

GM2

Measure
Title:

Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawaii, Gubernatorial Nominee ROBERT D.S. KIM, for a term to expire in 10 years.



UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

JOHN H. WOOD, JR. U.S. COURTHOUSE
655 EAST CESAR E. CHAVEZ BOULEVARD
SAN ANTONIO, TEXAS 78206-1198

CHAMBERS OF
DAVID ALAN EZRA
SENIOR UNITED STATES DISTRICT JUDGE
CHIEF JUDGE EMERITUS

TELEPHONE
(210) 472-5870
FACSIMILE
(210) 472-5847

September 8, 2017

Senator Brian T. Taniguchi
Chairman
Senate Judiciary Committee
Honolulu, Hawaii

Re: Confirmation of Robert D.S. Kim

Dear Senator Taniguchi,

I am pleased to write this letter in support of the confirmation of Robert D.S. Kim as a Circuit Judge for the Third Circuit, Kona Division. I address this letter to you not in my capacity as a Federal Judge but rather as a former Adjunct Professor at the William S. Richardson School of law and former practicing attorney in Honolulu for many years.

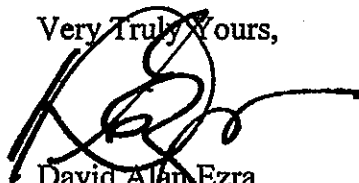
My first contact with Robert came when he was my student in my Remedies class (I taught Legal Remedies for approximately 9 years and then Federal Courts for an additional 25 years). Robert was what my late dear friend Professor Jon Van Dyke would call a "memorable student." That is, Robert was active in class, well prepared, and engaged. He asked relevant questions and was always respectful of his classmates. In a talented class, Robert wrote the best examination getting the highest score and winning the AmJur award as a result.

Following graduation, Robert clerked for the Honorable Phil Chun in the First Circuit. I recommended Robert for the position to Judge Chun who later told me that Robert was one of the very best clerks he ever had. That did not surprise me at all given his fine performance in my class. I was pleased to hire Robert to join my then law firm of Ezra, O'Connor, Moon, and Tam where he worked until 1990. It was during that time I was appointed to the U.S. District Court in Hawaii but Robert and I overlapped long enough for me to attest that he was a valued member of the firm and, in my opinion, did an outstanding job.

During the ensuing years I have followed Robert's career and it is my understanding that he has done exceptionally well at all of the places where he has worked or been associated. I know Robert to be a hardworking, careful and compassionate individual and if he is confirmed he would do an excellent job as a Circuit Judge and bring great credit to the bench in Kona. I therefore respectfully offer my full support for Robert's confirmation as a Circuit Judge of the

Third Circuit, Kona Division. Should you wish to discuss Robert's nomination further please do not hesitate to contact me.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'DAVID ALAN EZRA', with a long horizontal flourish extending to the right.

David Alan Ezra
Senior U.S. District Judge
District of Hawaii

RONALD IBARRA

75-5819 Neke Place
Kailua-Kona, HI 96740
(808)896-8770

September 21, 2017

Brian T. Taniguchi, Chair
Senate Committee on Judiciary
Hawaii State Capitol, Room 219
415 S Beretania Street
Honolulu, HI 96813

Re: Letter in Support of Circuit Court Judge Nominee Robert Kim

Dear Mr. Chairman and Members of the Judiciary Committee:

I strongly support Governor Ige's nomination of Mr. Robert Kim, Esq. to the circuit court bench, and I respectfully request the Senate to confirm his nomination.

I have known Mr. Kim for over 20 years as an attorney appearing before me. He was always well-prepared, articulate and represented his clients zealously within the bounds of the law. He has always conducted himself professionally before the court.

Mr. Kim is well-qualified, practicing in civil law, criminal law and family law. He has taken court appointments, representing defendants charged with serious crimes. He has appeared in numerous complex cases involving civil litigation.

Some of his adversaries may see his zealous representation as a lack of judicial temperament. To that, I can only state that Mr. Kim functioned as an advocate representing his client. I am confident that Mr. Kim would be able to perform the role as a judge with proper judicial temperament.

If you have any questions, please feel free to contact me.

Yours truly,

RONALD IBARRA

Tom Heinrich

From: Aolani Mills <maunaiu@yahoo.com>
Sent: Sunday, September 10, 2017 1:58 PM
To: JDCTestimony
Subject: re: The confirmation of Mr. Robert Kim as Circuit Court Judge for the Third Circuit Court - Kona Division

Dear Chairman Brian Taniguchi

My name is Aolani Mills and I have worked for the Third Circuit-Kona Division for 27 years as an Adult Probation Officer, Big Island Drug Court Supervisor, and Program Services Administrator.

As you are aware, the Third Circuit-Kona Division is a very small community and Mr. Kim was the assigned defense counsel in many of my cases. I appeared with him on numerous occasions in the courtroom and found him to possess an incredible knowledge of the law.

I have also had the privilege of witnessing Mr. Kim's tireless work ethic and commitment to serving his clients. He is knowledgeable, prepared, and always patient with a very challenging clientele. He not only has an excellent reputation among court staff, but more importantly, with our community. It is not easy to earn the respect of the people you work with and from those you serve, but Mr. Kim has done so with professionalism, hard work, and humility.

When I was asked to write this letter for Mr. Kim, I did not hesitate to accept the opportunity to express my support for him as a judicial candidate. As a veteran employee of the Third Circuit, I have

worked with many attorneys throughout the years and you will not find another candidate who possesses the character and integrity of Mr. Kim.

I respectfully recommend that he be selected as our new Kona Circuit Court Judge.

Thank you for the opportunity to provide this letter of input.

Sincerely,

Aolani Mills
Program Services Administrator
Third Circuit Court.

STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

KONA OFFICE
Central Kona Center, Building 9
81-948 Waena 'Oihana Loop, Suite 110
Kealahou, HI 96750
(808) 322-1945
Facsimile: (808) 322-1949

Wendy DeWeese
Deputy Public Defender

September 24, 2017

Senator Brian T. Taniguchi
Hawaii State Capitol
Room 219

Re: Nomination of Robert D.S. Kim; Circuit Court of the Third Circuit

Dear Senator Taniguchi:

On behalf of the Kona Office of the Public Defender, I wish to express our support for Robert D.S. Kim as the nominee for judge of the Circuit Court of the Third Circuit. We believe he has the necessary experience, stamina and commitment to the law to be a Circuit Court judge.

Aloha nui,



Wendy DeWeese
Deputy Public Defender

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i
Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA; 74-9044 Ane Keohokālole Hwy., Bldg C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

August 31, 2017

Senator Brian T. Taniguchi
Chairman, Senate Judiciary Committee
Hawai'i State Capitol
Honolulu, HI 96813

Dear Chair Taniguchi and Committee Members:

RE: Nomination of Robert D.S. Kim to Third Circuit Court Bench

I am writing in support of the appointment of Robert D.S. Kim to the Third Circuit Court bench.

Mr. Kim is a fair and objective person, and is highly respected as an active member of our community.

He communicates well, and will serve the community with distinction. He possesses proper judicial temperament, and will do credit to the Third Circuit Court through his service on the bench.

I strongly support Mr. Kim's appointment to this very important position. Please contact me should you have any questions.

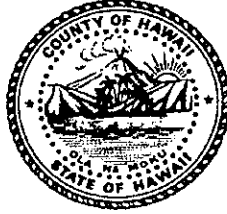
Sincerely,

Harry Kim
MAYOR

c: Pat Mau Shimizu, HSBA

MITCHELL D. ROTH
PROSECUTING ATTORNEY

DALE A. ROSS
FIRST DEPUTY
PROSECUTING ATTORNEY



655 KILAUEA AVENUE
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WEST HAWAII UNIT
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KEALAKEKUA, HAWAII 96750
PH: (808) 322-2552
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OFFICE OF THE PROSECUTING ATTORNEY

GM2
CONSIDERATION AND CONFIRMATION OF ROBERT D.S.
KIM TO THE CIRCUIT COURT OF THE THIRD CIRCUIT

COMMITTEE ON JUDICIARY
Sen. Brian T. Taniguchi, Chair
Sen. Karl Rhoads, Vice Chair

Monday, September 25, 2017, 11:00 AM
State Capitol, Conference Room 016

Honorable Chair Taniguchi, Honorable Vice-Chair Rhoads, and Members of the Committee on Judiciary, I submit the following testimony in support of GM2.

With this letter, I express my support of Mr. Kim's gubernatorial nomination to the Circuit Court of the Third Circuit, State of Hawaii.

Mr. Kim has been practicing law for many years in Hawaii County, particularly, the Kona community. He was the president of the West Hawaii Bar Association and a strong advocate for the building of the Kona Judiciary Complex. Thanks to his efforts, the building is now under construction and due to be completed in 2019.

Robert Kim is well known by the Deputy Prosecuting Attorneys in our Kona office as he has served as defense counsel for defendants charged with a variety of offenses, including very serious felonies. He has also appeared in the circuit court for complex civil matters. I believe Mr. Kim has the experience and work ethic to do the charge of a circuit court judge.

Thank you for the opportunity to testify on this matter.

Mitchell D. Roth
Hawaii County Prosecutor



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

Robert D.S. Kim
Circuit Court Judge, Third Circuit (GM2)

TO: The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice-Chair
and Members of the Senate Committee on Judiciary and Labor

FROM: Nadine Y. Ando
President, Hawaii State Bar Association

Hearing: Monday, September 25, 2017 at 11:00 a.m.
Conference Room 016
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments in **SUPPORT** of the nomination of Robert D.S. Kim for the position of Circuit Court Judge, Third Circuit.

The HSBA Board of Directors followed its 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.

OFFICERS

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Derek R. Kobayashi, Vice-President
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HSBA/ABA DELEGATE

James A. Kawachika

EXECUTIVE DIRECTOR

Patricia Mau-Shimizu

Hawaii's Lawyers Servina Hawaii's

- Meeting of the President, the Assistant 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 Mr. Kim on September 20th to discuss the Subcommittee's findings. On September 21st, Mr. Kim was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Mr. Kim 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 Mr. Kim in 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

Mr. Kim's many years of experience as a trial attorney has prepared him well for the variety of cases a Circuit Court judge in the Third Circuit will face. He unquestionably possesses a breadth of legal knowledge in multiple areas of the law with a keen understanding of procedure and rules of evidence. With a commitment to serving the community, over the years, Mr. Kim has taken on the most difficult court-appointed cases, has been active in the county bar, and tirelessly advocated for the Kona Judiciary Complex. Judges and many attorneys, including those who have opposed him in litigation, have expressed high regard for Mr. Kim and confidence in his ability to transition into serving as an effective Circuit Court judge.

The Board of the Hawaii State Bar Association finds that Robert D.S. Kim is **QUALIFIED** to serve as a Circuit Court Judge of the Third Circuit.

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

MICHAEL J. MATSUKAWA
ATTORNEY AT LAW
TERRITORIAL CENTRE, SUITE 201
75-5751 KUAKINI HIGHWAY
KAILUA-KONA, HI 96740
TELEPHONE NO. (808) 329-1385
FAX NO. (808) 329-0512
E-MAIL kapulu@msn.com

September 12, 2017

Honorable Brian T. Taniguchi
Senate Judiciary Committee
Hawaii State Capitol, Room 219
Honolulu, HI 96813
(Via Email: jdctestimony@capitol.hawaii.gov/
Original Via Mail)

RE: NOMINATION OF ROBERT D.S. KIM
THIRD CIRCUIT COURT, KONA DIVISION
SENATE COMMITTEE HEARING: SEPT. 25, 2017

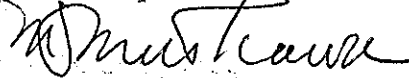
Dear Senator Taniguchi:

I am writing in support of Robert D.S. Kim's confirmation as circuit court judge for the Kona Division, Third Circuit Court. Like me, Mr. Kim has often undertaken cases that most attorneys are not willing to take. We have also been on opposing sides on cases of public importance that demand judicial review, without which critical policy decisions would go unquestioned.

In this vein, I believe Mr. Kim has the independence that a judge must possess. In addition, Mr. Kim has substantial experience in civil litigation. In a rural community, a judge's docket covers criminal, civil, probate, guardianship, conservatorship and other cases. A judge is expected to be knowledgeable in this wide range of subjects and to be capable of managing such a docket.

I believe that Mr. Kim will be an asset to the judiciary and I recommend that his nomination be confirmed.

Respectfully submitted,



Michael J. Matsukawa

MJM:jff\taniguch.lti

September 15, 2017

Honorable Brian T. Taniguchi
Chairman
Senate Committee on the Judiciary
Hawaii State Capitol
415 S. Beretania Street
Honolulu, Hawaii 96813

Aloha Brian,

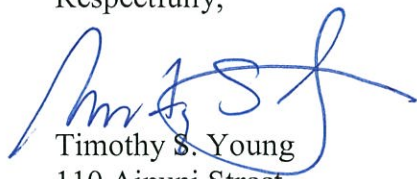
RE: Nomination of Robert D. S. Kim, Circuit Court of the Third Circuit

My acquaintance with Robert D. S. Kim began forty-six years ago at Hilo High School, he a junior, myself a sophomore. We were both involved in class, student body and club activities which introduced us to numerous community projects which fulfilled the mission of these respective groups. Community involvement grew during our college years and matured within us as we pursued our business careers. Being active within ones community instilled the importance of civic awareness, involvement and eventually philanthropy.

Robert Kim's values over these years have remained consistent but have also become more deeply defined with purpose, responsibility and humility. I believe this came from being a faithful husband, a patient parent, a good friend to many, a caring employer and a community leader whose counsel is sought out and respected.

I truly believe that our community will become a better place with Robert D. S. Kim, Judge, Circuit Court of the Third Circuit and humbly ask for your support.

Respectfully,



Timothy S. Young
110 Aipuni Street
Hilo, Hawaii 96720
(808) 935-7830

RUSH MOORE LLP
A Limited Liability Law Partnership

Attorneys at Law

Offices Honolulu and Kona

Kona Office: 81-964 Haleski'i Street, Suite A5, Kealahou, Hawaii 96750 / Tel. (808) 324-7575 / Fax (808) 324-7576

SHAWN MAILE NAKOA
Resident Partner
Email: snakoa@rmkona.com

September 12, 2017

Via Facsimile Transmission
(808) 586-6461

Senate Committee on Judiciary and Labor
Hawaii State Capitol
Room 219
Honolulu, Hawaii 96813

Re: Written Testimony in Support of Nominee Robert D. S. Kim
Third Circuit Court Judgeship

Dear Honorable Senate Chair and Committee Members:

This letter is written in strong support of Robert D. S. Kim, Esq. I am the resident partner with Rush Moore LLP in Kailua-Kona, Hawaii. I have known Robert Kim for over twenty-three (23) years. Based on my personal and professional experiences with Mr. Kim, I am able to attest to his strong abilities and qualifications.

I have experience with Mr. Kim as opposing counsel, co-counsel and as a litigant when I was a *per diem* judge. In all capacities, he was an integrous attorney.

Mr. Kim is perhaps one of the most diligent and knowledgeable attorneys in Kona. Given his substantial background in both civil and criminal law, he is uniquely qualified to serve as a Circuit Court judge in West Hawaii.

With regard to public service, Mr. Kim has been extremely involved in the West Hawaii Bar Association and its many pro bono activities. In addition, every time I have voted in Kona, Mr. Kim was volunteering his time to assist voters.

I know of no financial or health problems that would adversely affect his ability to serve. Mr. Kim has resided and practiced law within our West Hawaii community for decades.

I strongly recommend that the Senate confirm Robert D. S. Kim, Esq. to the Third Circuit Court bench.

Senate Committee on Judiciary and Labor
Page 2

September 12, 2017

If I can provide any further information, please do not hesitate to contact me.

Respectfully,

RUSH MOORE LLP
A Limited Liability Law Partnership

By 
SHAWN MAILE NAKOA

SMN:sjn

September 8, 2017

Hawaii State Legislature
Senate Committee on Judiciary
Brian Taniguchi, Chair
Hawaii State Capitol, Room 219
415 South Beritania St.
Honolulu, HI 96813

Re: Third Circuit Court Judicial nominee Robert J. Kim

Dear Chair Taniguchi:

I am writing this letter in support of Robert D.S. Kim's confirmation for Circuit Court Judge.

I have known Mr. Kim professionally for about 10 years. He has always been very professional, knowledgeable about his cases and the law, easy to work with, and very passionate about the law and justice.

Mr. Kim is very involved and well-respected in the Kona community. If confirmed to the Circuit Court judge position, I believe Mr. Kim would be a fair and objective judge and I am happy to write this letter in support of him.

Very truly yours,



Dawn West
Holualoa, HI

Tom Heinrich

From: Lida Kim <lidakim@hotmail.com>
Sent: Thursday, September 7, 2017 9:51 PM
To: JDCTestimony
Subject: Robert D.S. Kim for Judge

To: Brian T. Taniguchi, Senate Judiciary Committee

I would like to recommend Robert for this position. I have known him for over 50 years. He is my step-son. I

have seen him grow and mature

over the years into a very responsible and compassionate man. He has worked hard all his life and has always tried to see both sides

of any problem. He is a very caring family man raising 3 well educated children. I feel he would be an excellent judge with his years of experience

as a lawyer in Kona.

Lida M Kim

P.O. Box 2652

Kamuela, HI 96743

lidakim@hotmail.com

*Law Offices of
LESLIE R. KOP*
1100 Ward Avenue, Suite 500
Honolulu, Hawaii 96814*

*Adrian Y. Chang
Randall Y. Kaya
Laurie E. Keeno
Telephone: (808) 527-7736*

*Leslie R. Kop
Michael A. Lorusso
Brenda E. Morris
Facsimile: (808) 527-7102*

September 8, 2017

BY EMAIL

jdctestimony@capitol.hawaii.gov

lito@hsba.org

Sen. Brian Taniguchi
Chairman, Senate Judiciary Committee

Pat Mau
Executive Director, HSBA

Re: Nomination of Robert Kim, Esq. to Third Circuit Court (Kona)

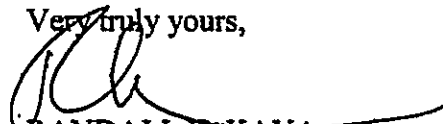
I am writing this in my personal capacity and not as a representative of First Insurance or my law firm.

I am writing to support and recommend Robert Kim, Esq. ("Bob") for the circuit court position. I am doing so not because he is a friend but because I've known Bob since law school and handled cases with or against him over the years since school. What I remember best about Bob is what he told me while we were in school which was: "I may not be the smartest guy in the class but no one is going to outwork me". Although he downplays his intellect, from my interactions with him, he has always remained true to that thought.

In practice, I've always found Bob to be diligent and thoughtful about the matters being handled and his honesty and candid thoughts were always well received. In all, Bob would be a credit to the Judiciary, the Big Island and Kona, if he is allowed to serve at judge.

Thank you for your time and consideration.

Very truly yours,


RANDALL Y. KAYA

ROY A. VITOUSEK III, ESQ.
75-170 Hualalai Rd., Ste. B-303
Kailua-Kona, Hawaii 96740
808-329-5811 (office)
808-938-0388 (mobile)
email: rvitousek@cades.com

September 14, 2017

VIA EMAIL: jdctestimony@capitol.hawaii.gov

Brian T. Taniguchi, Chairman
Senate Judiciary Committee

Re: Third Circuit Court Judicial Candidate Robert D. S. Kim

Dear Chairman Taniguchi:

I write this in support of the nomination of Robert Kim to the Third Circuit Court bench in Kona. Specifically, I urge the Judiciary Committee to find Mr. Kim qualified to serve as a Circuit Court Judge.

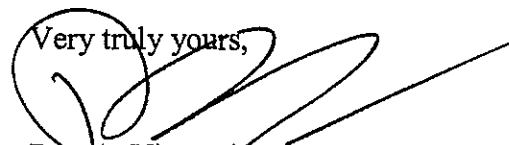
I have practiced in the Third Circuit since I entered private practice in 1977 and have been a full-time Big Island resident since 1987. I am the Resident Partner for the Big Island offices of Cades Schutte LLP. I have known Mr. Kim since the late 1980s.

In my opinion, Mr. Kim is highly qualified and would make an excellent judge. He has very high standards for his legal work and has experience in a wide range of practice areas. Over the last 10 years, I have seen him emerge as a leader in the legal profession in Kona (and Hawaii) and as having a balanced, professional demeanor which will serve him and the community well on the Circuit Court bench.

Mr. Kim is a strong advocate for his clients and for improving the legal system. This does not always sit well with opponents or others who may not share his zeal. I have been on opposing sides with Mr. Kim and I found him to be competent and professional as he vigorously represented his clients' interests.

I wholeheartedly recommend Mr. Kim for the Third Circuit Court bench.

If you have questions or require additional information, please contact me.

Very truly yours,

Roy A. Vitousek III

RAV:bah

Karen N. Cooper
P.O. Box 881023
Pukalani, HI 96788
September 16, 2017

Senate Judiciary Committee Chair Brian T. Taniguchi
jdctestimony@capitol.hawaii.gov

Dear Honorable Committee Chair Taniguchi:

As Robert Kim's sister-in-law for the past 29 years, I am writing in support of his qualifications to be a circuit court judge in Kona. I have very close firsthand knowledge of his personal life from years of visiting, but especially from speaking to his wife and my sister, Susan, on a weekly basis. He has always shown himself to be a dedicated and hard worker who is committed to his family and community, especially in the last several years. I have witnessed how Robert turned to God and his church when changes in his life took place, taking the time to joyfully participate and volunteer in church activities and events.

His ability to be aware of his weaknesses and faults and be forthcoming about his own shortcomings has only made him a more understanding, forgiving, fair and better human being.

He also has a very personable and sincere love for others, especially in his appreciation of other people's cultures and traditions. Roberts enjoys art and food from various ethnicities as well. He is well-rounded and can be very funny and fun, often poking fun at himself.

I hope you will consider these descriptions of Robert's character and approve him to be the next circuit court judge.

Mahalo,

Karen N. Cooper
(808) 870-9227

Mrs. Susan K. Suzuki
P.O. Box 1991
Kealahou, HI 96750
(808) 987-1246
susukona@yahoo.com

9-17-17

Dear Brian T. Taniguchi:

It is with great pleasure to write a letter of support for Robert Kim's judicial appointment. I have been Mr. Kim's neighbor for over 20 years and also had the pleasure of teaching one of his children who attended Konawaena Elementary School.

Mr. Kim has and continues to impress me as he juggles the many roles in his life. He has been busy as a husband, father of three, an attorney, and an active member of the community. I find Mr. Kim to be a very helpful and trustworthy neighbor. If my family is on a trip, I feel completely comfortable leaving the key with him so he can keep an eye on my house until our return.

I have enjoyed our conversations over the years as we spoke about our families, careers, and life in general. I find Mr. Kim to be hard-working, intelligent, respectful, fair, and civic-minded with a high level of integrity and a great sense of humor. All qualities of a decent human being.

Mr. Kim would make an excellent judge and I support him completely. If you have any questions, please do not hesitate to contact me. Mahalo.

Sincerely,

Mrs. Susan K. Suzuki

September 18, 2017

Senate Judiciary Committee Chairman Brian T. Taniguchi
jdctestimony@capitol.hawaii.gov

Dear Chairman Taniguchi:

I've known Robert Kim for 32 years, and, next June, we will celebrate our 30th anniversary. I'm writing this letter in support of his appointment as a Third Circuit Court Judge.

Bob grew up from humble beginnings, mostly in Hilo with his grandparents, when he began to dream about a different kind of life. His journey included working a variety of jobs to support himself, while he contemplated his career path.

Going to law school was never part of the plan, but one of his friends planted the seed that "if I can do it, you can do it." Today he has a successful law practice, thanks to many who have helped him along the way. In turn, he encouraged me to apply for law school, and I took a path I had never contemplated.

Throughout his life, Bob has taken chances and has lived with the philosophy that when you commit to something, you've got to be "all in" and see it to the end with everything you've got. As a result, he knows what it's like, maybe more than most, to experience success and failure at a higher degree so when he falls hard, he doesn't want a repeat performance. Therefore, he has had to learn from his mistakes—both personally and professionally—and has made changes which have helped him to become a better and more compassionate person.

During his life, he has walked in many shoes which enables him to relate to a variety of people from different backgrounds. Likewise, his diverse law practice has made him a seasoned advocate for many in the community. He can put people at ease with his great sense of humor, but, at the same time, he has a soft spot for those who don't have access to legal representation as exemplified through his pro bono and court-appointed work. He also is vested in our community, volunteering for the West Hawaii Bar and other organizations.

On a personal level, he is a great cook, which he attributes to his Father, and a fastidious house cleaner, which he credits to his Portugese grandmother. He enjoys being in the outdoors—fishing, swimming, and hiking. Returning to his church roots in the last 10 years has grounded him, as well.

If you look at Bob as a whole, I think you'll find him well-equipped to serve the Third Circuit, having lived on the Big Island for many years and in Kona for the past 27 years. Besides being familiar with the local culture, he is an experienced attorney and would be grateful if given this opportunity to give back to the community, which has supported him throughout the years.

Your consideration is greatly appreciated.

Sincerely,

Susan Kim
(808) 938-9726
susanmkim@hawaii.rr.com

September 25, 2017

The Honorable Brian T. Taniguchi, Chair
and Members
Committee on Judiciary
Senate
Hawaii State Capitol, Room 219
Honolulu, Hawaii 96813

RE: GM2
Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawaii, Gubernatorial Nominee ROBERT D.S. KIM, for a term to expire in 10 years.

Dear Chair Taniguchi and Members:

Thank you for the opportunity to submit written testimony in strong support of Mr. Robert D. S. Kim's confirmation to the Circuit Court of the Third Circuit. I have known Robert for approximately 50 years.

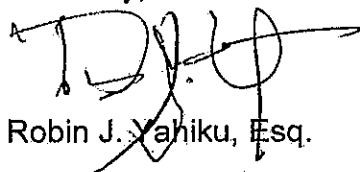
On a professional level, Robert has acquired a host of skill sets that have prepared him for the role he now seeks to assume as a Circuit Court judge. He is a highly motivated individual with a strong work ethic, who takes a proactive approach to problem solving, quickly grasps complex issues, and communicates effectively in a positive and encouraging manner.

On a personal level, I have watched Robert develop and mature as a gentle man with many notable qualities and attributes. He is a loving husband and father, who along with his wife, Susan, have raised three wonderful children together. He is caring, witty, sharing, humorous, conversing, and has a deep appreciation for family and friends.

Without reservation, I truly believe that Robert possesses the requisite professional and people skills necessary to serve the Hawaii State Judiciary and the people of Hawaii with honor and distinction.

I strongly support Robert's confirmation and respectfully urge your favorable consideration. Thank you for the opportunity to submit written testimony on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robin J. Yahiku', with a long horizontal flourish extending to the right.

Robin J. Yahiku, Esq.

Tom Heinrich

From: Curtis Kam <ckam@lla-hawaiiilaw.com>
Sent: Wednesday, September 20, 2017 5:01 PM
To: JDCTestimony
Subject: In Support of the Nomination of Robert D. S. Kim

To the members of the Committee, and whom it may concern:

Thank you for the opportunity to speak briefly on behalf of your nominee, Robert D. S. Kim, for the position of Circuit Court Judge for the Third Circuit. I have known Bob for over thirty years, although his affection for the Big Island has made socializing or working together difficult. We were in the same class in Law School, however, and in fact, I believe we tried our first case together. (A drug possession case through an apprenticeship program run by the Office of Public Defenders. We won.)

Throughout it all, Bob has always balanced his understanding of the law with an understanding of people. He has a propensity to check what the laws tells us against good common sense; a tendency that I regard as essential in the makeup of a judge. If you find him worthy of the position, I have no doubt that he will serve with equal parts of decency and distinction.

Thank you for your time and consideration,

Curtis Kam, Esq.
Lynnae Lee & Associates
1620 Ala Moana Blvd. #510
Honolulu, Hawaii 96815
(808) 237-4100

Tom Heinrich

From: joyceg001@hawaii.rr.com
Sent: Wednesday, September 20, 2017 9:00 PM
To: JDCTestimony
Subject: Letter to support Robert Kim as a judge of the 3rd Circuit Court

To Senate Judiciary Committee Chairman Brian T. Taniguchi,

I recommend Attorney Robert D.S. Kim as a judge of 3rd Circuit Court in Kona of the Big Island of Hawaii.

Here are my reasons:

He is a family man.

He is educated, and skilled in court system.

He is locally known and respected by majority of people here in Kona.

He has experience and will serve the people with equity and integrity.

Mrs. Chinyere A. Joyce,

I live in Kona and I am a qualified teacher by profession.



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Gary Y. Murai
299 S. Alu Road
Wailuku, Hawaii 96793-1511

September 21, 2017

The Honorable Brian T. Taniguchi
Chair, Senate Committee on Judiciary
State Capitol
Honolulu, Hawaii 96813

Dear Senator Taniguchi and Members of the Senate Judiciary Committee:

RE: Measure GM2 - Letter of support for the confirmation of Robert D. S. Kim to fill the vacancy in the Third Circuit Court created by the retirement of the Honorable Ronald Ibarra

Judge Ronald Ibarra's retirement has left huge shoes to fill. Robert Kim is best able to fill those shoes.

I have practiced law in Hawaii for nearly 30 years, 20 of which were in Third Circuit courts. I have had many opportunities to observe Mr. Kim in and out of court. We have been on the same side as well as opposing sides of matters, and I have nothing but respect and admiration for his legal knowledge, litigation skills, honesty, integrity and sense of fairness.

The depth and breadth of Mr. Kim's experience in civil and criminal matters, at the trial level and in the appellate courts is unmatched. Mr. Kim has a reputation for taking the most difficult cases, challenging powerful, well-funded opponents – and prevailing.

Mr. Kim's contributions to the West Hawaii community are also unmatched. As the West Hawaii Bar Association president and as a private citizen, Mr. Kim vigorously advocated for a proper courthouse in Kona. He often travelled to Oahu to lobby for the court house at his own expense. It was a decades-long effort that recently resulted in a ground-breaking for construction. Mr. Kim has also provided a significant amount of pro bono legal assistance to many clients who could not afford to hire an attorney.

West Hawaii is a unique and complex jurisdiction. It is geographically huge, socially and culturally diverse, with a mix of long-time residents and recent arrivals. It is a mix of rural and resort areas with its share of poverty, drug abuse and homelessness. The people of Kona will be well served by having a judge who is a long-time Kona resident who understands the dynamics of their community.

In closing, I humbly urge you to appoint Mr. Kim to the Third Circuit Court bench. I am confident he will do nothing to make you regret your decision.

Sincerely,

/s/Gary Murai

Gary Y. Murai

N I W A O
&
R O B E R T S

Certified Public Accountants, A Professional Corporation

Before the Senate Committee on Judiciary
Monday, September 25, 2017 at 11:00 a.m.
Conference Room 016

**Re: GM2 – Strong Support of Robert D.S. Kim
as a Judge for the Third Circuit Court**

Chair Taniguchi, Vice Chair Rhoads, and Committee members:

I write in strong support of the nomination of Robert D.S. Kim as a Judge to the Third Circuit Court.

I am a CPA and an attorney, and a member of the Hawaii State and Maui Bar Associations as well as the American Bar Association and various professional public accounting associations. I have been practicing for 39 years in public accounting, and have worked extensively in litigation support with many attorneys across the State of Hawaii. I have also served as a Master and Expert Witness for the Second Circuit Court. In addition, I have served as a Bankruptcy Examiner for the United States Bankruptcy Court.

During my years in practice, I have worked with Robert Kim in at least two separate cases for clients of my CPA firm – one case involving a divorce and one involving another civil matter. During both engagements, I found Robert to be competent, intelligent, and knowledgeable about legal matters pertaining to my clients, including court procedures. He worked diligently with integrity and promptness, and he displayed excellent judgment when decisions had to be made. I believe he has the proper judicial temperament and experience to fulfill the duties and responsibilities of a Hawaii Circuit Court judge in an exemplary manner.

Please support the nomination of Robert D.S. Kim as Third Circuit Court Judge.

Thank you for your consideration of the above.

Respectfully submitted,



Marilyn M. Niwao, M.S.P.H., J.D., CPA, CGMA, ATA
President

Tom Heinrich

From: Stacy Rezentes, Esq. <rezentes.law@gmail.com>
Sent: Thursday, September 21, 2017 7:13 PM
To: JDCTestimony
Subject: GM2: Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawaii, Gubernatorial Nominee ROBERT D.S. KIM, for a term to expire in 10 years.

Aloha, Chair Taniguchi, Vice-Chair Rhoads, and committee members: Thank you for considering the nomination of Robert Kim to serve as a judge in the Third Circuit. I have known Bob since we started law school in 1983 at the William S. Richardson School of Law. From the beginning, Bob stood out as someone who had enough prior experience to understand the practical aspects of the law, but not too much to diminish his enthusiasm and passion for justice. Many years later, when I was serving on the Board of Directors of the Native Hawaiian Legal Corporation, Bob stepped up to the plate to assist NHLC with a high-profile case about a resort development that clearly violated laws enacted to protect Native Hawaiian burials and historical/cultural sites; his role was pivotal to NHLC's success. Still more recently, when a personal problem arose within my immediate family in Kamuela, Bob was never too busy to take my call and share self-help resources free of charge. I can support Bob's nomination without hesitation, as he has what I consider to be the perfect blend of legal practitioner expertise and judicial demeanor.

Mahalo,

Stacy Plunkett Rezentes
WSRSL 1986

Jacqueline K. Murai
299 S. Alu Road
Wailuku, HI 96793
September 22, 2017

Senate Committee on Judiciary
Brian T. Taniguchi, Chair
Hawaii State Capitol, Room 219
Honolulu, HI 96813

Dear Chair Brian Taniguchi and Members of the Senate Judiciary Committee:

RE: Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawaii, gubernatorial nominee Robert D.S. Kim, for a term to expire in 10 years.

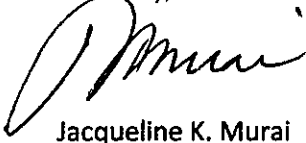
I have known my brother in law, Robert (Bob) D.S. Kim, for more than 30 years. Throughout the years I have seen him experience many of the joys as well as the challenges and struggles in his life as a husband, father and friend.

What I've come to admire about Bob is that he's not afraid to face life's difficulties head-on and explores options to reach the best resolution possible. He also uses these learning experiences as opportunities to better his life.

I am confident that Robert (Bob) Kim will represent the Judiciary and the State of Hawaii with honor, dignity and respect and I humbly ask for your support in confirming him as Circuit Court Judge of the Third Circuit.

Thank you very much.

Sincerely,



Jacqueline K. Murai

Tom Heinrich

From: Bill Heflin <bill@ianmattoch.com>
Sent: Friday, September 22, 2017 3:07 PM
To: JDCTestimony
Subject: GM-2 Submission of Testimony in Support of Robert Kim for Circuit Court Judge of the Third Circuit

September 22, 2017

Senator Brian T. Taniguchi, Chair
Senator Karl Rhoads, Vice-Chair
Committee Members

GM-2: Nomination of Robert Kim for Circuit Court Judge of the Third Circuit

Senators:

It is my sincere pleasure to write to you in full support of Third Circuit Court Judge Nominee, Robert Kim. I believe that Governor Ige made an excellent choice in selecting Bob, as he was clearly the best and most qualified candidate in West Hawaii, and I strongly urge the Judicial Selection Committee and the Senate to confirm him.

I have known Bob for many years in different capacities. I first met him when I was an associate attorney working in Hilo, when I occasionally had to go to Kona for business. Over the years I have made multiple special appearances for him in Kona, and he has been courteous and returned the favor in Kona many times. I also have appeared opposite Bob in a few cases, and while we may not have agreed on the facts and law, he was always courteous and professional. Bob is a highly effective and zealous advocate for his clients. I have also appeared in front of Bob in a case for which he was the CAAP Arbitrator, and he conducted the hearing in such a way as both sides were able to fully present their case in a professional manner, and I found him highly knowledgeable regarding the law. I also worked with Bob when I was President of the Hawaii County Bar Association, and he was President of the West Hawaii Bar Association. During those interactions with Bob, I found him to be a strong advocate not only for the West Hawaii Bar, but the entire island, and I believe his tireless support is one of the reasons West Hawaii will soon have a new courthouse. (Which has been sorely needed for many years!) Knowing Bob in all of these capacities, I can also say that he is a warm and compassionate person, and I believe that he has the right kind of judicial temperament to treat everyone fairly and with respect.

Bob is widely respected throughout the Third Circuit and the State of Hawaii, and there is not enough space here to detail his long list of professional accomplishments over the decades. Whenever I have been asked to make a referral for representation on the Kona side of the Third Circuit Court, whether it be a Criminal, Civil, Family Court, or even an Appellate referral, Bob is usually the first person on my list. Several of Bob's cases have gone to the Hawaii Supreme Court, and created important precedent in the state in a variety of cases, including Ka Pa'akai o Ka'aina v. L.V.C., 7 P.3d 1068, 94 Hawai'i 31 (2000), Gump v. Wal-Mart, 5 P.3d 407, 93 Hawai'i 417 (2000), and State v. Cummings, 63 Hawai'i 1109, 101 Hawai'i 139 (2003). Bob possesses the highest level of legal knowledge and ability in both Criminal and Civil Court, something which is key in the Third Circuit as the Judges have mixed calendars, and have to serve in both capacities.

I believe that Bob will be able to effectively and expertly fulfill the responsibilities and duties of a Circuit Court Judge, and I strongly urge the Judicial Selection Committee and the Senate to confirm him. Thank you for giving me an opportunity to express my support for Robert Kim to be a Third Circuit Court Judge. If anyone has any further questions or concerns regarding Bob's qualifications, please feel free to contact me at any time.

Truly yours,

William B. Heflin
(808) 969-3302 wk
(808) 319-9040 cell
bill@ianmattoch.com

The Law Offices of Ian L. Mattoch
586 Kanoelehua Avenue
Hilo, HI 96720

PAULA W. CHONG 95-1011 HOAMA STREET, MILILANI, HAWAII 96789

September 22, 2017

VIA JDCTestimony@capitol.Hawaii.gov

The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice Chair, and Members
Senate Committee on Judiciary
State Senate
Hawai'i State-Capitol
415 South Beretania Street, Room 016
Honolulu, Hawai'i 96813

Subject: GM2; Testimony in Support of the Gubernatorial Nomination of Robert D.S. Kim to the Circuit Court of the Third Circuit, State of Hawai'i

Dear Chair Taniguchi, Vice Chair Rhoads and Committee Members:

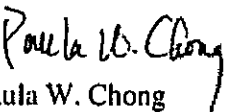
I am writing to express my strong support for the appointment of Robert D.S. Kim to the Circuit Court of the Third Circuit. I have known "Bob" Kim for about 34 years, since we attended the William S. Richardson Law School together. Bob was an engaged and enthusiastic student. He often raised challenging questions and I was impressed by his analytical skills, as well as his "people" skills. He was always respectful in expressing his opinions, patient, and open-minded, which are attributes needful in a jurist.

In his legal career, Bob has developed a broad range of practice areas, including personal injury, criminal, real estate, divorce, and family law. His experiences will be of tremendous benefit to his work on the bench.

Finally, Bob has an admirable record of public service, including pro bono representation of Na Loio (immigrant) clients in domestic violence matters, court appointed indigent clients, indigent clients of Hawaiian descent, organizations defending native Hawaiian rights, and environmental groups in West Hawai'i engaged in protecting the natural environment. He has also participated in public interest litigation on a pro bono or reduced cost basis involving violation of Hawai'i's Sunshine Law, and in voting and reapportionment matters. His work reflects his commitment to helping some of the most vulnerable members of our community seek justice.

Again, I recommend Robert D.S. Kim without reservation to a judicial appointment on the Third Circuit Court. Thank you for your consideration.

Best regards,


Paula W. Chong

BICKERTON ■ DANG
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September 22, 2017

The Hon. Brian T. Taniguchi, Chair and members
Senate Committee on Judiciary
Honolulu, HI

Re: Robert D.S. Kim
Nomination to Circuit Court of the Third Circuit

Dear Sen. Taniguchi and Committee Members,

I would like to take this means to heartily endorse Robert D.S. Kim to the Third Circuit Court Judicial position in Kona. I have been practicing law in Hilo for 52 years, and I have known Bobby for over 25 years. I have worked on cases with Bobby over many years and know him to be an excellent lawyer. He has a keen sense of justice, and I have always found him to be honest, compassionate and fair. He is a long-time member of the Kona community and has made significant contributions to both the legal community and the community at large.

I believe that Bobby will be an extremely positive addition to the Third Circuit Court bench in Kona, and I support him wholeheartedly.

Sincerely,


Stanley H. Roehrig

SHR/ghk

Norman L. Sakamoto
1248 Ala Mahamoe St
Honolulu, Hawaii 96819

Senator Brian Taniguchi, Chair
Committee on Judiciary
State Capitol
415 South Beretania St
Honolulu, Hawaii 96813

Testimony- GM2 Robert D S Kim

Chair and Members,

I am in SUPPORT of the Gubernatorial Nomination of Robert D S Kim to the Circuit Court of the Third Circuit.

Robert has a career that includes varied experience, both in government and in the private sector.

He has been very active in the professional associations in West Hawaii.

I ask for your favorable consideration of his nomination.

Respectfully,

Norman

Tom Heinrich

From: Vaughan Winborne <vswwaimea@gmail.com>
Sent: Saturday, September 23, 2017 5:24 PM
To: JDCTestimony
Subject: Robert Kim

I write as a lawyer for 11 years on the Big Island, who has practiced against and along side Robert Kim. He has shown me only collegiality and competence. The longer I have had contact with Robert, the more I have come to see him as an example for other lawyers. He zealously represents his clients, promoting his clients' interests without being harsh or untoward. He always shows, not only knowledge of the law, but of the spirit of the law also.

I believe he would fairly administer justice in his courtroom with understanding and compassion for all parties and persons.

I unreservedly endorse him as Circuit Court Judge.

Vaughan S. Winborne, Jr., Hawaii Bar # 8533



Law Offices of Brian J. De Lima

101 Aupuni Street, Suite 133

Hilo, Hawaii 96720

Phone: (808) 969-7707 Fax: (808) 969-6606

Senator Brian Taniguchi
Chair of the Senate Committee on Judiciary
State Senate
Hawaii State Capitol
Honolulu, Hawaii

Senator Taniguchi and members of the Committee:

I am writing in support of Gubernatorial nominees Henry T. Nakamoto and Robert D. S. Kim for confirmation as Circuit Court Judges of the Third Circuit. Both nominees are multi generational citizens of the State of Hawaii, whose families and children have attended public school in Hawaii. Public education for our nominees were valued by their families and provided the foundation for their pursuit of higher education and choice of careers.

I am personally acquainted with both of our nominees for several decades and am able to attest to qualities that the nominees possess which are: integrity, intelligence, ethics, judicial temperament, and empathy. We should all be proud that these two nominees are willing to publicly serve our community. Both nominees are highly qualified and have demonstrated in their private practice and public service, that they are both organized and hardworking.

Both nominees have a calm demeanor, quick wit, and coupled with their ability to communicate and explain legal principles to people of myriad backgrounds have earned them the reputation of not only listening but also fair and understanding. Both nominees will apply the law equally without regard to status or circumstances and will do the right thing even if it is not popular.

Both nominees have strong reputations for having superior legal minds and their stature within the legal community are of such reverence that all litigants will know that they will get fair and even handed treatment with perfect level of judicial temperament and that their rulings will conform to the law, be without prejudice, and be made within a reasonable time frame.

I urge that this Committee favorably recommend for confirmation Judge Henry T. Nakamoto and Robert D. S. Kim as Circuit Court Judges of the Third Circuit Court.

Sincerely,


BRIAN J. DE LIMA