If these positions are funded, staff will have more opportunities to effectively implement these techniques. Intervention and service levels can be delivered in a more efficient and effective manner to the probation population. Further, lower caseloads would allow for the effective use of Evidence Based Practices on higher risk individuals, thereby reducing rates of recidivism and improving public safety, and would also allow probation staff more time to interact with victims of domestic violence to improve their overall safety and to hold offenders accountable.

In summary, the addition of the three Social Workers being requested would allow clients in three of the four Units to receive more timely, comprehensive, and efficient services as the average caseload per Probation Officer would be significantly reduced to a more manageable size.

**Janitor Position for Lahaina District Courthouse:** The Second Circuit is requesting to establish a permanent half-time (20 hours per week) Janitor position for the Lahaina District Courthouse. This no-cost request is in response to Second Circuit’s efforts to comply with the Hawai‘i Supreme Court’s ruling relating to the 1997 Konno v. County of Hawai‘i ruling. The janitor will be stationed at Lahaina District Courthouse to perform janitorial duties and maintain the grounds.



In the 1997 decision of *Konno vs. County of Hawai'i*, regarding privatization of jobs normally held by civil servants, the Hawai'i Supreme Court voided a contract between the County of Hawai'i and a private contractor for the operation of a county landfill as a violation of civil service laws and merit principles and adopted the "nature of the service" test holding that civil service as defined by state law, encompasses those services that have been "customarily and historically" provided by civil servants.

No funding is being requested for this position. Currently, the Second Circuit has private contracts for janitorial services (six hours per week) and grounds keeping services (nine hours per week) for Lahaina District Courthouse, which will be terminated with this request.

Hoapili Hale, located in Wailuku, currently has three full-time janitors, a working supervisor, and a full-time groundskeeper that service the entire complex. Sending a janitor from Hoapili Hale, the main courthouse in Wailuku, to Lahaina would result in the janitor spending approximately 25% of the work day traveling to and from Lahaina as the one way 23 mile commute can take 45-60 minutes due to the high traffic. Additionally, trying to send staff from Hoapili Hale would likely compromise the quality of service provided due to the inadequate time available to provide services to both the Lahaina District Courthouse and Hoapili Hale.

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## POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	04	Third Circuit

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	228.00 *	0.00 *	228.00 *	228.00 *	6.00 *	234.00 *	228.00 *	234.00 *
	5.68 #	0.00 #	5.68 #	5.68 #	0.00 #	5.68 #	5.68 #	5.68 #
Personal Services	13,844,946	0	13,844,946	13,893,410	196,794	14,090,204	27,738,356	27,935,150
Other Current Expenses	6,125,091	0	6,125,091	6,125,091	0	6,125,091	12,250,182	12,250,182
Equipment	0	0	0	0	3,460	3,460	0	3,460
Motor Vehicles	0	0	0	0	0	0	0	0
	228.00 *	0.00 *	228.00 *	228.00 *	6.00 *	234.00 *	228.00 *	234.00 *
	5.68 #	0.00 #	5.68 #	5.68 #	0.00 #	5.68 #	5.68 #	5.68 #
Total Operation Costs	19,970,037	0	19,970,037	20,018,501	200,254	20,218,755	39,988,538	40,188,792
Capital & Investment Costs	0	0	0	0	0	0	0	0
	228.00 *	0.00 *	228.00 *	228.00 *	6.00 *	234.00 *	228.00 *	234.00 *
	5.68 #	0.00 #	5.68 #	5.68 #	0.00 #	5.68 #	5.68 #	5.68 #
Total Program Expenditures	19,970,037	0	19,970,037	20,018,501	200,254	20,218,755	39,988,538	40,188,792

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	228.00 *	0.00 *	228.00 *	228.00 *	6.00 *	234.00 *	228.00 *	234.00 *
	5.68 #	0.00 #	5.68 #	5.68 #	0.00 #	5.68 #	5.68 #	5.68 #
General Fund	19,970,037	0	19,970,037	20,018,501	200,254	20,218,755	39,988,538	40,188,792
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	228.00 *	0.00 *	228.00 *	228.00 *	6.00 *	234.00 *	228.00 *	234.00 *
	5.68 #	0.00 #	5.68 #	5.68 #	0.00 #	5.68 #	5.68 #	5.68 #
Total Financing	19,970,037	0	19,970,037	20,018,501	200,254	20,218,755	39,988,538	40,188,792

\* Permanent position FTE

# Temporary position FTE

## **JUD 330 THIRD CIRCUIT BUDGET REQUESTS**

### **A. DESCRIPTION OF BUDGET REQUESTS**

**Janitorial and Facilities Staff for new Kona Judiciary Complex:** Funding of \$119,322 is requested for janitorial and facilities staff for the new Kona Judiciary Complex, partly in response to the 1997 Konno v. County of Hawai'i ruling and partly to begin staffing the new Kona Judiciary Complex scheduled to open in Summer 2019. These positions are needed to help ensure that the new Kona Courthouse is operational and trained facilities staff is on board when it opens.

**Court Bailiff Positions for South Kohala Division and Hilo Family Court:** Funding of \$80,932 is requested to fund two Court Bailiff positions for the South Kohala Division and the Hilo Family Court.

### **B. REASON FOR BUDGET REQUESTS**

**Janitorial and Facilities Staff for new Kona Judiciary Complex:** The Third Circuit is requesting \$119,322 to establish four janitorial and facilities staff positions, prior to the opening of the new Kona Judiciary Complex currently scheduled for Summer 2019. It is important to have facilities staff trained and become familiar with all aspects of the new building prior to it being turned over to the Judiciary.

Two Janitor positions, a Janitor II and a Janitor III, are requested in response to the Third Circuit's efforts to comply with the Hawai'i Supreme Court's ruling relating to the 1997 Konno v. County of Hawai'i ruling. In this ruling, the Supreme Court voided a contract between the County of Hawai'i and a private contractor for the operation of a county landfill as a violation of civil service laws and merit principles and adopted the "nature of the service" test holding that civil service as defined by State law, encompasses those services that have been "customarily and historically" provided by civil servants.

The Third Circuit currently has a one-year contract with a private contractor for janitorial services for Circuit Court Division 4/Kona Drug Court (KDC), which expires on June 30, 2018. Upon funding of this request, the contract will be discontinued and the two Janitors will be hired to perform the existing janitorial services at the KDC, as well as become familiar with the new Kona Courthouse building prior to its opening. The KDC offices, along with the janitorial positions, will be relocated to the new Kona Judiciary Complex upon its completion.

The Facilities Manager and Building Maintenance worker positions are being requested to begin in March 2019, as the Kona Judiciary Complex nears completion and contractors are in the process of transitioning the building to the Judiciary. This will allow the requested Judiciary staff to become familiar with the project and receive direct training by the specialized contractors on systems and equipment including, but not limited to elevators, security systems, fire suppression systems, the mechanical central plant that houses the equipment for the air and ventilation systems, etc.



**Court Bailiff Positions for South Kohala and Hilo Family Courts:** The Third Circuit is requesting \$80,932 to establish two Court Bailiff II positions for the South Kohala Division and the Hilo Family Court.

Public safety and court security are a major concern at any court location. Bailiffs assist with courtroom security by maintaining order in the gallery and with the safety of the courtroom and the public, by their presence, whenever sheriffs are unavailable for any reason.

The Legislature authorized a Bailiff position in 2008, along with a new Judge and support staff to hear District and Family Court cases for the Kohala and Hāmākua Divisions. However, in FY 2009, this Bailiff position was abolished due to budget constraints. Since that time, other clerical staff at South Kohala has been providing the bailiff responsibilities which impacts performance of their own job duties. Bailiffs in Kona also have been periodically assisting at the South Kohala location, which has required them to travel more than 50 miles roundtrip from Kona to tend to certain court calendars (family court, civil, and international calendars, and traffic and criminal initial appearance calendars).

The Hilo Family Court currently has only one Bailiff who serves two Judges with full calendars running simultaneously. Every day, the Hilo Family Court clerks perform bailiff responsibilities in addition to their own, thereby delaying data entry into court records and the on-line court systems, eCourt Kokua and Ho‘ohiki, viewable by the public.

In summary, the requested Bailiffs will help ensure a more secure and safer court environment, and avoid personnel in other positions being taken away from their own duties to perform Bailiff responsibilities.

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## POSITION IN PROGRAM STRUCTURE

Level	No.	Title
Level I	01	The Judicial System
Level II	01	Court Operations
Level III	05	Fifth Circuit

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	99.00 *	0.00 *	99.00 *	99.00 *	4.00 *	103.00 *	99.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
Personal Services	5,837,147	0	5,837,147	5,854,912	326,256	6,181,168	11,692,059	12,018,315
Other Current Expenses	1,927,903	0	1,927,903	1,927,903	0	1,927,903	3,855,806	3,855,806
Equipment	0	0	0	0	8,320	8,320	0	8,320
Motor Vehicles	0	0	0	0	0	0	0	0
	99.00 *	0.00 *	99.00 *	99.00 *	4.00 *	103.00 *	99.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
Total Operation Costs	7,765,050	0	7,765,050	7,782,815	334,576	8,117,391	15,547,865	15,882,441
Capital & Investment Costs	0	0	0	0	0	0	0	0
	99.00 *	0.00 *	99.00 *	99.00 *	4.00 *	103.00 *	99.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
Total Program Expenditures	7,765,050	0	7,765,050	7,782,815	334,576	8,117,391	15,547,865	15,882,441

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
General Fund	99.00 *	0.00 *	99.00 *	99.00 *	4.00 *	103.00 *	99.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
	7,765,050	0	7,765,050	7,782,815	334,576	8,117,391	15,547,865	15,882,441
Special Funds	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
	0	0	0	0	0	0	0	0
Revolving Funds	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	99.00 *	0.00 *	99.00 *	99.00 *	4.00 *	103.00 *	99.00 *	103.00 *
	2.60 #	0.00 #	2.60 #	2.60 #	0.00 #	2.60 #	2.60 #	2.60 #
Total Financing	7,765,050	0	7,765,050	7,782,815	334,576	8,117,391	15,547,865	15,882,441

\* Permanent position FTE  
# Temporary position FTE

## **JUD350 FIFTH CIRCUIT BUDGET REQUESTS**

### **A. DESCRIPTION OF BUDGET REQUESTS**

**Additional Judgeship and support staff:** This request for \$334,576 in FY 2019 provides funding for an additional Family Court Judge and staff. Workload issues have prompted a need for an additional judgeship in the Fifth Circuit.

### **B. REASON FOR BUDGET REQUESTS**

**Additional Judgeship and support staff:** The Fifth Circuit is requesting \$334,576 in FY 2019 for an additional Family Court Judge and staff, which includes two Circuit Court Clerks and a Bailiff. The additional judgeship is needed to address the continuing increase in complexity of cases and the time required to schedule and hear cases on the court calendars, and to improve public service and safety.

Presently, the Fifth Circuit has only one Family Court Judge to handle its entire caseload of Family Court proceedings. The nature of Family Court civil proceedings, often involving complicated disputes regarding the best interests of the child or children, is such that it is difficult to push such cases or place arbitrary limits on time allotments for hearings and trials. For example, there has been an upward trend in the number of TRO filings. Currently, only one afternoon each week is used to schedule a return on a petition for protective order (respondent appears in court and is given the opportunity to agree to the protective order or contest the allegations). The return on petition is usually set within 15 days of the granting of the TRO. If the matter is contested, the hearing could last from 45 minutes to two hours depending on the number of witnesses who are called to testify. Sometimes a hearing cannot be completed in the time allotted so it has to be continued to another day. Because of Family Court's trial schedule, hearings often cannot be continued the same week and must be scheduled a number of weeks away. Such delays are not in the best interests of the child, especially considering issues that may arise regarding temporary child custody, visitation, and more importantly the safety of all individuals involved. Also, part of one afternoon is spent on the adult domestic violence criminal calendar for proceedings which include proof of compliance, sentencing, entry of pleas, and arraignment and pleas. The domestic violence criminal trials are scheduled for only one day per month due to space and time limitations on the weekly Family Court calendar.

The Family Court implemented a revised weekly schedule in December 2014, and has made further revisions since, to help address its overcrowded court calendar. The Family Court schedule dedicates most of one calendar day to address approximately 5 to 10 Department of Human Services (DHS) CPS cases. Contested hearings are held in the afternoon and can last two to four hours depending on the amount of evidence being presented. Often, there are recorded interviews from the Children's Justice Center, as well as testimony from experts, social workers, and the parents. There are time constraints for these hearings so sometimes hearings have to be continued at a later date. Because the calendar is only one day a week, it is very difficult to reschedule hearings or find continued dates for hearings. Many of the attorneys involved in these cases also specialize in other areas of the law which requires them to be in other courtrooms at the same time. This makes scheduling even more difficult. In a recent



review of Family Court dependency cases, one of the areas of concern was the ability to schedule hearings in a timely manner. Return hearings have to be scheduled within 15 days from when a child is placed into temporary foster custody. That has been a challenge due to the limited days available to do these hearings. Achieving permanency (termination of parental rights) is supposed to be reached within a reasonable period of time. Like TRO hearings, it is not in the best interests of all the involved parties to have such hearings postponed for any lengthy period.

Due to the number of domestic cases, proceedings are spread over two calendar days. On one of the days, usually two trials are scheduled. In addition to the trials scheduled, the morning calendar usually consists of about 10 new actions and about five status hearing cases. Because so many cases are already scheduled, a party generally has to wait about a month to have a matter placed on the domestic calendar. If a party is requesting a trial, the trial dates are being scheduled approximately three to four months from the date of the parties' first appearance depending on the amount of time expected to complete the trial. But sometimes it takes even longer due to continuances, rescheduling(s) due to conflicts, and the overloaded court calendar. Providing more timely court dates would have a positive effect on reducing tension and conflict for the children who are caught in the middle of the adult disputes between parents. To alleviate the court calendar, the parties are often required to participate in an alternative dispute resolution program before the matter is set for trial. On the second calendar day used for domestic cases, civil post-decree and pre-decree motions and other miscellaneous civil motions or petitions are scheduled in the morning for two hours. There are approximately 5 to 10 cases heard during this time.

One day of the Family Court calendar is dedicated to juvenile delinquency type cases. These include law violations, status offenses, Department of Education truancy petitions, and the Juvenile Drug Court. The normal caseload is between 30 and 50 cases per day. The large number of cases each day does not allow much court time for each case to be heard. Again, due to space and time limitations on the weekly Family Court calendar, juvenile delinquency trials are only scheduled for one day per month.

Finally, one and one half calendar days are used to schedule civil trials for cases from any of the calendars. Often, the whole day is consumed by one trial due to the large number of witnesses called.

Note that on any given day, that calendar could be delayed due to special hearings scheduled at 1:00 p.m. each day (block of court time set aside as needed). The special hearings include special criminal arraignments or preliminary hearings, juvenile detention hearings, and involuntary commitment hearings.

While the Fifth Circuit has operated with only one dedicated Family Court Judge since 1999, the Second and Third Circuits have three and four Family Court Judges, respectively. In comparison to the Second and Third Circuit's Family Courts, the Family Court Judge for the Fifth Circuit has a much greater caseload (pending cases at the beginning of the year plus new filings) on a per judge basis. For example, in FY 2017, the Fifth Circuit Family Court Judge had a total caseload of 4,486 cases in comparison to the Second and Third Circuits whose Family Court Judges' caseload averaged 1,837 and 2,918 cases, respectively. New filings were also significantly higher for the Fifth Circuit Family Court Judge at 1,783 cases as compared to 1,215 cases per Second Circuit Family Court Judge and 1,306 cases per Third Circuit Family Court Judge.

A comparison of Fifth Circuit Family Court with the First Circuit Family Court revealed results similar to the disparity noted with neighbor island caseloads. The First Circuit's Family Court's Juvenile Division hears CPS cases that include, but are not limited to, issues involving child abuse and neglect, domestic violence, safety, substance abuse, mental health, and termination of parental rights. Four judges are assigned to the Juvenile Division. In FY 2017, the average caseload per Juvenile Division Judge was 1,232 juvenile and 628 children on status cases (these include probation, protective supervision, family supervision, foster custody, and permanent custody cases). In comparison, the Fifth Circuit Family Court Judge's caseload was 1,684 juvenile and 360 children on status cases. New First Circuit juvenile case filings per judge averaged 927 and children on status cases 301 in FY 2017, as compared to Fifth Circuit's numbers of 716 and 166 respectively. However, while most Fifth Circuit juvenile numbers are less than First Circuit's corresponding numbers, it must be remembered that the sole Fifth Circuit Family Court Judge is not only responsible for juvenile related cases, but for all other Family Court cases as well. Taking this into account would add another 2,802 cases to the FY 2017 caseload for the Fifth Circuit Family Court Judge, and an additional 1,067 new filings.

It should also be noted that due to its large population base on O'ahu, the First Circuit has three more Family Court divisions, which are the Domestic, Special, and Adult Criminal Divisions. Each division has its own set of judges. The Domestic Division handles cases involving, but not limited to, divorces and civil union divorces. The Special Division deals with cases such as paternity, TROs and orders for protection, guardianship, and involuntary mental health commitments. The Adult Criminal Division handles cases involving abuse of family household members, and violations of TROs and orders for protection. The Fifth Circuit's lone Family Court Judge handles all matters dealing with the Family Court, not just specific types of Family Court cases.

Due to the limitations and delays in obtaining court time for contested hearings, the Family Court has noticed that attorneys are increasingly applying for Ex Parte orders. Ex Parte orders are orders issued without the benefit of a contested or evidentiary hearing and can deprive opposing litigants of the opportunity to present their positions or evidence prior to an order from the Court. Consequently, the Court is placed in the difficult position of having to rule on matters with only one side being presented to the Court. Preferably, opposing parties should be able to fully litigate contested issues prior to an order being issued. However, given the delay between the filing of the motion and obtaining an available hearing date, attorneys have no option but to seek Ex Parte orders to address issues that need to be quickly resolved. For every week that passes where a child is denied the right to see one of their parents based on nothing more than allegations raised in a court filing, that child (and that parent) suffers irreversible harm and the loss of time that cannot be recovered.

The Fifth Circuit's Judges have met with Kaua'i attorneys to discuss issues or concerns that they believed were important to their practice of law on Kaua'i. Many of the responses revolved around the need of an additional judge position to address Family Court matters. While the Fifth Circuit does utilize per diem judges to keep the court operating when the Family Court Judge has conflicts with the case or times or otherwise is unable to be in court, they serve only part-time and their availability is sometimes limited since many are attorneys with their own practices.

The Family Court Judge is in court every day for most of the day. Additionally, the Judge is involved with several judicial committees and represents the Judiciary in some local organizations, convenes stakeholder meetings, prepares court orders when both parties are self-



represented, does his/her own legal research, holds pre-trial conferences, reviews TRO orders, and reviews uncontested divorce actions. The Judge also reviews Judicial Determination of Probable Cause and requests for arrest warrant packets submitted by the Kaua'i Police Department, and is on call 24 hours a day/7 days a week in the event there is a request for involuntary commitment of an individual due to mental illness. The Family Court Judge's out-of-court responsibilities have to fit in between court hearings. However, if the need arises due to time constraints, the Family Court tries its best to accommodate the parties by deviating from the court schedule. In addition, the Family Court Judge continues to administer the Kids First Program once a month after normal working hours, ensures mediation for contested divorce and/or custody cases, and with the assistance of the Department of Education, DHS, and the Kaua'i Police Department, has recently launched the Truancy Court to reduce truancy in schools.

The Judiciary's mission is to dispense justice. Unreasonable delay due to court congestion and the unavailability of courtroom time does a great disservice to our clients, the users of the court. It cannot be stressed enough that the civil litigants in contested Family Court matters include those who most need our assistance such as victims of domestic violence, children dealing with the breakdown of a family unit or who are without adequate child support, and abused or neglected children. It is strongly believed that more must be done for these individuals and an additional Family Court Judge and support staff would permit the Fifth Circuit to be more effective in this regard. The requested court staff would be able to provide the administrative support to handle the resulting workload generated by the additional judge.

More courtroom time is needed to accommodate the current Family Court civil caseload. An additional judge and support staff would permit the Family Court to handle expedited hearings, evidential hearings could be scheduled sooner, and more actual court time could be provided for contested matters including TRO and DHS/CPS hearings. Additionally, it would be possible to require and hold settlement conferences in all contested cases if another judge, other than the trial judge, was available.

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POSITION IN PROGRAM STRUCTURE  
Level No. Title

Level I 01 The Judicial System  
Level II 02 Support Services  
Level III 01 Judicial Selection Commission

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Personal Services	66,973	0	66,973	66,973	0	66,973	133,946	133,946
Other Current Expenses	31,817	0	31,817	31,817	0	31,817	63,634	63,634
Equipment	0	0	0	0	0	0	0	0
Motor Vehicles	0	0	0	0	0	0	0	0
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Total Operation Costs	98,790	0	98,790	98,790	0	98,790	197,580	197,580
Capital & Investment Costs	0	0	0	0	0	0	0	0
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Total Program Expenditures	98,790	0	98,790	98,790	0	98,790	197,580	197,580

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
General Fund	98,790	0	98,790	98,790	0	98,790	197,580	197,580
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Special Funds	0	0	0	0	0	0	0	0
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	0	0	0	0	0	0	0	0
G.O. Bond Fund	0	0	0	0	0	0	0	0
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Total Financing	98,790	0	98,790	98,790	0	98,790	197,580	197,580

\* Permanent position FTE  
# Temporary position FTE

**JUD 501 JUDICIAL SELECTION COMMISSION  
PROGRAM INFORMATION**

**A. PROGRAM OBJECTIVES**

- To screen and submit nominees for judicial vacancies, and to conduct hearings for retention of justices or judges.

**B. DESCRIPTION OF BUDGET REQUESTS**

None.

**C. REASON FOR BUDGET REQUESTS**

N/A

POSITION IN PROGRAM STRUCTURE  
Level No. Title

Level I	01	The Judicial System
Level II	02	Support Services
Level III	02	Administration

PROGRAM EXPENDITURES (in dollars)	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
Operating Costs	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	19.48 #	0.00 #	19.48 #	19.48 #	0.00 #	19.48 #	19.48 #	19.48 #
Personal Services	16,501,133	0	16,501,133	16,507,053	0	16,507,053	33,008,186	33,008,186
Other Current Expenses	17,617,203	0	17,617,203	17,303,271	0	17,303,271	34,920,474	34,920,474
Equipment	981,258	0	981,258	944,061	0	944,061	1,925,319	1,925,319
Motor Vehicles	0	0	0	0	0	0	0	0
	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	19.48 #	0.00 #	19.48 #	19.48 #	0.00 #	19.48 #	19.48 #	19.48 #
Total Operation Costs	35,099,594	0	35,099,594	34,754,385	0	34,754,385	69,853,979	69,853,979
Capital & Investment Costs	7,750,000	0	7,750,000	1,600,000	18,880,000	20,480,000	9,350,000	28,230,000
	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	19.48 #	0.00 #	19.48 #	19.48 #	0.00 #	19.48 #	19.48 #	19.48 #
Total Program Expenditures	42,849,594	0	42,849,594	36,354,385	18,880,000	55,234,385	79,203,979	98,083,979

REQUIREMENTS BY MEANS OF FINANCING	FISCAL YEAR 2017-18			FISCAL YEAR 2018-19			BIENNIUM TOTALS	
	Current Appropriation	Supplemental Request	Total Request	Current Appropriation	Supplemental Request	Total Request	Current Biennium	Recommended Biennium
	227.00 *	0.00 *	227.00 *	227.00 *	0.00 *	227.00 *	227.00 *	227.00 *
	10.48 #	0.00 #	10.48 #	10.48 #	0.00 #	10.48 #	10.48 #	10.48 #
General Fund	26,762,596	0	26,762,596	26,417,387	0	26,417,387	53,179,983	53,179,983
	1.00 *	0.00 *	1.00 *	1.00 *	0.00 *	1.00 *	1.00 *	1.00 *
	9.00 #	0.00 #	9.00 #	9.00 #	0.00 #	9.00 #	9.00 #	9.00 #
Special Funds	7,993,737	0	7,993,737	7,993,737	0	7,993,737	15,987,474	15,987,474
	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *	0.00 *
	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #	0.00 #
Revolving Funds	343,261	0	343,261	343,261	0	343,261	686,522	686,522
G.O. Bond Fund	7,750,000	0	7,750,000	1,600,000	18,880,000	20,480,000	9,350,000	28,230,000
	228.00 *	0.00 *	228.00 *	228.00 *	0.00 *	228.00 *	228.00 *	228.00 *
	19.48 #	0.00 #	19.48 #	19.48 #	0.00 #	19.48 #	19.48 #	19.48 #
Total Financing	42,849,594	0	42,849,594	36,354,385	18,880,000	55,234,385	79,203,979	98,083,979

\* Permanent position FTE  
# Temporary position FTE

## **JUD 601 ADMINISTRATION**

### **PROGRAM INFORMATION AND BUDGET REQUESTS**

The Office of the Administrative Director is responsible for the provision of efficient and effective administrative support to the Chief Justice, the courts, and Judiciary programs, and to promote, facilitate, and enhance the mission of the Judiciary.

#### **A. PROGRAM OBJECTIVES**

##### **Overall Program Objective**

- To enhance the effectiveness and efficiency of judicial programs by providing executive direction, program coordination, policy development, resource allocation and fiscal control, and administrative services.

##### **Policy and Planning**

- To develop and maintain an effective and comprehensive planning capability within the Judiciary to provide the statewide organization with overall guidance and long-range direction in meeting the community's demands for judicial service.
- To establish and maintain a budgeting system that will serve as the mechanism by which the required resources to achieve the objectives of the Judiciary will be identified and articulated to top-level management.
- To develop and maintain a uniform statistical information system for the statewide Judiciary which identifies what data is needed as well as how the data will be collected, tabulated, analyzed, and interpreted so as to permit the periodic reporting of statistics of court cases to the principal decision-makers of the Judiciary and thereby facilitate evaluation of influential factors or variables affecting court workload and efficiency.
- To administer a judiciary-wide audit program to ensure compliance with laws, rules and regulations, and policies of the Judiciary, the State and, where applicable, the federal government.
- To conduct investigations and audits of accounting, reporting, and internal control systems established and maintained in the Judiciary, and to suggest and recommend improvements to accounting methods and procedures.
- To maintain oversight and coordination of the Judiciary's capital improvement projects to ensure compliance with the Judiciary's policies and applicable State and Federal rules and regulations.
- To coordinate the Judiciary's legislative activities and special projects.



- To provide advice and technical assistance to the Judiciary to ensure compliance with equal employment opportunity laws, legislation, and policies.
- To provide training to judges, administrators, and staff on current Equal Employment Opportunity (EEO) issues; to develop and review EEO policies and procedures; and to investigate complaints of discrimination.

### **Financial Services**

- To provide current, accurate, and complete financial and accounting data in a form useful to decision-makers.
- To ensure adequate and reasonable accounting control over assets, liabilities, revenues, and expenditures in accordance with generally accepted accounting principles, laws, policies, rules, and regulations of the State and the Judiciary.
- To provide a fair and expeditious administrative process for revoking the driver licenses of alcohol or drug impaired offenders who have shown themselves to be safety hazards by driving or boating under the influence of intoxicants or who refused chemical testing.

### **Information Technology and Systems**

- To plan, organize, direct, and coordinate the Judiciary's statewide telecommunications and information processing program, resources, and services by providing advice, guidance, and assistance to all Judiciary courts and administrative units relating to the concepts, methods, and use of telecommunication and information processing technologies and equipment.
- To plan, direct, and manage a centralized court records management system which includes reproduction, retention, control, storage, and destruction.
- To maintain accurate and complete court records, render technical assistance, and provide information and reference services from court records to court personnel, attorneys, and the general public.
- To provide cost effective printing, form development, and related services, statewide.

### **Intergovernmental and Community Relations**

- To promote public awareness and understanding of the Judiciary by disseminating information through various print, broadcast, and electronic means; the news media; and direct dealings with the general public and other audiences concerning the role of the Judiciary and the services that it provides.

- To acquaint the Legislature with the program and policies of the Judiciary in order to convey the ongoing needs and importance of its role as an independent branch of government.
- To advise Judiciary officials on public perception of particular issues relating to the Judiciary.
- To design and implement projects that promote access to the courts for all persons, including those with special needs.
- To promote, through research and educational programs, fair treatment in adjudication of cases and provision of services to the public.
- To inform and provide learning opportunities to the public about the judicial process and Hawaii's legal history from precontact to present. The Judiciary History Center generates knowledge by conducting and encouraging research, disseminating information, and collecting, preserving, and displaying materials.
- To provide an impartial professional process for addressing reports of felony child abuse that will facilitate access to the justice system for child victims and witnesses.
- To maintain a continuing liaison with agencies and departments dealing with child abuse to foster cooperation within the legal system to improve and coordinate activities for the effective overall administration of justice.
- To investigate, design, and implement alternative dispute resolution processes for the judicial, legislative, and executive branches of government that will assist these three branches of government in resolving their disputes. Emphasis is on developing systems for use by the Judiciary in the various courts, mediating/facilitating public policy issues, and building skills capacity within all branches of government.
- To provide and coordinate the Judiciary's statewide guardianship services for mentally incapacitated adults.
- To provide information, referral, and technical assistance to guardians and to the courts on the roles and responsibilities of a guardian.
- To effectively utilize volunteer citizen participants from a cross-section of the community in formalized volunteer positions based on the needs of the Judiciary and the skills, talents, and interests of the volunteers.
- To collect, organize, and disseminate information and materials relating to legal research and judicial administration in order to enhance the effectiveness of the judicial process.

## **Human Resources**

- To manage a central recruitment and examination system that will attract the most capable persons and provide a selection system that will ensure the highest caliber employee, without regard to race, color, religion, sex, sexual orientation, national origin, ancestry, age, physical disability, marital status, or political affiliation.
- To develop, enhance, and manage a Judiciary compensation program consistent with merit principles, recognized job evaluation principles and methodologies, and labor market trends, and to attract and retain a competent and skilled workforce.
- To develop and implement an ongoing comprehensive continuing legal education program for judges to support them in their judicial roles and in the performance of their duties and responsibilities and programs of continuing education and development for staff in support of the judges and the mission of the Judiciary.
- To administer a Judiciary-wide workers' compensation program designed to provide claims management, cost containment, and vocational rehabilitation services to all echelons of the Judiciary.

## **Commission on Judicial Conduct**

- To investigate and conduct hearings concerning allegations of misconduct or disability of justices or judges.
- To make recommendations to the Supreme Court concerning the reprimand, discipline, suspension, retirement, or removal of any justice or judge.
- To provide advisory opinions concerning proper interpretations of the Revised Code of Judicial Conduct.

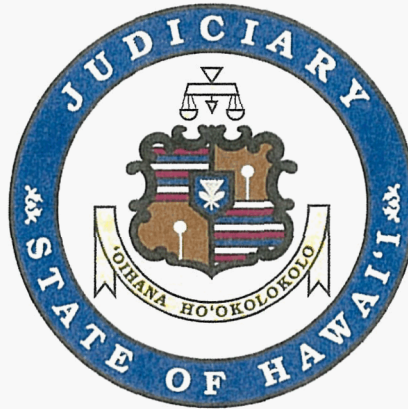
## **B. DESCRIPTION OF BUDGET REQUESTS**

None.

## **C. REASON FOR BUDGET REQUESTS**

N/A

# PART IV



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## Capital Improvements Appropriations And Details

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**JUDICIARY**  
STATE OF HAWAII

**REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS  
BY CAPITAL PROJECT  
IN THOUSANDS OF DOLLARS**

PROGRAM PLAN TITLE: Judiciary  
PROGRAM STRUCTURE NO: 01

DESCRIPTION	Cost Element	Project Total	Prior Years Total	FY 2017-18	Fiscal Year 2018-19		Recommended Appropriation	2019-20	2020-21	2021-22	2022-23
					Current Appropriation	Adjustment					
JUDICIARY TOTAL	Plans	1,883	530	303	0	50	50	0	0	500	500
	Land	4,550	4,550	0	0	0	0	0	0	0	0
	Design	13,998	8,911	1,972	150	150	300	750	600	1,080	385
	Constr	157,092	92,187	5,450	1,450	12,280	13,730	17,015	13,050	10,780	4,880
	Equip	6,426	1	25	0	6,400	6,400	0	0	0	0
	<b>Total</b>	<b>183,949</b>	<b>106,179</b>	<b>7,750</b>	<b>1,600</b>	<b>18,880</b>	<b>20,480</b>	<b>17,765</b>	<b>13,650</b>	<b>12,360</b>	<b>5,765</b>
	<b>G.O. Bonds</b>	<b>183,949</b>	<b>106,179</b>	<b>7,750</b>	<b>1,600</b>	<b>18,880</b>	<b>20,480</b>	<b>17,765</b>	<b>13,650</b>	<b>12,360</b>	<b>5,765</b>

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS  
BY CAPITAL PROJECT  
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration  
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2018-19							
				Current		Recommended		2019-20	2020-21	2021-22	2022-23
				FY2017-18	Appropriation	Adjustment	Appropriation				
Kona Judiciary Complex, Hawai'i	Plans	500	500				0				
	Land	4,550	4,550				0				
	Design	8,500	8,500				0				
	Constr	89,000	89,000				0				
	Equip	5,800				5,800	5,800				
	<b>Total</b>	<b>108,350</b>	<b>102,550</b>	<b>0</b>	<b>0</b>	<b>5,800</b>	<b>5,800</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	108,350	102,550	0	0	5,800	5,800	0	0	0	0
Ka'ahumanu Hale Fire Alarm and Elevator Systems Upgrade and Modernization, O'ahu	Plans	282	29	253			0				
	Land	0					0				
	Design	1,422	410	1,012			0				
	Constr	21,745			0	8,980	8,980	12,765			
	Equip	0					0				
	<b>Total</b>	<b>23,449</b>	<b>439</b>	<b>1,265</b>	<b>0</b>	<b>8,980</b>	<b>8,980</b>	<b>12,765</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	23,449	439	1,265	0	8,980	8,980	12,765	0	0	0
Lump Sum CIP for Judiciary Facilities, Statewide (for FB 2013-2015 through FB 2017-2019)	Plans	101	1	50		50	50				
	Land	0					0				
	Design	451	1	300		150	150				
	Constr	8,012	3,187	2,625		2,200	2,200				
	Equip	626	1	25		600	600				
	<b>Total</b>	<b>9,190</b>	<b>3,190</b>	<b>3,000</b>	<b>0</b>	<b>3,000</b>	<b>3,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	9,190	3,190	3,000	0	3,000	3,000	0	0	0	0
Kaua'i Judiciary Complex Reroof and Repair Leaks and Damages, Kaua'i	Plans	0					0				
	Land	0					0				
	Design	390		390			0				
	Constr	3,400		1,000		1,100	1,100	1,300			
	Equip	0					0				
	<b>Total</b>	<b>3,790</b>	<b>0</b>	<b>1,390</b>	<b>0</b>	<b>1,100</b>	<b>1,100</b>	<b>1,300</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	3,790	0	1,390	0	1,100	1,100	1,300	0	0	0
'Ewa District Court Mitigate Water Intrusion and Settlement - Phase 2, O'ahu	Plans	0					0				
	Land	0					0				
	Design	20		20			0				
	Constr	200		200			0				
	Equip	0					0				
	<b>Total</b>	<b>220</b>	<b>0</b>	<b>220</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	220	0	220	0	0	0	0	0	0	0
'Ewa District Court Roof Fall Protection and Re-roofing, O'ahu	Plans	0					0				
	Land	0					0				
	Design	25		25			0				
	Constr	175		175			0				
	Equip	0					0				
	<b>Total</b>	<b>200</b>	<b>0</b>	<b>200</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	200	0	200	0	0	0	0	0	0	0

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS  
BY CAPITAL PROJECT  
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration  
PROGRAM STRUCTURE NO: 01 02 02

Fiscal Year 2018-19

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Current		Recommended	2019-20	2020-21	2021-22	2022-23
				FY2017-18	Appropriation					
Hoapili Hale Security Improvements Phases 1, 2, and 3, Maui	Plans	0				0				
	Land	0				0				
	Design	450		100	150	150	200			
	Constr	4,350		900	1,450	1,450	2,000			
	Equip	0				0				
	<b>Total</b>	<b>4,800</b>	<b>0</b>	<b>1,000</b>	<b>1,600</b>	<b>1,600</b>	<b>2,200</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	4,800	0	1,000	1,600	0	1,600	2,200	0	0
Kapuāiwa Building Separate Storm Drain and Sanitary Sewer Systems, O'ahu	Plans	0				0				
	Land	0				0				
	Design	125		125		0				
	Constr	550		550		0				
	Equip	0				0				
	<b>Total</b>	<b>675</b>	<b>0</b>	<b>675</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	675	0	675	0	0	0	0	0	0
Hoapili Hale Fire Protection Upgrade and Improvements, Maui	Plans	0				0				
	Land	0				0				
	Design	660				0			660	
	Constr	6,600				0			6,600	
	Equip	0				0				
	<b>Total</b>	<b>7,260</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,260</b>	<b>0</b>
	G.O. Bonds	7,260	0	0	0	0	0	0	7,260	0
Kapuāiwa Building Roof Replacement, O'ahu	Plans	0				0				
	Land	0				0				
	Design	100				0	100			
	Constr	1,000				0	1,000			
	Equip	0				0				
	<b>Total</b>	<b>1,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,100</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	1,100	0	0	0	0	0	1,100	0	0
Hoapili Hale Parking Structure Sewer, Storm Drain, AC and Fire Sprinkler Piping Improvements, Maui	Plans	0				0				
	Land	0				0				
	Design	200				0	200			
	Constr	2,800				0	2,800			
	Equip	0				0				
	<b>Total</b>	<b>3,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,000</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	3,000	0	0	0	0	0	3,000	0	0
Hoapili Hale Legal Documents Reorganization and Upgrades, Maui	Plans	0				0				
	Land	0				0				
	Design	360				0				360
	Constr	3,780				0				3,780
	Equip	0				0				
	<b>Total</b>	<b>4,140</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,140</b>
	G.O. Bonds	4,140	0	0	0	0	0	0	0	4,140
Maui - New Judiciary Complex, Maui	Plans	1,000				0			500	500
	Land	0				0				
	Design	0				0				
	Constr	0				0				
	Equip	0				0				
	<b>Total</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>500</b>

REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS  
BY CAPITAL PROJECT  
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration  
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2018-19			Recommended Appropriation	2019-20	2020-21	2021-22	2022-23
				FY2017-18	Current Appropriation	Adjustment					
	G.O. Bonds	1,000	0	0	0	0	0	0	0	500	500
Lahaina District Court Interior Air Distribution System Upgrades and Improvements, Maui	Plans	0					0				
	Land	0					0				
	Design	50					0	50			
	Constr	950					0	950			
	Equip	0					0				
	<b>Total</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	1,000	0	0	0	0	0	1,000	0	0	0
Kapuāiwa Building Modernize and Upgrade Elevator, O'ahu	Plans	0					0				
	Land	0					0				
	Design	100					0		100		
	Constr	950					0		950		
	Equip	0					0				
	<b>Total</b>	<b>1,050</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,050</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	1,050	0	0	0	0	0	0	1,050	0	0
Ali'iōlani Hale Upgrade AC Systems, O'ahu	Plans	0					0				
	Land	0					0				
	Design	500					0	500			
	Constr	6,500					0		6,500		
	Equip	0					0				
	<b>Total</b>	<b>7,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>500</b>	<b>6,500</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	7,000	0	0	0	0	0	500	6,500	0	0
Kāne'ohe District Court Generator Power Back-up System, O'ahu	Plans	0					0				
	Land	0					0				
	Design	70					0			70	
	Constr	630					0			630	
	Equip	0					0				
	<b>Total</b>	<b>700</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>700</b>	<b>0</b>
	G.O. Bonds	700	0	0	0	0	0	0	0	700	0
Ka'ahumanu Hale Repair Basement Leaks and Damages, O'ahu	Plans	0					0				
	Land	0					0				
	Design	350					0			350	
	Constr	3,550					0			3,550	
	Equip	0					0				
	<b>Total</b>	<b>3,900</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,900</b>	<b>0</b>
	G.O. Bonds	3,900	0	0	0	0	0	0	0	3,900	0



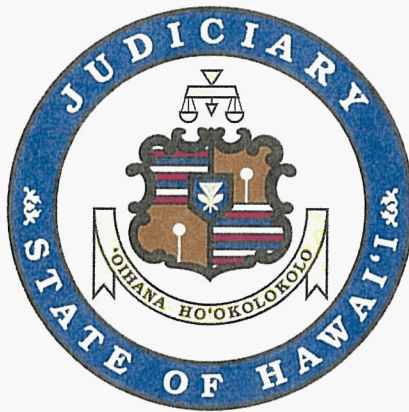
REQUIRED CAPITAL APPROPRIATIONS - BY COST ELEMENTS  
BY CAPITAL PROJECT  
IN THOUSANDS OF DOLLARS

PROGRAM PLAN TITLE: Administration  
PROGRAM STRUCTURE NO: 01 02 02

DESCRIPTION	Cost Element	Project Total	Prior Years Total	Fiscal Year 2018-19				2019-20	2020-21	2021-22	2022-23
				FY2017-18	Current Appropriation	Adjustment	Recommended Appropriation				
Ka'ahumanu Hale Security and Access Improvements and Upgrades to Atrium Lobby, O'ahu	Plans	0					0				
	Land	0					0				
	Design	200					0		200		
	Constr	1,800					0		1,800		
	Equip	0					0				
	<b>Total</b>	<b>2,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,000</b>	<b>0</b>	<b>0</b>
	G.O. Bonds	2,000	0	0	0	0	0	0	2,000	0	0
Kauikeaouli Hale Main Data Center Fire Suppression System, O'ahu	Plans	0					0				
	Land	0					0				
	Design	0					0				
	Constr	700					0				700
	Equip	0					0				
	<b>Total</b>	<b>700</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>700</b>
	G.O. Bonds	700	0	0	0	0	0	0	0	0	700
Kauikeaouli Hale Transaction Counter Improvements, O'ahu	Plans	0					0				
	Land	0					0				
	Design	25					0				25
	Constr	400					0				400
	Equip	0					0				
	<b>Total</b>	<b>425</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>425</b>
	G.O. Bonds	425	0	0	0	0	0	0	0	0	425
<b>Judiciary Total</b> (Active Projects within FB 2017-2019, and projections for FB 2019-2021 and FB 2021-2023)	Plans	1,883	530	303	0	50	50	0	0	500	500
	Land	4,550	4,550	0	0	0	0	0	0	0	0
	Design	13,998	8,911	1,972	150	150	300	750	600	1,080	385
	Constr	157,092	92,187	5,450	1,450	12,280	13,730	17,015	13,050	10,780	4,880
	Equip	6,426	1	25	0	6,400	6,400	0	0	0	0
	<b>Total</b>	<b>183,949</b>	<b>106,179</b>	<b>7,750</b>	<b>1,600</b>	<b>18,880</b>	<b>20,480</b>	<b>17,765</b>	<b>13,650</b>	<b>12,360</b>	<b>5,765</b>
	G.O. Bonds	183,949	106,179	7,750	1,600	18,880	20,480	17,765	13,650	12,360	5,765

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# PART V



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## Variance Report

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# **VARIANCE REPORT**

## **INTRODUCTION**

The Variance Report presents for each program the absolute and percentage differences in expenditures, positions, measures of effectiveness, and program size indicators. Significant differences between the planned and the actual levels for the last completed fiscal year and the current fiscal year are explained in narrative form.

In general, the reasons for the variance tend to fall into one or more of the following areas:

### **A. FORECASTING AND DATA COLLECTION METHODS**

At present, the forecasting techniques used are largely bivariate regression. This methodology is then further refined by smoothing and by normative trend/event analysis. In order to obtain more accurate projections, sophisticated and expensive modeling techniques would have to be employed to fully take into account the numerous factors that affect the courts.

As to the variances reported, the initial estimate may have been inaccurate due to difficulties in forecasting. These situations have occurred most notably where data was limited or unavailable. On a more specific empirical level, a change in data collection methods may have caused further difficulties in forecasting estimated levels. However, these are temporary conditions which can be overcome as a larger database develops and as clear statistical patterns emerge over time.

### **B. EXTERNAL TRENDS AND EVENTS**

There are cases where the forecasts, given historical trends, would have been accurate but for unforeseen trends or events, external to the Judiciary, which might have caused the actual magnitude to change. These events or trends include, among others: (1) new laws enacted by the Legislature; (2) social, economic, and technological change on global, national, state, and local levels; (3) fluctuations in public and institutional attitudes toward litigation and crime; and (4) reductions in resources available to the court programs as a result of the current economic conditions of the State.

### **C. OTHER FACTORS**

In a few cases, it is difficult to ascertain, with any degree of exactitude, the precise cause of the variance. This ambiguity in causality happens as a result of a multitude of contributing factors that may come into play. Such factors as staff shortages, a redirection of court resources, policy changes on the part of other criminal justice agencies, or other factors that are as yet undefined all contribute in differing degrees to a variation between the actual and planned levels.

By comparing the actual and the planned, the analyst, the manager, and the decision-maker are forced to constantly reevaluate the system and thereby gain valuable information as to the activities of the system under study.



# JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Courts of Appeal

Program Plan ID: JUD 101

VARIANCE DETAILS

Program Structure No. 01 01 01

## PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2017									
		A Budgeted	B Actual	Change From A TO B Amount +/- %			A Budgeted	B Estimated	Change From A TO B Amount +/- %		
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	71.00	70.00	1.00	-	1	73.00	72.00	1.00	-	1
	Positions, Temp	2.00	1.00	1.00	-	50	1.00	1.00	0.00	+	0
	Expenditures	6,713	6,835	122	+	2	5,194	5,295	101	+	2
Totals	Positions, Perm	71.00	70.00	1.00	-	1	73.00	72.00	1.00	-	1
	Positions, Temp	2.00	1.00	1.00	-	50	1.00	1.00	0.00	+	0
	Expenditures	6,713	6,835	122	+	2	5,194	5,295	101	+	2

## PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2017					Fiscal Year 2018				
		A Estimated	B Actual	Change From A TO B Amount +/- %			A Planned	B Estimated	Change From A TO B Amount +/- %		
1.	Median Time to Decision, Criminal Appeal (Mo)	14	14	0	+	0	14	14	0	+	0
2.	Median Time to Decision, Civil Appeal (Mo)	12	11	1	-	8	12	11	1	-	8
3.	Median Time to Decision, Original Proc. (Mo)	1	1	0	+	0	1	1	0	+	0

## PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2017					Fiscal Year 2018				
		A Estimated	B Actual	Change From A TO B Amount +/- %			A Planned	B Estimated	Change From A TO B Amount +/- %		
1.	A01 Criminal Appeals Filed	260	255	5	-	2	259	258	1	-	0
2.	A02 Civil Appeals Filed	470	605	135	+	29	465	570	105	+	23
3.	A03 Original Proceedings Filed	100	72	28	-	28	99	90	9	-	9
4.	A04 Appeals Disposed	740	760	20	+	3	735	750	15	+	2
5.	A05 Motions Filed	2,820	2,550	270	-	10	2,822	2,699	123	-	4
6.	A06 Motions Terminated	2,821	2,529	292	-	10	2,823	2,700	123	-	4

## **JUD 101 COURTS OF APPEAL**

### **PART I. VARIANCES IN EXPENDITURES AND POSITIONS**

In FY 2017, the variance in expenditures was largely the result of collective bargaining augmentation. The temporary position variance appears significant due to the limited number of positions and the vacancy of one or half of the total temporary position counts.

For the first quarter of FY 2018, the expenditure variance was due to normal procurement and operational practices. The corresponding temporary position variance remains significant based on the vacancy of the only temporary position. The position continues to be in recruitment and should be filled in the coming months. For the remainder of the fiscal year, estimated expenditures are expected to continue to reflect normal procurement and operational practices as well as collective bargaining augmentation.

### **PART II. VARIANCES IN MEASURES OF EFFECTIVENESS**

None.

### **PART III. VARIANCES IN PROGRAM SIZE INDICATORS**

Item 2, Civil Appeals Filed, was 29% over the estimated level because the estimate was based on actual filings that were consistently lower in prior years – 413 in FY 2012, 410 in FY 2013, 409 in FY 2014, 382 in FY 2015, and 479 in FY 2016, and because the Intermediate Court of Appeals modified its statistical methodology in a manner that increased the number of appeals included in the current fiscal year.

Item 3, Original Proceedings Filed, was 28% under the estimated level because the estimate was based on actual filings that were higher in prior years – 133 in FY 2012, 166 in FY 2013, 103 in FY 2014, 87 in FY 2015, and 86 in FY 2016.

# JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: First Circuit

Program Plan ID: JUD 310

Program Structure No. 01 01 02

## VARIANCE DETAILS

### PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2017									
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B			A Budgeted	B Estimated	Change From A TO B		
				Amount	+/-	%			Amount	+/-	%
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	1,118.50	1,029.50	89.00	-	8					
	Positions, Temp	100.58	63.02	37.56	-	37					
	Expenditures	86,329	88,324	1,995	+	2					
Totals	Positions, Perm	1,118.50	1,029.50	89.00	-	8					
	Positions, Temp	100.58	63.02	37.56	-	37					
	Expenditures	86,329	88,324	1,995	+	2					
		Three Months Ended 9-30-17					Nine Months Ended 6-30-18				
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B			A Budgeted	B Estimated	Change From A TO B		
				Amount	+/-	%			Amount	+/-	%
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	1,128.50 *	1,022.50	106.00	-	9	1,128.50 *	1,065.50	63.00	-	6
	Positions, Temp	93.58	62.18	31.40	-	34	93.58	69.58	24.00	-	26
	Expenditures	22,230	18,893	3,337	-	15	66,691	71,576	4,885	+	7
Totals	Positions, Perm	1,128.50 *	1,022.50	106.00	-	9	1,128.50 *	1,065.50	63.00	-	6
	Positions, Temp	93.58	62.18	31.40	-	34	93.58	69.58	24.00	-	26
	Expenditures	22,230	18,893	3,337	-	15	66,691	71,576	4,885	+	7

\*Includes 2 permanent positions FTE for the Community Court Outreach Project per Act 195/17, Section 7(3)

### PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2017					Fiscal Year 2018				
Item No.	MEASURES OF EFFECTIVENESS	A Estimated	B Actual	Change From A TO B			A Planned	B Estimated	Change From A TO B		
				Amount	+/-	%			Amount	+/-	%
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	380	243	137	-	36	378	311	67	-	18
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	561	553	8	-	1	553	560	7	+	1

### PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2017					Fiscal Year 2018				
Item No.	PROGRAM SIZE INDICATORS	A Estimated	B Actual	Change From A TO B			A Planned	B Estimated	Change From A TO B		
				Amount	+/-	%			Amount	+/-	%
1.	T01 Civil Actions, Circuit Court	10,059	9,739	320	-	3	10,073	9,892	181	-	2
2.	T02 Marital Actions	7,342	7,803	461	+	6	7,355	7,787	432	+	6
3.	T03 Adoption Proceedings	650	490	160	-	25	653	568	85	-	13
4.	T04 Parental Proceedings	2,660	2,985	325	+	12	2,664	2,973	309	+	12
5.	A01 Civil Actions Filed, Circuit Court	2,461	2,148	313	-	13	2,466	2,304	162	-	7
6.	A02 Criminal Actions Filed, Circuit Court	2,166	1,992	174	-	8	2,169	2,076	93	-	4
7.	A03 Marital Actions Filed	3,791	3,528	263	-	7	3,801	3,655	146	-	4
8.	A04 Traffic - Filed (thousands)	323	315	8	-	2	324	319	5	-	2
9.	A05 Traffic - Terminated (thousands)	350	358	8	+	2	350	360	10	+	3

## **JUD 310 FIRST CIRCUIT**

### **PART I. VARIANCES IN EXPENDITURES AND POSITIONS**

In FY 2017, position variances were the result of normal employee turnover as well as recruitment time factors. All position vacancies are carefully screened as part of the ongoing process to ensure that new hires are necessary to continue vital court services. Filling temporary positions will often have the challenge of retaining employees due to the nature of non-permanency. Temporary employees will likely seek and move to permanent positions which will create temporary position vacancies.

In FY 2017, First Circuit expenditures were slightly higher than budgeted largely due to collective bargaining increases and the Judges' salary increase recommended by the Commission on Salaries and approved by the Legislature.

In the first quarter of FY 2018, the variance in the number of filled authorized positions is again reflective of employee turnover, recruitment time factors, and the necessary continuation of conservative hiring practices. As mentioned above, temporary positions present challenges to retain employees seeking and moving to permanent positions. Expenditure variances in the first quarter are largely due to the timing of actual payroll disbursements, conservative hiring practices, and normal procurement and operational practices.

For the balance of FY 2018, estimated expenditures are expected to reflect the combined effect of additional payroll expenses (as essential position vacancies are filled and payroll earned in FY 2018 by new employees subject to a 20-day pay lag is disbursed), and payments made for court ordered services. Action to fill important vacancies and recruitment time factors should result in the maintenance of normal position variances through the final nine months of the year. Estimated expenditures are also expected to increase in part due to collective bargaining cost items and Community Outreach Court funds appropriated by the Legislature.

### **PART II. VARIANCES IN MEASURES OF EFFECTIVENESS**

Item 1, Median Time to Disposition, Circuit Court Criminal Actions, was 36% less than the estimated number of days primarily due to the transfer of information from the HAJIS system to the Judiciary Information Management System (JIMS), which reads and captures data in a slightly different manner.

### **PART III. VARIANCES IN PROGRAM SIZE INDICATORS**

Item 3, Adoption Proceedings, was 25% under the estimated level due to an over projection of the estimated level for FY 2017. This occurred because of an increasing trend in the adoption proceedings caseload of 465, 538, and 647 cases in FY 2014, FY 2015, and FY 2016, which the estimated number of 650 for FY 2017 was based on.



# JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Second Circuit

Program Plan ID: JUD 320

## VARIANCE DETAILS

Program Structure No. 01 01 03

### PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2017									
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B Amount +/-		%					
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	207.00	198.00	9.00	-	4					
	Positions, Temp	1.68	1.00	0.68	-	40					
	Expenditures	16,415	16,716	301	+	2					
Totals	Positions, Perm	207.00	198.00	9.00	-	4					
	Positions, Temp	1.68	1.00	0.68	-	40					
	Expenditures	16,415	16,716	301	+	2					

		Three Months Ended 9-30-17					Nine Months Ended 6-30-18				
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B Amount +/-		%	A Budgeted	B Estimated	Change From A TO B Amount +/-		%
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	207.00	197.00	10.00	-	5	207.00	207.00	0.00	+	0
	Positions, Temp	1.68	1.00	0.68	-	40	1.68	1.68	0.00	+	0
	Expenditures	4,118	3,767	351	-	9	12,780	13,400	620	+	5
Totals	Positions, Perm	207.00	197.00	10.00	-	5	207.00	207.00	0.00	+	0
	Positions, Temp	1.68	1.00	0.68	-	40	1.68	1.68	0.00	+	0
	Expenditures	4,118	3,767	351	-	9	12,780	13,400	620	+	5

### PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2017					Fiscal Year 2018				
Item No.	MEASURES OF EFFECTIVENESS	A Estimated	B Actual	Change From A TO B Amount +/-		%	A Planned	B Estimated	Change From A TO B Amount +/-		%
1.	Med. Time to Dispo., Cirt. Ct. Crim. Act. (Days)	255	261	6	+	2	254	259	5	+	2
2.	Med. Time to Dispo., Cirt. Ct. Civil Act. (Days)	475	505	30	+	6	470	498	28	+	6

### PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2017					Fiscal Year 2018				
Item No.	PROGRAM SIZE INDICATORS	A Estimated	B Actual	Change From A TO B Amount +/-		%	A Planned	B Estimated	Change From A TO B Amount +/-		%
1.	T01 Civil Actions, Circuit Court	2,020	1,818	202	-	10	2,030	1,912	118	-	6
2.	T02 Marital Actions	921	900	21	-	2	926	907	19	-	2
3.	T03 Adoption Proceedings	75	63	12	-	16	76	70	6	-	8
4.	T04 Parental Proceedings	400	350	50	-	13	414	366	48	-	12
5.	A01 Civil Actions Filed, Circuit Court	677	532	145	-	21	687	595	92	-	13
6.	A02 Criminal Actions Filed, Circuit Court	1,168	1,018	150	-	13	1,170	1,092	78	-	7
7.	A03 Marital Actions Filed	538	528	10	-	2	544	530	14	-	3
8.	A04 Traffic - Filed (thousands)	38	43	5	+	13	38	41	3	+	8
9.	A05 Traffic - Terminated (thousands)	39	50	11	+	28	39	45	6	+	15

## **JUD 320 SECOND CIRCUIT**

### **PART I. VARIANCES IN EXPENDITURES AND POSITIONS**

In 2017, position variances were the result of normal employee turnover and related recruitment time factors. FY 2017 expenditures were slightly higher than budget due to collective bargaining increases that were appropriated via a separate bill.

In the first quarter of FY 2018, the number of filled authorized positions remains reflective of normal employee turnover and recruitment time factors. Expenditure variances are a result of position vacancies and normal procurement and operational practices.

For the balance of FY 2018, estimated expenditures are expected to reflect the combined effect of additional payroll expenses (as position vacancies are filled), the liquidation of first quarter billings as they are received in later quarters, and payments made for court purchased services. Estimated expenditures are also expected to increase due to collective bargaining increases that were appropriated in separate bills. Action to fill important vacancies and recruitment time factors should result in the maintenance of normal position variances through the final nine months of the year.

### **PART II. VARIANCES IN MEASURES OF EFFECTIVENESS**

There are no significant variances to report.

### **PART III. VARIANCES IN PROGRAM SIZE INDICATORS**

Item 5, Civil Actions Filed, Circuit Court, was 21% lower than the estimated level in FY 2017, due to fewer foreclosure and other civil action filings.

Item 9, Traffic – Terminated, was 28% higher than the estimated level in FY 2017, due to unexpected increases in new filings, especially for parking violations, and greater attention to resolving and terminating non-criminal traffic and parking violations.

# JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Third Circuit

Program Plan ID: JUD 330

VARIANCE DETAILS

Program Structure No. 01 01 04

## PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2017									
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B Amount +/-		%					
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	228.00	217.00	11.00	-	5					
	Positions, Temp	5.68	5.08	0.60	-	11					
	Expenditures	19,428	20,173	745	+	4					
Totals	Positions, Perm	228.00	217.00	11.00	-	5					
	Positions, Temp	5.68	5.08	0.60	-	11					
	Expenditures	19,428	20,173	745	+	4					

		Three Months Ended 9-30-17					Nine Months Ended 6-30-18				
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B Amount +/-		%	A Budgeted	B Estimated	Change From A TO B Amount +/-		%
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	228.00	217.00	11.00	-	5	228.00	228.00	0.00	+	0
	Positions, Temp	5.68	4.08	1.60	-	28	5.68	5.68	0.00	+	0
	Expenditures	8,543	8,185	358	-	4	11,427	12,084	657	+	6
Totals	Positions, Perm	228.00	217.00	11.00	-	5	228.00	228.00	0.00	+	0
	Positions, Temp	5.68	4.08	1.60	-	28	5.68	5.68	0.00	+	0
	Expenditures	8,543	8,185	358	-	4	11,427	12,084	657	+	6

## PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2017					Fiscal Year 2018				
Item No.	MEASURES OF EFFECTIVENESS	A Estimated	B Actual	Change From A TO B Amount +/-		%	A Planned	B Estimated	Change From A TO B Amount +/-		%
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	310	171	139	-	45	309	241	68	-	22
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	499	516	17	+	3	497	509	12	+	2

## PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2017					Fiscal Year 2018				
Item No.	PROGRAM SIZE INDICATORS	A Estimated	B Actual	Change From A TO B Amount +/-		%	A Planned	B Estimated	Change From A TO B Amount +/-		%
1.	T01 Civil Actions, Circuit Court	3,057	3,001	56	-	2	3,076	3,020	56	-	2
2.	T02 Marital Actions	1,520	1,275	245	-	16	1,531	1,393	138	-	9
3.	T03 Adoption Proceedings	96	140	44	+	46	96	121	25	+	26
4.	T04 Parental Proceedings	1,362	1,407	45	+	3	1,375	1,388	13	+	1
5.	A01 Civil Actions Filed, Circuit Court	872	825	47	-	5	878	845	33	-	4
6.	A02 Criminal Actions Filed, Circuit Court	901	902	1	+	0	909	897	12	-	1
7.	A03 Marital Actions Filed	587	566	21	-	4	590	576	14	-	2
8.	A04 Traffic - Filed (thousands)	43	41	2	-	5	43	42	1	-	2
9.	A05 Traffic - Terminated (thousands)	44	50	6	+	14	44	45	1	+	2

## **JUD 330 THIRD CIRCUIT**

### **PART I. VARIANCES IN EXPENDITURES AND POSITIONS**

In FY 2017, actual position counts were less than budget due to normal employee turnover and related recruitment time factors. Expenditures were higher than budget due to collective bargaining increases that were appropriated via a separate bill as well as increases in Attorney Fees for Non-Law Indigent and Guardian Ad Litem Fees in FY 2017.

In the first quarter of FY 2018, the number of filled authorized positions remains reflective of normal employee turnover and recruitment time factors. Lower actual expenditures are due to position vacancies, including two Circuit Judge positions which have been recently confirmed by the State Senate, and normal procurement and operational expenditures.

For the balance of FY 2018, estimated expenditures are expected to reflect the combined effect of additional payroll expenses (as essential position vacancies are filled), the liquidation of first quarter billings as they are received in later quarters, and payments made for court purchased services. Estimated expenditures are also expected to increase due to collective bargaining increases that were appropriated in separate bills. Action to fill important vacancies and recruitment time factors should result in the maintenance of normal position variances through the final nine months of the year.

### **PART II. VARIANCES IN MEASURES OF EFFECTIVENESS**

Item 1, Median Time to Disposition, Circuit Court Criminal Actions, was 45% below the estimated level in FY 2017 as this estimate was based on actual median times in prior years (i.e., 171 days in FY 2017 as compared to 311 days in FY 2016 and 504 days in FY 2015).

### **PART III. VARIANCES IN PROGRAM SIZE INDICATORS**

Item 3, Adoption Proceedings, was 46% above the estimated level in FY 2017 due to an unexpected increase in adoption proceedings in FY 2017 as compared to prior years (i.e., 140 in FY 2017 as opposed to 101 in FY 2016 and 82 in FY 2015).



# JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Fifth Circuit

Program Plan ID: JUD 350

Program Structure No. 01 01 05

## VARIANCE DETAILS

### PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

		Fiscal Year 2017				
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B Amount +/- %		
Research and Development	Positions, Perm					
	Positions, Temp					
	Expenditures					
Operating	Positions, Perm	99.00	88.00	11.00	- 11	
	Positions, Temp	2.60	2.40	0.20	- 8	
	Expenditures	7,513	7,495	18	- 0	
Totals	Positions, Perm	99.00	88.00	11.00	- 11	
	Positions, Temp	2.60	2.40	0.20	- 8	
	Expenditures	7,513	7,495	18	- 0	

		Three Months Ended 9-30-17					Nine Months Ended 6-30-18				
COST (Expenditures in \$1,000's)		A Budgeted	B Actual	Change From A TO B Amount +/- %		A Budgeted	B Estimated	Change From A TO B Amount +/- %			
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	99.00	92.00	7.00	- 7	99.00	95.00	4.00	- 4		
	Positions, Temp	2.60	2.20	0.40	- 15	2.60	2.60	0.00	+ 0		
	Expenditures	1,941	1,547	394	- 20	5,824	6,339	515	+ 9		
Totals	Positions, Perm	99.00	92.00	7.00	- 7	99.00	95.00	4.00	- 4		
	Positions, Temp	2.60	2.20	0.40	- 15	2.60	2.60	0.00	+ 0		
	Expenditures	1,941	1,547	394	- 20	5,824	6,339	515	+ 9		

### PART II VARIANCES IN MEASURES OF EFFECTIVENESS

		Fiscal Year 2017					Fiscal Year 2018				
Item No.	MEASURES OF EFFECTIVENESS	A Estimated	B Actual	Change From A TO B Amount +/-		%	A Planned	B Estimated	Change From A TO B Amount +/-		%
1.	Med. Time to Dispo., Circ. Ct. Crim. Act. (Days)	326	299	27	-	8	325	313	12	-	4
2.	Med. Time to Dispo., Circ. Ct. Civil Act. (Days)	450	1,085	635	+	141	440	844	404	+	92

### PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

		Fiscal Year 2017					Fiscal Year 2018				
Item No.	PROGRAM SIZE INDICATORS	A Estimated	B Actual	Change From A TO B			A Planned	B Estimated	Change From A TO B		
				Amount	+/-	%			Amount	+/-	%
1.	TO1 Civil Actions, Circuit Court	1,185	1,153	32	-	3	1,194	1,165	29	-	2
2.	TO2 Marital Actions	693	527	166	-	24	704	606	98	-	14
3.	TO3 Adoption Proceedings	58	61	3	+	5	61	58	3	-	5
4.	TO4 Parental Proceedings	483	462	21	-	4	492	468	24	-	5
5.	A01 Civil Actions Filed, Circuit Court	203	211	8	+	4	212	211	1	-	0
6.	A02 Criminal Actions Filed, Circuit Court	485	487	2	+	0	489	488	1	-	0
7.	A03 Marital Actions Filed	215	196	19	-	9	218	204	14	-	6
8.	A04 Traffic - Filed (thousands)	12	14	2	+	17	12	13	1	+	8
9.	A05 Traffic - Terminated (thousands)	15	14	1	-	7	15	14	1	-	7

## **JUD 350 FIFTH CIRCUIT**

### **PART I. VARIANCES IN EXPENDITURES AND POSITIONS**

In FY 2017, the variance in positions was due to normal employee turnover and the expenditure variance was the result of conservative spending practices.

For FY 2018, the position variances continue to reflect normal employee turnover and recruitment activity. The expenditure variances indicate collective bargaining augmentation and increased expenditure levels in the latter part of the fiscal year.

### **PART II. VARIANCES IN MEASURES OF EFFECTIVENESS**

Item 2, Medium Time to Disposition, Circuit Court Civil Actions, was 141% over the estimated level due to an intensive effort to dispose of and close old cases sitting on the court's records.

### **PART III. VARIANCES IN PROGRAM SIZE INDICATORS**

Item 2, Marital Actions, was 24% under the estimated level due to an over projection of the estimated level which was based on actual numbers from prior years (i.e., 717 in FY 2015 and 682 in FY 2016).

# JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Judicial Selection Commission

Program Plan ID: JUD 501

Program Structure No. 01 02 01

## VARIANCE DETAILS

### PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2017				
		A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%
Research and Development	Positions, Perm					
	Positions, Temp					
	Expenditures					
Operating	Positions, Perm	1.00	1.00	0.00	+	0
	Positions, Temp	0.00	0.00	0.00	+	0
	Expenditures	93	124	31	+	33
Totals	Positions, Perm	1.00	1.00	0.00	+	0
	Positions, Temp	0.00	0.00	0.00	+	0
	Expenditures	93	124	31	+	33

COST (Expenditures in \$1,000's)		Three Months Ended 9-30-17					Nine Months Ended 6-30-18				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%	Budgeted	Estimated	Amount	+/-	%
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	1.00	1.00	0.00	+	0	1.00	1.00	0.00	+	0
	Positions, Temp	0.00	0.00	0.00	+	0	0.00	0.00	0.00	+	0
	Expenditures	25	38	13	+	52	74	62	12	-	16
Totals	Positions, Perm	1.00	1.00	0.00	+	0	1.00	1.00	0.00	+	0
	Positions, Temp	0.00	0.00	0.00	+	0	0.00	0.00	0.00	+	0
	Expenditures	25	38	13	+	52	74	62	12	-	16

### PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2017					Fiscal Year 2018				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
N/A											

### PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2017					Fiscal Year 2018				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-	%	Planned	Estimated	Amount	+/-	%
N/A											

## **JUD 501 JUDICIAL SELECTION COMMISSION**

### **PART I. VARIANCES IN EXPENDITURES AND POSITIONS**

In FY 2017, there were no position variances. Actual expenditures for FY 2017 were higher than budgeted due to collective bargaining augmentation and higher than expected judicial vacancies and related expenses.

As in FY 2017, the FY 2018 first quarter expenditure variance reflects additional collective bargaining funding and the continuing increase in judicial vacancies and corresponding expenditure levels.

### **PART II. VARIANCES IN MEASURES OF EFFECTIVENESS**

N/A.

### **PART III. VARIANCES IN PROGRAM SIZE INDICATORS**

N/A.



# JUDICIARY

STATE OF HAWAII

PROGRAM TITLE: Administration

Program Plan ID: JUD 601

Program Structure No. 01 02 02

## VARIANCE DETAILS

### PART I -- VARIANCES IN EXPENDITURES AND POSITIONS

COST (Expenditures in \$1,000's)		Fiscal Year 2017									
		A	B	Change From A TO B							
		Budgeted	Actual	Amount	+/-	%					
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	228.00	215.00	13.00	-	6					
	Positions, Temp	19.48	18.48	1.00	-	5					
	Expenditures	34,175	33,659	516	-	2					
Totals	Positions, Perm	228.00	215.00	13.00	-	6					
	Positions, Temp	19.48	18.48	1.00	-	5					
	Expenditures	34,175	33,659	516	-	2					
COST (Expenditures in \$1,000's)		Three Months Ended 9-30-17					Nine Months Ended 6-30-18				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Budgeted	Actual	Amount	+/-	%	Budgeted	Estimated	Amount	+/-	%
Research and Development	Positions, Perm										
	Positions, Temp										
	Expenditures										
Operating	Positions, Perm	228.00	217.00	11.00	-	5	228.00	222.00	6.00	-	3
	Positions, Temp	19.48	18.48	1.00	-	5	19.48	18.48	1.00	-	5
	Expenditures	8,775	11,422	2,647	+	30	26,325	24,163	2,162	-	8
Totals	Positions, Perm	228.00	217.00	11.00	-	5	228.00	222.00	6.00	-	3
	Positions, Temp	19.48	18.48	1.00	-	5	19.48	18.48	1.00	-	5
	Expenditures	8,775	11,422	2,647	+	30	26,325	24,163	2,162	-	8

### PART II VARIANCES IN MEASURES OF EFFECTIVENESS

Item No. MEASURES OF EFFECTIVENESS		Fiscal Year 2017					Fiscal Year 2018				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-		Planned	Estimated	Amount	+/-	
1.	Average Time to Process JUDHR001 Form (days)	5	5	0	+	0	5	5	0	+	0
2.	Average Time to Process Payment Document (days)	5	5	0	+	0	5	5	0	+	0

### PART III VARIANCES IN PROGRAM SIZE INDICATORS (For Lowest Level Programs Only)

Item No. PROGRAM SIZE INDICATORS		Fiscal Year 2017					Fiscal Year 2018				
		A	B	Change From A TO B			A	B	Change From A TO B		
		Estimated	Actual	Amount	+/-		Planned	Estimated	Amount	+/-	
1.	A01 Number of Payment Documents Processed	34,346	35,024	678	+	2	34,346	35,000	654	+	2
2.	A02 Number of Recruitment Announcements	880	1,176	296	+	34	880	1,200	320	+	36
3.	A03 Number of JUDHR001 Forms Processed	4,400	6,009	1,609	+	37	4,000	6,200	2,200	+	55
4.	A04 Library - Size of Collections (000's)	284	284	0	+	0	284	285	1	+	0
5.	A05 Library - Circulation, Trans & Ref Use (000's)	31	31	0	+	0	31	31	0	+	0
6.	A06 Library - Patrons Served (000's)	7	9	2	+	29	7	8	1	+	14

## **JUD 601 ADMINISTRATION**

### **PART I. VARIANCES IN EXPENDITURES AND POSITIONS**

In FY 2017, position variances were the result of normal employee turnover as well as recruitment time factors. The corresponding expenditure variance for the fiscal year is attributed to continued conservative spending practices.

In the first quarter of FY 2018, the variance in the number of filled authorized positions is a carryover from the previous year and a result of normal employee turnover. Expenditure variances are a result collective bargaining increases as well as contractual and other significant operational obligations that are incurred early in the fiscal year. The payment of these financial requirements in the first quarter results in the proportionately lower level of operating expenses projected for the remainder of the fiscal year.

### **PART II. VARIANCES IN MEASURES OF EFFECTIVENESS**

None.

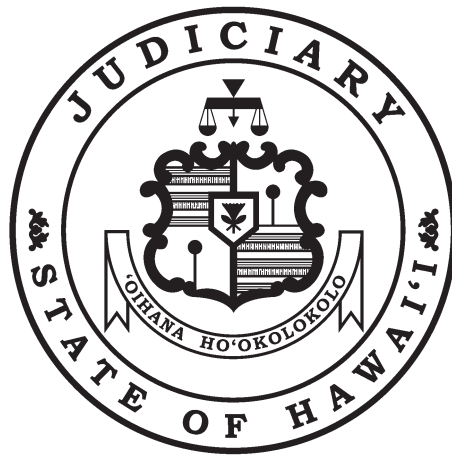
### **PART III. VARIANCES IN PROGRAM SIZE INDICATORS**

The variance in Number of Recruitments Announced was 34% more than estimated due to the increase in the number of retirements and resignations. Specifically, Recruitment Announcements totaled 1,176 in FY 2017, as compared to 867, 749, and 880 in FYs 2014, 2015, and 2016, respectively. There was also a shortage of applicants for Social Workers, Court Clerks, and Juvenile Detention Workers that required re-announcements at multiple levels.

The variance in JUDHR001 Forms Processed was 37% more than estimated due to an estimation for pay increases that was too low as the extent of the negotiated pay increases was not known at that time.

Law Library, Patrons Served was 29% higher than estimated due to an increase in people utilizing the libraries on the neighbor islands, specifically in the Kona and Kaua'i areas.

# **The Judiciary State of Hawai‘i**



2017  
Annual Report  
Statistical Supplement

*To the Honorable  
Members of  
the Twenty-ninth  
Legislature  
and the Public:*

In accordance with Section 601-3 of the Hawai'i Revised Statutes, the State of Hawai'i Judiciary transmits this Statistical Supplement of its 2017 Annual Report covering the period of July 1, 2016, to June 30, 2017.

The Statistical Supplement, compiled by the Judiciary's Policy and Planning Department, is the result of input from all areas of the court system. Besides providing information to the public, the statistics serve as a foundation for the courts' immediate and future planning efforts.

Sincerely,

A handwritten signature in black ink, reading "Mark E. Recktenwald". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Mark E. Recktenwald  
Chief Justice  
Hawai'i Supreme Court



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\*Excluding traffic and parking cases

*Traffic and Parking Cases ..... Tables 27-31*

# TABLE 1

## Courts of Appeal Caseload Activity, FY 2016–17

CASELOAD ACTIVITY						TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Published Opinion	Memorandum Opinion	Summary Disposition Order	Motion to Dismiss Granted	Dismissed by Court Order	Withdrawn or Discontinued	Transferred	Other
<b>PRIMARY CASES</b>													
<b>Applications for Transfer</b>													
Civil	3	16	19	16	3					5		11	
Criminal		5	5	5						3		2	
Family Court													
Other		1	1	1						1			
<b>Total Applications for Transfer</b>	<b>3</b>	<b>22</b>	<b>25</b>	<b>22</b>	<b>3</b>					<b>9</b>		<b>13</b>	
<b>Appeals</b>													
Civil	351	468	819	371	448	53	61	75	22	94	54	11	1
Criminal	282	255	537	265	272	36	32	125	9	51	9	2	1
Family Court	94	84	178	95	83	12	4	38	8	25	8		
Other	25	48	73	27	46	1	7	5	3	8	2		1
<b>Direct Appeals *</b>		<b>5</b>	<b>5</b>	<b>2</b>	<b>3</b>					<b>2</b>			
<b>Total Appeals</b>	<b>752</b>	<b>860</b>	<b>1,612</b>	<b>760</b>	<b>852</b>	<b>102</b>	<b>104</b>	<b>243</b>	<b>42</b>	<b>180</b>	<b>73</b>	<b>13</b>	<b>3</b>
<b>Original Proceedings</b>	<b>21</b>	<b>72</b>	<b>93</b>	<b>80</b>	<b>13</b>	<b>1</b>				<b>75</b>	<b>4</b>		
<b>TOTAL PRIMARY CASES</b>	<b>776</b>	<b>954</b>	<b>1,730</b>	<b>862</b>	<b>868</b>	<b>103</b>	<b>104</b>	<b>243</b>	<b>42</b>	<b>264</b>	<b>77</b>	<b>26</b>	<b>3</b>
<b>SUPPLEMENTAL PROCEEDINGS</b>													
Motions	62	2,550	2,612	2,529	83								2,529
Motions for Reconsideration	2	53	55	54	1								54
<b>TOTAL SUPPLEMENTAL PROCEEDINGS</b>	<b>64</b>	<b>2,603</b>	<b>2,667</b>	<b>2,583</b>	<b>84</b>								<b>2,583</b>
<b>TOTAL CASELOAD ACTIVITY</b>	<b>840</b>	<b>3,557</b>	<b>4,397</b>	<b>3,445</b>	<b>952</b>	<b>103</b>	<b>104</b>	<b>243</b>	<b>42</b>	<b>264</b>	<b>77</b>	<b>26</b>	<b>2,586</b>

The caseload activity of the Courts of Appeal, comprised of the Supreme Court and the Intermediate Court of Appeals, reflects the combined workload of the two courts.

Primary Cases are original cases filed in the Office of the Chief Clerk of the Supreme Court. Appeals and original proceedings are classified as primary cases.

Supplemental Proceedings arise out of primary cases. During the fiscal year, of the 2,603 supplemental proceedings filed, 193 were filed in the Supreme Court and 2,410 were filed in the Intermediate Court of Appeals.

\* See footnotes to Table 1A for the definition of these cases.

# TABLE 1A

## Supreme Court Caseload Activity, FY 2016–17

CASELOAD ACTIVITY						TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Published Opinion	Memorandum Opinion	Summary Disposition Order	Motion to Dismiss Granted	Dismissed by Court Order	Withdrawn or Discontinued	Transferred	Other
<b>PRIMARY CASES</b>													
<b>Applications for Transfer</b>	<b>3</b>	<b>22</b>	<b>25</b>	<b>22</b>	<b>3</b>					<b>9</b>		<b>13</b>	
Civil	3	16	19	16	3					5		11	
Criminal		5	5	5						3		2	
Family Court													
Other		1	1	1						1			
<b>Appeals *</b>	<b>21</b>	<b>13</b>	<b>34</b>	<b>14</b>	<b>20</b>	<b>11</b>		<b>3</b>					
Civil	17	11	28	12	16	9		3					
Criminal	3	2	5	1	4	1							
Family Court	1		1	1		1							
Other													
<b>Applications for Certiorari</b>	<b>70</b>	<b>155</b>	<b>225</b>	<b>172</b>	<b>53</b>	<b>62</b>	<b>4</b>	<b>4</b>		<b>98</b>	<b>1</b>		<b>3</b>
Civil	28	69	97	76	21	28	1	1		45			1
Criminal	29	68	97	70	27	28	2	3		36			1
Family Court	7	15	22	19	3	5				14			
Other	6	3	9	7	2	1	1			3	1		1
<b>Direct Appeals **</b>		<b>5</b>	<b>5</b>	<b>2</b>	<b>3</b>					<b>2</b>			
<b>Total Appeals</b>	<b>91</b>	<b>173</b>	<b>264</b>	<b>188</b>	<b>76</b>	<b>73</b>	<b>4</b>	<b>7</b>		<b>100</b>	<b>1</b>		<b>3</b>
<b>Original Proceedings</b>	<b>21</b>	<b>72</b>	<b>93</b>	<b>80</b>	<b>13</b>	<b>1</b>				<b>75</b>	<b>4</b>		
<b>TOTAL PRIMARY CASES</b>	<b>115</b>	<b>267</b>	<b>382</b>	<b>290</b>	<b>92</b>	<b>74</b>	<b>4</b>	<b>7</b>		<b>184</b>	<b>5</b>	<b>13</b>	<b>3</b>
<b>SUPPLEMENTAL PROCEEDINGS</b>													
Motions	22	176	198	180	18								180
Motions for Reconsideration	2	17	19	19									19
<b>TOTAL SUPPLEMENTAL PROCEEDINGS</b>	<b>24</b>	<b>193</b>	<b>217</b>	<b>199</b>	<b>18</b>								<b>199</b>
<b>TOTAL CASELOAD ACTIVITY</b>	<b>139</b>	<b>460</b>	<b>599</b>	<b>489</b>	<b>110</b>	<b>74</b>	<b>4</b>	<b>7</b>		<b>184</b>	<b>5</b>	<b>13</b>	<b>202</b>

\* These appeals were the subject of applications for transfer that were accepted and subsequently transferred to the Supreme Court from the Intermediate Court of Appeals for disposition on the merits. The number of appeals filed refers to the number of appeals transferred to the Supreme Court during the fiscal year.

\*\* These appeals were filed pursuant to Act 48, which was signed into law on May 10, 2016, and took effect on August 1, 2016. Under Act 48, contested case hearings before the Commissions on Water Resource Management (HRS Section 174C), Land Use (HRS Section 205), Public Utilities (HRS Section 269), The Hawai'i Community Development Program (HRS Section 206E), and cases involving Conservation Districts (HRS Section 183C) are to be appealed directly to the Supreme Court.

# TABLE 1B

## Intermediate Court of Appeals Caseload Activity, FY 2016–17

CASELOAD ACTIVITY						TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Published Opinion	Memorandum Opinion	Summary Disposition Order	Motion to Dismiss Granted	Dismissed by Court Order	Withdrawn or Discontinued	Transferred	Other
<b>PRIMARY CASES</b>													
<b>Appeals *</b>													
Civil	306	388	694	283	411	16	60	71	22	49	54	11	
Criminal	250	185	435	194	241	7	30	122	9	15	9	2	
Family Court	86	69	155	75	80	6	4	38	8	11	8		
Other	19	45	64	20	44		6	5	3	5	1		
<b>Total Appeals</b>	<b>661</b>	<b>687</b>	<b>1,348</b>	<b>572</b>	<b>776</b>	<b>29</b>	<b>100</b>	<b>236</b>	<b>42</b>	<b>80</b>	<b>72</b>	<b>13</b>	
<b>Original Proceedings</b>													
<b>TOTAL PRIMARY CASES</b>	<b>661</b>	<b>687</b>	<b>1,348</b>	<b>572</b>	<b>776</b>	<b>29</b>	<b>100</b>	<b>236</b>	<b>42</b>	<b>80</b>	<b>72</b>	<b>13</b>	
<b>SUPPLEMENTAL PROCEEDINGS</b>													
Motions	40	2,374	2,414	2,349	65								2,349
Motions for Reconsideration		36	36	35	1								35
<b>TOTAL SUPPLEMENTAL PROCEEDINGS</b>	<b>40</b>	<b>2,410</b>	<b>2,450</b>	<b>2,384</b>	<b>66</b>								<b>2,384</b>
<b>TOTAL CASELOAD ACTIVITY</b>	<b>701</b>	<b>3,097</b>	<b>3,798</b>	<b>2,956</b>	<b>842</b>	<b>29</b>	<b>100</b>	<b>236</b>	<b>42</b>	<b>80</b>	<b>72</b>	<b>13</b>	<b>2,384</b>

\* In prior years, appeals were not included in Table 1B until they were docketed. We have modified our statistical methodology to include all submitted appeals, even if they have not yet been docketed. If we had used our prior statistical methodology, the "Total Appeals" figures for Table 1B would have been as follows: Pending at Start 661; Filed: 534; Total Caseload: 1,195; Terminated: 536; and Pending at End: 659.



# TABLE 2

## Courts of Appeal Changes, FY 2016–17 A Comparative Summary of Primary and Supplemental Proceedings

	FY 2016		FY 2017		CHANGE FROM FY 2016				CHANGE FROM FY 2012			
	Number	Percent	Number	Percent	Number		Percent		Number		Percent	
TOTAL FILINGS												
Both Courts	3,738	100.0	3,557	100.0	-	181	-	4.8	-	449	-	11.2
Primary	855	22.9	954	26.8	+	99	+	11.6	+	192	+	25.2
Supplemental	2,883	77.1	2,603	73.2	-	280	-	9.7	-	641	-	19.8
Supreme Court	501	100.0	460	100.0	-	41	-	8.2	-	178	-	27.9
Primary	304	60.7	267	58.0	-	37	-	12.2	+	82	+	44.3
Supplemental	197	39.3	193	42.0	-	4	-	2.0	-	260	-	57.4
Intermediate Court of Appeals	3,237	100.0	3,097	100.0	-	140	-	4.3	-	271	-	8.0
Primary	551	17.0	687	22.2	+	136	+	24.7	+	110	+	19.1
Supplemental	2,686	83.0	2,410	77.8	-	276	-	10.3	-	381	-	13.7
TOTAL BACKLOGS												
Both Courts	838	100.0	952	100.0	+	114	+	13.6	+	94	+	11.0
Primary	774	92.4	868	91.2	+	94	+	12.1	+	79	+	10.0
Supplemental	64	7.6	84	8.8	+	20	+	31.3	+	15	+	21.7
Supreme Court	137	100.0	110	100.0	-	27	-	19.7	+	46	+	71.9
Primary	113	82.5	92	83.6	-	21	-	18.6	+	59	+	178.8
Supplemental	24	17.5	18	16.4	-	6	-	25.0	-	13	-	41.9
Intermediate Court of Appeals	701	100.0	842	100.0	+	141	+	20.1	+	48	+	6.0
Primary	661	94.3	776	92.2	+	115	+	17.4	+	20	+	2.6
Supplemental	40	5.7	66	7.8	+	26	+	65.0	+	28	+	73.7
PUBLISHED OPINIONS, MEMORANDUM OPINIONS, AND SUMMARY DISPOSITION ORDERS												
	489		489			0		0.0	+	33	+	7.2
Decisions on the Merits	432		450		+	18	+	4.2	+	46	+	11.4
Appeals	424	100.0	449	100.0	+	25	+	5.9	+	48	+	12.0
Reversals (including remands)	154	36.3	148	33.0	-	6	-	3.9	+	64	+	76.2
Affirmances (including reversed in part & modified & affirmed)	262	61.8	292	65.0	+	30	+	11.5	-	19	-	6.1
Other Dispositions	8	1.9	9	2.0	+	1	+	12.5	+	3	+	50.0
Additional (Concurring/Dissenting Opinions)	57		39		-	18	-	31.6	-	13	-	25.0
SUPREME COURT												
	117		98		-	19	-	16.2	+	11	+	12.6
Decisions on the Merits	79		85		+	6	+	7.6	+	28	+	49.1
Appeals	71	100.0	84	100.0	+	13	+	18.3	+	30	+	55.6
Reversals (including remands)	53	74.6	45	53.6	-	8	-	15.1	+	16	+	55.2
Affirmances (including reversed in part & modified & affirmed)	18	25.4	38	45.2	+	20	+	111.1	+	13	+	52.0
Other Dispositions		0.0	1	1.2	+	1	+		+	1	+	
Additional (Concurring/Dissenting Opinions)	38		13		-	25	-	65.8	-	17	-	56.7
INTERMEDIATE COURT OF APPEALS												
	372		391		+	19	+	5.1	+	22	+	6.0
Decisions on the Merits	353		365		+	12	+	3.4	+	18	+	5.2
Appeals	353	100.0	365	100.0	+	12	+	3.4	+	18	+	5.2
Reversals (including remands)	101	28.6	103	28.2	+	2	+	2.0	+	48	+	87.3
Affirmances (including reversed in part & modified & affirmed)	244	69.1	254	69.6	+	10	+	4.1	-	32	-	11.2
Other Dispositions	8	2.3	8	2.2		0		0.0	+	2	+	33.3
Additional (Concurring/Dissenting Opinions)	19		26		+	7	+	36.8	+	4	+	18.2

# TABLE 4

## Supervision of Felons and Misdemeanants, FY 2016–17, Adult Probation

	Pending at Start	New Placements	Total Caseload	Terminated	Pending at End	Max. Exp. Date	New Conviction	Technical Violation	Good Adjustment	Death	Other
<b>ALL CIRCUITS</b>	<b>19,457</b>	<b>5,332</b>	<b>24,789</b>	<b>4,368</b>	<b>20,421</b>	<b>2,631</b>	<b>212</b>	<b>458</b>	<b>596</b>	<b>71</b>	<b>400</b>
First Circuit	10,982	2,981	13,963	2,448	11,515	1,494	146	208	326	47	227
Second Circuit	3,106	855	3,961	700	3,261	459	15	129	45	6	46
Third Circuit	4,165	1,063	5,228	876	4,352	436	42	84	181	16	117
Fifth Circuit	1,204	433	1,637	344	1,293	242	9	37	44	2	10

One body is reported as an adult probation case. Hence, a defendant with multiple offenses is represented by one case.

# TABLE 5

## Felony and Misdemeanor Investigations, FY 2016–17, Adult Probation

	Pre Sentence	Post Sentence	Out-of-Town Inquiry	Courtesy Supervision	Other	Total
<b>ALL CIRCUITS</b>	<b>2,701</b>	<b>67</b>		<b>291</b>		<b>3,059</b>
First Circuit	1,766	64		192		2,022
Second Circuit	673	2		45		720
Third Circuit	125			43		168
Fifth Circuit	137	1		11		149

One investigation is reported as an adult probation case. Hence, a defendant with multiple investigations is represented by several cases.

# TABLE 7

## Caseload Activity, FY 2016–17, Circuit Courts Proper — All Circuits

CASELOAD ACTIVITY						TYPE OF TERMINATION										Others
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Dismissed	Judgement	Withdrawn	Missing	Aquitted/ Not Guilty	Guilty Plea	Finding of Guilt	No Contest Plea	Discharged/ Dismissed	Nolle Prosequi	
<b>TOTAL CASES</b>	<b>54,847</b>	<b>16,332</b>	<b>71,179</b>	<b>12,658</b>	<b>58,521</b>	<b>2,693</b>	<b>3,985</b>	<b>6</b>	<b>768</b>	<b>80</b>	<b>996</b>	<b>276</b>	<b>1,054</b>	<b>916</b>	<b>418</b>	<b>1,466</b>
<b>Civil Actions</b>	<b>11,995</b>	<b>3,716</b>	<b>15,711</b>	<b>3,731</b>	<b>11,980</b>	<b>2,594</b>	<b>1,031</b>	<b>1</b>	<b>9</b>							<b>96</b>
Contract	1,092	348	1,440	351	1,089	239	103		1							8
Motor Vehicle Tort	881	512	1,393	468	925	449	14		1							4
Assault & Battery	50	7	57	14	43	12	1									1
Construction Defect	20	2	22	3	19	3										
Medical Malpractice	129	41	170	48	122	41	7									
Legal Malpractice	28	4	32	7	25	6										1
Product Liability	21	6	27	7	20	7										
Other Non-Vehicle Tort	1,042	381	1,423	372	1,051	329	24									19
Condemnation	28	4	32	6	26		6									
Environment	8	9	17	5	12	2	2									1
Foreclosure	6,590	1,476	8,066	1,715	6,351	1,023	682	1	4							5
Agency Appeal	152	74	226	71	155	38	31									2
Declaratory Judgment	316	127	443	93	350	66	24									3
Other Civil Action	1,638	725	2,363	571	1,792	379	137		3							52
<b>Probate Proceedings</b>	<b>15,225</b>	<b>1,581</b>	<b>16,806</b>	<b>343</b>	<b>16,463</b>				<b>342</b>							<b>1</b>
Probate Intestate	7	2	9		9											
Probate Testate	2,449	240	2,689	70	2,619				70							
Special Administration	6,092	486	6,578	62	6,516				62							
Small Estate	65	56	121	49	72				48							1
Informal Will	4,823	445	5,268	38	5,230				38							
Other	1,789	352	2,141	124	2,017				124							
<b>Conservatorship/ Guardianship Proceedings</b>	<b>7,465</b>	<b>239</b>	<b>7,704</b>	<b>88</b>	<b>7,616</b>		<b>1</b>		<b>87</b>							
Conservatorship/Guardianship	414	58	472	12	460		1		11							
Conservatorship	1,705	181	1,886	57	1,829				57							
Guardianship	5,346		5,346	19	5,327				19							
<b>Trust Proceedings</b>	<b>2,367</b>	<b>288</b>	<b>2,655</b>	<b>85</b>	<b>2,570</b>				<b>84</b>							<b>1</b>
<b>Miscellaneous Proceedings</b>	<b>5,025</b>	<b>6,109</b>	<b>11,134</b>	<b>4,570</b>	<b>6,564</b>	<b>99</b>	<b>2,953</b>	<b>5</b>	<b>246</b>							<b>1,267</b>
Land Court	689	2,777	3,466	2,860	606	31	2,710	3	2							114
Tax Appeal Court	1,375	1,479	2,854	119	2,735	54	63	2								
Mechanic's and Materialman's Lien	201	112	313	83	230	8			71							4
Other Special Proceedings	2,760	1,741	4,501	1,508	2,993	6	180		173							1,149
<b>Criminal Actions *</b>	<b>12,770</b>	<b>4,399</b>	<b>17,169</b>	<b>3,841</b>	<b>13,328</b>					<b>80</b>	<b>996</b>	<b>276</b>	<b>1,054</b>	<b>916</b>	<b>418</b>	<b>101</b>
Murder & Non-Negligent Manslaughter	210	49	259	29	230					3	4	6	7	5	4	
Negligent Homicide	88	36	124	30	94					1	12	2	6	8	1	
Sex Offenses	344	104	448	82	366					7	11	8	13	33	8	2
Robbery	503	152	655	108	547					5	44	6	28	17	8	
Assault	975	464	1,439	408	1,031					26	68	25	100	138	36	15
Burglary and Trespass	2,668	941	3,609	751	2,858					13	228	74	251	135	46	4
Larceny-Theft	2,328	583	2,911	530	2,381					7	160	25	181	104	50	3
Arson	19	8	27	6	21						3	1	1	1		
Forgery and Counterfeiting	363	89	452	65	387						23	4	14	14	9	1
Fraud	199	54	253	53	200					1	19	3	9	18	3	
Vandalism	242	68	310	62	248						21	4	13	18	6	
Weapons	262	96	358	74	284						17	4	13	28	11	1
Prostitution	3	3	6	1	5						1					
Controlled Substances	2,815	919	3,734	887	2,847					4	253	59	252	196	120	3
Gambling	32		32	2	30						1			1		
Offenses Against Family & Children	98	98	196	75	121						7	12	12	33	11	
Disorderly Conduct	187	115	302	117	185						18	5	27	33	19	15
OVUII	98	75	173	53	120					1	12	4	20	5	5	6
Traffic Offenses	160	101	261	100	161					1	9	2	25	25	5	33
Kidnapping and Custodial Interference	123	37	160	37	123					1	3	2	6	14	11	
Terroristic Threatening	585	175	760	158	602					7	44	14	31	42	18	2
Violation of Order for Protection	61	26	87	26	61					2	4		4	8	6	2
Liquor Laws	7		7		7											
Extortion	14		14		14											
All Other Offenses	386	206	592	187	405					1	34	16	41	40	41	14

\* For Criminal Actions, Guilty Plea includes deferred plea agreements and Other includes Change of Venue, Remand to District Court, Conditional Release, and "Other."

# TABLE 8

## Caseload Activity, FY 2016–17, Circuit Courts Proper — First Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION										Others
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Dismissed	Judgement	Withdrawn	Missing	Aquitted/ Not Guilty	Guilty Plea	Finding of Guilt	No Contest Plea	Discharged/ Dismissed	Nolle Prosequi	
<b>TOTAL CASES</b>	<b>37,775</b>	<b>11,265</b>	<b>49,040</b>	<b>8,741</b>	<b>40,299</b>	<b>1,761</b>	<b>3,505</b>	<b>5</b>	<b>433</b>	<b>54</b>	<b>588</b>	<b>118</b>	<b>484</b>	<b>284</b>	<b>151</b>	<b>1,358</b>
<b>Civil Actions</b>	<b>7,591</b>	<b>2,148</b>	<b>9,739</b>	<b>2,331</b>	<b>7,408</b>	<b>1,671</b>	<b>579</b>		<b>6</b>							<b>75</b>
Contract	702	247	949	248	701	168	74		1							5
Motor Vehicle Tort	622	334	956	349	607	335	10		1							3
Assault & Battery	40	4	44	11	33	9	1									1
Construction Defect	15	1	16	2	14	2										
Medical Malpractice	84	31	115	32	83	28	4									
Legal Malpractice	22	3	25	5	20	4										1
Product Liability	12	6	18	3	15	3										
Other Non-Vehicle Tort	673	242	915	256	659	224	16									16
Condemnation	11	2	13	1	12		1									
Environment	3	3	6	2	4	1										1
Foreclosure	4,100	697	4,797	940	3,857	590	344		3							3
Agency Appeal	68	50	118	48	70	23	23									2
Declaratory Judgment	192	74	266	59	207	44	14									1
Other Civil Action	1,047	454	1,501	375	1,126	240	92		1							42
<b>Probate Proceedings</b>	<b>10,693</b>	<b>829</b>	<b>11,522</b>	<b>105</b>	<b>11,417</b>				<b>105</b>							
Probate Intestate	2	1	3		3											
Probate Testate	1,793	194	1,987	61	1,926				61							
Special Administration	4,289	300	4,589	25	4,564				25							
Small Estate	7		7		7											
Informal Will	3,756	269	4,025	14	4,011				14							
Other	846	65	911	5	906				5							
<b>Conservatorship/ Guardianship Proceedings</b>	<b>5,551</b>	<b>175</b>	<b>5,726</b>	<b>53</b>	<b>5,673</b>				<b>53</b>							
Conservatorship/Guardianship	249	43	292	7	285				7							
Conservatorship	1,067	132	1,199	38	1,161				38							
Guardianship	4,235		4,235	8	4,227				8							
<b>Trust Proceedings</b>	<b>2,052</b>	<b>241</b>	<b>2,293</b>	<b>77</b>	<b>2,216</b>				<b>76</b>							<b>1</b>
<b>Miscellaneous Proceedings</b>	<b>3,296</b>	<b>5,880</b>	<b>9,176</b>	<b>4,476</b>	<b>4,700</b>	<b>90</b>	<b>2,926</b>	<b>5</b>	<b>193</b>							<b>1,262</b>
Land Court	689	2,777	3,466	2,860	606	31	2,710	3	2							114
Tax Appeal Court	1,375	1,479	2,854	119	2,735	54	63	2								
Mechanic's and Materialman's Lien	86	76	162	59	103	3			55							1
Other Special Proceedings	1,146	1,548	2,694	1,438	1,256	2	153		136							1,147
<b>Criminal Actions *</b>	<b>8,592</b>	<b>1,992</b>	<b>10,584</b>	<b>1,699</b>	<b>8,885</b>					<b>54</b>	<b>588</b>	<b>118</b>	<b>484</b>	<b>284</b>	<b>151</b>	<b>20</b>
Murder & Non-Negligent Manslaughter	133	31	164	10	154					1	2	4	1		2	
Negligent Homicide	45	10	55	11	44						6	1	2	2		
Sex Offenses	252	50	302	47	255					5	11	5	7	14	5	
Robbery	436	116	552	77	475					5	36	6	20	6	4	
Assault	701	229	930	213	717					18	42	17	48	71	14	3
Burglary and Trespass	1,953	440	2,393	352	2,041					9	127	30	118	50	16	2
Larceny-Theft	1,493	294	1,787	251	1,536					4	96	12	86	25	26	2
Arson	7	3	10	2	8						2					
Forgery and Counterfeiting	292	63	355	44	311						20	2	10	5	7	
Fraud	146	27	173	26	147						13		4	7	2	
Vandalism	157	33	190	25	165						11	2	4	8		
Weapons	138	27	165	25	140						7	1	6	7	3	1
Prostitution	3	3	6	1	5						1					
Controlled Substances	1,727	338	2,065	328	1,737					3	139	19	110	28	29	
Gambling	30		30	2	28						1			1		
Offenses Against Family & Children	24	24	48	10	38						2	2	2		4	
Disorderly Conduct	107	31	138	38	100						11	3	10	9	3	2
OVUII	76	39	115	34	81					1	7	2	17	3	3	1
Traffic Offenses	76	42	118	18	100					1	1	2	7	6	1	
Kidnapping and Custodial Interference	89	17	106	16	90						2	1	4	3	6	
Terroristic Threatening	406	84	490	71	419					4	28	6	11	18	4	
Violation of Order for Protection	44	12	56	16	40					2	4		2	5	2	1
Liquor Laws	6		6		6											
Extortion	11		11		11											
All Other Offenses	240	79	319	82	237					1	19	3	15	16	20	8

\* For Criminal Actions, Guilty Plea includes deferred plea agreements and Other includes Change of Venue, Remand to District Court, Conditional Release, and "Other."



# TABLE 9

## Caseload Activity, FY 2016–17, Circuit Courts Proper — Second Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION										Others
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Dismissed	Judgement	Withdrawn	Missing	Aquitted/ Not Guilty	Guilty Plea	Finding of Guilt	No Contest Plea	Discharged/ Dismissed	Nolle Prosequi	
<b>TOTAL CASES</b>	<b>6,375</b>	<b>1,910</b>	<b>8,285</b>	<b>1,613</b>	<b>6,672</b>	<b>367</b>	<b>256</b>	<b>105</b>		<b>6</b>	<b>51</b>	<b>49</b>	<b>383</b>	<b>327</b>		<b>69</b>
<b>Civil Actions</b>	<b>1,286</b>	<b>532</b>	<b>1,818</b>	<b>628</b>	<b>1,190</b>	<b>367</b>	<b>251</b>									<b>10</b>
Contract	94	48	142	45	97	27	16									2
Motor Vehicle Tort	91	72	163	45	118	43	2									
Assault & Battery	1		1	1		1										
Construction Defect	1		1		1											
Medical Malpractice	14	3	17	4	13	2	2									
Legal Malpractice	3		3	1	2	1										
Product Liability	5		5	2	3	2										
Other Non-Vehicle Tort	123	53	176	52	124	48	3									1
Condemnation	2	1	3	2	1		2									
Environment	1	5	6	1	5	1										
Foreclosure	694	234	928	352	576	156	195									1
Agency Appeal	20	9	29	9	20	6	3									
Declaratory Judgment	31	13	44	15	29	9	5									1
Other Civil Action	206	94	300	99	201	71	23									5
<b>Probate Proceedings</b>	<b>1,918</b>	<b>212</b>	<b>2,130</b>	<b>76</b>	<b>2,054</b>				<b>76</b>							
Probate Intestate		1	1		1											
Probate Testate	254	23	277	4	273				4							
Special Administration	724	74	798	20	778				20							
Small Estate	21	11	32	12	20				12							
Informal Will	588	46	634	12	622				12							
Other	331	57	388	28	360				28							
<b>Conservatorship/ Guardianship Proceedings</b>	<b>737</b>	<b>26</b>	<b>763</b>	<b>4</b>	<b>759</b>				<b>4</b>							
Conservatorship/Guardianship	61	8	69		69											
Conservatorship	281	18	299	3	296				3							
Guardianship	395		395	1	394				1							
<b>Trust Proceedings</b>	<b>167</b>	<b>19</b>	<b>186</b>	<b>1</b>	<b>185</b>				<b>1</b>							
<b>Miscellaneous Proceedings</b>	<b>567</b>	<b>103</b>	<b>670</b>	<b>29</b>	<b>641</b>		<b>5</b>		<b>24</b>							
Mechanic's and Materialman's Lien	28	15	43	12	31				12							
Other Special Proceedings	539	88	627	17	610		5		12							
<b>Criminal Actions *</b>	<b>1,700</b>	<b>1,018</b>	<b>2,718</b>	<b>875</b>	<b>1,843</b>					<b>6</b>	<b>51</b>	<b>49</b>	<b>383</b>	<b>327</b>		<b>59</b>
Murder & Non-Negligent Manslaughter	31	5	36	8	28								5	3		
Negligent Homicide	10	10	20	4	16								2	2		
Sex Offenses	33	17	50	16	34							1	3	10		2
Robbery	27	17	44	11	33								5	6		
Assault	118	89	207	92	115					2	1	2	34	45		8
Burglary and Trespass	314	276	590	193	397					2	17	22	99	52		1
Larceny-Theft	380	156	536	138	398					1	15	3	63	55		1
Arson	6		6	1	5								1			
Forgery and Counterfeiting	47	13	60	11	49							2	4	4		1
Fraud	32	18	50	13	37					1	2	2	3	5		
Vandalism	28	6	34	11	23						3		6	2		
Weapons	38	33	71	15	56						4		4	7		
Prostitution																
Controlled Substances	450	224	674	216	458						7	12	110	84		3
Gambling	2		2		2											
Offenses Against Family & Children	3	11	14	8	6							1	2	5		
Disorderly Conduct	30	20	50	34	16						1		10	12		11
OVUII	5	13	18	3	15								1			2
Traffic Offenses	28	19	47	33	14								4	4		25
Kidnapping and Custodial Interference	12	7	19	10	9							1	2	7		
Terroristic Threatening	43	25	68	21	47						1	2	8	10		
Violation of Order for Protection	1	3	4	2	2								2			
Liquor Laws																
Extortion	1		1		1											
All Other Offenses	61	56	117	35	82							1	15	14		5

\* For Criminal Actions, Guilty Plea includes deferred plea agreements and Other includes Change of Venue, Remand to District Court, Conditional Release, and "Other."

# TABLE 10

## Caseload Activity, FY 2016–17, Circuit Courts Proper — Third Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION												
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Dismissed	Judgement	Withdrawn	Missing	Aquitted/ Not Guilty	Guilty Plea	Finding of Guilt	No Contest Plea	Discharged/ Dismissed	Nolle Prosequi	Others		
TOTAL CASES	6,798	2,288	9,086	1,683	7,403	440	180	1	206	12	310	107	84	45	267	31		
Civil Actions	2,176	825	3,001	602	2,399	432	157	1	2							10		
Contract	135	39	174	34	140	22	11									1		
Motor Vehicle Tort	113	92	205	64	141	61	2									1		
Assault & Battery	7	1	8	2	6	2												
Construction Defect	2		2		2													
Medical Malpractice	24	5	29	11	18	11												
Legal Malpractice	1	1	2	1	1	1												
Product Liability	4		4	2	2	2												
Other Non-Vehicle Tort	155	65	220	50	170	45	3									2		
Condemnation	12	1	13	3	10		3											
Environment	3		3	2	1		2											
Foreclosure	1,385	464	1,849	343	1,506	229	112	1	1									
Agency Appeal	37	11	48	8	40	4	4											
Declaratory Judgment	60	29	89	15	74	11	3									1		
Other Civil Action	238	117	355	67	288	44	17		1							5		
Probate Proceedings	1,666	420	2,086	148	1,938					148								
Probate Intestate	4		4		4													
Probate Testate	160	19	179	5	174											5		
Special Administration	814	58	872	17	855											17		
Small Estate	25	32	57	24	33											24		
Informal Will	336	114	450	12	438											12		
Other	327	197	524	90	434											90		
Conservatorship/ Guardianship Proceedings	835	27	862	27	835					1	26							
Conservatorship/Guardianship	69	2	71	5	66						1	4						
Conservatorship	272	25	297	15	282							15						
Guardianship	494		494	7	487							7						
Trust Proceedings	102	19	121	6	115						6							
Miscellaneous Proceedings	432	95	527	57	470	8	22		24							3		
Mechanic's and Materialman's Lien	52	16	68	11	57	4			4							3		
Other Special Proceedings	380	79	459	46	413	4	22		20									
Criminal Actions *	1,587	902	2,489	843	1,646					12	310	107	84	45	267	18		
Murder & Non-Negligent Manslaughter	28	6	34	10	24					2	2	2	1	1	2			
Negligent Homicide	12	10	22	5	17						1	1	1	1	1			
Sex Offenses	26	26	52	7	45							2	1	1	3			
Robbery	26	15	41	16	25						8		3	1	4			
Assault	92	103	195	71	124					4	20	6	11	4	22	4		
Burglary and Trespass	291	140	431	153	278					1	76	21	20	5	30			
Larceny-Theft	303	90	393	103	290					2	44	9	15	9	24			
Arson	5	4	9	2	7						1	1						
Forgery and Counterfeiting	13	6	19	3	16						1				2			
Fraud	12	4	16	6	10						1	1	2	1	1			
Vandalism	40	18	58	19	39						7	2	2	2	6			
Weapons	47	23	70	18	52						5	3	2		8			
Prostitution																		
Controlled Substances	434	235	669	238	431						93	28	14	12	91			
Gambling																		
Offenses Against Family & Children	22	21	43	19	24						3	9			7			
Disorderly Conduct	29	34	63	28	35						6	2		2	16	2		
OVUII	15	22	37	15	22						5	2	1	2	2	3		
Traffic Offenses	21	17	38	18	20						7		1		4	6		
Kidnapping and Custodial Interference	13	11	24	6	18						1				5			
Terroristic Threatening	87	50	137	48	89					3	15	6	7	2	14	1		
Violation of Order for Protection	11	11	22	5	17										4	1		
Liquor Laws	1		1		1													
Extortion	2		2		2													
All Other Offenses	57	56	113	53	60						14	12	3	2	21			

\* For Criminal Actions, Guilty Plea includes deferred plea agreements and Other includes Change of Venue, Remand to District Court, Conditional Release, and "Other."

# TABLE 11

## Caseload Activity, FY 2016–17, Circuit Courts Proper — Fifth Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION										
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Dismissed	Judgement	Withdrawn	Missing	Aquitted/ Not Guilty	Guilty Plea	Finding of Guilt	No Contest Plea	Discharged/ Dismissed	Nolle Prosequi	Others
TOTAL CASES	3,899	869	4,768	621	4,147	125	44	24		8	47	2	103	260		8
Civil Actions	942	211	1,153	170	983	124	44	1								1
Contract	161	14	175	24	151	22	2									
Motor Vehicle Tort	55	14	69	10	59	10										
Assault & Battery	2	2	4		4											
Construction Defect	2	1	3	1	2	1										
Medical Malpractice	7	2	9	1	8		1									
Legal Malpractice	2		2		2											
Product Liability																
Other Non-Vehicle Tort	91	21	112	14	98	12	2									
Condemnation	3		3		3											
Environment	1	1	2		2											
Foreclosure	411	81	492	80	412	48	31									1
Agency Appeal	27	4	31	6	25	5	1									
Declaratory Judgment	33	11	44	4	40	2	2									
Other Civil Action	147	60	207	30	177	24	5		1							
Probate Proceedings	948	120	1,068	14	1,054				13							1
Probate Intestate	1		1		1											
Probate Testate	242	4	246		246											
Special Administration	265	54	319		319											
Small Estate	12	13	25	13	12				12							1
Informal Will	143	16	159		159											
Other	285	33	318	1	317				1							
Conservatorship/ Guardianship Proceedings	342	11	353	4	349				4							
Conservatorship/Guardianship	35	5	40		40											
Conservatorship	85	6	91	1	90				1							
Guardianship	222		222	3	219				3							
Trust Proceedings	46	9	55	1	54				1							
Miscellaneous Proceedings	730	31	761	8	753	1			5							2
Mechanic's and Materialman's Lien	35	5	40	1	39	1										
Other Special Proceedings	695	26	721	7	714				5							2
Criminal Actions *	891	487	1,378	424	954					8	47	2	103	260		4
Murder & Non-Negligent Manslaughter	18	7	25	1	24									1		
Negligent Homicide	21	6	27	10	17					1	5		1	3		
Sex Offenses	33	11	44	12	32					2			2	8		
Robbery	14	4	18	4	14									4		
Assault	64	43	107	32	75					2	5		7	18		
Burglary and Trespass	110	85	195	53	142					1	8	1	14	28		1
Larceny-Theft	152	43	195	38	157						5	1	17	15		
Arson	1	1	2	1	1									1		
Forgery and Counterfeiting	11	7	18	7	11						2			5		
Fraud	9	5	14	8	6						3			5		
Vandalism	17	11	28	7	21								1	6		
Weapons	39	13	52	16	36						1		1	14		
Prostitution																
Controlled Substances	204	122	326	105	221					1	14		18	72		
Gambling																
Offenses Against Family & Children	49	42	91	38	53						2		8	28		
Disorderly Conduct	21	30	51	17	34								7	10		
OVUI	2	1	3	1	2								1			
Traffic Offenses	35	23	58	31	27						1		13	15		2
Kidnapping and Custodial Interference	9	2	11	5	6					1				4		
Terroristic Threatening	49	16	65	18	47								5	12		1
Violation of Order for Protection	5		5	3	2									3		
Liquor Laws																
Extortion																
All Other Offenses	28	15	43	17	26						1		8	8		

\* For Criminal Actions, Guilty Plea includes deferred plea agreements and Other includes Change of Venue, Remand to District Court, Conditional Release, and "Other."

# TABLE 12

## Sentences Imposed in Criminal Cases<sup>1</sup>, FY 2016–17, Circuit Courts Proper — All Circuits

OFFENSE CHARGED	Fine/ Restitution <sup>2</sup>	Incarceration <sup>3</sup>	Community Service <sup>4</sup>	Counseling/ Treatment <sup>5</sup>	Other <sup>6</sup>	Total
<b>TOTAL SENTENCES IMPOSED</b>	<b>7,346</b>	<b>3,750</b>	<b>356</b>	<b>403</b>	<b>2,813</b>	<b>14,668</b>
Murder & Non-Negligent Manslaughter	33	21			4	58
Negligent Homicide	82	30	9	3	28	152
Sex Offenses	121	81	3	10	47	262
Robbery	121	70	2	9	58	260
Assault	546	264	37	36	205	1,088
Burglary and Trespass	1,050	561	49	66	421	2,147
Larceny-Theft	1,436	683	82	68	565	2,834
Arson	10	7	1	2	3	23
Forgery and Counterfeiting	240	400	17	12	108	777
Fraud	157	66	8	6	45	282
Vandalism	168	90	8	6	53	325
Weapons	120	73	10	13	49	265
Prostitution	5	3	2		3	13
Controlled Substances	2,088	804	71	111	774	3,848
Gambling	3	1	4			8
Offenses Against Family & Children	132	67	7	11	64	281
Disorderly Conduct	150	80	9	8	50	297
OVUII	161	56	4	13	44	278
Traffic Offenses	142	65	4		39	250
Kidnapping and Custodial Interference	28	22		3	16	69
Terroristic Threatening	247	148	15	19	111	540
Violation of Order for Protection	72	57	1	3	45	178
Liquor Laws	4	4				8
Extortion		1				1
All Other Offenses	230	96	13	4	81	424

Sentences were imposed on 2,790 parties in 2,774 cases statewide.

# TABLE 13

## Sentences Imposed in Criminal Cases<sup>1</sup>, FY 2016–17, Circuit Courts Proper — First Circuit

OFFENSE CHARGED	Fine/ Restitution <sup>2</sup>	Incarceration <sup>3</sup>	Community Service <sup>4</sup>	Counseling/ Treatment <sup>5</sup>	Other <sup>6</sup>	Total
<b>TOTAL SENTENCES IMPOSED</b>	<b>3,214</b>	<b>1,684</b>	<b>111</b>	<b>230</b>	<b>1,142</b>	<b>6,381</b>
Murder & Non-Negligent Manslaughter	16	9			1	26
Negligent Homicide	21	6	3		9	39
Sex Offenses	76	47	2	10	22	157
Robbery	97	51	2	6	41	197
Assault	248	114	6	18	76	462
Burglary and Trespass	487	248	16	42	188	981
Larceny-Theft	624	255	20	35	212	1,146
Arson	4	3			1	8
Forgery and Counterfeiting	112	331	10	9	46	508
Fraud	70	35	6	5	18	134
Vandalism	57	29	2	6	17	111
Weapons	43	27	3	5	12	90
Prostitution	5	3			3	11
Controlled Substances	876	287	15	66	311	1,555
Gambling	3	1	4			8
Offenses Against Family & Children	37	21		5	18	81
Disorderly Conduct	57	24	3	5	25	114
OVUII	83	36	2	5	22	148
Traffic Offenses	39	21	1		12	73
Kidnapping and Custodial Interference	21	17		2	13	53
Terroristic Threatening	111	57	5	9	37	219
Violation of Order for Protection	19	28		1	20	68
Liquor Laws	1	3				4
Extortion						
All Other Offenses	107	31	11	1	38	188

Sentences were imposed on 1,268 parties in 1,256 cases in the First Circuit.

Footnotes are listed after Table 16.



# TABLE 14

## Sentences Imposed in Criminal Cases<sup>1</sup>, FY 2016–17, Circuit Courts Proper — Second Circuit

OFFENSE CHARGED	Fine/ Restitution <sup>2</sup>	Incarceration <sup>3</sup>	Community Service <sup>4</sup>	Counseling/ Treatment <sup>5</sup>	Other <sup>6</sup>	Total
<b>TOTAL SENTENCES IMPOSED</b>	<b>1,934</b>	<b>991</b>	<b>107</b>	<b>59</b>	<b>671</b>	<b>3,762</b>
Murder & Non-Negligent Manslaughter	6	4			1	11
Negligent Homicide	10	4	1	1	4	20
Sex Offenses	18	17			6	41
Robbery	13	10			7	30
Assault	103	60	13	10	46	232
Burglary and Trespass	332	172	10	6	109	629
Larceny-Theft	465	247	32	19	158	921
Arson		1				1
Forgery and Counterfeiting	113	61	5	1	53	233
Fraud	42	18	1		13	74
Vandalism	64	37	3		13	117
Weapons	35	18	5	5	15	78
Prostitution			2			2
Controlled Substances	552	234	26	9	181	1,002
Gambling						
Offenses Against Family & Children	33	16	2	3	12	66
Disorderly Conduct	30	22	2	1	7	62
OVUII	20	7	1	3	6	37
Traffic Offenses	20	9	2		7	38
Kidnapping and Custodial Interference	3	2			1	6
Terroristic Threatening	25	21	1		10	57
Violation of Order for Protection	12	9		1	7	29
Liquor Laws	3	1				4
Extortion		1				1
All Other Offenses	35	20	1		15	71

Sentences were imposed on 596 parties in 596 cases in the Second Circuit.

# TABLE 15

## Sentences Imposed in Criminal Cases<sup>1</sup>, FY 2016–17, Circuit Courts Proper — Third Circuit

OFFENSE CHARGED	Fine/ Restitution <sup>2</sup>	Incarceration <sup>3</sup>	Community Service <sup>4</sup>	Counseling/ Treatment <sup>5</sup>	Other <sup>6</sup>	Total
<b>TOTAL SENTENCES IMPOSED</b>	<b>1,449</b>	<b>756</b>	<b>103</b>	<b>108</b>	<b>681</b>	<b>3,097</b>
Murder & Non-Negligent Manslaughter	8	5			1	14
Negligent Homicide	9	5	2	2	3	21
Sex Offenses	15	12	1		12	40
Robbery	11	8		2	8	29
Assault	131	60	13	8	59	271
Burglary and Trespass	172	117	19	18	107	433
Larceny-Theft	219	111	20	13	96	459
Arson	6	3	1	2	2	14
Forgery and Counterfeiting	8	5	2	2	6	23
Fraud	20	8		1	7	36
Vandalism	38	18	2		19	77
Weapons	26	19	1	3	14	63
Prostitution						
Controlled Substances	457	202	27	34	209	929
Gambling						
Offenses Against Family & Children	22	12	2	3	16	55
Disorderly Conduct	43	29	3	2	12	89
OVUII	35	9	1	4	9	58
Traffic Offenses	18	15			3	36
Kidnapping and Custodial Interference	4	3		1	2	10
Terroristic Threatening	92	56	7	9	53	217
Violation of Order for Protection	40	19	1	1	17	78
Liquor Laws						
Extortion						
All Other Offenses	75	40	1	3	26	145

Sentences were imposed on 612 parties in 611 cases in the Third Circuit.

Footnotes are listed after Table 16.

# TABLE 16

## Sentences Imposed in Criminal Cases<sup>1</sup>, FY 2016–17, Circuit Courts Proper — Fifth Circuit

OFFENSE CHARGED	Fine/ Restitution <sup>2</sup>	Incarceration <sup>3</sup>	Community Service <sup>4</sup>	Counseling/ Treatment <sup>5</sup>	Other <sup>6</sup>	Total
<b>TOTAL SENTENCES IMPOSED</b>	<b>749</b>	<b>319</b>	<b>35</b>	<b>6</b>	<b>319</b>	<b>1,428</b>
Murder & Non-Negligent Manslaughter	3	3			1	7
Negligent Homicide	42	15	3		12	72
Sex Offenses	12	5			7	24
Robbery		1		1	2	4
Assault	64	30	5		24	123
Burglary and Trespass	59	24	4		17	104
Larceny-Theft	128	70	10	1	99	308
Arson						
Forgery and Counterfeiting	7	3			3	13
Fraud	25	5	1		7	38
Vandalism	9	6	1		4	20
Weapons	16	9	1		8	34
Prostitution						
Controlled Substances	203	81	3	2	73	362
Gambling						
Offenses Against Family & Children	40	18	3		18	79
Disorderly Conduct	20	5	1		6	32
OVUII	23	4		1	7	35
Traffic Offenses	65	20	1		17	103
Kidnapping and Custodial Interference						
Terroristic Threatening	19	14	2	1	11	47
Violation of Order for Protection	1	1			1	3
Liquor Laws						
Extortion						
All Other Offenses	13	5			2	20

Sentences were imposed on 314 parties in 311 cases in the Fifth Circuit.

1. Sentences are imposed on defendants in criminal cases in Circuit Court on charges that have been adjudicated. More than one sentence type may be applied to each charge. All sentence types for parties in cases that were sentenced during the period 7/1/2016 to 6/30/2017 are included in these tables.
2. A **fine** or **restitution** order may be imposed.
3. A period of **incarceration** may be imposed.
4. **Community service** may be imposed.
5. A defendant may be ordered to some form of **counseling**, including anger management and/or drug **treatment**.
6. Some **other** sentence may be imposed, including loss or suspension of driver's license and ignition interlock.

# TABLE 17

## Caseload Activity, FY 2016–17, Family Courts — All Circuits

CASELOAD ACTIVITY						TYPE OF TERMINATION													
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Granted	Dismissed/Denied	Nonjury Trial-Granted	Nonjury Trial - Dismissed	Not Specified	Acquitted/Not Guilty	Guilty Plea	Finding of Guilt	No Contest Plea	Discharged/Dismissed	Nolle Prosequi	Hearings*	Counseling Service	Other
TOTAL CASES	21,810	25,084	46,894	22,946	23,948	5,216	781	139	14	6,031	53	560	245	524	1,036	214	3,748	3,893	492
Marital Actions and Proceedings	5,687	4,818	10,505	3,991	6,514	3,672	166	4		146									3
Divorce	5,631	4,798	10,429	3,977	6,452	3,661	163	4		146									3
Annulment	22	12	34	7	27	7													
Separation	34	8	42	7	35	4	3												
Civil Union Actions and Proceedings	12	14	26	9	17	9													
Uniform Interstate Family Support	627	391	1,018	312	706	3	3			305									1
Adoption Proceedings	360	394	754	315	439	300	1		1	10									3
Parental Proceedings	3,680	1,524	5,204	1,281	3,923	473	147	135	5	100									421
Domestic Abuse Protective Orders (Ch. 586)	831	5,267	6,098	5,085	1,013	25	38			5,017									5
Miscellaneous Proceedings	2,372	1,976	4,348	1,667	2,681	734	426		8	453									46
Hospital Admission	427	652	1,079	598	481	78	402		6	75									37
Habeas Corpus	1		1		1														
Civil	656	142	798	71	727	18	10		2	37									4
Guardianship of the Person	1,054	531	1,585	391	1,194	106	11			269									5
Other Miscellaneous Proceedings	234	651	885	607	278	532	3			72									
Criminal Actions	3,967	2,818	6,785	2,645	4,140						53	560	245	524	1,036	214			13
Children's Referrals	4,274	7,882	12,156	7,641	4,515												3,748	3,893	
Law Violation	1,768	2,414	4,182	2,647	1,535												2,061	586	
Traffic	160	171	331	202	129												188	14	
Status Offense	1,233	3,863	5,096	3,669	1,427												788	2,881	
Abuse and Neglect	1,054	1,017	2,071	689	1,382												689		
Other Children's Referral	59	417	476	434	42												22	412	
Children on Status #	3,177	2,468	5,645	2,254	3,391														2,254
Probation	468	205	673	309	364														309
Protective Supervision	284	270	554	231	323														231
Family Supervision	536	400	936	352	584														352
Foster Custody	1,217	626	1,843	599	1,244														599
Permanent Custody	255	168	423	179	244														179
Other Status	417	799	1,216	584	632														584

\* Includes Contested and Uncontested Hearings.

# Children on status are not included in caseload totals.

# TABLE 18

## Caseload Activity, FY 2016–17, Family Courts — First Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION																	
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Granted	Dismissed/Denied	Nonjury Trial-Granted	Nonjury Trial - Dismissed	Not Specified	Acquitted/Not Guilty				Guilty Plea		Finding of Guilt	No Contest Plea	Discharged/Dismissed	Nolle Prosequi	Hearings*	Counseling Service	Other
TOTAL CASES	10,796	14,430	25,226	13,736	11,490	3,991	537	119	4	3,510	44	406	80	75	587	104				1,772	2,107	400	
Marital Actions and Proceedings	4,275	3,528	7,803	3,005	4,798	2,867	132	1		4												1	
Divorce	4,234	3,511	7,745	2,994	4,751	2,857	131	1		4												1	
Annulment	17	11	28	7	21	7																	
Separation	24	6	30	4	26	3	1																
Civil Union Actions and Proceedings	11	9	20	7	13	7																	
Uniform Interstate Family Support	362	218	580	197	383	3	1			192												1	
Adoption Proceedings	235	255	490	221	269	216				2												3	
Parental Proceedings	1,998	987	2,985	973	2,012	367	96	118	3	4												385	
Domestic Abuse Protective Orders (Ch. 586)	3	2,982	2,985	2,979	6					2,976												3	
Miscellaneous Proceedings	1,147	1,353	2,500	1,177	1,323	531	308		1	332												5	
Hospital Admission	71	449	520	393	127	62	293			38													
Habeas Corpus	1		1		1																		
Civil	340	80	420	51	369	10	6		1	31												3	
Guardianship of the Person	661	369	1,030	288	742	22	6			258												2	
Other Miscellaneous Proceedings	74	455	529	445	84	437	3			5													
Criminal Actions	1,549	1,387	2,936	1,298	1,638						44	406	80	75	587	104						2	
Children's Referrals	1,216	3,711	4,927	3,879	1,048															1,772	2,107		
Law Violation	684	1,026	1,710	1,141	569															1,046	95		
Traffic	20	19	39	28	11															25	3		
Status Offense	335	1,818	2,153	1,831	322															212	1,619		
Abuse and Neglect	152	456	608	480	128															480			
Other Children's Referral	25	392	417	399	18															9	390		
Children on Status #	1,309	1,203	2,512	1,313	1,199																	1,313	
Probation	259	103	362	172	190																	172	
Protective Supervision	89	53	142	63	79																	63	
Family Supervision	190	228	418	218	200																	218	
Foster Custody	549	379	928	413	515																	413	
Permanent Custody	98	122	220	126	94																	126	
Other Status	124	318	442	321	121																	321	

\* Includes Contested and Uncontested Hearings.

# Children on status are not included in caseload totals.



# TABLE 19

## Caseload Activity, FY 2016–17, Family Courts — Second Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION																					
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Granted	Dismissed/Denied	Nonjury Trial-Granted	Nonjury Trial - Dismissed	Not Specified	Acquitted/Not Guilty		Guilty Plea		Finding of Guilt		No Contest Plea		Discharged/Dismissed		Nolle Prosequi		Hearings*		Counseling Service		Other
TOTAL CASES	1,865	3,647	5,512	3,448	2,064	712	57	11	2	813	2	6	22	244	213					1,036	272					58	
Marital Actions and Proceedings	372	528	900	461	439	421	14			26																	
Divorce	369	526	895	460	435	421	13			26																	
Annulment	1		1		1																						
Separation	2	2	4	1	3		1																				
Civil Union Actions and Proceedings	1	2	3	2	1	2																					
Uniform Interstate Family Support	4	76	80	75	5					75																	
Adoption Proceedings	15	48	63	48	15	47				1																	
Parental Proceedings	171	179	350	143	207	46	22	11	1	43																20	
Domestic Abuse Protective Orders (Ch. 586)	11	688	699	685	14	25				660																	
Miscellaneous Proceedings	44	258	302	239	63	171	21		1	8																38	
Hospital Admission	16	78	94	62	32	9	14		1	2																36	
Habeas Corpus																											
Civil	6	11	17	11	6	5	4			1																1	
Guardianship of the Person	20	65	85	67	18	63	3																			1	
Other Miscellaneous Proceedings	2	104	106	99	7	94				5																	
Criminal Actions	524	486	1,010	487	523						2	6	22	244	213												
Children's Referrals	723	1,382	2,105	1,308	797															1,036	272						
Law Violation	424	560	984	582	402															526	56						
Traffic	62	101	163	107	56															103	4						
Status Offense	197	560	757	466	291															257	209						
Abuse and Neglect	39	157	196	148	48															148							
Other Children's Referral	1	4	5	5																2	3						
Children on Status #	430	639	1,069	609	460																					609	
Probation	62	49	111	46	65																					46	
Protective Supervision	86	74	160	74	86																					74	
Family Supervision	85	95	180	114	66																					114	
Foster Custody	140	142	282	136	146																					136	
Permanent Custody	20	34	54	38	16																					38	
Other Status	37	245	282	201	81																					201	

\* Includes Contested and Uncontested Hearings.

# Children on status are not included in caseload totals.

# TABLE 20

## Caseload Activity, FY 2016–17, Family Courts — Third Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION													
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Granted	Dismissed/Denied	Nonjury Trial-Granted	Nonjury Trial - Dismissed	Not Specified	Acquitted/Not Guilty	Guilty Plea	Finding of Guilt	No Contest Plea	Discharged/Dismissed	Nolle Prosequi	Hearings*	Counseling Service	Other
TOTAL CASES	6,446	5,224	11,670	4,254	7,416	469	182	8	1,171	4	138	135	111	137	110		578	1,180	31
Marital Actions and Proceedings	709	566	1,275	380	895	346	20	3	10										1
Divorce	699	565	1,264	378	886	345	19	3	10										1
Annulment	3	1	4		4														
Separation	7		7	2	5	1	1												
Civil Union Actions and Proceedings		3	3		3														
Uniform Interstate Family Support	171	86	257	33	224		2		31										
Adoption Proceedings	71	69	140	39	101	37	1		1										
Parental Proceedings	1,084	323	1,407	156	1,251	59	27	5	49										16
Domestic Abuse Protective Orders (Ch. 586)	688	1,276	1,964	1,105	859		38		1,065										2
Miscellaneous Proceedings	802	131	933	138	795	27	94		15										2
Hospital Admission	251	52	303	100	203	6	92		2										
Habeas Corpus																			
Civil	189	13	202	2	200				2										
Guardianship of the Person	249	57	306	35	271	20	2		11										2
Other Miscellaneous Proceedings	113	9	122	1	121	1													
Criminal Actions	1,554	697	2,251	645	1,606						4	138	135	111	137	110			10
Children's Referrals	1,367	2,073	3,440	1,758	1,682												578	1,180	
Law Violation	342	620	962	665	297												268	397	
Traffic	18	18	36	29	7												23	6	
Status Offense	246	1,107	1,353	1,004	349												245	759	
Abuse and Neglect	741	308	1,049	39	1,010												39		
Other Children's Referral	20	20	40	21	19												3	18	
Children on Status #	1,244	460	1,704	230	1,474														230
Probation	66	25	91	51	40														51
Protective Supervision	97	137	234	89	145														89
Family Supervision	252	67	319	17	302														17
Foster Custody	479	63	542	24	518														24
Permanent Custody	120	4	124	9	115														9
Other Status	230	164	394	40	354														40

\* Includes Contested and Uncontested Hearings.

# Children on status are not included in caseload totals.

# TABLE 21

## Caseload Activity, FY 2016–17, Family Courts — Fifth Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION													
TYPE OF ACTION	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Granted	Dismissed/Denied	Nonjury Trial-Granted	Nonjury Trial - Dismissed	Not Specified	Acquitted/Not Guilty	Guilty Plea	Finding of Guilt	No Contest Plea	Discharged/Dismissed	Nolle Prosequi	Hearings*	Counseling Service	Other
<b>TOTAL CASES</b>	<b>2,703</b>	<b>1,783</b>	<b>4,486</b>	<b>1,508</b>	<b>2,978</b>	<b>44</b>	<b>5</b>	<b>1</b>	<b>8</b>	<b>537</b>	<b>3</b>	<b>10</b>	<b>8</b>	<b>94</b>	<b>99</b>		<b>362</b>	<b>334</b>	<b>3</b>
<b>Marital Actions and Proceedings</b>	<b>331</b>	<b>196</b>	<b>527</b>	<b>145</b>	<b>382</b>	<b>38</b>				<b>106</b>									<b>1</b>
Divorce	329	196	525	145	380	38				106									1
Annulment	1		1		1														
Separation	1		1		1														
<b>Civil Union Actions and Proceedings</b>																			
<b>Uniform Interstate Family Support</b>	<b>90</b>	<b>11</b>	<b>101</b>	<b>7</b>	<b>94</b>					<b>7</b>									
<b>Adoption Proceedings</b>	<b>39</b>	<b>22</b>	<b>61</b>	<b>7</b>	<b>54</b>				<b>1</b>	<b>6</b>									
<b>Parental Proceedings</b>	<b>427</b>	<b>35</b>	<b>462</b>	<b>9</b>	<b>453</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>4</b>									
<b>Domestic Abuse Protective Orders (Ch. 586)</b>	<b>129</b>	<b>321</b>	<b>450</b>	<b>316</b>	<b>134</b>					<b>316</b>									
<b>Miscellaneous Proceedings</b>	<b>379</b>	<b>234</b>	<b>613</b>	<b>113</b>	<b>500</b>	<b>5</b>	<b>3</b>		<b>6</b>	<b>98</b>									<b>1</b>
Hospital Admission	89	73	162	43	119	1	3		5	33									1
Habeas Corpus																			
Civil	121	38	159	7	152	3			1	3									
Guardianship of the Person	124	40	164	1	163	1													
Other Miscellaneous Proceedings	45	83	128	62	66					62									
<b>Criminal Actions</b>	<b>340</b>	<b>248</b>	<b>588</b>	<b>215</b>	<b>373</b>						<b>3</b>	<b>10</b>	<b>8</b>	<b>94</b>	<b>99</b>				<b>1</b>
<b>Children's Referrals</b>	<b>968</b>	<b>716</b>	<b>1,684</b>	<b>696</b>	<b>988</b>												<b>362</b>	<b>334</b>	
Law Violation	318	208	526	259	267												221	38	
Traffic	60	33	93	38	55												37	1	
Status Offense	455	378	833	368	465												74	294	
Abuse and Neglect	122	96	218	22	196												22		
Other Children's Referral	13	1	14	9	5												8	1	
<b>Children on Status #</b>	<b>194</b>	<b>166</b>	<b>360</b>	<b>102</b>	<b>258</b>														<b>102</b>
Probation	81	28	109	40	69														40
Protective Supervision	12	6	18	5	13														5
Family Supervision	9	10	19	3	16														3
Foster Custody	49	42	91	26	65														26
Permanent Custody	17	8	25	6	19														6
Other Status	26	72	98	22	76														22

\* Includes Contested and Uncontested Hearings.

# Children on status are not included in caseload totals.

# TABLE 22

## Caseload Activity, FY 2016–17, District Courts (Excluding Traffic) – All Circuits

CASELOAD ACTIVITY						TYPE OF TERMINATION					
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/ Dismissal	Default/ Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded	Not Reported
<b>TOTAL CASES</b>	<b>44,574</b>	<b>51,778</b>	<b>96,352</b>	<b>49,527</b>	<b>46,825</b>						
<b>CIVIL ACTIONS</b>	<b>30,552</b>	<b>20,181</b>	<b>50,733</b>	<b>22,662</b>	<b>28,071</b>	<b>13,319</b>	<b>2,635</b>	<b>5,990</b>	<b>64</b>	<b>26</b>	<b>628</b>
<b>Regular Civil</b>	<b>27,181</b>	<b>13,608</b>	<b>40,789</b>	<b>16,815</b>	<b>23,974</b>	<b>10,562</b>	<b>1,339</b>	<b>4,836</b>	<b>55</b>	<b>23</b>	
Assumpsit	19,040	10,478	29,518	12,736	16,782	7,287	1,008	4,397	26	18	
Summary Possession	6,791	2,370	9,161	3,358	5,803	2,942	156	246	14		
Pers Inj/Prop Damages	739	391	1,130	328	802	190	16	119		3	
Replevin	76	41	117	27	90	17	6	4			
Other	535	328	863	366	497	126	153	70	15	2	
<b>Small Claims</b>	<b>2,755</b>	<b>3,924</b>	<b>6,679</b>	<b>3,484</b>	<b>3,195</b>	<b>1,550</b>	<b>772</b>	<b>1,154</b>	<b>5</b>	<b>3</b>	
Assumpsit	2,297	3,588	5,885	3,215	2,670	1,384	696	1,127	5	3	
Damages	75	20	95	15	80	11	1	3			
Tort	3	1	4	1	3			1			
Security Deposit	364	307	671	246	425	151	74	21			
Other	16	8	24	7	17	4	1	2			
<b>TRO</b>	<b>580</b>	<b>2,604</b>	<b>3,184</b>	<b>2,334</b>	<b>850</b>	<b>1,207</b>	<b>519</b>		<b>3</b>		<b>605</b>
<b>Special Proceedings</b>	<b>18</b>	<b>19</b>	<b>37</b>	<b>17</b>	<b>20</b>		<b>1</b>		<b>1</b>		<b>15</b>
<b>Ignition Interlock</b>	<b>18</b>	<b>26</b>	<b>44</b>	<b>12</b>	<b>32</b>		<b>4</b>				<b>8</b>

CASELOAD ACTIVITY						TYPE OF TERMINATION					
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor					Felony
						Discharge/ Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged
<b>CRIMINAL ACTIONS &amp; OTHER VIOLATIONS</b>	<b>14,022</b>	<b>31,597</b>	<b>45,619</b>	<b>26,865</b>	<b>18,754</b>	<b>9,005</b>	<b>1,140</b>	<b>111</b>	<b>289</b>	<b>14,966</b>	<b>696</b>
<b>CRIMINAL ACTIONS</b>	<b>13,317</b>	<b>30,262</b>	<b>43,579</b>	<b>25,494</b>	<b>18,085</b>	<b>8,426</b>	<b>1,062</b>	<b>97</b>	<b>282</b>	<b>14,276</b>	<b>693</b>
Murder & Non-Negligent Manslaughter	1	41	42	37	5					1	28
Negligent Homicide	23	18	41	25	16	5	5		4	8	2
Sex Offenses	111	246	357	216	141	63	5	6	18	90	26
Robbery	5	141	146	128	18						62
Assault	686	1,001	1,687	1,025	662	333	86	18	122	312	64
Burglary and Trespass	1,401	3,093	4,494	3,280	1,214	284	36	11	18	2,735	123
Larceny-Theft	1,832	2,388	4,220	2,630	1,590	617	85	5	13	1,716	126
Arson	6	18	24	20	4	4	3		1	7	2
Forgery and Counterfeiting	4	19	23	14	9	1	1		2	3	4
Fraud	3	20	23	19	4	4	1		2	1	10
Vandalism	286	445	731	421	310	123	20	4	6	235	14
Weapons	100	214	314	208	106	95	7	1	1	63	26
Prostitution	156	97	253	147	106	51	41	1		54	
Controlled Substances	537	996	1,533	909	624	370	39	3	1	250	107
Gambling	26	53	79	51	28	16	1			34	
Offenses Against Family & Children	14	52	66	60	6	4	2		2	3	18
Liquor Laws	1,322	2,017	3,339	1,819	1,520	596	26	3		1,194	
Tobacco-Related	531	1,643	2,174	1,148	1,026	598	46			504	
Disorderly Conduct	492	989	1,481	1,030	451	262	34	8		726	
Kidnapping and Custodial Interference	3	36	39	37	2	1	1		2	3	13
Violation of Order for Protection	95	131	226	131	95	34	22	2	17	56	
Sit/Lie	260	847	1,107	541	566	358	25	1		157	
Terroristic Threatening	154	316	470	328	142	58	19	4	33	100	41
Offenses Against Public Administraton	1,290	3,579	4,869	3,633	1,236	1,174	193	4	34	2,206	11
Offenses Against Public Order	576	795	1,371	883	488	357	68	21	5	427	3
All Other Offenses	3,403	11,067	14,470	6,754	7,716	3,018	296	5	1	3,391	13
<b>Other Violations</b>	<b>705</b>	<b>1,335</b>	<b>2,040</b>	<b>1,371</b>	<b>669</b>	<b>579</b>	<b>78</b>	<b>14</b>	<b>7</b>	<b>690</b>	<b>3</b>
Airport	82	105	187	136	51	90	4		6	36	
Animal Control	353	626	979	669	310	269	44	9	1	343	3
Fish & Game	165	288	453	298	155	94	12	4		188	
Harbor Violations/ Boating and Recreation	105	316	421	268	153	126	18	1		123	

Explanatory notes follow Table 26.



# TABLE 23

## Caseload Activity, FY 2016–17, District Courts (Excluding Traffic) — First Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION					
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded	Not Reported
<b>TOTAL CASES</b>	<b>31,535</b>	<b>35,029</b>	<b>66,564</b>	<b>33,081</b>	<b>33,483</b>						
<b>CIVIL ACTIONS</b>	<b>22,054</b>	<b>13,086</b>	<b>35,140</b>	<b>15,895</b>	<b>19,245</b>	<b>9,763</b>	<b>1,707</b>	<b>4,135</b>	<b>35</b>	<b>22</b>	<b>233</b>
<b>Regular Civil</b>	<b>20,074</b>	<b>9,005</b>	<b>29,079</b>	<b>12,074</b>	<b>17,005</b>	<b>7,934</b>	<b>867</b>	<b>3,219</b>	<b>35</b>	<b>19</b>	
Assumpsit	13,450	6,821	20,271	8,759	11,512	5,166	650	2,916	12	15	
Summary Possession	5,544	1,623	7,167	2,744	4,423	2,530	56	148	10		
Pers Inj/Prop Damages	617	283	900	251	649	139	14	95		3	
Replevin	52	21	73	12	61	8	2	2			
Other	411	257	668	308	360	91	145	58	13	1	
<b>Small Claims</b>	<b>1,894</b>	<b>2,691</b>	<b>4,585</b>	<b>2,487</b>	<b>2,098</b>	<b>1,050</b>	<b>518</b>	<b>916</b>		<b>3</b>	
Assumpsit	1,553	2,491	4,044	2,317	1,727	940	478	896		3	
Damages	69	18	87	14	73	10	1	3			
Tort	2	1	3	1	2			1			
Security Deposit	258	175	433	149	284	96	38	15			
Other	12	6	18	6	12	4	1	1			
<b>TRO</b>	<b>81</b>	<b>1,371</b>	<b>1,452</b>	<b>1,322</b>	<b>130</b>	<b>779</b>	<b>322</b>				<b>221</b>
<b>Special Proceedings</b>	<b>4</b>	<b>4</b>	<b>8</b>	<b>5</b>	<b>3</b>						<b>5</b>
<b>Ignition Interlock</b>	<b>1</b>	<b>15</b>	<b>16</b>	<b>7</b>	<b>9</b>						<b>7</b>

CASELOAD ACTIVITY						TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor						Felony	
						Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction		Stricken or Discharged	Commitment to Circuit Court
<b>CRIMINAL ACTIONS &amp; OTHER VIOLATIONS</b>	<b>9,481</b>	<b>21,943</b>	<b>31,424</b>	<b>17,186</b>	<b>14,238</b>	<b>6,485</b>	<b>542</b>	<b>71</b>	<b>124</b>	<b>9,606</b>		<b>160</b>	<b>198</b>
<b>CRIMINAL ACTIONS</b>	<b>9,168</b>	<b>21,420</b>	<b>30,588</b>	<b>16,660</b>	<b>13,928</b>	<b>6,210</b>	<b>529</b>	<b>63</b>	<b>117</b>	<b>9,383</b>		<b>160</b>	<b>198</b>
Murder & Non-Negligent Manslaughter		25	25	25								22	3
Negligent Homicide	8	4	12	7	5	2	1		1	3			
Sex Offenses	79	178	257	148	109	48	2	5	10	62		18	3
Robbery		99	99	85	14							51	34
Assault	452	621	1,073	631	442	259	43	12	65	195		10	47
Burglary and Trespass	1,148	2,393	3,541	2,609	932	197	8	4	9	2,355		14	22
Larceny-Theft	990	1,398	2,388	1,576	812	407	26	4	2	1,126		6	5
Arson	4	9	13	11	2	2	2			4		2	1
Forgery and Counterfeiting	3	5	8	5	3		1		1	1		1	1
Fraud	1	3	4	3	1	1	1			1			
Vandalism	176	258	434	259	175	84	11	3		146		1	14
Weapons	71	125	196	111	85	61	2	1	1	41		3	2
Prostitution	132	71	203	124	79	35	40	1		48			
Controlled Substances	271	512	783	421	362	274	22	2		121		2	
Gambling	2	16	18	2	16	1	1						
Offenses Against Family & Children	3	22	25	24	1	2				1		3	18
Liquor Laws	1,209	1,880	3,089	1,673	1,416	557	18	2		1,096			
Tobacco-Related	491	1,575	2,066	1,074	992	591	40			443			
Disorderly Conduct	293	546	839	580	259	173	13	1		393			
Kidnapping and Custodial Interference	1	19	20	20			1		2			6	11
Violation of Order for Protection	51	76	127	67	60	17	9	2	7	32			
Sit/Lie	259	841	1,100	537	563	356	24	1		156			
Terroristic Threatening	73	148	221	148	73	35	6	2	14	43		15	33
Offenses Against Public Administraton	81	75	156	100	56	53	6		4	36		1	
Offenses Against Public Order	403	509	912	573	339	252	31	18		271		1	
All Other Offenses	2,967	10,012	12,979	5,847	7,132	2,803	221	5	1	2,809		4	4
<b>Other Violations</b>	<b>313</b>	<b>523</b>	<b>836</b>	<b>526</b>	<b>310</b>	<b>275</b>	<b>13</b>	<b>8</b>	<b>7</b>	<b>223</b>			
Airport	76	89	165	120	45	77	4		6	33			
Animal Control	130	228	358	238	120	106	6	5	1	120			
Fish & Game	63	97	160	91	69	41		3		47			
Harbor Violations/Boating and Recreation	44	109	153	77	76	51	3			23			

Explanatory notes follow Table 26.

# TABLE 24

## Caseload Activity, FY 2016–17, District Courts (Excluding Traffic) — Second Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION					
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded	Not Reported
TOTAL CASES	5,494	6,599	12,093	6,886	5,207						
CIVIL ACTIONS	3,617	2,842	6,459	2,977	3,482	1,511	436	980	16		34
Regular Civil	3,199	2,052	5,251	2,342	2,909	1,186	211	936	9		
Assumpsit	2,372	1,667	4,039	1,962	2,077	899	176	880	7		
Summary Possession	740	331	1,071	329	742	253	31	43	2		
Pers Inj/Prop Damages	46	35	81	25	56	16		9			
Replevin	5	6	11	5	6	3	2				
Other	36	13	49	21	28	15	2	4			
Small Claims	286	469	755	387	368	188	150	44	5		
Assumpsit	228	408	636	341	295	164	130	42	5		
Damages	1		1		1						
Tort											
Security Deposit	56	61	117	46	71	24	20	2			
Other	1		1		1						
TRO	118	312	430	247	183	137	75		2		33
Special Proceedings	2	5	7	1	6						1
Ignition Interlock	12	4	16		16						

CASELOAD ACTIVITY						TYPE OF TERMINATION							
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor					Felony		
						Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged	Commitment to Circuit Court	
CRIMINAL ACTIONS & OTHER VIOLATIONS	1,877	3,757	5,634	3,909	1,725	1,435	3	15	22	2,112	277	45	
CRIMINAL ACTIONS	1,648	3,322	4,970	3,446	1,524	1,221	3	13	22	1,867	275	45	
Murder & Non-Negligent Manslaughter		4	4	4							1	3	
Negligent Homicide	4	4	8	4	4	2			1		1		
Sex Offenses	6	14	20	11	9	1		1	1	8			
Robbery	2	18	20	18	2						7	11	
Assault	63	95	158	106	52	14		1	8	39	37	7	
Burglary and Trespass	103	250	353	241	112	29		4	3	135	68	2	
Larceny-Theft	346	279	625	333	292	61	1		2	184	81	4	
Arson													
Forgery and Counterfeiting		6	6	5	1	1				1	3		
Fraud	1	11	12	10	2	1					9		
Vandalism	31	30	61	32	29	10			1	19	2		
Weapons	10	27	37	30	7	10				9	9	2	
Prostitution	5	15	20	6	14	5				1			
Controlled Substances	126	122	248	128	120	47				50	30	1	
Gambling	24	37	61	49	12	15				34			
Offenses Against Family & Children	3	8	11	11						1	9	1	
Liquor Laws	33	59	92	45	47	19		1		25			
Tobacco-Related	6	12	18	11	7	1	1			9			
Disorderly Conduct	60	135	195	132	63	41		2		89			
Kidnapping and Custodial Interference	2	3	5	4	1					1	2	1	
Violation of Order for Protection	11	5	16	11	5	1			2	8			
Sit/Lie	1	1	2	2		2							
Terroristic Threatening	19	36	55	44	11	3			2	18	9	12	
Offenses Against Public Administraton	632	1,906	2,538	1,979	559	890	1	3	2	1,078	5		
Offenses Against Public Order	33	59	92	53	39	19		1		32	1		
All Other Offenses	127	186	313	177	136	49				126	1	1	
Other Violations	229	435	664	463	201	214		2		245	2		
Airport	4	3	7	7		7							
Animal Control	119	227	346	233	113	121		2		108	2		
Fish & Game	76	127	203	139	64	43				96			
Harbor Violations/Boating and Recreation	30	78	108	84	24	43				41			

Explanatory notes follow Table 26.

TABLE 25

## Caseload Activity, FY 2016–17, District Courts (Excluding Traffic) — Third Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION					
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded	Not Reported
TOTAL CASES	5,585	7,313	12,898	6,947	5,951						
CIVIL ACTIONS	3,500	3,146	6,646	2,604	4,042	1,484	377	560	12		171
Regular Civil	2,741	1,918	4,659	1,652	3,007	1,002	182	458	10		
Assumpsit	2,243	1,491	3,734	1,369	2,365	839	125	399	6		
Summary Possession	347	306	653	210	443	115	49	44	2		
Pers Inj/Prop Damages	57	61	118	37	81	27	2	8			
Replevin	11	9	20	4	16	3		1			
Other	83	51	134	32	102	18	6	6	2		
Small Claims	385	481	866	361	505	191	68	102			
Assumpsit	344	433	777	326	451	168	59	99			
Damages		2	2	1	1	1					
Tort	1		1		1						
Security Deposit	38	44	82	33	49	22	9	2			
Other	2	2	4	1	3			1			
TRO	359	739	1,098	585	513	291	122		1		171
Special Proceedings	10	2	12	2	10		1		1		
Ignition Interlock	5	6	11	4	7		4				

CASELOAD ACTIVITY						TYPE OF TERMINATION						
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor					Felony	
						Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged	Commitment to Circuit Court
CRIMINAL ACTIONS & OTHER VIOLATIONS	2,085	4,167	6,252	4,343	1,909	676	595	24	113	2,381	157	397
CRIMINAL ACTIONS	1,940	3,840	5,780	3,994	1,786	593	530	20	113	2,185	156	397
Murder & Non-Negligent Manslaughter	1	7	8	5	3						4	1
Negligent Homicide	10	9	19	13	6	1	4		2	4	1	1
Sex Offenses	18	34	52	43	9	10	3		7	14	6	3
Robbery	2	22	24	22	2						3	19
Assault	120	182	302	208	94	35	43	4	41	44	7	34
Burglary and Trespass	128	329	457	350	107	37	28	3	4	210	20	48
Larceny-Theft	416	570	986	596	390	121	58	1	9	326	22	59
Arson	1	7	8	6	2	1	1		1	1		2
Forgery and Counterfeiting		6	6	4	2				1	1		2
Fraud	1	6	7	6	1	2			2		1	1
Vandalism	54	103	157	84	73	13	9	1	5	45	6	5
Weapons	14	35	49	41	8	7	5			11	7	11
Prostitution	19	10	29	16	13	10	1			5		
Controlled Substances	127	287	414	306	108	42	17	1	1	64	44	137
Gambling												
Offenses Against Family & Children	6	21	27	23	4		2		2	1	6	12
Liquor Laws	77	75	152	98	54	17	8			73		
Tobacco-Related	34	46	80	56	24	6	5			45		
Disorderly Conduct	103	218	321	237	84	34	21	5		177		
Kidnapping and Custodial Interference		13	13	12	1	1				1	5	5
Violation of Order for Protection	27	37	64	40	24	11	13		8	8		
Sit/Lie		4	4	1	3		1					
Terroristic Threatening	44	86	130	92	38	8	13	2	13	21	12	23
Offenses Against Public Administraton	460	1,040	1,500	1,068	432	92	186	1	12	765	4	8
Offenses Against Public Order	107	147	254	189	65	56	37	2	5	87		2
All Other Offenses	171	546	717	478	239	89	75			282	8	24
Other Violations	145	327	472	349	123	83	65	4		196	1	
Airport		7	7	7		5				2		
Animal Control	91	139	230	173	57	39	38	2		93	1	
Fish & Game	25	56	81	64	17	8	12	1		43		
Harbor Violations/Boating and Recreation	29	125	154	105	49	31	15	1		58		

Explanatory notes follow Table 26.

# TABLE 26

## Caseload Activity, FY 2016–17, District Courts (Excluding Traffic) — Fifth Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION					
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discontinuance/Dismissal	Default/Confession	Bench Trial	Others	Commitment to Circuit Court Jury Trial Demanded	Not Reported
TOTAL CASES	1,960	2,837	4,797	2,613	2,184						
CIVIL ACTIONS	1,381	1,107	2,488	1,186	1,302	561	115	315	1	4	190
Regular Civil	1,167	633	1,800	747	1,053	440	79	223	1	4	
Assumpsit	975	499	1,474	646	828	383	57	202	1	3	
Summary Possession	160	110	270	75	195	44	20	11			
Pers Inj/Prop Damages	19	12	31	15	16	8		7			
Replevin	8	5	13	6	7	3	2	1			
Other	5	7	12	5	7	2		2		1	
Small Claims	190	283	473	249	224	121	36	92			
Assumpsit	172	256	428	231	197	112	29	90			
Damages	5		5		5						
Tort											
Security Deposit	12	27	39	18	21	9	7	2			
Other	1		1		1						
TRO	22	182	204	180	24						180
Special Proceedings	2	8	10	9	1						9
Ignition Interlock		1	1	1							1

CASELOAD ACTIVITY						TYPE OF TERMINATION						
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Misdemeanor					Felony	
						Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction	Stricken or Discharged	Commitment to Circuit Court
CRIMINAL ACTIONS & OTHER VIOLATIONS	579	1,730	2,309	1,427	882	409		1	30	867	102	18
CRIMINAL ACTIONS	561	1,680	2,241	1,394	847	402		1	30	841	102	18
Murder & Non-Negligent Manslaughter		5	5	3	2					1	1	1
Negligent Homicide	1	1	2	1	1					1		
Sex Offenses	8	20	28	14	14	4				6	2	2
Robbery	1	2	3	3							1	2
Assault	51	103	154	80	74	25		1	8	34	10	2
Burglary and Trespass	22	121	143	80	63	21			2	35	21	1
Larceny-Theft	80	141	221	125	96	28				80	17	
Arson	1	2	3	3		1				2		
Forgery and Counterfeiting	1	2	3		3							
Fraud												
Vandalism	25	54	79	46	33	16				25	5	
Weapons	5	27	32	26	6	17				2	7	
Prostitution		1	1	1		1						
Controlled Substances	13	75	88	54	34	7				15	31	1
Gambling												
Offenses Against Family & Children	2	1	3	2	1	2						
Liquor Laws	3	3	6	3	3	3						
Tobacco-Related		10	10	7	3					7		
Disorderly Conduct	36	90	126	81	45	14				67		
Kidnapping and Custodial Interference		1	1	1						1		
Violation of Order for Protection	6	13	19	13	6	5				8		
Sit/Lie		1	1	1						1		
Terroristic Threatening	18	46	64	44	20	12			4	18	5	5
Offenses Against Public Administraton	117	558	675	486	189	139			16	327	1	3
Offenses Against Public Order	33	80	113	68	45	30				37	1	
All Other Offenses	138	323	461	252	209	77				174		1
Other Violations	18	50	68	33	35	7				26		
Airport	2	6	8	2	6	1				1		
Animal Control	13	32	45	25	20	3				22		
Fish & Game	1	8	9	4	5	2				2		
Harbor Violations/Boating and Recreation	2	4	6	2	4	1				1		

In prior years, criminal charges were modeled on the FBI's Uniform Crime Reporting system. This year, several categories have been altered to bring them in line with the actual charge codes. Offenses Against Public Administration are violations under HRS Chapter 710. Offenses Against Public Order are violations under HRS Chapter 711 other than Disorderly Conduct.



# TABLE 27

## Traffic & Parking Cases - Caseload Summary Matrix FY 2016–17, District Courts — All Circuits

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
<b>ALL PROCEEDINGS</b>	<b>162,771</b>	<b>412,175</b>	<b>574,946</b>	<b>472,831</b>	<b>102,115</b>					
<b>TOTAL CASES</b>	<b>158,903</b>	<b>406,389</b>	<b>565,292</b>	<b>464,639</b>	<b>100,653</b>	<b>56,262</b>	<b>2,370</b>	<b>273</b>	<b>71</b>	<b>405,663</b>
<b>Felony Cases</b>	<b>4</b>	<b>18</b>	<b>22</b>	<b>19</b>	<b>3</b>	<b>10</b>			<b>8</b>	<b>1</b>
Motor Vehicle- DUI	3	10	13	12	1	7			5	
Motor Vehicle - Other	1	8	9	7	2	3			3	1
<b>Misdemeanor Cases</b>	<b>25,268</b>	<b>35,514</b>	<b>60,782</b>	<b>37,747</b>	<b>23,035</b>	<b>12,011</b>	<b>1,595</b>	<b>203</b>	<b>59</b>	<b>23,879</b>
Motor Vehicle - DUI	7,014	6,413	13,427	8,178	5,249	2,511	177	185	19	5,286
Motor Vehicle - Reckless Driving	325	607	932	623	309	425	52	1		145
Motor Vehicle - Other	17,926	28,489	46,415	28,942	17,473	9,073	1,366	17	40	18,446
Other Misdemeanor	3	5	8	4	4	2				2
<b>Other Cases</b>	<b>133,631</b>	<b>370,857</b>	<b>504,488</b>	<b>426,873</b>	<b>77,615</b>	<b>44,241</b>	<b>775</b>	<b>70</b>	<b>4</b>	<b>381,783</b>
Non Criminal Traffic Violations	88,692	206,952	295,644	250,824	44,820	31,716	732	66	4	218,306
Parking Violations	44,043	162,662	206,705	174,424	32,281	12,165	12	1		162,246
Other Violations	896	1,243	2,139	1,625	514	360	31	3		1,231
						Affirmed	Guilty Verdict	Rescinded	Reversed	Sustained
<b>OTHER PROCEEDINGS</b>	<b>3,868</b>	<b>5,786</b>	<b>9,654</b>	<b>8,192</b>	<b>1,462</b>	<b>2,345</b>	<b>19</b>	<b>500</b>	<b>853</b>	<b>4,475</b>
Appeals		12	12	1	11	1				
Administrative Reviews	3,868	5,774	9,642	8,191	1,451	2,344	19	500	853	4,475

# TABLE 28

## Traffic & Parking Cases - Caseload Summary Matrix FY 2016–17, District Courts — First Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
<b>ALL PROCEEDINGS</b>	<b>125,168</b>	<b>314,694</b>	<b>439,862</b>	<b>357,967</b>	<b>81,895</b>					
<b>TOTAL CASES</b>	<b>121,300</b>	<b>308,908</b>	<b>430,208</b>	<b>349,775</b>	<b>80,433</b>	<b>38,859</b>	<b>829</b>	<b>195</b>	<b>22</b>	<b>309,870</b>
<b>Felony Cases</b>		<b>1</b>	<b>1</b>		<b>1</b>					
Motor Vehicle- DUI										
Motor Vehicle - Other		1	1		1					
<b>Misdemeanor Cases</b>	<b>15,808</b>	<b>22,542</b>	<b>38,350</b>	<b>23,291</b>	<b>15,059</b>	<b>9,489</b>	<b>512</b>	<b>182</b>	<b>18</b>	<b>13,090</b>
Motor Vehicle - DUI	5,087	4,805	9,892	5,885	4,007	2,279	100	174	2	3,330
Motor Vehicle - Reckless Driving	171	381	552	352	200	274	27			51
Motor Vehicle - Other	10,549	17,352	27,901	17,052	10,849	6,935	385	8	16	9,708
Other Misdemeanor	1	4	5	2	3	1				1
<b>Other Cases</b>	<b>105,492</b>	<b>286,365</b>	<b>391,857</b>	<b>326,484</b>	<b>65,373</b>	<b>29,370</b>	<b>317</b>	<b>13</b>	<b>4</b>	<b>296,780</b>
Non Criminal Traffic Violations	66,632	147,108	213,740	177,725	36,015	21,423	284	10	4	156,004
Parking Violations	38,242	138,425	176,667	147,644	29,023	7,677	12	1		139,954
Other Violations	618	832	1,450	1,115	335	270	21	2		822
						Affirmed	Guilty Verdict	Rescinded	Reversed	Sustained
<b>OTHER PROCEEDINGS</b>	<b>3,868</b>	<b>5,786</b>	<b>9,654</b>	<b>8,192</b>	<b>1,462</b>	<b>2,345</b>	<b>19</b>	<b>500</b>	<b>853</b>	<b>4,475</b>
Appeals		12	12	1	11	1				
Administrative Reviews	3,868	5,774	9,642	8,191	1,451	2,344	19	500	853	4,475

## TABLE 29

### Traffic & Parking Cases - Caseload Summary Matrix FY 2016–17, District Courts — Second Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
<b>TOTAL CASES</b>	<b>13,546</b>	<b>43,200</b>	<b>56,746</b>	<b>50,432</b>	<b>6,314</b>	<b>9,817</b>	<b>13</b>	<b>9</b>	<b>15</b>	<b>40,578</b>
<b>Felony Cases</b>		<b>7</b>	<b>7</b>	<b>7</b>		<b>4</b>			<b>3</b>	
Motor Vehicle- DUI		3	3	3		3				
Motor Vehicle - Other		4	4	4		1			3	
<b>Misdemeanor Cases</b>	<b>2,826</b>	<b>4,334</b>	<b>7,160</b>	<b>4,646</b>	<b>2,514</b>	<b>1,180</b>	<b>10</b>	<b>8</b>	<b>12</b>	<b>3,436</b>
Motor Vehicle - DUI	854	636	1,490	973	517	100	1	6	4	862
Motor Vehicle - Reckless Driving	34	38	72	43	29	29				14
Motor Vehicle - Other	1,937	3,659	5,596	3,629	1,967	1,051	9	2	8	2,559
Other Misdemeanor	1	1	2	1	1					1
<b>Other Cases</b>	<b>10,720</b>	<b>38,859</b>	<b>49,579</b>	<b>45,779</b>	<b>3,800</b>	<b>8,633</b>	<b>3</b>	<b>1</b>		<b>37,142</b>
Non Criminal Traffic Violations	7,328	23,773	31,101	28,520	2,581	5,537	3	1		22,979
Parking Violations	3,284	14,924	18,208	17,054	1,154	3,059				13,995
Other Violations	108	162	270	205	65	37				168

## TABLE 30

### Traffic & Parking Cases - Caseload Summary Matrix FY 2016–17, District Courts — Third Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
<b>TOTAL CASES</b>	<b>20,328</b>	<b>40,766</b>	<b>61,094</b>	<b>50,332</b>	<b>10,762</b>	<b>5,862</b>	<b>1,527</b>	<b>67</b>	<b>25</b>	<b>42,851</b>
<b>Felony Cases</b>	<b>4</b>	<b>9</b>	<b>13</b>	<b>11</b>	<b>2</b>	<b>5</b>			<b>5</b>	<b>1</b>
Motor Vehicle- DUI	3	6	9	8	1	3			5	
Motor Vehicle - Other	1	3	4	3	1	2				1
<b>Misdemeanor Cases</b>	<b>5,646</b>	<b>7,391</b>	<b>13,037</b>	<b>8,456</b>	<b>4,581</b>	<b>987</b>	<b>1,073</b>	<b>11</b>	<b>20</b>	<b>6,365</b>
Motor Vehicle - DUI	890	817	1,707	1,115	592	78	76	4	11	946
Motor Vehicle - Reckless Driving	105	168	273	203	70	112	25	1		65
Motor Vehicle - Other	4,651	6,406	11,057	7,138	3,919	797	972	6	9	5,354
Other Misdemeanor										
<b>Other Cases</b>	<b>14,678</b>	<b>33,366</b>	<b>48,044</b>	<b>41,865</b>	<b>6,179</b>	<b>4,870</b>	<b>454</b>	<b>56</b>		<b>36,485</b>
Non Criminal Traffic Violations	12,562	27,842	40,404	35,641	4,763	3,626	444	55		31,516
Parking Violations	2,002	5,374	7,376	6,025	1,351	1,213				4,812
Other Violations	114	150	264	199	65	31	10	1		157

# TABLE 31

## Traffic & Parking Cases - Caseload Summary Matrix FY 2016–17, District Courts — Fifth Circuit

CASELOAD ACTIVITY						TYPE OF TERMINATION				
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	Discharge/ Dismissal	Nolle Prosequi	Others	Commitment to Circuit Court Jury Trial Demanded	Conviction
<b>TOTAL CASES</b>	<b>3,729</b>	<b>13,515</b>	<b>17,244</b>	<b>14,100</b>	<b>3,144</b>	<b>1,724</b>	<b>1</b>	<b>2</b>	<b>9</b>	<b>12,364</b>
<b>Felony Cases</b>		<b>1</b>	<b>1</b>	<b>1</b>		<b>1</b>				
Motor Vehicle- DUI		1	1	1		1				
Motor Vehicle - Other										
<b>Misdemeanor Cases</b>	<b>988</b>	<b>1,247</b>	<b>2,235</b>	<b>1,354</b>	<b>881</b>	<b>355</b>		<b>2</b>	<b>9</b>	<b>988</b>
Motor Vehicle - DUI	183	155	338	205	133	54		1	2	148
Motor Vehicle - Reckless Driving	15	20	35	25	10	10				15
Motor Vehicle - Other	789	1,072	1,861	1,123	738	290		1	7	825
Other Misdemeanor	1		1	1		1				
<b>Other Cases</b>	<b>2,741</b>	<b>12,267</b>	<b>15,008</b>	<b>12,745</b>	<b>2,263</b>	<b>1,368</b>	<b>1</b>			<b>11,376</b>
Non Criminal Traffic Violations	2,170	8,229	10,399	8,938	1,461	1,130	1			7,807
Parking Violations	515	3,939	4,454	3,701	753	216				3,485
Other Violations	56	99	155	106	49	22				84

# **Center for Alternative Dispute Resolution**

**The Judiciary  
State of Hawaii**



## **Annual Report**

*Report Number 29*

*July 1, 2016 to June 30, 2017*

*Presented to the  
Twenty-Ninth Legislature*

*Pursuant to  
Hawaii Revised Statutes §613-4*

Aloha,

The Center for Alternative Dispute Resolution (CADR) ensures that alternative dispute resolution is available in Hawaii. Alternative dispute resolution offers opportunities for early, party-driven, efficient, and fair solutions.

CADR:

- Designs and helps implement alternative dispute resolution programs for state and county government;
- Mediates and facilitates public policy disputes referred by elected or appointed government officials;
- Manages the Judiciary's purchase of services contract for mediation and related dispute resolution services; and
- Promotes alternative dispute resolution through training and education.

This report summarizes the CADR's work during Fiscal Year 2017.

Sincerely,  
Mark E. Recktenwald  
Chief Justice



## **Highlights from Fiscal Year 2016 - 2017**

### **Programs**

CADR designs and helps implement alternative dispute resolution programs for state and county governments. The programs encourage parties to avoid unnecessary litigation and encourage early and fair conflict resolution. This past year, CADR:

- Administered the Hawaii Appellate Mediation Program. During the fiscal year, 19 appellate cases were settled.
- Assisted the Family Court, First Judicial Circuit, with the Volunteer Settlement Master Program, and the pilot project for on-site mediation of paternity cases.

### **Direct Services**

CADR provides mediation, facilitation, and process design services for cases involving public policy. This past year, CADR:

- Provided assistance for the Judiciary's Strategic Planning process;
- Assisted with developing a statewide Workplace Dispute Resolution Program for Judiciary employees;
- Assisted with developing implicit bias training for Judiciary employees;
- Facilitated public forums on current policy-defining issues such as end-of-life choices and police-community relations; and
- Assisted with facilitating community Dialogue on Race.

## Highlights from Fiscal Year 2016 - 2017

### Training, Education, Research & Outreach

CADR promotes alternative dispute resolution through training, education, and outreach. CADR provided the following alternative dispute resolution-related classes to state and county employees:

- Working It Out: Skills for Dispute Resolution
- Communications Skills for Managing Conflict
- Handling Difficult Situations in the Workplace (Two-part series)
- Planning and Facilitating an Effective Meeting

CADR collaborations included co-sponsoring the following events:

- Native Hawaiian Peacemaking Concepts (Hooponopono) - 100 plus attorneys received CLE credits
- Advanced Mediation Practice: Techniques for Handling Righteously Indignant Parties and Lawyers
- Strategies to shift impasse in Family Dispute Resolution
- Hawaii Arbitration Vacatur Rulings; Its Ramifications and Recommendations
- Lawyers as Changemakers -- The Global Integrative Law Movement
- Opening Statements and Beyond, a Strategic Approach to Mediation
- Girl Scouts -- Finding Common Ground Through Mediation/ADR

CADR presented at the following events:

- HSBA -- Hawaii Women Lawyers Webinar/Seminar "Restorative Justice"
- Seventh Annual International Cyber-Conference on Dispute Resolution: A Global Conversation on the State and Practice of Dispute Resolution

## **Highlights from Fiscal Year 2016 - 2017**

### **Community Mediation Centers**

CADR administers the Judiciary's purchase of services (POS) contract for mediation and related alternative dispute resolution services statewide. The contractor, Mediation Centers of Hawaii, Inc. (MCH), is an umbrella organization for five community mediation centers located throughout the state.

This past year, MCH opened 3,116 new cases and served over 7,500 clients. Trained mediators across the state collectively conducted 2,258 sessions and contributed 7,638 hours. More than 2,000 cases were mediated with 54 percent resulting in written agreements.

#### **Kauai Economic Opportunity, Incorporated, Mediation Program**

Phone: (808) 245-4077

#### **Kuikahi Mediation Center** (Hilo)

Phone: (808) 935-7844

#### **Maui Mediation Services** (Maui County)

Phone: (808) 244-5744

#### **The Mediation Center of the Pacific, Incorporated** (Oahu)

Phone: (808) 521-6767

#### **West Hawaii Mediation Center** (Kona)

Phone: (808) 885-5525

## VOLUNTEERS

Judge Riki May Amano (ret.)  
Judge Joel August (ret.)  
Daniel Bent  
Judge Karen Blondin (ret.)  
Professor Addison Bowman (Emeritus)  
Robin Campaniano  
Louis Chang  
Molly Dong  
Justice James Duffy (ret.)  
Jackie Earle  
Judge Max Graham  
Diane Hastert  
Judge Eden Hifo (ret.)  
Kenneth Hipp  
Judge Colleen Hirai (ret.)  
James Hoenig  
Judge Walter Ikeda (ret.)  
Elizabeth Kent  
Joseph Kiefer  
Judge Walter Kirimitsu (ret.)  
Justice Robert Klein (ret.)  
Ralph La Fontaine  
Judge Evelyn Lance (ret.)  
Judge Rosalyn Loomis (ret.)  
\*Colin L. "Bud" Love  
Ivan Lui Kwan  
Judge Victoria Marks (ret.)  
Georgia McMillen  
Judge Douglas McNish (ret.)  
Judge Marie Milks (ret.)  
Chief Justice Ronald Moon (ret.)  
Richard Mosher  
General Frances Mossman (ret.)  
Judge Gail Nakatani (ret.)  
Patricia Kim Park  
Judge Shackley Raffetto (ret.)  
\*Justice Mario Ramil (ret.)  
Judge Eric Romanchak (ret.)  
Judge Frank Rothschild (ret.)  
Judge Nancy Ryan (ret.)  
Jenna Saito  
Judge Sandra Simms (ret.)  
Thomas Stirling  
Judge Allene Suemori (ret.)  
Judge Michael Town (ret.)  
Ted Tsukiyama  
Judge Diana van De Car (ret.)  
Judge Diana Warrington (ret.)  
Judge Andrew Wilson (ret.)  
Judge Patrick Yim (ret.)

## BOARD OF ADVISORS

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Judge Michael Broderick (ret.)  
Councilmember Stanley Chang  
Aaron Chung  
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Councilmember Don Couch  
Councilmember Brandon Elefante  
\*Holly Henderson  
Everett Kaneshige  
Professor Kem Lowry  
Barry Marr  
Superintendent Kathryn S. Matayoshi  
Mike McCartney  
Judge Lawrence Reifurth  
Dr. James Westphal

\*With grateful appreciation for their dedication to the profession of alternative dispute resolution, Justice Ramil, Holly, and Bud will be missed.

**Mediation. It Works!**



Hawaii State Judiciary  
Center for Alternative Dispute Resolution  
417 South King Street, Room 207  
Honolulu, Hawaii, 96813  
Phone: 808-539-4237; Fax: 808-539-4416  
Email: [cadr@courts.hawaii.gov](mailto:cadr@courts.hawaii.gov)  
Website: [www.courts.state.hi.us/cadr](http://www.courts.state.hi.us/cadr)



**King Kamehameha V**  
**Judiciary History Center**

**2016-2017 Annual Report**



*View of Aliʻiōlani Hale, circa 1886-1898*

*Hawaiʻi State Archives*



**Supreme Court — THE JUDICIARY • STATE OF HAWAII**

417 SOUTH KING STREET • ALI'ĪOLANI HALE • HONOLULU, HAWAII 96813-2943 • TELEPHONE (808) 539-4700 • FAX 539-4703

**Mark E. Recktenwald**  
CHIEF JUSTICE

December 2017

To the Honorable Members of the Twenty-Ninth Legislature:

I am pleased to submit the 2017 Annual Report of the King Kamehameha V Judiciary History Center (the Center) as required by chapter 6F of the Hawai'i Revised Statutes.

Since 1989, the Center has been steadfast in its efforts to educate the public about Hawaii's unique legal history and the judicial process in general. From its home at Ali'iōlani Hale, the Center uses its exhibits, archives, public programs, school tours, mock trials, films, and publications to offer extensive learning opportunities for local residents and visitors from all over the world. This year, over 129,000 visitors took advantage of the Center's exhibits and education programs, including more than 17,650 students from schools and colleges throughout Hawai'i. Indeed, other states and foreign countries continue to view the Center as a model of judicial outreach.

We are excited about the success of our Courts in the Community program, under which Supreme Court arguments are periodically held in school settings. The program is part of the Judiciary's effort to educate students and the general public about the Judiciary's role in our government and its function in resolving disputes in a democratic society. Students participate in several civics-related lesson plans prepared by the Center prior to observing an official Supreme Court oral argument proceeding. This year, oral argument was held in the Fall of 2016 at William McKinley High School with 470 students from nine schools and in the Spring of 2017 at Henry Perrine Baldwin High School on Maui with over 500 students from nine schools, including students from Aka'ula School and Molokai High School via live stream.

We thank you for your commitment to and support of this valuable educational institution. We would also like to encourage you, your constituents, and district schools to visit the Center to learn more about the exciting heritage of our branch of government. Thank you for your steadfast support of the Center and its important work.

Sincerely,

A handwritten signature in black ink that reads "Mark E. Recktenwald". The signature is written in a cursive, flowing style.

**MARK E. RECKTENWALD**  
Chief Justice



**Office of the Administrative Director – King Kamehameha V – Judiciary History Center**

THE JUDICIARY • STATE OF HAWAII • ALI'ĪOLANI HALE • 417 SOUTH KING STREET, ROOM 102 • HONOLULU, HAWAII 96813-2943  
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INTERGOVERNMENTAL &  
COMMUNITY RELATIONS DIRECTOR

Matt Mattice  
KING KAMEHAMEHA V  
JUDICIARY HISTORY CENTER  
EXECUTIVE DIRECTOR

December 2017

To the Honorable Members of the Twenty-Ninth Legislature:

I am pleased to present the King Kamehameha V Judiciary History Center's annual report for FY2017. Established by statute in 1990 to educate the public about Hawai'i's legal history and the judicial process, the Center provides civic educational activities and materials including tours of Ali'iolani Hale and the First Circuit Court, public performances and lectures, statewide teacher workshops, curricula, publications, and films.

This year, the Center built on successes of the *Courts in the Community Program* to further awareness of the role of the Judiciary. Under the program, the Supreme Court convenes at schools to hear cases pending before the court. During FY 2017, Supreme Court hearings were conducted at McKinley High School and a second at Baldwin High School. The public and over 900 students attended the hearings.

We completed the second year of the *James Madison Legacy Project*, offering teachers content and pedagogy about the United States Constitution and citizenship. Funded by a federal grant, this year's workshop series provided class sets of text or eBooks and 52 hours of professional development to the year-two cohort of teachers. Partnering with the United States District Court – District of Hawai'i, and the HSBA Civic Education Committee, we conducted an additional three-day teacher workshop on social justice related to the Hawai'i State Constitution and federalism. Looking to our past to inform our present, we hosted our *Speakers in the Courtroom* public program series. Supreme Court Justice John Papa 'Ī'i's contributions to Hawai'i were revealed through an extensive collection of Hawaiian language primary sources. We told the story of Arthur Komori, the Nisei spy from Kaua'i recruited by the US military to spy on Japan's activities in Manila. Successive programs examined laws passed down Hawaiian Kingdom providing public rights-of-way, the endurance of Native Tenant Rights in Hawai'i today, and the significance of the Korematsu decision. Additional programs are described in this report.

Thank you for your continued support of the Center. Your backing strengthens our resolve to improve our democracy. Mahalo for your belief in our important mission.

Sincerely,

Matt Mattice  
Executive Director

## King Kamehameha V

Lot Kapuāiwa, grandson of Kamehameha I, ascended the throne in 1863 and was the last Kamehameha to rule the Kingdom of Hawai‘i. As a national leader, Lot made foreign relations and the preservation of independence his primary objectives.

His advocacy for Hawaiians inspired a cultural renaissance which included the revival of hula and chant and licensing of medical *kāhuna* to practice their healing arts. During his reign, Lot commissioned a number of public works including the construction of Ali‘iōlani Hale.

In 2000, the Judiciary History Center was renamed to the King Kamehameha V Judiciary History Center in his honor.



## History of Ali‘iōlani Hale

Historic Ali‘iōlani Hale provides the ideal environment for the Judiciary History Center. Initiated during the reign of Kamehameha V and completed during the reign of Kalākaua, Ali‘iōlani Hale opened its doors in 1874. The Legislature and the Supreme Court of the Kingdom of Hawai‘i were the original occupants of the building. After the overthrow of the Monarchy in 1893, the Legislature moved to ‘Iolani Palace. Ali‘iōlani Hale has remained the home of the Supreme Court for well over 100 years. The National Museum, the first museum in Hawai‘i, opened in Ali‘iōlani Hale in 1874. For many years, the National Museum occupied rooms on the second floor and welcomed visitors to view its fine collection of Hawaiian artifacts. In 1898, the Republic of Hawaii's government transferred ownership of the collection to the Bishop Museum.



*Ali‘iōlani Hale (Hawai‘i State Archives)*



# Annual Report Fiscal Year 2016-2017

**King Kamehameha V  
Judiciary History Center**  
Aliʻiōlani Hale  
417 S. King Street  
Honolulu, Hawaiʻi 96813  
Phone (808) 539-4999  
FAX (808) 539-4996  
[www.jhchawaii.net](http://www.jhchawaii.net)



# What people are saying about the Judiciary History Center

“Wonderful that this exhibit is free, has great easily readable collection of information about history and that this beautiful building is still in good condition!” *Visitor, QLD, Australia*

“Thank you for allowing us to visit. I loved the history and all the architecture. Beautiful place.”  
*Visitor, Portland, OR*

“I have lived here all my life and have never been in this building. It was nice to see a bit of our culture’s past preserved and presented in this manner. Aloha ‘oukou.” *Visitor, Kāne‘ohe, HI*

“Amazing! It is great to learn about my roots and culture. Wishing the Monarch prevailed. Mahalo.”  
*Visitor, Fremont, CA*

“Amazing history! Having worked and retired for the Central District, U.S. District Court in Los Angeles for 30 years, I was impressed with my tour here. This is a must see place to learn Hawai‘i’s Judicial system history. Thank you!”  
*Visitor, Los Angeles, CA*

“This is a magnificent building. Thank you for having public access. Rich in history. We enjoyed the theatre: educational films!”  
*Visitor, BC, Canada*

“No matter how many times I have visited this museum, it always amazes me. Hawaiians were/ are some of the most advanced societies ever. Mahalo for everything.”  
*Visitor, Zaragoza, Spain*

"Very informative and overwhelming history. "  
*Visitor, Wellington, NZ*

“Fascinating and very well presented. Mahalo. Would be good to put more emphasis on the nature of the military takeover and their reluctance to give it up during WWII but great movie!”  
*Visitor, Kohala, HI*



*View of Ali‘iōloani Hale circa 1888*

*Hawai‘i State Archives*

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# King Kamehameha V Judiciary History Center

<b>Purpose</b>	The King Kamehameha V Judiciary History Center (the Center) is a permanent educational institution created to inform and provide learning opportunities about the judicial process and Hawai'i's legal history from pre-contact to present. The Center, an administrative program of the Hawai'i State Judiciary, conducts and encourages research, disseminates information, and collects, preserves and displays materials. Interpreting over 200 years of dynamic legal history through audio visual presentations, exhibitions, and public programs, the Center serves as a bridge between the Judiciary and the community.
<b>Governance</b>	Established by the Hawai'i State Legislature in 1990 through Act 211, the Center is governed by a five member executive board appointed by Hawai'i's Chief Justice.
<b>Visitors</b>	Since opening to the public in September 1989, the Center has become a popular educational resource. This fiscal year the Center welcomed over 129,000 visitors, including more than 17,650 students.
<b>History</b>	<p>The origins of the Center date back to the 1970s and the recommendations of a citizens committee advising Chief Justice William S. Richardson, on the renovation of Ali'iōlani Hale. The original idea was to develop an educational facility that would help citizens understand today's system of law by examining Hawaiian concepts of law and the development of Hawai'i's judiciary. Given Ali'iōlani Hale's historic significance, the Center occupies a highly visible and ideal location in Honolulu's historic capitol district.</p> <p>Grants from the National Endowment for the Humanities to the Judiciary funded extensive research on Hawai'i's court records. This research uncovered information used for the planning and development of the Center's permanent exhibits. Additional funding was provided by appropriations from the Hawai'i State Legislature, and contributions from the Friends of the Judiciary History Center.</p> <p>Formal dedication and opening ceremonies for the Center were held on September 12, 1989, with a message from Governor John Waihe'e, and a blessing by Reverend Abraham Akaka.</p>
<b>Hours</b>	The general public is welcome to take self-guided tours of the Center, located on the first floor of Ali'iōlani Hale, on Monday through Friday from 8 a.m. to 4 p.m. There is no admission fee. Visits by school and community groups with reservations are welcome on weekdays (excluding holidays).
<b>Website</b>	Visit the Judiciary History Center's website at <a href="http://www.jhchawaii.net">www.jhchawaii.net</a> for information concerning the Center's tours, curriculum, publications, volunteer program, and historic Ali'iōlani Hale.

# Collections

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The Judiciary History Center started the process of transferring the collections data to Axiell, a digital cloud-based management system. Axiell Collections enables us to access our collection via the web with all the advanced functionality of a world class collections management solution.

## Exhibits

---



**The Monarchy Court Gallery** documents the 19th century transition from Hawaiian *kapu* to a western judicial system. Featuring a detailed model of Honolulu in the 1850s and artifacts from the first courthouse building, this exhibit has become the focal point of learning for adults and students.

**The 1913 Courtroom**, equipped with authentic furnishings, artifacts, and reproductions, is used for mock trials, reenactments, lectures, and dramatic performances. Students gain hands-on experience in the courtroom, reenacting historical court cases.

**Who's Who in the Courtroom** in the 1913 courtroom, interprets the court process and the players in a courtroom. Designed to identify courtroom personnel and their roles, this interactive exhibit helps to educate visitors, especially students, about the trial process.



**Ali'iōlani Hale**, along the *makai* hall, traces the building's history through photographs, documents, and art work. The display also features the story of the Kamehameha Statue, a sentinel to Ali'iōlani Hale for over one hundred years.



**Hawai'i Under Martial Law** excites both school children and adults alike. Depicting the drastic changes caused by almost four years of martial law, the exhibit illustrates daily life in Hawai'i under military rule.

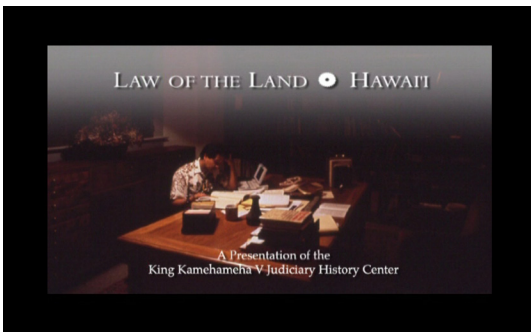
**The Bill of Rights and You** is a pop-up exhibit on the Bill of Rights, courtesy of the National Endowment for the Humanities. From December 2016 - February 2017, we hosted the exhibit in Ali'iōlani Hale's Rotunda. The exhibit commemorates the 225th anniversary of the ratification of this landmark document.



# Films

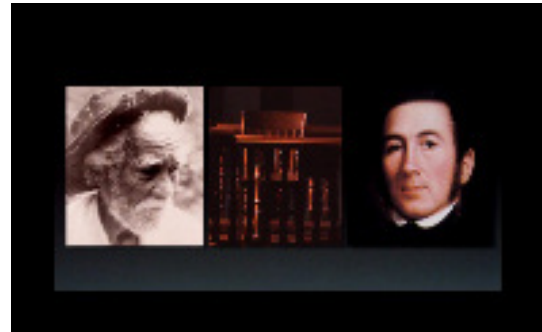


**When Fear Reigned** tells the true story of four children living in Hawai‘i during martial law and the fragile nature of democracy in times of national crisis. Following Japan's attack on Pearl Harbor, fear of invasion, further attacks, and sabotage, prompted quick governmental decisions. On December 7, 1941 at 4:30 p.m., the Territorial Governor signed a proclamation declaring Martial Law. For the next three years, military rule replaced Hawaii's civilian government. Daily life changed drastically as the military reorganized the territory and enacted a number of new laws called General Orders. Civilian courts were replaced by military courts.



**Law of the Land** illustrates the change from traditional, shared land-use rights to the western concept of private property ownership.

**Kānāwai** shows changing attitudes towards water use in the 19th century by examining the surface water case of Peck v. Bailey. In a landmark decision, the Kingdom of Hawaii's Supreme Court dramatically redefined water rights in Hawai‘i.



**Oni v. Meek** introduces students to one of the Kingdom's most important Supreme Court decisions involving land rights and prepares them for a mock trial our 1913 Courtroom.

**Animal Trials** introduces younger elementary students to late 19th century trials involving animals. The unruly behavior of animals, especially in an increasingly urbanized Honolulu, resulted in a number of court cases.

**Broken Scales** is the story of a man's nightmare in which one of the cornerstones of democracy - judicial independence, has crumbled.

The Center also offers two films for use in the classroom: **Kaulike** documents the development of a western judicial system in Hawai‘i and provides an overview of the current court system. **Trial of a Queen** focuses on the issues surrounding the armed overthrow of the Hawaiian monarchy, the counter-rebellion, and subsequent trial of Queen Lili‘uokalani.

# Research and Publications

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## **Judges & Lawyers Database**

Legal research on the courts in Hawaii during the Monarchy period culminated in an analysis of over 20,000 cases in the State Archives. As an outgrowth of this research, a database of 19th century judges and lawyers of the Monarchy period has been produced. New information is incorporated as it becomes available.

## **Hawaiian-English Legal Dictionary**

The Center continues work on compiling and vetting more than 4000 words for an upcoming legal dictionary. The dictionary project is an off shoot of the translation of court documents undertaken by the Center many years ago. When completed, the dictionary will be available in print and digital formats.

# Education Programs

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The Judiciary History Center offers schools, colleges, and the general public a number of law-related educational activities and resources. Law-Related Education (LRE) has evolved from the assumption that individuals who understand the reasons for laws and the institutions that support them are more likely to act responsibly in society. Students exposed to LRE are better able to predict consequences of breaking the law. They may also be more capable of resolving disputes independent of the court system.

## **University of Hawai‘i, William S. Richardson School of Law**

Every year, incoming first year law students visit the Center during their orientation. Students have the opportunity to tour the Center, the Law Library, and meet the Chief Justice.

## **Learning Activities at the Center**

During the 2016-2017 fiscal year, the Center welcomed over 17,650 students and their teachers to its education programs. Many students interacted with judges who spoke with them during their tours or at their schools as part the Center's Judiciary Speakers Bureau. Educational tours supplement school curriculum and provide an exciting alternative learning environment for students and teachers. A variety of school tour formats have been developed to complement the Department of Education's benchmarks for grades two through twelve, the National Common Core Standards, and the College, Career, and Civic Life (C3 ) Framework. Students enjoy a selection of short films, guided tours of the Center's exhibits, Circuit Court visits, and scripted mock trials in the Center's restored 1913 Courtroom. Post-visit materials compliment the Center's learning activities back in the classroom.



*Students from Honolulu Community College visit the Center*

The following schools and organizations visited during the 2015–2016 fiscal year:

### **Elementary Schools**

Aliamanu Elementary  
Alvah Scott Elementary  
August Ahrens Elementary  
Gustav Webling Elementary  
Haha'ione Elementary  
Hanalani Schools  
Holomua Elementary  
Holy Family Catholic Academy  
Hongwanji Mission School  
Honowai Elementary  
Iroquois Point Elementary  
Kāhala Elementary  
Kailua Elementary  
Kainalu Elementary  
Kalihi Kai Elementary  
Kapālama Elementary  
Kokohead Elementary  
Lā'ie Elementary  
Lanikai School  
Le Jardin Academy  
Liholiho Elementary  
Likelike Elementary  
Lincoln Elementary  
Lunalilo Elementary  
Mānoa Elementary  
Mauka Lani Elementary  
Mililani Waena Elementary  
Nimitz Elementary  
Pearl City Highlands Elementary  
Pearl Harbor Elementary  
Pukalani Elementary  
Punahou School  
St. Patrick School  
Trinity Christian School  
Waikele Elementary  
Waimalu Elementary

### **Middle & Intermediate Schools**

Highlands Intermediate School  
'Iolani School  
Kamehameha Schools - Kapālama  
Mililani Middle  
Nānākuli High & Intermediate  
Punahou School  
S.W. King Intermediate  
St. Louis School  
Waipahu Intermediate School

### **High Schools**

Closeup Foundation  
Farrington High  
Hanalani Schools  
Hawai'i Baptist Academy  
Homeschool Youth and Parents  
'Iolani School  
Kaimukī High School  
Kamehameha Schools - Kapālama  
Kaiser High School  
Mid Pac Institute  
Mililani High  
Nānākuli High  
Punahou School  
Pueo Program (Punahou School)  
St. Andrew's Priory  
Teen Pact

### **Adult, Post-Secondary, and Special Groups**

Boy Scouts of America  
BYU Hawai'i  
Country Club Seniors  
East-West Center  
Franciscan Adult Day Care  
Global Village  
Hakuoh University - Japan  
Hawai'i Council for the Humanities  
Hawai'i English Language Program  
Hawai'i Job Corps  
Hawai'i Pacific University  
Hawai'i Palms English School  
Honolulu Community College

Intercultural MidPac College  
'Iolani Palace Docents  
Japan America Society  
Kapi'olani Community College  
Leeward Community College  
Lyman Museum Road Scholar  
Moanalua Club  
Partners in Development Foundation  
UH Museum Studies  
US Navy JAGC  
Waseda University - Japan  
William S. Richardson School of Law

# Curricula

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## **The Trial of Nathaniel Bacon**

A mock-trial activity created to meet Hawaii's Social Studies Benchmarks for fifth grade students visiting the History Center. Focusing on the conflicts that arose between the Native Americans and the Colonists, the curriculum also examines conflict amongst the Colonists, themselves, and the Crown.

## **Authority & Power Without Authority, Rules and Laws**

The Center has two tour activities to address the DOE's 3rd grade Social Studies Benchmarks. *Authority and Power* examines the legitimacy of power. Students learn to differentiate between power backed by might and power backed by right. In *Rules and Laws*, students compare the origins, purposes, and consequences of rules and laws. The two activities combine to create a powerful learning experience in the museum setting. Students gain a clear picture of legitimate authority and legislative intent.

## **Oni v. Meek**

A mock-trial activity that reenacts a landmark court case from the Monarchy Period. Students argue this historic case in the Center's restored 1913 courtroom, while learning about a courtroom's layout and the roles of courtroom personnel. A jury of students renders a verdict, and the activity concludes with a discussion about the case's actual verdict.

## **Trial of a Queen: 1895 Military Tribunal**

A curriculum guide that examines the 1895 military trial of Queen Lili'uokalani on charges of misprision of treason. While role playing characters of various political backgrounds, students discover events leading up to the Queen's trial, and gain both a legal and human perspective of the judicial process.

## **Animal Cases**

A collection of scripted court cases based on transcripts from the District Courts of the Hawaiian Kingdom that introduces elementary students to the judicial process. Cases involving theft of a chicken, runaway pigs, and reckless horseback riding encourage student jurors to consider evidence, issues of choice and consequence, and social responsibility.

## **Martial Law in Hawai'i**

Within hours of the bombing of Pearl Harbor on December 7, 1941, daily life in Hawai'i drastically changed. The Center's curriculum for high school and college students helps them understand the significance of military laws in a democratic society. Students learn about the military government, suspension of habeas corpus, general orders, provost courts, and efforts to reestablish civilian control through legal challenges to martial law. Students are able to conduct a mock trial of the noteworthy Duncan v. Kahanamoku case.

## **Hawai'i State Courts**

Which courts have jurisdiction over which cases? How many jurors must agree to determine the verdict in a civil trial? Students learn the answers and more during this presentation about the State Courts in Hawai'i. After a brief look at the three branches of government and their responsibilities, we take a closer look at the State's Judicial Branch.

## **Bicycle Theft and Hot Wheels**

Intended to complement the lesson on Hawai'i's State Courts, Bicycle Theft and Hot Wheels are mock trial activities designed to give students a courtroom experience in a real courtroom setting.

## **Speakers Bureau & Judges in the Classroom**

The Center coordinates the Judiciary Speakers Bureau, arranging for judges to speak at schools and community group settings, and providing curriculum materials as needed.



# Teacher Workshops and Student Programs

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## **Courts in the Community**

Under the leadership of Chief Justice Recktenwald, Courts in the Community offers public and private high school students an opportunity to better understand the function of the Judicial Branch of government and observe an actual oral argument. One to two times a semester, instead of conducting oral argument at the Supreme Court, the court convenes at a public school. Surrounding area schools are invited to attend. Prior to the hearing, students are taught about the case by volunteer HSBA attorneys. Led by the attorneys, students argue the pending case themselves in a classroom moot court activity. After learning about the case, the students attend the actual Supreme Court hearing at the “host school.” This past year the Hawai‘i State Supreme Court convened at McKinley High School in the Fall of 2016 with 480 students from nine schools in attendance and at Baldwin High School in the Spring of 2017 with nearly 500 students from nine schools, including Aka‘ula and Molokai via live streaming.

## **We the People: The Citizen and the Constitution High School Competition**

In a simulated congressional hearing competition held at the First Circuit Court of Hawai‘i, Kahuku High School, Kealahou High, McKinley High School, and Mililani High School vied for the chance to represent Hawai‘i at the National Finals in Washington, D.C. Students from Lā‘ie Elementary also conducted a showcase hearing. This year, Kahuku High School was victorious. They represented our state at the national finals, and enjoyed exploring our nation's capitol and meeting civic-minded students from around the country.

## **Audience with U. S. Supreme Court Associate Justice Ruth Bader Ginsberg**

On February 11, 2017, U. S. Supreme Court

Associate Justice Ruth Bader Ginsberg held a private audience with high school students at Mililani High School. Students from Assets School, Farrington High School, Hanalani School, Kahuku High & Intermediate School, Kamehameha Schools - Kapālama, McKinley High School, Radford High School, and Waipahu High School attended and were delighted with the opportunity to speak with a United States Supreme Court Justice.

## **Connecting Law, Social Justice, and Student-Centered Learning**

In early June 2017, the Center, the United States Federal District Court – District of Hawai‘i, the Hawai‘i Bar Association Civic Education Committee, and the Hawai‘i State Department of Education, held a three-day teacher workshop. The workshop focused on substantive issues of law, social justice, race, ethnicity, and policy related to the Hawai‘i State Constitution, federalism, and political processes. Presenters included Melinda Cooperman, J.D., LL.M., Children's Law Center at Georgetown University; Efrain Marimon, M.S.Ed., J.D., LL.M., Instructor of Education and Affiliate Faculty for the Rock Ethics Institute, The Pennsylvania State University; Erin Mendelson, teacher at Wheeler Middle School; Chief Judge J. Michael Seabright and Judge Derrick Watson, United States District Court – District of Hawai‘i.

## **The James Madison Legacy Project**

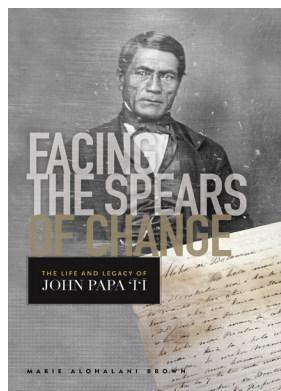
Based on the acclaimed *We the People: The Citizen and the Constitution* curriculum and funded by a United States Department of Education SEED grant, this three-year cohort-style of professional development workshops is proving to be challenging and rewarding. The workshops are designed for middle and high school Social Studies teachers, with preference given to teachers in schools with significant concentrations of high-needs students. Cohort 1 workshops took place during the Spring of 2016. Cohort 2 began in early June with a trip to



Anchorage, AK for a week-long institute in which teachers from the 49th state also participated. We conducted additional workshops in the Fall of 2016 and Spring of 2017 for the Hawai'i teachers. In June of 2017, we began cohort 3 of the program in Honolulu with teachers from Hawai'i and Alaska.

## Public Programs

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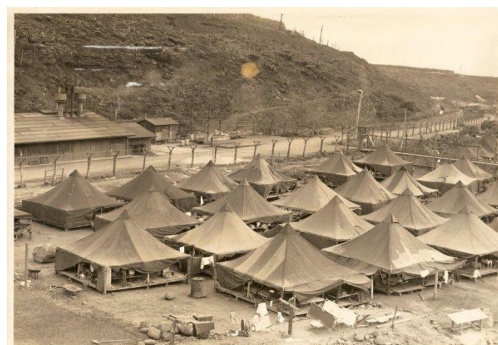
### Facing the Spears of Change

In October, 2016, Marie Alohālani Brown, author of *Facing the Spears of Change*, spoke about the extraordinary life of Kingdom of Hawai'i Supreme Court Justice John Papa ʻĪʻĪ. At the end of his life, he became a memoirist and biographer, publishing accounts of key events during the sixty years that he served his kings, his nation, and his people. His accounts of ali'i and insights into early 19th-century Hawaiian cultural-religious practices are unsurpassed. In her groundbreaking work, Marie Alohālani Brown offers a meticulously researched, elegantly written, and compelling portrait of an important historical figure in 19th-century Hawai'i. Brown's extensive archival research and use of Hawaiian and English language primary sources allows readers to access information that would be otherwise unknown.

### Arthur Komori, the Nisei Spy from Kaua'i

In December, 2016, authors Yoshinobu Oshiro and Lori Ward spoke about the biography of Arthur Komori, the Nisei spy from Kaua'i. Katherine Erwin also co-authored the book. Arthur Komori, a Nisei from Hawai'i, was one of two Japanese

Americans recruited by the US Army Counter Intelligence Corps to pose as Japanese sympathizers and spy on Japan's activities in Manila in the months leading up to World War II. When the war started, this Nisei served his country as a translator and undercover agent both on the front lines and behind the scenes in General MacArthur's headquarters – while at home over 120,000 Japanese Americans were interned in relocation camps.



### Lessons from Honouliuli

In January, 2017, the Hawai'i State Bar Association Civic Education Committee and the King Kamehameha Judiciary V History Center presented Civil Liberties and the Constitution Day in Hawai'i to honor individuals committed to protecting the civil rights and liberties of all. The day coincides with the birthday of civil rights icon, Fred Korematsu, who challenged the constitutionality of imprisoning Japanese Americans during World War II. This year's day honored Hawai'i's late Congressman Mark Takai. The short film, *The Untold Story: Internment of Japanese Americans in Hawai'i*, provided insight into the internment of individuals of Japanese, German, and Italian ancestry after the bombing of Pearl Harbor. Following the film, Carole Hayashino, (President and Executive Director of the Japanese Cultural Center of Hawai'i), and Professor Troy J.H. Andrade (William S. Richardson School of Law), provided remarks about the relevance of Honouliuli today, and honored the late Congressman K. Mark Takai with further comments.

### **The Significance of Korematsu: Korematsu Coram Nobis Lawyers Roundtable**

In February, 2017, the Judiciary History Center hosted a roundtable with Lori Bannai, Leigh-Ann Miyasato, Eric Yamamoto, Karen Korematsu and Dale Minami. The event was organized by the William S. Richardson School of Law to observe the 75th anniversary of Executive Order 9066, which allowed internment of tens of thousands of American citizens of Japanese ancestry and resident aliens from Japan. Special thanks for co-sponsoring the event to the Hawai'i State Bar Association Civic Education Committee, Japanese American Citizens League - Honolulu, Ka Huli Ao Center for Excellence in Native Hawaiian Law, Committee for Korematsu Chair, and National Asian Pacific Bar Association - Hawai'i.

### **Jacked Up and Unjust: Pacific Islander Teens Confront Violent Legacies**

In March, authors Katherine Irwin and Keren Umemoto visited the Center to discuss their book *Jacked Up and Unjust: Pacific Islander Teens Confront Violent Legacies*. Based on nine years of ethnographic research, the authors highlighted how legacies of injustice endure, prompting teens to fight for dignity and the chance to thrive in America, a nation that the youth describe as inherently “jacked up”—rigged—and “unjust.” The book concludes on a hopeful note with many of the teens overcoming numerous hardships, often with the guidance of steadfast, caring adults.

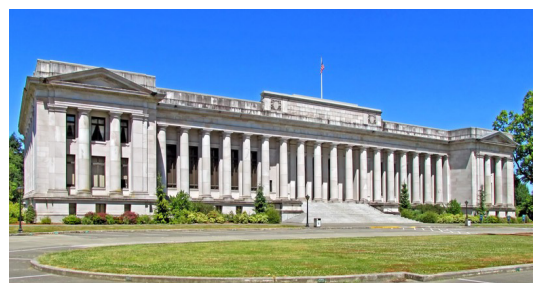
### **In the Footsteps of Our Ancestors**

Also in March, the Center hosted a talk led by Moana Rowland, Nā Ala Hele Abstractor, Division of Forestry and Wildlife, Department of Land and Natural Resources. Laws passed down from the time of the Kingdom provided rights-of-way for all. The discussion included the challenges the government faces in exercising its claim to trails and accesses.



### **Ua Mau ke Kuleana? On the Endurance of Native Tenant Rights**

On April 4, the Center hosted a talk with Umi Perkins, Hawaiian history teacher at Kamehameha Schools – Kapālama, on Native tenant rights. Kuleana constituted both a right to, and responsibility over, land for Hawaiians. Perkins argued that by debating the extent of gathering rights, the courts may be obscuring profound rights of Hawaiians' embedded in the land tenure system. Central to the debate over kuleana lands is the notion of a deadline, which is problematic and poses challenges to the continued existence of kuleana in the present day. What legal implications does the western construct of time have on Hawaiians' inherent rights to their land and geopolitical sovereignty?



### **State Supreme Courts of the United States: A Historical and Comparative Perspective**

In May, the Center hosted a presentation by Dr. Douglas Askman, Associate Professor of History at Hawai'i Pacific University. Dr. Askman has visited all of the state supreme courts in the the United States. His presentation included a look at the architectural diversity of buildings and courtrooms utilized by the states' highest courts and some of their unique organizational features.





## Visitor Attendance

### 2016-2017

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Visitors	110,350
School Programs	17,650
<b>TOTAL</b>	<u>129,000</u>

## Financial Statement

### 2016-2017

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Personnel	\$224,673
Equipment	\$4,100
Expenses/Supplies	<u>\$34,436</u>
<b>TOTAL</b>	<u>\$263,209</u>



## Executive Board

General administrative responsibilities for the Judiciary History Center rest with a five-member executive board appointed by the Chief Justice.



**Troy J.H. Andrade** graduated from the William S. Richardson School of Law, where he currently serves as a Visiting Assistant Professor of Law and Interim Director of the Ulu Lehua Scholars Program. He teaches courses on the legal history of Hawai‘i, tort law, and legal writing. Professor Andrade's primary research interests lie at the intersection of American jurisprudence and history, particularly in the context of the pursuit of Native Hawaiian political and social justice. Prior to joining the law school, Troy was an associate at McCorriston Miller Mukai MacKinnon LLP, where he represented clients in matters relating to the most contentious issues in Hawai‘i, including the regulation of genetically modified organisms and pesticides, homelessness, and Native Hawaiian self-determination. He has been recognized as a Rising Star in Business Litigation and as Pacific Business News' top forty business leaders under the age of forty.



**Marjorie Bronster** graduated from Brown University and Columbia University Law School, where she was a Harlan Fiske Stone Scholar. She is the founding partner of Bronster Hoshibata and works on a broad variety of litigation and counseling matters. Prior to work at her law firm, Ms. Bronster was the Attorney General for the State of Hawai‘i where she successfully led a years-long investigation into abuses by the trustees of the Kamehameha Schools/Bishop Estate charitable trust. She also won a multi-billion dollar Master Settlement Agreement from tobacco companies on behalf of the State of Hawai‘i.



**Dr. Brandy Nālani McDougall** received her Ph.D. in English from the University of Hawai‘i at Mānoa where she specialized in Contemporary Kanaka Maoli Literature. She is an Assistant Professor of Indigenous Studies in the American Studies Department at the University of Hawai‘i, Mānoa. Her research interests include Native Literatures, Pacific Studies, Indigenous Critical Theory, Neocolonial/Postcolonial/Colonial Studies, American Imperialism in the Pacific, Native American/First Nations Studies, American Cultural/Ethnic studies, Decolonizing Methodologies, and Indigenous Rights/Sovereignty Movements.



**Associate Justice Sabrina McKenna** received her B.A. in Japanese in 1978 from the University of Hawai‘i at Mānoa, and her J.D. in 1982 from the William S. Richardson School of Law. Justice McKenna practiced at Goodsell Anderson Quinn & Stifel until 1987, then became in-house counsel to Otaka, Inc., a Japan-based international business organization, until 1990. From 1991 to 1993, she was an Assistant Professor at WSRS. She became a state District Court judge in late 1993, then a First Circuit Court judge in 1995, eventually serving as Senior Judge of the Family Court of the First Circuit.



**Thao T. Tran** joined Kobayashi, Sugita & Goda in 2008 as an associate practicing in the areas of Labor and Employment Law. She received her Juris Doctor degree from Northeastern University School of Law in Boston and her Bachelor of Arts degree in Classical Studies, *summa cum laude*, from the University of Massachusetts at Amherst. Prior to joining the firm, Ms. Tran served as a law clerk for Hawaii's Honorable Chief Justice Ronald T.Y. Moon.

# Friends of the Judiciary History Center

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In 1983, Chief Justice Herman Lum appointed the first **Friends of the Judiciary History Center** board as an advisory group to support the Judiciary's development of the Judiciary History Center. In 1984, the Friends of the Judiciary Center of Hawai'i qualified as a tax exempt organization. The Friends help support a wide range of exciting educational programs which teach about law and the judicial system.

## Board of Directors

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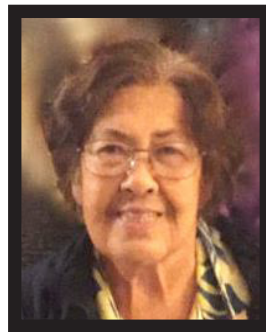
Sunny Lee, President  
Roberta Woods, Vice-President  
Tony Benavente, Treasurer  
Travis Kikuchi, Secretary

David Day	Colin Moore
Matthew Evans	Donovan Preza
Nathan Kam	Victoria Szymczak
Micah Kosasa	Valerie Wind
Chad Kumagai	Rick Velasquez

## Center Volunteers

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Nelson Armitage	Toni Han Palermo
Ann Dankulich	Judy Parrish
Philip Deters	Avis Poai
David Hopkins	Doris Shiraishi
Lynn Hopkins	Victoria Szymczack
Arnold Hori	Gail Takatsuka
Ruth Horie	Logan Tampon
Dao Jones	Stephen Trussel
Daniel Laufenberg	Ka'ano'i Walk
Marilyn Lee Loy	Jenna Watling
Chia Jin Naone	
Jennnifer Nguyen	



*Marilyn Aoe Lee Loy*

## IN MEMORIAM

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In April of this year we lost one of our valued volunteer docents. Marilyn was born in Hilo, Hawai'i, the daughter of the late Samuel Kanu'uhiwalani and Marion McGregor Lee Loy. Marylyn attended the Kamehameha Schools and graduated Class of 1961, from Farrington High School. She worked at Liberty House, the Hawai'i State Senate's Sergeant of Arms and retired as a microphotographer for the State of Hawai'i Bureau of Conveyances.

## Personnel

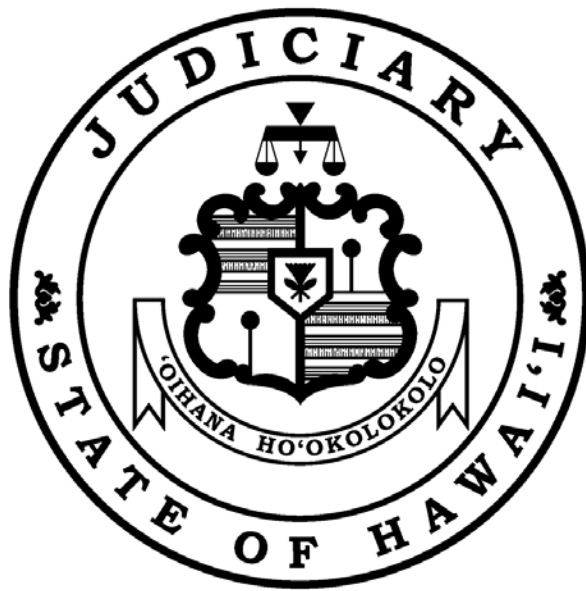
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Matt Mattice, Executive Director  
Keahe Davis, Education Specialist  
Teri Skillman, Program Specialist  
David Cypriano, Education Assistant



**REPORTS TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**SUBMITTED BY  
THE OFFICE OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS  
THE JUDICIARY, STATE OF HAWAII**



**DECEMBER 2017**

**REPORTS TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**SUBMITTED BY**

**THE OFFICE OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS  
THE JUDICIARY, STATE OF HAWAII**

**DECEMBER 2017**

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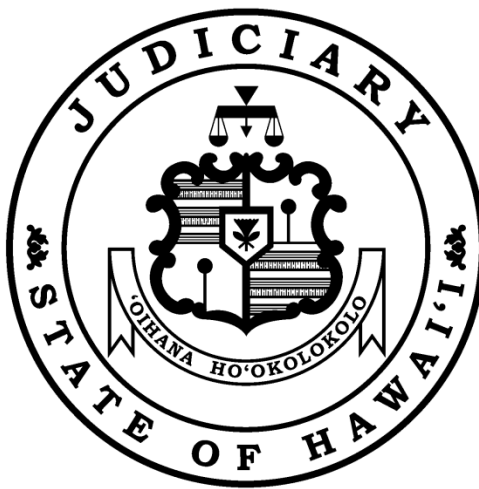
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**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 232, SESSION LAWS OF HAWAI'I 1994  
HRS §601-3.6**

**A Report on the Spouse and Child Abuse Special Account**



**Prepared by:**

**Circuit Court, First Circuit  
The Judiciary, State of Hawai'i**

**December 2017**

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 232, SESSION LAWS OF HAWAI'I  
1994 HRS § 601-3.6**

**A Report on the Spouse and Child Abuse Special Account**

This report is respectfully prepared pursuant to Act 232, Session Laws of Hawai'i 1994, Hawai'i Revised Statutes (HRS) § 601-3.6, which requests an annual report on the Spouse and Child Abuse Special Account.

In 1994, the Spouse and Child Abuse Special Account, placed in the Judiciary, was created by the Hawai'i State Legislature for the purpose of developing and/or expanding new and existing programs. The scope of the Judiciary's Special Account may include, but is not limited to, grants or purchases of services which support or provide domestic violence or child abuse intervention or prevention, as authorized by law, as well as staff programs.

The Judiciary's Special Account is financed through a portion of the monies collected by the Department of Health from the issuance of birth, death, and marriage certificates. In addition, any fines collected pursuant to HRS Chapter 586-11 (Violation for an Order of Protection) and contributions from state tax refunds are deposited into the Judiciary's Special Account.

**Programs and Activities Funded Through the Spouse and Child Abuse Special Fund**

Monies from the Judiciary's Special Account continue to provide funding for a broad range of programs, projects and activities statewide, which address interventions in domestic violence and the prevention of child abuse and neglect. The process of determining which services, programs and activities received funding involved internal planning and collaboration within the Judiciary, as well as coordination with private and public stakeholders in the community.

The following programs, projects and activities were funded by the Judiciary's Special Account in Fiscal Year 2017:

**1. Purchase of Service Programs**

The nonprofit organizations named below received funding to provide or supplement their contracted services with the Judiciary:

➤ Child and Family Service/Turning Point for Families (Hawai'i Island)

Funding was used for core domestic violence services. The specific services funded included the following:

- Victim support counseling
- Assistance in preparation of temporary restraining orders
- Advocacy for victims

➤ Child and Family Service/Developing Options to Violence (O'ahu)

The Developing Options to Violence program provided specialized domestic violence intervention services which included:

- Group/individual counseling services for adult survivors of domestic violence.
- Counseling services for children and youth who have been a victim or witness to family violence.
- Domestic violence intervention services for juveniles who have been adjudicated by the Family Court for the charge of abuse of family or household member or a related charge, such as intimate partner violence. Efforts also involved outreach to engage family members of the juveniles in services.
- Domestic violence intervention services for adult offenders.

➤ Domestic Violence Action Center (O'ahu)

The following advocacy services for victims of domestic violence were provided by the Domestic Violence Action Center:

- Advocacy and support services for victims filing temporary restraining orders
- Civil legal services
- Hotline services (information and referrals)
- Case management

➤ Island of Hawai'i YMCA (Hawai'i)

Supervised child visitation and exchange services were provided for families involved in domestic violence and/or high conflict cases by the Family Visitation Center. Services were provided to families from East Hawai'i. The majority of referrals was from the Family Court and included parents with temporary restraining orders, or orders of protection.

➤ Parents and Children Together/Family Peace Center (O'ahu)

Funding was provided to the Family Peace Center on Oahu to supplement essential domestic violence services. The specific services provided included:

- Victim advocacy and support groups.
- Counseling and/or case management for adult survivors/victims
- Counseling for children and youth who have been a victim or witness to family violence.
- Domestic violence intervention services for juveniles who have been adjudicated by the Family Court for the charge of abuse of family or household member or a related charge, such as intimate partner



violence. Efforts also involved outreach to engage family members of the juveniles in services.

- Domestic violence intervention services for adult offenders

➤ Parents and Children Together/Family Visitation Center (O'ahu & Kaua'i)

Supervised child visitation and exchange services were provided to court referred families on the islands of O'ahu and Kaua'i . On O'ahu, the Center serviced families in Honolulu and Waipahu, and on Kaua'i , the Center operated in Kapa'a. The majority of referrals involved temporary restraining orders and orders of protection, however, other referrals involved divorce, child custody and paternity cases.

➤ YWCA of Kaua'i / Alternatives to Violence Program Kaua'i

Funding of this program allowed the provision of domestic violence intervention services to juveniles referred from the Family Court through the Alternatives to Violence Program. The program also worked with family members and the juvenile's probation officers, when needed.

Many of the juveniles in treatment have displayed increased understanding and empathy of others, an increase in self-awareness, development of interpersonal skills and academic improvement.

## **2. Federal Grant Projects**

Matching funds from the Judiciary's Special Account were used for the federally funded Judiciary grant projects listed below:

➤ State Access and Visitation Program Grant

This formula grant is awarded to the Judiciary annually by the U.S. Department of Health and Human Services, Office of Child Support Enforcement, to provide supervised child visitation and exchange services in a safe setting. The Federal grant funds and matching funds from the Special Account were used to provide these services on the islands of O'ahu and Hawai'i. Priority was given to those cases involved in domestic violence, or other high conflict situations. The federal grant was awarded in the amount of \$100,000 and required a 10% match in funds; \$11,111 in matching funds from the Special Account were allocated to these services. Parents and Children Together/Family Visitation Center on O'ahu received a purchase of service contract to provide these services.

➤ Stop Violence Against Women Act Grant / "Examining Batterers Intervention Programs"

In November 2016, a selected team of six individuals comprised of a domestic violence Program Specialist, a Section Administrator and a Probation Supervisor in the domestic violence probation section, and three administrative staff members of a batterers intervention program, attended a national conference sponsored by the Batterers Intervention Services Coalition of Michigan (BISCM) in Dearborn, Michigan. The conference, "Reflecting Forward", gathered leading national and international experts

working with batterers and on current domestic violence issues. Conference presentations addressed current research, culture, trauma, faith, technology and strategies for effectively moving forward in collaborative efforts to end domestic violence.

Hawai'i Team participants stated that the conference was very helpful in increasing their understanding, knowledge, and awareness about batterer intervention programs and current relevant issues from a national and global perspective.

➤ Stop Violence Against Women Act Grant / "Safety During Visitation"

Specialized training on the issue of guiding principles and best practices needed in supervised child visitation and/or safe exchanges was conducted at the September 2016 Family Court Symposium held at the Ronald T.Y. Moon Kapolei Court for all Family Court judges and administrators statewide. The keynote topic was "Supervision with Safety" and featured speakers and staff from the National Council of Juvenile and Family Court Judges (NCJFCJ). In addition to the keynote topic, other topics covered by the speakers included: Safety Needs of At-Risk Parents and Children, Collaboration between the courts and service providers, Guiding principles, and Enhancing response of the courts.

In addition, a separate "Supervised Visitation and Safe Exchange Workshop" was held for service providers. The focus of the workshop was to encourage consistent service delivery among the multiple visitation centers and enhance competencies which promote victim safety and offender accountability. The same speakers from NCJFCJ presented at this workshop. Among the topics covered were: understanding the importance of supervised visitation and safe exchanges, safety needs of at-risk parents and children, recognizing and responding to the dynamics of domestic violence, and professional boundaries and confidentiality.

### **3. Trainings, Meetings, Other Expenses**

Monies from the Special Account were used for the following:

- \$10,000 was used to supplement a contract with a private therapist to work with clients in the Girls Court of the Family Court on O'ahu. This specialized court is designed to work with female juveniles referred to the juvenile justice system. Since the inception of this court, the majority, if not all, of the girls referred have evidenced trauma issues relevant to child, sexual, and/or domestic violence in various forms. The Girls Court on O'ahu which was established as one of the first of its kind has been recognized as a national model for other courts throughout the nation.
- Family Court Symposium (September 2016)  
Monies from the special account were also used to cover additional costs for the Symposium, including air and ground transportation, lodging/parking, airport parking for the neighbor island attendees, and supplies.

- Utilization of the Spousal Abuse Risk Assessment (SARA) to be used by probation officers in all circuits. The SARA is a validated domestic violence risk assessment used with domestic violence offenders. While it is usually applied electronically, new officers who have not been certified must initially use hard copies of the assessment.
- Two judges from the Family Courts on the island of O‘ahu attended a national training, “Enhancing Judicial Skills in Domestic Violence”, which was held in June 2016 in Kentucky. This training has been established exclusively for judges and has been the leading venue for judges hearing civil and/or criminal domestic violence cases.

The Judiciary has found that sending judges to this specialized four day institute in the past has proven to be extremely beneficial in providing knowledge, developing skills, and ultimately promoting the safety of victims and children.

- “Officer Safety Training: Train the Trainer” was held on O‘ahu for 32 selected adult and juvenile probation officers throughout the state. The seven day training was needed to re-certify current trainers and to re-build the officer safety training cadre. Sustaining officer safety training has been an ongoing challenge due to the loss of previous certified trainers. The seven day training was conducted by the Community Corrections Institute, LLC who provided training to address high risk situations which officers may be placed in, both in the office and the community. Officers were trained on how to put learned officer safety tactics into practice in realistic scenario settings, as well as employ control tactics in a manner that will minimize the risk of injury to both the staff member and the aggressor.

Continued efforts to maintain the officer safety training cadre are critical not only to criminal justice stakeholders statewide, but to the community at large.

Special account funds supported this training by providing funds that allowed the national trainers from the Community Corrections Institute, LLC, to conduct the training and neighbor island participants to attend.

- Maintenance of an electronic database containing assessment scores of domestic violence offenders on probation in the state was provided by \$3,600 from the account.
- Subscriptions to professional journals on domestic violence were purchased.

### **Special Fund Assessment (Act 34, SLH 1964)**

The Special Fund Assessment fee for FY 2017 was \$20,083.

## **Summary**

The Judiciary's Spouse and Child Abuse Special Account continues to enable the Judiciary to develop, implement and maintain a proactive stance in achieving the mission of HRS § 601-3.6, to support and provide spouse or child abuse intervention or prevention in the state of Hawai'i. One of the major strengths in the establishment of the Special Account has been the discretion given to the Judiciary, which has encouraged and allowed funding for a comprehensive range of services and activities, which would have not been possible otherwise. As a result, services for victims of domestic violence have been maintained and appropriate and effective intervention services for victims, children, and offenders remain available.

The opportunity for training of judges and Judiciary staff on a wide range of important and inter-connected issues relating to domestic violence and child abuse and neglect continues to be possible and addresses an on-going need.

The Judiciary remains committed to the responsible use of monies from the Special Account to promote the safety and well-being of domestic violence and child abuse and neglect victims and family members, the accountability of offenders, and to taking a strong and committed stance on these important issues.

**THE JUDICIARY  
SPOUSE AND CHILD ABUSE SPECIAL ACCOUNT  
EXPENDITURES FOR FISCAL YEAR 2016-2017**

3301	Food Supplies	2,476
3502	Subscriptions	680
4201	Transportation, Intra-State - Employees	781
4202	Transportation, Intra-State -Others	119
4301	Subsistence Allowance, Intra-State- Employees	1,205
4302	Subsistence Allowance, Intra-State - Others	1,231
4401	Transportation, Out of State- Employees	8,828
4402	Transportation, Out of State - Others	803
4501	Subsistence, Out of State - Employees	10,761
4502	Subsistence, Out of State - Others	383
4601	Hire of Passenger Cars - Employees	544
4602	Hire of Passengers Cars - Others	45
6609	Purchase of Service Contracts	481,570
6619	Other Public Support and Assistance	70
7198	Other Services on Fee Basis	30,791
7204	Special Fund Assessment (Act 34, SLH 1964)	20,083
7205	Training Costs and Registration Fees	2,125
7215	Other Miscellaneous Current Expenses	119

TOTAL EXPENSES

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\$562,614

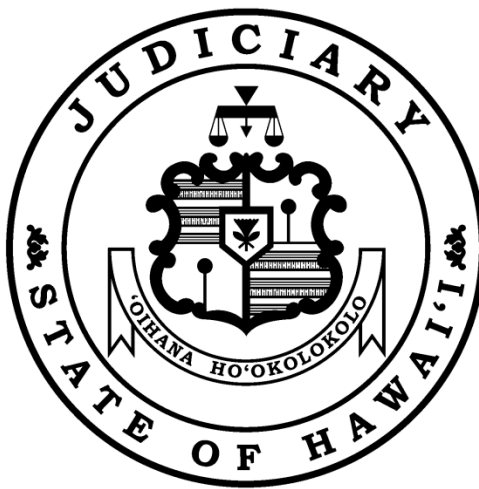


**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 274, SESSION LAWS OF HAWAI'I 1997  
HRS §607-5.6**

**A Report on the Parent Education Special Fund**



**Prepared by:**

**Family Court, First Circuit  
The Judiciary, State of Hawai'i**

**December 2017**

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 274, SESSION LAWS OF HAWAI'I 1997  
HRS § 607-5.6**

**A Report on the Parent Education Special Fund**

Act 274, Session Laws of Hawai'i 1997, requires the Judiciary to submit a report on the Parent Education Special Fund.

The Parent Education Special Fund was established by the 1997 Legislature, State of Hawai'i, through Act 274. In 2003, Hawai'i Revised Statutes Section 607-5.6 was amended to increase the Fund's surcharge to \$50 for family court matrimonial cases and to add the surcharge to paternity actions.

The Purpose of the Fund

Parents attending the divorce education programs in Hawai'i (Kids First, Children in Transition, Children First) are encouraged to refocus on their children's needs and learn how continued fighting will negatively impact the children. Parents are given parenting guides as well as island-specific printed material with information on resources for counseling, domestic violence, parenting classes, and anger management classes. They watch the award winning Purple Family movie and other videos, and are encouraged to mediate rather than litigate their custody conflicts.

Children aged 6 to 17 years old also attend the classes to help them cope with their parents' divorce or separation. They learn that they are not the cause of the separation, that parents do not divorce their children, and that their family is not the only one going through this difficult experience. Children and teens participate in age-appropriate discussions and activities focused on helping each child understand their emotions or problems that may be occurring because of their changing family. The website [www.KidsFirstHawaii.com](http://www.KidsFirstHawaii.com) provides program and contact information for the general public.

All parents are told:

- Children will thrive if they live in safe homes and are loved by both parents.
- Family violence is never appropriate and is extremely harmful to children.
- The court takes into account the safety of victims and children in making custody and visitation decisions.

Current Programs

Each Judicial Circuit has a parent education program for separating and divorcing parents and their minor children (ages 6 to 17 years). The Third Circuit has two programs, one in Hilo and one in Kona.

<b>Judicial Circuit FY17</b>	<b>Adults Attending</b>	<b>Children Attending</b>	<b>FY17 Total</b>
First (O'ahu)	2,873	1,643	4,516
Second (Maui, Moloka'i, Lāna'i)	379	240	619
Third (Hilo)	179	138	317
Third (Kona)	133	100	233
Fifth (Kaua'i)	250	129	379
<b>Total persons served:</b>	3,814	2,250	6,064

On O'ahu 3,528 new marital actions (divorce) were filed; half included families with minor children. Additionally on O'ahu, 980 paternity (unmarried parents) petitions and nine Civil Union divorces were filed. Never-married parties contesting custody or visitation are included in the education program to teach them parallel parenting skills. Children who had lived together in the same home with the never-married parents also attend. Approximately 50% of O'ahu's paternity cases involved contested custody or visitation issues. The remaining paternity cases, filed by the Child Support Enforcement Agency, involve child support reimbursements. The O'ahu Kids First program alternates its class weekly between the Honolulu Circuit Courthouse and Ronald T.Y. Moon Kapolei Court Complex.

The percentage of divorce filings for each circuit closely mirrors the state's population distribution. The majority of the cases in the state were filed on O'ahu with 73% of the divorce filings and 65% of the paternity filings. The O'ahu Kids First office serviced 2,516 new cases (families). Program attendance from these families totaled 4,516 individuals (2,873 adults and 1,643 children).

Statewide, 97 divorce education sessions were held, serving a total of 6,064 parents and children. Statewide revenue was \$120,294 which includes an interest amount of \$1,894. Total expenses were \$141,459. Should revenues continue to not meet expenses, it may be necessary to increase the Parent Education Special Fund surcharge.

<b>Judicial Circuit Cases by type FY17</b>	<b>Divorce filings</b>	<b>Paternity filings</b>	<b>Civil Union divorces</b>	<b>Total Cases FY17</b>
First (O'ahu)	3,528	980	9	4,517
Second (Maui, Moloka'i, Lāna'i)	529	177	2	708
Third (Hilo)	302	221	2	525
Third (Kona)	260	99	0	359
Fifth (Kaua'i)	201	34	0	235
<b>State Total:</b>	4,820	1,511	13	6,344

The Parent Education Special Fund began collecting filing fee surcharges and donations on July 1, 1997. The attached financial report reflects the nineteenth year of collections. The Parent Education Special Fund continues to support all five of the Judiciary's parent education programs.

THE JUDICIARY  
PARENT EDUCATION SPECIAL FUND  
FY 2016-2017

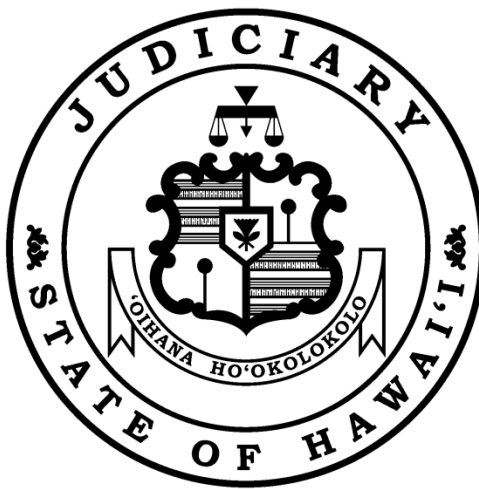
		AMOUNTS				
OBJECT CODE	DESCRIPTION	FIRST CIRCUIT	SECOND CIRCUIT	THIRD CIRCUIT	FIFTH CIRCUIT	TOTAL
<u>REVENUES</u>						
0288	INTEREST	1,894				1,894
0763	SURCHARGE	89,850	11,950	12,100	4,500	118,400
TOTAL REVENUES		91,744	11,950	12,100	4,500	120,294
<u>OTHER CURRENT EXPENSES &amp; ENCUMBRANCES</u>						
2902	SECURITY SERVICES	16,231	4,187		3,051	23,469
3204	DUPLICATING SUPPLIES	1,766				1,766
3206	DATA PROCESSING SUPPLIES	0				0
3209	OTHER STATIONERY AND OFFICE SUPPLIES	854				854
3301	FOOD SUPPLIES	5,946			1,106	7,052
3701	POSTAGE	0				0
3901	PRINTING AND BINDING	635				635
4101	CAR MILEAGE - EMPLOYEES	0				0
4102	CAR MILEAGE - OTHERS	599				599
4401	TRANS OUT OF STATE - EMPLOYEES	0				0
4501	SUBSISTENCE OUT OF STATE - EMPLOYEES	212				212
4601	HIRE OF PASSENGER CARS - EMPLOYEES	0				0
5503	OTHER RENTALS (PARKING PASS)	300				300
6619	OTHER PUBLIC SUPPORT & ASSISTANCE	4,023				4,023
7131	INTERPRETER FEES	1,314				1,314
7198	OTHER SERVICES ON FEE BASIS	54,440	18,750	18,750	7,950	99,890
7204	SPECIAL FUND ASSESSMENT (ACT 34, SLH 1964)	5,991				5,991
7205	TRAINING COSTS AND REGISTRATION FEES	70				70
7215	OTHER MISC CURRENT EXP	0				0
TOTAL OTHER CURRENT EXPENSES		92,381	22,937	18,750	12,107	146,175

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 162, SESSION LAWS OF HAWAI'I 2002  
HRS § 577-7.5**

**A Report on Parental Preferences in Government Contracts**



**Prepared by:**

**Financial Services Department  
Office of the Administrative Director of the Courts  
The Judiciary, State of Hawai'i**

**December 2017**



**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 162, SESSION LAWS OF HAWAI'I 2002  
HRS § 577-7.5**

**A Report on Parental Preferences in Government Contracts**

Act 162, SLH 2002, HRS § 577-7.5, provides that Judiciary contracts, programs, and services shall not favor one parent over the other in terms of child rearing and that the Judiciary will provide annual report to the Legislature on the implementation of this section.

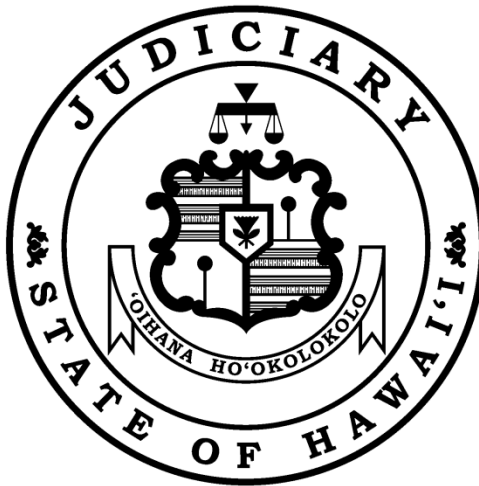
We report that the Judiciary program administrators, program specialists and contracting officers are continuing to monitor their contracts to insure compliance with this act. In addition to using standard contract boilerplates, our Judiciary staff attorney assures compliance with all applicable laws by reviewing these contracts prior to finalization. None of our policies and procedures in the contracting of individuals or groups providing contractual services to the Judiciary has ever reflected in the past, nor will they ever reflect in the future, any parental preference.

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 40, SESSION LAWS OF HAWAI'I 2004  
HRS §601-21**

**A Report on Statewide Substance Abuse Treatment  
Monitoring Program**



**Prepared by:**

**Adult Client Services Branch, First Circuit  
The Judiciary, State of Hawai'i**

**December 2017**

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 40, SESSION LAWS OF HAWAI'I 2004  
HRS § 601-21**

**A Report on Statewide Substance Abuse Treatment  
Monitoring Program**

Hawai'i Revised Statutes (HRS) § 601-21 requires that following of the Judiciary: (a) to collect data in accordance with section 321-192.5 from any circuit court, adult probation, and any provider of substance abuse treatment that provides substance abuse treatment to persons served through public funds administered by the judiciary; (b) to include in the contract with any treatment provider all criteria established by the department of health pursuant to section 321-192.5 to determine whether the treatment provider is achieving success in treating individuals with substance abuse.

The Judiciary's efforts to comply with the above-referenced statute are outlined below.

- The Judiciary continues to include language in its Requests for Proposals and existing contracts with substance abuse treatment providers to hold programs accountable for complying with Department of Health (DOH) criteria to determine success in treating individuals with substance abuse.
- The Judiciary received available data taken from the Web Infrastructure for Treatment Services (WITS) information system. Reports from WITS are attached. It is noted that some of the Judiciary's contracted providers were not ADAD providers, thus numbers were taken for these programs from Caseload Explorer (CE), the Judiciary statewide ACSB case and management information system for probation. These statistics must be considered preliminary as ACSB still needs to ensure that all program data is entered on a timely manner.

It is noted that the data provided by ADAD is based on information provided by treatment providers. Some of this information may not match with what is contained in CE as there may be inconsistency in the way data is entered and interpreted.

The Department of Health ADAD/WITS reported data in the tables shown below. The following FY 17 statewide probation data was also obtained from CE:

- 794 unduplicated adults entered 828 programs with 927 admits in FY 17. The higher number of admits reflect clients being admitted to treatment more than once during the year.
- 5,037 offenders were active in treatment during the same year.

- Of the 5,037 offenders, 3,915 were males; 1,100 were females; and 22 were unspecified.
- Treatment services include assessments, education, motivational enhancement, outpatient, intensive outpatient, day and residential care, with continuing care following core treatment. Special needs, including those for pregnant and parenting women and individuals with co-occurring (mental health and substance abuse) disorders have been addressed by treatment programs.
- Through the efforts of the Interagency Council on Intermediate Sanctions (ICIS), programs have been evaluated using the Correctional Program Checklist (CPC) to determine how much in alignment programs are with the application of effective practices in working with offenders. Most programs are beginning to look at their programming and are working toward adopting and adapting to these principles.
- The CPC assessment team continues to be active in supporting the vendors as they begin to implement some of these practices, by providing opportunities for greater interaction between programs and the criminal justice system through training. Probation officers are consistently transmitting Level of Services Inventory-Revised data which provide vendors with the risk (to recidivate) classification of referred offenders to address dosage and treatment placement.
- Clients from Neighbor Islands had to travel to O'ahu, Maui or the Big Island for residential type placements, reflecting the need for higher levels of substance abuse treatment on all islands.

Neighbor Island Referrals for Residential Treatment				
	Big Island 3 <sup>rd</sup> CC	Kauai 5 <sup>th</sup> CC	Maui 2 <sup>nd</sup> CC	Subtotal
<b>Treatment Providers Referred To:</b>				
<b>OAHU</b>				
Habilitat	9		5	14
Hina Mauka	19	2	9	30
Habilitat	3			3
Hoomau Ke Ola	16	7	6	29
Kahi Mohala				
Poailani	19	5	10	34
Salvation Army ARC	3	19	4	26
Salvation Army ATS	17	7	12	36
Salvation Army FTS		2	1	3
Sand Island Treatment Cntr	25	7	7	39
Veterans Administration	2	3		5
	113	52	54	219
Total Referred to Oahu				
<b>BIG ISLAND</b>				
BISAC	118			118
Bridge House	21		1	22
Teen Challenge	6	4		10
	145	4	1	150
Total Referred to Big Island				
<b>MAUI</b>			103	103
Aloha House	14			14
Veterans Administration			4	4
	14	0	107	121
Total Referred to Maul				
TOTAL NI Referrals				490



# Table 1.1 Number of Judiciary Referrals by Island

This report counts the number of referrals made by the Judiciary to providers. Services for these referrals may not have been paid for by the Judiciary. Counts are unduplicated within a provider agency and in the Total column and rows.

Fiscal Year	Age Group	Provider Agency	Island (# of Clients)						
			Hawaii	Kauai	Lanai	Maui	Molokai	Oahu	Total
2017	Adult	Action with Aloha, LLC						24	24
		Alcoholic Rehabilitation Services of Hawaii, Inc.						831	831
		Aloha House, Inc.			5	492			497
		Big Island Substance Abuse Council	506						506
		Bridge House, Inc.	36						36
		CARE Hawaii, Inc.	209	18		178		517	922
		Child and Family Service		2					2
		Hale Ho'okupa'a					10		10
		Ho'omau Ke Ola						165	165
		IHS, The Institute for Human Services, Inc.						14	14
		Institute for Family Enrichment LLC						1	1
		Ka Hale Pomaika'i					12		12
		Kline-Welsh Behavioral Foundation						146	146
		Kokua Support Services						41	41
		Ku Aloha Ola Mau	33						33
		Malama Na Makua A Keiki				51			51
		Mental Health Kokua						5	5
		Ohana Makamae, Inc.				1			1
		Po'ailani, Inc.						22	22
		Salvation Army-ATS						369	369
		Salvation Army-FTS						22	22
		The Queen's Medical Center						76	76
		Waianae Coast Comprehensive Health Center						230	230
		Women In Need						4	4
		<b>AGE GROUP TOTAL</b>	784	20	5	722	22	2,467	4,020
	Children	Alcoholic Rehabilitation Services of Hawaii, Inc.						5	5
		Big Island Substance Abuse Council	9						9
		Bobby Benson Center						2	2
		CARE Hawaii, Inc.						58	58
		Institute for Family Enrichment LLC						1	1
		Maui Youth and Family Services, Inc.				3			3
		Salvation Army-FTS						16	16
		Young Men's Christian Association of Honolulu						6	6
		<b>AGE GROUP TOTAL</b>	9			3		88	100
	<b>FISCAL YEAR TOTAL</b>		793	20	5	725	22	2,555	4,120

## Table 1.2 Number of Judiciary Referred Clients Admitted by Island, Agency, and Gender

This report counts all clients that the providers have indicated were referred to them by the Judiciary and admitted into a treatment regime. Service rendered to Judiciary referred clients may not have been paid for by the Judiciary.

Fiscal Year	Island	Age Group	Provider Agency	Client Gender (# of Clients)		
				Female	Male	Total
2017	Hawaii	Adult	Big Island Substance Abuse Council	109	397	506
			Bridge House, Inc.	6	30	36
			CARE Hawaii, Inc.	39	170	209
			Ku Aloha Ola Mau	16	17	33
			<b>AGE GROUP TOTAL</b>	170	614	784
		Children	Big Island Substance Abuse Council	3	6	9
			<b>AGE GROUP TOTAL</b>	3	6	9
		<b>ISLAND TOTAL</b>		173	620	793
	Kauai	Adult	CARE Hawaii, Inc.	8	10	18
			Child and Family Service	2		2
			<b>AGE GROUP TOTAL</b>	10	10	20
		<b>ISLAND TOTAL</b>		10	10	20
	Lanai	Adult	Aloha House, Inc.		5	5
			<b>AGE GROUP TOTAL</b>		5	5
		<b>ISLAND TOTAL</b>			5	5
	Maui	Adult	Aloha House, Inc.	142	350	492
			CARE Hawaii, Inc.	49	129	178
			Malama Na Makua A Keiki	51		51
			Ohana Makamae, Inc.		1	1
			<b>AGE GROUP TOTAL</b>	242	480	722
		Children	Maui Youth and Family Services, Inc.		3	3
			<b>AGE GROUP TOTAL</b>		3	3
		<b>ISLAND TOTAL</b>		242	483	725
	Molokai	Adult	Hale Ho'okupa'a	4	6	10
			Ka Hale Pomaika'i	6	6	12
			<b>AGE GROUP TOTAL</b>	10	12	22
		<b>ISLAND TOTAL</b>		10	12	22
	Oahu	Adult	Action with Aloha, LLC	1	23	24

			Alcoholic Rehabilitation Services of Hawaii, Inc.	177	654	831	
			CARE Hawaii, Inc.	98	419	517	
			Ho'omau Ke Ola	53	112	165	
			IHS, The Institute for Human Services, Inc.	6	8	14	
			Institute for Family Enrichment LLC		1	1	
			Kline-Welsh Behavioral Foundation	29	117	146	
			Kokua Support Services	3	38	41	
			Mental Health Kokua		5	5	
			Po'ailani, Inc.	10	12	22	
			Salvation Army-ATS	45	324	369	
			Salvation Army-FTS	22		22	
			The Queen's Medical Center	28	48	76	
			Waianae Coast Comprehensive Health Center	51	179	230	
			Women In Need	4		4	
			AGE GROUP TOTAL	527	1,940	2,467	
		Children		Alcoholic Rehabilitation Services of Hawaii, Inc.		5	5
				Bobby Benson Center	2		2
			CARE Hawaii, Inc.	17	41	58	
			Institute for Family Enrichment LLC		1	1	
			Salvation Army-FTS	9	7	16	
			Young Men's Christian Association of Honolulu	1	5	6	
			AGE GROUP TOTAL	29	59	88	
	ISLAND TOTAL			556	1,999	2,555	
	FISCAL YEAR TOTAL			991	3,129	4,120	

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# Table 1.3 Number of Clients Admitted by Gender and Agency

					Number of Admissions					
Fiscal Year	Island	Gender	Age Group	Provider	Adult Probation	Family Drug Court	Hawaii Drug Court	Total		
2017	Oahu	Female	Adult	Action with Aloha, LLC	2	-	-	2		
				CARE Hawaii, Inc.	5	-	-	5		
				Hina Mauka	21	2	-	23		
				Ho'omau Ke Ola	3	5	-	8		
				Kline-Welsh Behavioral Foundation	1	-	2	3		
				Kokua Support Services	5	-	-	5		
				Salvation Army-ATS	7	-	-	7		
				Salvation Army-FTS	5	6	-	10		
				The Queen's Medical Center	3	-	-	3		
				Waianae Coast Comprehensive Health Center	49	1	-	50		
				AGE GROUP TOTAL	100	14	2	115		
			Children	Salvation Army-FTS	3	3	-	5		
				AGE GROUP TOTAL	3	3	-	5		
			GENDER TOTAL				103	17	2	120
		Male	Adult	Action with Aloha, LLC	20	-	-	20		
				CARE Hawaii, Inc.	54	-	-	54		
				Hina Mauka	112	5	-	117		
				Ho'omau Ke Ola	16	-	-	16		
				Kline-Welsh Behavioral Foundation	9	-	4	13		
				Kokua Support Services	39	-	-	39		
				Salvation Army-ATS	49	1	1	51		
				The Queen's Medical Center	5	-	-	5		
				Waianae Coast Comprehensive Health Center	168	3	-	171		
				AGE GROUP TOTAL	460	7	5	472		
				Children	Salvation Army-FTS	1	2	-	3	
			AGE GROUP TOTAL		1	2	-	3		
			GENDER TOTAL				461	9	5	475
			ISLAND TOTAL				564	26	7	595
			FISCAL YEAR TOTAL				564	26	7	595

## Table 2.1 Number of Clients Admitted by Agency and Court Type

				Number of Admissions			
Fiscal Year	Island	Age Group	Provider	Adult Probation	Family Drug Court	Hawaii Drug Court	Total
2017	Oahu	Adult	Action with Aloha, LLC	22	0	0	22
			CARE Hawaii, Inc.	59	0	0	59
			Hina Mauka	133	7	0	140
			Ho'omau Ke Ola	19	5	0	24
			Kline-Welsh Behavioral Foundation	10	0	6	16
			Kokua Support Services	44	0	0	44
			Salvation Army-ATS	56	1	1	58
			Salvation Army-FTS	5	6	0	10
			The Queen's Medical Center	8	0	0	8
			Waianae Coast Comprehensive Health Center	217	4	0	221
			AGE GROUP TOTAL	560	21	7	587
		Children	Salvation Army-FTS	4	5	0	8
			AGE GROUP TOTAL	4	5	0	8
	ISLAND TOTAL			564	26	7	595
FISCAL YEAR TOTAL			564	26	7	595	

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**Table 2.2 Number of Clients Admitted by Island,  
Agency and Gender**

				Number of Admissions		
Fiscal Year	Geo	Age Group	Provider	Female	Male	Total
2017	Oahu	Adult	Action with Aloha, LLC	2	20	22
			CARE Hawaii, Inc.	5	54	59
			Hina Mauka	23	117	140
			Ho'omau Ke Ola	8	16	24
			Kline-Welsh Behavioral Foundation	3	13	16
			Kokua Support Services	5	39	44
			Salvation Army-ATS	7	51	58
			Salvation Army-FTS	10	-	10
			The Queen's Medical Center	3	5	8
			Waianae Coast Comprehensive Health Center	50	171	221
			AGE GROUP TOTAL	115	472	587
		Children	Salvation Army-FTS	5	3	8
			AGE GROUP TOTAL	5	3	8
		ISLAND TOTAL			120	475
	FISCAL YEAR TOTAL			120	475	595

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## Table 3.1 Number of Clients Admitted by Island, Agency and Race

This report counts clients who have had one or more program enrollments during the fiscal year. If a client has multiple program enrollments during the fiscal year, they are counted only once.

				Number of Clients										
Fiscal Year	Island	Age Group	Provider	Alaskan Native	American Indian	Asian	Black	Hawaiian/Part Hawaiian	Other	Pacific Islander	Unknown	White	Total	
2017	Oahu	Adult	Action with Aloha, LLC	-	-	4	2	7	-	3	-	6	22	
			CARE Hawaii, Inc.	1	1	8	4	23	2	6	2	12	59	
			Hina Mauka	-	1	23	3	74	3	15	2	19	140	
			Ho'omau Ke Ola	-	1	3	1	18	-	1	-	-	24	
			Kline-Welsh Behavioral Foundation	-	-	1	-	12	-	1	-	2	16	
			Kokua Support Services	-	-	6	1	-	1	24	6	6	44	
			Salvation Army-ATS	-	-	11	-	23	6	9	-	9	58	
			Salvation Army-FTS	-	1	-	1	4	-	1	-	3	10	
			The Queen's Medical Center	-	-	3	1	1	1	2	-	-	8	
			Waianae Coast Comprehensive Health Center	-	3	42	12	97	6	25	-	36	221	
			AGE GROUP TOTAL	1	7	101	25	253	19	85	10	89	587	
		Children	Salvation Army-FTS	-	1	-	1	4	-	-	1	1	8	
			AGE GROUP TOTAL	-	1	-	1	4	-	-	1	1	8	
		ISLAND TOTAL			1	8	101	26	257	19	85	11	90	595
		FISCAL YEAR TOTAL			1	8	101	26	257	19	85	11	90	595

Run Date: Friday, August 11, 2017

**Table 3.2 Number of Clients Admitted by Island, Ethnicity, Agency, and Court Type**

Fiscal Year	Island	Ethnicity	Age Group	Provider	Number of Admissions			
					Adult Probation	Family Drug Court	Hawaii Drug Court	Total
2017	Oahu	Aleutian/Eskimo	Adult	CARE Hawaii, Inc.	1	-	-	1
				<b>AGE GROUP TOTAL</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>
			<b>ETHNICITY TOTAL</b>		<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>
		American Indian	Adult	CARE Hawaii, Inc.	1	-	-	1
				Hina Mauka	1	-	-	1
				Ho'omau Ke Ola	1	-	-	1
				Salvation Army-FTS	-	1	-	1
				Waianae Coast Comprehensive Health Center	3	-	-	3
				<b>AGE GROUP TOTAL</b>	<b>6</b>	<b>1</b>	<b>-</b>	<b>7</b>
			Children	Salvation Army-FTS	-	1	-	1
				<b>AGE GROUP TOTAL</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>
				<b>ETHNICITY TOTAL</b>	<b>6</b>	<b>2</b>	<b>-</b>	<b>8</b>
		Black/African American	Adult	Action with Aloha, LLC	2	-	-	2
				CARE Hawaii, Inc.	4	-	-	4
				Hina Mauka	3	-	-	3
				Ho'omau Ke Ola	-	1	-	1
				Kokua Support Services	1	-	-	1
				Salvation Army-FTS	1	1	-	1
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	12	-	-	12
				<b>AGE GROUP TOTAL</b>	<b>24</b>	<b>2</b>	<b>-</b>	<b>25</b>
			Children	Salvation Army-FTS	1	1	-	1
				<b>AGE GROUP TOTAL</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>1</b>
			<b>ETHNICITY TOTAL</b>		<b>25</b>	<b>3</b>	<b>-</b>	<b>26</b>
		Caucasian	Adult	Action with Aloha, LLC	5	-	-	5
				CARE Hawaii, Inc.	11	-	-	11
				Hina Mauka	14	4	-	18

				Kline-Welsh Behavioral Foundation	1	-	1	2
				Kokua Support Services	6	-	-	6
				Salvation Army-ATS	9	-	-	9
				Salvation Army-FTS	1	1	-	2
				Waianae Coast Comprehensive Health Center	33	-	-	33
				<b>AGE GROUP TOTAL</b>	<b>76</b>	<b>5</b>	<b>1</b>	<b>82</b>
			Children	Salvation Army-FTS	-	1	-	1
				<b>AGE GROUP TOTAL</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>
			<b>ETHNICITY TOTAL</b>		<b>76</b>	<b>6</b>	<b>1</b>	<b>83</b>
		Chamorro	Adult	Waianae Coast Comprehensive Health Center	1	-	-	1
				<b>AGE GROUP TOTAL</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>
			<b>ETHNICITY TOTAL</b>		<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>
		Chinese	Adult	CARE Hawaii, Inc.	2	-	-	2
				Kokua Support Services	2	-	-	2
				Salvation Army-ATS	1	-	-	1
				Waianae Coast Comprehensive Health Center	1	-	-	1
				<b>AGE GROUP TOTAL</b>	<b>6</b>	<b>-</b>	<b>-</b>	<b>6</b>
			<b>ETHNICITY TOTAL</b>		<b>6</b>	<b>-</b>	<b>-</b>	<b>6</b>
		Chuukese	Adult	Action with Aloha, LLC	1	-	-	1
				CARE Hawaii, Inc.	1	-	-	1
				Kokua Support Services	2	-	-	2
				Salvation Army-ATS	1	-	-	1
				Waianae Coast Comprehensive Health Center	3	-	-	3
				<b>AGE GROUP TOTAL</b>	<b>8</b>	<b>-</b>	<b>-</b>	<b>8</b>
			<b>ETHNICITY TOTAL</b>		<b>8</b>	<b>-</b>	<b>-</b>	<b>8</b>
		Filipino	Adult	Action with Aloha, LLC	1	-	-	1
				CARE Hawaii, Inc.	4	-	-	4
				Hina Mauka	12	1	-	13
				Ho'omau Ke Ola	2	-	-	2
				Salvation Army-ATS	7	-	-	7

				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	16	1	-	17
				<b>AGE GROUP TOTAL</b>	<b>43</b>	<b>2</b>	<b>-</b>	<b>45</b>
			<b>ETHNICITY TOTAL</b>		<b>43</b>	<b>2</b>	<b>-</b>	<b>45</b>
		Hawaiian/Part Hawaiian	Adult	Action with Aloha, LLC	7	-	-	7
				CARE Hawaii, Inc.	24	-	-	24
				Hina Mauka	74	1	-	75
				Ho'omau Ke Ola	15	3	-	18
				Kline-Welsh Behavioral Foundation	8	-	4	12
				Salvation Army-ATS	25	1	1	27
				Salvation Army-FTS	3	1	-	4
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	94	2	-	96
				<b>AGE GROUP TOTAL</b>	<b>246</b>	<b>8</b>	<b>5</b>	<b>259</b>
			Children	Salvation Army-FTS	2	2	-	4
				<b>AGE GROUP TOTAL</b>	<b>2</b>	<b>2</b>	<b>-</b>	<b>4</b>
			<b>ETHNICITY TOTAL</b>		<b>248</b>	<b>10</b>	<b>5</b>	<b>263</b>
		Japanese	Adult	Action with Aloha, LLC	3	-	-	3
				CARE Hawaii, Inc.	1	-	-	1
				Hina Mauka	9	-	-	9
				Ho'omau Ke Ola	1	-	-	1
				Kline-Welsh Behavioral Foundation	-	-	1	1
				Salvation Army-ATS	1	-	-	1
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	17	-	-	17
				<b>AGE GROUP TOTAL</b>	<b>33</b>	<b>-</b>	<b>1</b>	<b>34</b>
			<b>ETHNICITY TOTAL</b>		<b>33</b>	<b>-</b>	<b>1</b>	<b>34</b>
		Korean	Adult	CARE Hawaii, Inc.	1	-	-	1



				Waianae Coast Comprehensive Health Center	1	-	-	1
				<b>AGE GROUP TOTAL</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>
				<b>ETHNICITY TOTAL</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>
		Marshallese	Adult	Salvation Army-ATS	1	-	-	1
				<b>AGE GROUP TOTAL</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>
				<b>ETHNICITY TOTAL</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>
		Micronesian	Adult	CARE Hawaii, Inc.	1	-	-	1
				Hina Mauka	2	-	-	2
				Kokua Support Services	1	-	-	1
				Salvation Army-ATS	3	-	-	3
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	3	-	-	3
				<b>AGE GROUP TOTAL</b>	<b>11</b>	<b>-</b>	<b>-</b>	<b>11</b>
				<b>ETHNICITY TOTAL</b>	<b>11</b>	<b>-</b>	<b>-</b>	<b>11</b>
		Okinawan	Adult	The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	1	-	-	1
				<b>AGE GROUP TOTAL</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>
				<b>ETHNICITY TOTAL</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>
		Other	Adult	CARE Hawaii, Inc.	1	-	-	1
				Hina Mauka	2	-	-	2
				Kokua Support Services	1	-	-	1
				Salvation Army-ATS	2	-	-	2
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	6	-	-	6
				<b>AGE GROUP TOTAL</b>	<b>13</b>	<b>-</b>	<b>-</b>	<b>13</b>
				<b>ETHNICITY TOTAL</b>	<b>13</b>	<b>-</b>	<b>-</b>	<b>13</b>
		Other Asian	Adult	Hina Mauka	1	-	-	1
				Kokua Support Services	4	-	-	4
				Salvation Army-ATS	1	-	-	1

				Waianae Coast Comprehensive Health Center	4	-	-	4
				<b>AGE GROUP TOTAL</b>	<b>10</b>	<b>-</b>	<b>-</b>	<b>10</b>
				<b>ETHNICITY TOTAL</b>	<b>10</b>	<b>-</b>	<b>-</b>	<b>10</b>
		Other Pacific Islander	Adult	Action with Aloha, LLC	1	-	-	1
				Kokua Support Services	17	-	-	17
				<b>AGE GROUP TOTAL</b>	<b>18</b>	<b>-</b>	<b>-</b>	<b>18</b>
				<b>ETHNICITY TOTAL</b>	<b>18</b>	<b>-</b>	<b>-</b>	<b>18</b>
		Pohnpian	Adult	Waianae Coast Comprehensive Health Center	1	-	-	1
				<b>AGE GROUP TOTAL</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>
				<b>ETHNICITY TOTAL</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>1</b>
		Portuguese	Adult	Action with Aloha, LLC	1	-	-	1
				CARE Hawaii, Inc.	1	-	-	1
				Hina Mauka	1	-	-	1
				Salvation Army-FTS	-	1	-	1
				Waianae Coast Comprehensive Health Center	2	-	-	2
				<b>AGE GROUP TOTAL</b>	<b>5</b>	<b>1</b>	<b>-</b>	<b>6</b>
				<b>ETHNICITY TOTAL</b>	<b>5</b>	<b>1</b>	<b>-</b>	<b>6</b>
		Samoan	Adult	Action with Aloha, LLC	1	-	-	1
				CARE Hawaii, Inc.	4	-	-	4
				Hina Mauka	10	-	-	10
				Ho'omau Ke Ola	-	1	-	1
				Kokua Support Services	3	-	-	3
				Salvation Army-ATS	2	-	-	2
				Salvation Army-FTS	-	1	-	1
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	16	-	-	16
				<b>AGE GROUP TOTAL</b>	<b>37</b>	<b>2</b>	<b>-</b>	<b>39</b>
				<b>ETHNICITY TOTAL</b>	<b>37</b>	<b>2</b>	<b>-</b>	<b>39</b>
		Tongan	Adult	Hina Mauka	2	1	-	3
				Kline-Welsh Behavioral Foundation	1	-	-	1

				Kokua Support Services	1	-	-	1	
				Salvation Army-ATS	2	-	-	2	
				Waianae Coast Comprehensive Health Center	-	1	-	1	
				AGE GROUP TOTAL	6	1	-	7	
				ETHNICITY TOTAL				6	1
		Unknown	Adult	CARE Hawaii, Inc.	2	-	-	2	
				Hina Mauka	2	-	-	2	
				Kokua Support Services	6	-	-	6	
				Waianae Coast Comprehensive Health Center	2	-	-	2	
				AGE GROUP TOTAL	12	-	-	12	
	Children		Salvation Army-FTS	1	-	-	1		
			AGE GROUP TOTAL	1	-	-	1		
	ETHNICITY TOTAL				13	-	-	13	
	Vietnamese	Adult	Salvation Army-ATS	1	-	-	1		
			Waianae Coast Comprehensive Health Center	1	-	-	1		
			AGE GROUP TOTAL	2	-	-	2		
		ETHNICITY TOTAL				2	-	-	2
		ISLAND TOTAL				564	26	7	595
	FISCAL YEAR TOTAL				564	26	7	595	

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## Table 4 Number of Clients Admitted by Island, Employment Status, Agency and Court Type

Fiscal Year	Island	Age Group	Employment Status	Provider Agency	Number of Admissions			
					Adult Probation	Family Drug Court	Hawaii Drug Court	Total
2017	Oahu	Adult	Disabled	Hina Mauka	5	-	-	5
				Ho'omau Ke Ola	1	-	-	1
				Kline-Welsh Behavioral Foundation	2	-	1	3
				Kokua Support Services	1	-	-	1
				Salvation Army-FTS	2	-	-	2
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	1	1	-	2
				<b>EMPLOYMENT STATUS TOTAL</b>	<b>13</b>	<b>1</b>	<b>1</b>	<b>15</b>
			Full-Time	Action with Aloha, LLC	10	-	-	10
				CARE Hawaii, Inc.	7	-	-	7
				Hina Mauka	8	2	-	10
				Ho'omau Ke Ola	1	-	-	1
				Salvation Army-FTS	8	-	-	8
				The Queen's Medical Center	1	-	-	1
				<b>EMPLOYMENT STATUS TOTAL</b>	<b>35</b>	<b>2</b>	<b>-</b>	<b>37</b>
			Homemaker	Ho'omau Ke Ola	-	1	-	1
				<b>EMPLOYMENT STATUS TOTAL</b>	<b>-</b>	<b>1</b>	<b>-</b>	<b>1</b>
			Inmate	Hina Mauka	53	-	-	53
				Ho'omau Ke Ola	7	-	-	7
				Kline-Welsh Behavioral Foundation	5	-	3	8
				Salvation Army-FTS	11	1	1	12
				<b>EMPLOYMENT STATUS TOTAL</b>	<b>75</b>	<b>1</b>	<b>4</b>	<b>79</b>
			Not in Labor Force	Action with Aloha, LLC	1	-	-	1
				Hina Mauka	19	3	-	22
				Ho'omau Ke Ola	11	4	-	15
				Kline-Welsh Behavioral Foundation	3	-	2	5
				Salvation Army-FTS	39	5	-	44
				The Queen's Medical Center	1	-	-	1

				Waianae Coast Comprehensive Health Center	39	3	-	42	
			EMPLOYMENT STATUS TOTAL		112	13	2	127	
			Part-Time	Action with Aloha, LLC	1	-	-	1	
				CARE Hawaii, Inc.	12	-	-	12	
				Hina Mauka	-	2	-	2	
				Salvation Army-FTS	4	2	-	6	
				The Queen's Medical Center	2	-	-	2	
				Waianae Coast Comprehensive Health Center	1	-	-	1	
				EMPLOYMENT STATUS TOTAL	20	4	-	24	
			Student	Hina Mauka	1	-	-	1	
				Salvation Army-FTS	2	-	-	2	
				EMPLOYMENT STATUS TOTAL	3	-	-	3	
			Unemployed	Action with Aloha, LLC	7	-	-	7	
				CARE Hawaii, Inc.	19	-	-	19	
				Hina Mauka	36	-	-	36	
				Ho'omau Ke Ola	1	-	-	1	
				Salvation Army-FTS	6	-	-	6	
				The Queen's Medical Center	3	-	-	3	
				Waianae Coast Comprehensive Health Center	2	-	-	2	
				EMPLOYMENT STATUS TOTAL	74	-	-	74	
			Unknown	Action with Aloha, LLC	3	-	-	3	
				CARE Hawaii, Inc.	31	-	-	31	
				Hina Mauka	23	4	-	27	
				Kokua Support Services	43	-	-	43	
				Salvation Army-FTS	5	-	-	5	
				Waianae Coast Comprehensive Health Center	178	-	-	178	
				EMPLOYMENT STATUS TOTAL	282	4	-	286	
			AGE GROUP TOTAL		560	21	7	587	
			Children	Unknown	Salvation Army-FTS	4	5	-	8
					EMPLOYMENT STATUS TOTAL	4	5	-	8
				AGE GROUP TOTAL		4	5	-	8
			ISLAND TOTAL		564	26	7	595	
			FISCAL YEAR TOTAL					564	26

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**Table 5 Number of Clients Admitted by Island, Primary Substance, Agency, and Court Type**

Fiscal Year	Island	Age Group	Primary Substance	Provider Agency	Number of Admissions			
					Adult Probation	Family Drug Court	Hawaii Drug Court	Total
2017	Oahu	Adult	Alcohol	Action with Aloha, LLC	4	-	-	4
				CARE Hawaii, Inc.	3	-	-	3
				Hina Mauka	11	-	-	11
				Ho'omau Ke Ola	-	1	-	1
				Kline-Welsh Behavioral Foundation	-	-	1	1
				Salvation Army-ATS	10	-	-	10
				Salvation Army-FTS	1	1	-	2
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	5	1	-	6
				<b>PRIMARY SUBSTANCE TOTAL</b>	<b>35</b>	<b>3</b>	<b>1</b>	<b>39</b>
			Cocaine/Crack	Action with Aloha, LLC	1	-	-	1
				CARE Hawaii, Inc.	1	-	-	1
				Hina Mauka	4	1	-	5
				Waianae Coast Comprehensive Health Center	2	-	-	2
				<b>PRIMARY SUBSTANCE TOTAL</b>	<b>8</b>	<b>1</b>	<b>-</b>	<b>9</b>
			Heroin	Action with Aloha, LLC	2	-	-	2
				CARE Hawaii, Inc.	3	-	-	3
				Hina Mauka	7	-	-	7
				Ho'omau Ke Ola	1	-	-	1
				Salvation Army-ATS	6	-	-	6
				The Queen's Medical Center	1	-	-	1
				Waianae Coast Comprehensive Health Center	3	-	-	3



				PRIMARY SUBSTANCE TOTAL	22	-	-	22
		Marijuana/Hashish/THC	Action with Aloha, LLC	2	-	-	2	
			CARE Hawaii, Inc.	3	-	-	3	
			Hina Mauka	8	1	-	9	
			Ho'omau Ke Ola	4	-	-	4	
			Kline-Welsh Behavioral Foundation	1	-	-	1	
			Salvation Army-ATS	7	-	-	7	
			Salvation Army-FTS	1	2	-	2	
			The Queen's Medical Center	1	-	-	1	
			Waianae Coast Comprehensive Health Center	1	-	-	1	
			PRIMARY SUBSTANCE TOTAL	28	3	-	30	
			Methamphetamine	Action with Aloha, LLC	10	-	-	10
		CARE Hawaii, Inc.		24	-	-	24	
		Hina Mauka		88	5	-	93	
		Ho'omau Ke Ola		13	4	-	17	
		Kline-Welsh Behavioral Foundation		9	-	5	14	
		Kokua Support Services		1	-	-	1	
		Salvation Army-ATS		32	1	1	34	
		Salvation Army-FTS		3	2	-	5	
		The Queen's Medical Center		5	-	-	5	
		Waianae Coast Comprehensive Health Center		31	3	-	34	
		PRIMARY SUBSTANCE TOTAL		213	13	6	232	
		None		Action with Aloha, LLC	3	-	-	3
			CARE Hawaii, Inc.	24	-	-	24	
			Hina Mauka	23	4	-	27	
			Kokua Support Services	43	-	-	43	
			Salvation Army-ATS	5	-	-	5	
			Waianae Coast Comprehensive Health Center	178	-	-	178	

				PRIMARY SUBSTANCE TOTAL	275	4	-	279
			Other Amphetamines	CARE Hawaii, Inc.	7	-	-	7
				Salvation Army-ATS	1	-	-	1
				PRIMARY SUBSTANCE TOTAL	8	-	-	8
			Other Opiates and Synthetics	CARE Hawaii, Inc.	2	-	-	2
				Hina Mauka	1	-	-	1
				Ho'omau Ke Ola	1	-	-	1
				Salvation Army-FTS	-	1	-	1
				Waianae Coast Comprehensive Health Center	1	-	-	1
				PRIMARY SUBSTANCE TOTAL	5	1	-	6
			AGE GROUP TOTAL				560	21
	Children	None	Salvation Army-FTS	4	5	-	8	
			PRIMARY SUBSTANCE TOTAL	4	5	-	8	
		AGE GROUP TOTAL				4	5	-
	ISLAND TOTAL				564	26	7	595
	FISCAL YEAR TOTAL				564	26	7	595

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# Table 6.1 Number of Client Admissions by Island, Agency, and Level of Care

				Number of Admissions							
Fiscal Year	Island	Age Group	Provider Agency	00 Assessment Only	01 Residential	02 Day Treatment	03 Intensive Outpatient	04 Outpatient	05 Continuing Care	06 Therapeutic Living	Total
2017	Oahu	Adult	Action with Aloha, LLC	2	-	-	7	14	1	-	22
			CARE Hawaii, Inc.	4	-	-	39	7	20	-	59
			Hina Mauka	12	102	-	25	3	15	-	140
			Ho'omau Ke Ola	-	20	-	6	5	-	4	24
			Kline-Welsh Behavioral Foundation	-	16	-	-	-	-	-	16
			Kokua Support Services	43	-	-	-	1	-	-	44
			Salvation Army-ATS	-	25	25	19	8	5	-	58
			Salvation Army-FTS	-	7	-	3	4	-	4	10
			The Queen's Medical Center	-	-	-	2	7	-	-	8
			Waianae Coast Comprehensive Health Center	178	-	-	47	-	-	-	221
			AGE GROUP TOTAL	239	166	25	148	49	41	8	587
		Children	Salvation Army-FTS	-	6	-	-	-	-	4	8
			AGE GROUP TOTAL	-	6	-	-	-	-	4	8
			ISLAND TOTAL	239	172	25	148	49	41	12	595
	FISCAL YEAR TOTAL				239	172	25	148	49	41	12

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# Table 6.2 Number of Clients Served by Island, Agency, and Level of Care

This report counts the number of clients whose service was paid by the Judiciary in the fiscal year. If a client has multiple Judiciary paid services, the client is counted only once. Services can be for program enrollments in prior years.

				Level of Care (# of Clients Served)							
Fiscal Year	Island	Age Group	Provider Agency	00 Assessment Only	01 Residential	02 Day Treatment	03 Intensive Outpatient	04 Outpatient	05 Continuing Care	06 Therapeutic Living	Total
2017	Oahu	Adult	Action with Aloha, LLC	2	-	-	10	20	1	-	29
			CARE Hawaii, Inc.	4	-	-	53	10	23	-	67
			Hina Mauka	12	107	-	29	3	16	-	145
			Ho'omau Ke Ola	-	23	-	6	5	-	4	27
			Kline-Welsh Behavioral Foundation	-	18	-	-	-	-	-	18
			Kokua Support Services	43	-	-	-	1	-	-	44
			Salvation Army-ATS	-	32	26	20	8	5	-	63
			Salvation Army-FTS	-	11	-	5	5	-	5	16
			The Queen's Medical Center	-	-	-	2	8	-	-	9
			Waianae Coast Comprehensive Health Center	178	-	-	59	-	-	-	233
			AGE GROUP TOTAL	239	187	26	184	60	45	9	635
		Children	Salvation Army-FTS	-	8	-	-	-	-	4	10
			AGE GROUP TOTAL	-	8	-	-	-	-	4	10
		ISLAND TOTAL			239	195	26	184	60	45	13
	FISCAL YEAR TOTAL			239	195	26	184	60	45	13	645

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# Table 6.3 Number of Clients Served by Island, Agency, and Court Type

				Services Paid By (# of Clients Served)				
Fiscal Year	Island	Age Group	Provider Agency	Adult Probation	Family Drug Court	Hawaii Drug Court	Total	
2017	Oahu	Adult	Action with Aloha, LLC	29	-	-	29	
			CARE Hawaii, Inc.	67	-	-	67	
			Hina Mauka	138	7	-	145	
			Ho'omau Ke Ola	20	6	1	27	
			Kline-Welsh Behavioral Foundation	12	-	6	18	
			Kokua Support Services	44	-	-	44	
			Salvation Army-ATS	61	1	1	63	
			Salvation Army-FTS	9	8	-	16	
			The Queen's Medical Center	9	-	-	9	
			Waianae Coast Comprehensive Health Center	228	5	-	233	
			AGE GROUP TOTAL	603	25	8	635	
		Children	Salvation Army-FTS	6	5	-	10	
			AGE GROUP TOTAL	6	5	-	10	
		ISLAND TOTAL			609	30	8	645
		FISCAL YEAR TOTAL			609	30	8	645

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# Table 7.1 Number of Discharges by Island, Agency and Discharge Type

Discharges are only applicable when clients complete treatment services, e.g. residential, day treatment, intensive outpatient, outpatient, etc. Clients with Assessment ONLY services are not counted in this report.

				Discharge Type (# of Discharges)										
Fiscal Year	Island	Age Group	Provider Agency	Client Discharged for Medical Reasons	Client Left Before Completing Treatment	Client Left Before Completing Treatment-Elopement (from Residential Program)	Completed Treatment. No Substance Use	Completed Treatment. Some Substance Use	Incarcerated	Other-Mother/Father Discharged from Program	Program Decision to Discharge Client for Non-Compliance with Program Rules	Referred to Outside Agency for Continued Services	Transfer to Another Program Within Agency for Continued Services	Total
2017	Oahu	Adult	Action with Aloha, LLC	-	4	-	3	-	-	-	-	-	1	8
			CARE Hawaii, Inc.	-	5	-	6	3	-	-	11	-	5	30
			Hina Mauka	3	14	8	40	11	3	-	37	8	7	130
			Ho'omau Ke Ola	-	2	-	7	2	-	-	9	1	1	22
			Kline-Welsh Behavioral Foundation	-	2	-	13	-	1	-	2	-	-	18
			Salvation Army-ATS	1	10	6	20	1	1	-	7	4	2	52
			Salvation Army-FTS	-	2	1	11	-	-	-	4	1	1	20
			The Queen's Medical Center	-	1	-	6	-	-	-	-	1	-	8
			Waianae Coast Comprehensive Health Center	-	-	-	-	-	-	-	1	-	-	1
			AGE GROUP TOTAL	4	39	15	106	17	5	-	70	15	17	286
		Children	Salvation Army-FTS	-	-	-	20	-	-	2	1	-	-	23
			AGE GROUP TOTAL	-	-	-	20	-	-	2	1	-	-	23
		ISLAND TOTAL		4	39	15	126	17	5	2	71	15	17	309
	FISCAL YEAR TOTAL		4	39	15	126	17	5	2	71	15	17	309	

Run Date: Friday, August 11, 2017



# Table 7.2 Number of Discharges by Island, Agency and Level of Care

				Level of Care (# of Discharges)							
Fiscal Year	Island	Age Group	Provider Agency	00 Assessment Only	01 Residential	02 Day Treatment	03 Intensive Outpatient	04 Outpatient	05 Continuing Care	06 Therapeutic Living	Total
2017	Oahu	Adult	Action with Aloha, LLC	-	-	-	3	8	1	-	10
			CARE Hawaii, Inc.	-	-	-	25	10	12	-	35
			Hina Mauka	11	99	-	25	3	10	-	133
			Ho'omau Ke Ola	-	20	-	6	5	-	2	24
			Kline-Welsh Behavioral Foundation	-	19	-	-	-	-	-	19
			Salvation Army-ATS	-	27	24	16	7	3	-	53
			Salvation Army-FTS	-	14	-	4	4	-	3	18
			The Queen's Medical Center	-	-	-	2	8	-	-	9
			Waianae Coast Comprehensive Health Center	43	-	-	2	-	-	-	45
			AGE GROUP TOTAL	54	177	24	83	45	26	5	341
		Children	Salvation Army-FTS	-	17	-	-	-	-	6	23
			AGE GROUP TOTAL	-	17	-	-	-	-	6	23
			ISLAND TOTAL			54	194	24	83	45	26
	FISCAL YEAR TOTAL				54	194	24	83	45	26	11

Run Date: Friday, August 11, 2017

**Table 8.1 Number of 6-Month Follow-Up Due  
by Island, Agency and Fiscal Year**

Island	Provider Agency	Fiscal Year (# of Clients)					
		2012	2013	2014	2015	2016	2017
Oahu	Action with Aloha, LLC	-	-	-	-	2	11
	CARE Hawaii, Inc.	-	2	18	65	73	28
	Hina Mauka	2	40	47	70	105	144
	Ho'omau Ke Ola	-	8	20	13	28	25
	Kline-Welsh Behavioral Foundation	-	-	-	-	6	25
	Salvation Army-ATS	1	24	31	34	53	65
	Salvation Army-FTS	2	14	10	23	22	42
	The Queen's Medical Center	-	5	7	11	17	13
	Waianae Coast Comprehensive Health Center	-	-	1	6	11	4
	Women In Need	-	-	-	-	1	-
	<b>ISLAND TOTAL</b>	<b>5</b>	<b>92</b>	<b>134</b>	<b>219</b>	<b>313</b>	<b>355</b>
<b>REPORT TOTAL</b>		<b>5</b>	<b>92</b>	<b>134</b>	<b>219</b>	<b>313</b>	<b>355</b>

Run Date: Friday, August 11, 2017

**Table 8.2 Number of 6-Month Follow-Ups  
Completed by Island, Agency and Follow-Up Status**

Fiscal Year	Island	Provider Agency	Follow-Up Status (# of Clients)		
			Completed Follow-Up	Unable to Follow-Up-No Response	Total
2017	Oahu	Hina Mauka	5	-	5
		Kline-Welsh Behavioral Foundation	1	-	1
		Salvation Army-ATS	19	6	25
		Salvation Army-FTS	9	-	9
		<b>ISLAND TOTAL</b>	<b>34</b>	<b>6</b>	<b>40</b>
	<b>FISCAL YEAR TOTAL</b>		<b>34</b>	<b>6</b>	<b>40</b>

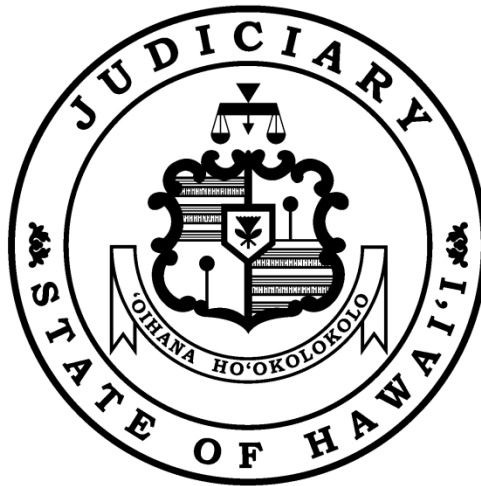
Run Date: Friday, August 11, 2017

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 180, SESSION LAWS OF HAWAI'I 2011  
HRS § 607-5.7(j)**

**Biennial report on the Indigent Legal Assistance Fund (ILAF)**



**Prepared by:**

**The Hawai'i Justice Foundation  
And  
The Administrative Director of the Courts  
The Judiciary, State of Hawai'i**

**December 2017**

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## **SECTION I: EXECUTIVE SUMMARY RECOMMENDING CONTINUATION OF ILAF**

The following report has been prepared for the Judiciary by the Hawai'i Justice Foundation (HJF), which serves as the Fund Administrator for the Indigent Legal Assistance Fund, pursuant to contract with the Judiciary, State of Hawai'i.

The Indigent Legal Assistance Fund (ILAF) was created pursuant to Act 305, Session Laws of Hawai'i 1996 (hereinafter Act 305) and codified as Hawai'i Revised Statutes (HRS) § 607-5.7. Act 305 created a special fund that receives surcharges collected on selected types of civil cases filed in Hawaii's various state courts. These surcharges are then distributed to qualifying organizations that provide direct civil legal services to those in Hawai'i whose income does not exceed 125% of federal poverty guidelines or who are eligible for free services under the Older Americans Act or Developmentally Disabled Act.

ILAF was further amended by Act 180, Session Laws of Hawai'i 2011 (hereinafter Act 180) by extending the types of cases for which surcharges are collected and providing step increases in the amount of the indigent legal fees. Act 180 also required the Administrative Director of the Courts, or the contractor administering the fund pursuant to contract with the Administrative Director of the Courts, to review ILAF on a biennial basis to determine whether it is meeting the civil legal needs of indigent persons, and to report its findings and recommendations to the legislature no later than twenty days prior to the convening of the regular session of the legislature in each even-numbered year beginning with the regular session of 2014.

**Findings and Conclusion:** The Hawai'i Justice Foundation, serving as fund administrator for ILAF, pursuant to a contract with the Judiciary, has reviewed the effectiveness of ILAF and recommends that ILAF be continued in its current format. ILAF has positively affected the organizations receiving funds under this special fund, and each of these organizations has been effective in delivering requisite legal services to qualifying clients. The hard reality is that funds distributed under ILAF are not sufficient to fully fund any of the organizations. There still remains a need for other funding sources, including but not limited to federal and private foundation funding, private charitable contributions, and state legislative funding. The ILAF program is an excellent example of the partnership between the Judiciary, HJF, and the ILAF legal service providers. The Hawai'i State Legislature is to be commended for its creation and continued support of ILAF and for its positive actions increasing the surcharges through Act 180, SLH 2011.

ILAF, as amended by Act 180 is an acknowledgment of the serious need for legal services for those of low-income. Current national and local economic conditions remain very unstable and uncertain. Legal needs of people are higher than ever, due to these economic conditions. Low-income legal service providers have experienced cuts in governmental funding sources and reduced contributions from private donations, which makes it critical that ILAF be continued. With the increased surcharges resulting from Act 180, funding to qualifying organizations has increased from about \$330,000 per year to \$1,100,001 in FY 2018.



Although ILAF funding cannot supplant all required funding sources for participating organizations, it has become a vital and essential source of stable funding for qualifying organizations. As further outlined in this report, ILAF has an extensive application and reporting process that ensures that organizations receiving ILAF funds are providing requisite services to qualified clients. This application and review process is quite onerous on both the applying organizations and on HJF, but the process is invaluable in ensuring that the available funds are fairly awarded based upon only those clients that qualify under the ILAF statute. On behalf of all of those people in Hawai'i who have received legal services under ILAF, it is respectfully requested that the Hawai'i State Legislature continue ILAF in its current form.

## **SECTION II: ILAF FUNDING AND OPERATIONAL MECHANISMS**

HRS § 607-5.7 sets forth the operating details for ILAF, and these requirements are rigorously followed by the Judiciary, HJF, and all the participating organizations. The statute sets out the amount of surcharges and the types of cases for which surcharges apply. The Judiciary collects the surcharges when cases are filed, and funds collected during a particular fiscal year are largely distributed in the following fiscal year. Act 180 expanded the types of cases to which the surcharges were applied and also provided for step increases in the amount of surcharges, with the final step increase taking effect on January 1, 2014. While the amount of funds available through ILAF varies each year depending upon the number and type of case filings, it is clear that Act 180 has operated to provide significant additional distribution to civil legal service providers.

The Judiciary has annually contracted with HJF to serve as the ILAF Fund Administrator. Pursuant to HRS § 607-5.7, HJF manages the annual application process. Any organization that meets the eligibility criteria mandated by statute is allowed to participate in ILAF. The amount received by each organization is determined by that organization's pro rata share of the eligible expenses for its provision of direct legal services. Each organization has the opportunity to appeal any decisions regarding its pro rata share or other issues relating to its application, but no appeals have been made within more than the last decade.

It should be noted that the formula by which funds are distributed has remained unchanged from the inception of ILAF in 1996, other than the minor language corrections contained in Act 180. The statutory provision regarding the formula for distribution reads as follows:

*(k) Funds shall be distributed on a pro rata basis to organizations that meet the criteria in subsection (i), based upon the portion of their total budget expended in the prior year for civil legal services to indigent persons as compared to the combined total expended in the prior year for legal services by all qualifying organizations applying for funding. An applicant that provides services other than civil legal services to indigent persons may establish its proportionate entitlement to funds based upon financial statements that strictly segregate the portion of the organization's expenditures in the prior year that were devoted exclusively to the provision of civil legal services for indigents. (Act 180, SLH 2011; H.R.S. § 607-5.7)*

Prior to the impact of Act 180, the amount distributed each year to eligible ILAF organizations was approximately \$330,000. Act 180 has had a very positive impact upon the amount of funds distributed. The amount distributed from ILAF was \$330,000 in FY 2011; \$513,000 in FY 2012; \$472,039 in FY 2013; \$1,410,289 in FY 2014; \$1,425,000 in FY 2015; \$1,300,000 in FY 2016; and \$1,000,000 in FY 2017. The amount scheduled for initial distribution from ILAF in current FY 2018 is \$1,100,001, as detailed below:

Ala Kuola	\$ 18,275
Domestic Violence Action Center	\$140,708
Hawai'i Disability Rights Center	\$141,432
Hawai'i Appleseed Center for Law and Economic Justice, fka Lawyers for Equal Justice	\$ 12,693
Legal Aid Society of Hawai'i	\$611,158
Mediation Center of the Pacific	\$ 16,784
Native Hawaiian Legal Corporation	\$ 60,190
University of Hawai'i Elder Law Program	\$ 42,624
Volunteer Legal Services Hawai'i	\$ 56,137
<b>Total</b>	<b>\$1,100,001</b>

The amounts available for future years vary with the number of eligible cases filed, but it is estimated that each year approximately \$1,000,000 will be available for distribution among the eligible civil legal service providers. It is clear that Act 180 has had a very positive impact upon the amount of ILAF distributions, making ILAF an essential element for stable funding for Hawai'i's legal service provider organizations.

### **SECTION III: PROCEDURAL SAFEGUARDS IN PLACE TO ENSURE ACCURACY AND ACCOUNTABILITY**

The ILAF Program has procedural safeguards to ensure accuracy and accountability. All organizations receiving funds under ILAF are strictly monitored by HJF. Monitoring the ILAF process is extremely burdensome and time-consuming for HJF, but attention to detail is essential to the operation of a program that accurately determines eligibility and allocation of funds between those organizations that qualify for ILAF funds. The Program also requires significant efforts from participating organizations, in both the application process and the reporting process.

Quarterly reports and a yearly summary report are required of each organization and are reviewed by HJF prior to submittal to the Judiciary for its review. Each February, formal notice is provided in the *Honolulu Star Advertiser* announcing that applications for ILAF funds are being solicited, with a deadline set for early April. The application process is

quite extensive, with thorough documentation required. The application includes an attestation clause which requires the Executive Director of each organization to attest to the truthfulness of the application. State unemployment reporting forms are used for verification of each employee, and individual signed statements are received from each employee attesting to the veracity of the percentage of time spent by that person providing qualified direct legal services to ILAF-eligible clients. Using this information, the pro rata percentage for each qualifying organization is calculated by HJF to 1/1000<sup>th</sup> of a percent. After the Judiciary reviews HJF's percentage recommendations, the Judiciary sends letters of award percentages to each applicant that meets ILAF requirements and qualifies for fund distribution.

Each organization has the opportunity to appeal any decision regarding its pro rata share or other application issues, but no appeals have been filed for more than a decade. Once the current fiscal year has closed and the Judiciary has determined the total amount of funds that are available for distribution, the percentage allocation for each qualifying applicant is applied against the total available funds to determine each organization's yearly dollar award. These awards are then distributed quarterly, with HJF reviewing all invoices and the required quarterly and year-end reports. Quarterly checks are processed by the Judiciary to an organization only after that organization has submitted all required paperwork to HJF for certification and HJF has formally requested the Judiciary to pay the sum to the organization.

HJF has worked with each organization to ensure that the organization has in place effective methods for: a) screening potential clients for ILAF eligibility; b) generating accurate and complete information regarding cases handled under ILAF; c) using the organization's "client grievance policy"; and d) developing tight mechanisms for demonstrating that ILAF funds are being effectively utilized. Each participating organization enters into a contract with the Judiciary about the duties and responsibilities of the organization receiving ILAF funds. These contracts contain strong provisions that require participating organizations to work closely with HJF and/or the Judiciary if so requested, should it appear that a specific organization might need to improve its ILAF screening or reporting process.

At the end of the Fiscal Year, each organization must submit a final report, which includes detailed information on the number of cases handled under ILAF. The case numbers are not set forth here, since the missions of the various ILAF organizations vary greatly. Comparison of number of cases handled is not an accurate means of determining the "efficiency" or "effectiveness" of any specific ILAF legal service provider. For example, some of the organizations do a great deal of information and referral, while other organizations handle a higher percentage of court cases. All of the ILAF organizations provide different but essential parts of meeting the needs for legal services, but their missions and approaches do and should vary greatly.

For many years, ILAF has operated smoothly and without complaints regarding accuracy or accountability from the Judiciary, HJF, or the ILAF legal service providers. The ILAF Program is an example of how mutual cooperation and competency can produce an

effective process that works for the betterment of Hawai'i's people.

#### **SECTION IV: REMAINING CHALLENGES FOR THE ILAF PROGRAM AND THE PARTICIPATING LEGAL SERVICE PROVIDERS**

ILAF is a very solid program, with strong relationships and cooperation between the Judiciary, HJF, and the legal service providers. However, there is still a substantial unmet need for legal services. In order to ensure the need is being met in the most effective way possible, current efforts are focused upon developing more comprehensive statistics on the results from ILAF. These efforts include determining the initial objectives of the client and then determining whether those initial objectives were ultimately achieved. This effort is a difficult one, since the initial objective stated by the client may be unclear or may not be the ultimate objective of the client. The goal of ILAF is client representation, and this is no guarantee that the client will "win." There also exists an ongoing tension between the desire for more extensive statistics and the need for the organizations to provide the services without expending significant amounts of staff time compiling data.

It would be highly desirable to be able to determine more precisely what percentage of existing legal needs are not being met. The last formal study undertaken in Hawai'i was the 2007 Assessment of Civil Legal Needs, which found that four out of five low-income Hawai'i residents do not have their legal needs met and that legal service providers are able to assist only one in three persons who contact them for assistance. National studies contain similar figures regarding percentage of legal needs being met. However, it is very difficult for any ILAF organization to provide accurate data on unmet legal needs, since the organizations do not have any contact with people who have legal needs but do not contact the organizations for help.

The ILAF legal service providers are facing serious challenges. The need for legal services continues to increase, due to poor economic conditions and the expanding percentage of the population who are below 125% of federal poverty guidelines. At the same time, total funding for legal service providers has decreased. Federal Legal Service Corporation funding remains a controversial and unresolved political issue. Many ILAF organizations have had to reduce staff hours and reduce intake of cases. Additionally, throughout Hawai'i and the rest of the country, legal service providers have been forced to move from "full-representation" cases to primarily giving information and advice or to providing basic legal information in group situations in various community locations. The Judiciary, in conjunction with the Hawai'i State Bar Association and legal service providers, has now established Self-Help Centers in each Judicial Circuit. Hawai'i's legal community is working together to help meet the serious legal needs, but the situation remains a daunting one.

Community support for pro bono and low-income legal services is extremely strong, but the fact remains that a large proportion of legal needs go unmet for those in Hawai'i's low-income population.

## **SECTION V: SUMMARY AND CONCLUSIONS**

HJF has reviewed the effectiveness of ILAF and recommends that it be continued in its current format. Monies received from ILAF have had a positive effect upon all of the legal service providers that received funds, and each of these organizations has effectively delivered requisite services to qualifying clients. The hard reality is that funds distributed under ILAF are not sufficient to fully fund any of the organizations and there still remains a need for other funding sources, including but not limited to federal funding, private foundation funding, private charitable contributions, and State of Hawai'i legislative funding. The ILAF program is an excellent example of the partnership between the Judiciary, HJF, and the ILAF legal service providers. The Hawai'i State Legislature is to be commended for its creation and continued support of ILAF and for its positive actions increasing the surcharges through Act 180, SLH 2011.

### **APPENDIX:**

This Appendix contains letters from each of the participating legal service providers. Review of these letters clearly illustrates the positive impact of ILAF upon each of the nine participating legal service providers.

Ala Kuola

Domestic Violence Action Center

Hawai'i Disability Rights Center

Hawai'i Appleseed Center for Law and Economic Justice, formerly known as Lawyers  
for Equal Justice

Legal Aid Society of Hawai'i

Mediation Center of the Pacific

Native Hawaiian Legal Corporation

University of Hawai'i Elder Law Program

Volunteer Legal Services Hawai'i



October 31, 2017

To: Hawaii State Legislature

From: Edwin K. Flores

On behalf of myself and the Board of Directors of the Hawaii Family Law Clinic dba Ala Kuola, we would like to extend our deepest appreciation to the Hawaii State Legislature for its assistance with Act 180 of the 2011 Session. Through your support, we are able to provide quality service for Hawai'i's victims of domestic abuse, the majority of whom our statistics reveal are low-income and do not have access to address their legal needs. It is without saying that it is our responsibility to expend critical taxpayer funds with great care and accountability and we strongly believe that we can and will continue to provide quality, effective, and efficient services to our public in need through prudent use of ILAF funds.

Ala Kuola is a non-profit organization that helps victims of domestic abuse with the completion and filing of temporary restraining orders (TRO) in the Family Court of the First Circuit. With our open door policy to assist throughout the business day and our ability to conduct outreach services when practical, Ala Kuola provides access to victims who face many logistical challenges such as child care, transportation, work commitment, etc.

As a continuing recipient of the Indigent Legal Services Fund, this fund allows Ala Kuola a much needed funding source to assist victims in need of safety and protection from their abusers. As a comparatively small organization that assists many victims, Ala Kuola like many organizations, have experienced cutbacks of staff and budgetary challenges. Nevertheless, ILAF funds help Ala Kuola in its continued commitment to provide a high level of professional services to serve Hawai'i's low income residents.

Ala Kuola feels very privileged with the opportunity to be a recipient of ILAF funds and will ensure that funds will be used in accordance with the terms and conditions set forth in our contractual agreement with the Hawaii Justice Foundation. Ala Kuola is committed to work cooperatively with the Judiciary as well as with the Hawaii Justice Foundation and will do all possible to ensure our program continues to operate with great efficiency and effectiveness.



Our sincere appreciation to the Hawaii State Legislature to make this program possible as it fulfills the needs to our low income residents in need of quality legal services.

Me ka ha`aha`a  
(humbly yours)

A handwritten signature in black ink, appearing to read 'Edwin K. Flores', written in a cursive style.

Edwin K. Flores  
Executive Director



**TO:** Hawaii State Legislature

**FROM:** Nanci Kreidman, M.A.  
Chief Executive Officer

As a member of the Legal Services Provider Consortium, the Domestic Violence Action Center (DVAC) actively works with our community's legal service agencies –which are few in number- to collaborate in the delivery of effective and responsive programs to the many low income families and individuals in desperate need of a voice in the justice system. The support we receive from the Legislature, the Judiciary and the Hawaii State Bar Association is significant, meaningful and deeply appreciated. The work done to pass Act 180, by the 2011 legislature, is a success that cannot be overstated...

The potentially life threatening and complex issues faced by the clients of the Domestic Violence Action Center are not well understood by the community at large. However, it has been a great benefit to have the support and understanding of our colleagues in positions of elected and appointed leadership to assist us in making our specialized services available to as many people as possible. We strive to meet the demand, and seek to continue imaginative and innovative service delivery because domestic violence is a grave and costly problem that impacts all of us.

The Indigent Legal Assistance Fund is a revenue stream DVAC has relied on to stabilize its budget as the economics of providing specialized programs for this constituency is dynamic and dependent on funding from many sources. These past several years have been enormously challenging with threats to funding. Budget shortfalls have resulted in the loss of staff and cutbacks in program services. Where will low income victims turn to if not to the Domestic Violence Action Center and it's allies and community leaders. Fortunately, with the wisdom and voices of community leaders, beneficiaries of program services and the organizations themselves, a formula was arrived at that helps to direct funding to sustain essential services.

Domestic Violence Action Center, in FY 2017, reports the following: telephone contact with 7,417 callers, 448 requests for legal representation, opening 441 legal cases and closing 301 cases. Agency attorneys made 323 court appearances and 1,838 cases were opened by the on-site EXPO court outreach program.

**DOMESTIC VIOLENCE ACTION CENTER**  
ADDRESS: P.O. BOX 3198, HONOLULU, HI 96801-3198  
LEGAL HELPLINE: (808) 531-3771  
TOLL-FREE NEIGHBOR ISLAND HELPLINE: (800) 690-6200  
WEBSITE: [WWW.DOMESTICVIOLENCEACTIONCENTER.ORG](http://WWW.DOMESTICVIOLENCEACTIONCENTER.ORG)  
EMAIL: [DVAC@STOPTHEVIOLENCE.ORG](mailto:DVAC@STOPTHEVIOLENCE.ORG)



Domestic Violence Action Center staff are well trained and well supervised; this is not work that can be done by anyone. The unending challenges faced by clients in a hostile, violent relationship are brought to staff for resolution.

The need for adequate counsel, which everyone is entitled to, is the foundation upon which ILAF relies. It is our belief that the purposes of ILAF are being met and the practices and procedures are in place for the continued proper use of these public dollars. The Domestic Violence Action Center remains enormously appreciative of the support of our legislators allowing us to serve the community.

Very truly yours,

Nanci Kreidman, M.A.  
Chief Executive Officer

**DOMESTIC VIOLENCE ACTION CENTER**  
ADDRESS: P.O. BOX 3198, HONOLULU, HI 96801-3198  
LEGAL HELPLINE: (808) 531-3771  
TOLL-FREE NEIGHBOR ISLAND HELPLINE: (800) 690-6200  
WEBSITE: [WWW.DOMESTICVIOLENCEACTIONCENTER.ORG](http://WWW.DOMESTICVIOLENCEACTIONCENTER.ORG)  
EMAIL: [DVAC@STOPTHEVIOLENCE.ORG](mailto:DVAC@STOPTHEVIOLENCE.ORG)



## **HAWAII DISABILITY RIGHTS CENTER**

1132 Bishop Street, Suite 2102, Honolulu, Hawaii 96813

Phone/TTY: (808) 949-2922 Toll Free: 1-800-882-1057 Fax: (808) 949-2928

E-mail: [info@hawaiidisabilityrights.org](mailto:info@hawaiidisabilityrights.org) Website: [www.hawaiidisabilityrights.org](http://www.hawaiidisabilityrights.org)

November 1, 2017

To: The Honorable Members of the 2018 Hawaii State Legislature  
From: Louis Erteschik, Executive Director  
Re: Indigent Legal Assistance Fund

The Hawaii Disability Rights Center wishes to express its utmost gratitude for your continued support of Act 180, Session Laws of Hawaii 2011. This measure greatly increased the amount of funds available for distribution from the Indigent Legal Assistance Fund.

The Hawaii Disability Rights Center is the state designated protection and advocacy system. We have been designated by the Governor of Hawaii in Executive Orders No. 77-3, 82-4, 89-2 and 94-06 to provide advocacy services to individuals with disabilities, in accordance with various federal laws. See 42 U.S.C. § 15001, 42 U.S.C. § 10801, and 29 U.S.C. § 732. Hawaii law, at Section 333F -8.5 of the Hawaii Revised Statutes, expressly recognizes the obligation of the state to provide advocacy services to individuals with developmental disabilities and mental illness in order to receive federal funds. The federal statutes require, as a condition of funding services provided by a number of state agencies, that a protection and advocacy agency be established by the State. In requesting federal funding for various state projects, every Governor has provided assurances to the federal government that federal funds distributed to HDRC do not supplant funds that are available from state and local sources.

From 2004 until 2010, the state gave HDRC at least \$165,505 each year under a purchase of services contract. Since July 2010, that state funding for HDRC has been eliminated. Additionally, federal funding has plateaued over the past several years, and been further reduced as a result of sequestration. Expenses, in the meantime, have continued to increase. Fundraising opportunities for a legal services corporation like ours are very limited, and they would force us to compete with other legal services providers for the same donors. For that reason the monies we have received from the Indigent Legal Assistance Fund have truly been a blessing.



The Hawaii Disability Rights Center is a small, efficient agency that serves thousands of individuals each year with legal issues surrounding their various disabilities. It is estimated that approximately fifteen percent of the individuals within the state (two hundred and ten thousand) may have a disability. Most of those individuals are also among the poorest in our state. We effectively utilize our resources and keep our administrative costs to a minimum. Thus, without the additional funds we received from ILAF, we would have been forced to substantially reduce our activities, cut staffing, and provide fewer services to the most needy, vulnerable population in our state at a time when their needs are increasing.

We are grateful to the Judiciary and the Hawaii Justice Foundation for their leadership and exemplary efforts to ensure the smooth, efficient functioning of this program. We have worked closely with them on its implementation and we hope that the legislature will continue to fund the ILAF program in the upcoming budget and in the years ahead. Your continued support will enable us to address the needs of the population we serve. Your assistance will be so much appreciated by our clientele.

Thank you again for everything.

Mahalo,  
  
Louis Erteschik, Esq.  
Executive Director



# HAWAI'I APPLESEED

## CENTER FOR LAW & ECONOMIC JUSTICE

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Garret Sugai

### Co-Executive Directors

Victor Geminiani, Esq.  
Gavin Thornton, Esq.

October 23, 2017

To The Members of the Hawaii State Legislature:

We are writing to express our gratitude and support for the Indigent Legal Assistance Fund (ILAF), created by the Legislature with the passage of Act 305 of the 1996 session. While Hawai'i Appleseed receives only a relatively small portion of the ILAF funds, ILAF and the other forms of financial assistance for legal services provided by the Legislature are absolutely critical for Hawai'i's well-being and the legal services community as a whole. These funds make an important and significant impact in helping ensure that we have a judicial system that is fair and accessible to all.

The need for legal assistance to low income individuals and families is well established. Hawai'i Appleseed and Hawai'i's other legal services organizations recognize the responsibility they have to use public funding as efficiently and effectively as possible to make a real difference in the lives of those we serve. To this end we are continuing to work in close partnership with the judiciary and the Hawai'i Justice Foundation in meeting the needs of low-income people in the state while ensuring full compliance with the requirements of the ILAF program. Some of the work of Hawai'i Appleseed is described below.

**Improving Economic Opportunity for Low-Income Households:** Hawai'i residents face serious financial pressures, which drive many into poverty. We have the highest housing costs in the nation and the lowest wages in the nation after accounting for cost of living. On top of that, low-income Hawai'i residents face the second highest state and local tax burden in the nation. Because of these pressures, nearly half of Hawai'i's residents are living paycheck to paycheck and 17 percent of residents live in poverty according to the federal Supplemental Poverty Measure.

We are identifying and pursuing policies that will create greater economic stability and increased prosperity for our state and its residents. For example, we spearheaded an effort to advocate for the creation of a state Earned Income Tax Credit (EITC), based on the federal EITC program, which is responsible for bringing more low-income children out of poverty than any other program in the nation. Thanks to the legislature's passage of the measure, thousands of low-income working families will keep more of their earnings so they can pay their rent, cover their bills, and put food on the table.

To further strengthen our state's economy and create greater capacity to identify policy changes that will more effectively and efficiently reduce poverty and inequality, we are creating a Hawai'i Budget & Policy Center (HBPC). The HBPC will provide high quality research and data analysis focused on the budget, tax and

119 Merchant St, Suite 605A  
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hiappleseed.org



related policy priorities, which will serve as a resource for the community and the legislature in creating policy that increases prosperity for all.

**Addressing Hunger:** We are teaming up with local hunger-focused organizations to create a coalition to fight hunger in Hawai'i. One in five children in Hawai'i is at risk of hunger. The work of the hunger coalition will ensure that Hawai'i residents have access to the nutritious food they need by, among other things, ensuring that we are making the most of federal resources such as SNAP (formerly known as food stamps), school meals, and summer meals. For example, in recent years Hawai'i has increased its SNAP participation rate by 11 percentage points, going from 49<sup>th</sup> in the nation to 33<sup>rd</sup> for SNAP participation. This increase has dramatically improved access to food for low-income households and boosted our local economy with an infusion of additional federal dollars. However, we still have room for improvement: our SNAP participation rate is still just 71 percent; only 11 percent of eligible children participate in the summer meals program; and we rank 47<sup>th</sup> in the nation for school breakfast participation. By continuing to improve in the areas, we can improve the health of Hawai'i and all its people while strengthening our local economy.

**Affordable Housing:** Seventy-five percent of families living in poverty spend more than half of their income on housing. Ninety-five percent of all Hawai'i residents view the lack of affordable housing as a very serious or important problem. We continue to analyze the multiple barriers to creating affordable rental housing for low and moderate income households, and to develop practical solutions to reduce housing costs. One example of our work is developing a policy recommendation and successfully pursuing a Honolulu County ordinance to allow development of accessory dwelling units (ADUs)—secondary dwellings built on a lot with an existing primary home. ADUs provide financial benefits to private homeowners while they contribute to alleviating our affordable housing shortage—building affordable housing without the need to use scarce government subsidies. In addition to this and other affordable housing policy efforts, we are advocating for the preservation of over a thousand affordable housing units at risk of becoming unaffordable for their residents.

**Legal Representation:**

While legal representation has become a much smaller part of Hawai'i Appleseed's work in recent years, we continue to pursue litigation where low-income families or other disadvantaged groups have no other viable recourse to obtain fair and equitable treatment. Hawaii Appleseed has achieved a number of important legal victories for low-income communities in Hawai'i. Examples of our work in this area include ensuring that low-income tenants have safe and habitable homes in which to raise their families, ensuring that children who become homeless are able to continue their education, and eliminating delays in the time it takes for families to receive critically needed food stamps.

In closing, we again want to thank the members of the legislature for their historical support for legal services for the low-income community. The ILAF program has done much to serve the needs of our most impoverished and it is being well-utilized for this purpose.

Aloha,



Gavin Thornton  
Co-Executive Director

October 24, 2017

Dear Honorable Members of the 2018 Hawai'i State Legislature,

The Legal Aid Society of Hawai'i ("Legal Aid") wishes to express its sincere gratitude to the Honorable Members of the Hawai'i State Legislature for their passage of Act 180 of the 2011 Session, which increased funding to the Indigent Legal Assistance Fund ("ILAF"). As the largest and oldest legal service provider in the state, Legal Aid each year receives the largest percentage of ILAF funds. We are a Statewide organization --- the only law firm that has offices located on, and able to deliver legal services to, Oahu, Kauai, Moloka'i, Lana'i, Maui, and Hawai'i through locally based staff. With the assistance of ILAF, in FY17, Legal Aid closed over 6,877 cases providing assistance to indigent persons and seniors 60 years of age or older throughout Hawai'i.

Legal Aid's principal mission aims to substantially improve the lives of our clients by providing civil legal representation on crucial issues affecting their well-being. This includes removing clients and their children from abusive situations; fighting illegal evictions which can lead to homelessness; counseling and representation of those facing foreclosure; helping clients receive critical health benefits; helping families access programs such as unemployment compensation, Federal Supplemental Security Income, general assistance and food stamps; assisting with family reunification; and ensuring safety after human trafficking. The critical support we receive from ILAF helps us to provide this assistance.

ILAF support continues to be of vital importance to Legal Aid in maintaining services across the state. ILAF also helps to leverage federal funding for legal services. ILAF currently provides a match for our AmeriCorps, Victims of Crime project, and our intake hotline. Funding also supports our front-line staff in our branch offices throughout the state who work directly with and represent clients from Pahoehoe to Hanalei. The increase in ILAF monies has also provided greater stability and predictability in financial planning for legal services programs.

Legal Aid remains committed to providing quality legal assistance for low-income individuals and those eligible for free services under the Older Americans Act. We understand that ILAF monies are public dollars, and we take commensurate care to spend these funds properly and wisely to increase access to justice for our clients. Legal Aid prides itself on providing high quality work. We believe the assistance we provide greatly impacts the lives of our clients. One measure of our success is feedback received through client satisfaction surveys. On average, our clients rate our services as good or excellent in 80% of all cases, and the vast majority agrees that Legal Aid's services have helped to improve their lives.

One client shared, "Before I came to Legal Aid I... didn't know the rights I had. Also I was worried I wouldn't find an attorney I could afford to assist me with issues regarding child custody, TRO and child support. Legal Aid helped me with affording an attorney. Legal Aid really alleviated all the financial worries associated with my legal needs. In turn, all of my energy was spent on concentrating on my child custody case and not on the financial burden that is usually associated with

legal matters. Due to Legal Aid's help I had all my questions answered. They helped me understand the legal process that was ahead of me and assisted me with that process every step of the way. What I want people to know about Legal Aid is that Legal Aid helps people with their critical legal needs. They help you with understanding your rights and stand up for it."

Through ILAF funding, Legal Aid can continue to ensure that we meet the needs of Hawaii's low-income population.

We thank you again for your support.



M. Nalani Fujimori Kana  
Executive Director  
Legal Aid Society of Hawaii  
924 Bethel Street  
Honolulu, Hawaii 96813



Joseph Boivin, Jr.  
Board Vice-President  
Legal Aid Society of Hawaii  
924 Bethel Street  
Honolulu, Hawaii 96813



# THE MEDIATION CENTER OF THE PACIFIC, INC.

*Bringing People Together to Talk, Negotiate and Resolve Conflict Creatively*

245 N. Kukui Street # 206, Honolulu, HI 96817 Tel: 521-6767 Fax: 538-1454 Email: [mcp@mediatehawaii.org](mailto:mcp@mediatehawaii.org)

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October 18, 2017

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From: Tracey S. Wiltgen, Executive Director  
The Mediation Center of the Pacific  
245 N. Kukui Street Suite 206  
Honolulu, HI 96817

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**EXECUTIVE DIRECTOR**  
Tracey S. Wiltgen

The Board of Directors and staff of the Mediation Center of the Pacific (Mediation Center) are grateful to you for your continued support of increasing access to justice and the organizations who provide the direct services in this area. The Indigent Legal Assistance Funds (ILAF) have helped to provide critical support for the Mediation Center and other civil legal service providers to strengthen and grow services to members of Hawaii's indigent population.

The Mediation Center is one of the organizations that currently receives funds through ILAF to support the civil legal needs of Hawaii's low income population. The Mediation Center is a 501(c)(3) not for profit corporation that was founded in 1979 to provide Hawaii's people with high quality mediation and dispute resolution services that are affordable and accessible.

Mediation is a preferred process for helping parties resolve a broad array of disputes quickly and cost effectively. The mediation process is less stressful for the participants because it focuses on creative problem solving to meet the respective participants needs, rather than an adversarial process that is used in the legal system. The Mediation Center is the only organization on Oahu that offers mediation and dispute resolution services for people in the low income population.

Over the years, the number of cases managed by the Mediation Center has continued to grow. In Fiscal Year 2016-2017, the Mediation Center managed 1910 cases involving 4,238 people. 22% of those individuals were in the indigent population working through a broad variety of issues such as: divorce agreements; co-parenting plans; evictions; transition plans for elders; and more. 51% of the mediations overall, resulted in final agreements, eliminating the need for additional legal or court intervention. In some specific areas, the impact was even greater. For example, 65% of the domestic cases (divorce and custody matters) referred from Family Court resulted in written agreements.

In addition to reaching agreements, there are significant long-term benefits achieved through mediation. For example, a divorcing couple who works through the issues they need to agree on to finalize their divorce without fighting or going to court, will move on in their lives with less stress on themselves and their children. With a decrease in stress, they are less likely to suffer from health conditions and their children will perform better in school and adjust to their new lifestyle. Equally important, when couples work through their divorce themselves, they save money and therefore have more finances to support themselves and their children.

These long-term outcomes also result in economic savings for the State. A social and economic impact analysis conducted on the Mediation Center's statistics for the fiscal year ending on 6/30/16 showed that the total net value for the people of Hawaii resulting from the immediate and long-term impacts from the services provided by the Mediation Center during the year was \$7,444,000. This value was determined by assessing the fair market replacement cost of the mediation and dispute resolution services provided by the Mediation Center for the cases that were mediated or facilitated. These consequential benefits include savings in community supports costs, reductions in community medical care expenses, additional community income and taxation revenues from benefit programs, savings in housing and support costs for homeless families, and savings in community law enforcement, court systems, and other government agency costs. Thus, for Every \$1 invested in the Mediation Center's programs, \$8.76 is delivered in immediate and long-term consequential financial benefits to the citizens of Hawaii.

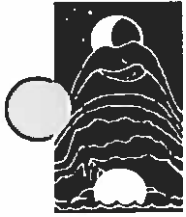
Thanks to the support of the ILAF funds, the Mediation Center continues to provide direct services, as well as create new programs to better meet the needs of Hawaii's people. For example, the Mediation Center is currently working on the development of an early access landlord-tenant mediation program. The focus of the program is to encourage landlords and tenants to mediate early, rather than waiting until the situation has escalated. In particular, the Mediation Center is reaching out to programs and people involved with the newly housed homeless. By educating these tenants and landlords to access mediation early, as soon as a problem arises, the hope is that more tenants will be able to remain in their units, rather than face eviction.

The Board of Directors and staff of the Mediation Center are grateful to the Legislature for your support that has enabled us to serve Hawaii's indigent and create programs that increase access to justice for all. We are committed to the continued growth of these services by partnering with the other organizations who serve Hawaii's poor, as well as the Judiciary and Hawaii Justice Foundation.

Sincerely,



Tracey S. Wiltgen  
Executive Director



# Native Hawaiian LEGAL CORPORATION

1164 Bishop Street, Suite 1205 • Honolulu, Hawai'i 96813 • [www.nhlchi.org](http://www.nhlchi.org)  
Phone (808) 521-2302 • Fax (808) 537-4268



October 17, 2017

TO: Members of the 2017 Hawaii State Legislature

FROM: Moses K. N. Haia, III  
Executive Director  
Native Hawaiian Legal Corporation

RE: Indigent Legal Assistance Fee & Legal Services provided by the Native  
Hawaiian Legal Corporation

Aloha Lawmakers:

Mahalo nui loa for your kokua in strengthening the Indigent Legal Assistance Fund. Your decision has had a significant beneficial effect on the provision of services to our constituents.

With your kōkua, the Native Hawaiian Legal Corporation has been able to respond more quickly and effectively to requests for help ranging from preventing families from losing their ancestral lands to proving their blood quantum to qualifying for a lease from the Department of Hawaiian Home Lands. This has also allowed us to take on and represent clients that we would have been forced to reject based on caseload and capacity.

As you well know legal representation is costly for many people but for the poor it is a make or break proposition – the difference between becoming homeless or hanging onto a Hawaiian Homestead residential lease. The safety net at this end of the economic spectrum is not as sturdy as one may think. It is especially frayed for Native Hawaiians as more than a century's worth of dispossession and marginalization has bred a level of distrust in the "western legal system".



Having celebrated its 43<sup>rd</sup> anniversary this year, NHLC is most grateful to the Legislature for its continuing efforts at increasing access to justice for Hawai'i's people. We at NHLC do not take your generosity for granted and are committed to working cooperatively with the Judiciary, fellow legal services providers and the Native Hawaiian communities to strengthen the future for our people. Please call me or email me if you have any questions.

Mahalo,

A handwritten signature in black ink, appearing to read "Moses K. N. Haia, III", with a stylized flourish at the end.

Moses K. N. Haia, III  
Executive Director

(808) 521-2302  
[moses.haia@nhlchi.org](mailto:moses.haia@nhlchi.org)

UNIVERSITY of HAWAII at MĀNOA  
WILLIAM S. RICHARDSON  
SCHOOL OF LAW



October 17, 2017

MEMORANDUM FOR: Hawai'i State Legislators  
FROM: University of Hawai'i Elder Law Program  
SUBJECT: Impact of Indigent Legal Assistance Fund

The University of Hawai'i Elder Law Program (UHELP) is most appreciative for the funding it receives through the Indigent Legal Assistance Program (ILAF). Without this supplemental funding, UHELP would not be able to accomplish its mission. UHELP is an integral part of the William S. Richardson School of Law but relies mainly on external funding to serve underserved older persons in our community on a year-round basis.

UHELP provides direct legal services to socially and economically needy older persons and veterans while it helps to serve the education and training needs of the next generation of lawyers. At the law school we educate law students in elder law by providing law students with law related experiences through UHELP and its elderly clients. In turn our needy elderly clients benefit from the legal services that the UHELP staff and law students provide under the supervision of UHELP's staff.

UHELP does not receive any direct appropriations from the state and we are thankful for your funding for the university and for the positive assistance provided by the ILAF funding for our direct legal services program. Currently UHELP receives its main funding from a grant under Title III of the Older Americans Act, which is administered through the Elderly Affairs Division of the City and County of Honolulu and from the ILAF grant. Through these grants, we work to enhance, protect and preserve the autonomy and independence of our elders. This fiscal year we anticipate a large reduction in funding from the City and County of Honolulu but we still plan to provide direct legal services, referral and advice to approximately 450 qualified elders and veterans as well as provide some continuing educational outreach and informational support to caregivers and their elderly care recipients.

With ILAF funding we hope to maintain our legal services to socially and economically needy elders and veterans as we face increased budgetary challenges. We will continue to work cooperatively with the Judiciary and the Hawaii Justice Foundation to ensure a smooth and efficient operation at UHELP. Thank you again for your support of access to justice for low-income residents through ILAF funding.

Most Respectfully,

A handwritten signature in black ink, reading "James H. Pietsch". The signature is written in a cursive style with a large initial "J".

James H. Pietsch  
Professor of Law and Director, UHELP



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[www.vlsh.org](http://www.vlsh.org)



October 23, 2017

To: The Honorable Members of the Hawaii State Legislature

From: Michelle D. Acosta, Executive Director  
Volunteer Legal Services Hawaii

Re: Indigent Legal Assistance Fund

On behalf of the Board of Directors, staff and those we serve at Volunteer Legal Services Hawaii ("Volunteer Legal"), thank you for the continued support for civil legal assistance to low-income and disadvantaged residents in our state.

The Indigent Legal Assistance Fund ("ILAF") remains a critical source of financial support for pro bono based civil legal assistance to those least able to afford and access professional legal help. Hawaii's institutional capacity to provide legal services to indigent persons in our state is strengthened by the pro bono work of attorneys. Volunteer Legal's pro bono program significantly extends the reach of legal aid programs to more persons in need with a broader range of legal services through coordination and collaboration with private attorneys.

Volunteer Legal engages volunteer attorneys experienced in various areas of law to provide meaningful assistance to qualified program participants. Though independent of the Hawaii State Bar Association, Volunteer Legal continues to enjoy a unique partnership with its member attorneys and the legal community at large. Volunteer Legal actively recruits volunteer attorneys, law students and paralegals through outreach efforts to law firms, solo practitioners, the William S. Richardson School of Law at the University of Hawaii, and the Hawaii Paralegal Association. Volunteer Legal also provides hands on experience and training to newly licensed attorneys through its Emerging Lawyer Program and offers continued legal training for those experienced attorneys needing to meet their required continuing legal education credits.

Each year, approximately 2,000 individuals are qualified to receive services through Volunteer Legal. Individuals are screened for income and asset eligibility as well as legal matter. The knowledgeable intake staff ensures that each qualified applicant is then paired with the appropriate volunteer attorney based on legal issue and level of service needed. These diverse needs are met through a continuum of services from intake and referral, to legal advice clinics, pro se guidance services, and referrals to volunteer attorneys for full representation.

Volunteer Legal is the administrative vehicle that allows for Hawaii residents in need to connect with legal professionals, without which many would go without access to meaningful legal assistance. People living in poverty or are at risk of poverty need legal assistance to resolve issues affecting their livelihood, housing, and family relations. Individuals in our State who are experiencing poverty or near poverty most often include children, elderly, disabled, veterans, rural residents, those recovering from homelessness or incarceration, and those with limited English capabilities. Access to civil legal services is intricately woven into the safety net of programs needed to effectively transition people out of poverty.

In 2016, Volunteer Legal serviced 2,100 individuals. Of that number, 65% had household incomes at or below 125% of the federal poverty guideline for the State of Hawaii. This amounted to a gross annual income of \$34,938 for a family of four and \$17,088 for an individual. In the same year, 20% of those served by Volunteer Legal were aged 65 years or older, and another 15% self-identified as having a disability. In all, Volunteer Legal assisted approximately 1,365 ILAF qualified individuals in 2016 in legal matters affecting child custody, bankruptcy, veterans benefits, landlord tenant issues, adoptions and guardianship, and estate planning.

ILAF funds are used to support staff salaries and benefits as well as program costs that directly ensure the quality and effectiveness of services being delivered to low-income persons. While ILAF does not compose a large percentage of Volunteer Legal's overall program budget, it does allow the organization to leverage other sources of funds from private foundations and donors.

The effectiveness of Volunteer Legal to act as the conduit between those in need of legal assistance and those with the tools to help is highly dependent on funds like ILAF. For these reasons, we thank the Hawaii State Legislature for its continued support of civil legal services to those who are in most need in our community.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle D. Acosta", written in a cursive style.

Michelle D. Acosta  
Executive Director

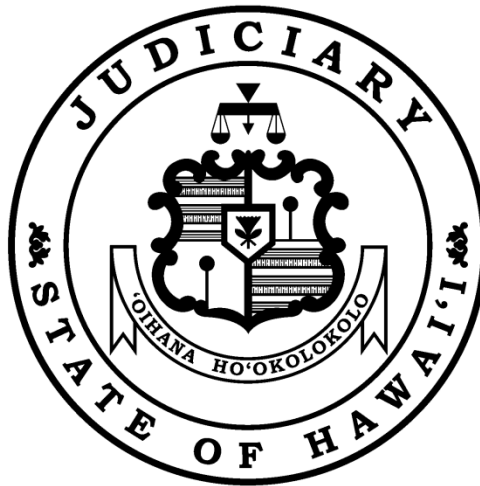
Volunteer Legal Services Hawaii

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 103, SESSION LAWS OF HAWAI'I 2013  
HRS § 571-46.4**

**A Report on the Number of Complaints Against  
Court-Appointed Child Custody Evaluators**



**Prepared by:**

**Family Court  
The Judiciary, State of Hawai'i**

**December 2017**

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 103, SESSION LAWS OF HAWAI'I 2013  
HRS § 571-46.4**

**A Report on the Number of Complaints Against  
Court-Appointed Child Custody Evaluators**

This report is respectfully submitted pursuant to Act 103, Session Laws of Hawai'i 2013, HRS § 571-46.4, which requires the Judiciary to submit an annual report regarding the number of complaints against court-appointed child custody evaluators.

The Family Court of the First Circuit received three Notices of Intent to File a Complaint Against a Private Child Custody Evaluator during the fiscal year ending June 30, 2017. None were submitted in the Second, Third, or Fifth Judicial Circuits during this period.

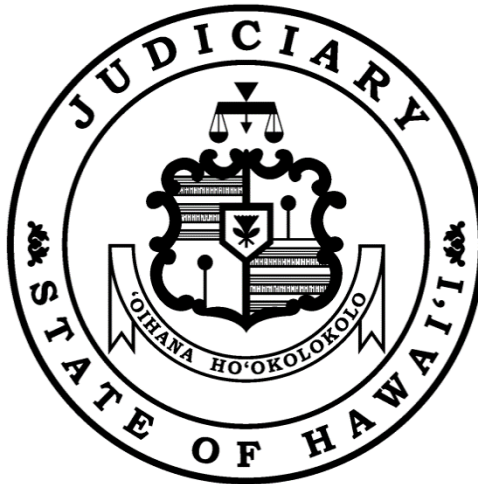


**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 166, SESSION LAWS OF HAWAI'I 2016  
Section 2**

**A Report on FY 2017 Non-General Funds**



**Prepared by:**

**Financial Services Department  
Office of the Administrative Director  
The Judiciary, State of Hawai'i**

**December 2017**

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Probation Services Special Fund (S-327)</u></b> The proceeds of the account shall be used to monitor, enforce, and collect fees, fines, restitution and other monetary obligations owed by defendants.	706-649, HRS	Probation Services	630,796	456,235	378,656	-	4,784
<b><u>Parent Education Special Fund (S-325)</u></b> Programs supported by the fund are intended to educate parents on the impact their separation will have on their children and to help separating parties avoid future litigious disputes. All divorcing parents and their children attend programs on each island.	607-5.6, HRS	Statewide Judiciary- Kid's First Program	214,908	119,203	120,294	-	26,972
<b><u>Spouse and Child Abuse Special Account (S-340)</u></b> The proceeds of the account shall be used for staff programs, and grants or purchases of service that support or provide spouse or child abuse intervention or prevention activities.	601-3.6, HRS	Statewide Judiciary- Family Courts	294,950	513,785	393,255	-	48,829
<b><u>Enhancing Child Abuse Victim Service (S-226) NEW</u></b> The Children's Justice Center (CJC) is utilizing VOCA Victim Assistance grant funds to improve the delivery of services for children who are victims of abuse and/or witnesses to crime; increase effective communication and enhance the delivery of direct services at CJC's statewide; procure furniture and equipment that facilitate the delivery of direct services; and provide minor building modifications of select CJC's to improve the program's ability to provide services to child victims.	42 U.S.C. 10603(a); and an act appropriating funds for the Department of Justice in the current fiscal year.	Office of the Administrative Director of the Courts	-	-	-	-	-
<b><u>Driver Education Training Fund (S-320)</u></b> To coordinate and administer a comprehensive traffic safety education and training program as a preventative and rehabilitative effort for both adult and juvenile traffic offenders.	286G-2, HRS	Statewide Judiciary- Driver Education Training	1,915,859	2,439,834	2,320,804	-	65,587
<b><u>Indigent Legal Assistance Fund (S-322)</u></b> To provide civil legal services for indigents.	Act 121/98 Act 131/01	Indigent parties involved in civil litigation	444,269	1,131,495	1,213,317	-	-
<b><u>Judiciary Computer System Special Fund (S-315)</u></b> For consulting and other related fees and expenses in selection, implementation, programming, and subsequent upgrades for a statewide computer system; and for purchase of hardware/software related to the system.	Act 203/96 , Act 299/99 Act 216/03, Act 230/04 Act 231/04	Judiciary Information Management System Users	2,389,400	5,144,247	5,295,038	-	629,208

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Supreme Court Law Library Revolving Fund (S-350)</u></b> To replace or repair lost, damaged, stolen, unreturned, or outdated books, serials, periodicals, and other library materials, or to support and improve library services.	601-3.5, HRS	Statewide Judiciary- Law Library Services	10,793	7,427	7,158	-	1,269
<b><u>Court Interpreting Services Revolving Fund (S-352)</u></b> To support Court Interpreting Services program's educational services and activities relating to training, screening, testing, and certification of court interpreters.	607-1.5, HRS	Statewide Judiciary- Court Interpreter Services	37,767	17,023	11,580	-	6,262
<b><u>Detention Home Donation Fund (T-902)</u></b> Trust fund established to support the detention services for detained juveniles. Revenues consist of donations.	N/A	Detention Home Operations	15,656	-	-	-	-
<b><u>Foreclosure Assistance Program (T-960)</u></b> Trust fund established for salaries of five temporary, exempt, professional legal staff positions to assist circuit court judges in processing foreclosure cases. Revenues come from an administrative trust account from the Department of the Attorney General's Foreclosure Assistance Program, created pursuant to a federal court consent judgment.	April 2012, Federal Consent Judgment between State of Hawaii and Bank of America, JP Morgan Chase, Wells Fargo, Citigroup, and Ally/GMAC	Statewide Judiciary- Foreclosure Assistance	94,534	165,004	1,151	-	4,764
<b><u>Temporary Deposits - Payroll Clearing (T-918)</u></b> Account established to temporarily hold reimbursements (i.e., overpayments), pending transfer to the State of Hawaii.	N/A	State of Hawaii	6,431	-	300	-	-
<b><u>Rental Trust Fund</u></b> Court ordered deposits are held in individual case subsidiary ledgers in the Trust Accounting System for landlord - tenant disputes over rent and will be disbursed per court ordered judgments.	666-21, HRS	N/A	2,164,928	924,237	1,464,044	-	-
<b><u>Family Court, 1st Circuit-Restitution FD (T-905)</u></b> This fund was established to account for donations to the Family Courts Juvenile Monetary Restitution Program.	N/A	Juvenile Client Services Branch, Intake and Probation Section, First Circuit	44,508	1,238	-	-	240
<b><u>Ka Maka O Ka Ihe (S-242)</u></b> Grant funds were used to implement a Veteran's Treatment Court that will serve felony and misdemeanor veteran offenders. The grant provided participants with services and treatment planning assistance for their identified individualized needs in a timely manner, as well as enabled the veterans in learning immediate accountability through assisting them with developing the skills necessary to live productive and responsible lives.	42 U.S.C. 3797u; and an act appropriating funds for the Department of Justice in the current fiscal year.	Circuit Court, First Circuit	64,074	17,820	81,627	-	-

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Big Island Veteran's Treatment Center (S-267)</u></b> Grant funds were used to build and maximize the capacity of a single jurisdiction drug court to: ensure that all offenders are identified and assessed for risk and need; ensure all substance abusing offenders receive targeted research-based and data-driven services; and enhance the provision of ancillary services that prevent recidivism such as individualized treatment, vocational and educational services and community reintegration services to achieve long-term recovery.	42 U.S.C. 3797u(a) (BJA-Drug Courts)	Veteran's Treatment Center, Third Circuit	69	121,593	126,501	-	4,908
<b><u>National Criminal History Improvement Program (NCHIP) Project III (S-240)</u></b> This federal grant has been in existence since 1995, and more recently, under the enactment of the Crime Identification Technology Act (CITA) of 1998, funds have been set aside under NCHIP to continue the states' efforts to improve their criminal history system.	Public Law 105-251, the Crime Identification Technology Act of 1998 (codified at 42 U.S.C. 14601 et seq.); 42 U.S.C. 3732.	Judiciary Statewide, All Courts	2	28,921	28,921	-	-
<b><u>Maui/Molokai Drug Court Program (S-248)</u></b> The goal of drug courts is to engage individuals in substance abuse treatment, successfully intervene in the addiction, and end the cycle of recidivism. The goal of the Maui/Molokai Drug Court is to improve outcomes for alcohol and other drug addicted individuals in the courts through justice system collaboration, thereby: 1. Enhancing public safety; 2. Ensuring participant accountability; and 3. Reducing overall long-term costs to society. Successful drug court initiatives also improve the quality of life for addicted offenders, their families, and communities.	Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3751-3759). Consolidated Appropriations Act, 2008, Public Law 110-161. Public Law 109-162, Title XI, Department of Justice Reauthorization, Subtitle B, Improving the Department of Justice's Grant Programs, Chapter 1, Assisting Law Enforcement and Criminal Justice Agencies, Section 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program. And, an act appropriating funds for the Department of Justice in the current fiscal year.	Maui/Molokai Drug Court	-	1	-	-	-

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Conducting A Safety Assessment (S-261)</u></b> To promote safety for victims of domestic violence in the City and County of Honolulu.	Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as added by the Violence Against Women Act of 1994, Public Law 103-322, 42 U.S.C. 3796gg et seq., as amended by Violence Against Women Reauthorization Act of 2013; P.L. No. 113-4., as amended by Violence Against Women and Department of Justice Reauthorization Act of 2005; P.L. No. 109-162, as amended by Violence Against Women Act of 2000; P.L. No. 106-386.	Family Court, First Circuit	-	8,341	8,341	-	-
<b><u>Effective Intervention for Batterers (S-282)</u></b> To promote victim safety by increasing offending accountability, and to improve the response of the criminal justice system for Chuukese offenders in domestic violence cases.	Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as added by the Violence Against Women Act of 1994, Public Law 103-322, 42 U.S.C. 3796gg-5 et seq., as amended by Violence Against Women Reauthorization Act of 2013; P.L. No. 113-4., as amended by Violence Against Women and Department of Justice Reauthorization Act of 2005; P.L. No. 109-162, as amended by Violence Against Women Act of 2000; P.L. No. 106-386.	Family Court, First Circuit	-	10,512	9,537	-	-

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Officer Training &amp; Proficiency Measurements for Hawaii's Offender Management Information System (S-281)</u></b> Expand the State's capacity to analyze statistical data on its evidence based practices (EBPs) in the community supervision of criminal offenders, through the expansion of the Judiciary Information Management System via the addition of data collection, analysis, and reporting capabilities for assessing probation and parole officers' training and proficiency levels with respect to EBPs.	Omnibus Crime Control and Safe Streets Act of 1968, as amended; 42 U.S.C. 3732.	Circuit Court, First Circuit	-	36,200	24,800	-	-
<b><u>Language Access in the Courts Enhancement (LACE) (S-284)</u></b> To facilitate the provision of language access services that provide meaningful access to the courts for Limited English Proficiency (LEP) defendants and witnesses. This project will focus on improving the Judiciary's ability to facilitate access to justice for Hawaii's immigrant and LEP criminal justice populations.	Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3751-3759). Consolidated Appropriations Act, 2008, Public Law 110-161. Public Law 109-162, Title XI, Department of Justice Reauthorization, Subtitle B, Improving the Department of Justice's Grant Programs, Chapter 1, Assisting Law Enforcement and Criminal Justice Agencies, Section 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program. And, an act appropriating funds for the Department of Justice in the current fiscal year.	Office of Equality & Access to the Courts	-	-	-	-	-



NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING  FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM  FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Safety During Visitation (S-288)</u></b> To promote victim safety during supervised child visitation and safe exchanges. The First Circuit Court will plan and convene a workshop for the Judiciary contracted providers of supervised child visitation and safe exchange services in the State. The Judiciary also will develop training for the Family Court Symposium on supervised child visitation and safe exchange issues, concerns, and best practices.	Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as added by the Violence Against Women Act of 1994, Public Law 103-322, 42 U.S.C. 3796gg et seq., as amended by Violence Against Women Reauthorization Act of 2013; P.L. No. 113-4., as amended by Violence Against Women and Department of Justice Reauthorization Act of 2005; P.L. No. 109-162, as amended by Violence Against Women Act of 2000; P.L. No. 106-386.	Family Court, First Circuit	-	40,136	40,136	-	-
<b><u>Reporting Center (S-245)</u></b> This grant provides an alternative to secured detention for youth who are on status with the courts and at risk of being placed in the Juvenile Detention Facility.	Title II, Part B Formula Grant Program, Sections 221-223, and 42 U.S.C. Sections 5631-5633 of the Juvenile Justice and Delinquency Prevention Act of 2002.	Family Court, First Circuit	5,000	20,000	20,000	-	-
<b><u>Driving While Impaired Court (DWI) Program (S-290)</u></b> The purpose of the DWI Court grants has been to establish, implement and operate a DWI Court Program in Honolulu. DWI Courts were created nationwide to address repeat drunk driving offenders who are overrepresented in fatal crashes. The DWI Court Program provides offenders with comprehensive court-supervised treatment opportunities and resources to successfully complete rehabilitation with the goal to reduce individual recidivism rates, societal financial burdens, and protect our community.	Highway Safety Act of 1998 as amended, 23 U.S.C 164.	District Court, First Circuit	-	91,510	99,791	-	8,281

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Judicial Education - Impaired Driving II (S-279)</u></b> To train Hawaii state judges to learn about the latest developments in highway safety, case adjudication, and judicial techniques so they may better manage the growing demands for efficient court administration.	Moving Ahead for Progress in the 21st Century (P.L. 112-141), Title I- Motor Vehicle and Highway Safety Improvement Act of 2012, Section 31105, Public Law 112-141.	Office of the Administrative Director of the Courts	-	-	-	-	-
<b><u>Judicial Education - Impaired Driving II (S-225) NEW</u></b> To train Hawaii state judges to learn about the latest developments in highway safety, case adjudication, and judicial techniques so they may better manage the growing demands for efficient court administration.	Moving Ahead for Progress in the 21st Century (P.L. 112-141), Title I- Motor Vehicle and Highway Safety Improvement Act of 2012, Section 31105, Public Law 112-141.	Office of the Administrative Director of the Courts	-	-	-	-	-
<b><u>DWI Court, First Circuit V (S-280)</u></b> The purpose of the DWI Court grants has been to establish, implement and operate a DWI Court Program in Honolulu. DWI Courts were created nationwide to address repeat drunk driving offenders who are overrepresented in fatal crashes. The DWI Court Program provides offenders with comprehensive court-supervised treatment opportunities and resources to successfully complete rehabilitation with the goal to reduce individual recidivism rates, societal financial burdens, and protect our community.	Moving Ahead for Progress in the 21st Century (P.L. 112-141), Title I- Motor Vehicle and Highway Safety Improvement Act of 2012, Section 31105, Public Law 112-141.	District Court, First Circuit	-	71,617	71,617	-	-
<b><u>Judiciary Electronic Citation Traffic Record (S-221)</u></b> To modify the system workflow of the Judiciary's Traffic Violations Bureau in the First and Second Circuits to receive electronic citations during the State's pilot projects, thereby reducing paper transport delays and increasing accuracy of data entry.	U.S. Department of Transportation, FY 2017 Highway Safety Grant Program, through the Hawaii Department of Transportation.	District Court, First and Second Circuits	-	8,756	8,756	-	-
<b><u>Courthouse Security Surveillance System (S-269)</u></b> Design phase of the Ali'iolani Hale and Kapu'iwa Building Camera Surveillance System. Development of design of the camera and recording system based on pre-design assessment; preparation of construction documents for bidding and construction, including technical drawings, specifications, and commissioning documents; completion/update of site topographic survey data and any other submissions from the pre-design assessment.	Homeland Security Act of 2002, Public Law 107-296; Department of Homeland Security Appropriations Act of 2016, Public Law 114-4.	Intermediate Court of Appeals	-	226	226	-	-

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Courthouse Security Surveillance System II (S-289)</u></b> This grant is to increase courthouse security and ensure the safety of court staff, judicial officers, court users, and the general public at Ali'iolani Hale and Kapuaiwa Building. Construction (Phase I) for the Intermediate Court of Appeals offices on the 2nd floor of the Kapuaiwa Building includes abatement of hazardous materials and installation of concealed communication horizontal network cabling system, interior and exterior I.P. network surveillance digital cameras (20-25 total), a dedicated server, miscellaneous hardware, and software devices.	Homeland Security Act of 2002, Public Law 107-296; Department of Homeland Security Appropriations Act of 2016, Public Law 114-4.	Intermediate Court of Appeals	-	-	-	-	-
<b><u>Workload Study &amp; Workflow Assessments of Court Operations Staff (First Circuit) (T-965)</u></b> This grant provided for a court operations staff workload and workflow assessment study for the First Circuit Court.	State Justice Authorization Act of 1984 (42 U.S.C. 10701 et seq.)  State Justice Reauthorization Act of 2004 (P.L. 108-372)	First Circuit Court	-	49,145	49,145	-	-
<b><u>He Lei Keiki - Wreath of Our Children (S-275)</u></b> The Family Drug Court (FDC) established a Zero to Three track to focus on families with children in the zero to three age range and their siblings. While the FDC will work to expedite and provide appropriate services for parents, this track will also focus on ensuring that these very young children get the services and interactions that they need to provide them with the skills to be successful regardless of whether they are reunified or adopted. The project goals are: 1-Enhance access to appropriate services for children who are abused or neglected to ensure long term success for the children, and 2-Develop and provide training to family centered teams to address the needs of the children during reunification, and include providers, court staff, parents and foster parents in that effort.	Children's Health Act of 2000, Section 520 A-J,581,582, Public Law 106-310; Public Health Service Act, Title V, Section 509; 516, 42 U.S.C 290bb.	Hawaii Zero To Three Program	34,893	112,495	149,186	-	1,798

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING  FUND  (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS  (3)	BEG BALANCE  (2018)  (4)	PRIOR YEAR EXPENDITURES  (2017)  (5)	PRIOR YEAR REVENUE  (2017)  (6)	TRANSFER FROM  FUNDS  (7)	BEG ENCUMBERED BALANCE  (2018)  (8)
<b><u>Access and Visitation XVIII (S-274)</u></b> The Access and Visitation Grant is a formula grant, administered through the U.S. Department of Health and Human Services, which provides funding to the states and territories to establish and administer programs which support and facilitate non-custodial parents' access to and visitation with their children. This grant has been awarded to the First Circuit Family Court since 1997. Funds have been used to provide supervised child visitation and safe exchanges to families with a history of domestic violence on the islands of Hawaii and Oahu.	Social Security Act, Title IV, Part D, Section 469B, Public Law 104-193.	Family Court, First Circuit	-	-	-	-	-
<b><u>Access and Visitation XX (S-224) NEW</u></b> The Access and Visitation Grant is a formula grant, administered through the U.S. Department of Health and Human Services, which provides funding to the states and territories to establish and administer programs which support and facilitate non-custodial parents' access to and visitation with their children. This grant has been awarded to the First Circuit Family Court since 1997. Funds have been used to provide supervised child visitation and safe exchanges to families with a history of domestic violence on the islands of Hawaii and Oahu.	Social Security Act, Title IV, Part D, Section 469B, Public Law 104-193.	Family Court, First Circuit	-	58,337	58,337	-	-
<b><u>State Access and Visitation Program XIX (S-283)</u></b> The Access and Visitation Grant is a formula grant, administered through the U.S. Department of Health and Human Services, which provides funding to the states and territories to establish and administer programs which support and facilitate non-custodial parents' access to and visitation with their children. This grant has been awarded to the First Circuit Family Court since 1997. Funds have been used to provide supervised child visitation and safe exchanges to families with a history of domestic violence on the islands of Hawaii and Oahu.	Social Security Act, Title IV, Part D, Section 469B, Public Law 104-193.	Family Court, First Circuit	-	44,200	44,200	-	-
<b><u>Court Improvement Training Program VI (S-223)</u></b> This grant was created to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, courts, and other key stakeholders.	Social Security Act, Title IV-B, Part 2, Section 438	Family Court, First Circuit	-	3	-	-	-
<b><u>Court Improvement Training Program VII (S-238)</u></b> This grant was created to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, courts, and other key stakeholders.	Social Security Act, Title IV-B, Part 2, Section 438	Family Court, First Circuit	-	1	-	-	-

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING  FUND  (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS  (3)	BEG BALANCE  (2018)  (4)	PRIOR YEAR EXPENDITURES  (2017)  (5)	PRIOR YEAR REVENUE  (2017)  (6)	TRANSFER FROM  FUNDS  (7)	BEG ENCUMBERED BALANCE  (2018)  (8)
<b><u>Court Improvement Training Program VIII (S-256)</u></b> This grant was created to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, courts, and other key stakeholders.	Social Security Act, Title IV-B, Part 2, Section 438	Family Court, First Circuit	-	306	-	-	-
<b><u>Court Improvement Data Sharing Program IX (S-278)</u></b> This grant was created to facilitate state court data collection and analysis and promote data sharing between state courts and child welfare agencies.	Social Security Act, Title IV-B, Part 2, Section 438	Statewide Judiciary, Family Court	1	67,500	67,500	-	-
<b><u>Court Improvement Training Program X (S-277)</u></b> This grant was created to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, courts, and other key stakeholders.	Social Security Act, Title IV-B, Part 2, Section 438	Statewide Judiciary, Family Court	-	68,279	68,279	-	-
<b><u>Court Improvement Data Sharing Program X (S-287)</u></b> This grant was created to facilitate state court data collection and analysis and promote data sharing between state courts and child welfare agencies.	Social Security Act, Title IV-B, Part 2, Section 438	Family Court, First Circuit	-	32,500	32,500	-	-
<b><u>Court Improvement Training Program XI (S-286)</u></b> This grant was created to increase child welfare expertise within the legal community and facilitate cross-training opportunities among agencies, courts, and other key stakeholders.	Social Security Act, Title IV-B, Part 2, Section 438	Family Court, First Circuit	9,846	8,028	17,874	-	-
<b><u>Court Improvement Program XVIII (S-237)</u></b> This grant enables state courts to conduct assessments of the role, responsibilities, and effectiveness of state courts in carrying out state laws relating to child welfare proceedings (i.e., foster care and adoption). It also allows state courts to make improvements to provide for the safety, well-being, and permanence of children in foster care and assist in the implementation of Program Improvement Plans (PIPs) as a result of the Child and Family Services and Title IV-E Foster Care Eligibility Review (CFSR).	Social Security Act, Title IV-B, Part 2, Section 438	Family Court, First Circuit	-	-	-	-	-
<b><u>Court Improvement Program XXI (S-276)</u></b> This grant enables state courts to conduct assessments of the role, responsibilities and effectiveness of state courts in carrying out state laws relating to child welfare proceedings (i.e., foster care and adoption). It also allows state courts to make improvements to provide for the safety, well-being, and permanence of children in foster care and assist in the implementation of PIPs as a result of the CFSR.	Social Security Act, Title IV-B, Part 2, Section 438.	Statewide Judiciary, Family Court	-	30,442	30,442	-	-

NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING FUND (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS (3)	BEG BALANCE (2018) (4)	PRIOR YEAR EXPENDITURES (2017) (5)	PRIOR YEAR REVENUE (2017) (6)	TRANSFER FROM FUNDS (7)	BEG ENCUMBERED BALANCE (2018) (8)
<b><u>Court Improvement Program XXII (S-285)</u></b> This grant enables state courts to conduct assessments of the role, responsibilities, and effectiveness of state courts in carrying out state laws relating to child welfare proceedings (i.e., foster care and adoption). It also allows state courts to make improvements to provide for the safety, well-being, and permanence of children in foster care and assist in the implementation of PIPs as a result of the CFSR.	Social Security Act, Title IV-B, Part 2, Section 438	Family Court, First Circuit	12,922	49,191	62,114	-	-
<b><u>Court Improvement Program XXIII (S-222) NEW</u></b> This grant enables state courts to conduct assessments of the role, responsibilities, and effectiveness of state courts in carrying out state laws relating to child welfare proceedings (i.e., foster care and adoption). It also allows state courts to make improvements to provide for the safety, well-being, and permanence of children in foster care and assist in the implementation of PIPs as a result of the CFSR.	Social Security Act, Title IV-B, Part 2, Section 438.	Family Court, First Circuit	-	-	-	-	-
<b><u>Juvenile Detention Alternative Initiative (T-962)</u></b> When the Annie E. Casey Foundation (AECF) launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.	N/A	Juvenile Detention	953	3,397	-	-	500
<b><u>Juvenile Detention Alternatives Initiative III (T-954)</u></b> When the AECF launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.	N/A	Juvenile Detention	1,993	-	-	-	-



NON-GENERAL FUND INFORMATION PURSUANT TO HRS, SECTION 37-47

NAME OF FUND (1) PURPOSE (2)	LAW AUTHORIZING  FUND  (1)	CURRENT PROGRAM ACTIVITY WHICH FUND SUPPORTS  (3)	BEG BALANCE  (2018)  (4)	PRIOR YEAR EXPENDITURES  (2017)  (5)	PRIOR YEAR REVENUE  (2017)  (6)	TRANSFER FROM  FUNDS  (7)	BEG ENCUMBERED BALANCE  (2018)  (8)
<b><u>Juvenile Detention Alternatives Initiative IV (T-959)</u></b> When the AECF launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.	N/A	Juvenile Detention	-	-	-	-	-
<b><u>Juvenile Detention Alternative Initiative VI (T-967)</u></b> When the AECF launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.	N/A	Statewide Judiciary-Family Courts	2,882	22,118	-	-	-
<b><u>Juvenile Detention Alternatives Initiative (T-980)</u></b> When the AECF launched JDAI as a pilot project in the early 1990s, overreliance on detention was widespread and growing nationwide. Using a model rooted in eight core strategies, JDAI proved effective in helping participating jurisdictions safely reduce their detention populations. This grant was awarded to the Hawaii State Judiciary to support replication of the JDAI and coordinate the implementation of the JDAI's eight core strategies in Hawaii.	N/A	Statewide Judiciary-Family Courts	-	-	-	-	-
<b><u>Mental Health Training (T-966)</u></b> To support costs associated with the Mental Health Training Curriculum for Juvenile Justice (MHTC-JJ) Train the Trainer session; the MHTC-JJ practice session; and the MHTC-JJ site trainings.	N/A	Family Court, First Circuit	-	1,506	-	-	-

Note:

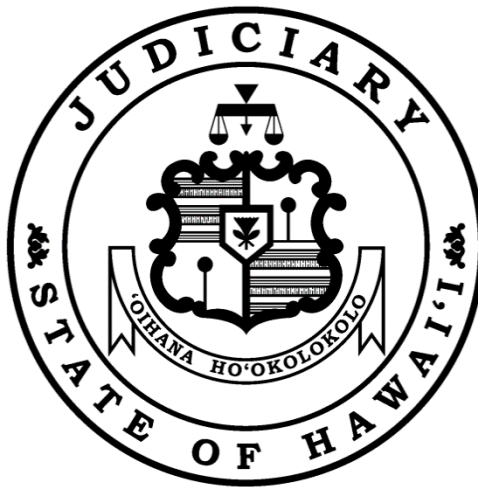
1) Bond Conveyance or Other Related Bond Obligations, Bond Proceeds, Certificates of Deposit, Escrow Accounts, and Other Investments are not applicable to the Judiciary.

**ANNUAL REPORT TO THE TWENTY-NINTH LEGISLATURE  
2018 REGULAR SESSION**

**ON**

**ACT 233, SESSION LAWS OF HAWAI'I 2016  
Section 3**

**A Report on FY 2017 Repair and Maintenance  
In Judiciary-owned Facilities**



**Prepared by:**

**Judiciary Capital Improvement Projects Office  
Planning and Policy Department  
The Judiciary, State of Hawai'i**

**December 2017**

FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT  
THE JUDICIARY: First Circuit

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facil/Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 310	Oahu	Kaahumanu Hale	A Personal Services	O	A	75.00	2,787,342	75.00	2,889,200	0.00	101,858	0.00%	3.65%	75.00	2,903,309	74.00	2,970,711	-1.00	67,402	-1.33%	2.32%	First Circuit's Circuit Court fiscal office pays for Facilities' management personal services which covers the following buildings: Kaahumanu Hale; Kauikeaouli Hale; Abner Paki Hale; Ronald Moon Jud Complex; Juvenile Detention Facility and Aliiolani Bldg. Actual amounts include overtime.
JUD 310	Oahu	Kaahumanu Hale	B Other Current Exp	O	A	0.00	816,460	0.00	1,040,055	0.00	223,595	#DIV/0!	27.39%	0.00	816,460		942,470	0.00	126,010	#DIV/0!	15.43%	There are some building service agreements for which the First Circuit's Circuit Court fiscal office pays for that covers all Judiciary properties on Oahu, including Supreme Court and Kapuaiwa buildings. These all encompassing contracts include air conditioning maintenance, and contracted janitorial and landscaping services. These types of contracts make it difficult to allocate specific amounts from the total contract amount to specific buildings. <i>*note: FY16 budgeted (659,411.04) and actual (516,500) amounts were</i>
JUD 310	Oahu	Kaahumanu Hale	C Equipment	O	A	0.00	0	0.00	161,879	0.00	161,879	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Kauikeaouli Hale	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Kauikeaouli Hale	B Other Current Exp	O	A	0.00	89,680	0.00	52,790	0.00	-36,890	#DIV/0!	-41.14%	0.00	89,680	0.00	232,466	0.00	142,786	#DIV/0!	159.22%	District Court's Fiscal office pays and budget for Kauikeaouli Hale; Ewa-Pearl City and Abner Paki Hale buildings.
JUD 310	Oahu	Kauikeaouli Hale	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Abner Paki Hale	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Abner Paki Hale	B Other Current Exp	O	A	0.00	0	0.00	143,067	0.00	143,067	#DIV/0!	#DIV/0!	0.00	0	0.00	32,127	0.00	32,127	#DIV/0!	#DIV/0!	See comments on Kauikeaouli Hale
JUD 310	Oahu	Abner Paki Hale	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	

FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT  
THE JUDICIARY: First Circuit

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facil/Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 310	Oahu	Ewa-Pearl City Court	A Personal Services	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Ewa-Pearl City	B Other Current Exp	O	A	0.00	0	0.00	5,549	0.00	5,549	#DIV/0!	#DIV/0!	0.00	0	0.00	1,216	0.00	1,216	#DIV/0!	#DIV/0!	See comments on Kauikeaouli Hale
JUD 310	Oahu	Ewa-Pearl City	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Ronald T.Y. Moon Judiciary Complex	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments in Kaahumanu Hale
JUD 310	Oahu	Ronald T.Y. Moon Judiciary Complex	B Other Current Exp	O	A	0.00	352,176	0.00	161,569	0.00	-190,607	#DIV/0!	-54.12%	0.00	352,176	0.00	198,680	0.00	-153,496	#DIV/0!	-43.59%	Family Court's Fiscal office pays and budget for Ronald Moon Jud Complex;Juvenile detention Facility; Hale Maluhia and Home Hilinai buildings.
JUD 310	Oahu	Ronald T.Y. Moon Judiciary Complex	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Juvenile Detention Facility	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Juvenile Detention Facility	B Other Current Exp	O	A	0.00	0	0.00	15,144	0.00	15,144	#DIV/0!	#DIV/0!	0.00	0	0.00	27,933	0.00	27,933	#DIV/0!	#DIV/0!	See comments on Ronald Moon Jud Complex
JUD 310	Oahu	Juvenile Detention Facility	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	304	0.00	304	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Hale Maluhia	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Hale Maluhia	B Other Current Exp	O	A	0.00	0	0.00	2,304	0.00	2,304	#DIV/0!	#DIV/0!	0.00	0	0.00	2,505	0.00	2,505	#DIV/0!	#DIV/0!	See comments on Ronald Moon Jud Complex
JUD 310	Oahu	Hale Maluhia	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	
JUD 310	Oahu	Home Hilinai	A Personal Services	O	A					0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	See comments on Kaahumanu Hale
JUD 310	Oahu	Home Hilinai	B Other Current Exp	O	A	0.00	0	0.00	639	0.00	639	#DIV/0!	#DIV/0!	0.00	0	0.00	377	0.00	377	#DIV/0!	#DIV/0!	See comments on Ronald Moon Jud Complex
JUD 310	Oahu	Home Hilinai	C Equipment	O	A	0.00	0	0.00	1,424	0.00	1,424	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	

TOTAL:

75.00	4,045,658	75.00	4,473,620	0.00	427,962
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75.00	4,161,625	74.00	4,408,788	-1.00	247,163
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Type of Facility Key
O = Office
E = Educational Facility
M = Medical Facility

By MOF

General	A
Special	B
General Obligation Bonds	C

75.00	4,045,658	75.00	4,473,620	0.00	427,962
0.00	0	0.00	0	0.00	0
0.00	0	0.00	0	0.00	0

75.00	4,161,625	74.00	4,408,788	-1.00	247,163
0.00	0	0.00	0	0.00	0
0.00	0	0.00	0	0.00	0

FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT  
THE JUDICIARY: First Circuit

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facil/Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
		X = Other		Reimbursable																		
				GO Bonds	D	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				Revenue Bonds	E	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				Federal Funds	N	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				Other Federal Funds	P	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				Private	R	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				County	S	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				Trust	T	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				Inter-departmental Transfer	U	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				Revolving	W	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			
				Other	X	0.00	0	0.00	0	0.00	0			0.00	0	0.00	0	0.00	0			

FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT  
THE JUDICIARY Second Circuit

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facil/ Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 320	Maui	Hoapili Hale	A Personal Svcs	O	A	7.00	271,694	7.00	267,972	0.00	-3,722	0.00%	-1.37%	7.00	298,997	7.00	297,001	0.00	-1,996	0.00%	-0.67%	Also performs work at Lahaina DC
JUD 320	Maui	Hoapili Hale	B Other Current Exp	O	A	0.00	147,717	0.00	116,554	0.00	-31,163	#DIV/0!	-21.10%	0.00	179,450	0.00	303,810	0.00	124,360	#DIV/0!	69.30%	
JUD 320	Maui	Hoapili Hale	C Equipment	O	A	0.00	0	0.00	774	0.00	774	#DIV/0!	#DIV/0!	0.00	0	0.00	895	0.00	895	#DIV/0!	#DIV/0!	
JUD 320	Maui	Lahaina District Court	B Other Current Exp	O	A	0.00	65,811	0.00	64,650	0.00	-1,161	#DIV/0!	-1.76%	0.00	69,586	0.00	66,647	0.00	-2,939	#DIV/0!	-4.22%	
JUD 320	Molokai	Molokai District Court	B Other Current Exp	O	A	0.00	6,000	0.00	6,000	0.00	0	#DIV/0!	0.00%	0.00	6,000	0.00	6,000	0.00	0	#DIV/0!	0.00%	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	

Type of Facility Key  
O = Office  
E = Educational Facility  
  
M = Medical Facility  
  
X = Other

<b>TOTAL:</b>		7.00	491,222	7.00	455,950	0.00	-35,272		7.00	554,033	7.00	674,353	0.00	120,320
<b>By MOF</b>														
General	A	7.00	491,222	7.00	455,950	0.00	-35,272		7.00	554,033	7.00	674,353	0.00	120,320
Special	B	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
General														
Obligation														
Bonds	C	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Reimbursable														
GO Bonds	D	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Revenue														
Bonds	E	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Federal Funds	N	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Other Federal														
Funds	P	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Private	R	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
County	S	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Trust	T	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Inter-														
departmental														
Transfer	U	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Revolving	W	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Other	X	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0



FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT  
THE JUDICIARY Third Circuit

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facil/ Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD330/009	Hawaii	Hilo Judiciary Complex	A Personal Svcs	O	A	12.00	473,275	12.00	438,759	0.00	-34,516	0.00%	-7.29%	12.00	481,761	12.00	479,290	0.00	-2,471	0.00%	-0.51%	FTE=Authorized positions
JUD330/009	Hawaii	Hilo Judiciary Complex	B Other Current Exp	O	A	0.00	203,295	0.00	220,346	0.00	17,051	#DIV/0!	8.39%	0.00	160,572	0.00	214,465	0.00	53,893	#DIV/0!	33.56%	Obj Sym 5802 thru 5806
JUD330/009	Hawaii	Hilo Judiciary Complex	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	245	0.00	245	#DIV/0!	#DIV/0!	Equipment purchases
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	

Type of Facility Key  
O = Office  
E = Educational Facility  
M = Medical Facility  
X = Other

TOTAL:		12.00	676,570	12.00	659,104	0.00	-17,466	12.00	642,333	12.00	694,000	0.00	51,667
By MOF													
General	A	12.00	676,570	12.00	659,104	0.00	-17,466	12.00	642,333	12.00	694,000	0.00	51,667
Special	B	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Obligation	C	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
GO Bonds	D	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Bonds	E	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Federal Funds	N	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Funds	P	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Private	R	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
County	S	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Trust	T	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
departmental	U	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Revolving	W	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0
Other	X	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0

FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT  
THE JUDICIARY Fifth Circuit

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facil/ Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 010	KAUAI	PU'UHONUA KAULIKE	A-PERSONAL SVC	O	A	10.00	394,608	10.00	414,815	0.00	20,207	0.00%	5.12%	10.00	405,860	10.00	378,205	0.00	-27,655	0.00%	-6.81%	(1) Facilities Manager, (1) Building Maintenance, (2) Groundskeeprs, (1) Janitor III & (5) Janitor II
JUD 010	KAUAI	PU'UHONUA KAULIKE	B-OTHER CURRENT EXP	O	A		126,614		232,832	0.00	106,218	#DIV/0!	83.89%		121,000		106,908	0.00	-14,092	#DIV/0!	-11.65%	A/C REPAIR & MAINT
JUD 010	KAUAI	PU'UHONUA KAULIKE	B-OTHER CURRENT EXP	O	A		38,400		37,665	0.00	-735	#DIV/0!	-1.91%		38,349		39,848	0.00	1,499	#DIV/0!	3.91%	ELEVATOR REPAIR & MAINT
JUD 010	KAUAI	PU'UHONUA KAULIKE	B-OTHER CURRENT EXP	O	A		53,262		18,653	0.00	-34,609	#DIV/0!	-64.98%		18,940		32,959	0.00	14,019	#DIV/0!	74.02%	ALARM/SECURITY REPAIR & MAINT
JUD 010	KAUAI	PU'UHONUA KAULIKE	B-OTHER CURRENT EXP	O	A		800		21,362	0.00	20,562	#DIV/0!	2570.28%		22,000		14,118	0.00	-7,882	#DIV/0!	-35.83%	BUILDING REPAIR & MAINT
JUD 010	KAUAI	PU'UHONUA KAULIKE	B-OTHER CURRENT EXP	O	A		12,000		13,839	0.00	1,839	#DIV/0!	15.33%		13,200		8,606	0.00	-4,594	#DIV/0!	-34.80%	OBJ #5820 OTHER REPAIRS & MAINT
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	

Type of Facility Key  
O = Office  
E = Educational Facility  
  
M = Medical Facility  
  
X = Other

TOTAL:		10.00	625,684	10.00	739,167	0.00	113,483		10.00	619,349	10.00	580,643	0.00	-38,706
By MOF														
General	A	10.00	625,684	10.00	739,167	0.00	113,483		10.00	619,349	10.00	580,643	0.00	-38,706
Special	B	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Obligation Bonds	C	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Reimbursable GO Bonds	D	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Bonds	E	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Federal Funds	N	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Funds	P	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Private	R	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
County	S	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Trust	T	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Inter-departmental Transfer	U	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Revolving	W	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0
Other	X	0.00	0	0.00	0	0.00	0		0.00	0	0.00	0	0.00	0

FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT  
THE JUDICIARY: Courts of Appeals

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facil/ Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD101/COA	Oahu	Aliiolani Hale	B Other Current Exp	O	A	0.00	24,050	0.00	20,926	0.00	-3,124	#DIV/0!	-12.99%	0.00	56,530	0.00	156,207	0.00	99,677	#DIV/0!	176.33%	
JUD101/COA	Oahu	Kapuaiwa Building	B Other Current Exp	O	A	0.00	101,000	0.00	72,745	0.00	-28,255	#DIV/0!	-27.98%	0.00	22,600	0.00	61,992	0.00	39,392	#DIV/0!	174.30%	
JUD101/COA	Oahu	Aliiolani Hale	C Equipment	O	A	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	4,000	0.00	1,740	0.00	-2,260	#DIV/0!	-56.50%	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	
										0.00	0	#DIV/0!	#DIV/0!					0.00	0	#DIV/0!	#DIV/0!	

Type of Facility Key  
O = Office  
E = Educational Facility  
M = Medical Facility  
X = Other

TOTAL:		0.00	125,050	0.00	93,671	0.00	-31,379
By MOF							
General	A	0.00	125,050	0.00	93,671	0.00	-31,379
Special	B	0.00	0	0.00	0	0.00	0
Obligation	C	0.00	0	0.00	0	0.00	0
GO Bonds	D	0.00	0	0.00	0	0.00	0
Bonds	E	0.00	0	0.00	0	0.00	0
Federal Funds	N	0.00	0	0.00	0	0.00	0
Funds	P	0.00	0	0.00	0	0.00	0
Private	R	0.00	0	0.00	0	0.00	0
County	S	0.00	0	0.00	0	0.00	0
Trust	T	0.00	0	0.00	0	0.00	0
departmental	U	0.00	0	0.00	0	0.00	0
Revolving	W	0.00	0	0.00	0	0.00	0
Other	X	0.00	0	0.00	0	0.00	0

0.00	83,130	0.00	219,939	0.00	136,809
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FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT  
THE JUDICIARY: Administration

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facil/ Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
JUD 601	Oahu	Ali'iolani Hale	B Other Current Exp	O	A	0.00	26,475	0.00	24,329	0.00	-2,146	0.00%	-8.11%	0.00	35,455	0.00	31,293	0.00	-4,162	0.00%	-11.74%	No Facilities Staff Assigned this Org; Served by First Circuit Personnel; Admin does not budget by building > all budget attributed to Ali'iolani Hale
JUD 601	Oahu	Ali'iolani Hale	C Equipment	O	A	0.00	0	0.00	32,295	0.00	32,295	0.00%	#DIV/0!	0.00	0	0.00	84,906	0.00	84,906	0.00%	#DIV/0!	
JUD 601	Oahu	Kapuaiwa Building	B Other Current Exp	O	A	0.00	0	0.00	226,481	0.00	226,481	0.00%	#DIV/0!	0.00	0	0.00	9,392	0.00	9,392	0.00%	#DIV/0!	No Facilities Staff Assigned this Org; Served by First Circuit Personnel; Of the \$226,481 expended, \$181,255 reimbursed by DAGS Risk Mgmt in FY 16 for flood damage in basement of Kapuaiwa resulting in net expense of \$45,226
JUD 601	Oahu	Kapuaiwa Building	C Equipment	O	A	0.00	0	0.00	1,913	0.00	1,913	0.00%	#DIV/0!	0.00	0	0.00	0	0.00	0	0.00%	#DIV/0!	FY 16-\$1,913 reimbursed by DAGS Risk Mgmt resulting in net expense of \$0
JUD 601	Oahu	Kauikeaouli Hale	B Other Current Exp	O	A	0.00	0	0.00	2,094	0.00	2,094	0.00%	#DIV/0!	0.00	0	0.00	0	0.00	0	0.00%	#DIV/0!	No Facilities Staff Assigned this Org; Served by First Circuit Personnel
						0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	0.00	0	0.00	0	0.00	0	#DIV/0!	#DIV/0!	

Type of Facility Key  
O = Office  
E = Educational Facility  
M = Medical Facility  
X = Other

TOTAL:		0.00	26,475	0.00	287,112	0.00	260,637
By MOF							
General	A	0.00	26,475	0.00	287,112	0.00	260,637
Special	B	0.00	0	0.00	0	0.00	0
Obligation	C	0.00	0	0.00	0	0.00	0
GO Bonds	D	0.00	0	0.00	0	0.00	0
Bonds	E	0.00	0	0.00	0	0.00	0
Federal Funds	N	0.00	0	0.00	0	0.00	0
Funds	P	0.00	0	0.00	0	0.00	0
Private	R	0.00	0	0.00	0	0.00	0
County	S	0.00	0	0.00	0	0.00	0
Trust	T	0.00	0	0.00	0	0.00	0
departmental	U	0.00	0	0.00	0	0.00	0
Revolving	W	0.00	0	0.00	0	0.00	0
Other	X	0.00	0	0.00	0	0.00	0

0.00	35,455	0.00	125,591	0.00	90,136
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FY 16 and FY 17 ROUTINE REPAIR AND MAINTENANCE REPORT FOR NON-DAGS MANAGED STATE-OWNED BUILDINGS  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES - HAWAII DISTRICT OFFICE  
IN RESPONSE TO ACT 233/SLH 2016, FINANCE MEMORANDUM NO. 17-16 DATED OCTOBER 9, 2017

JUDICIARY

						Budgeted FY 16		Actual FY 16		Variance FY 16				Budgeted FY 17		Actual FY 17		Variance FY 17				Comments
Prog ID/Org	Island	State Owned Bldg/Facility/Other	Cost Element (A, B, C)	Type of Facility	MOF	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	FTE	Amount	FTE	Amount	FTE	Amount	% FTE	% Amount	
AGS/233	Hawaii	Honokaa District Court	Payroll (A)	X	Gen Funds (A)			0.00	0							0.00	0					
AGS/233	Hawaii	Waimea District Court	A	X	A			0.00	214							0.00	0					
AGS/231 & 233	Hawaii	Honokaa District Court	Other Current Exp (B)	X	A				-								44					
AGS/231 & 233	Hawaii	Waimea District Court	B	X	A				167								44					

Type of Facility Key  
O = Office  
E = Educational Facility  
M = Medical Facility  
X = Other

TOTAL:		0.00	0	0.00	381	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	88	0.00	0	0.00	0
By MOF																					
General	A	0.00	0	0.00	381	0.00	0							0.00	0	0.00	88	0.00	0		
Special	B	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
General Obligation Bonds	C	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Reimbursable GO Bonds	D	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Revenue Bonds	E	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Federal Funds	N	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Other Federal Funds	P	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Private	R	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
County	S	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Trust	T	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Inter-departmental Transfer	U	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Revolving	W	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		
Other	X	0.00	0	0.00	0	0.00	0							0.00	0	0.00	0	0.00	0		

1/ The **budgeted** FTEs and payroll and other current expenses totals are reflected in the DAGS Managed State-Owned Buildings Report because DAGS does not budget by buildings.