

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

Testimony of
Josh Green, M.D.
Governor, State of Hawaii

Before the
Senate Committee on Judiciary
Thursday, April 6, 2023
9:45 a.m.
State Capitol, Conference Room 016 and Videoconference

In consideration of
Governor's Message No. 608

Chair Rhoads, Vice Chair Gabbard, and members of the Senate Committee on
Judiciary:

I respectfully ask for your favorable consideration of Governor's Message No. 608, the
appointment of Michelle Drewyer as a Circuit Court Judge of the Second Circuit Court of the
State of Hawaii.

Since 2005, Michelle has served as a per diem judge both in the District Court and in
Family Court. In these roles, Judge Drewyer has handled a number of issues including traffic
cases, misdemeanor crimes, and civil cases like landlord-tenant disputes, as well as cases
involving child custody, divorces, and child welfare.

Judge Drewyer started her career as a Deputy Prosecuting Attorney on Maui in 1991
and then served as a Deputy Public Defender for the State from 1996 to 1998. She then
began a career in private practice as an associate with the law firm Ranken, Drewyer and
Ranken in 1999, eventually working her way to become a Partner in 2002. Since 2013, Judge
Drewyer has continued to practice criminal and civil litigation at her own law firm on Maui.

I am confident that Judge Drewyer's experience across the District, Family, Circuit, and
Federal Court systems while practicing both criminal and civil law, as well as her time as a per
diem judge, make her an excellent selection to preside over cases of the Second Circuit Court.

Mahalo for your consideration.

*Barbara Sauer
Attorney At Law
4955 Makena Rd, E202
Kihei, Hawaii 96753
(808) 875-9499*

April 3, 2023

Senate Judiciary Committee

Via capitol.hawaii.gov/account/submittestimony.aspx?billtype=GM&billnumber=608

RE: Michelle Drewyer's Appointment to Second Circuit Judiciary

This letter of support is to strongly encourage Michelle Drewyer's appointment to the Second Circuit Court.

By way of introduction, I have been licensed to practice law in Hawaii since 1983. I was licensed to practice in California in 1966. My current practice is as Court appointed Legal Counsel and Guardian Ad Litem in Child Protective cases pursuant to a Judiciary contract. In California my litigation practice focused on real estate, representation of financial institutions and creditors in the Bankruptcy Court. I appeared in the majority of California Superior Courts, all California Federal District Courts, US Ninth Circuit and *pro hac vice* appearances in the Federal Courts of the WA, OR, UT, AK. I have appeared before many judges and have observed what qualities make an outstanding member of the Judiciary in the fifty-six years I have been practicing.

I have observed Ms. Drewyer as a Litigator and appeared before her frequently when she sits as a *Per Diem Judge*. She is equally competent in each of those roles.

Ms. Drewyer has a strong work ethic which is evident in her thorough preparation and knowledge of the cases before her. She is intelligent, compassionate, and mindful of the impact her decisions have on the parties before her. She consistently shows respect and patience to the parties and counsel appearing before her. Michelle listens attentively, never prejudging matters. Her questions and comments reflect her preparation, knowledge of the facts, the law both statutory and applicable case law. Her rulings are clear and concise to both parties and counsel. She constantly demonstrates a judicial temperament in even the most challenging, disruptive situations. Further she has the ability to keep heavy calendars moving efficiently.

In conclusion, Ms. Drewyer is an amazing amalgamation of qualities and talents which will make her a valuable member of the Circuit Court on Maui.

If you have further questions or wish additional facts, please advise.

Respectfully,

Barbara Sauer

Barbara Sauer

GM-608

Submitted on: 4/5/2023 12:52:20 AM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Twelvetrees	Individual	Support	In Person

Comments:

I have known Michelle Drewyer for over fifteen years. Throughout that time, I have known her to be a trusted friend, honest, fair, intelligent and kind. She is firm in her commitments to her family, firends and profession.

GM-608

Submitted on: 4/3/2023 6:12:57 PM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Brianne Wong Leong	Individual	Support	Remotely Via Zoom

Comments:

Aloha, I am a managing partner of the law firm Wong Leong Cuccia. I write in support of Michelle Drewyer's appointment to the Second Circuit Court. I have know Michelle for almost 14 years. When she was a partner in the firm Ranken & Drewyer, her firm was my first employer when I moved to Maui in 2009 from Oahu. When her firm dissolved, I also worked as an independent contractor for her individually. As I found full time employment, our employment relationship ended, but soon I was able to work again with her professionally when she became a per diem judge in the Second Circuit Family court. Since I have known Michelle, I have known her to be intelligent, fair, patient, honest and integral. As a judge whom I've appeared before on a number of family law cases including trials, I believe her decisions to be well thought out, fair, impartial, and a correct application of the law. She has not been hesitant to make quick decisions when necessary or to take issues under advisement before deciding so as to ensure she has all the information to make an appropriate decision. I believe she will be an asset to the Maui community especially since she has been a resident of Maui for decades. Her lengthy experience in many different areas of law will be a tremendous benefit to those appearing before her because she will be sensitive the varying issues that the litigants and attorneys will present to her. Please consider confirming her nomination. She is truly the most qualified for the position.

GM-608

Submitted on: 4/3/2023 4:41:05 PM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth S. Cuccia	Individual	Support	Remotely Via Zoom

Comments:

Aloha and thank you for taking the time to read my testimony in full support of the Michelle Drewyer to be confirmed as the newest Judge of the Second Circuit. I have known Michelle since I started practicing law on Maui over 10 years ago. I have gone up against her when I was a prosecutor, worked with her as co-counsel for Court Appointed criminal defendants and more important I have had the pleasure of appearing before in both district and family court over the last 7 years. Michelle is hard working, prepared and courteous to all attorneys and litigants that appear before her (even when they aren't very nice to her). Her rulings and decisions are well thought out and supported by the law and facts (even when they aren't in my favor). She is prepared and knows how to handle a busy calendar. Her extensive experience on the bench makes her an excellent choice for this position. I look forward to continuing to appear before her in Circuit Court but I know her absence will be felt in the Family Court. Please let me know if you have any questions. Thank you.

GM-608

Submitted on: 4/4/2023 6:24:07 PM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Amber Alexander	Individual	Support	Remotely Via Zoom

Comments:

I am writing to express my strong support for the judicial nominee Michelle Drewyer, with whom I have had the pleasure of working. As a friend and former co-worker, I have had the opportunity to witness Ms. Drewyer's legal skills, work ethic, and commitment to justice firsthand.

Throughout her legal career, Ms. Drewyer has held various positions, including serving as a prosecutor, public defender, trial attorney, and per diem district court judge. This diverse range of experiences has given Ms. Drewyer a comprehensive understanding of the legal system and its role in society.

Throughout her legal career, Ms. Drewyer has also been committed to serving the community. She has been involved in numerous pro bono and community service activities, which demonstrate her dedication to using her legal skills to benefit those in need. Her commitment to public service shows that she has a deep understanding of the importance of the judiciary in promoting the common good.

In conclusion, I have no doubt that Ms. Drewyer is an outstanding candidate for the position. Her legal expertise, personal qualities, and commitment to justice make her an excellent choice for the bench. I am confident that she will serve the community with distinction and make a positive contribution to the legal profession. I urge you to approve her nomination.

April 5, 2023

Committee on the Judiciary
Thursday, April 6, 2023 Hearing

Re: **Support** for GM08 Submitting for consideration and confirmation to the Circuit Court of the Second Circuit, State of Hawai'i, Gubernatorial Nominee, MICHELLE L. DREWYER, for a term to expire in 10 years.

Dear Honorable Members of the Judiciary Committee,

I write in support of the appointment of Judge Michelle Drewyer to the Circuit Court of the Second Circuit, State of Hawai'i. As a deputy prosecutor, I previously appeared in front of Judge Drewyer a number of times. I have always found her to be fair, to rule justly, and to be consistent in her temperament.

I am now in private civil practice, primarily representing community organizations in land use and permitting matters before agencies and in related litigation. In that capacity, since 2019, I have represented Nā Hīnano O 'Ōpana ("Nā Hīnano"), a domestic nonprofit. Nā Hīnano is focused on promoting and preserving the agricultural character of the 'Ōpana ahupua'a. Nā Hīnano has a board of directors made up five directors. In her personal capacity, Judge Drewyer is president of the organization. I provide this testimony to provide context for any opposition that may arise from Maria Abrams or her attorney related to Nā Hīnano and ongoing community issues with the Abrams parcel.

In early 2021, Nā Hīnano petitioned to intervene in a special use permit application proceeding submitted by Lew and Maria Abrams on behalf of Sacred Earth Assembly for operation of a church on their agricultural parcel. The petition arose out of the experiences of those living in the surrounding community who had for over a decade already been bearing the brunt of the Abrams non-agricultural use of the Abrams parcel. Through the auspices of Sacred Earth Assembly, the Abrams had been operating, as one neighbor stated to the Land Use Commission "social events and activities at scale with impunity."

The same neighbor wrote:

The community and I have lost the tranquility of our neighborhood. The noise pollution is continuous. It is the result of private cars running up/down a gravel road. The main access road to the property parcel for the SUP1 is parallel to my properties. Dogs are barking for every car passing. The gulch surrounding our properties is a natural amplifier, and it carries entertainment noises, and amplified music sounds further out. I

have also installed a gate to prevent any involuntary trespassing once and for all. As a show of solidarity for the applicants' effort with the community and his farming activities, I never filed an official complaint.

Jerome Labat to Land Use Commission, Dated October 19, 2019.

There have been concerts and other parties that have been advertised online with ticket sales. These activities are not permitted. The agricultural building in which they are held does not have a certificate of occupancy. The Abrams have also been found in violation for other structures on the property. Issuance of the permit would likely increase such activities and Nā Hīnano sought to ensure appropriate conditions on any permit issued as well as address legal issues with the permitting process.

The Abrams have a flag lot. Judge Drewyer is the nearest neighbor. She shares a common driveway with the Abrams, also relied upon by others, that is impacted by the hundreds of cars that appear for events. This driveway was never meant for the traffic it generates and it is not in an area zoned for such use. It has created a safety risk for those travelling along Hana Highway, those who turn in and out of the driveway, and those who live on Manawai, the next street down. There have been numerous accidents in this area.

Judge Drewyer has filed Requests for Service with County to address some of the issues. The Maui Planning Department's Zoning Enforcement Division, has a practice of closing requests if the land owner refuses to allow access to the property for investigation. Despite seeking assistance from the County multiple times, many issues were not addressed because the requests were simply closed.

The Abrams and their attorney have been incredibly hostile with Judge Drewyer over the past decade. Judge Drewyer has been repeatedly publicly attacked by the Abram's attorney in agency proceedings to the extent that the Abrams' attorney was asked repeatedly in a proceeding before the Land Use Commission to act civilly. This is consistent with the fears other neighbors have expressed to me of retaliation and bullying if they were to oppose the Abrams activities or filed complaints. That is one reason why the community decided to form an organization to raise their concerns collectively.

I encourage this Committee to keep this context in mind should any opposition to Judge Drewyer's appointment arise from the Abrams or their attorney, Mr. Iczkowitz.

Thank you for the opportunity to provide my **strong support** of Judge Drewyer's nomination.

Sincerely,


Christina Lizzi

GM-608

Submitted on: 3/31/2023 5:26:39 PM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Support	Written Testimony Only

Comments:

SUPPORT: Michelle L. Drewyer has experience as a tenacious Prosecutor and Defense Attorney. She also has a reputation of being a fair-minded per diem judge.

GM-608

Submitted on: 3/31/2023 10:17:18 PM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

NO !!

LAW OFFICE OF BIANCA ISAKI, A LAW CORPORATION

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April 3, 2023

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary, Thirty-Second Legislature, Regular Session of 2023

Re: Testimony in support of GM608, for consideration and confirmation to the Circuit Court of the Second Circuit, State of Hawai'i, Gubernatorial Nominee, MICHELLE L. DREWYER, for a term to expire in 10 years, before the Committee on Judiciary, April 6, 2023, 9:45 a.m.

Aloha Senators,

I'm writing in strong support of GM608. I operate a solo law firm based in Honolulu, but have a heavy caseload based in Maui and specifically the Second Circuit. The Second Circuit would be well served by Judge Michelle L. Drewyer.

I have become acquainted with Judge Michelle Drewyer in the past two years. Her decision-making and management of the courtroom is professional, compassionate, and displays a high level of competence. Judge Drewyer is well-versed in legal principles and new developments in law, which provides her facility in decisionmaking. Additionally, she is a contributing Maui community member where she volunteers her time with a neighborhood association, amongst other locally based efforts.

Thank you for considering my testimony.

Very truly yours,



LAW OFFICE OF BIANCA ISAKI

GM-608

Submitted on: 4/3/2023 1:10:30 PM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Danielle Sears	Individual	Support	Written Testimony Only

Comments:

Michelle Drewyer is well-known and respected in the Maui legal community. I have practiced as a public defender on Maui for almost 18 years and in that time, I have seen Michelle as a criminal defense attorney as well as a per diem judge. The members of our office who have appeared before her in her per diem judge capacity have expressed that she has made thoughtful and educated decisions and has treated the parties with respect and professionalism. I am in full support of her confirmation as a Circuit Court judge in the Second Circuit. I believe Michelle Drewyer has the intelligence, knowledge and compassion to be a great Circuit Court judge.

LAW OFFICES OF
SETSUKO REGINA GORMLEY, LLC

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Email: ginagormleylaw@gmail.com

April 3, 2023

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice-Chair
State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Bill No. GM608, Circuit Court of the Second Circuit, State of Hawaii,
Gubernatorial Nominee, Michelle L. Drewyer

Dear Senator Rhoads and Senator Gabbard:


I strongly support Ms. Michelle Drewyer for the position of Circuit Court Judge of the Second Circuit. I first met Ms. Drewyer when I was clerking for the Honorable Shackley F. Raffetto in 2006. As a law clerk, I was able to witness Ms. Drewyer in the courtroom as a criminal defense attorney. She always exhibited professionalism, dedication to her clients, and competence.

Now, we are both in solo practice and often times I do appear in front of her when she sits on the bench as a per diem Judge. Again, as a per diem Judge, I have witnessed her quick thinking, her ability to make decisions, her professionalism, her fairness to all parties in the courtroom, her knowledge of the law, and her patience.

As a per diem Judge, Ms. Drewyer runs the docket smoothly and efficiently, has courtroom control, is knowledgeable of both the rules of evidence and procedural rules, has courtroom experience as an attorney, and courtroom experience as a per diem Judge. Ms. Drewyer has been a per diem Judge for several years and I have heard nothing but favorable comments about her as a sitting per diem Judge.

It would be an honor to have Ms. Drewyer serve as a Circuit Court Judge. She is an excellent attorney and has the foundation to be an excellent Judge. The County of Maui needs her.

Respectfully,



Setsuko Regina Gormley

LAW OFFICES OF
DOUGLAS J. SAMESHIMA

Telephone No. (808) 244-3921

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Paia, Maui, Hawaii 96779

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April 4, 2023

Senate Judiciary Committee
Hawai'i State Legislature
Honolulu, HI

Via Email

RE: Confirmation of Michelle Drewyer as Circuit Court Judge; 2d Circuit, State of Hawai'i.

Senators:

I am writing to heartily support the confirmation of Michelle Drewyer as the newest Circuit Court Judge for the Second Judicial Circuit, State of Hawaii.

I have known Judge Drewyer for approximately 20 years. I first met her when she began practicing law on Maui. She worked in both the Public Defender's Office and the Office of the Prosecuting Attorney. During that time, she has amassed a wide breadth of experience in the practice of law.

More relevant to this endorsement, I worked with Judge Drewyer, as a fellow Per Diem Judge in the Family and District Courts for much of my 20 years as a Per Diem. She has always been a supportive co-worker, always willing to take assignments that came her way. As Per Diem judges, we both had private practices to maintain, and needed to cooperate and assist our fellow Per Diems, when necessary. Michelle has always been more than willing to do what she could to help.

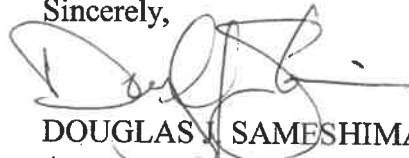
Her years of practice have also informed her as to the workings of a courtroom. Expertise running a courtroom only comes with experience in doing so. With years of experience as a Per Diem Judge, Michelle has demonstrated her ability to manage a calendar and caseload in court, as well as work with staff in serving the community.

Her legal knowledge and analysis are outstanding. She has handled both criminal and civil matters in her private practice, as well as while presiding on the bench. I am impressed with the depth of her legal knowledge and abilities. In addition, she is a good, caring, and compassionate person, as well. She will be a valuable asset for the Judiciary.

Senate Judiciary Committee
Hawai'i State Legislature
April 4, 2023
Page Two

If you have any questions, please feel free to contact me at my office.

Sincerely,



DOUGLAS J. SAMESHIMA
Attorney at Law

P.O. Box 749
Kula, Hawai'i 96790

April 3, 2023

Senator Karl Rhoads
Judiciary Committee Chair
State Capitol Building, Room 204
Honolulu, Hawai'i 96813

Dear Senator Rhoads:

I am writing in support of Michelle L. Drewyer who is nominated to fill a vacancy in the circuit court in the Second Judicial Circuit.

I have known Michelle since the late 90s here on Maui. We often crossed paths as fellow criminal defense counsel when I worked at the Maui Office of the Public Defender. We worked on criminal cases involving co-defendants while she was a private defense lawyer. More recently, I have appeared in her courtroom where she presides as a per diem judge in family court.

Michelle possesses the legal experience from a lengthy legal career as both an advocate for clients and as a per diem judge on Maui. She is very knowledgeable with the Hawaii Rules of Evidence and the substantive criminal and civil law. She will bring a wealth of experience to the bench. More impressively, Michelle brings a calm and reasoned understanding as a judge. Her decisions will be well reasoned, compassionate and from a genuine place of understanding. Michelle has the intellect, demeanor and patience to make an outstanding circuit court judge for the community of Maui and I hope you consider her nomination strongly.

Sincerely,

Adriel C. S. Menor

PAMELA B. SHULTS
Attorney at Law
1500 Lower Main Street
Wailuku, Maui, Hawaii 96793
(808) 244-0144
pbs96793@hotmail.com

To Whom It May Concern:

**RE: SECOND CIRCUIT COURT OF HAWAII
CIRCUIT COURT APPOINTMENT OF MICHELLE L. DREWYER
TO VACANT JUDGESHIP**

I cannot, and have not, more enthusiastically endorsed any candidate for appointment to the bench in Hawaii than I do Michelle L. Drewyer.

Ms. Drewyer has been the most outstanding per diem judge before whom I have ever appeared. She is always prepared, as she clearly reads everything prior to any appearance, has always been fair, is unfailingly polite to all parties and counsel, and although patient, she always maintains control of the courtroom.

Ms. Drewyer is especially considerate of pro se parties, politely acknowledging their positions, and clearly delineating her reasoning.

Incredibly articulate, she personifies a firm sense of justice for all. Ms. Drewyer exemplifies an inclusionary approach of the Court, commanding the respect of litigants and attorneys.

I have known Ms. Drewyer since she was a Public Defender many years ago, and she has always been a well spoken proponent of justice in the broader sense, which is very much appreciated.


My experience with Ms. Drewyer has been in Family Court of the Second Circuit, when she has been sitting as a per diem Family Court judge.

I have been practicing on Maui for almost forty (40) years, and it is my opinion that Ms. Drewyer, exuding wisdom and compassion, has been the best judge, appointed or per diem, that I have encountered in Family Court since era of Douglas S. McNish and Eric G. Romanchak.

Ms. Drewyer will be an extraordinary judge if appointed to the Circuit Court, although she will be greatly missed in Family Court.

Should you have any questions, I will be available by telephone at the above number.

Sincerely,



PAMELA B. SHULTS

Sonya Toma, Esq.
sonyatoma@gmail.com

April 4, 2023

Senator Karl Rhoads
Chair, Senate Committee on Judiciary
State of Hawaii Senate
State Capitol, Room 204
Honolulu, Hawaii 96813

Re: GM 608 - Submitting for consideration and confirmation to the
Circuit Court of the Second Circuit, State of Hawaii, Gubernatorial
Nominee MICHELLE L. DREWYER

Dear Senator Rhodes and the Senate Committee on Judiciary:

I am writing in my personal capacity to support Michelle L. Drewyer's confirmation as
Circuit Court Judge in the Second Judicial Circuit.

Ms. Drewyer is highly qualified for the position. She is established in the Maui community,
having practiced law here for many years in various legal roles, including being a
longstanding Per Diem Judge in District and Family Court. She has an excellent reputation
in the Maui legal community. Over the last two years, I have appeared before Judge
Drewyer regularly in Family Court. She is very experienced, knowledgeable, and has the
proper judicial comportment. She is very adept at keeping the calendar on time while
affording litigants the opportunity to be heard. She makes fair rulings. She is effective at
managing the calendar and caseload appropriately. In my opinion, Ms. Drewyer should be
confirmed.

Thank you for your time and consideration.

Sincerely,
/s/ Sonya Toma
Sonya Toma

GM-608

Submitted on: 4/5/2023 6:32:51 AM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Cristina Solomon	Individual	Support	Written Testimony Only

Comments:

To the Honorable Hawaii State Senate,

My name is Cristina Solomon. I'm a court clerk for the Family Court in the Second Circuit. I wanted to give my fervent support of Judge Michelle Drewyer for the appointment of the vacant position of Circuit Court Judge.

In my capacity as a court clerk not only in the Family Court but also in District Court, I have had the privilege of sitting side by side with Judge Drewyer. As clerks we are in the unique position of having front row seats to hearings/proceedings and get to see what the judge's see. I can say that she is fair, which is the paramount quality all judges should have, unfortunately not all do. She is efficient. She is intelligent while being compassionate and considerate. I find these qualities hard to find in people in general and you have her as a candidate. Lucky you, your choice in this matter is easy!

Our community would greatly benefit from the continued service of Judge Drewyer. I ask that you approve her candidacy.

Thank you for your time and consideration.

LAW OFFICE OF MATTHEW NARDI

1975 E. Vineyard St. Ste. 407

Wailuku Hawaii 96793

Telephone 808-446-4224

I am a solo practitioner licensed in Hawaii and California, and have been primarily practicing in Maui County since 2007. My practice focuses on criminal defense, and civil litigation. In my 20 years of practice I have represented attorneys, large corporate organizations, hundreds of individuals, and am often contacted by attorneys seeking my legal advice.

I have known Ms. Drewyer for over 15 years, and have seen her appear in court as an attorney over one hundred times. I have also had many conversations with Ms. Drewyer regarding cases, and the legal issues within them. During the last few years I have appeared as an attorney in front of Ms. Drewyer while she was sitting as a per diem judge. While acting as a per diem judge, Ms. Drewyer has presided over several contested evidentiary hearings in which I represented one of the parties.

In my opinion, Ms. Drewyer would make an excellent Circuit Court Judge. Ms. Drewyer's legal ability, reasoning, knowledge, and interpretation are extraordinary. Ms. Drewyer has also continually and unwaveringly practiced law in a manner consistent with the highest ethical standards, and maintained those ethical standards while presiding as a per diem judge. Ms. Drewyer's patience, empathy for others, even-temper, and superior ability to keep things in perspective will all work together to give her an admirable and extremely desirable judicial temperament. Consequently, I strongly believe Ms. Drewyer is well qualified to be a Circuit Court Judge, and I humbly urge you to select Ms. Drewyer as the next Circuit Court Judge of the Second Circuit.

\

Matthew Nardi, Esq.

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April 5, 2023

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Re: GM 608, Consideration and Confirmation of Judicial Nominee
Michelle Drewyer for the Second Circuit Court

To the Committee:

I am writing to support and recommend confirmation of Michelle Drewyer for the Second Circuit Court. I have known Michelle for many years as a deputy prosecuting attorney, as a colleague in private civil and defense practice on Maui, and in more recent years as a per diem Family Court judge in child welfare cases and also some divorce/custody matters. I have practiced before her in trials and motions. In my experience, Michelle has a wide range of skills that will be useful at the Circuit Court level, including but not exclusively in the criminal motions and trials calendar. She is fair to litigants and parties in all cases, knowledgeable about the applicable laws, and very competent in presiding over both trials and motions.

Michelle has served the judicial system as a per diem judge very well for many years, and is very deserving of this new opportunity to continue serving the courts and the public. I am very hopeful that the people of Maui will be able to welcome her as our newest Circuit Court judge.

Sincerely yours,

Davelynn M. Tengan

GM-608

Submitted on: 4/5/2023 8:41:39 AM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Joel Katz	Individual	Support	Written Testimony Only

Comments:

I am sure that you will hear overwhelming support for Michelle Drewyer's appointment to Circuit Court Judge from her colleagues. Being a person close to her, I am familiar with her dedication and years of experience as a per diem judge as well.

I want to address the possibility of negative comments and urge you to pay attention to the positive support for Michelle Drewyer. There may be people who are unhappy with her rulings and I am familiar with a dispute in Michelle Drewyer's neighborhood.

Michelle Drewyer is part of a nonprofit community group that has opposed a special use permit for a nearby landowner to have a church, along with paid concerts and events in this agriculturally zoned rural area. The nonprofit group was formed to help stop over a decade of disturbance by illegal church activities which were opposed by all neighbors.

This was very personal for Michelle Drewyer. She had told me about times when ambulances were unable to reach her husband, who was dying from cancer. The ambulances were unable to get to her home due to long lines of cars waiting to get into the illegal church events.

Please understand that there is a bigger picture to this ongoing situation. Should anyone involved with this speak out against Michelle Drewyer, I urge you not to be distracted by what appears to be negative.

Michelle Drewyer has already been demonstrating her excellent work in her years of already being a per diem judge in the courtrooms of Wailuku, Lana'i, Molokai, Hana, and Lahaina.

Mahalo, Joel Katz MS Ed.

GM-608

Submitted on: 4/6/2023 8:01:19 AM

Testimony for JDC on 4/6/2023 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Cabaccang	Individual	Support	Written Testimony Only

Comments:

I had the pleasure working with Michelle Drewyer for the past 5 years. As a per diem judge she is compassionate, patient, and fair. On a personal level she is funny, adventurous, and confident. I believe she will be a great addition to the Circuit Court and will strive for excellence.



Testimony of the
HAWAII STATE BAR ASSOCIATION
relating to the nomination of

Michelle L. Drewyer
Circuit Court Judge of the Second Circuit (GM608)

TO: The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice-Chair
and Members of the Senate Committee on Judiciary

FROM: Rhonda L. Griswold
President, Hawaii State Bar Association

Hearing: April 6, 2023 at 9:45 a.m.
Conference Room 016 & Videoconference
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of Michelle L. Drewyer for the position of Circuit Court Judge of the Second Circuit.

The HSBA Board of Directors followed its multi-step process to inform the confirming authority of its findings on this appointment.

- Notification to the nominee of the HSBA appointment review process, which includes a questionnaire requesting educational credentials, legal and other professional work experiences, personal references; a resume; a copy of the JSC application; a form authorizing disclosure from the Office of Disciplinary Counsel of any disciplinary action; and an interview with the HSBA Board of Directors.
- Notification via electronic transmission to the HSBA membership of the appointment and a request for comments on the nominee.
- Appointment of a three-person review subcommittee of HSBA Board members by the President which serves as a neutral fact-finding body to: review documentation submitted by the nominee, contact references submitted by the nominee, review comments received from the HSBA membership, and conduct follow-up member contact for clarification, if necessary, for presentation to the HSBA Board.
- Submittal of a report by the three-person review subcommittee to the President, and subsequently to the entire Board.

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- Meeting of the President, the Executive Director, and the nominee prior to the scheduled interview of the nominee by the Board.
- Interview of the nominee by the HSBA Board.
- Deliberation of the HSBA Board.
- Submittal of the HSBA Board's recommendation to the confirming authority.

The HSBA President and the Executive Director met with Ms. Drewyer on April 4, 2023, to discuss the subcommittee's findings. On the same day, Ms. Drewyer was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Ms. Drewyer was reviewed and the references listed were contacted for their personal opinions and observations. The majority of comments and letters received from HSBA members reflected an affirmation of Ms. Drewyer in all categories of the HSBA criteria which include:

- Integrity
- Diligence
- Legal knowledge and ability
- Professional experience
- Temperament
- Financial responsibility
- Public service
- Ability to fulfill the responsibilities and duties of the position

Nominee Michelle L. Drewyer has practiced law on Maui for over 30 years, has experience in a broad range of practice areas, and has served as a Family Court and District Family Court per diem judge since 2005. For the past 3 years, the Nominee has been "the travelling Judge" presiding over cases on Maui, Lanai, and Molokai. The Nominee has been in the private practice of law as a solo practitioner and firm partner handling criminal and civil litigation, arbitrations, mediations, and all other aspects of case resolution. She has served as court appointed counsel when requested and has accepted cases pro bono. Earlier in her career, she has also served as a Deputy Public Defender and a Deputy Prosecuting Attorney.

Colleagues have noted that she is diligent when preparing cases, reads all materials, and makes fair and just decisions. She administers her docket smoothly and efficiently, has courtroom control, and is always willing to learn. Ms. Dreyer has been assigned to a number of difficult child protective service cases and cases involving mentally ill parties. It was noted that when parties appear pro se, she treats them with dignity and respect. Ms. Drewyer is reported to be even-handed, composed, firm and calm to all parties in her courtroom.

After the interview of the nominee, which included dialogue and questioning relating to her background, experiences, and reasons for pursuing the position of Circuit Court Judge of the Second Circuit, the Board of the Hawaii State Bar Association found Ms. Michelle L. Drewyer to be **QUALIFIED** for the position of Circuit Court Judge of the Second Circuit.

Thank you for the opportunity to offer comments for consideration during the deliberations and decision making of our Committee.