



**HAWAI'I
ACCESS TO JUSTICE COMMISSION**

ANNUAL REPORT FOR 2024



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I. HAWAI'I ACCESS TO JUSTICE COMMISSION

This report highlights the Hawai'i Access to Justice Commission's ("Commission") activities in 2024.

A. Commissioners

The Commission is comprised of twenty-two Commissioners. The various Commissioners are appointed as designated in Rule 21 of the Rules of the Supreme Court of the State of Hawai'i by separate appointing authorities:

- Chief Justice of the Hawai'i Supreme Court
- Hawai'i State Bar Association ("HSBA")
- Hawai'i Consortium of Legal Service Providers
- Hawaii Justice Foundation ("HJF")
- Williams S. Richardson School of Law
- Hawai'i Paralegal Association
- Governor of the State of Hawai'i
- Attorney General of the State of Hawai'i
- State of Hawai'i Senate President
- State of Hawai'i Speaker of the House

The Commissioners who served in 2024 are listed on the next page.¹

¹ Senator Karl Rhoads was appointed on November 21, 2024 by Senate President Ronald D. Kouchi.



	Name	Appointed By	Term Ends
1.	Hon. Joseph E. Cardoza (Ret.) (Chair)	Chief Justice	12/31/26
2.	Hon. Vladimir P. Devens	Chief Justice	12/31/26
3.	Hon. Brian A. Costa	Chief Justice	12/31/24
4.	Hon. Joanna E. Sokolow	Chief Justice	12/31/25
5.	Hon. Michael K. Soong	Chief Justice	12/31/24
6.	Derek R. Kobayashi (Vice Chair)	Hawai'i State Bar Association	12/31/25
7.	Christine Daleiden	Hawai'i State Bar Association	12/31/26
8.	Jeremy J. K. Butterfield	Hawai'i State Bar Association	12/31/25
9.	Carol K. Muranaka	Hawai'i State Bar Association	12/31/26
10.	Rachel Figueroa (Volunteer Legal Services of Hawai'i)	Hawai'i Consortium of Legal Services Providers	12/31/25
11.	David Kopper (Legal Aid Society of Hawai'i)	Hawai'i Consortium of Legal Services Providers	12/31/24
12.	Kathryn Mayer (Hawaii Disability Rights Center)	Hawai'i Consortium of Legal Services Providers	12/31/26
13.	Makalika Naholowa'a (Native Hawaiian Legal Corporation)	Hawai'i Consortium of Legal Services Providers	12/31/25
14.	Heather Lusk (Non-attorney public representative)	Hawai'i Consortium of Legal Services Providers in consultation with the Chief Justice	12/31/24
15.	Rona Fukumoto (Non-attorney public representative)	Hawai'i Consortium of Legal Services Providers in consultation with the Chief Justice	12/31/26
16.	Mihoko Ito	Hawaii Justice Foundation	12/31/25
17.	Dean Aviam Soifer (Ret.)	William S. Richardson School of Law	12/31/25
18.	Kalen Sato	Hawai'i Paralegal Association	12/31/25
19.	Trista Nicole Speer	Governor	n/a
20.	Matthew Dvonch	Attorney General	n/a
21.	Hon. Karl Rhoads	Senate President	n/a
22.	Hon. Della Au Belatti	House Speaker	n/a



B. Committees

Rule 21(f) of the Rules of the Hawai'i Supreme Court provides that the Commission may create such committees as it deems necessary or desirable to facilitate the work of the Commission.

The Commission created committees and various other ad hoc subcommittees and task force groups to carry out and facilitate its mission. Commissioners serve as chairs for the committees. The role of each committee is advisory only, and each committee is intended to make such recommendations to the Commission as the committee determines to be appropriate. The committees, their chairs, their members, and the areas of responsibility assigned to them may be changed at any time by the Commission.

The initial charters for the subject matter committees are drawn largely from two sources—the fourteen purposes of the Commission set forth in Supreme Court Rule 21 and the action steps proposed by the Hawai'i Access to Justice Hui in its “Community Wide Action Plan To Increase Access to Justice in Hawai'i by 2010” (the “Community Wide Action Plan”). The Community Wide Action Plan grew out of “The 2007 Assessment of Civil Legal Needs and Barriers of Low- and Moderate-Income People in Hawai'i,” and both the Assessment and the Action Plan are included in the Report provided to each Commissioner entitled “Achieving Access to Justice for Hawai'i's People” (the “Report”).

The Commission began the process of reviewing its committee structure in October 2022. It was decided that the Administration Committee would review the matter and make recommendations to the Commission. On March 20, 2023, the Commission approved the restructuring of certain committees and task forces of the Commission.

1. Administration Committee

The Administration Committee provides the following functions:

- Assist in providing reports on the status of operations.
- Assist in providing administrative and logistical assistance to the Commission and its committees and task forces.
- Assist in developing policies and initiatives that further the mission of the Commission.
- Coordinate the activities of volunteers in support of the Commission's initiatives.

One of the Commission's areas of emphasis in 2024 was consumer debt litigation. Consumer debt cases are among the most frequently filed cases in



Hawai'i. The Commission decided to assign consumer debt litigation to the Administration Committee because the topic fell within the scope of multiple Commission committees. The Administration Committee has been developing a consumer debt litigation project that will likely involve multiple tasks such as providing unrepresented creditors and debtors with online information, volunteer navigation services, forms, and rules.

During 2024, the members of this committee were Judge Joseph E. Cardoza (Ret.) (Chair), Judge Brian Costa, Christine Daleiden, Judge Jill Hasegawa, Derek Kobayashi, Carol K. Muranaka, Judge Joanna Sokolow, Judge Michael Soong, and Tracey Wiltgen.

In 2024, the Administration Committee worked on the debt collection project.

The subject matter committees are listed below:

2. Committee on Education, Communications and Conference Planning

The Committee on Education, Communications, and Conference Planning facilitates the work of the Commission by the following functions:

- a. Assist in organizing an annual conference for presentation of issues related to access to justice.
- b. Make recommendations on encouraging lawyers, judges, government officials, and other public and private leaders in Hawai'i to take a leadership role in expanding access to justice.
- c. Assist in developing strategies for educating governmental leaders and the public about the importance of equal access to justice and of the problems that low-income persons in Hawai'i face in gaining access to the civil justice system. Strategies include informational briefings, communication campaigns, statewide conferences, testimony at hearings, and other means.
- d. Increase awareness of legal rights of low-income persons and where they can go when legal assistance is needed.
- e. Assist in developing a communications strategy and preparing communications consistent with that strategy.
- f. Encourage judges, lawyers, and legal services providers to prepare a series of articles on access to justice topics for publication in the *Hawaii Bar Journal* and other media.

The members of this committee in 2024 were former Dean Aviam Soifer (Chair), State of Hawai'i Representative Della Au Belatti, Rona Fukumoto, State



of Hawai'i Representative Sonny Ganaden, Cora Hume, Mihoko Ito, Robert J. LeClair, Judge Clarissa Malinao, Simeona Mariano, Michelle Moorhead, Carol K. Muranaka (Vice Chair), Teri-Ann Nagata, Leila Rothwell Sullivan, and Lorenn Walker.

Summary of Activities

- (1) Worked on a seminar for Hawaii-licensed attorneys to assist on special education cases for those in need.
- (2) Planned, recommended, and coordinated the 2024 Access to Justice Conference (Theme: "Meeting the Challenges of Civil Access to Justice for All") held on Friday, June 21, 2024 at the William S. Richardson School of Law, University of Hawai'i.
- (3) Prepared a report to the Commission summarizing the 2024 Hawai'i Access to Justice Conference, including expenses, evaluations, and summaries of various conference workshops.
- (4) Prepared an application for approval of six continuing legal education credits for Hawai'i-licensed attorneys attending the 2024 Hawai'i Access to Justice Conference. Approval for the six credits was ultimately received from the HSBA.
- (5) Worked on possible workshop topics for the 2025 Hawai'i Access to Justice Conference.

3. Committee on Increasing Pro Bono Legal Services

The Committee on Increasing Pro Bono Legal Services aids in the work of the Commission by the following functions:

- a. Study best practices in other jurisdictions for increasing the level of pro bono services by lawyers, paralegals, and others who may assist in overcoming barriers to access to justice. Methods include developing effective recruitment campaigns.
- b. Make recommendations concerning ways to develop a culture of commitment to pro bono service among Hawai'i's lawyers.
- c. Maintain a list of providers of legal services and others who offer opportunities for pro bono service (including adjustments due to COVID-19), describe the nature of those opportunities, and explore and assist providers in increasing the opportunities they provide for such service.
- d. Make recommendations concerning ways in which to make providing pro bono service more attractive to attorneys. Methods



include assisting in developing resources for the pre-screening of cases, ensuring proper training, providing support, and recognizing service.

- e. Make recommendations concerning ways to encourage law firms and others who employ lawyers (including governmental agencies and corporate law departments) to promote increased pro bono service among their attorneys.
- f. Make recommendations concerning ways to encourage retired lawyers and judges to provide pro bono or staff legal services to low- and moderate-income persons.
- g. Assist in recruiting and staffing pro bono attorneys for the Access to Justice Room at the Honolulu District Court.
- h. Coordinating the annual Pro Bono Celebration.
- i. Make recommendations and provide advocacy in support of enhancing recruitment and retention of attorneys to work as staff members or to volunteer pro bono for non-profit providers of civil legal services in Hawai'i.

The Committee continued to work on its 2024 goals to increase pro bono participation by attorneys in the community by: (1) reaching out to law firms in Hawai'i to increase attorney pro bono participation and (2) reaching out to the University of Hawaii's Richardson School of Law to ensure that future lawyers know of the availability of pro bono opportunities.

The Committee facilitated a "Meet and Greet" at the Hawai'i State Legislature in May with First Circuit District Court Judge Melanie May, Michelle Acosta, Deputy Court Administrator, First Circuit, and Representative Linda Ichiyama and included legislative aides and legislative staff attorneys. The Committee also worked on the 2024 Pro Bono Celebration in October.

The Committee members in 2024 were Christine Daleiden (Chair), Angela Kuo Min, Jennifer Chin, Derek Kobayashi, Judge Rebecca A. Copeland, Representative Linda Ichiyama, Rachel Figueroa, Associate Justice Vladimir P. Devens, Judge Bryant Zane, Judge Kristine Yoo Nakamatsu, Judge Brian A. Costa, Tracey Wiltgen, Associate Justice Simeon R. Acoba (Ret.), Shawn L.M. Benton, Judge Jill Hasegawa, Regan Iwao, Judge Melanie May, Judge Trish K. Morikawa, and Trisha Y. Nakamura.



4. Committee on Initiatives to Enhance Civil Justice

The Committee on Initiatives to Enhance Civil Justice and Right to Counsel in Certain Civil Proceedings assists the Commission by the following functions:

- a. Develop and publish a strategic, integrated plan for statewide delivery of civil legal services to low-income residents of Hawai'i.
- b. Study best practices in other jurisdictions and develop and recommend new initiatives to expand access to justice in Hawai'i.

Summary of Activities

In 2024, the Committee on Initiatives to Enhance Civil Justice continued to look at initiatives to assist litigants with transportation to court and to continue developing proposed instructional materials for distribution to the public. The committee has also begun studying ways in which it can garner specific input from self-represented litigants on their court experiences and how the Judiciary (and individual judges) facilitated their access to justice. It is hoped that this information could provide constructive feedback that could be used to specifically improve self-represented litigants' access by educating judges and leading to the implementation of new initiatives to address concerns, barriers, or gaps.

Members of the Committee in 2024 were Judge Joanna E. Sokolow (Chair)(January to October 2024), Rachel Figueroa (Chair)(November to December 2024); Edward Aquino, Lincoln Ashida, Charles Crumpton, Elizabeth Fujiwara, Craig Jerome, Patricia Kickland, Gregory Lui-Kwan, Hon. John A. Montalbano, Deja Marie Ostrowski, Kristin Shigemura (Vice Chair), and Reginald Yee.

5. Committee on Overcoming Barriers to Access to Justice

The Committee on Overcoming Barriers to Access to Justice facilitates the work of the Commission by the following functions:

- a. Make recommendations concerning ways to remove impediments to accessing the justice system due to language, cultural, and other barriers and make recommendations concerning what programs should be initiated to address this barrier, which may include the following:



- Providing multilingual services, including increasing the number of available staff, pro bono attorneys and court personnel who are bilingual.
 - Providing forms in multiple languages.
 - Providing translation services in court, administrative agencies, and with legal service providers.
 - Partnering with the University of Hawai'i and other schools offering language training to encourage multilingual volunteers to provide outreach and translation services.
 - Identify state entities working on these issues to increase collaboration and share resources.
 - Examine factors around barriers to interpreter certification and make recommendations to ensure quality and availability.
- b. Identify other barriers to obtaining legal assistance and make recommendations concerning ways to address them, such as through the provision of ancillary services--e.g., providing for child care during a court hearing or for necessary mental health services.
- c. Seek to reduce barriers by recommending input on existing and proposed laws, court rules, regulations, procedures and policies that may affect meaningful access to justice for low- and moderate income Hawai'i residents.
- d. Reduce barriers encountered by self-represented litigants in the court system. Examples include using plain English, translations into other languages, and by simplifying procedural rules.

Members of the Committee in 2023 were Heather Lusk (Chair), Judge William M. Domingo (Vice Chair), Russell Awakuni, Patricia Cookson, Simeona Mariano, Calvin Pang, Page Ogata, Jennifer Rose, Brandon Segal, Cynthia Tai, Malia Taum-Deenik, Kristina Toshikiyo, Aphirak Bamrungruan, and Randall M. Wat.

6. Committee on Paralegals and Other Nonlawyers

The purpose of the Committee on Paralegals and Other Non-lawyers (Committee) is to substantially increase access to civil justice in Hawai'i for those of low- and moderate-income through the utilization of paralegals and other non-lawyers. Paralegals and non-lawyers possess an abundance of dedication, life experience, and willingness to serve. They are a valuable



resource that can provide greater access to justice in the many instances that do not require a lawyer.

Originally a Hawai'i Access to Justice Commission Task Force established in 2016, the Task Force became a permanent committee of the Commission on March 20, 2023. The committee is now called the Committee on Paralegals and Other Non-lawyers ("Committee").²

During 2024, the Committee typically met at least once each month to work on proposals and projects designed to enhance access to civil justice through the use of paralegals and non-lawyers.

After becoming a permanent committee of the Commission, the Committee focused its efforts on membership to ensure that the work on utilizing paralegals and other non-lawyers to enhance access to civil justice continues well into the future. Three committee members were added during 2023. During 2024, two new members joined the Committee. The Committee encourages anyone interested in Committee membership to apply.

During 2024, the Committee continued its work on supporting certain projects that were developed by the Committee. This included a Volunteer Court Navigator Program, an Online Volunteer Court Navigator Program, and a Volunteer Attorney and Volunteer Assistant Pilot Project.

During 2018, the Second Circuit commenced a Volunteer Court Navigator Program. This program was proposed by the Committee and the Hawai'i Access to Justice Commission and authorized by order of the Hawai'i Supreme Court. The Volunteer Court Navigator Program involves having trained in-person volunteer navigators present at civil district court sessions to provide legal information in response to questions by unrepresented persons. This program has successfully operated in the Second Circuit for the past six and one-half years.

During the COVID-19 pandemic, the Hawai'i Access to Justice

² The 2024 members of the Committee on Paralegals and Other Nonlawyers, were Judge Joseph E. Cardoza, Second Circuit Chief Judge (Ret.) (Chair, Access to Justice Commissioner); Kalen Sato (Hawai'i Paralegal Association) (Committee Vice-Chair and Commissioner); Gilbert Doles (attorney); Susan Gashel (attorney); Monique Ibarra (Chief Executive Officer, Domestic Violence Action Center); Marielle Florendo (Volunteer Legal Services Hawai'i); Kimberly Koide Iwao (attorney, professor, and Paralegal Program Coordinator, Kapiolani Community College), Chelsey Konno (originally a Maui High School student and now a student at John Hopkins University); Angela Lovitt (Deputy Director, Legal Aid Society of Hawai'i); and Grant Teichman (Volunteer Legal Services Hawai'i).



Commission proposed expansion of the Volunteer Court Navigator Program to provide similar online services via email. Originally designed to operate in the Second Circuit, the program has evolved and now is available to provide legal information beyond the borders of the Second Circuit. Today, inquiries can be received from unrepresented persons throughout the United States of America and other countries.

The Online Navigator allows a person to seek legal information via email. Persons seeking legal information send an email to a Judiciary email address. Requests for information then receive an email response from a volunteer navigator.

The Volunteer Attorney and Volunteer Assistant Pilot Project was designed several years ago to provide free legal representation to tenants facing eviction in the Second Circuit. Volunteer attorneys and volunteer assistants were trained to provide such services working together with Volunteer Legal Services of Hawai'i. Currently and fortunately, the needs of tenants unrepresented by a lawyer are being met by other agencies and lawyers who stepped forward to provide assistance following the Maui Wildfires of 2023. Thus, this project was not called upon to provide representation during 2024. At some point in the future, this will change, and attorneys will be needed to provide free legal representation to tenants facing eviction in the Second Circuit.

The Committee also continued to provide navigator services to those impacted by the tragic Maui Wildfires of 2023 and to support the good work being done by different organizations that assist those impacted by the wildfires. It is anticipated that as time passes, the ability to secure legal assistance will become increasingly challenging. The Committee will then need to reassess community needs and respond to them accordingly.

Consumer debt litigation has also been an area of focus for the Commission and Committee during 2024. Consumer debt cases are among the most frequently filed civil cases in Hawai'i. The vast majority of those facing consumer debt litigation are not represented by a lawyer. The Commission's Administration Committee has been working on creating a program to provide access to justice in this area of the law. One component of such a program may include having navigators available to provide legal information to unrepresented debtors and creditors. This will remain an ongoing Committee and Commission project.

Utilizing paralegals to provide legal representation in certain types of cases has been the subject of considerable discussion throughout the United States. Some states have moved forward with projects to enhance access to justice through the use of paralegals. The Committee and the Commission have dealt with this topic in the past. The Committee is once again re-examining the use



of paralegals to provide legal representation where little or no legal representation is available to those of low- or moderate-income. The Committee's review has included the work of other jurisdictions as well as a pilot project being conducted in the Third Circuit.

The Committee remains open to projects intended to enhance access to civil justice for those of low- and moderate-income in Hawai'i.

The members of the Committee express their sincere appreciation to the Judiciary for its leadership and assistance during 2024 and for the dedication of the many volunteers and agencies who have made the Committee's projects a reality.

7. Committee on Maximizing the Use of Available Resources for Separating and Divorcing Families in Hawai'i

This committee was formed on September 18, 2023. Its purpose is to evaluate the nature and status of pending cases involving separating and divorcing families in Hawai'i; evaluate the available resources for separating and divorcing families in Hawai'i; increase awareness of the available resources to separating and divorcing families in Hawai'i; and make recommendations for possible enactment of statutes, Family Court Rules, and/or Family Court policy and procedure directives designed to maximize the use of available resources for separating and divorcing families in Hawai'i.

In 2024, the Committee developed and distributed a survey for litigants involved in Divorce or custody cases, to gauge which services they might have tried, which assistance they might find useful, and any issues they are having as their case is proceeding. The Committee used the Fifth Circuit to pilot the survey and we are in the process of collecting and analyzing the results. In the meantime, we have been assembling our compilations of resources which can eventually be distributed or available to all families involved in litigation.

The members of this committee in 2024 were Jaqueline "Jacky" Mena (Chair January to September), Judge Joanna E. Sokolow (Chair September to December), Judge R. Mark Browning (Ret.), William C. Darrah, Tracey R. Wiltgen, Sara Jo Buehler, Erin Lea Lowenthal, Makia Minerbi, Michelle K. Moorhead, and Tiare Nakata.



II. 2024 HAWAI'I ACCESS TO JUSTICE CONFERENCE

The fifteenth annual Hawai'i Access to Justice Conference, sponsored by the Hawai'i Access to Justice Commission, attracted over 260 individuals on Friday, June 21, 2024, at the William S. Richardson School of Law, University of Hawai'i at Manoa. The theme of the conference, "Meeting the Challenges of Civil Access to Justice for All" as noted in the above title elicited thoughtful discussion on varied topics during the day.

The Cades Foundation was recognized for its financial support to help defray some of the costs of the conference. The Cades Foundation has been supportive of these annual conferences.

Robert LeClair, Hawaii Justice Foundation executive director, and Aviam Soifer, former dean and professor at the William S. Richardson School of Law, acted as co-emcees of the all-day event.

Second Circuit former chief judge Joseph Cardoza (ret.) welcomed the attendees to the conference and said, "let us share with the next generation the importance of service above self. What we have received, let us share with others." He stated:

Several years ago, I was fortunate to meet and speak with Immaculee Ilibagiza, an electrical and mechanical engineering student and a 1994 Rwandan holocaust survivor. In Rwanda, Immaculee was identified as a Tutsi, a minority ethnic group. The Hutus were the majority ethnic group. Although the cause of the genocide was complex, the immediate event that took place in April 1994, when the Rwandan president, a Hutu, was assassinated when his plane was shot down, those identified as Tutsi were blamed for his death. Extreme violence erupted. Immaculee's father hid her and seven other women inside a Hutu Pastor's small 3' x 4' bathroom. Those identified as Tutsi were being hunted down and murdered by the Hutus. When Immaculee and the other seven women emerged from that small bathroom 91 days later, she learned that nearly one million Tutsis had been murdered including everyone in her family with the exception of one brother who was studying abroad.

One of the things she shared that I found significant was that while hiding, she heard her childhood friend, a Hutu, call out from the street, "Where is Immaculee? I have killed 399 cockroaches and she will be my 400th." She could not understand how a childhood



friend would want to murder her, how friendship could so quickly turn into hatred. Of significance, was the fact that in Rwanda, since colonial times, the government drew a distinction between the Hutus and Tutsis. With the assassination of the president, the Tutsi people quickly became the target of the Hutus' anger and senseless violence. Through this tragedy, Immaculee learned of the danger of a divided society and the importance of forgiveness.

We are fortunate to live in a place of rich diversity, beliefs, and preferences. We cherish our diversity. I would be shocked if we ever turned on each other. Nevertheless, I do recognize that today's world is divided and that certain groups are marginalized. Let us resolve to never tolerate such thinking. We must always be prepared to have the courage to stand tall and seek justice for all.

Following Judge Cardoza, Hawai'i Supreme Court Chief Justice Mark Recktenwald remarked that the conference's theme made him think about "how as one ohana, we have worked together to increase accessibility to the courts every day and how we may need to embrace new tools and approaches to advance this mission." He acknowledged everyone who helped ensuring access to justice to the thousands of people affected by the Maui wildfires.



Chief Justice Recktenwald noted that the self-help centers have experienced tremendous growth and transformation since the first center opened on Kauai in 2011. These centers have assisted over 37,000 individuals in the past 13 years at almost no cost to the state.

Starting last fall and still in operation, a remote hearing kiosk was set up in the Lahaina courthouse as a resource to parties who may have lost their means of transportation or access to reliable internet. The West Maui residents are able to use the kiosk to participate in their court hearings remotely, at no charge.

Chief Justice Recktenwald commented that the Judiciary is examining artificial intelligence ("A.I.") and its use in closing the justice gap by providing legal information and the ability to navigate the court process to self-represented litigants. He has established a Committee on A.I. with Justice Vladimir Devens and Judge John Tonaki, leading the group. The committee has already started its work.



Two new resources were mentioned by Chief Justice Recktenwald to assist those who are navigating the court process on their own: a Fines and Fees Calculator, which is a free online tool to determine the fines and fees owed on certain citations and a chatbot on the Judiciary website that will allow users to ask questions and be directed to specific links and information. This will streamline public service and improve access to court information during and after the courts are closed.

Chief Justice Recktenwald commented, “I am continually inspired by our legal community’s capacity for innovation and willingness to step up and do what needs to be done to increase access to justice in Hawai‘i. Other states may have more resources, but none of them can match the heart of our access to justice supporters.”

“The Future of Justice Work”

Nikole Nelson, as the keynote speaker and 25-year resident of Anchorage, Alaska, described her background as the Chief Executive Officer of Frontline Justice, which is a newly created nonprofit corporation. She spent 25 years with the Alaska Legal Aid as a staff attorney, supervisor, and as its Executive Director.

Ms. Nelson spoke about how community and justice are intertwined, and the circumstances of the civil justice crisis is a huge cause for concern. She stated there are 150 to 250 million new civil legal problems in the United States in a year. These problems disproportionately impact the poor, people of color, and the elderly. According to the World Justice Index, the United States is last in terms of accessibility and affordability of its civil justice system. One reason for this, she opined, is that the problem is seen in terms of a lack of lawyers and the practice of law being restricted to only lawyers. Lawyers are also expensive and often are not located in rural areas. Additionally, low-income legal service providers are underfunded and not equipped to meet current demands.

Ms. Nelson further explained that even if there were more lawyers and more money to solve the legal problems, the research indicates this is the tip of the iceberg or less than 20 percent of the problems. As a result, about 80 percent of legal issues are not addressed and escalate to devastating levels. People are evicted, lose their health care, or become unemployed. She explained that the Alaska Access to Justice subcommittee determined that to address the access to justice crisis, they needed to move beyond lawyer-only solutions.

Ms. Nelson highlighted Alaska’s geographically vast size, rich diversity, extreme weathers, and remote communities in terms of the challenges to their infrastructure and accessing justice. There were large areas that had no access



to the legal system. They found that the health care system had the biggest footprint in Alaska and the legal system could borrow from the health care infrastructure.

The Alaska Community Justice Worker model was then created to develop targeted training programs to address widespread community problems, or “areas of low hanging legal fruit.” The plan was to infuse legal knowledge into the existing non-legal workforce to solve life problems that would otherwise be overlooked. The model is showing promising results and nearly 500 justice workers are being trained and supervised by the Alaska Legal Aid. The workers are in 47 different communities working in partnership with community-based organizations. The Alaska Supreme Court approved a waiver allowing community justice workers to engage in work that may otherwise be unauthorized practice of law. Alaska Legal Services has been able to handle twice as many cases in just one year.

Ms. Nelson quoted artist Nina Elder, “It will not be the same, but it might be beautiful.” She encouraged the audience to move beyond idealized notions of the current legal system because it is simply not serving communities as well as it should. The more people empowered to know and use the law will increase access to justice.

Morning Plenary Session³

The morning workshop, “Collaborations During a Crisis,” was facilitated by Commission Chair Judge Cardoza, Chief Justice Mark Recktenwald, David Kopper, executive director of Legal Aid Society of Hawai'i, and Maui attorney, Wendy Hudson.

Judge Cardoza started this session describing the devastating impact of the Maui wildfires on August 8, 2023 and the efforts to provide disaster relief to the community. Two short videos were played to provide a before and after look of Lahaina and to show the intensity of the fires that engulfed the town. Judge Cardoza then led a moment of silence to remember those lost and those impacted by the Maui wildfires.

To engage participants, Judge Cardoza asked each person to describe in one word their reaction when they first learned of the Maui wildfires and to send

³ The summary of the morning workshop was prepared by Simeona Mariano, a member of the Hawai'i Access to Justice Commission Committee on Education, Communications, and Conference Planning (“Education Committee”). Photos courtesy of Spencer Kimura, Director, International Programs, College of Social Sciences, University of Hawai'i at Manoa.



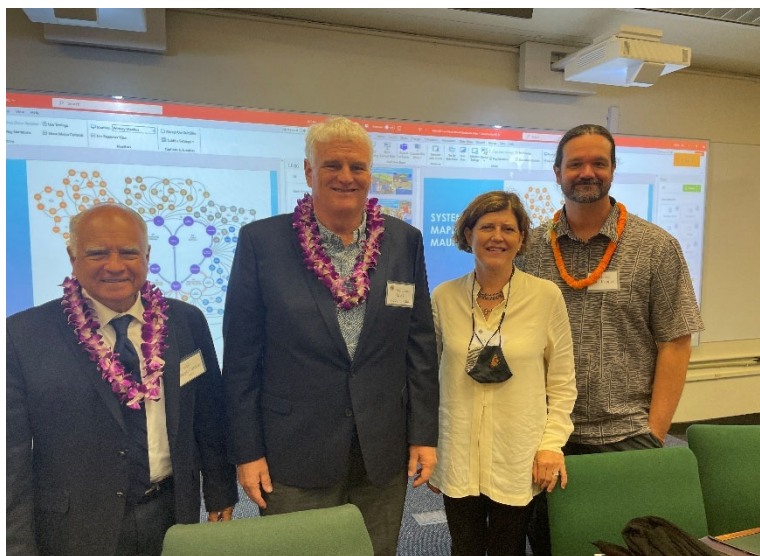
this word to slido.com for everyone to see on the screen. Some of the audience answers included “disbelief, devastated, shock, pain, and heartbroken.”

The next question posed by Judge Cardoza was what you thought were the immediate needs during the first few weeks for the people impacted by the Maui wildfires. Participants responded with “water, housing, shelter, community, food, safety, love and comfort.”

Chief Justice Recktenwald described the judiciary’s initial response to the Maui wildfires. He immediately thought of the Judiciary’s ohana living in Lahaina and the impact on their families. The Judiciary issued court orders the very next day regarding the closure of the courthouse and extending filing deadlines. The focus was to provide justice and continue functioning while being mindful of those impacted by the wildfires.

Chief Justice Recktenwald met with the Maui County Bar and worked with the HSBA to determine actions to support the Maui bar. They worked to provide language access in the form of interpreters and translation services and created a resource link. After consulting with employees, the courthouse in Lahaina was opened on September 5, 2023.

Wendy Hudson, board member of the Maui County Bar Association (“MCBA”), discussed the MCBA’s initial response to the wildfires. She recognized the outpouring of help and the local coordination among the HSBA, Young Lawyers Division, the Judiciary, Legal Aid, Volunteer Legal Services Hawaii, the Public Defender’s Office, the Prosecutor’s Office, the MCBA, and West Maui Outreach.



Judge Joseph Cardoza, Chief Justice Mark Recktenwald, Wendy Hudson, David Kopper

Ms. Hudson added that there were computers set up at the Lahaina courthouse for people to do Zoom appearances and kiosks connected to Red Lightning which helped with connectivity. The MCBA set up legal tables at the Lahaina Civic Center which included FEMA and the Red Cross and were manned by 50 attorneys who worked over 300 hours. A manual was also prepared by Legal Aid as a valuable resource to refer people to the



right place for additional help. She explained how some people simply needed someone to listen to them and their stories.

David Kopper continued the discussion in terms of the efforts by Legal Aid and explained the flowchart for a Federally Declared Disaster and how the various agencies like the American Bar Association, HSBA, Legal Aid, county bar and specialty bars work to provide appropriate responses.

Mr. Kopper outlined the three types of needs following a disaster: short term needs (one to six weeks), medium term needs (one to six months) and long term needs (six months to a year). He spoke about recognizing trauma that occurred and how services needed to be provided in a trauma-informed way. He also highlighted the enormous need for language access because there are many immigrants living on Maui.

Chief Justice Recktenwald continued the discussion in terms of identifying the type of help offered and in appropriately making referrals. Some help came in the form of fundraisers. He spoke about reaching out to other jurisdictions that experienced disasters to see how they dealt with impacts on the court system and the future needs in moving forward. The needs following the disaster were evolving, and the Judiciary worked to support and fill in the gaps.

Ms. Hudson addressed how bar members are still actively engaged in relief efforts, including coordination with the Judiciary, service providers, the public defenders, prosecutors, and others. The HSBA members continue to volunteer with the self-help centers. She thanked the Public Defender's Office for their quick response with outreach centers and the HSBA for the two truckloads of supplies. She recognized monetary donations from various firms and organizations, including mainland firms that donated laptops. The probate section continues to provide volunteers to assist with probate issues.

Mr. Kopper described the activities of Legal Aid that enhanced the response in the days and weeks following the initial disaster response. He started with building the Disaster Recovery Legal Services to deal with the volume and determine how to obtain resources within Legal Aid to those in need. The YLD hotline was moved to an automated intake line, and Legal Aid provided other online resources. He recognized how building relationships and the power of working together was important in addressing needs.

Judge Cardoza asked participants another poll question: what should go into your emergency/disaster toolkit? "Affordable housing" was a common response, along with "healing, money, stability, resources, water, and public benefits." He then turned to the panel to discuss the available resources and lessons learned in terms of better preparing for the future.



Chief Justice Recktenwald acknowledged the innovative thinking of how the legal system responded. He acknowledged that the community came together with mutual respect and aloha among the legal services providers, among the bar, and as an institution. There is still more to do. A priority is the idea of forming a dedicated response team with designated individuals who will be in touch with providers and accept information.

Mr. Kopper introduced the “System Mapping: Maui Hope” to highlight the disaster resiliency initiative and the community coming together with the legal community. The hope is for both communities to build together and identify initiatives that are ongoing. The map includes all of the responses, leaderships, engagements, challenges and resiliency planning. Three initiatives have been developed: a county playbook, increased training and education, and “low bono.”

Afternoon Workshop Summaries

What follows are a few summaries of the various afternoon concurrent workshops at the conference.

Increasing Access to Justice --What’s Mediation Got to Do With It?”⁴

This workshop was presented by Judge Kanani Laubach, Judge Adrienne Heely Cairns (Ret.), Bevanne Bowers, executive director of Maui Mediation Services, and Julie Mitchell, executive director of Ku‘ikahi Mediation Services, and moderated by Tracey Wiltgen, executive director of The Mediation Center of the Pacific.

In response to overcrowded courts, the high cost of litigating, and the desire for a different approach for addressing community conflicts, in the late 1960s and 70s, community mediation blossomed across the country. Hawaii followed the trend with the creation of The Mediation Center of the Pacific on Oahu, Kauai Mediation Center, Maui Mediation Services, and Ku‘ikahi Mediation Center and West Hawaii Mediation Center on the island of Hawaii.

The Hawaii courts quickly embraced mediation referring small claims, landlord-tenant, domestic, and other matters to every center. And while mediation has grown over the years and there are now many private mediation providers whose costs and approaches can vary significantly, the community mediation centers remain the only affordable dispute resolution option for individuals in the low-income and vulnerable populations.

⁴ The summary of the mediation workshop was prepared by Tracey Wiltgen.



Today, the five centers collectively manage over 5,000 cases annually including opening 4,369 new cases last year and mediating 2,403 cases involving 11,776 mediator hours. 1,586 of the cases mediated were referred directly from the district, circuit, and family courts in the areas of landlord-tenant, consumer-merchant, domestic, and restraining orders. All areas in which access to justice is most needed.

To ensure mediation is accessible for all, the community mediation centers work closely with the courts in their respective circuits, as well as partner with legal service providers such as Legal Aid and Volunteer Legal Services, other nonprofit organizations serving critical community needs including Catholic Charities and the Council for Native Hawaiian Advancement, and more.

Judges Laubach and Heely Caires described a variety of approaches to increase access to justice at court including incorporating Turbo court, the use of forms, the continued use of Zoom, different types of calendars, the self-help desks, and more recently, QR codes that can quickly connect parties to the



Julie Mitchell, Bevanne Bowers, Judge Adrienne Heely Caires (ret.), Judge M. Kanani Laubach, Tracey Wiltgen

required forms and other resources.

The judges also stressed the importance of the partnerships between the courts and the community mediation centers noting that mediation is a way for people to feel good in their community, it helps people communicate, and even if there is no agreement, mediators narrow the issues so there is clarity when the parties return to court.

Mediation center Executive Directors Bevanne Bowers and Julie Mitchell, shared that with community mediation, the mediators are trained in a facilitative approach that empowers the parties themselves to make their own decisions. The parties in mediation are helped to feel as comfortable as possible by providing interpreters, keeping parties separate when they don't want to be in the same room, ensuring they are "heard" and they have a voice in the process, and directing them to the resources they need to make informed decisions. Thus, community mediation is less threatening for the mediation participants than going to court.



It was emphasized that with court ordered mediations, when the judges explain the process before sending the parties to mediation, it lays the foundation for a productive process. Additionally, when attorneys participate, client preparation and education to be open to options for resolution is critical.

Challenges to mediation including language barriers, technical challenges, and power imbalances are all addressed through process design and support provided by the community mediation centers. Parties have the option of participating in person or via Zoom. And if they want to participate via Zoom and don't have the equipment or comfort level to do so, every mediation center offers the option of participating via Zoom at their office. Interpreters are used during the intake process, as well as during the mediation, and power imbalances are addressed by allowing support persons to participate, as well as through the use of private and joint sessions.

The greatest challenge noted, was encouraging the use of mediation early, before going to court. The judges and the executive directors agreed that accessing mediation early was preferred, and more likely to result in a settlement. Ideas for promoting early mediation were solicited from the workshop participants.

In conclusion, the panel agreed that the answer to the question of "what's mediation got to do with access to justice" is "mediation leads to resolution." Equally important, community mediation results in more satisfaction of the parties than going to court. They leave feeling heard and empowered to reach agreements that work for them.

Uplifting the Voices of Foster Youth⁵

Laurie Tochiki, former Executive Director of EPIC 'Ohana, facilitated this afternoon session and emphasized the need for "voice and choice" in ensuring that parents and youth that are involved in the child welfare services ("CWS") system have access to justice. This involves families having a say and understanding in the court process so that they are empowered and can move forward with their lives in a positive direction.

Dr. Tochiki and Melissa Mayo, Pono Process Lead at EPIC 'Ohana, gave an overview of EPIC and its impact in the community. EPIC was founded 26 years ago with 'Ohana Conferencing as its flagship program with about 850-1,000 'Ohana Conferences taking place each year across the state. 'Ohana Conferencing is a collaborative effort that brings together families, extended and

⁵ The summary of the foster youth workshop was prepared by Michelle Moorhead, a member of the Education Committee in consultation with Laurie Tochiki, facilitator for that workshop.

hānai family, CWS, service providers, and the support system of children who are involved with CWS.

Other key EPIC 'Ohana programs mentioned were Pilina Circles (conferencing with a youth while they are in care) and Youth Circles (conferencing with a youth's support system as they transition out of care to adulthood). Both types of Circles allow youth to determine what they really want and need for assistance in their day-to-day lives. EPIC 'Ohana also serves the community by providing a family finding department (to seek out and assist CWS with placing youth in care with kin and establish relations between family and the youth in care), Family Wrap Services (EPIC team members help to facilitate a family moving forward towards reunification), HI HOPES (youth voices for systemic reform), peer support with Parent Partners or Youth Partners (who can empathize and act as a support system for families and because they themselves have lived experience with the child welfare system).



Melissa Mayo, Dana Matsunami, Laurie Tochiki, Delia Ulima

Dana Matsunami, Skadden Fellow, discussed the issue of a youth in care's right to counsel. Ms. Matsunami shared how having counsel improves outcomes for youth and explained the distinction between a client-directed counsel (who acts on the child's wishes) versus a guardian ad litem for youth (who advocates for the best interest of the child, even though the child may not want what the guardian ad litem is advocating). Ms. Matsunami highlighted that

Hawai'i is one of only twelve states that do not explicitly allow for the right to counsel in CWS cases. As a result of this right for counsel existing in other states for some time, there are many best practice models and studies that Hawai'i can look towards in enacting laws to allow for youth in care to have the right to counsel.

Dr. Tochiki and current executive director of EPIC 'Ohana, Delia Parker Ulima, concluded the session by giving an update on the Malama 'Ohana Working Group. Malama 'Ohana Working Group was established in the 2023 legislature and is currently housed in the Office of Wellness and Resilience. Malama 'Ohana is working on outcomes for children and families in the child

welfare system. Malama 'Ohana is improving access to justice in the community by listening to voices in communities across the state and then developing recommendations to the 2025 legislature.

A key theme throughout all aspects of the presentation was the power of telling stories and having people care to listen—real change and societal impact can occur by listening to the community and bridging the gap between people who make decisions and people affected by those decisions.

Initiatives to Facilitate Access to Justice⁶

This workshop was facilitated by Judge Darien Ching Nagata with other panelists Nikole Nelson and Jessica “Jaycee” Uchida, Senior Attorney for Legal Aid in Hilo.

Judge Nagata indicated that, as of July 2023, Hawai'i County has approximately 14.447% of the statewide population according to the Department of Business, Economic Development and Tourism Census website. According to the Hawai'i State Judiciary's 2023 Annual Report Statistical Supplement for fiscal year 2022-2023 the Third Circuit's carried approximately 25% of the statewide total caseload for paternity cases. There is a large disparity of paternity cases in the Third Circuit compared to the statewide population. The overwhelming majority of these cases are self-represented litigants, many of

whom fall below the poverty guideline and cannot afford an attorney.



Nikole Nelson, Jessica Uchida, Judge Darien Nagata

Ms. Uchida discussed the purpose and objective behind the Rural Paternity Advocate Pilot Project in the Third Circuit. She explained that this pilot project was created with the intention of helping to meet the critical unmet needs of rural, low-income self-represented litigants in child custody, timesharing and paternity matters by allowing qualified, non-lawyer Legal Aid advocates

under the supervision of a Legal Aid attorney licensed in Hawai'i to represent them in court. Ms. Uchida further noted that this pilot project initiative being

⁶ The summary of the Initiatives workshop was prepared by Judge Darien Nagata.



executed by Legal Aid was made possible by the Hawai'i Supreme Court and Hawai'i Access to Justice Commission, who approved the pilot project and issued the order allowing non-attorney Legal Aid advocates to appear in court. She covered the content and creation of the rigorous curriculum developed to train the advocates regarding substantive law material and courtroom practice and procedure. She further discussed the progress that the pilot project has made thus far and what she hopes the initiative will accomplish in the remainder of the pilot project period. She ended her portion of the presentation by sharing the positive experience of a client who was represented by a Legal Aid advocate.

Judge Nagata discussed non-lawyer initiatives that she implemented in her courtroom in Hilo for her paternity cases. The Rural Paternity Advocate Pilot Project is assigned to her courtroom and she has worked with the Legal Aid Society of Hawai'i to help develop a process for the project. Besides utilizing this Project, it is common for Judge Nagata to refer parties to mediation. The mediation center in Hilo charges parties based on a sliding scale so that parties are able to afford the services. Additionally, the Third Circuit can appoint a self-represented litigant a Fact-Finding Investigator ("FFI") at absolutely no charge to the litigants. Custody Evaluators ("CE") are allowed by Hawaii Revised Statute Section 571-46.4, but are often not affordable by the self-represented litigants. If self-represented litigants cannot afford a CE, a FFI from the Judiciary's Program Services division can be appointed free of charge to the litigants. Another initiative utilized by Judge Nagata for paternity cases are Voluntary Settlement Masters ("VSM"), family law attorneys from Oahu, who provide pro bono services to help litigants resolve paternity matters via zoom in sessions that are separate from the court proceedings. There is no cost to the self-represented litigants. The VSM sessions are held remotely using a separate judiciary zoom account during Judge Nagata's court paternity calendar so there is no extra cost to the judiciary and is done while the court is running its own calendar. If the above-mentioned measures do not result in the resolution of the case, an option is to have a settlement conference held by a different judge. These pilot projects and initiatives help resolve paternity cases at no cost (with exception of the mediation) and with less time to the litigants. These non-lawyer initiatives benefit the self-represented litigants, the judiciary and the community as a whole.

CEO Nelson discussed the Alaska Community Justice Worker model and its expansion to four other states (Montana, Arizona, Oklahoma, and Minnesota) to provide disaster recovery assistance in tribal communities. She gave details about how Alaska's Community Justice Worker model has been implemented. Explaining that it had been an outgrowth of the Alaska Supreme Court's Access to Justice subcommittee's "Justice for All" project and involved integrating legal aid across other community-based nonprofits such as healthcare and social services providers. CEO Nelson explained that it was made possible both by

Alaska’s permissive “unauthorized practice of law” statute as well as a Supreme Court waiver that empowers justice workers to provide legal assistance that would otherwise run afoul of the UPL restrictions so long as they are doing so under the supervision of Alaska Legal Services Corporation (the state’s legal aid program). CEO Nelson further explained that with funding from the Legal Services Corporation the Alaska model had been expanded to support work in four states in the Lower 48 to help disaster recovery efforts in remote communities. She also discussed other non-lawyer models in Arizona, Utah, and Delaware.

Reevaluating Fines, Fees, and Punishments for Non-Serious Traffic Offenses⁷

This workshop was presented by Gavin Thornton, executive director of Hawai'i Appleseed Center for Law and Economic Justice, and Abbey Seitz, Hawai'i Appleseed’s director of Transportation Equity.



Abbey Seitz and Gavin Thornton

Each day, an estimated 50,000 Americans are pulled over by the police while driving. Increasingly, pedestrians and bicyclists are also interacting with police. While most come away from these encounters owing money because of a traffic citation, for some this encounter also leads to an arrest, where they join the nearly nine million Americans who cycle through incarceration each year.

Roadway safety advocates have long championed police enforcement as an accountability tool for dangerous drivers. However, there is increasing recognition that our nation’s revenue-approach to traffic policing is ineffective at improving roadway safety and is contributing to the sprawling web of fines, fees and forfeitures faced by motorists and pedestrians alike. There is a growing national attention on the ways in which traffic policing for minor offenses contributes to our nation’s dangerous carceral system.

⁷ The summary of the fines workshop was prepared by Abbey Seitz.



The panelists discussed the history of traffic enforcement, the negative socio-economic impacts of revenue-policing, and recommendations for non-police responses to traffic safety, as well as potential ways to reduce mobility-related traffic enforcement. This discussion focused on the need to repeal/reform jaywalking enforcement. This information was shared in two subsequent presentations. The key takeaways from each presentation are described below.

- **Background on Traffic Enforcement**
 - Policing in America has long been a tool to regulate people’s mobility.
 - The rise of automobile ownership in the 19th century (and subsequent increase in roadway fatalities) led to calls for police enforcement to regulate driving behavior for public safety purposes.
 - Getting pulled over is now the most common way that people interact with the police and become involved in the criminal-legal system.
- **Non-Serious Traffic Infractions**
 - Driving requires some-degree of enforcement, but there are many traffic citations (such as expired registration, tinted windows, etc.), which have little impact on public safety.
 - As we look to improve roadway safety and equity, we should consider:
 - Is our traffic enforcement focused on stopping public safety threats?
 - To what extent should police be responsible for traffic enforcement?
 - Are there traffic infractions that can be repealed/reduced?
- **Negative Impacts of Traffic Enforcement**
 - Traffic fines and fees, which can lead to cycles of debt.
 - Pretextual police stops, which can lead to incarceration.
 - License stoppers, which can lead to restricted mobility and economic barriers.
- **Recommendations to Shift Towards Non-Police Safety Strategies**
 - Require the police to collect racial data.
 - Eliminate unnecessary pedestrian and bicycle enforcement (such as jaywalking).
 - Explore building non-police first responder teams.
 - Automated enforcement where appropriate.
 - Reduce police enforcement (including fines and license stoppers) for low-level and non-serious vehicle infractions.
 - Voucher program for low-income individuals to pay for vehicle repairs/fines.



- Expunge/seal traffic records.
- History and Prevalence of Jaywalking Enforcement in Hawai'i
 - Jaywalking typically describes the act of crossing a street outside of designated crosswalks or against traffic signals, however there are many different statutes in Hawai'i which fall under the umbrella of 'jaywalking.'
 - Jaywalking laws were first implemented in the 1920s in the United States as a result of auto-industry lobbying efforts.
 - From 2018 to 2023, there were an average of 5,028 jaywalking citations given per year - the majority of which were given in urban Honolulu.
 - The amount of jaywalking citations given in Hawai'i is significantly higher than in other areas that have conducted similar studies.
- Impacts of Jaywalking Enforcement
 - Less than a quarter of the jaywalking citation fees assessed are collected, likely leading to loss of state revenue.
 - Unpaid traffic citations can impact individuals' credit scores and create barriers to accessing future housing and employment.
 - Jaywalking enforcement has been linked to increased hostility towards pedestrians.
 - National data shows that jaywalking enforcement disproportionately impacts people of color.
- Recommendations to Decriminalize Jaywalking
 - Repeal jaywalking laws and other similar, needlessly restrictive pedestrian enforcement in Hawai'i.
 - Redirect public resources towards pedestrian infrastructure in high-crash locations.

Other workshops

Other concurrent workshops included “Serving ‘Oiwī Communities After A Disaster” with Kirsha Durante, Heidi Ho, U‘ilani Goods, and Jeffrey Foster; “Decisional Capacity—Legal and Clinical Perspectives” with James Pietsch and Dr. Marvin Acklin; “Access and Obstacles in Obtaining Public Benefits for Immigrants” with Corey Park, Kevin Block, and Rebecca Leibowitz; “I Want to Do Pro Bono, But Where Do I Begin?” with Rachel Figueroa, Grant Teichman, Jennifer Chin, and Sharla Manley; and “Cultural and Linguistic Peer Support for Overcoming Barriers to Access to Justice” with Heather Lusk, Judge Michael Town (ret.), Aphirak Bamrungruan, and Toni Bissen.

The plenary closing session with Regan Iwao, president and director of Legal Aid and a director of Hawaii Justice Foundation, and Nikole Nelson shared reflections of the day's conference.

III. 2024 PRO BONO CELEBRATION

The Hawai'i Access to Justice Commission ("Commission") organized the Pro Bono Celebration in the Hawai'i Supreme in celebration of the National Pro Bono Week in October 2024. With support from the Hawaii Justice Foundation ("HJF"), Hawaii State Bar Foundation, and the Hawaii State Bar Association ("HSBA"), the Commission coordinated a high school essay contest as part of the event as well as a celebration of the volunteer attorneys who assist the state's low- and moderate-income individuals.



Judge Joseph Cardoza (ret.), Chair of the Commission, opened the celebration by thanking all those who have continued to respond to the call to increase access to justice in civil legal matters for those of low and moderate income. He expressed that the Pro Bono Celebration was not only meant to emphasize the

importance of all the volunteer judges, lawyers, non-lawyers, government leaders, and legal services providers' contributions but to also encourage others to do the same. Judge Cardoza's message to the volunteers was simple--"You made a difference":

[W]hen a young mother carrying an infant in her arms and accompanied by her three other children, arrived at court facing eviction and the prospect of homelessness and you stepped forward to provide legal assistance that resulted in a win-win outcome for both the young family and the landlord, you made a difference.

When a 5-year-old child with special educational needs was helped years ago by you and today is a thriving high school honor student with a bright future, you made a difference.

When an elderly person realized that she had been victimized by a financial fraud scheme and you were able to immediately step in and get her savings back, you made a difference.

When a family in grief, having lost their elderly parents in a wildfire, learned that estate planning documents had been destroyed and the



attorney who prepared those documents was now deceased, and you stepped in to help in a rather complex manner, you made a difference.

When an immigrant with legal status learned that he had misread a court document, missed a court date, feared being taken into custody for deportation, and you were able to quickly resolve the issue, you made a difference.

When a victim of domestic violence nearly collapsed out of complete exhaustion, didn't know where to turn, and you were there to help, you made a difference.

When you helped someone clear an old bench warrant or get a driver's license so that they could get a second chance in life, you made a difference.

When you volunteered as a mediator to help resolve a legal dispute, you made a difference.

When a terminally ill person facing eviction was helped by you so that a person could pass from this life with dignity, you made a difference.

There are literally hundreds of these examples that highlight the importance of pro bono legal services that have one common theme: "You made the difference." And you represent one of the most powerful things that we have in human nature, and that is hope.



Hawai'i Supreme Court Chief Justice Mark Recktenwald also thanked the volunteers and legal service providers who donated their time to help the community, especially in response to the Maui wildfires. He expressed his gratitude for those on the front lines who stepped up to help those affected on Maui:

[W]hen the challenges came on Maui in the wake of the wildfires, our lawyers stepped up. . . . They stepped up effectively to help people, they were out there in the disaster recovery centers, they were out there at tables in the community, they were at the community hubs helping people for months and months-- folks who had been subject to horrible trauma. Our lawyers stepped up to try to do anything they could to help mitigate those impacts. We have a strong community of people who care about access to justice, who care about providing assistance to the community, and the Commission has been the leader of that effort.



Hawai'i Supreme Court Associate Justice Simeon Acoba (ret.), former Chair of the Commission, expressed the importance of pro bono services. Justice Acoba stated:

Each year we celebrate the work of individuals and organizations—legal service providers—who are devoted to providing legal representation to those who are unrepresented, underserved, or forgotten. Our responsibility as lawyers and judges is to maintain the quality of justice in our community and in large part that responsibility has been undertaken by legal service providers.

While this is an annual celebration--this year seems especially important--to the preservation of our justice values. In celebrations like this across the nation, the commitment and support for pro bono services brings to mind our national creed—as written above the entrance to the U.S. Supreme Court Building-- “Equal Justice Under Law.” That is the promise: that justice is afforded everyone, without respect to race, gender, religion, or economic standing. That promise is reiterated in the oath that each attorney and judge in Hawai'i has taken, that concludes with these words: “I will faithfully discharge my duties as attorney, counselor, and solicitor in the courts of the state to the best of my ability, giving due consideration to the legal needs of those without access to justice.”

The awardees today have made exceptional contributions to our community by:

- managing organizational functions for civil liberties advocacy, devoting two decades of law school leadership to justice initiatives,
- performing pro bono work and advocacy for immigrant youth and undocumented individuals,
- providing legal advice at the Access to Justice Room since 2020, assisting mentally ill persons and working with providers serving homeless persons,
- contributing hundreds of hours in mediation and resolving a broader way of legal disputes peaceably ,
- supporting peer tutors at the women's prison and volunteering at the prison, and
- giving hundreds of hours of valuable estate planning and guardianship assistance to low- and moderate-income clients.



Justice Acoba stated that Hawai'i has consistently ranked among the top ten jurisdictions in the nation in access to justice practices and performance. He said: "That achievement is the result of the inspiration Chief Justice Recktenwald has brought to --and the priority he has made of-- equal justice efforts since the beginning of his term as Chief Justice.

The honorees for 2024 who were selected by the legal services providers were as follows:

American Civil Liberties Union of Hawai'i

The American Civil Liberties Union ("ACLU") of Hawai'i honored Corianne Lau, a retired partner at Dentons US LLP. ACLU described her work as follows:

Corianne provided invaluable "back-of-the-house" support to help the state's most prominent civil rights organization reset its internal compliance structures.

Corianne spent countless hours helping the ACLU of Hawai'i in emergency situations earlier this year, related to internal governance and employment law matters. She assisted the organization's new Executive Director, Salmah Y. Rizvi, in understanding the legal boundaries around Board and Executive functions, as well as nonprofit compliance and best practices, which were instrumental to ensuring the future success of the affiliate.

Thanks to her priceless guidance, the organization is now on the road to building a brighter future. Corianne provided the ACLU affiliate with 100% pro bono Labor Counsel support, helping to problem-solve difficult and complex issues. Corianne Lau is unafraid to let her clients know of potential risks in their decision-making processes to ensure that the law is honored.

Executive Director Rizvi stated, "Corianne's legal support was monumental in giving me, a new woman of color executive director, the support I needed to make hard decisions and to have the strength to demand greater accountability from stakeholders."

Many nonprofit organizations in Hawai'i *suffer* from a dearth of internal employment law guidance which affects the everyday working of our institutions. Corianne's caretaking was just as critical as any form of pro bono support in helping our community's writ-large, because she worked to ensure that the ACLU of Hawai'i is better positioned to fight the battles that lie ahead in the realm of civil liberties and civil rights

Hawai'i Justice Foundation



Chief Justice Mark Recktenwald, Avi Soifer, Robert LeClair

The Hawai'i Justice Foundation ("HJF") honored Avi Soifer, former dean at the William S. Richardson School of Law, University of Hawai'i at Mānoa, and board member for HJF. HJF described his work as follows:

Avi Soifer is a true gift to our legal community and to the people of Hawaii. He served as Dean and

Professor of the Richardson School of Law for nearly two decades . In 2024 he is retiring from teaching but is remaining in Hawaii. Avi is by far the most effective and committed Dean we have had. He can listen, to encourage and bring people together locally and nationally. He has a keen interest in access to justice, and his creativity is reflected in the many Law School and community initiatives he has fostered. He has served on the Board of the Hawaii Justice Foundation (HJF) for many years, and he is always willing to give us his time, despite his involvement in so many community and educational projects. He also has served on the Hawaii Access to Justice Commission from its inception and has been Chair of the Committee that does the program content for the yearly Access to Justice Conferences each June. It is hard to imagine that anyone could have been more effective over the last many years in helping Hawaii' s people. Avi is HJF's Pro Bono Nominee not only for what he has accomplished but also for his sense of humor and his modest, humble, and courteous way in which he approaches all whom he meets and in all he does.



Hawaii State Bar Association



Chief Justice Mark Recktenwald, Lisa Swartzfager, 2024 HSBA Bar President Jesse Souki

The HSBA recognized Lisa K. Swartzfager for her volunteerism. Her contributions were described as follows:

Through her pro bono work and advocacy, Lisa has been instrumental in providing access to justice for immigrant youth and undocumented individuals. She has worked to ensure representation of Special Immigrant Juvenile Status cases throughout Hawaii. Additionally, she successfully advocated for changes to Hawaii law

to ensure SIJS representation. She continues to mentor and expand legal knowledge in this field for other practicing attorneys, ensuring that our immigrant youth can be successfully represented. Lisa sits on The Legal Clinic board and works with the William S. Richardson School of Law Refugee and Immigration Law Clinic. She is a partner at Cades Schutte.

Legal Aid Society of Hawai'i

The Legal Aid Society of Hawai'i recognized Michael Goodman and described his services as follows:

Mike is a Trust and Estate litigation Attorney practicing in Honolulu. He's been a volunteer attorney at the Honolulu Access to Justice Room since 2020. "I'm grateful for the privilege of being able to practice law; By volunteering at AJR, I can express my gratitude by helping people who can't afford an attorney."



Chief Justice Mark Recktenwald, Michael Goodman, David Kopper

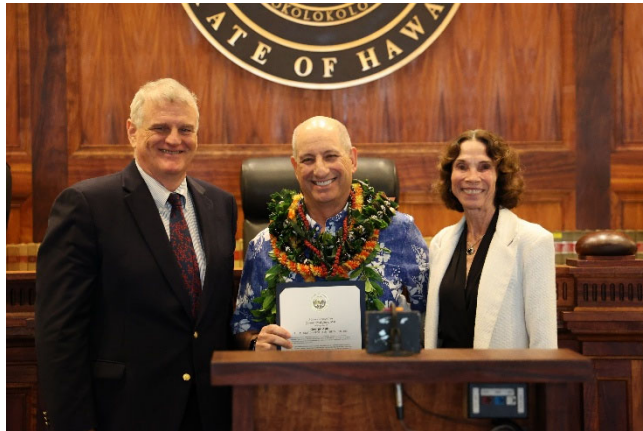
In addition to his law practice, Mr. Goodman recently began serving as a court-appointed Guardian ad Litem for mentally ill individuals, many of whom are homeless, under the Assisted Community Treatment Act. He's also a volunteer member of the Advocacy Committee of Partners in Care, which is a coalition of homeless service providers on Oahu. Over the past year, Mike has volunteered for 20 shifts at the Honolulu Access to Justice Room,



providing approximately 40 hours of pro bona assistance to 73 self-represented litigants.

The Mediation Center of the Pacific, Inc.

The Mediation Center of the Pacific (“MCP”) recognized George Apter for his outstanding pro bono work as a mediator. MCP described his services as follows:



Chief Justice Mark Recktenwald, George Apter, Tracey Wiltgen

Since becoming an MCP mediator in 2021, George has invested over 536 hours mediating 250 cases in a broad array of areas. From landlord-tenant matters, condominium disputes, employment issues, and more, George has helped hundreds of people negotiate customized mediation agreements to settle their disputes. Despite having his own private mediation practice, George never hesitates to serve as an MCP mediator when called. From managing high contention cases, to mediating back-to-back cases in the morning and afternoon of the same day, George is always willing to give generously of his time and expertise.

Prior to becoming a mediator, George served as in-house counsel in health care, including at The Queen's Medical Center (Chief Counsel), at Kaiser Permanente (VP & General Counsel of Hawaii Permanente Medical Group) and in solo practice with clients that included the State of Hawaii (Hawaii Health Systems Corporation), Hawaii Pacific Health, and Rehabilitation Hospital of the Pacific. In addition to his private mediation practice and mediating for MCP, he currently serves as an Appellate Mediator for the Judiciary's Appellate mediation program, as well as the Panel Chair for the DCCA Medical Inquiry and Conciliation Panel.

Hawai'i Friends of Restorative Justice

Hawai'i Friends of Restorative Justice recognized Nancy Youngren for her work with the organization:

Nancy is a retired real estate lawyer from Kailua who has assisted disadvantaged people in Hawai'i and other countries for many years. She



Chief Justice Mark Recktenwald, Nancy Youngren, Loren Walker

has helped build houses in Cambodia and has been a reliable and consistent volunteer for Hawai'i Friends of Restorative Justice for the last few years. She has been invaluable in supporting incarcerated peer tutors at the women's prison in Kailua. The tutors helped other incarcerated women learn what they needed to pass the GED. The typical incarcerated person in Hawai'i only reads at the 4-6 grade level. Nancy helped the peer tutors with their teaching skills and with anything else

they needed to be effective. She additionally volunteered to assist with a new running club we provide at the women's prison.

Volunteer Legal Services of Hawai'i

Volunteer Legal Services Hawai'i honored Daniel Vermillion and describe his work as follows:

Daniel Vermillion is currently a partner at Cades Schutte with expertise in complex tax planning, trust administration and estate settling. Mr. Vermillion recently established the Hawai'i alumni chapter for the University of California College of Law, San Francisco (formerly known as University of California Hastings) and is the Vice-President of the Hawai'i Estate Planning Council.



Chief Justice Mark Recktenwald, Daniel Vermillion, Rachel Figueroa

Mr. Vermillion has provided at least 430 pro bono advice and clinic hours in estate planning for the Neighborhood Legal Advice and Counsel clinics, pop-up clinics, brief services, and full representation in guardianship for Hawai'i's most vulnerable residents. His dedicated pro bono contributions occurred before, during; and after the global COVID pandemic and through the ongoing Maui wildfire humanitarian crisis.



VLSH only asks volunteer attorneys to spend at least 45 minutes on advice and counsel per client. Volunteer attorneys can choose to also provide brief or full services. Mr. Vermillion consistently goes above and beyond to provide additional services beyond advice and counsel clinics. In one of our last in-person pop-up clinic's, Mr. Vermillion took all four of his scheduled clients for full representation.

Estate law is an area that is in high demand and costly for low to moderate income residents, and an area that is difficult to find volunteer attorneys to assist. Mr. Vermillion is one of only a few estate law volunteer attorneys who consistently make the time to assist VLSH estate law clients. He is a testament to what makes our program successful.

Access to Justice Rooms Volunteers

The volunteer attorneys who staffed the Access to Justice Rooms at the Honolulu District Court and the Ronald T.Y. Moon Judiciary Complex in Kapolei were also recognized. The Honolulu Access to Justice Room provides free legal advice to unrepresented litigants in three areas: landlord-tenant cases, debt collection cases, and temporary restraining orders where non-family members are involved.

The law firms and offices who staffed the Honolulu Access to Justice Room in particular months in 2024 were Bickerton Law Group LLLP, Bronster Fujichaku Robbins, Cades Schutte LLP, Carlsmith Ball LLP, Case Lombardi, Chun Kerr LLP, Damon Key Leong Kupchak Hastert, Dentons, Goodsill Anderson Quinn & Stifel, Hawai'i Filipino Lawyers Association, Hawai'i Women Lawyers, Marr Jones & Wang, Office of Disciplinary Counsel, Schlack Ito, Starn O'Toole Marcus & Fisher, and Yamamoto Caliboso Hetherington. The individual volunteer attorneys recognized were Christine M. Daleiden, Mike Goodman, Tatjana Johnson, and Lloyd Lim.

In 2024, the attorneys who volunteered at the Kapolei Access to Justice Room where limited legal advice is provided in family law matters were Kevin S. Adaniya, Amberlynn O. Alualu, Sarah Jo Buehler, Richard J. Diehl, Mari Lei Kishimoto Doi, P. Gregory Frey, Noah H. Gibson, Andrea L.G. Graf, Donna Davis Green, Seth R. Harris, Ann S. Isobe, Lynnae L.L. Lee, Elsa F.M. McGehee, Dyan K. Mitsuyama, Alan Y. Okamoto, Gemma-Rose Poland Soon, Ellen B. Politano, Gregory L. Ryan, Jacqueline E. Thurston, and Carol A. Tribbey.

Other Volunteers Honored

The Appellate Pro Bono Program Volunteers recognized were Eitan Arom, Daniel Gluck, and Branden T. Nakahara.



The Volunteer Settlement Master (“VSM”) Program was established in 2004 to assist divorcing spouses and unmarried couples with children to resolve their custody and financial issues by making fair and workable agreements with each other, as an alternative to litigating those issues before the Family Court. The VSM Program volunteers recognized were Kevin S. Adaniya, Nicole Cummings, Everett Cuskaden, Thomas D. Farrell, Christian P. Gray, Seth R. Harris, Steven L. Hartley, Charles T. Kleintop, Erin Kobayashi, Katherine L.L. Lukela, Lynne Jenkins McGivern, Anthony A. Perrault, Judith A. Schevtchuk, Justin L. Sturdivant, and Paul A. Tomar.

The Appellate Mediation Program started in 1995 to offer an alternative to litigation on appeal and allows individuals to work with experienced mediators to look at other options. The volunteer mediators who were recognized in 2024 were Justice Simeon R. Acoba, Jr. (ret.), Judge Riki May Amano (ret.), George B. Apter, Judge Joel E. August (ret.), J. William “Ned” Busch, Robin K. Campaniano, Thomas W. Cestare, Corlis J. Chang, Louis L.C. Chang, Charles W. Crumpton, Judge James E. Duffy (ret.), Jacqueline L.S. Earle, David H. Franzel, Judge Max W.J. Graham (ret.), Jerry M. Hiatt, Judge Mahilani E.K. Hiatt, Judge Edem Elizabeth Hifo (ret.), Judge Douglas H. Ige (ret.), Elizabeth Kent, Judge Walter S. Kirititsu (ret.), Judge Robert G. Klein (ret.), Ralph La Fountaine, Judge Rosalyn Lomis (ret.), Stanley Majka, Georgia McMillen, Judge Douglas S. McNish (ret.), Judge Marie N. Milks (ret.), Richard C. Mosher, Judge Gail C. Nakatani (ret.), Judge Rhonda A. Nishimura (ret.), Judge Maura M. Okamoto (ret.), Patricia Kim Park, Justice Richard W. Pollack (ret.), Judge Shackley F. Raffetto (ret.), Judge Karl K. Sakamoto (ret.), Judge Sandra A. Simms (ret.), Thomas L. Stirling, Judge Allene K. Suemori (ret.), Owen K. Tamamoto, Judge Michael A. Town (ret.), Arne Werchick, and Judge Andrew P. Wilson (ret.).

The High School Essay Award Recipients

The five winners of the Commission’s statewide high school essay contest were additionally recognized for their essays on “Lei po’o: How my volunteer service is intertwined with my community.” Chief Justice Recktenwald, 2024 HSBA bar president Jesse Souki, and Deputy Superintendent for the State Department of Education Heidi Armstrong identified the students: Jeremiah Magallones (Nanakuli High School), Brennan Yamaguchi (Maryknoll School), Ethan Yang (Kaiser High School), Daphne Takahashi (Maui High School), Jazmine Adolfo (Kea’au High School), and Rowan Rasha Nu’uhiwa Satta-Ellis (Konawaena High School).

The law firms acknowledged for providing the cash awards for the students and teachers were Bronster Fujichaku Robins AAL, Gilbert C. Doles AAL, Miyashita & O’Steen LLC, Schlueter Kwiat & Kennedy, and an anonymous donor from the legal community.



This annual event honors those dedicated individuals who inspire others through their selfless provision of critical civil legal services to those who would otherwise go unrepresented.