

STAND. COM. REP. NO. |

Honolulu, Hawaii

SEP 25 2017

RE: GOV. MSG. NO. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Second Special Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred Governor's Message No. 1, submitting for study and consideration the appointment of:

CIRCUIT COURT OF THE THIRD CIRCUIT, STATE OF HAWAII

G.M. No. 1 HENRY T. NAKAMOTO,
 for a term to expire in ten years,

begs leave to report as follows:

Your Committee has reviewed the resume and statements submitted by the appointee and finds Henry T. Nakamoto to possess the requisite qualifications to be considered for appointment to the Circuit Court of the Third Circuit, State of Hawaii.

Testimony in support of the appointment of Judge Nakamoto was submitted by the Office of the Prosecuting Attorney, County of Hawaii; Hawaii State Bar Association Board of Directors; and thirty-one individuals.

Judge Nakamoto received his Bachelor of Arts degree in Economics from Cornell University. He subsequently obtained his Doctorate of Jurisprudence from the University of California, Hastings College of the Law, where he served as president of the Hawaii Law Caucus and as a teaching assistant in the area of criminal law.

Since June, 2016, Judge Nakamoto has served as Deputy Chief Judge of the Circuit Court of the Third Circuit and Administrative Judge of the District Court of the Third Circuit, where he has

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presided over numerous traffic and criminal law cases. Between 2014 and 2016, Judge Nakamoto served as a District Family Court Judge. Since 2014, he has presided over many juvenile law violation cases on the Island of Hawaii, and has become part of the ongoing collaborative effort between lawmakers, service providers, and the courts to develop alternatives to detention for youth offenders who do not present a danger to the community or to themselves. Judge Nakamoto also serves on numerous committees, including the Big Island Multi-Agency Committee on 704 (Mental Health) as Chair; Environmental Court Working Group as Vice Chair; and Hawaii Trial Lawyers Bench Bar Committee, Third Circuit Committee to Evaluate Per Diem Judges, and Hawaii Supreme Court Commission on Professionalism as a member.

Prior to his appointment to the District Family Court bench, Judge Nakamoto was a Partner and Director in the law firm of Nakamoto, Okamoto, & Yamamoto, after practicing as an associate at the firm between 1991 and 1996. Prior to his work at Nakamoto, Okamoto, & Yamamoto, he practiced as an associate at the law firm of Goodsill Anderson Quinn & Stifel between 1989 and 1991. Over the course of his legal practice, Judge Nakamoto tried over forty cases as lead counsel involving a wide range of issues in the areas of family, contract, and property law. He represented more than twenty-five parties in divorce cases pro bono between 2000 and 2014 and conducted three divorce law clinics between 2007 and 2012 through Volunteer Legal Services. Judge Nakamoto also served as Grand Jury counsel from 1995 to 1996.

Judge Nakamoto has been licensed to practice law in Hawaii since 1989 and has been an active participant in his community for many years. He was a member, and served as the chair of numerous committees, for the Lehua Jaycees between 1992 and 2004. He served as the President and a member of the Board of Directors for the Hawaii Island Humane Society from 2002 to 2004, and was President of the Waiakea High School Foundation from 2004 to 2014.

Testimony in support of Judge Nakamoto's appointment indicates that he has a first-rate reputation for judicial temperament as well as tremendous skill in relating to those who appear before him in court. He is also highly regarded for his extensive knowledge of the issues that have come before him in his judicial capacity.

The Hawaii State Bar Association (HSBA) Board of Directors found the appointee to be qualified for the position of Circuit



Court Judge, Third Circuit, based on all categories of the HSBA's criteria that includes: integrity, diligence, legal knowledge and ability, professional experience, temperament, financial responsibility, public service, health, and ability to fulfill the responsibilities and duties of the position.

Accordingly, your Committee finds that Judge Nakamoto has the experience, temperament, judiciousness, and other competencies to be a Circuit Court Judge of the Third Circuit.

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

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


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC
Consent

Gov. Msg./Jud. Com. No.:* GMI	Committee Referral: JDC	Date: 9/25/2017		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Consent 2347 <input type="checkbox"/> Not Consent 2349				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.				✓
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Karl Rhoads				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one Message/Communication per Record of Votes