

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

Testimony of
Josh Green, M.D.
Governor, State of Hawaii

Before the
Senate Committee on Judiciary

Monday, June 24, 2024
10:30 a.m.
State Capitol, Conference Room 016, and Videoconference

In consideration of
Governor's Message No. 1

Chair Rhoads, Vice Chair Gabbard, and members of the
Senate Committee on Judiciary:

I respectfully request your favorable consideration of Governor's Message No. 1, appointment of Rebecca Copeland to serve as a Circuit Court Judge in the Circuit Court of the First Circuit (island of O'ahu) State of Hawai'i for a term of ten years.

Judge Rebecca Copeland has been serving as a Family District Court Judge of the First Circuit since January 2020. Prior to that, Judge Copeland served as a per diem district court judge from December 2016 to January 2020. Her dedication to the practice of law, coupled with her trial experience and knowledge of the law are essential qualities in adjudicating cases and fulfilling other responsibilities as a Circuit Court Judge.

Prior to her appointment as a Family District Court Judge, Judge Copeland was an associate with Damon Key Leong Kupchak Hastert, Adjunct Professor at the University of Hawaii William S. Richardson School of Law, and a Deputy Solicitor General with the Department of the Attorney General. These work experiences, coupled with her previous legal experience in the State of Texas make Judge Copeland a qualified appointment to serve as a Circuit Court Judge.

Testimony of Office of the Governor
Governor's Message No. 1
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Judge Copeland is a graduate of St. Mary's University School of Law and earned a Bachelor of Arts in Psychology from Southwest Texas State University. She was admitted to the Hawaii State Bar in 2003.

I am confident that Rebecca Copeland has the experience, judicial temperament, and qualities essential to serve the State as a Circuit Court Judge of the State of Hawaii.

Thank you very much for your consideration.

The Honorable R. Mark Browning (Ret.)
820 Wanaao Road
Kailua, HI 96734

Re: Nomination of Rebecca A. Copeland to the Circuit Court of the First
Circuit, State of Hawai'i

Dear Chair Rhoads and Members of the Senate Judiciary Committee:

I am in full support of Judge Copeland's nomination to the Circuit Court. My support is based on my years of experience as a jurist and my personal knowledge of her character and her tenure as a family court judge.

Aloha,

/s/ R. Mark Browning

R. Mark Browning

THOMAS D. FARRELL

Attorney at Law, LLC. Certified Family Specialist*

TESTIMONY OF THOMAS D. FARRELL
IN SUPPORT OF GM 1, NOMINATION OF REBECCA COPELAND
Senate Committee on the Judiciary
Hon. Karl Rhoads Chair
June 24, 2023 10:30 a.m.

Good Morning Senator Rhoads and Members of the Committee:

Thank you for the opportunity to comment on the nomination of Rebecca Copeland to move up from Family Court to the Circuit Court. I strongly urge your favorable action.

I have known Rebecca Copeland for over 25 years. I first encountered her when I needed help on appeals. Before she became a judge, she was renowned in the Bar as an appellate advocate, and frankly, I think she should skip Circuit Court and go straight to the ICA or the Supreme Court. That said, I have also had many hearings and short trials before her, and she is meticulous in her conduct of proceedings, knows and enforces the rules, and makes reasoned decisions. She has an extremely broad knowledge of the law.

I should also mention that Judge Copeland started the Courts in the Community program prior to her ascension to the bench. In this program, the Supreme Court holds oral argument at local high schools. Volunteer Attorneys meet with classes for two or three sessions beforehand, to teach a little bit of law, explain the case, and preside over students' mock oral argument. I have been one of those volunteers, and it is a great way to slip some civic education into our high school classrooms.

In short, I believe that Judge Copeland will do well on the Circuit Court, and hope that this committee will recommend that the Senate confirm her nomination.

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*Certified by the National Board of Trial Advocacy. The Supreme Court of Hawaii grants Hawaii certification only to lawyers in good standing who have successfully completed a specialty program accredited by the American Bar Association.



June 23, 2024

To: Senator Karl Rhoads
Chair, Senate Committee on Judiciary
Submitted via Capitol website

Re: **GM1 Submitting for consideration and confirmation to the Circuit Court of the First Circuit, Gubernatorial Nominee, REBECCA COPELAND, for a term to expire in 10 years.**

Dear Chair Rhoads, Vice Chair Gabbard, and members of the Committee on Judiciary,

Hawaii Women Lawyers (“**HWL**”) respectfully submits testimony in **support** of the nomination of REBECCA COPELAND to the First Circuit Court for a term of 10 years.

HWL is a nonprofit organization of over 350 attorneys whose 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.

Increasing opportunities for qualified women in the Judiciary is extremely important. As highlighted by the World Justice Project, the rule of law depends on having justice delivered by “competent, ethical, and independent representatives and neutrals who... reflect the makeup of the communities they serve.” HWL believes that increasing opportunities for, and improving the visibility of, qualified women in the Judiciary is vital. 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.

Noting that the Hawaii State Bar Association has found Judge Copeland to be qualified for the position of Judge of the First Circuit Court and for the reasons above, HWL supports this nomination.

Mahalo for the opportunity to submit this testimony.

GM-1

Submitted on: 6/21/2024 2:48:37 PM

Testimony for JDC on 6/24/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Mat Mattice	Testifying for King Kamehameha V Judiciary History Center	Support	Written Testimony Only

Comments: Dear Chair Karl Rhoads, Vice Chair Mike Gabbard, and committee members, I am writing in support of the nomination of Judge Rebecca Copeland to serve as a Circuit Court Judge in the Circuit Court of the First Circuit (island of O‘ahu), State of Hawai‘i for a term of ten years. Judge Copeland has several attributes that qualify her for this important position. She has over 16 years of litigation experience at the trial and appellate court levels. Judge Copeland is exceptionally versed in the trial court, having served first as a per diem district court judge, and most recently a district family court judge. She is kind, fair, and has an impeccable work ethic. She possesses a wonderful knack for putting people at ease. As the executive director of the King Kamehameha V Judiciary History Center (JHC), I've had the privilege of working with Judge Copeland through the Judiciary's Courts in the Community Program. Through the program, the Hawai‘i Supreme Court convenes oral argument at public high schools throughout the state. High school students learn about a pending case and attend its actual hearing. From the program's start, Judge Copeland has taken the lead in recruiting attorneys to work with students in their classrooms, ensuring that the students are versed in the case before attending the oral argument. This is no small task as typically, anywhere from 300 to 450 public and private high school students attend an individual hearing. Judge Copeland tirelessly matches attorneys with participating schools and makes sure that class sessions are scheduled with teachers. As a result, when students observe the oral argument, they are riveted – not a "peep" in an auditorium of up to 450 students. In addition to her work with the Judiciary's Courts in the Community Program, Judge Copeland has volunteered to participate in JHC's We The People student competition, as well as a number of our public evening programs on a variety of topics. She also is a member of the Judiciary's Commission to Promote and Advance Civic Education. Judge Copeland's willingness to volunteer her time for the Courts in the Community Program, and other Judiciary programs and committees, reflects her passion for and commitment to Hawai‘i's justice system. On a personal note, I consider Judge Copeland a friend. Her character is solid. She is kind, honest, compassionate, and fun – and a wonderful parent. Thank you very much for considering my testimony in support of Judge Rebecca Copeland's nomination to the Circuit Court of the First Circuit. Please feel free to contact me at (808) 256-8204. Sincerely, Matt Mattice

GM-1

Submitted on: 6/24/2024 12:24:56 AM

Testimony for JDC on 6/24/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Steven H. Levinson	Individual	Support	Written Testimony Only

Comments: Dear Chair Rhoads and honorable members of the Senate Judiciary Committee, I write in strong support of the Hawai'i Senate's confirmation of Judge Rebecca Copeland's gubernatorial nomination to serve as a judge of the Circuit Court of the First Circuit, State of Hawai'i. I have known Judge Copeland since 2011, when she founded and chaired the Hawai'i State Bar Association's Appellate Section, of which I am a member. I had regular contact with her via the Appellate Section and the speaking circuit. We have been panelists together on various occasions. Judge Copeland has exhibited superior skills as a District Family Court Judge, appellate litigator and writer, and tireless professional leader. I understand that she has been a top-notch Family Court Judge. She was one of the best appellate lawyers in Hawai'i. The range of her substantive experience is vast. She is an exemplar of legal craftsmanship and exhibits a genuine concern for and empathy with others' needs. Judge Copeland possesses all of the attributes of an ideal judge that are considered by the Judicial Selection Commission with respect to nominees for judicial office. To my knowledge, Judge Copeland has a superior reputation in the community for honesty, trustworthiness, character, integrity, and citizenship. My personal assessment is the same. I urge her confirmation to the position of Circuit Court of the First Circuit, State of Hawai'i. Very truly yours, Steven H. Levinson Associate Justice (Retired) Hawai'i Supreme Court

Senator Karl Rhoads
Chair of the Senate Committee on Judiciary
Hawaii State Legislature

June 4, 2024

Dear Chair Rhoads and Members of the Judiciary Committee,

I am Jim Duffy, a Retired Associate Justice of the Hawaii Supreme Court.

I strongly recommend the nomination of Rebecca Copeland to be a Judge for the Circuit Court of the First Circuit. I have known Rebecca for approximately 14 years, and am familiar with her legal skills as well as her many contributions to not only the legal community, but to the greater community as well, as evidenced by her extensive list of publications, legal and non-legal speaking engagements, community activities and awards.

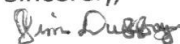
While I was a member of the Hawaii Supreme Court, and Rebecca was a Deputy Attorney General, she presented excellent legal briefs and solid oral arguments in support of the State's position. After I retired from the Court, in the course of my Alternative Dispute Resolution practice, and Rebecca was in the private practice of law, I had the occasion to seek Rebecca's assistance with legal research on a unique issue. Her research and writing were excellent.

In addition to her first-rate intellectual and legal skills, equally important (in my opinion), Rebecca is a kind, compassionate, hard-working person who treats others with respect. If confirmed, she will be a credit to our Judiciary.

I strongly recommend the nomination of Rebecca Copeland.

Thank you.

Sincerely,



Jim Duffy, Retired Associate
Justice, Hawaii Supreme Court

June 17, 2024

Dear Senator Rhoads and members of the Judiciary Committee,

I write this letter in support of the confirmation of Judge Rebecca A. Copeland to the First Circuit Court.

I have known Judge Copeland from the beginning of her legal career as a law clerk for the Intermediate Court of Appeals and have followed her career as attorney and judge.

Judge Copeland, prior to becoming a judge, distinguished herself as one of Hawaii's top appellate advocates. I was always impressed with the high quality of her work and the professional way she conducted herself. Not only did Judge Copeland distinguish herself in the courtroom, Judge Copeland became a leader of the Bar in increasing the standard of appellate practice and insuring those who wished to appeal their cases from trial courts but could not afford a lawyer received pro bono representation from Hawaii's Bar. As chair of the Commission on Access to Justice, I worked closely with Judge Copeland on access to justice in our appellate courts.

I was an enthusiastic supporter of Judge Copeland when she was first appointed to the Bench. I have not been disappointed. She has been an outstanding district/family court judge, respected by other judges and those that appear before her. This experience will invaluablely serve her and the judiciary as a circuit court judge.

Judge Copeland has a proven record as attorney and judge that leaves no doubt in my mind that she will be one of our outstanding circuit court judges.

Respectfully submitted

A handwritten signature in black ink that reads "Daniel R. Foley". The signature is written in a cursive, flowing style with a large, stylized 'F' and 'y'.

The Law Offices of

JOHN W. SCHMIDTKE, JR.

Attorney at Law • A Law Corporation

June 16, 2024

Senator Karl Rhoads
Chair, Senate Committee on Judiciary
Room 228, Hawai'i State Capitol
Honolulu, Hawai'i 96813

Re: Rebecca A. Copeland – Support for Confirmation to the Circuit Court Bench

Dear Senator Rhoads and Committee Members:

I highly support Rebecca A. Copeland as a judge to the Circuit Court of the First Circuit. I urge you to confirm her. I trust her judgment, her intelligence, her legal knowledge, and her even temperament. Most of all, I trust her wisdom, a wisdom infused with kindness and understanding.

This letter echoes what I wrote to Governor Green supporting Judge Copeland's nomination. Before her appointment to the family court, Judge Copeland and I co-counseled for many years on multiple cases. I asked her to help me at the trial level when I knew a case would probably end up on appeal. Her legal writing and research skills are superb. While working with her, she suggested how my presentations to the trial court could be more precise and more persuasive. Working with her at the trial level made it less likely my clients would need her skills at the appeal level. My clients always appreciated her involvement, my office always enjoyed working with her, and I am a better lawyer because of our association. Since her appointment to the family court, I have experienced and have seen her helping the families of Oahu with compassion and wisdom. She is a first-rate judge.

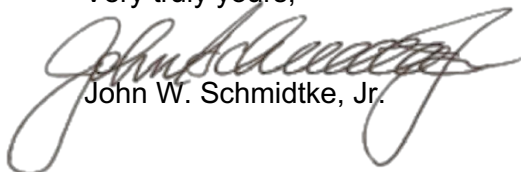
I have full confidence in Judge Copeland as a Circuit Court judge. Her knowledge of the law, trial practice, and pre-trial procedures is comprehensive. Her analysis of the issues brought to her for decision will be thorough. Her decisions will be articulate and understandable. The attorneys who will appear before her, and their clients, will receive a well-reasoned decision they can understand.

Judge Copeland has unquestioned integrity and diligence. I trust everything she says. She is candid and fearless in standing up for what is right, but she is diplomatic, so she persuades those with other ideas. Judge Copeland's public service amazes me. She volunteers her time to promote worthy causes and to improve the quality of services provided by the legal community to the public. I am confident in her ability to fulfill the responsibilities and duties of a Circuit Court judge.

The citizens of Hawai'i will benefit from having Judge Copeland sit as a Circuit Court judge. The other Circuit Court judges will benefit from her knowledge. The lawyers and parties who appear before her will appreciate the legal excellence she will bring to their case.

I urge you to confirm Judge Copeland as a Circuit Court judge. If you have questions, please call me.

Very truly yours,



John W. Schmidtke, Jr.

GM-1

Submitted on: 6/16/2024 6:27:49 PM

Testimony for JDC on 6/24/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Charles Crumpton	Individual	Support	Written Testimony Only

Comments: As a civil litigation attorney here from 1978 to 2014, a mediator and arbitrator here since 1985 and continuing, and co-chair or member of a number of State and national judiciary, bar and dispute resolution commissions and organizations, I can affirm from personal knowledge and experience that Rebecca Copeland exemplifies the knowledge, aptitudes, judgment, demeanor, character, integrity and community service dedication essential and invaluable to service as a Circuit Court Judge. In my 45 years of litigation and dispute resolution practice here, I can confirm from personal knowledge and experience that Rebecca Copeland will bring those qualities and attributes to service as a Circuit Court Judge at a level and consistency that will both bring exceptional credit to our Judiciary and legal system, and invaluable service and dedication to the best interests of the community and the State, and those involved in the legal proceedings over which she presides. Rebecca Copeland will truly bring the very best of legal professionalism and personal character and integrity to the service of the Judiciary, the legal system, the community and the State as a Circuit Court Judge. It is an honor to support her nomination and selection as a Circuit Court Judge without reservations or conditions of any kind. Rebecca Copeland is exactly the kind of legal professional and individual most needed for and valuable to our Circuit Court bench and the Judiciary and those it serves. I would be glad to respond to any questions and provide any further information that may be of benefit. Sincerely, Charles Crumpton crumpton@chjustice.com (808) 284-9209

TESTIMONY OF
ALEN M. K. KANESHIRO, ATTORNEY AT LAW
TO THE
SENATE JUDICIARY COMMITTEE
ON
JUNE 24, 2024, 10:30 A.M.

RE: GM1

SUBMITTING FOR CONSIDERATION AND CONFIRMATION FOR JUDICIAL NOMINEE
REBECCA A. COPELAND

Dear Ronald D. Kouchi and Members of the Senate:

I am submitting the following testimony in support of Circuit Court Judicial Nominee Rebecca A. Copeland.

I have known Judge Copeland for approximately seven years. I have appeared before her when she was a per diem judge in the District Court of the First Circuit and as a Family Court Judge in the Family Court of the First Circuit. I have also been fortunate enough to serve with her on a panel for the Judiciary's Access to Justice Program. I have had numerous trials and contested hearings before her. If I had to estimate, I have appeared before her close to a hundred times.

Over the years, and by appearing in her court, I have come to know and respect Judge Copeland as a judge and a person.

Judge Copeland has always been fair, respectful, and cordial to the litigants. From my experience, Family Court judges have a very difficult position to navigate. Emotions are often running high, and parties are frequently fighting for their most valued possessions – their families and their children. Judge Copeland has handled her role as a Family Court Judge with grace and understanding. She follows the law and makes difficult decisions based on the evidence that is presented to her. In some cases, the “right” decision is even elusive to the parties, and it takes courage and integrity to make definitive decisions. Judge Copeland possesses these characteristics.

As an attorney appearing before her, Judge Copeland has always been fair and even-handed with the parties, whether they are represented by an attorney or not. I believe that treating parties who do not have the resources or access to legal counsel with respect is a quality that every judge should strive to achieve. While this character trait alone does not arise in every situation (perhaps more so in the Family Court than in the Circuit Court), I believe that the ability to “provide access to justice” to the people who need it most shows compassion, respect for the law, and respect for the judicial process.

I have no reservations in saying that Judge Rebecca A. Copeland is imminently qualified to serve as a Circuit Court Judge of the First Circuit. She possesses a unique blend of diligence, intelligence, compassion, and respect that make for an esteemed jurist.

I respectfully urge your support for confirmation of Judicial Nominee Rebecca A. Copeland as Judge for the Circuit Court of the First Circuit.

GM-1

Submitted on: 6/16/2024 11:46:50 AM

Testimony for JDC on 6/24/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Tanigawa	Individual	Support	Written Testimony Only

Comments: To The Senate Judiciary Committee: I had the good fortune of working with Judge Copeland when she became a per diem judge at district court. She took her responsibility as a judge very seriously, but viewed her status as a judge with a great sense of humor. She is a special combination of extraordinary compassion and a deep commitment to the rule of law. That combination works because of her keen intelligence that finds the way that the law must work in order to bring about a just result. Judge Copeland is a good listener. It is an attribute that is critical for a judge. Too often people mistake the primary job of a judge to be decision making. However, that final act is only the result of intensive and sometimes protracted periods of listening. She knows how to listen. I urge you to confirm her appointment. Judge Copeland will be a great addition to our Circuit Courts. Very truly yours, Michael Tanigawa



CHRISTOPHER D. THOMAS

Attorney At Law
A Law Corporation

June 17, 2024

The Honorable Ronald D. Kouchi, President
Members of the Senate Thirty-Second Legislature
Hawaii State Capitol, Room 409
Honolulu, Hawai'i 96813

Re: Recommendation of Judge Rebecca Copeland to the Hawai'i First Circuit Court

Dear President Kouchi and Honorable Committee Members,

I am writing to express my enthusiastic support for the appointment of Judge Rebecca Copeland to the First Circuit Court. As an attorney with over 20 years of experience practicing law in Hawaii, I have had the privilege of appearing before Judge Copeland on numerous occasions and circumstances. Based on my professional interactions and observations, I am very confident that Judge Copeland possesses the exceptional legal acumen, integrity, and dedication necessary to excel in the role of a Circuit Court Judge.

Judge Copeland has a distinguished record of service in Family Court, where she has presided over complex and often emotionally charged cases with remarkable fairness and sensitivity. Her deep understanding of the law and her ability to navigate the intricacies of each case has consistently resulted in well-reasoned and just decisions. Moreover, Judge Copeland demonstrates a profound commitment to the principles of justice and equity, ensuring that all parties are heard and treated with respect.

Throughout her tenure in Family Court, Judge Copeland has maintained an impeccable reputation for impartiality and integrity. Her approach each case with an open mind, thoroughly considering all evidence and arguments before rendering a decision. This meticulous attention to detail and adherence to the rule of law make Judge Copeland an ideal candidate for the Circuit Court.

In addition to her legal expertise, Judge Copeland possesses outstanding leadership and communication skills. She has a unique ability to explain complex legal concepts in a clear and concise manner, making her rulings accessible and understandable to all parties involved.

In summary, Judge Copeland is an exceptional jurist with the qualities and qualifications necessary to excel in any Judicial position. Her legal expertise, ethical integrity, and commitment to justice make her an outstanding candidate for this important role. I wholeheartedly recommend Judge Copeland for promotion and am confident that her contributions to the Court will be invaluable.

The Honorable Ronald D. Kouchi, President
Members of the Senate Thirty-Second Legislature
June 17, 2024
Page 2

Thank you for considering my recommendation. Please do not hesitate to contact me if you require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher D. Thomas", written in a cursive style.

CHRISTOPHER D. THOMAS
Attorney at Law



GM-1

Submitted on: 6/17/2024 11:14:44 AM

Testimony for JDC on 6/24/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tara Buckley & Greg Markham	Individual	Comments Only	Written Testimony Only

Comments: On behalf of myself, as well as one of our partners at Chee Markham & Kato (Greg Markham), we write in with our wholehearted support as to the nomination of Rebecca Copeland as a judge with the Circuit Court of the First Circuit. Rebecca Copeland is smart, thoughtful, detail-oriented, personable, fair, and an excellent attorney and jurist. We believe that she would make an excellent judge in the Circuit Court and sincerely hope that the Senate will approve her nomination to this position. Thank you for your consideration of these comments in support of Rebecca Copeland.

GM-1

Submitted on: 6/17/2024 3:14:35 PM

Testimony for JDC on 6/24/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Hilary B Gangnes	Individual	Support	Written Testimony Only

Comments: I strongly support the confirmation of the Honorable Rebecca A. Copeland as a Circuit Court judge. I have known Rebecca since 2016 when I trained her as a new per diem judge. She immediately stood out as an excellent judge, and has continued to show her fairness, wisdom, and compassion as a full time family court judge. Rebecca's outstanding character and her many years of legal and judicial experience make her an excellent choice for the Circuit Court, and I urge you to vote in favor of her confirmation.

Benjamin E. Lowenthal

Attorney at Law

June 18, 2024

Re: Support for Rebecca Copeland

Chair Karl Rhoads

Vice Chair Mike Gabbard

Honorable Members of the Senate Judiciary Committee

I write in strong support for the Honorable Judge Rebecca Copeland and applaud the governor's decision to appoint her to be a judge of the Circuit Court of the First Circuit. I got to know Judge Copeland when she was an appellate attorney in private practice. She was opposing counsel, and I admired her intellect, work ethic, and ability to effectively advocate for her clients.

Over the years we stayed in touch and would work together to put on conferences, continuing legal education opportunities, and other events for the appellate bar. I was happy to see that she joined the Family Court bench, and now I am thrilled at the possibility of her being on the Circuit Court. Judge Copeland will make a wonderful addition. She has what it takes to succeed.

Very truly yours,

/s/Benjamin Lowenthal

Benjamin E. Lowenthal

June 24, 2024

To: Honorable Karl Rhoads, Chair
Honorable Mike Gabbard, Vice-Chair
Honorable Members of the Senate Committee on Judiciary

From: Jacce Mikulanec

Re: **Support** for GM1, Gubernatorial Nominee Rebecca Copeland.

Aloha Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee,

I am testifying in my individual capacity today in strong **support** of the nomination of Rebecca Copeland (GM1) to the Circuit Court of the First Circuit, State of Hawaii.

I have known Ms. Copeland since 2014 and we have worked together regularly since that time on various policy proposals at both the state and federal level. She is a trusted and professional ally and colleague. We also continue to serve together on the Hawaii Supreme Court's Committee on Equality and Access to the Courts.

In my work with Ms. Copeland I have known her to possess and utilize exceptional skills as a community leader, communicator, and decision-maker. I have seen this demonstrated in her administration and leadership on the Hawaii Supreme Court's Committee on Equality and Access to Courts where she has adeptly led as Co-Chair and Member. Her ability to utilize the varied professionals on that Committee to address challenges facing Hawaii's court system has been effective and admired.

Ms. Copeland demonstrates the professional and personal temperament and demeanor necessary to be an exceptional judge; she has exhibited this during her time on the bench as well as working with stakeholders in the LGBTQ+ community on sometimes contentious issues pertaining to civil rights. I have never witnessed her lose composure even in highly contentious interactions; she is passionate about her work without losing perspective or letting personal views take control.

One of Rebecca's valued qualities is being able to meet people where they are on an issue and listen, discuss, and make a recommendation on the best course forward. She is transparent, fair, and honest in her dealings with community members and therefore has earned the trust of her colleagues and community stakeholders (even when those stakeholders are on a different side of an issue). Personally, I find her an overall enjoyable person to work with because of her demeanor and preparedness; she always does her homework and comes to a meeting ready to act and be engaged.

Ms. Copeland's personal background and upbringing have given her a valuable foundation for examining the range of cases that come before her as a judge. She possesses a humility and genuine inquisitive approach to her work that serves her extremely well and makes her decision-making capabilities more rounded, informed, and insightful.

Mahalo for your consideration of my testimony; I respectfully urge you to recommend Ms. Copeland's nomination to the Circuit Court of the First Circuit.

THE LAW OFFICES OF
PETER VAN NAME ESSER

POST OFFICE BOX 11170
HONOLULU, HAWAII 96828
TELEPHONE: (808) 538-3636
PETERESSER@MAC.COM

June 18, 2024

SENATE JUDICIARY COMMITTEE

Karl Rhoads, Chair
Hawaii State Capitol Room 204
415 South Beretania
Honolulu, HI 96813

Re: Reference for Rebecca A. Copeland as First Circuit Court Judge

I write in support of the Hon. Rebecca A. Copeland, first Circuit Family Court Judge, now before this Committee after nomination by the Honorable Josh Green, Governor of the State of Hawaii, as First Circuit Court Judge of the State of Hawaii. I have known Becky as a friend and colleague for over 15 years, and I am happy to offer this heartfelt recommendation, based on her legal and judiciary experience, intelligence and dedication to serving the courts, the Bar and the community at large.

I have practiced law in Hawaii for over 40 years, specializing in appeals, appearing over 250 times before State and Federal appellate courts. Prior to her appointment as a Family Court Judge, Becky's law practice focused on appellate litigation. She served as law clerk for Associate Judge Sandra Duncan of the Texas Court of Appeals, and Associate Judge John Lim of our own ICA. She wrote appeals for a distinguished Hawaii law firm, and as a Deputy Attorney General. She published articles on appellate practice in the Hawaii Bar Journal, authored a monthly blog called Record on Appeal commenting on recent appellate decisions, taught at UH Law School, and appeared numerous times before Hawaii's appellate courts. I litigated multiple cases with Becky, both as collaborator and opponent, reviewing and analyzing her oral and written legal work, which consistently showed careful research, absolute integrity and good judgment. We conducted joint appellate seminars on Oahu and the neighbor islands, and collaborated on appellate manuals published by the HSBA.

In addition to her law practice, work as a per diem judge, and raising two fine children with husband Jesse, Becky was a member of the HSBA's Board of Directors, founded its Appellate Section, and chaired its monthly meetings for four years. Chief Justice Recktenwald appointed her to the Supreme Court's Commission on Professionalism and the Hawaii Access to Justice Commission. Mayor Carlisle appointed her to Honolulu's Zoning Board of Appeals. She testified at the Legislature for Equality Hawaii and the Hawaii LGBT Legacy Foundation, appeared on PBS Insights Hawaii, and moderated panels of judges and lawyers at multiple Bar Conventions. After her appointment as a fulltime judge, Becky continued her focus on community service by serving as Presiding Judge of the Family Court's Truancy Court & Early Education Intervention Program. This remarkable lawyer, judge, mother, wife and friend would make an outstanding First Circuit Court Judge.

Sincerely,


Peter Van Name Esser

Senate Committee on Judiciary
Honorable Karl Rhoads, Chair
Honorable Mike Gabbard, Vice Chair

RE: Support for Rebecca A. Copeland, GM1
Hearing: June 24, 2024 at 10:30 a.m.

Dear Chair and Members of the Committee:

I strongly support the nomination of Rebecca Copeland to serve on the Circuit Court of the First Circuit. I first met Rebecca in her role as the founding chair of the Appellate Section of the Hawai'i State Bar Association. She recognized a need and worked to elevate the quality of appellate practice in Hawai'i. In 2015, we served together on the HSBA Board of Directors, and I appreciated her insight and focus on improving the legal profession. Rebecca also has been instrumental in the success of the Courts in the Community program and Appellate Pro Bono Project through the years.

She has a dedicated commitment to equality and inclusion that is critical for a judge. And I have personally observed Rebecca's work as an attorney before her appointment to the district family court. She consistently impressed with her thoughtful consideration of and ability to parse difficult legal issues.

If confirmed, Rebecca has shown that she will be not only a strong jurist on the circuit court, but also an invaluable public servant. In short, the State of Hawai'i would be well served if you confirmed Rebecca Copeland for this position.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Brian Black', with a long horizontal flourish extending to the right.

R. Brian Black

Re: GM1 before the Senate Committee on Judiciary
Gubernatorial Nominee, Rebecca Copeland, for the Circuit Court of the First Circuit,
State of Hawaii

Monday June 24, 2024 at 10:30 a.m.

Chair Rhoads and Members of the Committee,

I'm writing in support of Judge Rebecca A. Copeland's appointment to the Circuit Court of the First Circuit.

I've had the pleasure of appearing before Judge Copeland in the Family Court on a variety of matters, as well as working with her outside of courtroom to improve the First Circuit's school non-attendance proceedings. In the courtroom, Judge Copeland is well prepared and utilizes an open-minded approach to address the legal and practical implications of her rulings. When the situation requires tough decisions, Judge Copeland adheres to the rule of law and legal precedent, creating ideal circumstances for any proceeding. Further, Judge Copeland is able to convey her decisions in a fair and compassionate manner that is well-received by the parties.

Outside the courtroom, I've found Judge Copeland to be a pleasure to work with and always willing to entertain novel ideas to address long-standing issues in our judicial system. My only regret is that Judge Copeland may not have the opportunity to be part of these changes if appointed to the Circuit Court. The Judiciary is fortunate to have her on the bench.

Thank you for your time and consideration.

Sincerely,



Ian T. Tsuda
Bar No. 10057

June 20, 2024

WRITTEN TESTIMONY ONLY

RE: *Judicial Appointment of The Hon. Rebecca A. Copeland, Hawai'i Circuit Court Of
The First Circuit*

To whom it may concern:

I am honored to write with unwavering support of Hawai'i Circuit Court (First Circuit) Appointee, Hon. Rebecca A. Copeland, Esq. Prior to her appointment to the District Court bench, I worked closely with Ms. Copeland for several years. In my professional experiences, Ms. Copeland embodies the ideal Circuit Court Judge, and is just what the Hawai'i Judiciary needs. Ms. Copeland is able to absorb complex and technically nuanced legal issues quickly, and provide meaningful and insightful guidance in a timely manner. Time and again, Ms. Copeland takes a stressful and confusing legal situation and can assuage the situation by calmly articulating the legal process clearly, concisely, and correctly. As I am sure many other attorneys feel similarly, Ms. Copeland is a true asset for the Judiciary, and although her absence on the District Court bench will leave huge shoes to fill, there is no better destination for someone of her professional caliber.

On a personal level, I also had the opportunity to work closely with Ms. Copeland in our respective roles with the Hawaii State Bar Association, Board of Directors. While serving on the Board as an HSBA Director, Ms. Copeland contributed significantly to the Courts in the Communities program alongside the Hawai'i State Judiciary. With Ms. Copeland's guidance and support, that project not only engaged our high school students in the legal process, but will undoubtedly inspire many of these students to become lawyers and the next generation of leaders.

I thank you for your time and consideration of my endorsement of Ms. Copeland, and I truly hope to see her full appointment completed in the weeks and months to follow.

Sincerely,

/S/ Trejur Bordenave
Trejur P. Bordenave, Esq.
Partner
Hew & Bordenave, LLP

GM-1

Submitted on: 6/21/2024 8:02:32 AM

Testimony for JDC on 6/24/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maura Okamoto	Individual	Support	Written Testimony Only

Comments: I write in strong support of Rebecca Copeland to be appointed as Judge of the First Circuit. As a Per Diem Judge I worked closely with Rebecca during the four years that she was a Per Diem Judge in the District Court. She is a hardworker who was always well prepared for court. She has the ideal demeanor, in that she is calm under all circumstances and shows respect for all litigants who would come before her, at the same time demanding the respect due to the court and the legal process. She is dedicated and decisive. She has experience now, with her four years as a full-time judge at Family Court, in criminal, civil and family law. She also has a unique perspective on the law from her prior experience in appellate work. We are still in close contact and I know how hard she has worked in Family Court, and I have heard nothing but good reports about her from other judges and also court staff. She is the ideal candidate to serve the people of Hawai'i as a Circuit Court judge.

DAMON KEY LEONG KUPCHAK HASTERT A LAW CORPORATION

Date: June 21, 2024

TESTIMONY OF KENNETH R. KUPCHAK

Re: Submitting for consideration and confirmation to the Circuit Court of the First Circuit, State of Hawai'i, Gubernatorial Nominee, REBECCA COPELAND, for a term to expire in 10 years.

REBECCA COPELAND was an associate attorney with Damon Key Leong Kupchak Hastert for a number of years before accepting an important position with the State addressing public records needs.

Ms. COPELAND and I represented clients including several regarding a number of critical issues which resulted in favorable results for clients. These included representing many residents of Lanai, at the Supreme Court and in the Second Circuit Court addressing the residency, vel non, of Solomon Kahoolalahala.

In the later, a multi-day trial on Maui, I would be on Maui for the trial 's duration, while she, based at our Firm's office in Honolulu, handled daily bench briefing and issuance of document subpoenas and reviews regarding matters arising each day. (Needless to say, much of this work occurred between the end of a day's trial and 8:00 am the next morning when the matters in question would be filed and argued by me. She never complained, was prompt and required a minimum of direction. This consisted mainly of my phone calls with summaries of what had transpired while, together, we would develop appropriate logic and filings with an eye toward continuing the Court's focus on, for our clients, a favorable result.)

Because of her prior experience with the Texas Solicitor General and Hawaii Attorney General offices, she developed a love of the law and the art of advocacy, especially in succinctly crafting briefs to capture both the critical points and reader's attention. Her assistance was welcomed and, as noted, seemed to have been well received by the Bench.

While, we missed her when she left, it was obvious to us that, as it was with prior members of our firm, Justice Levinson and Judge McWhinnie, her heart always seemed to have judicial mind set. In this regard, at our urging, she joined and quickly became chair of the Bar's appellate section.

I support her nomination to the bench of the First Circuit and believe that she has the requisite intellect and judicial disposition. She loves the process and the law and will protect both with a neutral's open mind.

Aloha,
Kenneth R. Kupchak

Senator Karl Rhoads and Committee Members:

It is a privilege and honor to submit this endorsement in support of the confirmation of Rebecca A. Copeland, who has been nominated to serve as a Judge of the Circuit Court of the First Circuit for a term of ten years.

I first met Judge Copeland in 2018 when I was appointed as a Per Diem Judge in the District Court of the First Circuit Court. Judge Copeland had been serving as a District Court Judge for two years by then. I knew her by reputation, to be a preeminent appellate attorney. As my senior Judge and colleague, I observed her to be a highly qualified, experienced and capable judge, able to preside over the varied and demanding caseload of the District Court criminal, traffic, restraining order, small claims and civil trial calendars.

In the last four (4) years, I have appeared as a family court attorney on behalf of divorce, paternity, and TRO litigants, before Judge Copeland in the Family Court of the First Circuit, where she now sits as a full time Judge. I have been before her on law and motions hearings and for trial. Judge Copeland is extremely bright, well prepared, hard-working and well versed in the substantive and procedural law. She knows the record. It is obvious she has read the pleadings and submissions of the case, which can often be voluminous. But more importantly, she is respectful to the parties and their counsel. She takes the time to explain and detail her rulings and is not demeaning or arrogant when communicating her decisions. Regardless of the outcome, litigants appreciate the sense that they have had their day in court.

Outside of court, Ms. Copeland is to be commended for giving back to the community. She spearheaded the "Courts in the Community" program designed to educate students about the role of the Judiciary in government and its function in resolving disputes. High school students participate in mock trials and can observe an actual case being argued before our Hawaii Supreme Court. This is just one example of her commitment to providing access to justice and continuing legal education programs to the bench, bar and public.

In my humble opinion, Rebecca A. Copeland is eminently qualified for confirmation to serve as a Circuit Court Judge of the First Circuit, State of Hawaii for a term of 10 years. Her appointment to the Circuit Court would serve to maintain the reputation of the Judiciary for the delivery of high-quality judicial performance.

Thank you for allowing me to speak to her appointment.

Ann S. Isobe

GM-1

Submitted on: 6/23/2024 9:38:54 AM

Testimony for JDC on 6/24/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Crystal Glendon	Individual	Support	Written Testimony Only

Comments: I support Judge Copeland's nomination to the Circuit Court of the State of Hawai'i.



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

Rebecca A. Copeland
Circuit Court Judge of the First Circuit (GM1)

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

FROM: Jesse K. Souki
President, Hawaii State Bar Association

Hearing: Monday, June 24, 2024
Conference Room 016 and Videoconference
State Capitol

Thank you for the opportunity to share the Hawaii State Bar Association (HSBA) Board of Directors' comments on Judge Rebecca Copeland's nomination for Circuit Court Judge of the First Circuit.

After a rigorous process, described below, the HSBA Board of Directors concluded that Judge Copeland is **QUALIFIED**. Judge Copeland was admitted to the Hawaii State Bar in 2003. She has practiced law in a wealth of roles, including in the private sector and as a government attorney. She created and assisted in stewarding the Appellate Bar Group. She served as a First Circuit District Court Per Diem Judge from 2016 to 2020. Since 2020, she has served as a First Circuit Family Court Judge, serving as Lead Judge over the Specials Division, and Presiding Judge over Truancy Court and the Early Education Intervention program.

Throughout all her work, Judge Copeland has earned recognition as being fair, meticulous, committed to her community, knowledgeable of the law, hardworking, and diligent. She is widely respected throughout the community for her advocacy for LGBTQ rights and has gladly stepped into leadership roles to ensure our court system is equitable and accessible to all, including in her work as co-chair of the Committee on Equity and Access to the Courts (CEAC). Judge Copeland will continue to serve with a strong worth ethic and highest integrity on the Circuit Court.

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The HSBA Board of Directors followed its multi-step process to arrive at its conclusion, which included:

- The nominee was notified of the HSBA appointment review process, which includes a questionnaire requesting educational credentials, legal and other professional work experiences, and personal references; a resume; a copy of the Judicial Selection Commission (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.
- The HSBA membership received an electronic notification of the appointment and a request for comments on the nominee.
- A neutral fact-finding body comprised of three HSBA Board members was called upon to review documentation submitted by the nominee, contact references submitted by the nominee, review comments received from the HSBA membership, conduct follow-up for clarification, if necessary, and prepare a report for the HSBA Board.
- Documentation submitted by Judge Copeland 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 Copeland in all categories of the HSBA criteria, which include Integrity, Diligence, Legal knowledge and ability, Professional experience, Temperament, Financial responsibility, Public service, and Ability to fulfill the responsibilities and duties of the position.
- The Executive Director and I met with Judge Copeland on June 19, 2024, to discuss the subcommittee's findings.
- On June 20, 2024, the HSBA Board of Directors interviewed Judge Copeland in an executive session.
- The HSBA Board deliberated and voted that Judge Copeland was qualified.

Thank you for your time and attention.