



The Judiciary, State of Hawai‘i
Ka ‘Oihana Ho‘okolokolo, Moku‘āina ‘o Hawai‘i

Testimony to the Thirty-Third Legislature, 2026 Regular Session

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Y. Moriwaki, Vice Chair

Thursday, February 19, 2026, 10:30 a.m.
State Capitol, Conference Room 211 & Videoconference

By

Randy Pinal
Staff Attorney
Intermediate Court of Appeals

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 2446, Senate Draft 1, Relating to the Judiciary.

Purpose: Increases the number of associate judges on the Intermediate Court of Appeals from six to seven.

Judiciary's Position:

The Hawai‘i State Judiciary appreciates the intent of Senate Bill No. 2446, SD 1 which would add a seventh associate judge on the Intermediate Court of Appeals (ICA), increasing the total number of ICA judges to eight (one chief judge and seven associate judges), but respectfully requests that this measure be held until such time as the court fills its current judicial vacancy and assesses resource needs.

We greatly appreciate the Legislature’s continued support of the ICA. During the 2022 legislative session, the Legislature passed Act 90, which increased the number of ICA judges by one, thereby establishing the sixth associate judge position in place today. Since the position was added, the ICA has only operated at its full complement of seven judges (one chief judge and six associate judges) for about seven months, from May 2023 to January 2024. Despite being short one judge, the court has nevertheless reduced its case backlog with case terminations now



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exceeding new filings. For example, in Fiscal Year 2024–2025, the ICA terminated 599 primary cases while 503 new cases were filed, reducing pending cases from 860 to 764.¹

These trends suggest that once the current judicial vacancy is filled and the ICA is allowed a period of stable operation with all seven authorized judges, its workload may be more manageable and the court would be in a better position to assess ongoing resource needs.

Also, it is noteworthy that in Senate Bill No. 2446, SD1, the Senate Committee on Judiciary removed language that would have appropriated funds for the additional associate judge position.

Thank you for the opportunity to testify on this measure.

¹ The Judiciary’s written testimony to the Senate Committee on Judiciary reflected incorrect data for Fiscal Year 2024-2025, which the Judiciary corrected during its oral testimony on February 6, 2026. Standing Committee Report No. 2204 incorrectly states 593 new cases were filed in Fiscal Year 2024-2025.

JON N. IKENAGA
PUBLIC DEFENDER

DEFENDER COUNCIL
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

HONOLULU OFFICE
1130 NORTH NIMITZ HIGHWAY
SUITE A-254
HONOLULU, HAWAII 96817

APPELLATE DIVISION
TEL. No. (808) 586-2080

DISTRICT COURT DIVISION
TEL. No. (808) 586-2100

FAMILY COURT DIVISION
TEL. No. (808) 586-2300

FELONY DIVISION
TEL. No. (808) 586-2200

FACSIMILE
(808) 586-2222



STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

HAYLEY Y. C. CHENG
ASSISTANT PUBLIC DEFENDER

HILO OFFICE
275 PONAHAHAWAI STREET
SUITE 201
HILO, HAWAII 96720
TEL. No. (808) 974-4571
FAX No. (808) 974-4574

KONA OFFICE
75-1000 HENRY STREET
SUITE #209
KAILUA-KONA HI 96740
TEL. No. (808) 327-4650
FAX No. (808) 327-4651

KAUAI OFFICE
3060 EIWA STREET
SUITE 206
LIHUE, HAWAII 96766
TEL. No. (808) 241-7128
FAX No. (808) 274-3422

MAUI OFFICE
81 N. MARKET STREET
WAILUKU, HAWAII 96793
TEL. No. (808) 984-5018
FAX No. (808) 984-5022

February 18, 2026

SB 2446, SD1: RELATING TO THE JUDICIARY:

Chair Dela Cruz, Vice-Chair Moriwaki, and Members of the Committee on Ways and Means:

The Office of the Public Defender (OPD) **submits comments** on SB 2446, SD1 which establishes an additional associate judge to serve on the Hawai'i Intermediate Court of Appeals.

The OPD previously submitted testimony in support of SB 2446, consistent with our ongoing commitment to promoting the timely and efficient resolution of criminal appeals and safeguarding the fair administration of justice.

While we acknowledge ongoing workload concerns, we defer to the Judiciary's assessment that substantial strides have been made in addressing case volume notwithstanding the current vacancy. Accordingly, we support the Judiciary's request to reevaluate the necessity of an additional judgeship after an adequate period of full staffing

Thank you for the opportunity to comment.