

From: [Andrew Feldmann](#)
To: [JDLTestimony](#)
Subject: Mr. James McWhinnie
Date: Friday, October 30, 2015 10:04:09 AM

To Whom It May Concern,

I have had the privilege of knowing Mr. McWhinnie for more than seventeen years. Mr. McWhinnie was the president here at Oahu Country Club in 2006. During this time I worked closely with Mr. McWhinnie. I can honestly say Mr. McWhinnie was one of the finest President's Oahu Country Club has had. Mr. McWhinnie and I have become close friends and he is an individual that I have a tremendous amount of respect for. Mr. McWhinnie is a very positive person with a tremendous amount of integrity.

If you have any questions about Mr. McWhinnie please do not hesitate contacting me by phone (808-595-3256) or by e-mail.

Respectfully Submitted,

Andrew H. Feldmann
Head Golf Professional
Oahu Country Club

November 2, 2015

To Whom It May Concern,

It is my privilege and pleasure to write a letter of support on behalf of James "Jim" C. McWhinnie, who has been nominated to fill the judicial vacancy in the District Court of the First Circuit State of Hawaii.

I first met Jim in 1983 when we sat for the Hawaii State Bar Examination. We had both returned from law school on the mainland. I was the representative and coordinator of the winter Bar Review Course and he was among the students in my class. Eventually, he and another recent law school graduate, Jay Suemori, and I formed a study group together, in preparation for the bar examination. I am eternally grateful to Jim and Jay for keeping me on course during my studies back then.

Although we do not socialize with each other, Jim and I have remained personal and professional colleagues, through our bar affiliation, since we passed the bar. Jim has been an active member of our Hawaii State Bar Association and contributed substantially to its membership, educational, and professional enhancement.

I believe Jim would be a tremendous asset to the Judiciary and to the people of Hawaii. Although he was born and raised on the mainland, one would never know it by his big, open, personality and warm, demeanor. He holds a genuine love of the law. He is an advocate who believes in doing what is right and just. He exudes common sense and humility. He is approachable, not arrogant. He is witty and has a good sense of humor.

For any lay person going to Court, whether it be to deal with a traffic infraction, a summary possession action, or a collection/contract issue – there is always a sense of major apprehension and anxiety attendant to stepping into the courtroom. This is why having a Judge such as Jim McWhinnie to run the Courtroom, and manage the cases, is an excellent choice. He is bright, organized, orderly, and down to earth. Pro se litigants and represented parties will feel like they have been dealt with in a fair and just manner.

I ask for your unanimous consideration.

Very truly yours,

COATES & FREY
ATTORNEYS AT LAW, LLLC



ANN S. ISOBE

ANNA H. OSHIRO
1003 Bishop Street, Suite 1600
Honolulu, Hawaii 96813
aho@hawaiilawyer.com
Tel: (808) 531-8031 Fax: (808) 533-2242

October 26, 2015

**Via U.S. MAIL and
E-MAIL (JDLTestimony@Capitol.hawaii.gov)**

Senate Committee on Judiciary and Labor
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Testimony in Support of District Court Judge Nominee
James C. McWhinnie
Hearing Date: Tuesday, November 3, 2015
Hearing Time: 9:00 a.m.


Dear Chair Gilbert Keith-Agaran, Vice-Chair Shimabukuro, and
Members Gabbard, Kahele, Mercado-Kim, Thielen, and Slom:

I am writing to express my strong support for the confirmation of James C. McWhinnie for the position of District Court Judge.

I have known Jim McWhinnie for over 20 years. He was my mentor when I first started as an associate at Damon Key, and has always been a sterling example of what a lawyer should be: organized, ethical, diligent, bright, and a fierce advocate. He has led the firm's litigation section for many years, and his extensive energy, experience and knowledge of the law will allow him to be an excellent judge. I am certain that as a member of the judiciary, his professionalism, talent and leadership skills will be a benefit to both the judiciary and the State of Hawaii.

I strongly urge you to confirm the nomination of Jim McWhinnie for the position of District Court Judge for the State of Hawaii. Thank you for your time and consideration.

Very truly yours



Anna H. Oshiro

Caron N. Ikeda
1003 Bishop Street, Suite 1600
Honolulu, Hawaii 96813
(808) 531-8031

VIA EMAIL JDLtestimony@capitol.hawaii.gov

Senate Committee on Judiciary and Labor
State Capitol
415 South Beretania Street
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Re: Testimony in Support of District Court Judge Nominee
James C. McWhinnie
Hearing Date: **Tuesday, November 3, 2015**
Hearing Time: **9:00 a.m.**

Dear Chair Gilbert Keith Agaran, Vice-Chair Shimabukuro, and Senators Gabbard, Kahele, Mercado-Kim, Thielen, and Slom:

I am writing to express my strong support for the confirmation of **James C. McWhinnie** as a District Court Judge.

I have worked at the Damon Key Leong Kupchak Hastert law firm for six years. During my time at the firm, Jim has been a sterling example of the kind of attorney I strive to be. Jim is honest, caring, hard-working and intelligent, and is a leader both in the firm and in his community. With all of these qualities I have no doubt that he will be an excellent addition to the judiciary.

I strongly urge you to confirm the nomination of Jim McWhinnie for the position of District Court Judge for the State of Hawaii. Thank you for your time and consideration.

Very truly yours,



Caron N. Ikeda

Via email (JDLtestimony@capitol.hawaii.gov)

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Hearing Date: Tuesday, November 3, 2015
Hearing Time: 9:00 a.m.

Dear Chair Keith-Agaran, Vice-Chair Shimabukuro, and Members Gabbard, Kahele, Mercado-Kim, Thielen, and Slom:

I write to you in strong support of the confirmation of James C. McWhinnie as District Judge of the First Circuit of the State of Hawaii.

I first met Jim just under two years ago while he was one of the attorneys considering me for a position as an associate with Damon Key Leong Kupchak Hastert. Having joined the firm, I have been able to witness personally all of the traits and qualities that make Jim such an outstanding and well-regarded lawyer: his integrity, organization, diligence, perseverance, knowledge of the law, attention to detail, professionalism, and leadership ability. I have no doubt that Jim will keep the same high standards for himself as a judge that he has as a practicing attorney.

I strongly urge you to confirm the nomination of Jim McWhinnie for the position of District Court Judge. Thank you for your time and consideration.

Very truly yours,

/s/ Christopher J.I. Leong

From: [Darin Leong](#)
To: [JDLTestimony](#)
Subject: James McWhinnie
Date: Monday, November 02, 2015 8:27:58 AM

Dear Judicial Selection Committee,

I am writing in support of the nomination of Jim McWhinnie. I have known Jim for the majority of my childhood and adult life. He is an outstanding individual, with a temperament that will be well-suited for the bench. I know Jim to be of the highest caliber of ethics, diligence and competence. He is widely regarded as an outstanding litigator, both technically proficient and practical. Jim is level-headed, smart, reasonable and personable. He will make a fine judge.

Please do not hesitate to contact me if I can provide any additional information.

*Darin R. Leong, Esq.
Marr Jones & Wang
A Limited Liability Law Partnership
Pauahi Tower
1003 Bishop Street, Suite 1500
Honolulu, Hawaii 96813*



KOBAYASHI SUGITA & GODA, LLP
Attorneys at Law

Bert T. Kobayashi, Jr.*
Kenneth Y. Sugita*
Alan M. Goda*

John R. Aube*
Wendell H. Fujii*
Charles W. Gall*
Neal T. Gota
Clifford K. Higa*
Robert K. Ichikawa*
Christopher T. Kobayashi*
Jan M. L. Y. Kutsunai*

David M. Louie*
Jonathan S. Moore
Bruce A. Nakamura*
Kenneth M. Nakasone*
Gregory M. Sato*
Jesse W. Schiel*
Craig K. Shikuma*
Lex R. Smith*
Joseph A. Stewart*
David B. Tongg*

*A Law Corporation

Yuko Funaki
Caycie K. Gusman
Charles D. Hunter
Nicholas R. Monlux
Aaron Mun
Gabriele V. Provenza
Anthony Suetsugu
Brian D. Tongg
Thao T. Tran
Maria Y.Y. Wang

Of Counsel:
Burt T. Lau
John F. Lezak
Larry L. Myers

October 30, 2015

SENATE COMMITTEE ON JUDICIARY AND LABOR
Senator Gilbert S.C. Keith-Agaran, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

RE: Judicial Nominee JAMES C. MCWHINNIE – STRONG SUPPORT

Dear Chair Keith-Agaran and Vice Chair Shimabukuro:

I submit this testimony in strong support of James C. McWhinnie for the position of District Court Judge of the First Circuit, State of Hawaii.

I am the former Attorney General of the State of Hawaii, having served under Governor Neil Abercrombie. I have been a practicing lawyer for the past 37 years, since 1978. I have served as the President of the Hawaii State Bar Association, a Lawyer Representative for the U.S. Court of Appeals of the Ninth Circuit, Vice Chair of the Hawaii Supreme Court Rule 19 Committed on Judicial Performance, Chair of the Aloha Tower Development Corporation, and in numerous Bench Bar Committees. I have appeared in court many, many times, both in Circuit Court and District Court. I have observed many judges and many lawyers.

I strongly recommend that you confirm Mr. McWhinnie to this position. I have known Mr. McWhinnie both professionally and socially for around 30 years. I have been on cases with him and watched him in court and with other lawyers. He is an excellent lawyer and will be an excellent and outstanding judge. He has the intelligence, legal knowledge and experience, temperament, demeanor and calmness needed to succeed as a judge. He is fair, well balanced, courteous and unfailingly polite. He will be a tremendous asset to the Bench and will be a credit to the Judiciary.

Sincerely,

/s/ David M. Louie

DAVID M. LOUIE

Denis C.H. Leong
1003 Bishop Street, Suite 1600
Honolulu, Hawaii 96813
(808) 531-8031

VIA EMAIL JDLtestimony@capitol.hawaii.gov

Senate Committee on Judiciary and Labor
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Testimony in Support of District Court Judge Nominee
James C. McWhinnie
Hearing Date: **Tuesday, November 3, 2015**
Hearing Time: **9:00 a.m.**

Dear Chair Gilbert Keith Agaran, Vice-Chair Shimabukuro, and Senators Gabbard, Kahele, Mercado-Kim, Thielen, and Slom:

It is my distinct honor and privilege to write to you to express my strong support for the confirmation of **James C. McWhinnie** for the position of Judge of the District Court of the First Circuit, State of Hawaii.

I have known Jim for a long time prior to him joining our law Firm of Damon Key Leong Kupchak Hastert in 1989. Jim joined us as a litigation partner and ever since has been one of our litigation leaders for some 25 years. He participated in leadership positions on both our Executive Committee and our Compensation Committee and mentored associates while I was the President and Managing Director. His decisions were always thoroughly thought through and fair. I was in the unique position to observe and evaluate not only his abilities and skills as an experienced litigator but also how he treated and dealt with people and how he interacted with lawyers and staff in our Firm and with outside counsel while handling cases.

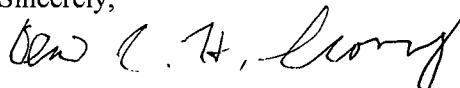
Jim was always diligent, skillful, organized, patient, a hard worker and practical. He conducted himself honorably and ethically, always with a level head and civility.

A Judge must be bright, well trained, work hard, have fine and honed sharp legal ability. Jim has all of these qualities. A Judge's work requires making decisions which affect the lives of real people. Jim has the patience, compassion, judicial temperament to deal with all situations and is especially mindful to listen to all sides and what people have to say before taking a position. He will take a position. The most important characteristics of a good Judge is honesty, integrity and impeccable character. I have not witnessed a man more honest and with higher integrity and character than Jim, and to me these are the hallmarks of a good Judge.

I respectfully urge you to confirm the nomination of James C. McWhinnie as a Judge of the District Court of the First Circuit, State of Hawaii. I will be in attendance at the hearing and available for amplification and/or questions.

Mahalo.

Sincerely,



Denis C.H. Leong

"Bambi" Eden Elizabeth Hifo

1377 Akiahala Street

Kailua, Hawaii 96734

October 29, 2015

The Honorable Gilbert Keith-Agaran
Chair, Senate Judiciary & Labor Committee
Hawaii State Legislature, State Capitol
Honolulu, Hawaii

Re: RESPECTFULLY URGING CONFIRMATION OF
JAMES MCWHINNIE AS DISTRICT COURT JUDGE

Dear Senator Keith-Agaran and Committee Members;

I write to respectfully urge your confirmation of Honolulu attorney James McWhinnie as District Court Judge for the First Circuit. Having known the nominee professionally for much of his legal career and having observed him in circuit court litigation, I find him to possess a keen knowledge of the law, a forthright yet cordial demeanor and an excellent work ethic. As a retired judge, I believe these traits would make him an asset to the judiciary and to those who would appear in his court.

Most of our citizens interact with the judiciary in district courts when involving their own cases or traffic tickets and the like. They seek swift and fair resolutions and deserve a judge who can explain the basis for any ruling and show appropriate compassion or interest in the individual(s) involved. I believe Mr. McWhinney would be such a judge.

Thank you for the opportunity to comment on the nominee and for any favorable consideration you may give to his appointment. Aloha.

Sincerely,

/signature/

Eden Elizabeth Hifo

From: [Jon Gomes](#)
To: [JDLTestimony](#)
Subject: Jim McWhinnie
Date: Friday, October 30, 2015 7:15:21 AM

I would like to state my support of Jim McWhinnie for the position of District Court Judge of the First Circuit. Jim is an extremely credible person and he exemplifies determination, fairness and compassion. I have known Jim for many years and cannot think of a better person to be a Judge.

Jim is the right person for this position.

Thank you for your consideration.

Jon A. Gomes
38 S. Judd Street
Suite 24A
Honolulu, Hawaii 96817

From: [Joyce Jones Alapa](#)
To: [JDLTestimony](#)
Subject: Support for James McWhinnie
Date: Sunday, November 01, 2015 6:44:19 PM

I am a retired Honolulu Police Sergeant and have known James McWhinnie for over 20 years. His nomination for District Court Judge is long overdue and an absolute plus for Hawaii. He is a brilliant, just, and honest man and will be an excellent judge. Joyce Alapa

Sent from Windows Mail

JAMES E. DUFFY, JR.

MEDIATOR/ARBITRATOR/SPECIAL MASTER

A LIMITED LAW COMPANY

October 27, 2015

Senator Gilbert S.C. Keith-Agaran
Chairman, Judiciary and Labor Committee
Room 221
Hawaii State Capitol
Honolulu, Hawaii 96813

Dear Chairman Kieth-Agaran:

I strongly support the nomination of James C. McWhinnie to the District Court of the First Circuit. I have known Jim for over 30 years, having first met him when we played on opposite teams in the Lawyer's Softball League. Subsequently, before becoming a Justice on the Hawaii Supreme Court, I had many litigation matters with Jim, again when we were on opposite sides. Since retiring from the court, I have had several matters with Jim where I was the mediator and Jim was representing one of the mediation participants. As a result of these interactions with Jim over a long period of time, I feel that I know him well.

In my opinion, Jim will make an excellent District Court Judge. His legal analytical skills are excellent, and his extensive and diverse experience both in and out of the Courtroom will serve him well. I know Jim to be a good family man, and of the highest integrity, ethics, and character, with a reputation for keeping his "cool" in "dicey situations which arise on occasion in heated litigation. Importantly for the District Court position, Jim is a genuine "people person" who is humble, relates well to everyone he comes in contact with, and shows respect, both personally, and professionally, to all, whether they agree or not with his or his client's position. In short, his judicial temperament is excellent, and he will be a credit to the Judiciary.

In closing, I strongly support the nomination of Jim McWhinnie to the position of District Court Judge of the First Circuit.

Thank you.



Justice James E. Duffy, Jr. (Ret.)

Kelly Y. Morikone
1003 Bishop Street, Suite #1600
Honolulu, Hawaii 96813

Via e-mail (JDL Testimony@Capitol.hawaii.gov)

Senate Committee on Judiciary and Labor
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Testimony in support of District Court Judge Nominee
James C. McWhinnie
Hearing Date: Tuesday, November 3, 2015
Hearing Time: 9:00 a.m.

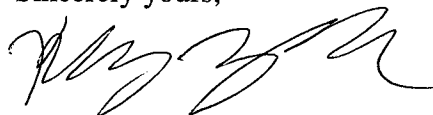
Dear Chair Gilbert Keith-Agaran, Vice-Chair Shimabukuro, and Members Gabbard, Kahele, Mercado-Kim, Thielen, and Slom:

I am writing to express my strong support for the confirmation of James C. McWhinnie for the position of District Court Judge.

I have known Jim McWhinnie for over 3 years. As a new associate, he provided me with invaluable mentorship in the practice of law. He has always been a stellar example of what a lawyer should be: diligent, ethical, organized, a fierce advocate, intelligent, and honest. These qualities along with his extensive experience leading our firm's litigation section for many years will allow him to be an excellent judge. I am certain that as a member of the judiciary, his professionalism, talent and leadership skills will be a benefit to both the judiciary and the State of Hawaii.

I strongly urge you to confirm the nomination of Jim McWhinnie for the position of District Court Judge for the State of Hawaii. Thank you for your time and consideration.

Sincerely yours,



Kelly Y. Morikone

Madeleine M.V. Young
1003 Bishop Street, Suite 1600
Honolulu, Hawai'i 96813

VIA E-MAIL: JDLtestimony@capitol.hawaii.gov

Senate Committee on Judiciary and Labor
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Testimony in Support of District Court Judge Nominee
James C. McWhinnie
Hearing Date: Tuesday, November 3, 2015
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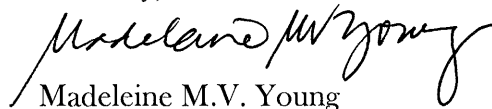
Dear Chair Gilbert Keith-Agaran, Vice-Chair Shimabukuro, and Members Gabbard, Kahele, Mercado-Kim, Thielen, and Slom:

I am writing to express my strong support for the confirmation of James C. McWhinnie for the position of District Court Judge.

Jim has been my mentor at Damon Key Leong Kupchak Hastert since I joined the firm as an associate over two years ago. He has been steadfast in his support since hiring me, and continues to be encouraging, generous with his time and advice, and inspirational to me as a lawyer, a mentor, and as a friend. I know that he holds himself to the highest professional and ethical standards, and his example motivates me to do my best work.

It has been a privilege to work with James C. McWhinnie, and I respectfully urge you to confirm his nomination as District Court Judge for the State of Hawai'i.

Sincerely,


Madeleine M.V. Young



ASHFORD + WRISTON
A LIMITED LIABILITY LAW PARTNERSHIP LLP

MICHAEL W. GIBSON
Direct: (808) 539-0483
Facsimile: (808) 533-4945
mgibson@awlaw.com

October 28, 2015

Senator Gilbert S. C. Keith-Agaran
Chair, Senate Committee of Judiciary and Labor
Room 221, Hawaii State Capitol
Honolulu, Hawaii 96813

Re: James C. McWhinne

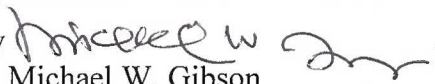
Dear Chair Keith-Agaran:

I write this letter in support of the nomination of James C. McWhinne as District Court Judge of the First Circuit. I have known Jim for over 20 years both professionally and socially. I first met Jim when we played recreational volleyball together. We are no longer playing volleyball but I learned that Jim was a team player and a good sport.

Professionally, Jim possesses undisputed integrity and legal ability. He is honest and truthful. He is fair and compassionate yet willing to make difficult decisions. I think Jim will make an excellent District Court Judge.

I recommend that your Committee confirm the nomination of Jim McWhinne.

Very truly yours,
ASHFORD & WRISTON
A Limited Liability Law Partnership LLP

By 
Michael W. Gibson

MAILING ADDRESS

Post Office Box 131 / Honolulu, HI 96810

STREET ADDRESS

First Hawaiian Center / 999 Bishop Street, Suite 1400 / Honolulu, HI 96813

Michael A. Yoshida
1003 Bishop Street, Suite 1600
Honolulu, Hawaii 96813
(808) 531-8031

VIA EMAIL JDLtestimony@capitol.hawaii.gov

Senate Committee on Judiciary and Labor
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Testimony in Support of District Court Judge Nominee
James C. McWhinnie
Hearing Date: **Tuesday, November 3, 2015**
Hearing Time: **9:00 a.m.**

Dear Chair Gilbert Keith Agaran, Vice-Chair Shimabukuro, and Senators Gabbard, Kahele, Mercado-Kim, Thielen, and Slom:

It is my honor and privilege to write you to wholeheartedly and strongly support the confirmation of **James C. McWhinnie** as a District Court Judge.

Jim and I have been shareholders/directors in the same law firm since 1989. During that time I have worked with him on cases, watched him serve as one of the senior attorneys in our Litigation Department and serve on our Executive Committee. For those many years, I have seen him practice law with expertise, honesty, diligence, organization, and practicality. On very difficult matters, he has dealt with opposing counsel with civility and respect.

I am certain that he will bring these same impeccable qualities to the court. Although the public's gain is our firm's loss and I know that he will administer justice in a way that will make us all proud.

I respectfully urge you to confirm the nomination of Jim McWhinnie as District Court Judge for the State of Hawaii. Mahalo.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Yoshida". The signature is stylized and cursive.

Michael A. Yoshida

From: [Peter Olson](#)
To: [JDLTestimony](#)
Subject: Testimony in Support of James C. McWhinnie's Nomination For Judge of the District Court of the First Circuit
Date: Friday, October 30, 2015 11:07:58 AM

Dear Senator Keith-Agaran and Members of the Committee on Judiciary and Labor:

I am writing in support of the nomination of James C. McWhinnie for Judge of the District Court of the First Circuit.

I have known Jim for around 30 years and consider him a good friend. I first met Jim back when we both played Lawyers League Softball every summer. We were both a lot younger then, and moving a lot faster than we are now. Jim and I are both originally from the Chicago area and share a love of Chicago sports teams: the Blackhawks, the Bears, and Bulls. Luckily for Jim, and sadly for me, he is a White Sox fan and I am a Cubs fan, so while he has been able to experience the joy of seeing the Sox win the World Series back in 2005, I am still waiting ... and hoping.

As an attorney, Jim is both smart and practical, and in the courtroom he is a very skilled advocate for his clients. He is a good listener. When analyzing a legal problem, Jim is a quick study and able to separate the wheat from the chaff. Those are important skills for an attorney, and especially for a judge. Jim is unfailingly courteous to others and I am confident that attorneys and their clients appearing in his courtroom will be treated with respect and dignity.

In short, Jim has demonstrated all of the personal qualities of an outstanding judge, and I consider it an honor to offer my personal support in favor of his appointment.

Thank you for this opportunity to provide comments in support of Jim's nomination.

Peter W. Olson

Peter W. Olson | Partner | [Cades Schutte LLP](#)
Cades Schutte Building | 1000 Bishop Street, Suite 1200 | Honolulu, HI 96813

R. Charles Bocken
1003 Bishop Street, Suite 1600
Honolulu, Hawaii 96813
rcb@hawaiilawyer.com
Tel: (808) 531-8031 Fax: (808) 533-2242

October 26, 2015

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E-MAIL (JDLTestimony@Capitol.hawaii.gov)**

Senate Committee on Judiciary and Labor
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I am writing to express my strong support for the confirmation of James C. McWhinnie for the position of District Court Judge.

I have known Jim McWhinnie for over 20 years since he started with our law firm: He is organized, ethical, diligent, bright, and a fierce advocate. He has led the firm's litigation section for many years, and his extensive energy, experience and knowledge of the law will make him an excellent judge. I am certain that as a member of the judiciary, his professionalism, talent and leadership skills will be a benefit to both the judiciary and the State of Hawaii.

I strongly urge you to confirm the nomination of Jim McWhinnie for the position of District Court Judge for the State of Hawaii. Thank you for your time and consideration.

Very truly yours



R. Charles Bocken

THE LAW OFFICES OF
RICHARD C.F. CHUN
ATTORNEYS AT LAW, A LAW CORPORATION
P.O. BOX 61833
HONOLULU, HAWAII 96839

Of Counsel:
Faye T. Kimura

Telephone: (808) 524-1833
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E-Mail: Chunlaw@hawaii.rr.com

October 28, 2015

The Honorable Gilbert S.C. Keith-Agaran
Chair
Senate Committee on Judiciary and Labor
Hawaii State Legislature
Hawaii State Capitol, Room 221
Honolulu, HI 96813

Dear Senator Keith-Agaran:

Re: James C. McWhinnie

I am writing to you to express my support for the appointment of James C. McWhinnie, "Jim", as a judge for the District Court of the First Circuit, State of Hawaii.

I have known Jim for more than 22 years, first as members of the same club, and, then, as an attorney in Honolulu. During this time we have also become friends, as well as colleagues.

In addition to his practical legal skills and his breadth of knowledge, Jim has always impressed me with his quick intelligence, candor, fairness and excellent grasp of complex legal issues. Perseverance, work ethic, honesty, compassion and expectation that others in the legal profession practice with zeal, but with fairness towards each other and all parties, are all characteristics describing Jim that stand out most strikingly in my mind. He would be an excellent judge, who would bring clarity and respect to the bench.

For these reasons, James C. McWhinnie should be appointed to the position of District Court Judge. He has worked very hard to perform competently in the legal field, and it is my opinion that he has succeeded admirably and will serve our judiciary with equal success.

Please feel free to call me if you wish to discuss this letter.

Very truly yours,



Richard C.F. Chun

From: [Pelletiers Hawaii](#)
To: [JDL Testimony](#)
Date: Saturday, October 31, 2015 10:32:50 AM
Attachments: [image001.png](#)

To whom it may concern,
We would like to submit testimony in support of the confirmation of judicial nominee James C. McWhinnie.

We both have known Jim and his family for many years, primarily through a golf club of which we are all members. He and his wife Stacey are good friends and are extremely cordial. It is always a pleasure to spend time with them.

We've observed Jim's work ethic, dedication and leadership skills in his many instances of service on our club's board, committees and events. Jim is intelligent, an excellent listener, and consistently thoughtful, sincere and honest. His calm yet warm demeanor put people at ease. He's the type of individual who will always measure twice and cut once.

Thank you,
Ronald and Christine Pelletier

Ron & Chris Pelletier

Honolulu Hawaii 96817

Sommerset K.M. Wong
1003 Bishop Street, Suite 1600
Honolulu, Hawai'i 96813

VIA E-MAIL: JDLevidence@capitol.hawaii.gov

Senate Committee on Judiciary and Labor
Hawai'i State Capitol
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Dear Chair Gilbert Keith-Agaran, Vice-Chair Shimabukuro, and Members Gabbard, Kahele, Mercado-Kim, Thielen, and Slom:

I would like to express my strong support for the confirmation of James C. McWhinnie for the position of District Court Judge.

Since I first started at Damon Key Leong Kupchak Hastert as a summer associate in 2013, Jim has been a role model and mentor. As the practice management partner, Jim taught me the importance of being diligent in the practice of law and maintaining integrity in all situations. While at the firm, I also had the honor and privilege of working under Jim's supervision on a few cases. Through these experiences, I have witnessed his impeccable attention to detail, his dedication to ensuring the highest levels of professional and ethical conduct, and his extensive knowledge of the law.

It has been an absolute privilege to work with James C. McWhinnie, and I respectfully urge you to confirm his nomination as District Court Judge for the State of Hawai'i.

Sincerely,


Sommerset K.M. Wong

Testimony of Susan L. Arnett
to the Senate Committee on Judiciary and Labor

November 3, 2015

RE: JC1: Nomination of JAMES C. MCWHINNIE to the District Court of the
First Circuit, State of Hawaii

Senator Keith-Agaran and Members of the Committee:

I write in strong support of the nomination of James C. McWhinnie to the District Court of the First Circuit. I've known Jim for about 20 years. I know him to be a highly respected member of the Hawaii Bar. I have served on various committees with him over the years, sometimes dealing with very controversial subjects. I have been repeatedly impressed with his keen ability to work towards resolution of an issue after carefully considering the merits of the issue and listening to all points of view.

He has had an impressive career in civil law. In addition to his legal advocacy on behalf of clients, he has been involved in the larger profession through his extensive volunteer work on various committees and task forces.

When someone is nominated to the bench, my first question is not so much about their current abilities, although there is no question that Jim possesses the knowledge and demeanor to serve. I am particularly interested in whether this is a person who will continue to learn, who does not think they already know everything they need to know but will challenge themselves to stay abreast of caselaw, of evidentiary rules and of the need to always improve. I believe Jim is such a person. I also believe that he is an ideal addition to the District Court which is the court that most in our community deal with. He will treat all parties with respect and they will know that their side was heard and considered.

I strongly support and urge your approval of Jim's nomination. Thank you for the opportunity to comment.



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

JAMES C. McWHINNIE
District Court Judge, First Circuit

To: Senate Committee on Judiciary and Labor
The Honorable Gilbert Keith-Agaran, Chair
The Honorable Maile S.L. Shimabukuro, Vice-Chair

From: Gregory Markham
President, Hawaii State Bar Association

Hearing: Tuesday, November 3, 2015 at 9:00 a.m.
Conference Room 325
State Capitol

Chair Keith-Agaran, Vice Chair Shimabukuro and members of the Senate Judiciary and Labor Committee, thank you for the opportunity to offer comments on behalf of the Hawaii State Bar Association (“HSBA”) Board of Directors.

The HSBA Board of Directors evaluates the qualifications of persons appointed for judicial office, the position of Hawaii U.S. Attorney and the position of Hawaii State Attorney General. We follow a multi-step process to inform the confirming authority of its findings.

- 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 (see attached).
- 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.
- Meeting of the President, the Executive Director, and the nominee prior to the scheduled interview of the nominee by the Board.

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TESTIMONY

Nomination of James C. McWhinnie

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- 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 Mr. McWhinnie on October 29th to discuss the Subcommittee's findings. On October 30th, Mr. McWhinnie was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Mr. McWhinnie was reviewed and all of the references listed were contacted for their personal opinions and observations. The comments and letters received from HSBA members reflected a strong endorsement of Mr. McWhinnie in all categories of the HSBA criteria which include:

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

After the interview of the nominee, which included dialog and questioning relating to his background, experiences, and reasons for pursuing the position of District Court Judge of the First Circuit, the HSBA Board found Mr. McWhinnie to be **QUALIFIED**.

Mr. McWhinnie's career as a civil litigator and his reputation for being technically proficient and practical, and his ability to grasp legal issues in all aspects of his practice, including complex litigation, is exemplary. These skills will be of benefit as the nominee undertakes civil assignments and begins to prepare for criminal assignments. In addition, his high expectation for civility, honesty and fairness among practitioners and for those in supportive positions corroborates the HSBA Board's decision in finding James C. McWhinnie **QUALIFIED**.

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