

Honolulu, Hawaii

JUL 30 2008

RE: JUD. COM. NO. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Second Special Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred Judiciary Communication No. 1, submitting for study and consideration the appointment of:

KELSEY T. KAWANO, to District Court of the Second Circuit;

begs leave to report as follows:

Your Committee received testimony in support of Kelsey T. Kawano from the Department of Human Services (DHS), Raymond P. McCabe, Inc., and fourteen individuals.

The Hawaii State Bar Association found the nominee to be qualified for the position of Judge, District Court of the Second Circuit, based upon the criteria of integrity, legal knowledge and ability, professional experience, judicial temperament, diligence, financial responsibility, public service, collegiality, and writing ability.

Kelsey T. Kawano received a Bachelor of Business Administration from the University of Hawaii at Manoa, and a Juris Doctor from the University of Washington School of Law. He has been in solo private practice since 1994, and has been serving as a Per Diem Judge since 2006 with the District Court of the Second Circuit. Prior thereto, he worked with two other law firms. As a private practitioner, Mr. Kawano's practice has been in all aspects of general practice with particular emphasis on family law including: child custody, support, and visitation; divorce, paternity, guardianship, domestic violence and child abuse protection; and juvenile proceedings.



Mr. Kawano is a member of the Hawaii State Bar Association, and Maui County Bar Association of which he has served as Past President. He also served as Grand Jury Counsel for the Second Circuit Court from 1994 to 1995. He currently has membership in or serves with the following in the Second Circuit: Panel of Arbitrators; Parents' Counsel and Guardian Ad Litem; Special Counsel to the Judiciary; Volunteer Guardian Ad Litem Program; Family Drug Court; Advisory Counsel, Child Welfare Services, DHS.

Mr. Kawano has worked with the DHS on Child Protective Services on Maui as a Parents' Attorney and Guardian Ad Litem. The staff at the DHS found him to be professional, fair, and up-front. Other testifiers found him to have good judgment and to be fair, honest, patient, compassionate, committed to maintaining very high standards in legal work, personable, intelligent, caring, experienced, and skillful.

Your Committee notes Mr. Kawano's personal testimony to the effect that the values of people and family are most important to him. He described himself as sometimes being the "sole and lonely voice" for the children in family court as their guardian ad litem. He advocated for the needs of foster children and children needing a high level of medical or psychiatric care. Mr. Kawano has brought legal action against the DHS and the DOH to get them to cooperate together to provide needed care to particular children who need specialized services.

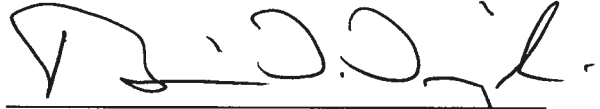
Mr. Kawano testified that he is flexible enough to be able to do all of the various cases in the District Court, including criminal, civil, and assumpsit. Your Committee notes that he has gained experience in a broad range of cases while in private practice which would qualify him to adjudge all types of District Court cases.

Your Committee finds that Mr. Kawano has a good sense of where the equities, rights, and responsibilities lie in a case, which is essential for a District Court judge.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the appointee, has found the appointee to be qualified for the position to which appointed and recommends that the Senate consent to the appointment.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



BRIAN T. TANIGUCHI, Chair



Record of Votes
Committee on Judiciary and Labor
JDL
Consent

Judiciary Communication No.:* <div style="text-align: center; font-size: 1.5em;"><u>1</u></div>	Committee Referral: <div style="text-align: center; font-size: 1.2em;">JDL</div>	Date: <div style="text-align: center; font-size: 1.5em;">07/30/08</div>		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Consent 2347 <input type="checkbox"/> Not Consent 2349				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	/			
HEE, Clayton (VC)				/
GABBARD, Mike	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SLOM, Sam	/			
TOTAL	5			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one Judiciary Communication per Record of Votes