

Honolulu, Hawaii

JUN 23 2016

RE: JUD. COM. NO. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
First Special Session of 2016  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred Judiciary Communication No. 2, submitting for study and consideration the appointment of:

DISTRICT COURT OF THE FIRST CIRCUIT

J.C. No. 2            JAMES S. KAWASHIMA,  
for a term to expire in six years,

begs leave to report as follows:

Your Committee has reviewed the resume and statements submitted by the appointee and finds James S. Kawashima meets the requisite qualifications to be appointed to the District Court of the First Circuit, State of Hawaii.

Testimony in support of the appointment of Judge Kawashima was submitted by twenty-seven individuals. Comments regarding the appointee were submitted by the Hawaii State Bar Association Board of Directors.

Judge Kawashima earned his A.B. in English from Princeton University. He later received his Doctorate of Jurisprudence from the University of Southern California Law Center. During law school, he became a finalist in Moot Court and as a result, he was bestowed the honor of arguing before United States Supreme Court Justice Byron White. He currently is a sole practitioner of his own private law practice specializing in labor and employment law, state and federal criminal defense, trust and probate litigation, commercial litigation, and personal injury, although he has devoted himself to his per diem judicial appointment over the last



four years. His prior legal experience includes serving as an Associate in several private law firms in California and Hawaii, Deputy Attorney General for the Hawaii Department of the Attorney General in the Medicaid Fraud Control Unit, and Deputy Prosecuting Attorney at the Department of the Prosecuting Attorney of the City and County of Honolulu in the Special Prosecution Unit. His previous business experience includes ownership of Prestige Learning LLC for which he created an Excel-based performance analysis system for SAT grading and developed SAT programs at Punahou School and Le Jardin Academy, and advising clients in Silicon Valley.

Since November 2010, Judge Kawashima has served as a Per Diem Judge for the District Court of the First Circuit. On the civil trial calendar, he has presided over and mediated cases involving temporary restraining orders, landlord and tenant disputes, and small and regular claim matters. On the criminal trial calendar, he has presided over trials involving petty misdemeanors, misdemeanors, and traffic crimes and infractions. Judge Kawashima is one of the few judges who are trained to preside over the Mental Health Court calendar. Furthermore, he has assisted in updating the District Court training manuals, revising and supplementing the DUI (Driving Under the Influence) bench book, and implementing the Judicial Information Management System, which will accelerate the court's ability to handle a large volume of cases as well as increase litigants' access to filing and public information.

Judge Kawashima is licensed to practice law in Hawaii and California and is an active participant in the legal community. He has served as a judge in high school and law school mock trial competitions as well as a presenter for the Junior Judges Program at Kalihi and Koko Head Elementary Schools. He has previously provided SAT and college application preparation for at-risk youth through Punahou School's PUEO (Partnerships in Unlimited Educational Opportunities) Program and worked with 'Ōlelo Community Television to produce educational programs for SAT, ACT, and LSAT examination preparation and programming regarding restraining orders.

Testimony in support of Judge Kawashima's appointment indicate that he exhibits a strong work ethic, keen intellect, and skillful diplomacy to get to the heart of each dispute without escalating tensions between the parties. He is able to calmly and fairly evaluate the key points of a disagreement and identify an



effective solution for the parties to reach an agreement. As a Per Diem Judge, he has displayed strong legal analytical skills, excellent communication skills, and an even temperament. His broad experience prior to serving on the bench and experience gained as a Per Diem Judge will provide Judge Kawashima with a strong foundation of legal and judicial knowledge from which to draw in District Court.

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

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

  
\_\_\_\_\_  
GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**  
**Consent**

Gov. Msg./Jud. Comm. No.:* <b>JC 2</b>	Committee Referral: <b>JDL</b>	Date: <b>06/23/16</b>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Consent 2347 <span style="margin-left: 200px;"><input type="checkbox"/> Not Consent 2349</span>				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
KAHELE, Kaiali'i	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>7</b>			
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 150px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
<b>Distribution:</b> <span style="margin-left: 20px;">Original File with Committee Report</span> <span style="margin-left: 100px;">Yellow Clerk's Office</span> <span style="margin-left: 100px;">Pink Drafting Agency</span> <span style="margin-left: 100px;">Goldenrod Committee File Copy</span>				

\*Only one Message/Communication per Record of Votes