

EXECUTIVE ORDER NO. 07-07

WHEREAS, except as otherwise provided in chapter 26, Hawaii Revised Statutes, pursuant to section 26-39, Hawaii Revised Statutes, with the approval of the Governor of the State of Hawaii, the head of a department may establish or abolish any subordinate office or position, transfer officers and employees between positions, appoint and remove any subordinate, and change duties, titles, and compensation of officers and positions as is deemed necessary by the head of the department for the efficient functioning of the department; and

WHEREAS, pursuant to section 26-7, Hawaii Revised Statutes, the Department of the Attorney General is headed by a single executive known as the Attorney General; and

WHEREAS, pursuant to section 28-8, Hawaii Revised Statutes, the Attorney General is authorized to appoint a First Deputy Attorney General and other Deputy Attorneys General, as the exigencies of the public service may require, who shall perform duties as the Attorney General may require; and

WHEREAS, many states have established a position called the "Solicitor General," to assist their respective attorneys general in representing the interests of the states, especially as to appellate issues, as well as coordinating communications and responses with other states on national issues; and

WHEREAS, the designation of a Deputy Attorney General to serve as Hawaii's Solicitor General and of other Deputy Attorneys General to serve as Deputy Solicitors General will assist in the handling of important cases in which the State of Hawaii is involved, especially appellate cases, as well as in the coordination of communications between states such as the coordination of *amicus curiae* (friend of the court) brief requests amongst states; and

WHEREAS, the designation of a Deputy Attorney General to serve as Hawaii's Solicitor General, and the designation of Deputy Attorneys General to serve as Deputy Solicitors General, will assist the Attorney General in providing important litigation advice to government officials; will improve the handling of specific cases involving constitutional challenges or involving important legal interests of the State; will assist the Attorney General in determining which cases should be appealed and the

appropriate legal positions to pursue; will assist the Attorney General in determining the State's participation in the filing of *amicus curiae* briefs; and will assist the Attorney General in pursuing cases with issues of vital interest to state government;

NOW, THEREFORE, I, Linda Lingle, Governor of the State of Hawaii, hereby authorize and approve the designation by the Attorney General of a Deputy Attorney General to be Hawaii's Solicitor General, the designation of a Deputy Attorney General to be the First Deputy Solicitor General, and the designation of other Deputy Attorneys General to serve as Deputy Solicitors General, all to serve at the pleasure of the Attorney General and with all of the powers and duties as may be assigned by the Attorney General.

The Solicitor General and Deputy Solicitors General shall be advisors to the Attorney General and shall handle or oversee specific cases involving constitutional issues as well as other important legal interests of the State, as may be directed or assigned by the Attorney General.

The Solicitor General and Deputy Solicitors General shall represent the Attorney General and the State of Hawaii before the State appellate courts and the federal courts of the United States, as the Attorney General may determine.


IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Hawaii.

DONE at the State Capitol, Honolulu,
State of Hawaii, this 26th
day of June, 2007.



LINDA LINGLE
Governor of Hawaii

APPROVED AS TO FORM:



MARK J. BENNETT
Attorney General