

DAVID Y. IGE  
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
ADULT MENTAL HEALTH DIVISION  
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1700 LANAKILA AVENUE  
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PHONE: (808) 832-1852 FAX: (808) 832-1855

In reply, please refer to:  
File:

8 September 2016

**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

From: Frederic Manke, PhD, Courts & Corrections Examiner

I am writing to express my heartfelt support for the confirmation of my colleague Dakota Frenz to serve as a District Family Court Judge of the Third Circuit. I first met Cody in 2006 when she was a young Hilo prosecutor and I was newly arrived on the Big Island as a forensic psychologist for the Department of Health. Cody and then-District Court Judge Barbara Takase were gracious and supportive in helping me become part of the Hilo Mental Health Calendar, which gave me frequent and regular opportunities to observe what a gifted professional she is. During the past ten years I have had the pleasure (mostly) of working with every Third Circuit prosecutor and public defender involved in cases with defendants for whom mental health issues could potentially affect fitness to proceed and penal responsibility. Most of these attorneys work hard, many of them are quite talented, but if I could pick just one of them to put on the bench for the next twenty years it would absolutely be Cody. She combines two qualities that aren’t typically found together, not only in attorneys but in other professions where above-average intelligence is pretty much a given. First, like many attorneys Cody is really, really quick intellectually. Second, she doesn’t use that quickness to get by with less work up front; instead, she’s also relentless in preparing for cases and ensuring everyone else involved – people like me – is similarly prepared. As an attorney Cody cares about winning but she also cares about moving cases, a quality I particularly admire in judges and one which will serve her and the community well when she is on the bench.

The Chief Justice made a superb choice in selecting Cody Frenz for the vacant Third Circuit position; when you confirm her you will ensure another consummate professional will be part of the Big Island judiciary for many years to come.

Very respectfully,

A handwritten signature in black ink, appearing to read "F. Manke".

Frederic Manke, PhD  
Forensic Examiner



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

**Dakota K.M. Frenz**  
**District Family Court Judge, Third Circuit**

TO: The Honorable Gilbert S.C. Keith-Agaran, Chair  
The Honorable Maile S.L. Shimabukuro, Vice-Chair  
and Members of the Senate Committee on Judiciary and Labor

FROM: Jodi Kimura Yi  
President, Hawaii State Bar Association

Hearing: Monday, September 12, 2016 at 10:30 a.m.  
Conference Room 325  
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to comment on the nomination of Dakota K.M. Frenz for the position of District Family Court Judge, Third Circuit.

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.
- Appointment of a three-person review Subcommittee of HSBA Board members by the President, which serves as a neutral fact-finding body to review documentation submitted by the nominee, contact references submitted by the nominee, review comments received from the HSBA membership, and conduct follow-up member contact for clarification, if necessary, for presentation to the HSBA Board.
- Submittal of a report by the three-person review subcommittee to the President, and subsequently to the entire Board.

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*Hawaii's Lawyers Serving Hawaii's People*

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

The HSBA President and the Assistant Executive Director met with Ms. Frenz on September 8<sup>th</sup> to discuss the Subcommittee's findings. On September 9<sup>th</sup>, Ms. Frenz was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Ms. Frenz 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 an affirmation of Ms. Frenz 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 her background, experiences, and reasons for pursuing the position of District Family Court Judge of the Third Circuit, the HSBA Board found Ms. Frenz to be **QUALIFIED**.

Ms. Frenz' experience as a Deputy Prosecutor for Hawaii County and as a private practitioner in a small partnership firm which has recently transformed into a solo practice provides a solid foundation for transition to the State Bench. In addition to her practice responsibilities, the nominee is active in the legal community on the Big Island. Ms. Frenz firm commitment to persevere and work hard to pursue the correct application of the law to factual evidence will serve her well in all legal pursuits as a District Family Court Judge for the Third Circuit.

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



Date: September 8, 2016

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To: Senator Gilbert Keith-Agaran, Chair & Senator Maile Shimabukuro, Vice-Chair, and Members of the Senate Committee on Judiciary and Labor

RE: JC1 – Chief Justice’s Appointment Order No. 2016-4

From: Julie Mitchell, Executive Director, Ku'ikahi Mediation Center

Dakota “Cody” Frenz has been a board member of Ku'ikahi Mediation Center since July 1, 2013 and has been co-chair of the Development Committee since February 26, 2014. I interact with Cody on a monthly basis as a board member and much more frequently during the planning and implementation stages of two annual fundraising events, as she heads up our special events task force. In addition, Cody has helped foster partnership efforts between Ku'ikahi and the Hawai'i County Bar Association, on whose board she also sits.

Cody is a thoughtful decision-maker on our board and as a committee co-chair. She likes to explore the various options to an issue, consider the upsides and downsides, and proceed in a collaborative manner once a group consensus has been reached. She also is able to make quick decisions when immediate action is called for, as well as decisive and independent decisions when appropriate. I have never seen Cody lose her cool; she is consistently professional in dress and demeanor.

On our board of directors, Cody is held in high regard. She demonstrates active listening, asks probing questions, and engages in ethical behavior. Cody is honest and trustworthy in how she handles ticket sales and donations for our special event fundraisers. She operates transparently and is extremely accountable. I consider her a person of integrity.

Cody is a smart, compassionate, and competent person. Her inner drive has led her to explore new opportunities, such as applying for this judgeship. Cody has been a valued member of the leadership team at Ku'ikahi. She is thoughtful, reliable, organized, and committed. She maintains a high level of communication with me personally and works hard to excel at the commitments she makes. I believe she would bring a local-style approachability to the bench similar to that of Judge Harry P. Freitas.

I highly recommend that you confirm her as a District Family Court Judge in the Third Circuit.

Please do not hesitate to contact me at [REDACTED] if you need additional information.

Sincerely,

Julie Mitchell  
Executive Director

*a partner agency of the*



Ku'ikahi Mediation Center is a 501(c)(3) nonprofit organization, donations to which are tax-deductible. We welcome your support!

Andrew P. Wilson at Law, LLC

Hilo

September 7, 2016

VIA E MAIL

Senator Gilbert S.C. Keith-Agaran and  
Members of the Senate Judiciary and Labor Committee  
Hawai'i State Capitol  
415 S Beretania Street, Room 221  
Honolulu, Hawai'i 96813

Dear Chair Keith-Agaran and Members of the Senate Judiciary and Labor Committee,

Re: JC1 – Chief Justice's Appointment Order No. 2016-4

Here is a letter of recommendation for Dakota Frenz for the position of Judge, District Family Court of the Third Circuit (Island of Hawai'i). I am a Hilo native and have been practicing law here for 44 years and a recent retired per diem Family and District Court Judge. I believe Dakota Frenz possesses key elements to be an extremely effective judge for the Third Circuit. She is willing to work long hours to be prepared. As a deputy prosecuting attorney, and later in private practice, she was the most prepared lawyer to appear before me in court. She is straightforward, honest and has the necessary temperament. She treats everybody in court with respect, including staff, individuals not represented by an attorney and is willing to listen. She is firm in her decision-making. Finally, while always being an advocate for her client she was always fair and had a way to resolve cases that provided justice for all parties. In other words, if confirmed, she will be willing to work long hours to be prepared, she will make rulings that provide fairness under the law to the parties that appear before her (and in a family court setting, this can be extremely important for future relationships including children). Being born and raised in Hilo and raising her own family here, she knows the community and has the experience necessary to make our community a better place. Plus, as an added bonus, she is young and should be around for years to come!

Very truly yours,



Andrew P. Wilson

APW:bw

**From:** [Anthony K. Bartholomew](#)  
**To:** [JDLTestimony](#)  
**Subject:** Senate Confirmation of Appointment of Dakota Frenz to Family Court of the Third Circuit  
**Date:** Saturday, September 10, 2016 11:53:47 AM

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**TO:** Senate Chair Gilbert Keith-Agarn and Members of the Senate Judiciary and Labor Committee

**RE:** JC1 - Chief Justice's Appointment Order No. 2016-4

**From:** The Honorable Anthony K. Bartholomew  
District Family Court Judge, 3rd Circuit Court (Retired)  
Per Diem District Family Court Judge, 3rd Circuit (Current)

Dear Chairman and members of the Senate Judiciary and Labor Committee,

I am writing to express my strong support and recommendation for the confirmation of the Chief Justice's nomination of Dakota Frenz to the District Family Court bench in the Hilo Division of the Third Circuit. I served as a regular sitting judge in that court from 2008 through my retirement in 2014, and I am presently serving in that court as a *per diem* judge. Prior to my appointment to the bench, I served more or less continuously for eleven years as a Public Defender appearing the that court (primarily in juvenile court and juvenile drug court matters). I know the family court in Hilo and feel that I am as well qualified as anyone to assess the suitability of a prospective appointee to serve in that court.

I have known Dakota (Cody) Frenz for approximately twelve years. When we met, I was a Public Defender working in the District Courts of Hilo, Puna, Hamakua and Waimea, and Cody was one of the Deputy Prosecuting Attorneys assigned to the District Court in Hilo. At that time, I was an attorney with about twenty years of experience, and she was just starting out. Right away, Cody impressed me with her intelligence, diligence and fairness. For a young lawyer, she had good professional skills, and quickly developed into a thoroughly competent practitioner. For several years, we were the assigned PD and DPA in the Puna District Court. We worked opposite one another on a weekly basis for several years, and I believe there is no better way to get to know an attorney than to work opposite them on a sustained basis. During those years I came to know Cody very well. She was always diligent, reasonable and fair, while remaining a vigorous advocate for the State's position and interests.

After I was appointed to the Family Court bench in 2008, I was assigned for several years as the judge in FCCR matters. For much of that time Cody was the prosecutor assigned to that calendar, and I had a good opportunity to assess her performance from the perspective of the bench. After she left the Prosecutor's office and went into private practice, she appeared before me in FCCR matters regularly, and also from time to time in juvenile and TRO proceedings. During her many appearances before me in these various proceedings. Cody was always prompt, diligent, and an effective advocate, whether for the State as a prosecutor, or for her clients in private practice.

I can say without hesitation that I consider Cody completely qualified to sit in the Family Court. I believe that she possesses all of the qualities of intelligence, compassion, diligence, integrity and fairness which are so necessary for effective service as a family court judge.

She will make a fine judge, and I urge you to recommend to the Senate her confirmation as District Family Court Judge for the Third Circuit. Thank you for your consideration.

Very truly yours,

Anthony K. Bartholomew

**From:** [Ariane Moniz](#)  
**To:** [JDLTestimony](#)  
**Subject:** RE: JC1 - Chief Justice's Appointment Order No. 2016-4  
**Date:** Sunday, September 11, 2016 8:07:42 AM

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**TO:** Senate Chair Gilbert Keith-Agaran and Member of the Senate Judiciary and Labor Committee

**FROM:** Ariane C. Moniz

**DATE:** September 11, 2015

**RE:** JC1 - Chief Justice's Appointment Order No. 2016-4

My name is Ariane Moniz and I am currently employed as a Court Clerk for the District Court of the Third Circuit in Hilo, Hawaii. I have been employed by the Judiciary for eight years and have had the pleasure of working with Judges, Attorneys, fellow Judiciary staff and the general public. I have known and worked with Ms. Dakota Frenz over the course of the last 10 years. I would like this letter to serve as a letter of support for both a dear friend of mine and also an amazing, intelligent and highly qualified colleague.

I first met Cody as a Deputy Prosecutor for the County of Hawaii. I was a Student Helper for the Prosecutor's Office and had the pleasure of working and assisting the Deputy Prosecutor's for school credit while I worked towards my degree. Cody was skilled in her job requirements, was always bright and cheerful and was always open to learning new things and taking directives that I knew would take her far in her career. After leaving the Prosecutor's Office, I hadn't seen Cody in a few years as I had moved to Kona to accept a position with the Judiciary. However, in 2010, I transferred back to work at the Hilo Judiciary Complex and was able to reconnect with Ms. Frenz. Soon thereafter, Cody opened up her private practice and I have witnessed her growth and ability to do amazing work almost every day since.

Cody is a punctual, honest, dependable, trustworthy, professional, knowledgeable and a confident person who performs her current job with a great deal of professionalism. She is absolutely qualified for this next endeavor in her life. Cody is witty, has a take-charge personality and is very dedicated to both her clients and her job. She is diligent in and out of the courtroom, well-organized, thorough and consistent with her responsibilities at work. She is also a team player as I witnessed many years of amazing partnership with current Judge M. Kanani Laubach and she gets along and is loved by everyone she meets.

Thank you for your time and consideration in this matter. Should you have any questions, please feel free to contact me at the address and/or phone number above.

Sincerely,



*Ariane C. Moniz*  
Ariane C. Moniz

**From:** [Arlene Y Masulit](#)  
**To:** [JDLTestimony](#)  
**Subject:** JC1 - Chief Justice's Appointment Order No. 2016-4  
**Date:** Friday, September 9, 2016 3:53:40 PM

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 - Chief Justice's Appointment Order No. 2016-4**

From: Arlene Masulit

This is a letter of support of the appointment of Ms. Dakota K. M. Frenz for District Family Court Judge on Hawaii Island. I have known her professionally through my job as a probation officer.

Ms. Frenz is an outstanding no-nonsense defense attorney. Informed and well-prepared, she staunchly defends her clients. She is intelligent and capable of arguing the merits of the case, and she provides meaningful input to consider. There is mutual respect even when we do not agree on the outcome. She is professional, even-temperd and approachable. Although busy running her own law practice, it is impressive she makes time to respond to my phone/email messages. She balances her career with community-involvement, and family.

Ms. Frenz will be an exceptional Family Court Judge. I urge you to confirm her appointment.

Thank you for considering this input.

**From:** [Ashley Gilliland Drake](#)  
**To:** [JDLTestimony](#)  
**Subject:** APPOINTMENT OF DAKOTA FRENZ  
**Date:** Friday, September 9, 2016 8:51:08 AM

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

From: Ashley Miranda

Good morning,

This letter is being written in support of Dakota Frenz being appointed as Family Court Judge.

I have had the pleasure of knowing Ms. Frenz for four years in my work as a probation officer.

As a social worker in Hilo for eight years, I had previous history as working in the adult mental health field, at which time I witnessed her impressive work in court as a prosecutor. Being a probation officer the past few years, I acquired several cases in which she was the attorney representing the defendants on my caseload. What I instantly noticed about Ms. Frenz was her dedication to her clients. I can honestly say that she goes "above and beyond" with the clients she represents. I believe this to be her reputation, as well. She is well-known for doing everything she can for her clients. As a probation officer, I believe that attorneys that are this involved in their clients' cases truly assist them in remaining compliant. Her dedication and ability to build positive rapport is obvious to those of us in the field. Ms. Frenz is approachable and treats defendants with dignity and respect. She is also known as an attorney that is excellent at maintaining communication.

I can't say enough good things about Ms. Frenz's work ethic and reputation. These are characteristics that I believe makes her an excellent candidate for judge. She is professional, articulate, and treats the community with dignity and respect. She would truly be an asset to our community.

Thank you for considering my input in this appointment.

Aloha,  
Ashley R. G. Miranda

TO: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1-Chief Justice's Appointment Order No. 2016-4

FROM: Barbara T. Takase

Dear Senate Chair Keith-Agaran and Members of the Senate Judiciary and Labor Committee:

I write in strong support for the confirmation of the appointment of Dakota Frenz, Esq. to the District/Family Court of the Third Circuit.

I have known Cody, as she is known by most, since she started her legal career as a deputy prosecuting attorney in 2006. She has always been a diligent attorney, working hard from the very beginning of her career, to excel in whatever she has undertaken. Cody appeared before me many times while I was a sitting District Court judge. She was always well prepared, had researched the law and knew her cases well. While Cody was always a staunch advocate, whether she was representing the State of Hawaii as a deputy prosecuting attorney or representing criminal defendants while in private practice, she was also reasonable and sensitive and was willing to work with opposing counsel to reach a settlement that was fair and equitable to both sides. Most of all, Cody upheld her strict ethical standards throughout her career.

Cody has also contributed much to the community participating as a board member of the Kuikahi Mediation Center, volunteering time at the Self Help Center of East Hawaii and the Friends of the Drug Court. These are programs which not only benefits the Judiciary but the community as a whole.

For these reasons, I am confident that Cody will be an asset to the Judiciary. Having recently retired, I am keenly aware of the qualities and skills necessary to be a good District/Family Court judge. I firmly believe that Cody will work hard and put in the time necessary to become an effective District/Family Court judge, and, therefore, wholeheartedly support her appointment to the bench.

Please feel free to contact me at [REDACTED], by e-mail at [REDACTED] or by telephone at [REDACTED] if you need further information.

Very truly yours,



Barbara T Takase

Deputy Chief Judge, District Court of the Third Circuit (Ret.)

**From:** [Ben Gaddis](#)  
**To:** [JDLTestimony](#)  
**Subject:** JC1- Chief Justice's Appointment Order No. 2016-4 - Cody Frenz  
**Date:** Saturday, September 10, 2016 7:37:43 AM

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To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 – Chief Justice's Appointment Order No. 2016-4

From: Ben H. Gaddis, District Court Judge for the Family Court of the Third Circuit, Retired.

I wish to take this opportunity to support the confirmation of Cody Frenz as a District Family Court Judge for the Third Circuit. By way of background I was privileged to serve the people of the State of Hawai'i in this position for over twenty years.

The role of the family court judge in our judicial system is extremely important. The judge of the family court interacts with dozens of Hawai'i's citizens on a daily basis while presiding over cases that litigants will remember for a lifetime. Whether the case involves divorce, child abuse, domestic violence, or any of the myriad of other cases that are the responsibility of the family court, decisions made profoundly affect the families involved. For this reason it is critical that family court judges work hard, be fair, and recognize that most of the people that appear in this courtroom would rather be almost anywhere else.

Ms. Frenz appeared before me as a deputy prosecutor many times when I served as a per diem judge after my retirement. She was a skilled attorney, always prepared and very efficient. She treated the defendant's that she prosecuted fairly and with respect, urging dispositions that I thought were balanced and reasonable. She showed a great empathy and understanding in the way she treated litigants in my courtroom. She is bright and talented and I am sure that she will make a fine family court judge and will serve the State of Hawai'i with distinction.

To: Senate Chair Gilbert Keith-Agaran and  
Members of the Senate Judiciary and Labor Committee

RE: JC1 – Chief Justice's Appointment Order No. 2016-4

From: Bruce A. Larson, Esq.

Date: September 9, 2016

Dear Chairman and Committee Members,

Please accept this letter as my support for Dakota Frenz, Esq., to serve as a District Court judge in the Third Circuit for the State of Hawaii. I am an attorney who has practiced in Hilo the past 24 years, and who has had the privilege of knowing and working with Ms. Frenz. I feel that she is a competent and qualified candidate for the position of District Court Judge. She has an excellent reputation on the Big Island as a practicing attorney emphasizing her work in the fields of criminal and family law. I have also worked with her personally in connection with the nonprofit Kuikahi Mediation Center located in Hilo. The Center contracts with the Hawaii State Judiciary to provide essential mediation services on a "low" or "no" cost basis to persons in East Hawaii. Ms. Frenz and I both served as board members for this organization. I saw first-hand the dedication she exhibited toward supporting the Center through fund-raising, event planning, and coordination of services. Based upon my personal observations, I am assured that she has the temperament, experience, and compassion needed to more than fulfill the requirements of serving as a District Court judge. Our community will be fortunate to have her.

Respectfully submitted,

Bruce A. Larson, Esq. (HI Bar No. 5866)

A large black rectangular redaction box covering the signature area, with a small white square cutout on the left side.

**From:**  
**To:**  
**Subject:** Fwd: Dakota (Cody) Frenz  
**Date:** Monday, September 12, 2016 7:50:24 AM  
**Attachments:** [image001.gif](#)

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**From:** Charles Heaukulani <[charlesheaukulani@outlook.com](mailto:charlesheaukulani@outlook.com)>  
**Date:** September 12, 2016 at 7:00:49 AM HST  
**To:** <[senkeithagaran@capitol.hawaii.gov](mailto:senkeithagaran@capitol.hawaii.gov)>  
**Subject:** **Dakota (Cody) Frenz**

Aloha & good morning Gil. Hope you are well.

First, mahalo much for keeping any eye on my daughter, 'lo (I think she might go by Lilinoe at work), at the capital. Nobody knows better than I that its a full-time job. But I really appreciate the training and experience she is getting, and she talks about you a lot.

Second, I think Cody Frenz' nomination to the Big Island bench is coming before your committee. I like Cody a lot, and she comes from a solid Hilo family (Frank's Foods in Hilo). She is a big support to those of us who practice in East Hawai'i, and she has always been willing to help (formally or informally) if my friends, family or clients need kokua in her area of expertise. I have no hesitation at all in giving her my unconditional support and I think she would be an asset to the judiciary and our community for years to come if she was appointed.

Really appreciate Gil and wish you all the best. Please do not hesitate to contact me if you have questions or if you need anything further at this time.

Aloha no.

Charles M. Heaukulani, Esq.

**From:** [Christine Copes](#)  
**To:** [JDLTestimony](#)  
**Subject:** JC1-Chief Justice's Appointment Order NO. 2016-4  
**Date:** Saturday, September 10, 2016 3:18:12 PM

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To: Senate Chair Gilbert Keith-Aragan and Members of the Senate Judiciary and Labor Committee

Re: JC1-Chief Justice's Appointment Order NO. 2016-4

From: Christine A. Copes

I am writing to offer support for Dakota Frenz for a judgeship for the District Family Court of the Third Circuit, Island of Hawai'i. I have know Dakota (Cody) for most of her life, as her mother is one of my dear friends and was a colleague of mine in the Department of Education, from which we have both retired.

Cody has always been extremely focused and serious about her choices in life. She was determined to do well in law school, so she could return to her hometown of Hilo and serve her community as an attorney. I know her to be tough, but ethical and fair when it comes to dealing with those clients who made poor choices in their lives. She pays attention to details, and does her "homework" so she is well prepared to represent her clients. She certainly took after her mother with this focus and drive, as Marcy (her Mom) was one of the best teachers I have ever known.

Cody applies these same principles to her family life, and understands well the responsibility and hard work it takes to raise a family. I believe that she would make an excellent Judge in the District Family Court of the Third Circuit, as family life is so important to her, and she has the integrity, knowledge and skills to succeed in this position.

Please do not hesitate to contact me if you require further input.

Sincerely,

Christine Copes



**From:** [Dan Cole](#)  
**To:** [JDLTestimony](#)  
**Cc:** [chiefjustice@courts.hawaii.gov](#); [cjensen@westhawaii.com](#); [cstewart@hawaiiherald.com](#); [DonaldTrump](#); [Hawaii Free Press](#); [gilagan@co.hawaii.hi.us](#); [glenns.hara@courts.state.hi.us](#); [greg.k.nakamura@courts.state.hi.us](#); [Gregor Ilijan](#); [Hawaii AG](#); [Senator Hiroko's Office](#); [Chief Police](#); [Representative Tulsii Gabbard](#); [hilegros@co.hawaii.hi.us](#); [letters@hawaiiherald.com](#); [ncookbauer@westhawaii.com](#); [OccupyHiloMedia@yahoo.com](#); [oreilly@foxnews.com](#); [Rep. Joy San Buenaventura](#); [ronald.ibarra@courts.state.hi.us](#); [Sen. Russell Ruderman](#); [tripcityusa@juno.com](#); [TulsiOffice@mail.house.gov](#); [West Hawaii Today](#); [Kenoi William](#)  
**Subject:** Request to Present Testimony and Evidence Before the Senate Against the Judicial Appointment of Dakota K.M. Frenz  
**Date:** Sunday, September 11, 2016 8:44:43 PM

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# TESTIMONY AGAINST the APPOINTMENT of DAKOTA K.M. FRENZ to the Family Court of the Third Circuit.

To: Hawaii State Senate Committee on Judiciary and Labor

RE: Appointment Hearing, Monday, September 12, 2016 Testimony Against the appointment of Dakota K.M. Frenz to the Family Court of the Third Circuit, State of Hawaii, Island of Hawaii:

18 U.S.C. 4 MISPRISION OF FELONY NOTIFICATION to acts and actions involving, or occurring in the presents of, Dakota K.M. Frenz, *et. al.*, while acting under Official Duties, to violation of 18 U.S.C. 1961 through 18 U.S.C 1968 Racketeer Influence and Corrupt Organization Act, (RICO Act).

COMES NOW; Dan A. Cole in Testimony before the Hawaii State Senate Committee on Judiciary and Labor identifying Judicial Records showing that Dakota K.M. Frenz did knowing and knowingly, in an apparent RICO Enterprise conspiracy, in vulgar disregard for the concept of justice and the rights of all people under the authority of the United States of America and the Sovereign State of Hawaii to receive a Fair Trial under the Law, did commit the acts and actions as identified in the Official TRANSCRIPT OF PROCEEDINGS, on Friday, May 23, 2008 before the Honorable William Smith and Friday, February 15, 2008 before the Honorable Wayne C. Metcalf. The Court Transcripts and the language contained therein speaks for themselves in identifying a RICO Enterprise of corrupt public officials, police officers, Judges, Officers of the Court and private citizens involved in an Insurance Extortion Scheme against Senior Citizens in the Puna District, County of Hawaii, State of Hawaii.

The Insurance-Extortion Scheme against Senior Citizens apparently involved a Uniformed Police Officer showing up at the Senior's house stating that there were multiple witnesses that saw the Senior Citizen commit an act of Hit and Run property damage with their vehicle. The Police Officer would confess to the Senior that he did not see the Hit and Run incident and it would be much easier on everyone if the Senior just paid the property owner for the damage that multiple persons witnessed the Senior cause. If the Senior Citizen did not make the suggested payment then a Traffic Citation was issued and the Courts would find the Senior Citizen to be Guilty where the Senior's Auto Insurance provider would be liable for payment of declared Hit and Run property damages. The Court proceedings of Court No. 3DTC-08-024542 clearly identify how Dakota K.M. Frenz, manipulated the Court Proceedings to confuse the Senior where it is blatantly obvious the Senior Citizen did not have a clue about Court Proceedings and was confused and was vulnerable to judicial abuse. In addition the Senior Citizen Defendant was identified in Court Records in the Court Clerk's Office of the District Courts of the 3rd. Circuit as having been found Guilty before the trial conducted on Friday, May 23, 2008 before the Honorable Judge William Smith. The Court Clerk had to obtain a Special Code to amend the Court Record and therefore this claim can be verified by a review of the archived electronic court records. In reviewing the Court Transcripts and the video recordings of the proceedings there can be little doubt by the acts and actions displayed by the Judge, and then Prosecutor Dakota K.M. Frenz, that the Senior Citizen was going to be found Guilty before the Court's trial proceedings even began.

It is noted that the Senior Citizen Defendant in Court No. 3DTC-08-024542 did apparently contact a lawyer for representation before the Court in trial but was informed the attorney fees for the lawyers appearance in court in defense of the Senior Citizen were estimated to be \$1,700.

Trial Transcripts of Court No. 3DTC-08-024542 and the language contained therein speaks for themselves in identifying that Dakota K.M. Frenz did knowing and knowingly commit acts and actions, acting under the Color of Law while conducting Official Duties as an Officer of the Courts, conspired with others to deprive a person, Senior Citizen, of their Rights to a Fair under the Law. A photograph of the cover page, and other pages, of the Trial Transcripts of NO. 3DTC-08-024542 are attached for identification

The attached photograph of the cover page to a 30 June 2008, Complaint of Judicial Misconduct, Criminal Violations of Title 18 U.S.C. 2, 3, 4, 241, 1512, 1513; Violations of Civil Rights Title 42 United States Code, 42 U.S.C. 1983, 1985, 1986; Violations of the Racketeer Influence and Corrupt Organizations Act (RICO Act) 18 U.S.C. 1961 through 1968, *et. al.*, and received by the District Court of 3rd Circuit on 2008 JUN 30 PM 2:36, by Clerk Karen E. Suga, and RECIEVED by the PROSCUTING ATTORNEY COUNTY OF HAWAII on 2008 JUN 30 PM 2:37, identifies government documentation in verifiable evidence of the existence and influence of organized public corruption and apparent membership of a RICO Enterprise operating within the County and State of Hawaii that holds influence over the Courts, elected officials and employees of the County and State of Hawaii.

The acts and actions, or non-acts and actions, by the 3RD Circuit Court and the Hawaii County Prosecutor's office are an admission of participation in, and/or membership to, organized public corruption of a RICO Enterprise by government and court officials acting under the Color of Law to deprive persons of their United States, and State of Hawaii, Constitutional Rights and Freedoms for the profit, and/or, benefit of the Enterprise.

Due to the plethora of documentation on file in numerous government and court records as evidence of a pattern and history of acts and actions of organized public corruption of a RICO Enterprise and the apparent knowing and knowingly acts and actions of Dakota K.M. Franz before the Court shines a spotlight on the influence of a RICO Enterprise over the Courts of the State of Hawaii, I request that this matter be presented to the U.S. Attorney for Hawaii for a review of the aforementioned Court records and documentation submitted and filed with the Courts of the State of Hawaii, RE: Dan A. Cole to identify public corruption and RICO Act violations.

Please NOTE: On September 3, 2016 I was made aware of the Judicial appointment of Dakota K.M. Frenz in an article in the Hawaii Tribune Herald. I have attempted to contact my elected representative Senator Ruderman for information so that I would be able to provide timely, organized and coherent testimony before the Hawaii State Senate in opposition to the referenced Judicial Appointment. As can be seen in the below emails Senator

Rudderman has not replied to multiple requests for said information. In addition Chief Justice Mark Recktenwald has also been made aware of my 18 U.S.C. 4 Misprision of Felony by previous communications with Chief Justice Recktenwald, in addition to the language contained in the September 10, 2016, September 5, 2016 attached emails that were emailed to the ChiefJustice@Courts.Hawaii.Gov

Having not received any replies from my elected representative Sen. Ruderman I conducted an internet search this date, September 11, 2016 and came across an article at DAMONTUCKER.COM dated September 8, 2016 that identified that a Special Session of the Hawaii State Senate would be held from September 13, 2016 through September 14, 2016 to confirm two judicial appointments, one for the District Family Court of the Third Circuit... Senate Hearings on the appointment of Dakota K.M. Frenz would be conducted on Monday September 12, 2016 at 10:30 in Conference Room 325 by the Senate Committee on Judiciary and Labor. It must be anticipated that Sen. Ruderman's failure to respond will be viewed as a knowing and knowingly act and action in support of organized public corruption and evidence of the influence of a RICO Enterprise over Elected Officials, Judges of the State's Courts and the suppression, or denial, of a persons U.S. Constitutional First Amendment Rights to Petition the Government in redress of Grievance.

Thank you for your attention in this matter,

Sincerely,

Dan A.

Cole

----- Forwarded Message -----

**From:** Dan Cole <cole\_hawaii@yahoo.com>  
**To:** "chiefjustice@courts.hawaii.gov" <chiefjustice@courts.hawaii.gov>; "senruderman@capitol.hawaii.gov" <senruderman@capitol.hawaii.gov>  
**Cc:** Greggor Ilagan <greggor.ilagan@hawaiicounty.gov>; "repsanbuenaventura@capitol.hawaii.gov" <repsanbuenaventura@capitol.hawaii.gov>  
**Sent:** Saturday, September 10, 2016 7:28 AM  
**Subject:** Fw: Request to Present Testimony and Evidence Before the Senate Against the Judicial Appointment of Dakota K.M. Frenz

Aloha Chief Justice and Sen. Ruderman,

As of this date I have not received the information I have requested so that I may provide testimony before the Hawaii State Senate in opposition to the appointment of Dakota K.M. Frenz to the position of Family Court Judge.

Aloha,  
Dan A. Cole

----- Forwarded Message -----

**From:** Dan Cole <cole\_hawaii@yahoo.com>  
**To:** "chiefjustice@courts.hawaii.gov" <chiefjustice@courts.hawaii.gov>  
**Sent:** Monday, September 5, 2016 10:26 AM  
**Subject:** Fw: Request to Present Testimony and Evidence Before the Senate Against the Judicial Appointment of Dakota K.M. Frenz

----- Forwarded Message -----

**From:** Dan Cole <cole\_hawaii@yahoo.com>  
**To:** "senruderman@capitol.hawaii.gov" <senruderman@capitol.hawaii.gov>  
**Sent:** Saturday, September 3, 2016 9:54 AM  
**Subject:** Request to Present Testimony and Evidence Before the Senate Against the Judicial Appointment of Dakota K.M. Frenz

Aloha Senator Ruderman,

In reference to the Saturday, September 3, 2016, page A4 Tribune Herald article, "Frenz appointed District Family Court Judge" I request to present extensive court documentation and other evidence, some of which I presented to the County Prosecutors Office, about the apparent existence and operation of a RICO Enterprise of Hawaii County Police Officers, County Prosecutors, Judges and others in what appeared to be a Insurance Fraud Scam against Senior Citizens where a police officer in uniform would appear at the Senior's home stating that there were witnesses that saw the Senior in a Hit and Run property damage and that since the officer did not see the incident it would be easier for the Senior to pay for the damages so no report had to be made. If the Senior refused then a ticket would be issued and the judicial process was rigged to find the Senior guilty where the insurance company was then on the hook for payment and the Senior could face civil, or threat, of future civil action.

I meet with Hawaii County Prosecutors and presented this evidence and court records of Dakota Frenz's action before per diem Judge Smith, a former County Prosecutor that had previously worked with Frenz, where the court records identified actions of a vulgar disregard for the Rule of Law by both the Judge and Prosecutor Frenz, and the appearance of mis/mal justice of a Kangaroo Court, convicted and fined the Senior.

**It is also noted that Court Records identified in the Court Clerk's Office stated that the Senior was found and judged to be Guilty BEFORE the trial involving Judge Smith and Dakota Frenz.**

It appears just after I presented this RICO evidence to the County Prosecutors Dakota K.M. Frenz was no longer a Deputy County Prosecutor.

I will be retrieving this documentation from my archives to present before the Hawaii State Senate in opposition against the Judicial appointment of Frenz and to expose organized public corruption of RICO Enterprise actions within the Hawaii County Police Department, County Prosecutors Office and the Courts as an Overt Discovery of organized public corruption and RICO Act violations.

I request you provide me with the information on how to submit this evidence and testimony before the Hawaii State Senate.

Thank you for your concerns in this matter.

Aloha,

Dan A. Cole

CC: Chief Justice Mark E. Recktenwald via USPS mail.

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE WAYNE C. METCALE, Judge presiding,  
Friday, February 15, 2008.

APPEARANCES:

For the State: **DAKOTA FRENZ**  
Deputy Prosecuting Attorney  
County of Hawaii  
655 Kilisea Avenue  
Hilo, Hawaii 96720

96749

421, 4MR

County of Hawaii

IN THE DISTRICT COURT OF THE THIRD CIRCUIT  
STATE OF HAWAII

STATE OF HAWAII, 3DTC-08-024542  
vs. TRANSCRIPT OF PROCEEDINGS  
HAMILTON S. COLE, Defendant. ORIGINAL

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE WILLIAM SMITH, Judge,  
District Court, Friday, May 23, 2008  
(Transcribed from audio recording)

TRIAL

APPEARANCES:  
For the State of Hawaii: **DAKOTA FRENZ**  
Deputy Prosecuting Attorney  
Pro. Co. Defendant: HAMILTON COLE

REPORTED BY  
Audrey Tanouye, CSR 225  
Official Court Reporter  
State of Hawaii

THE COURT: Mr. Cole.

**MS. FRENZ:** Judge, this is charged as a  
infraction. No jail time.

THE COURT: Okay, this is an accident, an  
allegation of an accident, striking unattended vehicle on  
property, alleged to have occurred on January 21 of this  
year. Um, you can admit or -- or deny.

THE DEFENDANT, MR. COLE: I deny hitting it.

THE COURT: Okay, so what -- what the Court is  
gonna do then is set this matter for trial. However, you  
can informally explain to the COURT today what went --

THE DEFENDANT: I have it here.

THE COURT: -- what happened, and the Court can  
accept or reject your defense. If the Court rejects it, you  
can ask for a regular trial.

THE DEFENDANT: Here it is, if you wanna read  
it.

THE COURT: Well, why don't, you know, a mini  
trial, just explain it. You can use that at a regular trial  
if I find against you.

THE DEFENDANT: So -- so what's the procedure  
now?

Q. BUT he was in the area?

A. Yes, he was.

Q. Specifically in the parking lot?

A. Yes.

Q. Everything you testified to today occurred  
within the district of Puna, County and State of Hawaii?

A. Yes.

MS. FRENZ: Nothing further.

THE COURT: Mr. Cole, do you have any  
questions of Officer Stevens?

MR. COLE: Not that I know of.

THE COURT: Any redirect?

MS. FRENZ: No, Your Honor.

THE COURT: Officer Stevens, thank you very  
much.

MS. FRENZ: State rests.

THE COURT: Mr. Cole, do you have any  
witnesses to call?

MR. COLE: No.

THE COURT: Do you wish to testify?

MR. COLE: Yeah, I'll give you this --

MS. FRENZ: Wait, just a moment.

THE BAILIFF: Stand and raise your right  
hand, sir. You solemnly swear that the testimony you  
shall give in the matter before this Court shall be --

THE DEFENDANT: I wouldn't --

THE DEFENDANT: I wouldn't --

THE DEFENDANT: I wouldn't --

THE DEFENDANT: I wouldn't --

THE DEFENDANT: I wouldn't --

THE DEFENDANT: I wouldn't --

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THE DEFENDANT: I wouldn't --

THE DEFENDANT: I wouldn't --

09 11 2016 17 31

30 June 2008

TO: Wayne C. Metcalf, JD2404  
Judge  
District Court of the Third Circuit  
State of Hawaii

2008 JUN 30 PM 2: 36

DISTRICT COURT OF  
3RD CIRCUIT  
CIFRK KAREN E. SUGA

TO: William E. Smith, JD2080  
Judge  
District Court of the Third Circuit  
State of Hawaii

TO: Jay T. Kimura, JD2497  
Prosecuting Attorney  
Office of the Prosecuting Attorney  
County of Hawaii

TO: Dakota K.M. Frenz, JD008468  
Deputy Prosecuting Attorney  
Office of the Prosecuting Attorney  
County of Hawaii

FROM: Dan A. Cole  
Citizen  
United States of America  
P.O. Box 630  
Keaau, Hawaii 96749  
Telephone: 808-966-9229

PROSECUTING ATTORNEY  
COUNTY OF HAWAII

2008 JUN 30 PM 2: 37

RECEIVED

- SUBJECT: 1. Complaint of Judicial Misconduct, RE: Metcalf, Smith  
2. ODC Complaint, RE: Metcalf, Smith, Kimura, Frenz  
3. Criminal Violations of Title 18 United States Code,  
18 U.S.C. § 2, 3, 4, 241, 1512, 1513.  
4. Violations of Civil Rights Title 42 United States Code,  
42 U.S.C. § 1983, 1985, 1986.  
5. Violations of the Racketeer Influenced and Corrupt  
Organizations Act, (RICO Act), 18 U.S.C. § 1961 through  
18 U.S.C. § 1968.  
6. Impeachment, RE: Jay T. Kimura  
7. MORAL TURPITUDE

1.

EXHIBIT "B" COPY

09.11.2016 18:02

Derek K. Kalai  
Deputy Sheriff/Football Coach

Friday September 9, 2016

To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 – Chief Justice’s Appointment Order No. 2016-4 appointing Dakota K. Frenz

I am writing this letter on behalf of my dear friend and colleague Dakota Frenz known to us as Cody. I have been a deputy sheriff for 13 years and have known Cody for well over ten years as a government servant as well as being her son Kolton’s track and field coach. Cody has played a vital role in our law enforcement community for many years as a deputy prosecuting attorney and a private defense attorney. She has always been a responsible, hard working, conscientious, and highly intelligent public servant and transitioned all too well as a private attorney. My belief is that her transition from government service to private attorney was so seamless because of her fairness, integrity and respect for all people no matter the socio-economic status, race, color or cree. I have seen Cody’s commitment to community service as she played a vital role in the Hawaii State Bar Associations Hawaii Island Chapter committing to many activities that service our youth and our community at large. I believe she will make an outstanding judge because of her commitment to Hawaii Island, to the People of Hawaii, and to our society as a whole. In support of Codys achievements, I humbly and respectfully ask that you confirm the appointment of Dakota Frenz as Hawaii Island Family Court Judge.

Respectfully,

DEREK K.KALAI

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Testimony in support of Dakota K.M. Frenz  
**Date:** Sunday, September 11, 2016 5:08:55 PM

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To: Senate Chair Gilbert Keith-Agaran and Members of the Senate  
Judiciary and Labor Committee

RE: JC1 – Chief Justice's Appointment Order No. 2016-4

From: Douglass S. Adams, Esq.

Simply, Cody Frenz is the absolutely right choice for this judgeship. I commend the Chief Justice for his selection of Cody for the District Family Court of the Third Circuit. In addition to being a fellow Hawaii County Bar Association member with Cody, I have been fortunate to work with her on the board of the Kuikahi Mediation Center, where she has a leader in supporting alternative dispute resolution services. She, of course, has an excellent reputation as an attorney and will be an outstanding judge.

I wholeheartedly recommend the committee unanimously report out Cody Frenz to the Senate for confirmation as judge of the District Family Court of the Third Circuit.

Mahalo for your consideration of my testimony.

v/r  
Doug Adams  
Hilo, Hawaii

DOUGLAS L. HALSTED  
ATTORNEY AT LAW

---

899 ULULANI STREET, SUITE 4  
HILO, HAWAII 96720  
TELEPHONE (808) 961-5566  
e-mail: halstedlaw@hawaiiantel.net  
FAX: (808) 961-5972

September 8, 2016

To: Senate Chair Gilbert Keith-Agaran and  
Members of the Senate Judiciary and Labor Committee

Sent via Fax

RE: JC1 – Chief Justice's Appointment Order No. 2016-4  
Dakota (Cody) Frenz Candidate for District Family Court  
Judge in the Third Circuit

My name is Douglas Halsted. I am a Hilo resident and have been licensed as an attorney since 1969. I have known Ms. Frenz for over ten years. My professional contact with her has been when she served as a prosecutor, worked as a defense attorney and in family court cases.

Ms. Frenz has excellent legal skills, knows courtroom procedures, the rules of evidence and has good rapport with the judges and the court staff.

Among her colleagues she has a reputation for being fair and honest and is well liked. She is a humble person and respectful of others. I think these traits will serve her well on the bench.

She is a great candidate for this position and will do an excellent job on the bench.

I recommend Ms. Frenz without any reservations and hope you will act favorably on her nomination.

Should you have any questions, feel free to contact me.

Very Truly Yours,

  
Douglas L. Halsted



September 9, 2016

**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

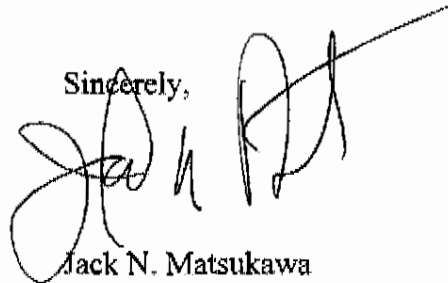
**RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

From: Jack N. Matsukawa

I am writing in support of Dakota Frenz appointment as Family Court Judge in the Third Circuit. I am a Deputy Prosecuting Attorney and I worked with Ms. Frenz while at the Hawaii County Prosecutor’s Office. I found her to be a very hard-working and diligent worker. I think she would make a fine Family Court Judge.

If you have any questions you can call me at . Thank you for your time and consideration in the matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jack N. Matsukawa', with a long horizontal line extending from the end of the signature.

Jack N. Matsukawa

**From:** [Jacob Obermiller](#)  
**To:** [JDLTestimony](#)  
**Subject:** JC1 – Chief Justice's Appointment Order No. 2016-4  
**Date:** Saturday, September 10, 2016 2:19:40 PM

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To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 – Chief Justice's Appointment Order No. 2016-4

From: Jacob Obermiller

I am writing this email to show my support for Cody (Dakota) Frenz to be confirm for the position of Family Court District Judge. I do not want to write a long drawn out letter but I do not know anyone else who is more qualified for this position than Cody. Cody has great integrity and fairness when it comes to the law and she will continue to show these qualities as the newest Family Court District Judge.

Thank you for your time,

Jacob Obermiller

JAMAE K. K. KAWAUCHI  
ATTORNEY AT LAW  
A Limited Liability Law Company  
899 Ululani Street, Suite 4  
Hilo, Hawaii 96720  
Tel. No.: 808-494-7339  
Fax No.: 1-888-510-6082

Sent via facsimile transmission to 1-808-586-7348

Regarding: JCI - Chief Justice Appointment Order No.  
2016-4 Dakota (Cody) Frenz Candidate For  
District Family Court Judge in the Third  
Circuit, State of Hawaii.

My name is Jamae Kawauchi. I am a Waimea resident and I have been licensed as an attorney in the State of Hawaii since 1999. I have known Ms. Frenz for over ten (10) years. My professional contact with her has been when she served as an intern with the County of Hawaii Prosecuting Attorney's office, as a Prosecutor, and as a private practice attorney in criminal defense and family law cases.

Ms. Frenz has excellent legal skills, knows courtroom procedure, the rules of evidence and she gets along well with Judges, court staff and attorneys.

Among her colleagues she has a reputation for being smart, fair and honest and she is well liked. She knows this community well. She is an excellent candidate for this position and she will do an excellent job on the bench.

I recommend Ms. Frenz without reservation. Please act favorably on her nomination.

Should you have any questions, please contact me.

Very truly yours,

  
JAMAE K. K. KAWAUCHI, ESQ.

Jennifer D.K. Ng, Esq.  
Ng & Patel, LLP  
120 Pauahi Street, Suite 310  
Hilo, Hawaii 96720

September 11, 2016

Committee on Judiciary and Labor  
Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
State Capitol, Conference Room 325  
415 South Beretania Street  
Honolulu, Hawaii 96815  
via email [JDLTestimony@Capitol.hawaii.gov](mailto:JDLTestimony@Capitol.hawaii.gov)

**Re: JC1 – Chief Justice’s Appointment Order No. 2016-4**

Dear Senator Keith-Agaran, Senator Shimabukuro and Committee Members:

I am writing with regard to Dakota (Cody) Frenz’s nomination for judge of the Family Court of the Third Circuit. I have known Ms. Frenz since 2012, as we opposed each other in court when she was a deputy prosecutor and I was a deputy public defender. Over the years, I got to know her as a fellow member of the criminal defense bar and as a friend. Ms. Frenz has the work ethic and family values necessary to be a valuable addition to the Judiciary.

As an attorney, Ms. Frenz has proven herself to be diligent, enthusiastic and hard-working. She is known for zealous advocacy on behalf of clients charged with criminal offenses and very often successfully negotiated plea agreements on their behalf. Further, her temperament and ability to maintain her composure will suit her well on the bench.

Ms. Frenz is dedicated to both her family and our community. Having spent time with her socially, I know the importance she places on family and have observed her and her husband Mike in their efforts to develop strong character in their two sons. Ms. Frenz also devotes many hours to community service as evidenced by her work with the Kuikahi Mediation Center and the Friends of Drug Court.

Thank you for your time and consideration of this letter of support.

Sincerely yours,

/s/

Jennifer D.K. Ng, Esq.

**From:** [Jennifer Wharton](#)  
**To:** [JDLTestimony](#)  
**Subject:** letter of support  
**Date:** Saturday, September 10, 2016 1:19:10 PM

---

To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1-Chief Justice's Appointment Order No. 2016-4

From: Jennifer A. Wharton

I am a Criminal Defense lawyer in Hilo, Hawaii and have been since 2002. Although Hilo is a small town, there are a handful of people who stand out in my mind. Ms. Frenz is one of them. I first met her when she was a Deputy Prosecuting Attorney. She was firm, yet polite and business minded. She never gossiped nor argued about petty issues. Dealing with her on the opposite side, she was always well organized, objective, and calm. She always came well prepared and knew the strengths and weaknesses in her cases. She was always willing to listen to my arguments and consider my reasoning. Since she went into private practice and became a Criminal Defense attorney as well, I have continued to admire and respect her. Due to her having been a Prosecutor, I have gone to her for advice on cases on several occasions when I needed to know how to do something which her experience would have knowledge of. She has continued to be a good friend and conduct her business with respect and dignity. I am certain that she will be an excellent addition to the third circuit Judiciary staff as a Judge.

**From:** [John T. Talich](#)  
**To:** [JDLTestimony](#)  
**Date:** Thursday, September 8, 2016 10:07:18 PM

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To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 – Chief Justice’s Appointment Order No. 2016-4

From: John Talich

Dear Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee,

In a few days you will be tasked with whether or not to confirm Dakota (Cody) Frenz who was recently appointed to the bench by Chief Justice Recktenwald. If you knew Cody the way I know her then her confirmation would be a foregone conclusion.

After 11 years as a police officer on the Big Island I attended law school at UH-Manoa and graduated in 2004. I returned to the Hawaii County Police Department in 2005 and met Cody in 2007 where she was working as a deputy prosecuting attorney. During my first court case with her I was impressed with her competence during direct examination. At that time I was considering leaving the police department and applying at the prosecutor's office as an attorney and remember thinking that she was someone I should emulate. Several years and court cases later she still continued to impress me with her ability to apply the law to the facts and her ability to communicate effectively with opposing counsel, victims and witnesses.

Before I returned to the police department I was fortunate enough to clerk for Judge McKenna, who is very passionate about her duty as a judge. Hearing both parties and making sure her decisions were grounded in the law and that justice was served was the driving force behind her decisions despite the possibility of being overturned. Cody is the same way. Getting to know Cody over the years I couldn't help but notice the similarities with her and Judge McKenna. Judge Frenz would bring the same passion and temperament to the bench. I'm confident that Cody, like judge McKenna, would understand the affect her decisions would have on people and would calmly and courteously listen to all sides of a debatable position.

Over the years I have also come to know Cody and her family on a personal level as both of our 4 year old sons play on the same soccer team. Cody is a loving mother and devoted wife and her Big Island roots run deep. She cares deeply about her community and will be committed to faithfully executing her duties as a judge with the highest integrity.

Thank You,

John Talich

**From:** [John Veneri](#)  
**To:** [JDLTestimony](#)  
**Subject:** Fw: JC1-Chief Justice's Appointment Order No. 2016-4  
**Date:** Thursday, September 8, 2016 7:42:39 AM

---

On Wednesday, September 7, 2016 8:41 PM, John Veneri

wrote:

John M. Veneri,Sr

September 7, 2016

To: Senator Gilbert S.C. Keith-Agaran, Chair, Committee on Judiciary and Labor  
Members of the Senate Judiciary and Labor Committee

Re: JC1-Chief Justice's Appointment Order No. 2016-4

Dear Senator Keith-Agaran,

This letter is in support of the selection of Dakota Frenz for the position of District Family Court Judge here in Hilo, Hawaii.

I am a retired Honolulu Police Officer having served in the City and County of Honolulu for over 25 years. I retired in 2006 and have made my new home in Hilo. I am currently employed as an Investigator with the Hawaii Investigative Group.

I first met Dakota in 2006, after becoming affiliated with the Hawaii Investigative Group. I worked on a Court Appointed case with Dakota. Since that time, I have had the opportunity and pleasure to work with Dakota on several court appointed cases. I was always impressed by Dakota's honesty and her dedication to both her family and her career, and just how hard she worked. There was never any doubt that she was extremely competent and thorough as an Attorney. Dakota has shown many times a depth of her character and compassion for her fellow man that will serve her as a Judge for all people.

I respectfully request and strongly recommend the appointment of Dakota Frenz, and am humbled by the opportunity to offer my support. The community will be well served and a better place should Dakota Frenz be appointed to the District Family Court here in Hilo.

Yours Truly,

John M. Veneri Sr  
Honolulu Police Department, Retired



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** \*Submitted testimony for JC1 on Sep 12, 2016 10:30AM\*  
**Date:** Friday, September 9, 2016 10:32:38 AM

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**JC1**

Submitted on: 9/9/2016

Testimony for on Sep 12, 2016 10:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joshua	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:** [Justin Haspe](#)  
**To:** [JDL Testimony](#); [Sen. Gilbert Keith-Agaran](#)  
**Subject:** JC1 – Chief Justice's Appointment Order No. 2016-4  
**Date:** Thursday, September 8, 2016 9:45:18 AM

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**Re: JC1 – Chief Justice's Appointment Order No. 2016-4**

**From: Justin P. Haspe**

I am writing in support of Dakota Frenz as District Family Court Judge for the Third Circuit. I believe that Ms. Frenz is the most qualified person for the position. Her experience is unmatched, because she has been both a successful Deputy Prosecuting Attorney, and also a successful private attorney. This experience as both a government attorney and a private attorney makes Ms. Frenz the most prepared to succeed as a Judge, as she has taken on many different roles and clients during her time practicing law.

I have witnessed Ms. Frenz representing her clients on countless occasions in both District and Circuit Court, and it always strikes me that she is consistently one of the most prepared attorneys. This advance preparation is supremely important to the success of an attorney and judge alike.

Thank you for considering this letter when making your decision regarding the Senate confirmation of Ms. Frenz.

Respectfully submitted,

Justin P. Haspe  
Associate Attorney  
Crudele & De Lima

**From:** [Keith Shigetomi](#)  
**To:** [JDLTestimony](#)  
**Subject:** JC1-Chief Justice's Appointment Order No. 2016-4  
**Date:** Friday, September 9, 2016 10:31:05 PM

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Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

I am writing to support the confirmation of Dakota Frenz as District Family Court Judge of the Third Circuit. I am an attorney in private practice, with my office in Honolulu. I have regularly represented clients in Hilo for almost twenty years. I became acquainted with Ms. Frenz when she was a young deputy prosecuting attorney in Hilo. While I did not have much dealings with her while she was in that position, I was aware that she was held in high regard by the Hilo bar.

It has only been in the last couple of years when I have had regular contact with Ms. Frenz. I took over the representation of a client from her and we have jointly represented another client. As an attorney, I found Ms. Frenz to be well organized and well prepared. I had frequent consultations with her which were extremely productive due to her knowledge and insight. However, what impressed me the most was her deep concern and caring for the personal and legal welfare of her clients. They were more than an obligation to her. She had a sincere desire to help them. The District Family Court is the people's court with an emphasis on the family. It is the court most likely for the average person to appear before; the front guard of the Judiciary. A judge who will represent the Judiciary well should be selected. Ms. Frenz fits that bill.

While her knowledge and work ethic easily qualify her to be a judge, it is her respect for each individual who crosses her path which will cause her to excel as a judge.

I support the confirmation of Dakota Frenz.

Keith S. Shigetomi.

**From:** [KEVIN HASHIZAKI](#)  
**To:** [JDLTestimony](#)  
**Subject:** RE: JC1 – Chief Justice's Appointment Order No. 2016-4  
**Date:** Sunday, September 11, 2016 8:45:34 PM

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To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 – Chief Justice's Appointment Order No. 2016-4

From: Kevin S. Hashizaki

I am sending this letter in support of Ms. Frenz for the Family Court Judge of the Third Circuit. I have known Ms. Frenz in her capacity as a deputy prosecutor and defense counsel for over a decade.

It is my belief that Ms. Frenz will serve the people of the Big Island well in her capacity as a judge for the Third Circuit. Ms. Frenz has the right temperament and will display the proper decorum that one would expect from a judge.

I don't have any hesitation in offering my support for Ms. Frenz.

**From:** [Laurie Wells](#)  
**To:** [JDLTestimony](#)  
**Subject:** JC1 – Chief Justice's Appointment Order No. 2016-4  
**Date:** Saturday, September 10, 2016 3:23:52 PM

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From:  
Laurie Frances Blake

**TO: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 – Chief Justice's Appointment Order No. 2016-4**

Dear Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee,

I am writing to you on behalf of my longtime friend and client Dakota Frenz. I am a cosmetologist at Salon Kris in Hilo Hawaii. I have known Dakota for over 24 years and watched her grow and mature over those years. I have always admired her drive to be and do whatever she wanted to.

A few years ago I was selected for jury duty and our case was postponed. Meanwhile I ran into Dakota and mentioned my jury duty case and how I couldn't help but feel the defendant was guilty due to the numerous charges. I realize now that I shouldn't have pre judged this person. Dakota was seriously distressed at my admission. She told me "oh no!! Please don't tell me that!! ". The next day Dakota called me and apologized for having to report what I told her both to the judge and the defendants attorney. I wasn't angry but very impressed at her devotion to the profession she has chosen.

I whole heartedly believe that Dakota will always be very honest and true to her oath as an upstanding attorney.

Sincerely,

Laurie Frances Blake

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**TORKILDSON, KATZ, MOORE**  
**HETHERINGTON & HARRIS**

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ATTORNEYS AT LAW, A LAW CORPORATION  
120 PAUAAHI STREET, SUITE 312  
HILO, HAWAII 96720-3048  
TELEPHONE (808) 961-0406 • FACSIMILE (808) 961-3815

LINCOLN S. T. ASHIDA  
DIRECT DIAL: (808) 747-8317  
E-MAIL: [LSA@TORKILDSON.COM](mailto:LSA@TORKILDSON.COM)

September 9, 2016

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

Dear Chairman Keith-Agaran and Committee Members:

**RE: JC-1 Confirmation of Dakota K. M. Frenz to the District Family Court of the Third Circuit**

It is an honor to submit this letter in support of the confirmation of Dakota K. M. Frenz (“Cody”) to the District Family Court of the Third Circuit. I have known Cody for the past ten years, have worked with her and interacted with her socially, and feel that I am able to provide a candid assessment of her strengths that will make her an excellent judge.

During her work as a Deputy Prosecuting Attorney, Cody handled her cases diligently and fairly, and always sought justice. She interacted frequently with her office mentors and other senior attorneys, and never thought she “knew it all.” It was refreshing to watch her grow as an attorney. In her private practice, I often sought out Cody’s advice on various legal matters in her area of expertise. She was always accessible, gave me the time of day, and was thorough in the counsel given me.

Socially, you can always count on Cody to greet you with a smile. She is always appropriate and will be a fine representative of the bench in Hawaii and our community.

Based on the foregoing, I would unqualifiedly recommend Dakota K. M. Frenz for your consideration. She possesses the professional and social qualities most admired in our profession. Thank you for this opportunity to provide input.

Very truly yours,



Lincoln S. T. Ashida

**From:** [Lloyd Van De Car](#)  
**To:** [JDL Testimony](#)  
**Subject:** Confirmation of Dakota Frenz to the Family Court of the Third Circuit  
**Date:** Friday, September 9, 2016 9:48:51 AM

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I strongly endorse Ms. Frenz' appointment to the position I retired from on August 1st of this year. Cody appeared before me hundreds of times in my nine years on the bench. She was always prepared, always cordial, always willing to work with the opposition while advocating for her client, and always capable of understanding and working with the court's decisions.

Cody is and has been for years a hard working and responsible member of Hilo's legal community and the community at large. Of the attorneys who have applied and been appointed recently in the Third Circuit, I cannot think of one I would recommend more highly than Cody Frenz. With his appointment, Chief Justice Recktenwald has given the Big Island the opportunity to have a smart, diligent, competent judge for many years to come.

Based on my experience with Cody in the courtroom and in chambers conferences, I have no questions at all about her integrity. When she represented something to me or to opposing counsel in court or in chambers I had no doubt that those representations were true and complete. Whenever there was a trial or an evidentiary hearing Cody's representations were substantiated. Her integrity was not only admirable, it made things work better and faster because the court and opposing counsel trusted what Cody was saying.

Most of Cody's appearances before me were as a Deputy Prosecuting Attorney on the Family Court criminal abuse calendar. She knew the relevant substantive and procedural law as well or better than any other prosecutor, public defender, or private defense counsel that appeared before me in the years I heard that calendar. When cases went to trial Cody was prepared with evidence and law to meet the State's burden of proof. When there was a plea agreement, it seemed appropriate based on the facts of the case as I knew them. Cody was third in the line of what I believe has been a string of four deputies dedicated to the victims of intimate partner domestic abuse. As far as I could tell, Cody committed herself to effectively prosecuting these cases.

In the years after Cody left the Prosecutor's Office she appeared before me less frequently, representing clients in a number of different kinds of family court matters. Cody has not appeared before me frequently enough in divorce, child custody, child support or CPS case for me to comment on her experience in these areas, but I am confident that she will put in the time necessary to effectively handle these cases.

Based on what I have observed, I believe Cody will act on the bench the way she has acted as an attorney. She works hard, respects the work and opinions of others, listens thoughtfully, states her positions and explains her decisions clearly. I have seen her work with difficult clients in a way that inspires their trust and confidence while still addressing the requirements

of the pending litigation. In short, Cody handles things well and in a way that gives everyone confidence in the court's processes.

Cody is a member of the board of directors at Kuikahi Mediation Center. She is an active member, participating in the organization's community events and fundraising. I am not certain what other community service activities she might be involved in. I do not know Cody socially at all. I do know that she is married and has children. I am not aware of any financial or health issues that would adversely impact her ability to fulfill the duties of her appointment.

Cody has the skill, drive, and temperament to succeed at whatever legal goal she sets out to accomplish. The fact that she wants to devote her talents to the Family Court is an opportunity for both the judiciary and the people of the Big Island. I believe she is highly qualified for the position and urge you to confirm her.

I am currently in Louisiana, but please call me if you have any questions.

Lloyd Van De Car



**From:** [Lorenzo Artienda](#)  
**To:** [JDLTestimony](#)  
**Subject:** RE: JC1-Chief Justice's Appointment Order No. 2016-4  
**Date:** Sunday, September 11, 2016 11:36:41 AM

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate  
Judiciary and Labor Committee**

**RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

**From: Lorenzo ARTIENDA**

Aloha,

I am writing this letter in support of Dakota FRENZ. I have known her for several years and have always been impressed with her professionalism both in her position as a deputy prosecutor as well as in her position as a defense attorney in her own practice.

In my dealings with her, I have seen that she has a genuine care for the community as well as for the legal profession. I believe that she has the knowledge and experience to make an excellent judge.

**From:** [Lucas Burns](#)  
**To:** [JDLTestimony](#)  
**Subject:** RE: JC1 - Chief Justice's Appointment Order No. 2016-4  
**Date:** Saturday, September 10, 2016 2:28:57 PM

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To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 - Chief Justice's Appointment Order No. 2016-4

From: Lucas C. Burns

Date: September 10, 2016

I am writing in support of the Chief Justice's appointment of Ms. Dakota K.M. Frenz to the position of District Family Court Judge of the Third Circuit.

As a deputy prosecuting attorney, I have worked with Ms. Frenz, and have handled cases against her. Ms. Frenz has always been passionate about her work. She is thoughtful, fair, and a very talented attorney. She possesses a professional temperament and has an in-depth knowledge of the rules of evidence and court rules. She is articulate, energetic, and always a strong advocate for her clients.

I have no doubt that Ms. Frenz will be a very competent judge for the Big Island.

Thank you for your time,  
Lucas C. Burns

Maria Justo

September 09, 2016

To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 -- Chief Justice's Appointment Order No. 2016-4  
Judicial Nominee: Dakota Frenz  
District Family Court of the Third Circuit (Island of Hawaii)

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

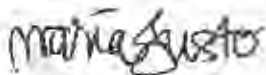
This letter is in support of the selection of Dakota Frenz for the position of District Family Court Judge in Hilo, Hawaii.

I have known Dakota 'Cody' Frenz on a personal level for the past 19 years. Cody has demonstrated loyalty, dignity, humility and honesty as a person. Cody is one of the most honest people I have ever met which, in turn, makes her a much more respected individual in and out of her role in the legal field.

Cody has represented me in court for a civil TRO case and I was really impressed on all the hard work, time and dedication that she put in to help me. She does what is right and she stands by her word.

The community will be very pleased to have Cody Frenz confirmed as Hilo's Third Circuit Family Court Judge. Thank you for allowing time to offer my input.

Sincerely,



Maria Justo

MARTHA A. RODILLAS

September 8, 2016

Honorable Senate Chair Gilbert Keith-Agaran and  
Members of the Senate Judiciary and Labor Committee  
[JDLtestimony@capitol.hawaii.gov](mailto:JDLtestimony@capitol.hawaii.gov)  
Hawai'i State Legislature

Dear Senate Chair and Committee Members:

RE: **JC1 – Chief Justice's Appointment Order No. 2016-4  
JUDICIAL NOMINEE DAKOTA FRENZ  
DISTRICT FAMILY COURT OF THE THIRD CIRCUIT (Island of Hawai'i)**

I have known Dakota "Cody" Frenz for the past 6 years on a personal and somewhat professional level at work.

Cody has a deep sense of commitment to her family, our community and shows loyalty to her friends. Cody is level-headed and thinks about decisions she is faced with. Cody's character strikes me as being an intelligent leader who is self-confident and yet humble. This is a rare quality in lawyers nowadays.

I've been working with lawyers for the past 22 years, and I can honestly say that Cody is down-to-earth, approachable and very "Akamai". Her demeanor is steady and she doesn't fly off the handle in situations that you would think makes her angry.

Cody believes in family. I've seen her interact with her two sons and husband Mike at family events and activities/sports for the boys. She is a good mom. Cody takes good care of herself and cares about health.

Cody is the package. She is born and raised in our community, has solid local ties and is respected in and out of the legal arena.

I encourage you to confirm Cody not because she is my friend, but because Chief Justice Recktenwald has selected the right person for this demanding job.

Sincerely,

Martha A. Rodillas

JC1  
FOR CONSIDERATION AND CONFIRMATION TO THE  
DISTRICT COURT OF THE THIRD CIRCUIT,  
JUDICIAL NOMINEE  
DAKOTA FRENZ

COMMITTEE ON JUDICIARY AND LABOR  
Sen. Gilbert Keith-Agaran, Chair  
Members of the Senate Judiciary and Labor Committee

Monday, September 12, 2016, 10:30 AM  
State Capitol, Conference Room 325

Honorable Chair Keith-Agaran, and Members of the Committee on Judiciary and Labor, I submit the following testimony in support of JC1.

With this testimony, I express my support of Judicial Nominee Dakota Frenz for consideration and confirmation to the District Family Court of the Third Circuit, for a term to expire in 6 years.

I have known Ms. Frenz for approximately six years. She is knowledgeable in the legal field, organized, focused, and always do her best. She has shown herself to be a professional, hardworking, and compassionate person.

I had work with Ms. Frenz in the Domestic Violence Section of the Prosecutor's office in Hilo as her legal secretary for more than two years. She is very thorough, gets the job done, gets along with everybody, a very caring individual and always extending her help in any way she can.

She will make a good and fair judge.

Thank you for the opportunity to testify on this matter.

MERCY MANAOG

September 9, 2016

**By Email transmission on 9-9-16**

TO: SENATE CHAIR GILBERT KEITH-AGARAN AND MEMBERS OF THE  
SENATE COMMITTEE ON JUDICIARY AND LABOR

FROM: MICHAEL M. EBESUGAWA, ESQ.

RE: **JC1-Chief Justice's Appointment Order No. 2016-4 (Submitting for  
consideration and confirmation to the District Family Court of the Third  
Circuit, Judicial Nominee DAKOTA K.M. FRENZ)**

To the Honorable Gilbert Keith-Agaran, Chairperson, and Members of the Senate Committee on  
Judiciary and Labor:

I am writing in support of the confirmation of Ms. Dakota K. M. Frenz as District  
Family Court Judge of the Third Circuit.

I am a deputy public defender and supervisor of the public defender's office in  
Hilo. I was born and raised in Hilo and have been licensed to practice law in the State of Hawai'i  
since 1981. I have been a deputy public defender in Hilo since 1987.

I speak here in my personal capacity as an attorney in good standing and as a  
life-long member of the community here in Hilo. I believe, I share the same interest and desire  
as many others here on the Big Island, and, of course, around the State, for the appointment and  
confirmation of only the highly qualified to sit as judges for our communities.

I have known Ms. Frenz since 2006, when Ms. Frenz returned to Hilo to begin her  
employment in with the Hawai'i County Prosecuting Attorney's Office.

During her employment as a deputy prosecuting attorney, I worked with  
Ms. Frenz on a number of cases in the district, family and circuit courts. I have found her  
courteous and professional in our dealings. I found her well prepared and an effective advocate  
for the State of Hawaii.

Since Ms. Frenz left the prosecutor's office for private practice, we have  
continued to have frequent contact. Ms. Frenz's practice in large part remained in the criminal  
law. As a defense colleague, we have worked as co-counsels on serious felony cases and been  
fellow participants in defense lawyers' discussion groups in Hilo.

SENATE COMMITTEE ON JUDICIARY AND LABOR

Re: **JC1-Chief Justice's Appointment Order No. 2016-4**, Nomination of Dakota K.M. Frenz

September 9, 2016

Page 2

As a private defense attorney, she has demonstrated a commitment to the effective advocacy of her retained and court-appointed clients. I have never doubted her ability to represent her clients zealously and within the bounds of the ethical obligations required by law.

In addition, as you can imagine, the bar in Hilo is limited and so the abilities and character of its members are readily apparent. From my personal dealings with Ms. Frenz and by reputation, I have no doubt that Ms. Frenz possesses the intelligence, compassion and temperament to be a credit to the judiciary.

In addition to fulfilling her duties to her clients, Ms. Frenz has demonstrated her commitment to the furtherance of legal profession on the Big Island. I understand, as a matter of community service, Ms. Frenz has served as officer of the Hawaii County Bar Association, as a director for the Kuikahi Mediation Center (a particularly important and valued program for alternate dispute resolution), as member for the Friends of the Big Island Drug Court, and volunteered to provide pro bono legal services through the Judiciary's self-help centers.

I believe that in addition to professional qualification and competence, it is also particularly important that a judge, in resolving cases and controversies of our residents and visitors, be attuned to the sensitivities of his or her particular community.

In that regard, I understand that Ms. Frenz was born and raised in Hilo. Her roots to this community run very deep. She and family are a respected part of the Big Island. Her background, I feel, gives her a perspective of our community which will serve her well in her service to the judiciary and the community.

Finally, Ms. Frenz possesses those qualities necessary for the position as a Family District Court Judge.

Ms. Frenz has the experience of having practiced before this court and so has insights into the workings of the court. She, moreover, possesses the honesty, willingness to work, intelligence and commitment to carry out the responsibilities of a judge.

Ms. Frenz will be a fair arbiter for the parties appearing in his court and will represent the judiciary well in its relationship with our community.

Ms. Frenz is very even-tempered. She is considerate in dealing with others. I believe she has the patience and the respect and caring for people to really listen and hear their problems. Finally, Ms. Frenz understands the need for a judge to demonstrate restraint and professionalism so as to promote the public's respect for the courts.

SENATE COMMITTEE ON JUDICIARY AND LABOR

Re: **JC1-Chief Justice's Appointment Order No. 2016-4**, Nomination of Dakota K.M. Frenz

September 9, 2016

Page 3

Although I do not believe I will be able to personally attend Ms. Frenz's anticipated appearance before this committee and before the full Senate, please consider this written testimony as a statement in full support of Ms. Frenz's confirmation.

Sincerely,

/s/ Michael M. Ebesugawa

mme



**From:** [michael.kagami](#)  
**To:** [JDLTestimony](#)  
**Subject:** RE: JC1-Chief Justice's Appointment Order No. 2016-4  
**Date:** Sunday, September 11, 2016 8:45:36 PM

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To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1-Chief Justice's Appointment Order No. 2016-4

From: Mike Kagami

Aloha,

I am writing to support the appointment of Dakota Frenz to the position of District Family Judge.

I have known Ms. Frenz since 2004 when I supervised her as she interned at the Hilo Prosecutors Office for law school credit. After her internship, Ms. Frenz was hired as a Deputy Prosecuting Attorney and I worked with her until she left the Prosecutors Office for private practice in 2012.

Ms. Frenz has consistently displayed all the qualities of the ideal judge: intelligence, hard-working, compassion, and fairness. Ms. Frenz possesses the ability to identify the real issues in a case and understand the positions of the various parties. Just as important as her legal ability, Ms. Frenz's character is just as profound. She is honest, friendly, approachable, and even-tempered.

I humbly ask the committee and the Senate to confirm the appointment of Dakota Frenz to the position of District Family Judge, 3rd Circuit of Hawaii.

Mahalo  
Mike Kagami

OLIVEROS LAW, LLLC

PH (808) 345-0960

FX (808) 961-5070

September 9, 2016

To: Senate Chair Gilbert Keith-Agaran and  
Members of the Senate Judiciary and Labor Committee

via Electronic Delivery to [JDLtestimony@capitol.hawaii.gov](mailto:JDLtestimony@capitol.hawaii.gov)

From: Mirtha Oliveros

RE: JC1 – Chief Justice’s Appointment Order No. 2016-4

Dear Chair Keith-Agaran and Members,

I am writing this letter in support of the proposed appointment of Ms. Dakota Frenz as a Family Court Judge.

I have known Ms. Frenz for approximately 9 years. During that time I have observed her to be hard-working, intelligent, tenacious, and dedicated to whatever task is assigned to her. I have no doubt that if appointed she would dedicate herself to running her courtroom efficiently and fairly.

Having had the opportunity to observe her as both a prosecuting attorney and a defense attorney, I can testify that she pursued both tasks with the same dedication even though some people would feel they were diametrically opposed roles. I have worked with her and against her in a variety of different circumstances and I can testify that she is open to approaching people based on the present facts and does not get distracted by irrelevant details.

I believe these are all qualities would support her appointment. If you have additional questions you may contact me at the office at 808-345-0960 or on my cell phone at 808-987-3856.

Sincerely,



Mirtha Oliveros

# Nancy T. Kelly

201 Palua Loop, Hilo, HI 96720  
808-959-6788  
ntk96720@yahoo.com

9/10/2016

TO: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 – Chief Justice’s Appointment Order No. 2016-4

FROM: Nancy T. Kelly

I am writing to express my strong support of the nomination of Dakota Frenz for Judge of the 3<sup>rd</sup> Circuit District Court.

I had the pleasure of working with Cody during the time she was a deputy at the Hawaii County Office of the Prosecuting Attorney. She is smart, a very hard worker, and is able to relate and communicate well with others. I have no doubt that she would be a very effective judge and urge your support of her confirmation.



**From:** [Norbert Serrao](#)  
**To:** [JDLTestimony](#)  
**Subject:** Dakota "Cody" Frenz  
**Date:** Sunday, September 11, 2016 9:21:18 PM

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TO: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

RE: JC1 - Chief Justices Appointment Order No. 2016-4

FROM: Norbert A. Serrao Jr.

I am submitting this letter to your office to support and recommend Dakota "Cody" Frenz for District/Family Court Judge of the Third Circuit.

I am a Police Officer with the Hawaii Police Department and I have known Cody for several years when she became a Prosecutor for the Hawaii County Prosecutors Office. Cody would always be positive and worked very hard on all the cases that we worked on. She was always dedicated to help the victims get justice. After she left the Prosecutors Office, I continued to meet and converse with her and observed that she used the same dedication to help her clients. Cody has always been respectful to Officers and kept positive attitude.

Dakota "Cody" Frenz will be a fair and dedicated Judge for the Big Island. I fully support her appointment. Thank you for your consideration.

Norbert A. Serrao Jr.

To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

Re: JC1 – Chief Justice’s Appointment Order No. 2016-4

Date: September 8, 2016

Dear Sirs,

I am writing on behalf of Judicial Nominee Dakota Frenz for the Big Island of Hawaii. I am an Investigator and Courthouse Dog Handler at the Office of the Prosecuting Attorney on the Big Island and have known Ms. Frenz for approximately 12 years. I consider her a friend. We first met when she was still in law school and interning at my office and I have watched her work both sides of criminal proceedings, first as a Prosecutor and then (and currently) as a Defense Attorney.

About a year or two after becoming a Deputy Prosecutor, I was in court and observed Ms. Frenz representing the State. The defense attorney was a new attorney to the Public Defender’s Office and did not have any assistance or guidance that day. The Judge was not very helpful, actually, he seemed a tad bit irritated, so Ms. Frenz asked for a brief recess. It was granted and I watched Ms. Frenz use the time to take the defense attorney over to the side and explain to him how the proceedings work, what options were available for his client, how that particular judge liked to do things, etc. Right after the hearing, she again took the time to further instruct him and even though I sometimes tease her that she has gone over to the “dark side”, that day serves as a reminder to me that in order for justice to prevail, both sides have to work together in order to reach a fair conclusion.

There isn’t a doubt in my mind that Ms. Frenz would make an excellent judge and would serve the people of the Big Island with integrity, impartiality, and fairness. Additionally, Ms. Frenz has excellent organizational skills that extend outside of her professional life. She balances (quite well), her law practice and her family life without forgetting the importance of taking care of oneself via daily workouts.

Ms. Frenz would make an excellent addition to the Judiciary on the Big Island and I hope you seriously consider all that she can bring to the system.

Thank you for your time and for allowing public comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Pat Breault", with a long horizontal line extending to the right.

Patricia Breault

Investigator and Courthouse Dog Handler

**From:** [Romy Saquing](#)  
**To:** [JDLTestimony](#)  
**Subject:** JC1 - Chief Justice's A.O.N. 2016-4  
**Date:** Friday, September 9, 2016 1:40:36 PM

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

From: Romeo H. Saquing, Mediator and Board Member - Kui'kahi Mediation Center

Dear Sir:

I am writing in support of Dakota (Cody) Frenz to JC1 - Chief Justice's Appointment Order No. 2016-4.

Cody is well known and respected professional amongst her peers and the general public in our community of

Hilo, Hawaii. She is client focused and avid advocate for those whom she represents. She knows her "stuff".

Cody is an invaluable asset to the judicial system and the community of the Big Island. I affirm that she is willing and capable

to attend to any and all challenges she encounters.

Cody is also actively volunteering her time and energy as a Board Director to Kui'kahi Mediation Center (KMC).

She is currently the chair for the development committee that plans, coordinates, and monitors events that KMC

sponsors. She is responsible and accountable for the desired outcomes of these events. Many successes of these events are attributed to Cody's hard work and collaboration with people.

I humbly ask that you and the members of the committee appoint Dakota (Cody) Frenz to JC 1 - Chief Justice's Appointment Order No. 2016-4.

Respectfully submitted,

Romy Saquing

**From:** [Ron Gonzales](#)  
**To:** [JDLTestimony](#)  
**Cc:** [Dakota Frenz \(dkflawhawaii@gmail.com\)](mailto:dkflawhawaii@gmail.com)  
**Subject:** Support Letter  
**Date:** Wednesday, September 7, 2016 5:11:02 PM

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To: Senate Chief Gilbert Keith-Agaran and members of the Senate Judiciary and Labor Committee

RE: JC1 – Chief Justice’s Appointment Order No. 2016-4

From: Ron Gonzales

Dear Sirs,

This is a letter of support for Dakota Frenz appointment to Judge. Cody is a well respected member of the Community and I feel she would do an outstanding job as a Judge. Cody was instrumental in helping my daughter with a legal matter and helped her solve her problems and get her life in order. Cody was professional, polite and worked very hard on our behalf. I feel her knowledge, wisdom and dedication could only benefit our Court system.

Thank you for taking the time to read this.

Sincerely,

**Ron Gonzales**



September 09, 2016

TO: Senate Chair Gilbert Keith-Agaran  
and Members of the Senate Judiciary and Labor Committee

RE: JC1-Chief Justice Appointment Order No. 2016-4

FROM: Samuel Jelsma

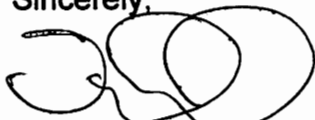
I am writing to express my support for the appointment of Dakota (Cody) Frenz to the position of Judge in the District Family Court of the Third Circuit.

I have known Ms. "Cody" Frenz in the professional capacity for approximately 7-years, primarily during the time that she was a Deputy Prosecutor in Hawaii County. My position as a District Captain for the Hawaii Police Department (currently in the Puna District) entailed regular discussions and interactions with the Prosecutors office. I have always been truly impressed with the dedication, persistence, and professionalism displayed by Ms. Frenz who took her Prosecutor position to heart and gave 100% of her effort on the cases assigned to her. She was easy to talk to and there was a high level of mutual respect and cooperation between agencies as a result.

I was honestly disappointed to learn that that she leaving the Prosecutor's office and moving into private practice in 2012, particularly since she would also be "changing sides" and becoming a defense attorney. Knowing that her dedication would be refocused and she would be a highly effective defense attorney I still supported her knowing that she would maintain a high level of professionalism. During her time as a defense attorney our contact has been minimal however when there was a reason for a call to inquire on a matter, the cooperation and respect remained. I have never heard a negative report about Ms. Frenz, the feedback has always been positive.

Now as she moves toward the appointment as a Judge her background on both the Defense and Prosecutor side of the spectrum are of tremendous benefit. She can truly render a just decision in the cases over which she will preside as her character is impeccable, worthy of the title "Your Honor".

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, representing the name Samuel Jelsma.

Samuel Jelsma

**From:** [Serena O'Grady](#)  
**To:** [JDLTestimony](#)  
**Subject:** Testimony Re: JC1-Chief Justice's Appt. Order No. 2016-4 (Dakota Frenz, Esq.)  
**Date:** Friday, September 9, 2016 1:04:17 PM

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**To:** Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee

**Re:** JC1-Chief Justice's Appointment Order No. 2016-4

**From:** Serena O'Grady

I am writing to submit my recommendation of Dakota K.M. Frenz, Esq., for the position of District Family Court Judge of the Third Circuit. As a former law clerk and bailiff at Third Circuit Court, I have known and worked with Ms. Frenz for approximately one year.

During that time, I have found Ms. Frenz to be dependable, consistently prepared, courteous, and respectful of the court and court staff. She carries out her court appointments effectively, and engages well with clients, attorneys and other judges. She is compassionate, decisive, and confident in her work, and I believe she has the maturity and stability to handle the rigors of being a family court judge. It has truly been a pleasure working with her and I strongly recommend her for this position.

**LAW OFFICES OF  
STANTON C. OSHIRO  
1289-E Kilauea Avenue  
Hilo, Hawaii 96720  
Telephone No. 935-3348  
Fax No. 935-3345**

To: Senate Chair Gilbert Keith-Agaran and Members of the Senate  
Judiciary and Labor Committee

RE: JC1 - Chief Justice's Appointment Order No. 2016-4

From: Stanton C. Oshiro

It is with great pleasure and my heartfelt support that I submit the following comments in support of the appointment of Dakota "Cody" Frenz as a District Family Court Judge for the Third Circuit State of Hawaii.

I first met Cody when she joined the Prosecutors Office here in Hilo. I was immediately impressed by her work ethic and drive to do the very best that she could do with what she had. She was both zealous and a very fast learner. She prepared thoroughly for her cases and quickly became well regarded by the defense bar as a "young gun" to be reckoned with.

As a shall we say "seasoned" defense attorney, I am often able to use that experience to my advantage in dealing with younger Prosecutors and most of them just accept it as part of the learning curve. Once in a great while however, a less seasoned less experienced lawyer prepares so thoroughly and knows her facts so well that it evens the playing field. Ms Frenz was that young lawyer who surprised and impressed me with her enthusiasm and zealous preparation.

Perhaps most impressive to me however, is Ms. Frenz' dedication to her craft. She worked tirelessly to become a proficient and effective prosecutor. When she left the Prosecutor's Office to enter private practice she worked even harder to become an effective defense attorney.

In addition she began taking on Family Court cases and quickly became well regarded in that area of law as well.

Ms. Frenz is a credit to our profession. She is humble and self effacing, but her fierce tenacity in advocating for her clients and in doing the very best that she is capable of is both unquestioned and widely well regarded.

Ms. Frenz will be a welcome addition to the Judiciary. In a small town like Hilo where everyone knows everyone else her reputation and her character are absolutely impeccable.

That reputation and character as well as her extensive experience as both a prosecutor and as a defense attorney will positively affect performance as a District Family Court Judge.

I have absolutely no reservations in respectfully submitting my recommendation in support of her appointment to the bench and would welcome the opportunity to answer any further questions you may have and remain

Very Truly Yours,

  
Stanton C. Oshiro



The Hawaii Investigative Group LLC  
Steve Goodenow, CLI, CFE

*A Full Service Investigation and Security Consultation Firm*

Mailing address: 625 Iolani Avenue, PH • Honolulu, Hawaii 96813

Office: (808) 526-3245 • Cell: (808) 225-3508 • Email: [steve@goodenowpi.com](mailto:steve@goodenowpi.com)

Hilo office: 688 Kinoole Street, Kukuau Plaza, Suite 108 • Hilo, Hawaii 96820

(808) 961-5155

[www.goodenowpi.com](http://www.goodenowpi.com)

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**DATE: SEPTEMBER 8, 2016**

**TO: Senate Chair Gilbert KEITH-AGARAN and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

I would like to strongly recommend that Dakota “Cody” Frenz be confirmed as a District Court Judge to serve on the Island of Hawaii. As a legal investigator in Hawaii for nearly 50 years, working with most major law firms as well as individual lawyers, I have observed many of my clients after they were confirmed to serve on Hawaii Courts. Ms. Frenz will undoubtedly serve with distinction as a member of the Judiciary. I have known Ms. Frenz for a number of years, worked with her on cases and seen her compassion to unquestionable represent her clients. She is evened tempered and possess a fine legal knowledge that will serve her well as a judge. She is especially suited to serve on the Island of Hawaii where she has practiced law. She is well respected by the legal community and has been active in community activities over the years. Please confirm Dakota or Cody as I call her to become a District judge. I would be glad to answer any questions you may have.

Aloha,

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Steve Goodenow, CLI, CFE  
The Hawaii Investigative Group, LLC

**From:** [Terence LIBERATO](#)  
**To:** [JDLTestimony](#)  
**Subject:** RE: JC1 – Chief Justice's Appointment Order No. 2016-4  
**Date:** Sunday, September 11, 2016 2:59:22 AM

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate  
Judiciary and Labor Committee**

**RE: JC1 – Chief Justice's Appointment Order No. 2016-4**

For Cody Frenz

Law Offices of Dakota (Cody) Frenz, Attorney at Law, LLC

I Terence Liberato,  
Is in full support of Ms. Dakot (Cody) Frenz  
Appointment. She has demonstrated her competence as a Deputy Prosecuting Attorney, and as  
a Defense lawyer for the past 9 years I have work with her as a Deputy Sheriff.

Thank you.

Sent from T. LIBERATO'S iPhone

September 9, 2016

**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**Re: RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

From: Tharrington T. Trusdell:

I am writing this letter in support of Dakota Frenz for judge for the Family Court of the Third Circuit (County of Hawai'i).

I met Ms. Frenz in 2006 when she began her employment with the Prosecutor's office and I have continued my relationship with her to the present.

I believe that she a good candidate for the position for Family Court judge for the following reasons:

Ms. Frenz has a good reputation in the community for being honest and trustworthiness.

Ms. Frenz is intelligent, energetic, and hard-working and has done an outstanding job with the cases that she has handled. It is my opinion she is the most prepared attorney I have worked with or against. I have observed her to be very good at spotting evidentiary, legal, and procedural issues in the cases she has handled and is outstanding at articulating and explaining the strengths and weakness of each case. This ability will help her as a judge and I am confident that she is more than competent to handle the cases that would come before her in Family Court. Moreover, her great energy and work ethic will allow her to excel in all of the demands facing a Family Court judge.

Ms. Frenz has taken an active role in enhancing and building the reputation of the Hawai'i island legal community. I have observed and/or participated with Ms. Frenz in such activities as the Free Legal Clinic, the Kuikahi Mediation Center, Drug Court, and the Bench Bar Committee for the Third Circuit. She has donated her time to develop programs that encourage public access to the law.

I believe Ms. Frenz will display excellent judicial temperament for she has a good sense of humor and a broad background in the law having served as a Prosecutor and a defense attorney. I have seen her interact with individuals from all walks of life and she has treated them with grace and respect.

Thank you for the opportunity to provide input on Ms. Frenz's nomination for judicial office.

Very truly yours,

THARRINGTON T. TRUSDELL

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** Submitted testimony for JC1 on Sep 12, 2016 10:30AM  
**Date:** Saturday, September 10, 2016 8:12:29 PM

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**JC1**

Submitted on: 9/10/2016

Testimony for on Sep 12, 2016 10:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thomas M.McGuire	Individual	Comments Only	No

Comments: To Senate Committee Members, My name is Thomas M.McGuire, I am a Deputy Sheriff for the Department of Public Safety, Sheriff Division, Hilo Section. I would like to show my support for Cody Frenz, on her confirmation to becoming a Judge. I have worked in the Department for over 26 years. I watched Mrs.Frenz first coming in as a Deputy Prosecutor, young, energetic , striving, hard working, loyal and willing to learn to better oneself. Her work efforts are unimaginable, she works well with others and I see strong leadership traits in her that are hard to find nowadays. I watched her leave the Prosecutor Office and start her private practice, without losing a step, striving with the same work ethics that made her a great Prosecuting Attorney to being a great private practicing Attorney. I believe that Mrs. Frenz will excellent addition to Judges for Hawaii, she is what people aspects Judges to be and I know she represent that title with honor and dignity. Thank you Thomas M.McGuire

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)



**From:** [Tracie White](#)  
**To:** [JDLTestimony](#)  
**Subject:** Dakota K.M. Frenz - Letter of Support  
**Date:** Friday, September 9, 2016 1:58:19 PM

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

From: Tracie White

I am humbly writing to you in support of Judicial Nominee Dakota K.M. Frenz’s confirmation to the District Family Court of the Third Circuit, State of Hawaii. I am blessed to work with Ms. Frenz on the board of Ku’ikahi Mediation Center and am constantly impressed by her strength of character, love of our community and fairness of judgement.

Best regards,  
Tracie White

Tracie White  
MANAGER – TALENT DEVELOPMENT

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 – Chief Justice’s Appointment Order No. 2016-4**

I am pleased to write this letter in support of the appointment of Dakota Frenz to the position of Family Court Judge. I have known Ms. Frenz for over ten years both as a Hawaii County Deputy Prosecutor and during her tenure as a private attorney. Ms. Frenz's credibility as an attorney is unparalleled and her knowledge of laws and statutes is extensive. Ms. Frenz is both very intelligent and quite motivated and I am confident that she will devote herself to the position with a high degree of diligence, trust and confidence.

Sincerely,

William C. Brown

Sergeant/ Detective

Hawaii Police Department

**From:** [Bill Heflin](#)  
**To:** [JDLTestimony](#)  
**Subject:** RE: Public Comment in Support of Dakota K. M. Frenz - JC1 – Chief Justice's Appointment Order No. 2016-4  
**Date:** Wednesday, September 7, 2016 4:08:59 PM

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**To: Senate Chair Gilbert Keith-Agaran and Members of the Senate Judiciary and Labor Committee**

**RE: JC1 – Chief Justice's Appointment Order No. 2016-4**

From: William Heflin

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

It is my pleasure to comment on Dakota K.M. Frenz's qualifications to serve as Family Court Judge in Hilo. I believe that Chief Justice Recktenwald and the Judiciary Selection Committee made a great choice in selecting her, and that Dakota Frenz would make an excellent Family Court Judge in Hilo.

Cody (as I know her) is a local girl, born and raised in Hilo, and enjoys a great reputation for hard work, diligence, and intelligent and effective advocacy for her clients in the local legal community. She graduated from Waiakea High School, and from the University of Hawaii at Manoa with a Bachelor's Degree in Political Science. She attended Whittier Law School in California, and returned to Hilo to begin her legal career in public service as a Hawaii County Deputy Prosecuting Attorney, where she worked for over six years. Cody was an excellent and fearless Deputy Prosecutor, unafraid to push a case to trial, or settle if the facts and circumstances merited. She has extensive experience working in Family Court criminal matters, and was the primary calendar and trial Deputy Prosecutor working on Family Court Criminal Cases (FC-CR) and Family Court Juvenile Case (FCJ) cases for over three years. She has been in private practice for the last four years doing Criminal Defense, but also extensively worked in Family Court doing TRO hearings, paternity and divorce cases. She has also done some District Court Civil cases.

I have known Cody personally and professionally for over a decade and unreservedly believe that she is highly qualified to serve as Family Court judge and would strongly urge the Senate to confirm her. Using the specific HSBA criteria stated in their request for comments, I would state the following:

**Integrity:** I believe that Cody is one of the most honest attorneys I have ever dealt with and enjoys a great reputation in the local legal community. When I first met Cody she was a Deputy Prosecuting Attorney and I was a court-appointed Defense Counsel, and on the other side of the aisle. Cody never postured that her cases were better than they really were, nor did she ever lie to me about the availability of her witnesses, and I found her to be one of those attorneys whose word I could trust unreservedly. When Cody crossed the aisle, one of the reasons that she is such an effective advocate is that she continued to display the same level of integrity with her former office.

**Diligence:** Cody is a very diligent attorney. I have never seen her bounce a hearing date or deadline, and when she was a Deputy Prosecutor, I never knew her to miss a Hawaii Rules of Penal Procedure Rule 48 deadline. When I practiced against Cody, she returned my phone

calls promptly, and followed up on any discovery request I made in a timely manner. I have personally seen her continue to display that level of diligence in her private practice. In fact one of the things that I admire about Cody's criminal practice, (but never did in my own practice) is that she enters every client's phone number in her personal cell phone (and gives them her number). I have seen Cody remind or follow up with her clients to make sure they keep their probation appointments, substance abuse, anger management, or mental health assessments on a regular basis, and have seen them call Cody at irregular hours with their problems, which she promptly responds to.

**Legal Knowledge and Ability:** Cody is highly intelligent and has the ability to be a great judge. Cody is very familiar with the Family Court, both as a criminal attorney, and also as a family court advocate who has done family court restraining order cases, paternity cases, and divorce cases. If there is any area of Family Court law in which Cody may not have dealt with, her intelligence, common sense, experience and legal acumen will give her the ability to quickly and fairly render a just decision.

**Judicial Temperament:** I believe that Cody has an excellent Judicial Temperament. I have seen Cody diffuse many potentially difficult situations with defendants, opposing parties and counsel, witnesses and family members without ever raising her voice or disrespecting anyone. I believe that Cody will treat everyone who appears before her with a high level of respect and compassion that would reflect well upon the judiciary and make all those who appear before her feel that their voices have been heard.

**Financial Responsibility:** While I do not know the intimate details of Cody's personal finances, I have no reason to believe that she is in anyway financially irresponsible.

**Public Service:** Cody has throughout her career displayed a strong commitment to public service. I know that Cody dreamed of being a Prosecuting Attorney since she was a child, and worked very hard to achieve that goal. While a Deputy Prosecuting Attorney, Cody also served as a board member in the Hawaii County Bar Association, and as a CAAP Arbitrator. When Cody went into private practice, she served as a Kuakahi Mediation Center Board Member, again as a Hawaii County Bar Association Officer and Board Member, a Third Circuit Friends of Drug Court Board Member, a Third Circuit Veteran's Treatment Seminar Committee Board Member, a member of the Third Circuit Bench Bar Committee, a member of the State Bench Bar Conference Criminal section, an arbitrator with the Court Annexed Arbitration Program Mediator, a mediator for the Third Circuit Foreclosure Mediation Pilot Project, and is a regular volunteer at the Hilo Self Help Center. Additionally, along with her former partner Kananai Laubach (now Judge Laubach), Cody basically created an East Hawaii Criminal Defense Committee that meets periodically to discuss current issues in the Hawaii County Criminal Bar, disseminate information, advocate for change, and to educate Bar Members. Cody is also a mother with young two children and is active in their education and extracurricular activities.

**Health:** While I do not know the intimate details of Cody's personal health, she appears to be very healthy and I have no reason to believe that she could not fulfill her duties as a Judge.

**Ability to fulfill the responsibilities and duties of the position:** I believe that Cody will make an excellent Judge and for the all the reasons stated above believe that she has a great ability to fulfill the responsibilities and duties of a Judge in the Third Circuit.

Again, I strongly urge the Senate to confirm Cody Frenz to be a Third Circuit Family Court Judge. Thank you for allowing me time to offer my input. Please feel free to contact me anytime if you have any further questions.

Truly yours,

Bill Heflin



**William B. Heflin**

The Law Offices of Ian L. Mattoch