

STAND. COM. REP. NO. 2027

Honolulu, Hawaii

MAY 02 2023

RE: GOV. MSG. NO. 675

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred Governor's Message No. 675, submitting for study and consideration the appointment of:

INTERMEDIATE COURT OF APPEALS AS ASSOCIATE JUDGE

G.M. No. 675 KIMBERLY TSUMOTO GUIDRY,
for a term to expire in 10 years,

begs leave to report as follows:

Your Committee reviewed the personal history, resume, and statement submitted by Kimberly Tsumoto Guidry for service on the Intermediate Court of Appeals as Associate Judge.

Your Committee received testimony in support of the appointment of Kimberly Tsumoto Guidry from the Governor, Hawai'i Women Lawyers, and thirty-eight individuals. Your Committee received testimony in opposition to the appointment of Kimberly Tsumoto Guidry from one individual. Your Committee received comments on the appointment of Kimberly Tsumoto Guidry from the Board of Directors of the Hawaii State Bar Association.

The Hawaii State Bar Association Board of Directors (HSBA Board) uses a rating system that considers several criteria to assist the HSBA Board in making a recommendation to your Committee on whether the appointee is "qualified" or "not qualified". Specifically, the criteria the HSBA Board employs is the same criteria found in the American Bar Association's Guidelines for Reviewing Qualifications of Candidates for State Judicial Office. Those guidelines include the following criteria, which are not



exclusive: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, health, and ability to perform the responsibilities and duties required of the position for which the applicant has been appointed. Upon review of the established criteria, the HSBA Board found the appointee to be qualified for the position of Associate Judge of the Intermediate Court of Appeals.

Ms. Guidry received a Bachelor of Arts in History with Highest Honors from the University of Hawai'i at Mānoa. She then received her Juris Doctor from the University of Hawai'i at Mānoa, William S. Richardson School of Law. Ms. Guidry has been licensed to practice law in the State of Hawaii since 2002.

Ms. Guidry has been with the Department of the Attorney General in numerous roles for over twenty years. She currently serves as Solicitor General and Supervising Deputy Attorney of the Appellate Division, where she oversees most state and federal appeals and appears and argues in civil and criminal cases before the Ninth Circuit Court of Appeals, Hawai'i Supreme Court, and Hawai'i Intermediate Court of Appeals. While at the Department of the Attorney General, Ms. Guidry was a member of the 2021 Attorney General's Team of the Year, member of the 2018 Governor's Team of the Year, and recipient of the 2015 Department of the Attorney General Employee of the Year Award. Ms. Guidry also serves on the Department of the Attorney General's Appeal and Opinions Review Committee and trains deputy attorneys on the Hawai'i Rules of Appellate Procedure. Ms. Guidry's more than two-decade long career with the Department of the Attorney General demonstrates her commitment to serving the public and her specialized knowledge in the area of appellate practice.

In addition to her work for the Department of the Attorney General, Ms. Guidry serves on the Judiciary's Hawai'i Rules of Appellate Procedures Standing Committee and is a Bar Examiner for the Hawai'i State Board of Bar Examiners. For three months in 2006, she served as a National Association of Attorneys General Supreme Court Fellow in Washington D.C.

Testimony submitted in support of Ms. Guidry's appointment commends her experience in appellate work, professional ability, legal skills, work ethic, and integrity. Numerous testifiers also



praise her high ethical standards, as well as her compassion, thoughtfulness, and even temperament.

Your Committee finds that, based on the testimony submitted on her behalf, responses to questions asked by the members of your Committee, and your Committee's review of her qualifications, Kimberly Tsumoto Guidry has the knowledge, diligence, and other competencies to be an Associate Judge for the Intermediate Court of Appeals, and she has the legal expertise and integrity to fully and faithfully discharge the duties associated with that judicial office.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC
Consent

Gov. Msg./Jud. Com. No.:* GM 675	Committee Referral: JDC	Date: 4/27/23		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Consent 2347 <input type="checkbox"/> Not Consent 2349				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.				✓
AWA, Brenton				✓
TOTAL	3	-	-	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

*Only one Message/Communication per Record of Votes