

TESTIMONY ON GOVERNOR'S MESSAGE 2,
NOMINATION OF KEVIN A. K. SOUZA AS JUDGE OF
THE STATE OF HAWAII, FIRST CIRCUIT COURT.

by
Nolan P. Espinda

To the
Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

Tuesday, September 10, 2018; 10:00 a.m.
State Capitol, Conference Room 016

Chair Rhoads, Vice Chair Wakai, and Members of the Committee:

I write to express **strong support** for the appointment of Kevin A. K. Souza as Judge of the State of Hawaii, First Circuit Court.

Mr. Souza is of impeccable character, portrays an unwavering dedication to justice, and exhibits the temperament necessary to compassionately perform the duties and responsibilities of a Judge.

I respectfully ask that this Committee act favorably in considering Mr. Souza as Judge of the First Circuit Court.

Thank you for the opportunity to present this testimony.



LATE

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

Kevin A.K. Souza
Circuit Court Judge of the First Circuit (GM2)

TO: The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice-Chair
and Members of the Senate Committee on Judiciary

FROM: Derek R. Kobayashi
President, Hawaii State Bar Association

Hearing: Tuesday, September 10, 2019 at 10:00 a.m.
Conference Room 016
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of Kevin A.K. Souza for the position of Circuit Court Judge of the First Circuit.

The HSBA Board of Directors followed its multi-step process to inform the confirming authority of its findings on this appointment.

- 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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- 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 Executive Director met with Judge Souza on September 6, 2019 to discuss the subcommittee's findings. On September 9th, Judge Souza was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Judge Souza was reviewed and the references listed were contacted for their personal opinions and observations. The comments and letters received from HSBA members reflected an affirmation of Judge Souza 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

Since Kevin A. Souza's appointment as a judge to the Family Court of the First Circuit in 2013, the Nominee has presided over the full complement of family law cases. He appreciates the Court's role in protecting Hawaii's children and families. In January of this year, Judge Souza was temporarily assigned to the First Circuit Court with a full criminal calendar.

It has been observed that since 2016, over 350 years of judicial experience on the First Circuit court bench has been lost to retirements. Judges who strive to be open-minded; communicate effectively to all who enter the courtroom; are constantly mindful of demeanor; and who will apply the law fairly to their best of their ability will greatly assist the Judiciary during this transition to fill the vacancies due to retirements.

After the interview of the nominee, which included dialogue and questioning relating to his background, experiences, and reasons for pursuing the position of Circuit Court Judge of the First Circuit, the Board of the Hawaii State Bar Association found Judge Kevin A.K. Souza to be **QUALIFIED** for the position of Circuit Court Judge of the First Circuit.

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

Respectfully submitted,



DEREK R. KOBAYASHI
President, Hawaii State Bar Association

From: [Mailing List](#)
To: [JDCTestimony](#)
Cc: pohakulady@gmail.com
Subject: Submitted testimony for GM2 on Sep 10, 2019 10:00AM (Written Only)
Date: Thursday, September 5, 2019 3:27:25 PM

GM2

Submitted on: 9/5/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
Anne Stone	Individual	Support	No

Comments: To Whom It May Concern: This email is being written in support of the appointment of Kevin A. Souza to fill a vacancy on the Hawaii Circuit Court. During his seven years in Family Court, I have been impressed by his command of the law, familiarity with the issues and efforts to reach a fair, just and humane result. His preparation and commitment to the rule of law are demonstrated in his well-reasoned decisions. Kevin has exhibited excellent judicial temperament. He has a good sense of humor, self-discipline and varied interests outside of the law (which I think are extremely important). He loves his family and is a great husband and father. I believe Kevin has all of the credentials, experience and wisdom to be a great Circuit Court Judge. Sincerely, Anne A. Stone

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LATE

From: [Barrett Awai](#)
To: [JDCTestimony](#)
Subject: Kevin A.K. Souza, GM#2
Date: Monday, September 9, 2019 2:29:49 PM

Kevin A.K. Souza, GM#2

Aloha Kakou,

Kevin and I grew up together through our fathers who both served and retired from HPD. They would compete against each other in HPD athletics where Kevin and I would be on the playgrounds or on the court during timeouts or half times shooting around. We then made a deeper connection at Kamehameha Elementary in the 4th grade and became best of friends. We were high school classmates, college roommates, teammates in football and basketball, and served one another as “Best Men” in our weddings! I am writing in support of him being selected as a State of Hawaii, First Circuit Court Judge.

As our friendship is proven, I am blessed to continue to witness Kevin’s strong and wise character as he raises his two children and leads his ohana in the ways of our Lord Jesus Christ. Kevin’s marriage shines love and aloha and it is a witness to his commitment to his responsibility to lead with respect and honor.

Life on an island is unique and it is hard not to be noticed or judged by bystanders. I frequently hear from others, both acquaintances and non-acquaintances, about Kevin’s great work as a Family Court Judge and previously as an attorney which is why it is not a surprise he has been nominated.

Lastly, Kevin has always been a well-known gentle, yet strong leader amongst his best friends. It is an honor for me as a friend to testify to the strength and quality of his character.

God Bless,
Barrett Awai
Minister

LATE



THE LAW OFFICE OF BENJAMIN R.C. IGNACIO

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JUDICIARY COMMITTEE

RE: SOUZA, Kevin
Circuit Court of the First Circuit Applicant

Dear Sirs and Madams:

I am writing in support of Kevin Souza's appointment to the bench for the Circuit Court of the First Circuit. In short, I strongly support Judge Souza for the position, and I believe that he will bring the same high level of professionalism, fairness, and legal scholarship that he has already used as a Family Court judge.

I have known Judge Souza since he was a law student at U.H. and he has always struck me as a kind, even-tempered individual, the very embodiment of a Hawaiian gentleman. We continued to remain friends as he started his legal career at McCorriston Miho & Miller and the Office of the Public Defender. I interacted with him more regularly when I returned to the Criminal Defense field and he was moving up the ranks in the P.D. office. Again, his professionalism, strong work ethic, and mature approach to his cases was evident.

I also interacted with Judge Souza when he worked for the Lt. Governor. Although he had a party affiliation, and worked hard to advance its interests for the L.G., I never felt that good sense, fairness, or honesty had been compromised by partisan politics. He has always been his own man, and that man is principled, ethical, and filled with Aloha for everyone on these islands.

Finally, I have seen how Judge Souza runs his courtroom, now that he has moved to the jury trial division of Family Court. His courtroom and case management are excellent, as is his demeanor. None of this surprises me, as it is what I would have predicted back when I first met him as a law student.

Thank you for your time and attention to this letter. It is my great hope that you will approve Judge Souza for the Circuit Court.

VERY TRULY YOURS
BENJAMIN R.C. IGNACIO

From: [Mailing List](#)
To: [JDCTestimony](#)
Cc: pekaanna@hawaii.rr.com
Subject: *Submitted testimony for GM2 on Sep 10, 2019 10:00AM (Written Only)*
Date: Thursday, September 5, 2019 1:53:02 PM

GM2

Submitted on: 9/5/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
Betty Jones	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.

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September 7, 2019

Letter in Strong Support of GM2, the Honorable Kevin A.K. Souza, Judge

Dear Senate President Kouchi and Members of the Senate,

My name is Bryant Zane. I am a Deputy Public Defender and have worked 16 out of the last 17 years at the Office of the Public Defender, State of Hawai'i in Honolulu. Prior to that I was a Deputy Prosecuting Attorney for the County of Kaua'i for four and a half years. I am writing this letter in strong support of GM2, gubernatorial nominee for Circuit Court Judge of the First Circuit, the Honorable Kevin A.K. Souza, Judge.

I first met Judge Souza at the Office of the Public Defender in 2002. We worked together for four years until 2006. I have never appeared in front of him in his capacity as a Family Court Judge, but I know him pretty well as a person. In a word, Judge Souza is conscientious. He is a diligent worker, dedicated to his profession, and caring to all he encounters. His ability to be fair and to follow the law is impeccable. Despite being an accomplished trial attorney, an esteemed jurist, a Division I college athlete, and just a downright intelligent person, he lacks any arrogance. Judge Souza would be an excellent selection as a Circuit Court Judge. Please confirm him.

Thank you for your time and consideration.

Aloha Pumehana,

/s/ Bryant Zane

Bryant Zane

September 7, 2019

GM 2 Consideration and confirmation of Kevin A. K. Souza to the First Circuit Court of the State of Hawai'i

Honorable Senator Karl Rhoads, Chair, Honorable Senator Glenn Wakai, Vice-Chair, and members of the Senate Committee on Judiciary:

Please give Kevin A.K. Souza your favorable consideration and confirm his appointment to the First Circuit Court of Hawaii.

Judge Souza's record as an attorney, district family judge, and currently temporary assigned circuit judge is evidence that he possesses the necessary legal and judicial experience to undertake the responsibilities of a permanent circuit court judge for a ten-year term.

Trial court judges are expected to convey appropriate attitudes and to be knowledgeable about the laws' underlying spirit as well as the laws themselves. In the over 20 years that I have interacted with and observed Judge Souza (albeit outside of courtrooms), no matter how chaotic the situation, he has been pleasant, humble, and unflappably patient. These qualities are among those embodied by Chief Justice William S. Richardson, founder of Hawai'i's school of law, and encouraged for all state governmental officials in section 5-7.5, Hawaii Revised Statutes.

No one is ever happy to be in court even if they themselves have initiated a court action. Irrespective of the outcome, litigants and their counsel respect a capable judge who is also humble and patient.

As an attorney who retired with a significant number of years of public service in three branches of state government, I am dismayed that the public more often than not appears to have less than optimal confidence in its governmental functions. It is discouragingly futile to contend that this perception is neither fair nor reasonable.

Perception can and does change with small steps. The constructive influence that judges like Kevin A.K. Souza makes a difference to our community.

Respectfully submitted,

Catherine Chang

LATE

September 9, 2019

Re: Letter in Support of the Nomination of Kevin Souza
as Circuit Court Judge of the First Circuit (Governor's Message #2)

Dear Chair Karl Rhoads and Members of the Senate Committee:

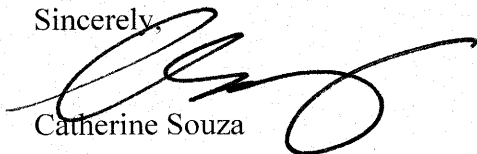
I write in support of my husband's nomination as Circuit Court Judge of the First Circuit. I do not know anyone else that can best attest to his true character. Kevin Souza is a good husband, son, father and friend. He is also an exceptional attorney and judge.

As his colleague, I have worked alongside him and can assert that he is a proficient attorney. He is a very seasoned attorney who works very hard because he always strives to be the person who knows most about any issue facing him. He is committed to his profession and doing his best at all times. His knowledge and experience as an attorney and judge in many areas of law, including civil, criminal and family law allows him to help parties resolve cases efficiently. He has the experience and knowledge to manage the high volumes of cases, facilitate negotiations, and manage cases to resolution. Kevin is also an effective communicator and has great people skills. Being treated with courtesy and respect is a given in his courtroom. Coupled with his experience and knowledge of the law, he is a highly respected judge.

Not only does Kevin dedicate himself to his work, he also mirrors this dedication to his family and friends. Beyond his work, the rest of his time and energy is primarily spent with our family and friends. Having practiced in Family Court and presiding over many cases, he truly understands the value of family and that our ability to be good people and be contributing members of our community starts at home. We are blessed and very thankful to have him in our lives.

Judge Kevin Souza has devotedly served the State of Hawaii's Judiciary. I, along with the rest of his family, will continue to support him so that he may continue to succeed. I humbly and respectfully request that you confirm his nomination to the Circuit Court of the First Circuit. Thank you for taking my comments into consideration.

Sincerely,


Catherine Souza

Darcia Forester
Deputy Public Defender
1130 N. Nimitz Hwy. A-254
Honolulu, Hawaii 96813

September 6, 2019

Senate Judiciary Committee
Chair Karl Rhoads
Vice-Chair Glenn Wakai

**Re: Letter in Support of Kevin A. Souza to Serve as
Judge in the Circuit Court of the First Circuit
Senate Judiciary Hearing on September 10, 2019**

Chair Rhoads, Vice-Chair Wakai and Committee Members:

I am writing this letter in STRONG SUPPORT of Kevin A. Souza to serve as a Judge of the Circuit Court of the First Circuit. I have known Kevin for over 20 years. We worked together as Deputy Public Defenders until he left our office for private practice. I have continued to have opportunities to work with Kevin as a court-appointed attorney and in his capacity as a sitting Family Court Judge.

Kevin is intelligent, thoughtful, diligent, and hard working. His time as a Family Court Judge has demonstrated his incredible work-ethic, his intelligence, and his respect for Due Process and our Constitution and the hard-earned principles of fairness and justice that it embodies. He has the demeanor and patience required to be more than just a jurist – I believe he will continue to be a truly excellent, fair minded and measured judge. I have no doubt that he will become an asset to the First Circuit Court as a Circuit Court Judge. I have been impressed with his treatment of litigants in his courtroom, his respect for jurors, his patience with people who appear in his courtroom seeking justice, and his judicial demeanor. He has the unique talent of bringing dignity and authority to his courtroom in a respectful and honorable manner.

As the current supervisor of the Family Court division, I have had the opportunity to observe Kevin in his capacity as a sitting judge the Family Court of the First Circuit. He had demonstrated all the positive qualities needed to become a Circuit Court Judge. He understands the complications of processing a full and complicated docket, of managing back-to-back jury trials in an efficient manner, and the need to respect the Constitutional requirements of the presumption of innocence and of Due Process. He is always dignified and respectful.

Page 2

In sum, I believe that Kevin possesses the professional credentials and the judicial experience that would enable him to excel as a Circuit Court Judge. For the reasons stated above, I firmly believe that he will make a strong addition to the Circuit Court of the First Circuit.

Very truly yours,

Darcia Forester
Deputy Public Defender

From: [D SHIMA](#)
To: [JDC Testimony](#)
Subject: Testimony for the Honorable Kevin Souza
Date: Monday, September 9, 2019 9:28:18 AM

Senate JDC Committee,

I am submitting this testimony in behalf of the Honorable Kevin A. K. Souza (GM #2) to serve as Judge of the State of Hawaii First Circuit Court.

I am Lieutenant Derick Shima and I have been serving our country as a U.S. Navy SEAL for over 21 years, both as an enlisted personnel and now as a commissioned officer. Throughout my profession I have had the privilege to serve with many distinguished and honorable warfighters who all are dedicated to duty and share the core values of honor, courage and commitment. These distinctive qualities can easily be recognized in leaders and Judge Souza exemplifies these same qualities. I have known Kevin for over 33 years, since high school, and we have remained friends throughout the years. Kevin has always been a respected man in school, work, family and in the community and he is someone whose guidance and advice I highly regard.

I know Judge Souza will be an excellent First Circuit Court Judge and I strongly recommend his appointment.

Sincerely,

Derick A. Shima
Lieutenant, U.S. Navy

LATE

From: [Ed Chu \(echu@acwhawaii.com\)](mailto:echu@acwhawaii.com)
To: [JDCTestimony](#)
Subject: Kevin A.K. Souza (GM#2)
Date: Monday, September 9, 2019 10:36:32 AM

Aloha Senate JDC Committee,

I am writing on behalf of the Honorable Kevin A. K. Souza (GM #2) to serve as Judge of the State of Hawaii First Circuit Court.

I have known Kevin for the last 44 years. Kevin is an exemplary citizen, with integrity being the backbone of his character. He has always displayed honesty and consistency in his values and ethics, while maintaining a strong moral compass.

He has a strong judicial acumen, from his days as being a Public Defender, to his time as a Family Court Judge. While in these roles, Kevin has shown that he is a great communicator to all parties in the court room. Along with being both fair and firm, he has also exhibited compassion and humility. Important traits that we often don't witness from authoritative figures or government officials these days.

As a person of Hawaiian ancestry, growing up, we didn't have many prominent Hawaiian male-figures that we could look up to. Kevin would be that person and be a great role model for young Hawaiians. Aside from being a great lawyer, Kevin is an outstanding Husband, Dad, and Friend. From donating time to classmates, school, church, volunteer coaching, to pro bona work for underprivileged clients, Kevin continues giving of himself tirelessly for his 'ohana, friends, and community.

It is my honor to submit testimony for Kevin Souza and I wholeheartedly recommend him for selection.

Mahalo,

Ed Chu, CIC

Agent

ACW Group, LLC

1000 Bishop Street, Suite 600

Honolulu, HI 96813

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Email: echu@acwhawaii.com

LATE

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FAX: (808) 523-9137

September 9, 2019

Senator Karl A. Rhoads, Chair
Senate Committee on Judiciary
Hawaii State Capitol
415 South Beretania Street,
Senate Judiciary Committee Room 204
Honolulu, Hawaii 96813
via email attachment to JDCtestimony@capitol.hawaii.gov

RE: Testimony in support of the nomination of Kevin A. K. Souza (GM2)

Aloha Chair Rhoads and Fellow Members of the Senate Committee on Judiciary:

I am writing in strong support of the nomination of the Hon. Kevin A. K. Souza to the position of Circuit Court Judge of the First Circuit.

I have known Judge Souza on a personal level and as a professional colleague from the time he was hired as a deputy public defender. In that capacity, I was able to observe his advocacy on behalf of his clients on numerous occasions. He was a superb public defender, both in and out of court.

The most impressive thing about Judge Souza is that he is universally acknowledged among his peers to be a very humble, compassionate, and caring attorney and judge. Although I have never appeared before him in his role as a Family Court Judge, I continue to hear great things about the way he performed on the bench, with great respect for all who appeared before him, including the parties, both adult and juvenile, witnesses, and the attorneys representing their respective clients. His knowledge of the law, judicial demeanor, and decision-making ability are well-respected by the attorneys who appear before him on a regular basis.

I respectfully request you vote to confirm Judge Souza as Circuit Court Judge of the First Circuit.

Respectfully submitted,



Howard K. K. Luke, Esq.

September 8, 2019

Jon N. Ikenaga
4905 Waa Street
Honolulu, Hawai'i 96821

RE: 2019 Special Session
Measure GM 2 (Kevin A. K. Souza)

Committee Members:

I strongly support the confirmation of Kevin A. K. Souza as judge of the Circuit Court of the First Circuit.

I have been a deputy public defender in the Office of the Public Defender ("OPD") since 1994. I worked with Mr. Souza for a number of years at the OPD and maintained contact with him after he left the OPD and went into private practice and then the judiciary. Mr. Souza is one of the most fair and even-handed individuals I have dealt with on both a personal and professional level. Mr. Souza has always held himself with the utmost integrity and has maintained an impeccable standard of practice throughout the many years that I have known him. I have always been impressed with Mr. Souza's ability to fairly assess cases and have no doubt that he will be an even-handed, impartial adjudicator of all matters before him. Mr. Souza will make an exemplary addition to the judiciary in the Circuit Court of the First Circuit.

I have no hesitation in voicing my support for the confirmation of Mr. Souza and urge the Committee members to do the same.

Thank you for your consideration of my testimony.

Sincerely,

Jon N. Ikenaga

LATE

From: [Joy M. Skorge](#)
To: [JDCTestimony](#)
Subject: Support for Kevin Souza's judicial nomination
Date: Tuesday, September 10, 2019 11:00:59 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

I am writing in support and favor of Kevin Souza's judicial nomination and elevation to the Circuit Court.

Aloha, Joy

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LATE

From: [KALE COCKETT \(OPD\)](#)
To: [JDCTestimony](#)
Subject: Kevin A. K. Souza (GM #2)
Date: Monday, September 9, 2019 12:24:55 PM

Aloha Senate JDC Committee,

I am submitting this testimony in behalf of Kevin A. K. Souza (GM #2) to serve as Judge of the State of Hawaii First Circuit Court.

My name is Kale W. Cockett and I have had the honor and privilege to serve our country as a Special Agent in the United States Secret Service for 17 years.

I have known Kevin for the better part of 30+ years as a classmate, a teammate and as someone I would call my brother. Through knowing Kevin, I have learned vital qualities that I have carried on into my current profession. The qualities of being a leader, making sound decisions when called upon to and the importance of loyalty and friendship. Kevin has been a tremendous role model for me in all of those qualities and it is through him that I have excelled in having those qualities in being an effective U.S. Secret Service Special Agent. It is my opinion that there isn't anyone more qualified at serving in the position as Judge of the State of Hawaii First Circuit than Kevin.

It is my honor to submit testimony for Kevin Souza and recommend his appointment.

Mahalo,
Kale

Kale W. Cockett

Special Agent
United States Secret Service
Obama Protective Division – Shift A
C: 202-536-8255

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From: [Aganos, Kawika](#)
To: [JDCTestimony](#)
Cc: [ksouza@hawaii.rr.com](#); [echu@acwhawaii.com](#); [ryanfuj88@gmail.com](#); [payat@hawaii.rr.com](#); [mul8813@yahoo.com](#); [hcabbab1@gmail.com](#); [barretawai@gmail.com](#); [kirk.kamanu@hawaiianelectric.com](#); [derick.shima@gmail.com](#); [Aganos, Kawika](#); [dolly aganos](#)
Subject: Kevin Souza - First Circuit Court Judge - Testimony
Date: Thursday, September 5, 2019 5:21:59 PM

Aloha All,

I have known Kevin Souza since we were classmates at Kamehameha graduating class of 1988 and consider this man my brother not only as a gentleman of his word but for all his great qualities. His character and well being as a Hawaiian is deeply rooted in family and his friendship is unquestionably loyal. Devoted to Family he is a proud father and husband. Anyone who knows Kevin will attest to his pure heart and great personality. He's a man of his word and one of the most trustworthy individuals that will always listen if you need someone to talk to. After honorably serving seven years as a Family Court Judge I'm confident his nomination will prove fruitful and well deserved. The choice is clear. It is my honor to testify for my friend, my brother for life Kevin Souza as your next Judge for the First Circuit Court. Mahalo.

Kawika Aganos
Hawaiian Cement Maui Concrete & Aggregate Sales Manager
Direct line – 808-870-4927
E-mail : Kawika.aganos@hawaiiancement.com

From: [keith shigetomi](#)
To: [JDCTestimony](#)
Subject: Kevin Souza
Date: Sunday, September 8, 2019 10:34:42 PM

I am writing to support the confirmation of Kevin Souza as Circuit Court Judge of the First Circuit. I have known Judge Souza since he was a young deputy public defender. He took his responsibility very seriously and showed his dedication to the law.

I later had some contact with him when he worked for the Lieutenant Governor. He was dedicated to his responsibility there. I have appeared in front of Judge Souza as well. He was always well prepared for his judicial responsibility. He always treats those who appear before him with courtesy and respect. I support his confirmation as Circuit Court Judge of the First Circuit. Thank you.

Keith S. Shigetomi
Sent from my iPhone

From: [Lyle S. Hosoda](#)
To: [JDCTestimony](#)
Subject: Recommendation for Kevin Souza to be Circuit Court Judge
Date: Sunday, September 8, 2019 8:26:50 AM

Dear Senators:

I recommend Kevin Souza to be a First Circuit Court Judge. I have known Mr. Souza for approximately 10 years. To the best of my recollection, our first encounter was on a basketball court. At 6' 6" or whatever exact height he is, versus my more mature and slower moving, vertically challenged 5' 6" bod, Mr. Souza had my immediate attention and respect after my first shot against him ended up several yards in a different direction. From that first blocked shot, after which we were both laughing furiously, we have had a friendship.

Professionally, we have had limited interaction. My former law partner, Kevin Morikone, is now a Judge at Family Court where Mr. Souza has been a Judge. We have had many discussions about Mr. Souza and the command and respect, and the credibility and integrity that he has and brings to the bench, which is consistent with my observations and experiences with him both personally and professionally.

Mr. Souza is healthy and cares about people and the community. He is fair minded and well reasoned. He understands that because of his stature, he can be viewed as intimidating and yet he is very humble and respectful of people and the process.

For these reasons, I recommend Mr. Souza to the bench as a First Circuit Court Judge, I am available should you wish to discuss him further.

Aloha, Lyle

Makalena Young Shibata
98-522 Kilipohē Street
Aiea, HI 96701

September 8, 2019

Senator Karl Rhoads, Chair
Senator Karl Rhoads, Chair Senator Glenn Wakai, Vice Chair
Senate Committee on Judiciary
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawaii

Dear Senators:

I was extremely pleased to hear Governor Ige nominated Kevin A. Souza last week. As such, I am providing to you my letter of support for your consideration to confirm Nominee Kevin A. Souza to the Circuit Court.

I have known Kevin and his family since 1996 and can attest to his unwavering values and steadfast leadership as well as the characteristics and traits which I expect judges to inherently possess: level-headedness, keen eye for detail, and moreover, demonstrating fairness and impartiality.

Nearly 7 years ago, I submitted support for his nomination as a family court judge and have been impressed with his performance in that capacity. I have no reservations that he will excel as a circuit court judge.

I look forward to your confirmation of Kevin and if you require any additional information regarding my support, please do not hesitate to contact me on my cell at (808) 782-3410 or via email at myshibat@hawaii.edu.



Sincerely,
Makalena

From: [Mailing List](#)
To: [JDCTestimony](#)
Cc: mbg808@yahoo.com
Subject: Submitted testimony for GM2 on Sep 10, 2019 10:00AM (Written Only)
Date: Sunday, September 8, 2019 2:08:43 PM
Attachments: [Testimony Submission for Judge Kevin Souza.docx](#)

GM2

Submitted on: 9/8/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
Marlyn Jennings	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.

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Based on my interactions with and observation of Judge Kevin Souza as one of his Kapolei Family Court clerks, I am in support of his elevation to the Circuit Court. I firmly believe that he is and will continue to be an invaluable asset to the Judiciary.

Judge Souza is very knowledgeable in his ability to interpret the law and was often sought out for consultation by his peers. He displayed a high degree of patience, empathy, and compassion while presiding over the various emotional family court cases. He meticulously prepared for his calendars and was very insightful in his approach to each of his cases. His consistently realistic and reasonable decisions, as well as his formulating of creative solutions was very effective in producing positive outcomes.

Judge Souza has consistently demonstrated the ability to make prompt and concise decisions while simultaneously managing a variety of challenging and complex cases. I believe he will be an excellent addition to the Circuit Court as he has the experience and an outstanding reputation.

From: [Marty Martinson Lui-Kwan](#)
To: [JDCTestimony](#)
Subject: Judge Kevin Souza
Date: Sunday, September 8, 2019 11:05:14 AM

Aloha Kakou,

I am writing to express my support for Judge Kevin Souza's appointment to the Circuit Court.

I have known him and his family for a number of years and can attest to his solid character, strong island & family values and a commitment to a very strong sense of fair play. I am confident he will preside with fairness, integrity, humility and respect for humanity.

Mahalo nui for your kind consideration.

Me ke aloha,
Marty Martinson Lui-Kwan

Sent from my iPhone

From: [Mailing List](#)
To: [JDCTestimony](#)
Cc: michele.iked@gmail.com
Subject: Submitted testimony for GM2 on Sep 10, 2019 10:00AM (Written Only)
Date: Friday, September 6, 2019 4:05:16 PM

GM2

Submitted on: 9/6/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
Michele Ikeda	Individual	Support	No

Comments: I wholeheartedly support the Governor's nomination of Kevin Souza to the Circuit Court. Judge Souza has provided exemplary service over the past seven years as he presided over matters before him at the Family Court. He comes from a family that has provided community service for decades; he is a fair, compassionate, and committed servant; and his experience and education make him an excellent choice for the Circuit Court. I humbly request your consideration and approval of Kevin Souza to the Circuit Court. Mahalo nui.

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LATE

September 10, 2019

Via E-mail: JDCtestimony@capitol.hawaii.gov

Re: Letter of Recommendation for Kevin A.K. Souza (GM #2)

To the Senator Rhoads, Senator Wakai and Committee Members:

I write this letter in full support of the appointment of Kevin A.K. Souza to the Circuit Court bench, as a First Circuit Court Judge.

I have known Kevin for over twenty years as a colleague and friend. I first met Kevin in law school and as young attorneys at the Office of the Public Defender. Kevin was always very pleasant, reasonable and fair. He always exercised sound, civilized and humane judgment. Both as an attorney and a District Family Court Judge, his judgment was guided by compassion to treat all persons and evidence with fairness and integrity, and regard each party with respect and humanity.

Kevin possesses a solid work ethic. He has demonstrated a keen aptitude for the law and legal analysis. He is extremely bright, diligent and conscientious in his work product. Kevin is also one of the most ethical, caring and insightful judges and person I have ever worked with and met. He is empathetic, humble and understands the needs and concerns of every day individuals.

Kevin's personal life is one of dedication to his family and community. Public service has always been of great importance to him. His years in public service have been invaluable to the people of the State of Hawaii.

Kevin has the experience, qualities and demeanor to effectively serve as a Circuit Court Judge. I strongly recommend him for the position.

Sincerely,

Michelle L. Agsalda

From: [Nancy L. McCue](#)
To: [JDC Testimony](#)
Subject: Re: Judge Kevin Souza GM#2
Date: Thursday, September 5, 2019 12:05:12 PM

Dear Senate JDC Committee,

I am writing in support of Judge Souza's nomination for Circuit Court Judge. I met Judge Souza when he was a Deputy Public Defender and I was a probation officer. He always looked out for the best interest of his client and at the same time, he was respectful to my position and recommendations.

I was lucky enough to work with Judge Souza again when he came to Family Court where I was and currently am a custody investigator. He is a very caring Judge. He takes the time to think and study his cases before the hearings. I have witnessed him refer to his notes on his computer about a case that I was working on. He's always available for consultation and has provided both positive and negative feedback.

I think Judge Souza will make an excellent Judge in any court he sits on. I am sad to see him leave Family Court but I think he will be an asset to Circuit Court as he is knowledgeable with criminal law, has good work ethics and cares about people and our community.

Thank you for your time,

Nancy L. McCue, MSW
Court Officer/Investigator
First Circuit Court
JUVENILE CLIENT SERVICES BRANCH
Specialized Services Section, 3rd floor
Custody Investigation Unit
4675 Kapolei Parkway
Kapolei, Hawaii 96707
Phone: 954-8104
Fax: (808) 954-8103

From: [Mailing List](#)
To: [JDCTestimony](#)
Cc: nicolesarne@hawaiiintel.net
Subject: Submitted testimony for GM2 on Sep 10, 2019 10:00AM (Written Only)
Date: Thursday, September 5, 2019 9:34:09 PM

GM2

Submitted on: 9/5/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
nicole sarne	Individual	Support	No

Comments: Please confirm the nomination of Judge Kevin A. K. Souza for the judicial position in Circuit Court. I am one of two clerks assigned to Judge Souza. I have been with him since his appointment as a full-time judge. What stands out about Judge Souza, to me, besides his height, is that he prepares well for all his cases. He reviews all the volumes of the case files and any other related cases, reviews the rules and statutes, makes notes, and asks questions. In all my years as a court clerk I have never seen a judge prepare as much as Judge Souza does. I know Judge Souza will do a great job at Circuit Court as he is a hard worker. He will be a wonderful asset to Circuit Court. Thank you for your time.

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.

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From: [Kaleo](#)
To: [JDCTestimony](#)
Subject: GM#2 Kevin Souza
Date: Friday, September 6, 2019 11:26:14 AM

Honorable members of the Hawaii State Senate

Kevin Souza is one of the finest young men I know. A proud graduate of Kamehameha Schools, Brigham Young University and the University of Hawaii's Richardson Law School, he is the son of an HPD Major and grandson of a n HPD lieutenant. (both deceased) He was raised in a multigenerational local family where values, morals and character were important. From his father he learned the importance of character and community involvement. From his mother (a Kumu Hula) and great grandmother, he absorbed the lessons of Hawaiian culture. His service to our community as a Family Court Judge has sharpened his legal skills. The opportunity for him to share his knowledge, character and legal skills with our community as a Circuit Court Judge is timely. I believe Kevin is ready and ask that you approve his nomination to this honorable position.

Mahalo nui loa,

Paulette Stone

From: [Mailing List](#)
To: [JDCTestimony](#)
Cc: paulinesato@hawaiiintel.net
Subject: Submitted testimony for GM2 on Sep 10, 2019 10:00AM (Written Only)
Date: Friday, September 6, 2019 12:34:54 AM

GM2

Submitted on: 9/6/2019

Testimony for on Sep 10, 2019 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Testifying in Person
Pauline Sato	Individual	Support	No

Comments: I strongly support the nomination of Kevin A.K. Souza on the Circuit Court of the First Circuit, State of Hawai'i. Judge Souza has demonstrated his commitment to serving the community with fairness, dignity, and professionalism. He would serve honorably on the Circuit Court.

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.

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September 6, 2019

Re: GM2, Testimony in Support of Kevin A.K. Souza

Dear Committee Members,

I have personally known Kevin Souza for many years and know him to be an honest and upstanding member of the community. Kevin is both thoughtful and fair and is committed to serving his community. I believe he would make an excellent Circuit Court Judge.

Aloha,

Pi'ikea Miller



THE LAW OFFICE OF RICHARD H.S. SING

DAVIES PACIFIC CENTER
841 BISHOP STREET, SUITE 410
HONOLULU, HAWAII 96813

TELEPHONE: (808) 537-1529
FACSIMILE: (808) 523-9137
EMAIL: RICKSING@HICRIMINALLAW.COM

September 5, 2019

Senator Karl Rhoads, Chairperson
Senate Committee on Judiciary
Hawaii State Capitol
415 Beretania Street, Conference Room 016
Honolulu, HI 96813

RE: GM-2: Kevin Souza for Circuit Court of the First Circuit, Judge – In Support

Dear Chair Rhoads and Committee Members:

I am writing to support the confirmation of Kevin A. Souza for the position of Circuit Court Judge of the First Circuit.

I am a solo practitioner concentrating in criminal defense who has appeared in the District, Family, Circuit and Federal Courts on a regular basis over the past 20 years. I am very familiar with the histories, procedures and personalities of the Courts of the First Circuit, as well as moderately familiar with our other three judicial circuits.

Mr. Souza is one of the brightest, quickest, and most competent attorneys that I have ever met. He has impeccable academic credentials, as well as years of practical “in the trenches” experience as a Public Defender, Private Attorney, and Family Court Judge. Public service needs honest, talented, and caring individuals like Kevin Souza.

Outside of his professional life, Judge Souza is a loving, caring husband and parent, who has always treated others with respect and fairness. He is levelheaded and compassionate. He possesses the best of the traits that we hope for ourselves, and for those in whom the community entrusts power. I trust him as a friend and colleague, and believe that our community needs and deserves him on the bench.

I believe that the opportunity to have such a qualified candidate for the position of Circuit Court Judge should not be passed up. Please feel free to call upon me if you have any questions or concerns.

Very Truly Yours,

Richard H.S. Sing

From: [Ryan Fujitani](#)
To: [JDCTestimony](#)
Subject: Kevin A.K. Souza, GM#2
Date: Thursday, September 5, 2019 3:09:55 PM

Aloha Kakou,

I have known Kevin, a fellow native Hawaiian also born and raised here, for the better part of three decades, and consider him as one of the most exemplary individuals I've ever known. Aside from already proving his mettle as a judge in the family courtroom, he is a loyal friend that can always be counted upon through thick and thin. One of the most admirable traits he possesses is how he has displayed the ability to make wise decisions and great choices during each juncture of his life's journey. There is no doubt he will continue to follow the same path if selected as a State of Hawaii, First Circuit Court Judge. Furthermore, I am the most proudest of Kevin (and am not at all surprised) how he has grown to become the backbone of his family by serving as a loving husband, son, brother, and a father of two school age children. It would be of the utmost honor for me as a friend to testify to the strength and quality of his character.

Best regards,
Ryan Fujitani
Real Estate Manager, Husband, Father

Taryn Tomasa
1130 N. Nimitz Highway
Honolulu, HI 96817
(808) 586-2080

September 6, 2019

Committee on Judiciary and Labor
Senator Karl Rhoads, Chair
415 S. Beretania Street
Judiciary Committee, Room 204
State Capital
Honolulu, HI 96813
via email JDCtestimony@capitol.hawaii.gov

Re: Hearing on GM 2: 10:00 AM Tuesday, September 10, 2019
Consideration and Confirmation of
Judicial Nominee Kevin A. Souza

Senator Rhoads and Committee Members:

This letter is in support of the nomination of KEVIN A. SOUZA to the circuit court bench. I have known Mr. Souza for thirty years, both professionally and personally. It is without hesitation that I submit this letter in support of his nomination. I believe that Mr. Souza possesses the character, intellect, and demeanor that this significant judicial position demands.

In the years that I worked with Judge Souza at the Office of the Public Defender, he was a dedicated and diligent advocate for his clients. Judge Souza was always prepared with a thorough understanding of the applicable law and authority, including for matters involving complex legal issues. More significantly, he has a charismatic character that is rare in individuals and coveted in the legal profession. Judge Souza was always able to mediate difficult matters to the benefit of all parties. I also noted that in my professional dealings with Judge Souza, while he worked in the Office of the Lieutenant Governor, he constantly conducted himself in a professional manner, displaying the highest level of ethical conduct, all the while dealing with contentious and sensitive matters.

I am also familiar with Judge Souza and his family. Judge Souza has always embraced strong family morals, practiced humility, kindness, and respect. While distinguishing himself professionally, he has also remained dedicated to his family, especially his children. He is very active in their lives and takes a primary role in every aspect of their growth; morally, emotionally, and intellectually. The fact that the Souza family is kind, generous, and successful, is a testament to Judge Souza and his wife, Catherine's, ability to lead by example.

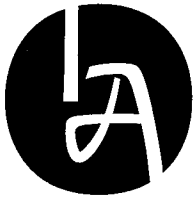
Undoubtedly, Judge Souza's character, intellect, and values make him a leading candidate for a position as circuit court judge. I have practiced substantially in both courts, both in private practice and public service. Thus, I am familiar with both courts and recognize that a successful judicial applicant must possess the legal aptitude, charisma, and judicial demeanor to handle a variety of legal issues, a high volume of cases, and the various members of the public and the bar that appear in the courts on a daily basis. Beyond Judge Souza's legal qualifications, which alone highly qualify him for this position, his rare and incomparable character and personality truly set him apart from other judicial nominees. Based on my knowledge and experience with Judge Souza, it is apparent that he has the ability, character, and dedication to be an invaluable asset to the State of Hawaii as a circuit court judge.

Thank you for taking my comments into consideration. Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Taryn Tomasa



September 4, 2019

Hon. Karl Rhoads
Chairperson
Senate Judiciary Committee
State of Hawai'i
State Capitol
Honolulu, HI 96813

Re: GM 2 KEVIN A. SOUZA

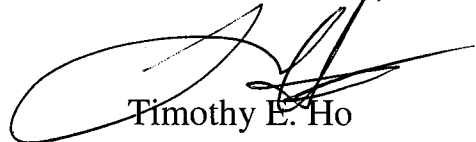
Chair Rhoads and Members of the Senate Judiciary Committee,

I am writing in support of Kevin Souza's judicial confirmation to the Circuit Court of the First Circuit.

I have known Kevin for over twenty years, having supervised him when he was at the Office of the Public Defender. As a jurist, Kevin is respected for his judicial temperament and intellect. He treats all parties that appear before him fairly and respectfully.

I urge you to confirm Judge Kevin Souza to the judicial position of Circuit Court Judge. Thank you for allowing me to submit testimony on his behalf.

Mahalo Nui Loa,



Timothy E. Ho



TOMMY WATERS

ATTORNEY AT LAW

LATE

The Honorable Karl Rhoads
Senate District 13
Hawaii State Capitol
Honolulu, Hawaii 96813

RE: Kevin Souza, nominee First Circuit Judge

Dear Chair Rhoads and JDC Committee Members:

I am writing to SUPPORT the confirmation of Kevin Souza, Esq. for First Circuit Court Judgeship.

I have known and worked with Mr. Souza for many years. As a colleague at the Public Defender's office, I know Mr. Souza as a talented trial attorney. I have personally witnessed Mr. Souza handle countless District Court, Family Court and Circuit Court matters. He was always well prepared, articulate, and confident. My impression was that he earned the respect and admiration of the Court, Court staff, opposing counsel, and of course his clients.

I also had the pleasure of working with Mr. Souza in the political arena. It was always a pleasure when he would testify before the legislature. Again, he was always prepared. He knew the subject matter that he provided testimony for. It was clear that he had thoroughly done his homework and research. It was clear to everyone at the table that he was sincere and cared about our community.

I can recall reaching out to Mr. Souza for help to secure funding for an afterschool program in Waimanalo. Hui Malama o Ke Kai. This program was doing wonderful things for the children of Waimanalo. Mr. Souza took the time out of his busy schedule to personally meet with the staff, and students of Hui Malama. He recognized the good work they were doing to shape the lives of these young people, and to keep these children out of trouble and safe. Thankfully, with his help and persistence, the funding was approved and released by the Governor. I truly believe that without his advocacy, Hui Malama would not have received the funding they desperately needed that year, and my have dissolved.

Additionally, I know Kevin to be a fantastic father and husband. Kevin and his family were former neighbors of mine in Keolu Hills. Our sons attended the same day care program. He is thoughtful, caring, responsible and nurturing.

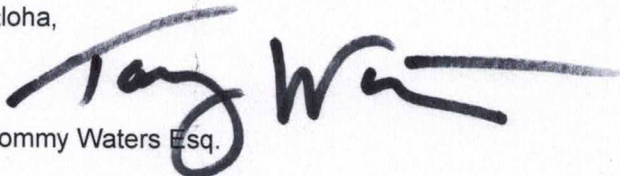
He has the perfect judicial temperament. He is a calm, well-reasoned person by nature. Even under fire, he is able to rationally and reasonably weigh through a complicated issue, and find a remedy. As a public defender, assigned to the district court, often handling dozens of cases per court session, he carried himself with grace and respect. On the hot seat before the Judiciary Committee, fielding questions by legislators, he handled himself with polish and poise.

I truly believe that he will continue to be an asset to the Judiciary, and the State of Hawaii.

I believe that the opportunity to have such a qualified candidate for the position of Circuit Court Judge should not be passed up.

Please feel free to call upon me if you have any questions or concerns.

Aloha,



Tommy Waters Esq.

Tracy S Fukui, Esq.

c/o Office of the Corporation Counsel
530 S. King St.
Honolulu, HI 96813
Email: tracy@tfukui-law.com

September 9, 2019

Hawaii State Legislature – Senate
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813

RE: First Circuit Court Judge Nominee Kevin Souza - **(GM #2)**

Dear Honorable Senators,

I am writing in strong support of Kevin Souza (“Kevin”) for appointment to Circuit Judge of the First Circuit. I have known Kevin personally and professionally for nearly twenty years. Kevin and I first met as young public defenders. Although he started a few years ahead of me, he took the time to mentor me as a new attorney. As an accomplished trial attorney, Kevin led by example. As a litigator, he was well respected for his incredible trial skills, integrity, and professionalism.

I have also appeared in front of Kevin as Family Court Judge. As a judge, he is fair, respectful to litigants and their attorneys, and well prepared.

As a friend, Kevin is earnest, honest, and kind. I have always respected Kevin as a human being and admired his intellect. I believe he will make an excellent Circuit Court Judge and wholeheartedly support his nomination for Circuit Court Judge. Thank you for your consideration of this letter.

Very Truly Yours,

/s/Tracy S. Fukui

Tracy S. Fukui, Esq.