



April 23, 2025

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senate Committee on Judiciary

Re: JC29 Submitting for consideration and confirmation to the District Family Court of the First Circuit, Judicial Appointee, Maria F. Penn, for a term to expire in 6 years.

Hearing: Wednesday, April 23, 2025, 9:15 a.m.

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

Hawaii Women Lawyers (“**HWL**”) respectfully submits testimony in **support** of the nomination of Maria F. Penn to **the District Family Court of the First Circuit** as District Family Court Court Judge for a term of 6 years.

HWL is a nonprofit organization with members including approximately 300 attorneys. HWL’s mission includes improving the status of women in the legal profession, increasing the number of women attorneys in positions of authority and responsibility, and promoting the advancement of all women.

Increasing opportunities for qualified women in the Judiciary is extremely important. As highlighted by the World Justice Project, the rule of law depends on having justice delivered by “competent, ethical, and independent representatives and neutrals who reflect the makeup of the communities they serve.” HWL believes that continuing to include qualified women in the Judiciary is vitally important and appreciates the significant strides made in the past several years to improve the diversity of our bench.

Noting that the HSBA has found Maria F. Penn to be qualified for the position of District Family Court Judge and for the reasons above, HWL supports the appointment of Maria F. Penn.

Thank you for the opportunity to submit testimony in support of this nomination.



MICHAEL JAY GREEN AND ASSOCIATES, INC. Attorney at Law

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April 22, 2025

Via Email

The Senate Confirmation Committee
State of Hawaii

Re: Maria F. Penn – Appointment to District Family Court Judgeship (JC 29)

Dear Sir/Madame:

I strongly support the appointment of the Honorable Judge Maria F. Penn as District Family Court Judgeship, First Circuit Court, State of Hawaii.

Judge Penn has been a sitting per diem District Family Court Judge in the First Circuit for the last three years. I have had the pleasure and honor of working with Judge Penn since 1993 when she worked as a paralegal before she became a lawyer. She returned to work with me on many of my civil and criminal cases, assisting me on multiple aspects of litigation. She has successfully handled many high profile civil and criminal cases. I have relied on her for critical case strategies and case management. I have personally observed her in court and in depositions and settlement negotiations, and I can candidly say that she become a superb trial lawyer who is astute, skillful, highly ethical, judicious, and warm and compassionate, qualities which will make her an outstanding judge, serving the people of the State of Hawaii.

Based on her wisdom, experience, and compassion, Judge Penn is unquestionably well-qualified to serve as a District Family Court Judge in the First Circuit. Therefore, I wholeheartedly support her appointment.

Thank you for your consideration.

Respectfully yours,


MICHAEL JAY GREEN

LATE

JC-29

Submitted on: 4/22/2025 4:23:40 PM

Testimony for JDC on 4/23/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Molly Turpin	Individual	Support	In Person

Comments:

Please find the attached Letter in Support of Maria Penn.

Sincerely,

Molly S. Turpin

2025 Chair of the Family Law Section of the Hawai'i State Bar Association

THOMAS D. FARRELL

Attorney at Law, LLLC. Certified Family Specialist*

TESTIMONY OF THOMAS D. FARRELL
IN SUPPORT OF JC29, NOMINATION OF MARIA F. PENN
Senate Committee on the Judiciary
Hon. Karl Rhoads Chair
April 23, 2025 9:15 a.m.

Good Morning Senator Rhoads and Members of the Committee:

Thank you for the opportunity to comment on the nomination of Maria Penn to move up from per diem to a full time Family Court Judge. I strongly urge your favorable action.

I have known Ms. Penn for over ten years.

I first encountered her as opposing counsel in family court matters, before she became a judge. In that capacity, I found her highly competent, honest, reasonable, and professional. She also served as a volunteer settlement master, helping parties to settle their divorce cases without a trial. When she was appointed a per diem family court judge, I knew that she would hit the ground running on day one, and that she had all the qualities we look for in a judge.

Since then, I have appeared before her in innumerable hearings, as well as some rather complex trials. I don't always get what I want, but I have never felt that I didn't get a fair shake in her courtroom.

In short, I believe that Ms. Penn will do well on the Family Court bench and I hope that this committee will recommend that the Senate confirm her nomination.

I note that there are two other nominees who are also being considered by your committee this morning. I am not acquainted with Ms. Vidinha or Mr. Unga, and that is the only reason I have not submitted testimony on their nominations. My lack of testimony should in no way be construed as opposition to these nominees.

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April 18, 2025

The Hawaii State Senate
Judiciary Committee
The Honorable Senator Karl Rhoads
Chair Senate Judiciary Committee
State of Hawaii
Honolulu, Hi 96813

Via email: JDCcommittee@capitol.hawaii.-gov

Subject: Maria Penn for Appointment as Judge to the Family Court, First Circuit.

Dear Senator Rhoads and Committee Members:

Thank you for allowing me the opportunity to provide a recommendation to the Judiciary Family Court of the First Circuit for Maria Penn, currently a Per Diem judge with The Family Court of the First Circuit. I am honored to provide this recommendation for Ms. Penn.

I have known Maria for at least eighteen years [18] years both in her capacity as a Family Law attorney appearing before me on mediation cases and also in her capacity as a Per Diem Family Court Judge. I am a retired Family Court Judge who maintains a full time mediation practice in divorce and paternity cases.

To be quite honest, I don't think you will find a more qualified applicant for a judgeship. Maria has State and Federal Court practice, trial jury and non jury, motions practice, written and oral argument experience both in state criminal, civil, and family court, and federal court arenas.

She knows both her law on any number of legal subjects and is excellent in her civil and criminal court process. Because of this broad experience, she therefore has an excellent ability to also settle and resolve cases such as with the Family Court's restraining orders, paternity and divorce cases. Of note also, is that Ms. Penn knows her ethical responsibilities under the Code of Professional Responsibilities.

She strength is her experience in [1] child support, arrears, and "reasonable needs" disputes, [2] custody disputes including visitation, custody, relocation and multiple alleged parents, [3] division of property including complex business ownerships, sole proprietorships, partnerships, corporate interest, family business partial/ "discounted" interests and multi-state, multi-country property and corporation interests and tax consequences

Maria also has presided over paternity disputes and is capable of trying/resolving cases related to custody and complex custody cases including relocation cases, multiple alleged and psychological parents and child support relating to arrears and “reasonable needs.”

Also important for a Judge is the ability to manage the Court proceedings and calendar. Each Judge usually has assigned current active/and pending cases amounting to about 5000 cases each. This clearly means that a Judge needs to be actively updated, decide, and move cases to resolution, either by settlement, dismissal or trial. Its all about management, fairness, respect and efficiency. Maria is excellent at this administrative and procedural task.

While sitting in court, she displays a fair, efficient, competent, compassionate but “no nonsense” “demeanor, which helps her maintain respect for fairness and efficiency in moving her cases.

I have not received one negative word about her demeanor or rulings on the bench. Counsel have reported to me saying they ‘need more like her” “makes a decision” when other judges appear timid. While Maria is articulate and verbal, she is also thoughtful and a listener.

Maria writes well and has organized, well managed complex thoughts. Without hesitation, Maria will definitely be a platinum contributor to the Courts and the judicial system, to the community and to fellow brethren on the bench. Most importantly, she will serve the public fairly and respectfully

I strongly recommend Maria as a Family Court or District Court Judge, [although I favor the Family Court] without reservation and believe that if selected, she will be a very strong asset both to the Bench and to our community.

Thank you, Senator Rhoads and Committee members, for allowing me to provide this letter of recommendation. I appreciate the opportunity.

Yours truly,

/s/ Allene Suemori

ALLENE R. SUEMORI
Email: lauele@aol.com

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April 21, 2025

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

**Re: Consideration and Confirmation to the District Family Court
of the First Circuit, Judicial Appointee, Maria F. Penn**

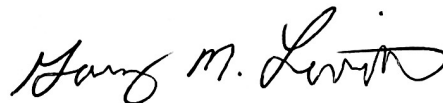
Dear Chair, Vice Chair and Members of the Committee:

I am writing in strong support of Maria F. Penn's confirmation to the District Family Court of the First Circuit.

I have known Mrs. Penn in a professional and personal capacity for more than twenty-five (25) years. Maria and I have worked together on, and I have sought her consult on an uncountable number of legal matters throughout those years. I have always admired her intelligence, ethics, and ability to understand complex legal issues and provide rational solutions. I still consult with Maria on a regular basis to advise me on the appropriate legal theory and procedural pathway. Over all the years I have never had any question as to her honesty, integrity, or professionalism.

Maria has always been there to provide me and my family advice and support on both business and personal matters. I strongly support her confirmation and believe she will be a great Family Court Judge, who will serve the public and all those who come before her Court.

Sincerely,



Gary M. Levitt

JC-29

Submitted on: 4/21/2025 10:32:36 AM

Testimony for JDC on 4/23/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
MICHELLE SILVA	Individual	Support	Written Testimony Only

Comments:

Aloha Senators in session,

Please find attached my letter of support for JC29 for Judicial Appointee, MARIA F. PENN.

Mahalo,

Michelle Silva

April 21, 2025

The Senate
Ka'aha Kenekoa

Aloha Senator Chair Karl Rhoads, Senator Vice Chair Mike Gabbard & Senators in Session,

Mahalo for allowing me to write a letter of support and recommendation to affirm the confirmation of Maria F. Penn, Judicial Appointee to the District Court of the First Circuit.

I have worked for the Judiciary for the past 27 years and am currently a Circuit Court Clerk II in the senior judge's chambers for the Honorable Dyan M. Medeiros, Deputy Chief Judge, Family Court. For the past 2.5 years, I have also clerked for Judge Penn on numerous occasions on the Domestic Division calendar when she filled in for Judge Medeiros. Judge Penn has been the first choice of per diem judges when one was needed to fill in for Judge Medeiros. In fact, Judge Penn took over the calendars in the Domestic Division when Judge Medeiros was appointed to her now current position.

Judge Penn is very flexible, accommodating, professional and treats everyone with respect, including the attorneys, litigants and court staff. Judge Penn is very well-prepared for her cases and is very compassionate towards the parties. Her diligent work ethic, honesty, knowledge and preparedness of the law, along with her willingness to help Family Court covering last minute requests makes Judge Penn being a firm choice for the Judicial Appointee to the District Family

Court.

I truly support Judge Penn's confirmation as a District Family Court Judge. She will be a tremendous and great asset to the Judiciary and especially to Family Court. She will make the transition from being a Family Court per diem judge to the appointment of a full-time Family Court judge as smooth as possible.

Mahalo,

Michelle Silva (clerk for the Honorable Dyan M. Medeiros)
Waianae, HI 96792

To the Distinguished Members of the Senate:

I am the Domestic Division Supervisor at Family Court and writing to you in support of the appointment of Maria F. Penn as Judge to the District Family Court.

I have been with the Judiciary for 40 years and particularly with Family Court for 36 of those years. I have worked with many amazing judges during those years. Judge Penn has the many qualities that are needed to be a Family Court Judge.

Judge Penn takes a firm hand in the courtroom, yet is compassionate and allows parties to be heard, which is very important to the many pro se litigants that frequent Family Court.

Family Court is unique from all other courts as it deals with families and their emotions, not an easy feat. Yet Judge Penn wades in and separates the issues at hand from the emotions of the parties, making difficult decisions that are fair to the parties and the children enabling them to move on with their lives.

Judge Penn brings to the court her many years of experience with Civil Litigation and her former Family Law practice. She is able to settle many cases because of her knowledge of litigation, saving parties the expense of a lengthy trial. It is always healthier, whether it be financially or emotionally, to settle and have some control of your life and your children's, than to go to trial. Judge Penn give parties that control.

In closing, Family Court would benefit greatly in the appointment of Maria F. Penn to its bench and it would be my honor to work with her on a daily basis as a full-time judge.

Thank you for your time.

Jan. L. Nishitomi
Domestic Division Supervisor
April 21, 2025



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April 21, 2025

Honorable Karl Rhoads, Chair
Senate Committee on the Judiciary
Hawaii State Capitol, Room 409
415 S. Beretania St.
Honolulu, HI 96813

RE: **JC 29: Judicial Appointee MARIA F. PENN,
District Family Court of the First Circuit**

Dear Senator Rhoads & Members of the Committee,

I write these comments in strong support of Judicial Appointee, **MARIA F. PENN**, for the position of District Family Court Judge of the First Circuit. I have known Ms. Penn for approximately 15 years and these comments are submitted based upon my personal experience with Ms. Penn as an attorney and in her role as a per diem Family Court Judge.

In my opinion, the candor and demeanor expected of a Family Court Judge are uniquely distinct from other judicial roles, due to the deeply personal and emotional impact Family Court proceedings can have on the individuals and families involved. To that end, a certain level of empathy and compassion is essential to connect with the parties and to reflect the Judicial System in the most positive and effective manner. At the same time, firmness and clarity are necessary to effectively communicate the court's role and position.

For years, both I and many of my colleagues have encouraged Ms. Penn to apply for this position because of her rare and exceptional combination of these qualities. Ms. Penn will undoubtedly excel in the role of a Family Court Judge. It would be a significant missed opportunity for this Committee to overlook a candidate of Ms. Penn's caliber, capability, and competence for the bench.

Thank you for your time and consideration in this matter.

Very Truly Yours,


CAPRICE R. ITAGAKI, ESQ.

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April 21, 2025

HONORABLE KARL RHOADS, Chair
Senate Committee on the Judiciary
Hawaii State Capitol, Room 409
415 S. Beretania
Honolulu, Hawaii 96813

RE: JC29: Judicial Appointee MARIA F. PENN,
District Family Court of the First Circuit

Dear Senator Rhoads & Members of the Committee,

I am writing today in support of the nomination of Maria F. Penn to the position of District Family Court Judge, First Circuit, State of Hawaii. I would have liked to present my testimony in person, but I will be flying to Hawaii on April 23, 2025, therefore, I respectfully submit my written testimony.

I have worked continuously with Ms. Penn since we were first licensed to practice law. I also know Ms. Penn on a personal level as we have been close friends for decades. While this might make me, admittedly, biased, it also gives me a unique perspective on knowing her heart very well, observing her interactions with others and engaging with her in comprehensive discussions over the years relating to legal matters.

Ms. Penn takes the law very seriously and I have seen her study and brainstorm and continually educate herself on the law. I have seen her advocate fiercely for the rights of individuals in order to seek justice. I have not seen her manipulate the system or take short cuts in order to "score" a win. Since becoming a per diem Judge, I have had the opportunity to discuss her thoughts and feelings regarding the matter with her since I cannot appear before her due to our close relationship. She takes her duties very seriously, holds attorneys appearing before her to a high standard, studiously applies the law to the facts and considers equity where it is relevant and allowed. Ms. Penn and I are known in the community to be friends and office partners, therefore, it is not uncommon for attorneys to speak with me about their experiences appearing before her. I have heard positive reports from these colleagues - even when she has ruled against them. I have also heard that she has moved cases along that lingered in front of other judges. She is also extremely effective at mediating/settling cases.

She will be a tremendous asset to the Judiciary and I heartedly endorse her nomination.

Respectfully Submitted,



DENISE M. HEVICON

April 21, 2025

TO: The Honorable Senator Karl Rhoads, Chair Senate Committee on Judiciary

FROM: Daisy Hartsfield

SUBJECT: Consideration and Confirmation to the District Family Court of the First Circuit, Judicial Appointee, MARIA F. PENN

Hearing: April 23, 2025, 9:15 AM, Conference Room 225 & Videoconference, State Capitol

TESTIMONY IN SUPPORT:

I am the Social Services Division Administrator with the State of Hawai`i, Department of Human Services but submit this individual testimony as a private citizen.

I have known MARIA F. PENN (Judge Penn) since 1999. We met as law students at the William S. Richardson School of Law and have maintained a friendship since then, sharing the trials and tribulations of being working mothers and solo practitioners. She has managed to find that work-life balance much better than I have.

I know Judge Penn as someone who is hardworking, caring, and REAL. Parties that have cases in Family Court need to feel heard and be able to trust the judge that decides their case. How is that trust built? Well, a judge needs to be reasonable, effective, authentic, and learned (REAL). Judge Penn has those qualities. Judge Penn is also of Filipino descent and many families that appear in court are of Filipino ancestry. Being a judge that a family can relate to is a definite plus. An op-ed article in this past Sunday's Star Advertiser discussed why courts need more Filipino judges and confirming Judge Penn's appointment is a step in achieving a more balanced representation on the bench.

Finally, Judge Penn is currently sitting as a per diem judge at Family Court in the First Circuit and I am confident her transition to a regular sitting judge would be a seamless one.

Thank you for the opportunity to provide this testimony in strong support.



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April 21, 2025

VIA ELECTRONIC SUBMISSION ONLY

The Honorable Karl Rhoads, Chair
Senate Committee on the Judiciary
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: Maria F. Penn
JC 29

Dear Senator Rhoads and Members of the Committee,

I am writing this letter in support of the appointment of Maria F. Penn to serve as District Family Court Judge of the First Circuit. I respectfully urge this Committee to confirm her appointment, as I believe she will be an exceptional asset to Family Court, the Judiciary, and the broader community.

Before her service as a per diem judge, Ms. Penn and I appeared on numerous cases as opposing counsel. Many of these matters were complex and emotionally charged. Despite these challenges, Ms. Penn consistently demonstrated a collaborative and solution-oriented approach. She was always willing to engage in meaningful dialogue to find peaceful resolutions, advocating passionately for her clients while never losing sight of the “bigger picture” and the well-being of the children and families involved.

Ms. Penn possesses a rare combination of tenacity and compassion. She is a strong litigator when needed, but she prioritizes cooperation and compromise whenever possible. Her ability to see the bigger picture and her genuine empathy for the children and families we serve are qualities that are indispensable in a Family Court Judge.

I have also had the opportunity to appear before Ms. Penn in her role as a per diem judge. In my experience, she is highly competent, well-versed in the law and fair. She has successfully facilitated the resolution of several complex cases and consistently brings her compassion and keen judgment to the bench. While she does not always rule in favor of my clients, Ms. Penn is fair and decisive in her rulings.

Ms. Penn is intelligent, capable, and exceptionally qualified. Above all, she brings heart, commitment, and meaningful experience to her work. I have no doubt she will continue to serve the Judiciary and our community with integrity and distinction.

The Honorable Karl Rhoads, Chair
Senate Committee on the Judiciary
April 21, 2025
Page 2 of 2

Please do not hesitate to contact me should you require any additional information. Thank you for the opportunity to provide my comments.

Sincerely,

A handwritten signature in black ink that reads "Katherine M.M. Lukela". The signature is written in a cursive style with a prominent initial "K" and a long, sweeping underline.

KATHERINE M.M. LUKELA

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April 21, 2025

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senate Judiciary Committee
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: Letter of Support for Judicial Appointee Maria F. Penn to the
District Family Court of the First Circuit

Dear Senators Rhoads, Gabbard, and Members of the Senate Judiciary
Committee:

I am submitting this letter in support of the appointment of Maria F. Penn to the District Family Court of the First Circuit. I have known Maria personally and professionally for approximately twenty (20) years.

I am a Family Law attorney employed with Greg Ryan and Associates, LLC. From April 1, 2021 through January 31, 2025, I was employed as a Family Law attorney with Kleintop & Luria, LLP.

While employed at both family law firms, I appeared before Maria while she was a *per diem* District Family Court Judge. It was evident that Maria was always prepared, thorough, and managed her calendar efficiently. Maria is also familiar with court rules and statutes, rules of evidence, case law, and up-to-date with court opinions.

While I operated my solo practice between 2013 and 2021, Maria and I worked on cases together, and she always was open to providing me with her analysis and guidance on an array of issues involving personal injury cases, medical malpractice, criminal defense, and family law matters. In my opinion, Maria has superb intellect and analytic skills.

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senate Judiciary Committee
Page 2
April 21, 2025

Maria has practiced law for approximately twenty-two (22) years in many areas which have helped her develop an understanding for the issues that parties who appear before her are dealing with. She is patient, yet firm, and understanding, but confident enough to sanction parties and attorneys who do not adhere to rules of court and rules of civility.

Attorneys who appeared before Maria speak highly of her, and are impressed with her intellect, compassion, integrity and fairness to the parties and counsel. Given her substantial experience in Family Law, I believe that Maria will seamlessly transition from a *per diem* Judge to a District Family Court Judge with minimal training and education. As I understand, Maria is called to sit as a *per diem* Judge every week.

Maria has the ability to communicate well with others and understand the compassion for their concerns. I am confident that she will make fair decisions and express them fairly to all parties as a District Family Court Judge.

I wholeheartedly support the appointment of Maria F. Penn to the District Family Court of the First Circuit and believe she will continue to be an asset to the Family Court.

Thank you very much for your consideration of my letter of support.

Very truly yours,

A handwritten signature in black ink, appearing to read "A. Okamoto", written in a cursive style.

ALAN Y. OKAMOTO

I am submitting written testimony in support of Maria F. Penn, a judicial appointee for one of the vacancies in the District Family Court of the First Circuit. As Ms. Penn is a *Per Diem* judge for the Family Court of the First Circuit, I will refer to her as Judge Penn.

I have practiced law in Honolulu since 1982, concentrating in Family Law, and I served as Chair of the Family Law Section of the Hawai'i State Bar Association in 2001. Consequently, I have appeared before many different judges, and for the reasons set forth below, I regard Judge Penn as eminently suitable and qualified to serve as a Family Court Judge.

My experience with Judge Penn includes a series of settlement conferences in 2023 (from July through September) over which she presided in a very complex and acrimonious divorce that began with a Complaint filed in the spring of 2021 and concluded with a consent Divorce Decree filed in the fall of 2023, thanks largely due to Judge Penn's efforts in my opinion.

By the time that Judge Penn first presided over a settlement conference in the subject case, scores of pleadings (I estimate more than a hundred) had been filed, substantial formal discovery had been conducted, a lengthy custody evaluation had been completed and submitted, conflicting business appraisals were in progress or completed, two multi-day pre-decree hearings regarding temporary custody, visitation, and financial issues had been held where each party had filed multiple substantial memoranda regarding contested facts and contested interpretations of statutory and case law. Moreover, private mediation had occurred but failed even though the mediator was very experienced and skilled. Prior to Judge Penn, four different judges had presided over proceedings in the case.

Consequently, I was not optimistic about achieving a settlement and even felt slightly embarrassed about taking the Court's time in what I worried would be an exercise in futility. Nevertheless, after a while in Judge Penn's courtroom, the following became apparent to me:

- (1) that she had carefully studied the file and knew the facts of the case about as well as an attorney who had represented one of the parties from the outset;
- (2) that she was well-versed in Hawai'i divorce law regarding property division, alimony, child support, custody, and visitation, as well as the rules of evidence;
- (3) that she was able to analyze the facts of the case in the context of the law and articulate to the parties and counsel various pros, cons, ideas to consider, and ranges of possible outcomes in the event of a trial, while being mindful of the potential financial cost thereof to the parties and the potential emotional and psychological costs thereof to the parties and their children; and

- (4) that she was committed to putting forth her best effort to help the parties and counsel reach a settlement.

Equally if not more important, Judge Penn was able to “connect” with each party and counsel so that they regarded her as dignified, credible, genuinely understanding of their concerns, and fair. I think that quality is called “gravitas.” Not everyone has it, but Judge Penn does have it. In addition, her composure and demeanor were so calm and thoughtful as to reduce the tension in the atmosphere. As a result, I think that the parties were more candid about discussing with her their true needs and concerns.

Judge Penn was also persistent and patient. Since progress was made at the first settlement conference, Judge Penn had the parties and counsel return for further conferences, suggesting helpful tasks to do and ideas to consider during the intervening time.

I really did not expect that case to settle, and I attribute its settling to Judge Penn. Moreover, I am not aware of any post-divorce proceedings between the subject parties, which implies to me that the terms which Judge Penn helped to facilitate were indeed fair and reasonable.

In addition, many years ago, before Judge Penn was a *Per Diem* Family Court Judge, I had a post-divorce case where she represented the opposing party—an individual who had a history of disregarding court orders (and, presumably, disregarding the advice of the individual’s previous attorneys to follow those court orders). During the time that Judge Penn represented that individual, all court orders were followed—a fact that supports my above comments about Judge Penn’s ability to “connect” with people.

To sum up, I regard Judge Penn as having a powerful and analytical intellect; a thorough knowledge of Hawai‘i divorce law regarding property division, alimony, child support, custody, and visitation, as well as the rules of evidence; a superb judicial demeanor; an inherent sense of fairness and compassion for people undergoing great stress in their lives; and a commitment to achieving excellence in her work. I also understand that she has an excellent reputation in our legal community for honesty and integrity, which is consistent with my own experience with her.

Further, based on her experience as a *Per Diem* judge for the Family Court and her temperament and demeanor, I think that Judge Penn would be able to assume and fulfill her responsibilities as a Family Court judge with minimal training and education. Also, because of her excellent reputation in our legal community, I would expect her to have instantaneous credibility with the attorneys who practice Family Law in the First Circuit. For all of the foregoing reasons, I am convinced without any reservation or hesitancy that

the people of Hawai'i will be superbly served by Judge Penn as a Judge of the Family Court of the First Circuit, and I truly hope that she will be confirmed.

Yours truly,
Timothy Luria

GREG RYAN & ASSOCIATES

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April 21, 2025

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senate Judiciary Committee
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: Letter of Support for Judicial Appointee Maria F. Penn to the District
Family Court of the First Circuit

Dear Senators Rhoads, Gabbard, and Members of the Senate Judiciary Committee:

I am writing in support of Maria F. Penn who is a nominee for a Family Court Judge. I have known Maria in both a professional and on a personal basis.

I have had several family court cases where Maria was the opposing counsel. I always found her to be "up to speed" in the case, knowledgeable in the facts and relevant law, and well prepared. She was a tough yet reasonable negotiator and, in the appropriate instances, looked at the best interest of the concerned child instead of just "wanting to win", which, unfortunately, happens too frequently in family court cases.

Maria has also operated her own private practice for many years. She knows what it's like to "meet overhead" and the headaches of running a business, practicing law, and raising a family. I believe that the Family Court would benefit by having another judge appointed who has been "in the trenches" and knows just how difficult family law is and just how stressed many of the parties are when going through the family court system.

Maria is also a sitting *per diem* judge with the Family Court. I have had several cases in front of her and she has conducted herself with the highest judicial decorum. She has always been prepared for the case and was aware of the facts and the relevant points of the case. Her decisions and orders, while not always what my client was hoping for, were well reasoned, applied the relevant facts of the case and the relevant law.

On the personal side, Maria has a young daughter who attends the same school as my granddaughter and grandson. Maria's daughter is in the elementary school while my grandchildren

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Senate Judiciary Committee

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April 21, 2025

are in high school. Maria and I have seen each other at the various school functions and at several of the school rallies and athletic events. Maria was always upbeat and engaging whenever we met socially.

I believe that Maria has the character, demeanor, patience, intelligence, and, most importantly, the compassion and empathy that is needed by a Family Court Judge. I have practiced in Family Court for 40 years and Maria is one of the best *per diem* judges I have been in front of. I have no reason to doubt that she will continue to be one of our finest family court judges if appointed.

I respectfully request that you give Maria's nomination as a Family Court judge your support and approval. We desperately need Family Court Judges of Maria's caliber and qualifications.

Very Truly Yours,


Everett Cuskaden

LAW OFFICE OF GALE L. F. CHING, LLC

Attorney at Law

The Arcade Building

212 Merchant Street, Suite 330

Honolulu, Hawaii 96813

Email: galefching@gmail.com.

Tel: (808) 275-0208 Fax: (808) 275-0204

April 21, 2025

The Honorable Senator Karl Rhoads
State Senator
State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Re: Judicial Appointee Maria F. Penn
Position: District Family Court of the First Circuit

Dear Senator Rhoads,

I have learned that Maria F. Penn, Esq. has been nominated for a judicial appointment with the District Family Court with the First Circuit Court of the State Of Hawaii. I am greatly honored to be submitting this unsolicited letter in support of Maria F. Penn, Esq.'s appointment.

I recently retired from the Judiciary in November, 2024 as a Per Diem Judge of the Family Court of the First Circuit. I had the honor and privilege of serving the public for some twenty-seven (27) years. During my tenure, I had the opportunity to observe many attorneys who came before me on various matters which involved motions, trials, hearings, etc. I was privileged in having Ms. Penn, Esq. appear before me as an attorney representing various clients. I can say with certainty that Ms. Penn, Esq. stood out as being an attorney who was always prepared and ready to discuss the issues and applicable law while representing her clients zealously. There was never a time that I can remember Ms. Penn, Esq. ever being unprepared. Although Ms. Penn, Esq. represented her clients zealously, she did so ethically as I never had to question her ethics.

In advocating for her clients, Ms. Penn, Esq. was articulate and firm. Yet, she was amenable to be flexible when necessary. Opposing attorneys have learned to respect Ms. Penn, Esq.'s advocacy.

From my observations, Maria F. Penn, Esq. has the necessary qualities needed in a Judge as she is patient and willing to listen before making a decision. Ms. Penn, Esq. listens and evaluates all sides before arriving at a decision. Without any hesitation, I can see that Ms. Penn, Esq. possesses the proper type of judicial temperament needed in a Judge. Her attorney qualities of being well prepared and thorough will accompany her as a Judge.

LAW OFFICE OF GALE L. F. CHING, LLC
ATTORNEY AT LAW

*The Honorable Senator Karl Rhoads
State Senator
State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813*

*April 21, 2025
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I am absolutely certain and have no hesitation in saying that Maria F. Penn, Esq. make a great Judge and will be a definite asset to the Judiciary if given the honor to serve as a Judge in the District Family Court.

I hope that you will look favorably upon her nomination.

Please feel free at contacting me at (808) 271-8358 (cell) should you have any questions concerning Ms. Penn's nomination.

Thank you for your consideration.

Very truly yours,

LAW OFFICE OF GALE L. F. CHING, LLC


Gale L. F. Ching

TESTIMONY OF BOB TOYOFUKU IN SUPPORT OF THE NOMINATION OF
MARIA F. PENN AS A JUDGE ON THE DISTRICT FAMILY COURT OF THE
FIRST CIRCUIT

April 21, 2025

To: Chairman Karl Rhoads and Members of the Senate Committee on Judiciary:

My name is Bob Toyofuku, and I am a licensed attorney in Hawaii and currently a government affairs consultant.

I am testifying in support of Maria F. Penn to be a judge on the District Family Court of the First Circuit. I have known Maria Penn for about 10 years and had the opportunity to interact with her regarding a case I was indirectly involved with.

She impressed me with her professionalism and skill as a practicing attorney. She is an excellent listener and collaborator and was able to resolve several issues quickly. Since then, she was appointed as a per diem judge and assigned to the Family Court. I have heard positive comments about her role and ability as a per diem judge on the Family Court.

When attorneys are requested by the Hawaii State bar Association to evaluate or submit comments on a nomination for a position as a judge for the Hawaii State Judiciary, some of the basic criteria that is provided to us are: integrity, diligence, legal knowledge and ability, professional experience, judicial temperament, and ability to fulfill the responsibilities and duties of the position. I am confident that Maria Penn ranks at the highest level in all of these categories. I feel that she will be a positive addition to the Family Court as a full-time District Court judge and recommend that this committee and the Senate confirm her nomination.

Thank you for the opportunity to submit this testimony in strong support of the nomination of Maria Penn to the District Family Court of the First Circuit.

TESTIMONY OF
ALEN M. K. KANESHIRO, ATTORNEY AT LAW
TO THE
SENATE JUDICIARY COMMITTEE
ON
APRIL 23, 2025, 9:15 A.M.

RE: JC29

SUBMITTING FOR CONSIDERATION AND CONFIRMATION FOR JUDICIAL APPOINTEE
MARIA F. PENN

Dear Members of the Senate Judiciary Committee:

I am submitting the following testimony in support of District Family Court Judicial Appointee Maria F. Penn.

I have known Ms. Penn for approximately 11 years. I have worked and brainstormed with her on cases. I am familiar with her intellect and work ethic. I have also appeared before her as a Per Diem Judge of the Family Court.

Ms. Penn has always been fair, respectful, and cordial to the litigants. From my experience, Family Court judges have a very difficult position to navigate. Emotions are often running high, and parties are frequently fighting for their most valued possessions – their families and their children. Ms. Penn has handled her role as a Family Court Judge with grace and understanding. She follows the law and makes difficult decisions based on the evidence that is presented to her. In some cases, the “right” decision is even elusive to the parties, and it takes courage and integrity to make definitive decisions. She is also open to learning. I will often see her in her office diligently preparing cases days or weeks in advance.

As a practicing attorney, Ms. Penn has a strong and positive reputation. She is diligent, well-prepared, and well-respected.

I have no reservations in saying that Maria F. Penn is imminently qualified to serve as a District Family Judge of the First Circuit. She possesses a blend of diligence, intelligence, compassion, and respect that make for an esteemed jurist.

I respectfully urge your support for confirmation of Judicial Appointee Maria F. Penn as Judge for the District Family Court of the First Circuit.



William N. Ota | wota@ota-hara.com
Leighton M. Hara | lhara@ota-hara.com

737 Bishop Street, Suite 2860 | Honolulu, Hawaii 96813
Phone: (808) 532-1728 | Fax: (808) 532-1729 | ota-hara.com

April 22, 2025

VIA ONLINE SUBMISSION

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary

Re: Hearing: Wednesday, April 23, 2025
Time: 9:15 a.m.
Place: State Capitol
415 South Beretania Street

JC 29 Submitting for consideration and confirmation of Maria F. Penn as Judge to the District Family Court of the First Circuit, Gubernatorial Nominee

Dear Senators Rhoads and Gabbard:

Please consider this letter my testimony in support of Maria F. Penn's confirmation as a District Family Court Judge for the First Circuit, State of Hawaii.

I have been a licensed attorney since 2002 and am in private practice as an attorney specializing in litigation. Since 2009, my practice has focused almost on litigation beginning with the Marr Jones & Wang, LLLP law firm where I was a partner until today. Since 2015, I have also been involved in general litigation matters as a founding partner of Ota & Hara, LLLC.

Maria and I met in 1999 during our first year at the William S. Richardson School of Law. Since then, we have served together on the Hawaii Baptist Academy ("HBA") Alumni Association Board of Directors and I volunteered for one of her classes when she coached the HBA Mock Trial Team.

During my years of practice and despite our friendship, I have been her opposing counsel on numerous cases. She frequently worked with Michael Jay Green representing catastrophically injured individuals against various health care providers that I represented. Maria is a zealous advocate who aggressively represents her clients without compromising her professional integrity. She has the right balance of tenacity and reasonableness, which provide excellent results for her clients.

Senator Karl Rhoads, Chair
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Committee on Judiciary
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As someone who has never been on the same side as Maria and has always been her adversary in civil matters, I can say, without a doubt, that she would make a fine addition to the bench.

Maria's civil litigation and family law experience, coupled with her temperament, and demeanor will serve the public well and are qualities which will make for an excellent Judge of the District Family Court for the First Circuit.

It is with great pleasure that I submit this testimony in support of Maria F. Penn, Esq. Thank you for your consideration of this matter.

Very truly yours,



Leighton M. Hara

JC-29

Submitted on: 4/22/2025 8:36:45 AM

Testimony for JDC on 4/23/2025 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Crystal Glendon	Individual	Support	Written Testimony Only

Comments:

Dear Chair Rhoads, Vice Chair Gabbard, Senator Chang, Senator San Buenaventura and Senator Awa,

I strongly support the confirmation of Maria F. Penn. I have had the privilege of appearing before in the Family Court of the First Circuit in her role as a per diem judge. She is fair and practical in her approach to her cases. She is well-read on the law and the facts of each case, reflecting her dedication to being prepared in every case she presides over. What I appreciate most about appearing before her is that she has no ego as a judge. What you see is what you get, and she is a smart, experienced and pragmatic judge who takes the time to prepare and rules in a way that your clients are treated fairly. She is a great contributor to the Family Court bench. I strongly urge you to confirm her appointment.

Sincerely,

Crystal K. Glendon

George A. Burke, Esq.
131 Kalalau Street
Honolulu, Hawaii 96825

LATE

April 21, 2025

Committee on the Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Honorable Committee members:

I write in support of Maria F. Penn, nominee to the District Family Court of the First Circuit.

I have known Ms. Penn for 26 years as she and I were classmates that the William S. Richardson School of Law. In this time, I have gotten to know Ms. Penn in many different aspects of her life.


As a student, she was intelligent, practical and diligent in her studies. As a non-traditional student with practical law experience, she brought a unique perspective to the classroom. In her career, she is well respected by both colleagues and judges, a staunch supporter of her clients, but all the while is able to remain respectful of both her adversaries as well as the judiciary.

While I have never had the privilege of appearing in front of her while she has been a per diem judge, I have had many friends and colleagues within the law community comment to me about her legal acumen, her judicial temperament and overall fairness. This comes as no surprise to me as I have been witnessing these traits in other facets of her life throughout the years that I have known her. These traits, combined with her three years of per diem work, convince me that Ms. Penn would be an effective, excellent judge that the community needs, especially as it comes to our families and children,

In sum, I could not more enthusiastically support a candidate for the bench. Ms. Penn would be an excellent addition to the judiciary. I write this letter in support with absolutely no reservations.

Thank you for your time.

Sincerely,



George A. Burke, Esq.

LATE

Senator Karl Rhoads, Chair

I am writing in support of the nomination of Maria F. Penn for appointment to the District Family Court of the First Circuit, on the Island of Oahu. I have been a member of the bar since May 1983, and have been in private practice, specializing in the area of family law for more than two decades. I have also been privileged to serve as a per diem judge of the District Court of the First Circuit, since 2018 and will be completing my seventh year in public service in November this year.

I first came to know Ms. Penn through our family law practice. We have had a number of cases opposite each other over the last ten years. Since her recent appointment to the Family Court, as a per diem judge, I have appeared before her on a regular basis in Family Court.

In my opinion, she is eminently qualified. I have the utmost respect for her intellect, courtroom advocacy and knack for dispute resolution. As a former family court practitioner, she will be able to hit the ground running if she is permanently appointed to the Family Court bench. She knows family law, the rules of evidence, the rules of family court, and the courtroom policies, procedures and practices.

Ms. Penn is an innately skilled settlement master. As the Settlement Judge, she settled several of my most difficult cases, after months of private mediation had failed. I believe that her skill set comes from her diverse background and work experience in civil practice (e.g. personal injury, insurance, tort, civil rights,) and in criminal representation at both the state and federal levels.

She manages her courtroom effectively. Judge Penn is generally assigned to the Wednesday Order to Show Cause (motions calendar). Although it is usually congested, I have observed her to allocate the time to each case very efficiently so that all calendared litigants/counsel, have their day in court. I know that if my case is assigned to Judge Penn, she will be well prepared and deliver a just, equitable and legally sound decision that day.

What is to be noted is her judicial temperament. While she may not suffer fools lightly, she is nevertheless calm, deliberate and diplomatic in her delivery. She is professional and respectful to attorneys, and litigants, including self-represented parties. She commands the respect of the public because she is genuinely caring, compassionate and authentic. Regardless of the outcome of the hearing, my clients have expressed to me that they were satisfied with Judge Penn's decision, understood the basis for her ruling, and most importantly, appreciated that she listened to them and considered what they had to say.

In sum, her permanent appointment to the Family Court bench of the First Circuit would be an asset to the community and to the judiciary. Thank you for allowing me to speak to Ms. Penn's nomination.

Ann S. Isobe



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

Maria F. Penn
District Family Court Judge of the First Circuit (JC29)

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

FROM: Mark M. Murakami
President, Hawaii State Bar Association

Hearing: Wednesday, April 23, 2025, 9:15 a.m.
Conference Room 225 and Videoconference
State Capitol

Thank you for the opportunity to share the Hawaii State Bar Association (HSBA) Board of Directors' comments on JC 29, Nomination of Maria F. Penn for the District Family Court of the First Circuit.

After a rigorous process, described below, the HSBA Board of Directors concluded that Ms. Penn is **QUALIFIED**. Ms. Penn has a extensive experience in civil, criminal, and family law litigation. She has additionally served as a per diem judge in Family Court since 2022 and has gained considerable experience managing an active docket and courtroom, along with managing settlements and contested trials. She is dedicated and committed to assisting Hawaii's families through difficult, and oftentimes, tumultuous situations that impact them.

The HSBA Board of Directors followed its multi-step process to arrive at its conclusion, which included:

- The nominee was notified of the HSBA appointment review process, which includes a questionnaire requesting educational credentials, legal and other professional work experiences, and personal references; a resume; a copy of the Judicial Selection Commission (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.
- The HSBA membership received an electronic notification of the appointment and a request for comments on the nominee.
- A neutral fact-finding body comprised of three HSBA Board members was called upon to review documentation submitted by the nominee, contact references submitted by the nominee review comments received from the HSBA membership, conduct follow-up for clarification, if necessary, and prepare a report for the HSBA Board.
- Ms. Penn submitted documentation, which was reviewed, and the references listed were contacted for their personal opinions and observations. The comments and letters received from HSBA members reflected an affirmation of Ms. Penn in all categories of the

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HSBA criteria, which include Integrity, Diligence, Legal knowledge and ability, Professional experience, Temperament, Financial responsibility, Public service, and Ability to fulfill the responsibilities and duties of the position.

- The Executive Director and I met with Ms. Penn on April 17, 2025, to discuss the subcommittee's findings.
- On April 21, 2025, the HSBA Board of Directors interviewed Ms. Penn in executive session.
- The HSBA Board deliberated and voted that Ms. Penn was qualified.

Thank you for your time and allowing the HSBA to share our process and determination of qualification.