

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

Fifth Circuit Court
3970 Ka'ana Street
Lihue, HI 96766

Thursday, June 26, 2014

A. **CALL TO ORDER**

President Calvin Young called the meeting to order at 11:26 a.m. with a quorum present. The following persons were present for all or part of the meeting:

Officers Present

Calvin Young
Gregory Markham
Jodi Yi (by phone)
Ronette Kawakami
Mark Murakami

Directors Present

Nadine Ando
Russ Awakuni
Malcolm Barcarse, Jr.
Cecelia Chang (by video-conf.)
Steven Chow
Rebecca Copeland
Vladimir Devens (by phone)
Rhonda Griswold
Geraldine Hasegawa
Karin Holma
Carol Kitaoka
Laurel Loo
Timothy McNulty

Board Members Absent

Derek Kobayashi
Mei-Fei Kuo
Stephanie Rezents

Others Present

Judge Edmund Acoba
Angela Anderson
Mayor Bernard Carvalho
Mayor William Kenoi
Judge Trudy Senda
Judge Randal Valenciano
Craig Wagnild (by video-conf.)
Judge Kathleen Watanabe

HSBA Staff

Patricia Mau-Shimizu
Iris Ito (by video-conf.)
Debra White (by video-conf.)

- B. **Kauai Bar Association (KBA) Membership Meeting** - Prior to the HSBA Board meeting call to Order, the KBA held a brief meeting. Laurel Loo, HSBA Kauai Board member, opened the KBA meeting by calling on HSBA Board members to introduce themselves.

Judge Randal Valenciano, Chief Judge of the Fifth Circuit, briefed the audience on the Chief Justice's plans for Bench/Bar Forums in lieu of a statewide Bench/Bar Conference which is usually held in conjunction with the HSBA Bar Convention. Two groups will be convene: one in September and one in October. The September criminal forum will discuss issues and concerns of the criminal bar and the October forum will discuss issues and concerns of the civil bar.

In addition, Judge Valenciano raised court attire issues from the judges' perspective. The written policy on attire for court personnel was distributed as a guideline for attorneys. Attorneys were urged to self-monitor so that the judges could focus their attention on substantive proceedings and issues. Judge Valenciano also gave a brief update on the court document filing JAIMS automation project, and urged attorneys to attend training sessions, which will probably take place in 2015.

Kauai Bar Association Vice President Angela Anderson recognized volunteers for the Self-Help Center on Kauai, especially two very active KBA members Ryan Jimenez and Sara Silverman, who completed the most volunteer hours at the Center.

C. **HSBA BOARD MEETING CONVENES**

- D. **APPROVAL OF MINUTES** - A motion was made, seconded, and carried without opposition to approve the minutes of the May 22, 2014 Board meeting.
- E. **TREASURER'S REPORT** - Treasurer Mark Murakami reported that for the month ending May 31, 2014, there were unbudgeted increases in common area maintenance expenses, however total expenses to date were under budget. He also noted that HSBA continues to pay down the construction loan and acquisition loan currently totaling \$1,608,000.
- F. **EXECUTIVE DIRECTOR'S REPORT** - Executive Director Patricia Mau-Shimizu reported that the staff is in the process of migrating to the new database management system. She also encouraged Kauai members to make suggestions for Family Connections, especially since no one from Kauai has been featured.
- G. **YLD PRESIDENT'S REPORT** - YLD President Malcolm Barcarse reported that the YLD is working on the Junior Judges project coming up in the Fall. He also stated that they have started planning for the Mock Trial project for 2015, and thanked those who had volunteered their time previously.

H. **NEW BUSINESS**

1. **Proposed Amendment to Rule 1.8**

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendation of the Executive Committee to post on the website and send an e-blast to members requesting written comments via email on proposed amendment to Rule 1.8 of the Rules of the Supreme Court of the State of Hawaii which seeks to clarify that any full-time law school faculty member seeking admission to the bar may not be suspended, disbarred, or under supervision in another jurisdiction.

2. **Proposed Amendment to Rules 17 and 22**

Action taken: A motion was made, seconded, and carried without opposition to ratify the Executive Committee's decision to solicit member comments on proposed amendments to Rule 17 and 22 that include expanding the scope of the type of programs eligible for mandatory CLE credit for attorneys licensed in Hawaii. The proposal was posted on the HSBA website and transmitted to members on June 5, 2014 via an e-blast requesting written comments.

3. **Legal Aid Board Appointments**

Action taken: A motion was made, seconded, and carried without opposition to adopt the recommendation of the Executive Committee and Nominating Committee to approve the appointments of the following individuals to the Board of the Legal Aid Society of Hawaii for a 3-year term beginning July 1, 2014: appoint Edmund Burke, Robin Kobayashi, and Elijah Yip, and reappoint Susan Ichinose and Susan Li. Directors Russ Awakuni and Rhonda Griswold recused themselves from voting.

I. **INFORMATION**

4. **Bench-Bar Forums** - Director Steven Chow, also a Co-chair of the Judicial Administration Committee, informed the Board and members that the Committee is planning to hold a criminal law forum in September and a civil law forum in October, instead of the Bench-Bar Conference this year. Some of the topics being considered in the civil law forum include: reducing costs of publication; expediting cases; mediation; obtaining medical records with violating HIPAA.

5. **Slate of Candidates for 2015 HSBA Board** - President Young announced the names of candidates running in the upcoming HSBA Board election.

J. **Remarks from Mayor Bernard Carvalho and Mayor Billy Kenoi** - Both Mayors noted the importance of lawyers in the legislative process. Mayor Kenoi, an HSBA member, noted his experiences as a Public Defender after graduating from William S. Richardson School of Law and the importance of that experience

in his career as an elected official. Both Mayors were asked to address the issue of GMOs in their respective jurisdictions. Both noted the need for reliable scientific information and the need for balancing competing interests in the ultimate resolution of some of the problems and growing concerns in their respective counties.

- K. **Informal discussion with HSBA Board Members and KBA Members** -- In response to a KBA discussion item, President Calvin Young discussed HSBA procedures for the evaluation of judicial nominees. Judge Senda offered her personal perspective on the process.

L. **ADJOURNMENT**

The meeting adjourned at 11:52 a.m.

Submitted by:



Patricia Mau-Shimizu
HSBA Executive Director

Approved by:



Ronette Kawakami
HSBA Secretary