

Submitted by Stan Roehrig

I heartily endorse the confirmation of Wendy M. DeWeese as Circuit Court Judge of the Third Circuit, Kona Division. Our office has had a fair number of in-person and Zoom hearings before Judge DeWeese as Acting Third Circuit Court over the past two years. We have found Judge DeWeese to be **always** well prepared. If she is not satisfied with the status of the legal memoranda filed by the parties, she does further research to satisfy herself on the appropriate legal issues. Consequently, her rulings are very well thought through and sensible.

We are fortunate indeed that Administrative Third Circuit Judge Robert D.S. Kim selected Judge DeWeese for this acting position.

Judge DeWeese will be a welcome addition here in the Third Circuit.

**GM-5**

Submitted on: 10/21/2021 3:21:17 PM

Testimony for JDC on 10/27/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Sherry Bracken	Individual	Support	No

Comments: Aloha, I am writing in support of confirmation of Wendy DeWeese as a Circuit Court Judge. I've had the opportunity to see Judge DeWeese in a trial, and felt that she was knowledgeable and fair. My observation was that she was balanced and calm in dealing with all parties at the trial. I believe she'd be a great permanent addition to the Big Island's judiciary. with aloha, Sherry Bracken, PO Box 248, Kailua Kona HI 96745

The Law Office of Georgette A. Yaindl, LLC  
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DATE: October 21, 2021

TO: The Hon. Karl Rhoads  
Chair, Hawaii State Senate Judiciary Committee  
Hawaii State Capitol, Room 204  
Honolulu, HI 96813 via email at: [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov)

The Hon. Jarrett Keohokalole  
Vice Chair, Hawaii State Senate Judiciary Committee  
Hawaii State Capitol, Room 205  
Honolulu, HI 96813 via email at: [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov)

c:/ The Hon. Dru Mamo Kanuha  
Senator, Hawaii State District 3  
Hawaii State Capitol, Room 206  
Honolulu, HI 96813 via e-mail to: [senkanuha@capitol.hawaii.gov](mailto:senkanuha@capitol.hawaii.gov)

**RE: GM5 Appointment of Wendy M. DeWeese to 3rd Circuit Court;  
STRONG SUPPORT FOR SENATE CONFIRMATION**

**Hearing Date: October 27, 2021**

**Hearing Time: 9:00 a.m.**

Thank you for the opportunity to provide testimony on this appointment. I am in active private practice in the 3rd Circuit providing representation, counsel, and legal information in matters involving family, criminal defense, labor & employment, and agency appeals.

I write in strong support of Senate confirmation of the appointment of Wendy M. DeWeese to the Circuit Court in Kona. Ms. DeWeese has been serving the 3rd Circuit District Court in Kona as interim Circuit Court judge since December 2019 following the retirement of the Hon. Melvin H. Fujino, prior to which time Judge DeWeese was our seated District Family Court judge in Kona.

I have appeared before Her Honor on numerous occasions in her capacities both as Family Court Judge and interim Circuit Court judge. Without exception, my experiences and observations of Judge DeWeese have established that her Honor possesses the legal knowledge, skills, acumen, and temperament necessary to the position. I believe Judge DeWeese is particularly remarkable for her even-handedness to litigants and their counsels. Judge DeWeese communicates clearly and routinely checks in with litigants to make sure they have heard and

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understand her, and concludes proceedings by asking if either side “has anything else” and will keep asking until all parties and litigants represent they have nothing further at that time. (I always have something else!) (because there always is something else!).

Critically, the appointment of Judge DeWeese to the seated position will bring continuity and stability in the Kona courts, a particularly compelling need here as we have been vexed with a District Court vacancy since Spring and with the retirement of The Hon. Mahilani E.K. Hiatt on September 30, 2021, we also await the appointment of a new District Family Court judge in Kona. Judge DeWeese, also I am sure, has been a godsend to 3<sup>rd</sup> Circuit Chief Judge Robert D.S. Kim, both of whom are now having to preside over Family Court evidentiary hearings and trials in addition to handling their respective circuit court caseloads.

Thank you for your consideration of my testimony.

Sincerely, me ke mahalo,

  
George Anne Yaindl



**GM-5**

Submitted on: 10/25/2021 11:54:54 AM

Testimony for JDC on 10/27/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jerry M. Hiatt	Individual	Support	No

Comments: I write in very strong support of the nomination of Judge Wendy DeWeese for the 3rd Circuit Court position on the Big Island. I am a 1977 graduate of the Richardson School of Law and have practiced as a trial lawyer through Hawaii for the past 44 years. I am listed in Best Lawyers in 8 areas, including "Bet the Company" litigation. For the past several years I have served as a mediator on many complex matters pending before various courts on the Big Island and throughout the state. These have included matters which I have mediated that were then pending before Judge DeWeese, who I have known for several years. I am thus quite familiar with her background and I have worked closely with many of the highly experienced counsel who have appeared before her on both the plaintiff's and the defense side. Wendy has received rave reviews from everyone I have spoken to. She has broad experience in litigation from her years in private practice and as a public defender. She has shown herself to be a dedicated and tireless public servant. She has stepped up during the continuing Covid crisis to handle multiple trials and try to keep things moving along for the parties. She has served in this period as a Circuit Court judge, even though she was appointed to a district court position.--thus she has the experience to step right into this position and continue the excellent work she has been doing already. She is supportive of her staff and well liked by them. She is a woman in a position where there is currently an overbalance in favor of men on this Island. I would be happy to answer any questions about Wendy's character, or her performance. I may be reached at (808) 937-4179 or by email at: [jh@hiattlaw.com](mailto:jh@hiattlaw.com). It is a challenge to find and attract people of her quality to the judiciary, given the very severe challenges and stress involved for judges in these tough positions. The people of Hawaii would be very fortunate to have her in this position and she has my very strong support. Much aloha, Jerry M. Hiatt

**GM-5**

Submitted on: 10/25/2021 4:00:59 PM

Testimony for JDC on 10/27/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Dawn Henry Laird, Esq.	Individual	Comments Only	No

Comments: As a lawyer and community member of the Island of Hawai`i, I am writing to provide my wholehearted support for Governor Ige's™ nomination of Judge Wendy M. DeWeese to the Circuit Court of the Third Circuit. Judge DeWeese is a hard worker who approaches each case with an open mind and excellent preparation. She knows the law, she knows courtroom practice and she treats every litigant and every attorney with fairness and respect. Judge DeWeese has years of experience as a practitioner, a law clerk for Judge Ibarra, and most recently as a Family Court Judge and per diem Circuit Court Judge. Having appeared in front of Judge DeWeese many times, I can vouch for her high standards of professionalism, her diligence, and her passion for her work. Judge DeWeese has been a leader in the West Hawai`i bar for years and she is well-respected here. Her demeanor on and off the bench is top notch and she will be an asset to our Judiciary. Thank you for taking the time to read and consider these comments. Sincerely, Dawn Henry Laird, Esq.

STATE OF HAWAI'I  
**OFFICE OF THE PUBLIC DEFENDER**

**Testimony of James S. Tabe,  
State Public Defender**

**Senate Committee on Judiciary**

October 27, 2021

GM5: Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, Judicial Nominee, the Honorable Wendy M. DeWeese

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

It is a privilege for me to support the Honorable Wendy M. DeWeese's nomination to the Circuit Court of the Third Circuit. She is an exceptional nominee who has demonstrated her qualities as a family district court judge, a trial lawyer, and a leader. Judge DeWeese has served on the District Family Court bench for several years. Based on the comments and remarks from the deputy public defenders who regularly appear before Judge DeWeese, I can say without reservation that she possesses all the aforementioned qualities. The attorneys have high praise and respect for Judge DeWeese. By all accounts, she has conducted herself compassionately, competently, and fairly.

Prior to her appointment to the bench, Judge DeWeese was a deputy public defender from 2007 to 2018. During her tenure with the Office of the Public Defender, she was appointed as the Supervising Deputy Public Defender of the Hawai'i-Kona Branch. As a deputy public defender, Judge DeWeese showed tremendous compassion for the indigent clients we serve and was a tireless advocate for justice on behalf of every person she has represented. She was always well-prepared and extensively researched every legal argument before it was presented in court. She was forceful and passionate in her courtroom presentations and was a talented litigator. She distinguished herself as a trial attorney by trying cases of a complex and difficult nature in the District, Family and Circuit courts of West Hawai'i.

Judge DeWeese has demonstrated that she possesses the ability, the experience, and the qualities of a circuit court judge. She is and will continue to be an asset to the judiciary, and I enthusiastically support her appointment.

Thank you for the opportunity to be heard on this matter.

Sincerely,



James S. Tabe

Judge Mahilani E.K. Hiatt (Ret.)  
46-3976 Pu'aono Road  
Honoka'a, Hawai'i 96727  
(808) 938-7941; [mahilani2017@gmail.com](mailto:mahilani2017@gmail.com)

October 25, 2021

The Honorable Karl Rhoads, Chair  
The Honorable Jarrett Keohokalole, Vice-Chair  
and Members of the Senate Committee on Judiciary

Re: ***Testimony in support of the confirmation of Judge Wendy M. DeWeese (M5 Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawai'i, Gubernatorial Nominee Judge Wendy M. DeWeese); Hearing Date October 27, 2021 at 9:00 a.m.***

Dear Chair Rhoads, Vice-Chair Keohokalole, and Members of the Committee:

I am writing in strong support of the confirmation appointment of Judge Wendy M. DeWeese to the Circuit Court of the Third Circuit.

I was born and raised on the island of O'ahu, received my J.D. from the William S. Richardson School of Law in 1993 and thereafter entered private practice in the area of commercial and civil litigation. In 1998, I moved to Hawai'i Island and continued my private practice. In 2017, I was appointed to sit as a *per diem* judge in both the District and Family courts of the Third Circuit. At that time, Judge DeWeese was a Deputy Public Defender and she appeared in front of me on a number of different occasions. She always impressed me with her preparation, her fluency and her dedication as a public servant.

In 2018, Judge DeWeese and I were both confirmed as District Family Court Judges of the Third Circuit, Kailua-Kona and South Kohala, respectively. As such, I regularly interacted with Judge DeWeese during judicial trainings, seminars, and symposiums and observed her to be extremely intelligent, engaged and attentive. I have also had the opportunity to review Judge DeWeese's written decisions, which have been thoughtful, timely and soundly based in law and fact. During our mutual time on the bench, Judge DeWeese and I regularly discussed at length various legal issues in our cases, appellate decisions and their impact on our calendar, how best to serve the public's needs, jurisprudence, and the practical application of our statutes and court rules. I have found her to be extraordinarily quick, practical, efficient, thoughtful, fair, compassionate and focused on how best to serve the community.



The Honorable Karl Rhoads, Chair  
The Honorable Jarrett Keohokalole, Vice-Chair  
and Members of the Senate Committee on Judiciary  
October 25, 2021  
Page 2 of 2

Based on my observations and Judge DeWeese's work history, there can be no doubt that Judge DeWeese is a dedicated public servant. Prior to her appointment to the bench, Judge DeWeese served as a Deputy Public Defender in Kealahou for eleven years (during which she participated in at least ten jury trials) and she also served for twenty months as a law clerk to the Honorable Ronald Ibarra. Moreover, in the summer of 2020, Judge Melvin Fujino retired from the bench and an immediate and urgent need arose for a temporary judicial assignment to fill Judge Fujino's position until the formal judicial selection process could occur. Judge DeWeese understood the need for the temporary assignment, she met the challenge head on and, in keeping with her dedication as a public servant, she committed herself to serving the public and her community as a Circuit Court Judge.

As a result of the temporary assignment, not only did Judge DeWeese continue to serve the public where she was most needed, but she diligently and quickly learned the Circuit Court's procedures and processes, hearing both complex civil matters and serious criminal cases, and also serving as the Kona Drug Court Judge. Notably, the 58<sup>th</sup> graduating class of the Big Island Drug Court was just honored on October 11, 2021, at the Keahuolu Courthouse in Kailua-Kona, a great accomplishment for both Judge DeWeese and the graduates. Notwithstanding that the pandemic has delayed the scheduling of trials, Judge DeWeese already has two criminal jury trials and two bench trials under her belt.

Additionally, Judge DeWeese is extremely driven and possesses an incredibly strong work ethic. She spends long hours during the week, and the week-end, preparing for the matters that come before her. She carefully reviews the case files and pleadings before each hearing, she keeps abreast of the law and she carefully considers the evidence presented to her. Being a judge is challenging both mentally and physically. Judge DeWeese understands the importance of maintaining her mental and physical health. She runs six miles every morning before coming to court, practices yoga and maintains a nutritious diet to ensure that she remains strong and healthy in mind and body.

Based on my personal observations and interactions with Judge DeWeese, and my knowledge and familiarity with the Hawai'i Island community, I respectfully submit that Judge DeWeese is the perfect choice for the Circuit Court position and that she can, and will, best serve the public as a Circuit Court Judge of the Third Circuit.

Thank you for this opportunity to share my comments with you regarding the appointment Judge Wendy M. DeWeese as a Circuit Court Judge of the Third Circuit.

Sincerely,



Judge Mahilani E.K. Hiatt (Ret.)

October 26, 2021

Senator Karl Rhoads, Chair  
Senator Jarret Keohokalole, Vice Chair  
Senate Committee On Judiciary

Re: *GM5 – Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawaii, Gubernatorial Nominee WENDY M. DEWEESE, for a term to expire in 10 years.*

Chair Rhoads, Vice Chair Keohokalole, and Members of the Senate:

I am writing in strong support of Judge Wendy M. DeWeese's nomination to serve as a Judge of the Circuit Court of the Third Circuit.

Judge DeWeese and I were colleagues at the Office of the Public Defender before her appointment to the Family Court of the Third Circuit. Although we were working in different islands, I came to know her very well while I was temporarily assigned to our Kona Office. Having had the chance to work with Judge DeWeese, I came to respect and admire her.

Judge DeWeese is a person who is not only committed to ensuring justice, but is also honest, patient, and compassionate when dealing with others. In her legal practice, Judge DeWeese has repeatedly demonstrated her keen understanding of the law and how it affects people in their daily life. These are qualities that makes her an excellent choice.

I urge you to confirm Judge DeWeese's nomination to serve as Judge of the Circuit Court of the Third Circuit.

Sincerely,



E. Edward Aquino

DEREK R. KOBAYASHI

TOPA FINANCIAL CENTER  
745 FORT STREET · SUITE 1500  
HONOLULU, HAWAII 96813

TELEPHONE (808) 523-6060 · FAX (808) 523-6030  
EMAIL: dkobayashi@schlackito.com

October 26, 2021

Senator Karl A. Rhoads, Chair and Committee Members  
Senate Committee on Judiciary  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Re: GM 5, TESTIMONY *IN SUPPORT* OF  
NOMINATION OF THE HON. WENDY M. DeWEESE  
Hearing: October 27, 9:00 a.m., Via Videoconference

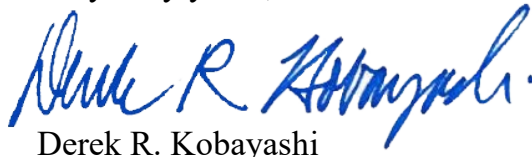
The Honorable Chair Karl Rhoads and Honorable Committee Members:

I am writing to express my *strong support* for the nomination of The Hon. Wendy M. DeWeese to the position of Judge, Third Circuit Court, State of Hawaii.

Recently, Judge DeWeese has been sitting by designation in Circuit Court and I have known her to be fair, decisive, and respectful of practitioners who appear before her. Judge DeWeese is well-prepared and hard-working. She is sincerely concerned with the well-being of all members of the bar and in this regard, I appreciate and respect her dedicated participation as a vital member of the Hawaii Task Force on Lawyer Well-Being. Judge DeWeese will continue to be a valuable asset to the Third Circuit Court, the Big Island community, the Hawaii State Bar Association and Judiciary.

Judge DeWeese is fulfilling and will certainly continue to fulfill all of the responsibilities and duties of the position to which she has been nominated. I urge your Committee on Judiciary to recommend that the Senate advice and consent be given in support of her nomination. Thank you for the opportunity to submit these comments.

Very truly yours,



Derek R. Kobayashi

Taryn Tomasa  
1130 N. Nimitz Hwy. A-254  
Honolulu, HI 96817  
(808) 586-2080  
taryn.r.tomasa@Hawaii.gov

September 30, 2020

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: GM5 Circuit Court Judge Nominee WENDY M. DEWEESE  
Hearing: October 27, 2020, 9:00 AM

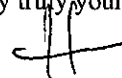
Dear Chair and Committee Members:

This letter is in support of the nomination of WENDY M. DEWEESE to the circuit court bench. I have known Judge Deweese professionally as a colleague during her tenure at the Office of the Public Defender for a number of years. It is without hesitation that I submit this letter in support of her nomination. I believe that Judge Deweese possesses the character, intellect, and demeanor that this judicial position demands.

In the years that I worked with Judge Deweese at the Office of the Public Defender, she was a dedicated and diligent advocate for her clients. She was always prepared with a thorough understanding of the applicable law and authority. More significantly, she demonstrated compassion and commonsense in her approach to difficult cases involving complex legal issues and emotional, often tragic, circumstances. Based on my knowledge and experience with Judge Deweese, it is apparent that she has the ability, character, and dedication to be an invaluable asset to the State of Hawaii as a 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

**LATE**

Dear Honorable Members of the Senate,

My name is Frederick Macapinlac, I have been a practicing member of the bar in good standing since 2014 and am currently employed by the Office of the Public Defender. I am submitting this testimony in support of the confirmation of the Honorable Judge Wendy M. DeWeese to the Circuit Court of the Third Circuit.

I first met Judge DeWeese over the phone when she interviewed me for a position at the Public Defenders. She served as my supervisor since my hiring until she had been selected and confirmed to serve as the Family Court Judge for Kona.

As a new attorney, Judge DeWeese was an invaluable source of experience, knowledge, and an example of professionalism that I sought to replicate. I would regularly come to the office at 6 AM to prepare for my day and Judge DeWeese was already there, despite living about an hour away and she would frequently be working past the end of the workday to boot. All this, while taking care of her farm animals.

Since the retirement of the Honorable Judge Melvin Fujino, Judge DeWeese has been sitting on the Division Four bench in the interim. One of the assignments she has been filing in for as well has been to sit as the Big Island Drug Court (“BIDC”) Judge for Kona, of which I am part of the BIDC team as the representative for the Office of the Public Defender. In that role, Judge DeWeese has brought positive ideas, emphasized practicality, and above all else focused on treating the causes of addiction rather than punishing the symptoms of relapse.

Despite the testimony above, make no mistake, as is the case with any adversarial system, I have lost my fair share of decisions in front of Judge DeWeese. However, when that has been the case, Judge DeWeese has been mindful of the appeal process and takes great care in crafting findings that explain the basis for why she is ruling the way she has. So, although I may not agree with the rulings, I can see what law has been applied in coming to the decision.

I would like to thank the committee for taking the time to consider my testimony and I would like to again restate my support for the confirmation of the Honorable Wendy M. DeWeese.

Sincerely,

/s/ Frederick M. Macapinlac

Frederick M. Macapinlac, Esq.

**JAMES S. TABE**  
STATE PUBLIC DEFENDER

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**STATE OF HAWAII**  
**OFFICE OF THE PUBLIC DEFENDER**

**LATE**

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October 26, 2021

Senator Karl Rhoads  
Chairman  
Senate Judiciary Committee  
Honolulu, Hawaii

Re: Confirmation of Wendy DeWeese

Dear Senator Rhoads,

I am pleased to write this letter of support of the confirmation of Wendy DeWeese as a Circuit Court Judge for the Third Circuit, Kona Division. I address this letter to you in my capacity as the Supervisor of the Office of the Public Defender in Kailua-Kona.

I first met Wendy when she arrived in the islands in 2005 and she served as the law clerk for retired Chief Judge Ronald Ibarra. I then worked with her at the Office of the Public Defender from 2008 to 2018, when she was then confirmed as a judge for the District Family Court of the Third Circuit. I have appeared before Judge DeWeese both in family and in circuit court.

As a Public Defender, Wendy represented her clients with dedication and compassion. Throughout her career, Wendy has gained the respect of her peers in the legal community. In every respect, Wendy is the consummate professional.

Since Judge Fujino retired in June of 2020, Wendy has demonstrated that she is a good candidate for Circuit Court Judge. She has the judicial temperament, a keen knowledge of the law, and most importantly, the ability to apply the law fairly and impartially. I know Wendy to be an intelligent, hardworking, careful, and compassionate individual. In short, she possesses all of the qualities we look for in a member of the judiciary. I am confident that if Wendy is confirmed, she would do an excellent job as a Circuit Court Judge and bring great credit to the bench in Kona.

I therefore respectfully offer my full support for Wendy's confirmation as a Circuit Court Judge of the Third Circuit, Kona Division. Thank you for the opportunity to submit this recommendation. Should you wish to discuss Wendy's nomination further please do not hesitate to contact me.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "AS Datta", written in a cursive style.

Ann S. Datta  
Deputy Public Defender

**LATE**

Statement of

**Stephen L. Frye**

West Hawaii Bar Association President,  
before the

**COMMITTEE ON JUDICIARY**

Wednesday, October 27, 2021  
9:00 a.m.

State Capitol, Via Videoconference

in consideration of  
GM5

**RELATING TO CONSIDERATION AND CONFIRMATION TO THE CIRCUIT COURT  
OF THE THIRD CIRCUIT, STATE OF HAWAII, GUBERNATORIAL NOMINEE  
WENDY M. DEWEESE**

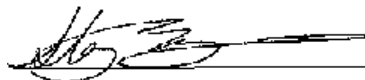
Chair Rhoads, Vice Chair Keohokalole, and Members of the Senate Committee  
on Judiciary;

The following testimony is submitted by the West Hawaii Bar Association in  
support of the confirmation of Gubernatorial Nominee Wendy M. DeWeese to Circuit  
Court of the Third Circuit.

Judge DeWeese has consistently demonstrated her ability to diligently and  
effectively fulfill the function of Circuit Court judge. She is consistently prepared for all  
matters appearing before the court. Her ability to control the proceedings before the  
court in a professional and expeditious manner is unwavering.

Judge DeWeese possesses a dedicated work ethic which has been shown  
throughout her legal career. Additionally, she has consistently displayed her dedication  
to the community and unfailingly acts in the best interests of the community. Judge  
DeWeese is anticipated to be an excellent addition to the Circuit Court bench.

For all of the foregoing reasons, the West Hawaii Bar Association supports the  
confirmation of Gubernatorial Nominee Wendy M. DeWeese to Circuit Court of the Third  
Circuit. Thank you for this opportunity to testify.



Stephen Frye  
President, West Hawaii Bar Association



Joanna E. Sokolow  
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Catherine E. Gibson  
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catherine@sokolow-gibson.com

**SOKOLOW & GIBSON, LLP**  
ATTORNEYS AT LAW

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**LATE**

October 26, 2021

Senator Karl Rhoads  
Chairman  
Senate Judiciary Committee  
Honolulu, Hawaii

Dear Senator Rhoads:

We are writing in support of the confirmation of Judge Wendy M. DeWeese to the appointment of Circuit Court Judge of the Third Circuit, Kona Division.

Judge DeWeese was our supervisor at the Office of the Public Defender, in the Kona Office. She was an invaluable resource to us there, always providing patient support, level-headed guidance, and willingness to share her wealth of trial experience. Judge DeWeese was always the first one in the office and often the last to leave. She also frequently worked on the weekends. Most remarkably, she did so without complaint. Her attitude of humility comes from a genuine desire to serve her community, a respect for the law, and a firm commitment to excellence.

Judge DeWeese brings her vast knowledge, experience, and work ethic with her to the bench, both in Family Court, and now sitting in Division 4. The number and variety of trials she has participated in as an attorney and as a judge have amply prepared her for this job. Her judicial temperament is respectful, humble, and confident. She brings compassion to Big Island Drug Court participants. At the same time, Judge DeWeese is not afraid to make hard or unpopular decisions when required. She is always prepared, always professional, and still maintains her sense of humor. She would be an asset to the bench in Kona.

Thank you for your time and consideration.



Joanna E. Sokolow  
Attorney at Law



Catherine E. Gibson  
Attorney at Law

**LATE**

**GM-5**

Submitted on: 10/26/2021 2:34:47 PM

Testimony for JDC on 10/27/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kauanoë Jackson	Individual	Support	No

Comments: I have seen Wendy Deweese working since 2017. Throughout that time she has built a reputation as a diligent, intelligent, level-headed, and compassionate person all of which are great qualities for a Circuit Court Judge.

**LATE**

**GM-5**

Submitted on: 10/26/2021 4:22:25 PM

Testimony for JDC on 10/27/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Kori Weinberger	Individual	Support	No

Comments: I am writing to provide my unconditional support and endorsement for Wendy Deweese for the position of Circuit Court judge of the Third Circuit. I have known Wendy since 2013 when I was a law clerk for Judge Strance and later for Judge Ibarra. For my years as a clerk, I watched Wendy zealously and expertly advocate for her clients, while still always treating court staff and opposing counsel with warmth and respect. In 2015 I became a deputy prosecutor for Hawaii County. During my years as a prosecutor, I have encountered Wendy both as an opponent and as acting Circuit Court judge. She has never failed to impress with the steadiness of her demeanor; her down-to-earth, practical attitude; and her sharp wit and intelligence. In my time as an attorney in Kona, I have never heard another attorney say a bad word about Judge Deweese. She is highly respected in both the prosecutor's office and among the defense bar. Even if we disagree with her from time to time, as a judge her rulings are always soundly based in the facts, the law, and the real world. Kona is a community that has had many judicial vacancies and turnover in the last five years. Our community deserves someone like Wendy, who is smart, fair, and has impeccable scruples. I ask the Legislature to appoint her to the Circuit Court.

BRIT BARKER  
HI #10044 & CA #288445

October 26, 2021

Hawai'i State Senate  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Re: Confirmation of the Appointment for Circuit Court Judge of the Third Circuit,  
Judge Wendy M. DeWeese

To Whom It May Concern,

My name is Brit Barker and I have been an attorney in the Third Circuit since my first employment at the Prosecutor's Office in March 2014. Even though I live in Kona, most of my current case load is in Hilo. I have had the pleasure of practicing before all the current sitting judges in the Third Circuit, many former and per diem judges, and many different judges in California. From this experience, I believe that many people can qualify to be an appointed judge for the Third Circuit, but not many would be a good fit for the position in its entirety. I truly believe an appointment should be for a judge that is the best for the position. A judge needs to have integrity in answering the needs of the position, hardworking, and supportive of all.

I believe that being a Judge, either in District or Circuit, has many different aspects that not many people fit the role in every way. Some may be excellent in one judicial position but not the other. I find that there are some very important qualities that a judge should possess to truly be able to encompass the entirety of the position. Some of those may not relate to making decisions on cases, such as internal personnel and comradery among other staff, understanding and appreciation for the work of all the members of the judiciary, and setting aside personal feelings or insecurities to make the reasonable and logical decision for the greater good.

Judge Wendy DeWeese was a Public Defender that I encountered frequently and then as a sitting Family Court and (temporary) Circuit Court Judge. Judge DeWeese gave most of her personal time to volunteering within the community and being an active support for change that was the best support for the local community. Specifically, she was active in the areas of recovery and rehabilitation, like Drug Court and with Juveniles. It is important to appreciate the history of our island, the changes that have occurred, and what is needed to maintain the uniqueness of the Big Island with Aloha. Judge DeWeese not only exemplified that as a Public Defender, but her reputation has continued to set the standards. She continues to exemplify accountability with opportunity for change.

Judge DeWeese has been greatly missed, by many attorneys, in the Family Court since she has been sitting as the temporary Circuit Court Judge. When talking with attorneys in the Criminal

and Civil law fields, many of them consistently compliment Judge DeWeese on how well she is doing in Circuit Court and do not want to see her leave.

Judge DeWeese should be confirmed as she was selected for all the right reasons for the necessities of the position. Many attorneys in the District, Family, and Circuit Courts appreciate her and the way she runs her courtroom, her continued effort to be fair and reasonable for the best resolution, and motivation to continue to learn and be involved in all areas of the law. She is well prepared for every hearing, does not appear to be affected by zealous litigators, is respectful to all, efficient, and makes decisions that are well-reasoned as supported by law.

If you have any questions or concerns, please do not hesitate to contact me at the information above. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read 'Brit Barker', enclosed within a circular stamp or seal.

**BRIT BARKER**  
*Attorney at Law*

**LATE**

**GM-5**

Submitted on: 10/26/2021 7:27:47 PM  
Testimony for JDC on 10/27/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
David M. Hayakawa	Individual	Support	No

Comments: I strongly support the nomination of Wendy DeWeese to the Circuit Court of the Third Circuit.

**LATE**



October 27, 2021

To: Senator Karl Rhoads  
Chair, Senate Committee on Judiciary

Senator Jarrett Keohokalole  
Vice Chair, Senate Committee on Judiciary

**RE: GM 5:** Submitting for consideration and confirmation to the Circuit Court of the Third Circuit, State of Hawaii, Gubernatorial Nominee WENDY M. DEWEESE, for a term to expire in 10 years.

**Hearing: Wednesday, October 27, 2021 at 9:00 a.m. via videoconference**

Dear Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee on Judiciary:

Hawaii Women Lawyers (“**HWL**”) respectfully submits testimony in **support** of the confirmation of Wendy M. Deweese to the Circuit Court of the Third Circuit.

HWL is a nonprofit organization comprised of over 300 attorneys. HWL’s mission includes improving the status of women in the legal profession, increasing the number of women attorneys in positions of authority and responsibility, and promoting the advancement of all women. HWL believes that increasing opportunities for, and improving the visibility of, qualified women in the Judiciary is extremely important. The judicial bench should be adequately balanced and reflect the composition of Hawaii’s citizens. Significant strides have been made in the past several years to improve the diversity of our bench, but HWL believes that more can be done to appoint qualified women to fill judicial vacancies to bring balance to the bench.

HWL supports the confirmation of Ms. Deweese to the Circuit Court of the Third Circuit, which will help to ensure that the number of women on the bench better represents the number of women in the legal profession and the community at large.

Thank you for the opportunity to submit testimony in support of this confirmation.

Very truly yours,

Hawaii Women Lawyers



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

**Wendy M. DeWeese**  
**Circuit Court Judge of the Third Circuit (GM5)**

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

FROM: Levi Hookano  
President, Hawaii State Bar Association

Hearing: Wednesday, October 27, 2021 at 9:00 a.m.  
Via Videoconference  
State Capitol

The Board of Directors of the Hawaii State Bar Association (HSBA) appreciates the opportunity to submit comments on the nomination of Wendy M. DeWeese for the position of Circuit Court Judge of the Third 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; 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.

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- Submittal of a report by the three-person review subcommittee to the President, and subsequently to the entire Board.
- 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 to determine if the nominees is qualified or unqualified.
- Submittal of the HSBA Board's recommendation to the confirming authority.

The HSBA President and the Executive Director met with Judge DeWeese on October 25, 2021 to discuss the subcommittee's findings. On October 26<sup>th</sup>, Judge DeWeese was interviewed by the HSBA Board of Directors in executive session.

Documentation submitted by Judge DeWeese 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 DeWeese 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

The task of the HSBA was to determine the qualifications and suitability of the Nominee utilizing in large part, the judicial appointments criteria of the American Bar Association. The criteria are not ranked in terms of importance as it is used universally to review the qualifications of appointees for trial and appellate positions. The determination of qualified or unqualified is based on a totality of the documentation received, member and reference comments, and the interview of the individual appointed.

Judge Wendy DeWeese is currently serving a term as a District Family Judge for the Third Circuit. To fulfill the needs of the judiciary and the community, Judge DeWeese has been serving as a Circuit Judge of the Third Circuit on temporary assignment since July 2020. While serving as a temporary Circuit Judge, Judge DeWeese has been called upon to assist with the calendar of the District Family Court as the need arises.

As a Circuit Judge, the Nominee presides over the Big Island Drug Court, the Big Island Veterans' Treatment Court, felony criminal trials, civil cases, including foreclosures, and jury and non-jury trials. As a Family District Judge she presides over a calendar which includes temporary restraining orders, child welfare, paternity and divorce cases as well as regular District Court and Small Claims calendars.

Prior to her appointment to the Third Circuit bench, the Nominee served as a deputy public defender in Kealahou for over 11 years. She handled all aspects of misdemeanor and felony cases including negotiating plea agreements and contested evidentiary motions. She was also responsible for the juvenile criminal calendar and involuntary hospitalization cases. She also served as the supervising attorney for the Kona Public Defender's Office.

Before moving to Hawaii, Judge DeWeese was a solo practitioner in California. Her law practice specialized in family law, divorce, custody litigation, and mediation. She also was employed in southern California law firms and gained experience in tort law, including insurance settlements, mediation, and arbitration cases.

Judge DeWeese is community oriented. As an avid runner and yoga practitioner, Judge DeWeese was appointed to the Well-Being Task Force by the Hawaii Chief Justice. Her pro bono services prior to her tenure on the bench included the Court Self Help Desk, the Courts in the Community program for high school students, the Kids First program, and the We the People civic education program.

The Nominee's experience as a Per Diem Judge for close to two years combined with her experience of the past 16 months as State Judge presiding over District Family and Circuit Court calendars clearly demonstrate her ability to permanently fulfill the responsibilities of a Circuit Judge.

After a review of all documentation submitted and the interview of the nominee, which included dialogue and questioning relating to her background, experiences, and reasons for pursuing the position of Circuit Court Judge of the Third Circuit, the Board of the Hawaii State Bar Association found Judge Wendy M. DeWeese to be **QUALIFIED** for the position of Circuit Court Judge of the Third Circuit.

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