

November 2016 Hawaii Professionalism Course Speaker Biographies

8:00am: General Introduction

David Hayakawa

David Hayakawa has been a practicing criminal defense attorney since graduating from the University of Hawaii Richardson School of Law in 1987. He was a Deputy Public Defender for 12 years and then in private practice with Coates and Frey (Family Law) and the Law Office of Howard Luke (Criminal Defense) until 2012 when the Law Office of David Hayakawa opened. Hayakawa handles all types of criminal cases and TRO matters and has served as lead counsel in well over 100 felony jury trials. David has been named to the Best Lawyers in American for Criminal Defense (non-White Collar) and Honolulu Magazine's Best Lawyers List for Criminal Defense (non-White Collar).

David has been actively involved with Legal Education during his career. For the past six years, he has served as the Dean of the HSBA Trial Academy. He was a Criminal Law Instructor with the Kapiolani Community College Legal Education Department for six years and still serves on the KCC-Legal Education Department Advisory Board. He continues to lecture frequently at university and college classes and speak at HSBA programs. In addition to his legal-related activities, David serves as Chairman of the Board of Directors of the non-profit Kilohana Senior Enrichment Center and as a member of the Board of Directors of his condo association.

8:15am: Welcome on behalf of the Hawai'i Supreme Court

Chief Justice Mark Recktenwald

Chief Justice Mark Recktenwald was sworn in as Chief Justice of the Supreme Court on September 14, 2010. He joined the Supreme Court as an Associate Justice on May 11, 2009.

Recktenwald served on the Intermediate Court of Appeals, as the Director of the State Department of Commerce and Consumer Affairs, as an Assistant United States Attorney for the District of Hawai'i, and as an attorney in private practice. He received his undergraduate degree from Harvard University and his law degree from the University of Chicago.

8:30am: Judges' Panel: Discussion of Professionalism in the Courtroom

United States District Court Judge Leslie Kobayashi

The Honorable Leslie E. Kobayashi, was confirmed as a United States District Judge in the District of Hawai'i on December 22, 2010. Prior to confirmation, Judge Kobayashi was a United States Magistrate Judge in the District of Hawai'i. Judge Kobayashi was also a practicing lawyer, first serving as a deputy prosecuting attorney for the City and County of Honolulu, followed by private practice, where she was a trial attorney and managing partner. Judge Kobayashi currently serves on the Ninth Circuit Alternative Dispute Resolution Committee and Education Committee. She is the recipient of the 2011 Outstanding Judicial Achievement Award from Hawai'i Women Lawyers.

Circuit Court Judge Gary W.B. Chang

Judge Gary Chang has been a circuit court judge for 16 years. He presides over a civil calendar, which also includes land court and tax appeal cases. Before coming to the bench, Judge Chang was a litigator for 17 years. He also served as a law clerk for a year with the circuit court. He is a graduate of Gonzaga Law School in 1979, UH-Manoa in 1976, and McKinley High School in 1972. Judge Chang considers it an exquisite privilege to serve as a circuit court judge.

Family Court Judge Cathy Remigio

Judge Catherine H. Remigio was sworn in as a Family Court Judge of the First Circuit on June 23, 2011.

Since her appointment, Judge Remigio has served two years in the Domestic Division, and is currently assigned to the Juvenile Division. Judge Remigio presides over Child Welfare Services and Juvenile Criminal cases.

In addition to her Juvenile Division assignment, Judge Remigio is the Presiding Judge of the Imua Kakou (extended foster care) and the Permanency Specialty Courts. She is also the Administrative Judge of the Truancy Court Pilot Project.

Prior to her appointment to the Family Court bench, Judge Remigio served as a Per Diem District Court judge from 2007 to 2011, Grand Jury Counsel from 2007-2008, and Court Appointed Arbitrator from 2006-2011.

From 2006 to 2011, Judge Remigio was a partner at Bryant & Remigio, LLLC – a family law practice. Judge Remigio also served as Deputy Public Defender for nine years, and worked as a civil law associate in firms located on Oahu and San Diego, California.

Judge Remigio received her law degree from the William S. Richardson School of Law, and a Bachelor of Science in Foreign Service from Georgetown University. She is a graduate of the Kamehameha Schools, Kapalama Campus. She was born and raised in Waipahu, Hawaii.

9:45am: Pro Bono Service and Access to Justice

Derek R. Kobayashi

Derek Kobayashi is the litigation partner at the law firm of Schlack Ito and maintains a general civil litigation practice. He serves as the Vice Chair of the Hawaii Access To Justice Commission and Chair of the Self Representation and Unbundling Committee. Kobayashi is also a Director on the HSBA Board of Directors and is a Lecturer-In-Law teaching Pretrial Litigation at the William S. Richardson School of Law.

Kobayashi was selected by his peers for inclusion in The Best Lawyers in America 2016 in the practice area of Commercial Litigation. Mr. Kobayashi was trained as a mediator while attending the University of Hawaii. He enjoys community and pro bono work and in 2010 received the Pro Bono Achievement Award from the Legal Aid Society of Hawaii and in 1999 received the Hawaii State Bar Association's Ki`e Ki`e Award given biennially for outstanding pro bono service. In his spare time, he enjoys time with his family, shoreline and deep sea fishing, competitive volleyball, public speaking and snowboarding.

Marie M. Gavigan

Marie Gavigan received her J.D. degree from John Marshall Law School. She is presently a Deputy Attorney General for the State of Hawaii in the Tort Litigation Division, and has over fifteen years combined public service with the State's Department of the Attorney General and the City's Department of the Corporation Counsel, where she was the litigation supervisor. Prior to entering public service, Marie was a civil litigator in private practice in Hawaii, and also in Maryland and the District of Columbia prior to Hawaii. Marie has served on the Attorney General's Training Committee since June, 2011. On October 1, 2014, Marie was appointed to a three-year term on the Hawaii State Board of Continuing Legal Education. In June, 2016, Marie was appointed as a Commissioner on the State's Access to Justice Commission to serve as the Attorney General's designee on the Commission.

10:15am: Language and Disability Access

Associate Justice Sabrina S. McKenna

Associate Justice Sabrina S. McKenna has served on the Hawaii Supreme Court since March 2011. After receiving her undergraduate and law degrees from the University of Hawaii at Manoa, she was a civil litigator, in-house counsel, and an assistant professor at the William S. Richardson School of Law until her appointment to the state trial court bench in 1993. From then until 2011, she was a judge of the District and Circuit Courts, then was Senior Judge of the Family Court of the First Circuit. She has been involved in language access and access to justice issues throughout her legal career.

11:00am: Office of Disciplinary Counsel

Yvonne Shinmura

Yvonne R. Shinmura is the Deputy Chief Disciplinary Counsel and was a practicing attorney in Hawai'i for more than 25 years. In 2005, she joined the Office of Disciplinary Counsel ("ODC") as an Assistant Disciplinary Counsel. During the past eleven years at ODC, she has investigated and prosecuted ethics matters, rendered informal ethics opinions to lawyers, and presented Mandatory Continuing Professional Education certified courses to members of the Hawaii State Bar Association ("HSBA"). She is currently a member of the National Organization of Bar Counsel and HSBA Transitioning Lawyers Committee for the HSBA. Her former practice was primarily in the area of insurance defense civil litigation. From 1997 to 2005, she was a partner in Kaolulo & Shinmura, during which time she also served as a per diem judge for the District Court of the First Circuit.

11:15am: Attorneys and Judges Assistance Program

Liam Deeley

Liam Deeley is the new Director for the Hawai'i Supreme Court Attorneys and Judges Assistance Program (AAP). Deeley was raised in Kailua on the island of O'ahu and graduated from the University of Hawai'i at West O'ahu. After college, Deeley obtained his law degree from Northern Illinois University College of Law and is a Certified Assessment and Referral Specialist.

While in Illinois, Deeley worked for Treatment Alternatives for Safer Communities (TASC), as a case manager where he responded to court orders to conduct drug and alcohol assessments on defendants charged with non-violent

felonies to determine if they were suffering from a substance abuse issue, determine if there is a nexus between substance abuse and criminal activity, and to determine what modality of treatment is required.

Deeley also worked for the Kane County Public Defender's office pursuant to court rule that allows law school graduates to represent defendants in DUI cases and Drug Court. This experience showed me that treatment is often preferable to punishment.

Deeley struggled with alcoholism for most of his 20's and early 30's. It was not until 7 years ago that he finally realized that he could not stop on his own. Deeley meet his first sponsor and did everything requested of him without question. AA saved his life, marriage, and has led him to work for AAP.

11:30am: Malpractice Insurance and Risk Management

Jeff Portnoy

Jeffrey Portnoy was born in Brooklyn, New York. He graduated from Syracuse University in 1969 with a Bachelor of Arts degree with honors in Political Science and a minor in Journalism. Mr. Portnoy also attended Duke University School of Law where he received his Juris Doctorate in 1972.

In June of 1972, Mr. Portnoy moved to Hawaii and began employment as an associate attorney at the law firm of Cades Schutte Fleming & Wright (now Cades Schutte) and has remained at Cades Schutte for forty-three (43) years. He presently serves as chair of the firm's Litigation Department and served on its Management Committee for more than two (2) decades.

Mr. Portnoy is presently a Regent having been selected by Governor Abercrombie in December of 2013.

Mr. Portnoy has been selected in "Best Lawyers in America" (Hawaii) in seven (7) legal specialties, including commercial litigation, first amendment insurance, legal malpractice, personal injury litigation, and Bet The Company litigation and was selected as the Hawaii Insurance Lawyer of the Year in 2011.

Mr. Portnoy has numerous law-related accomplishments, including membership in the prestigious "American Board of Trial Advocates"; Chair of the United States District Court Advisory Committee from 1992 to 1996; selected by the Judges of the United States District Court to serve as a lawyer representative to the Ninth Circuit Judicial Conference for two (2) three year terms; selected by the Judges of the Ninth Circuit to serve as the sole Hawaii attorney member to the Ninth Circuit Advisory Board; Elected President of the Hawaii State Bar Association in 2007; Elected as the representative from the Hawaii State Bar Association to the American Bar Association House of Delegates from 1994 to 1996; Appointed by the Hawaii Supreme Court to serve on the Supreme Court Disciplinary Board; and appointed to serve on the Judicial Selection Committee. He was the President of the Hawaii Federal Bar Association in 2014-2015.

Mr. Portnoy has served as the first male member of the Hawaii Commission on the Status of Women. He also served as a member of the Honolulu Ethics Commission from 2011-2012; Chair of the Neighbor Commission; President and Chairman of the Board of Manoa Valley Theatre for more than twenty-five years.

12:15pm: Lawyering and Quality of Life

Ken Lawson

Ken Lawson is the interim Co-Director of the Hawai'i Innocence Project and an Associate Faculty Specialist at the William S. Richardson Law School where he teaches Criminal Procedure; Criminal Law; Professional Responsibility; Evidence; and, the Hawai'i Innocence Project, a teaching legal clinic. He had a successful law practice in Cincinnati, Ohio, until his license to practice law was revoked because of misconduct while addicted to prescription painkillers. He pled guilty to the felony of obtaining controlled substances by fraudulent means and was sentenced to 24 months in prison followed by a year of supervised release.

Since moving to Hawai'i, Ken has made presentations in the judiciary's juvenile drug court program, a statewide gathering of county prosecutors, annual meeting of the government lawyers section of the bar, state supreme court's mandatory professionalism program, state bar association annual convention, disciplinary board of the state supreme court, several local law firms, and numerous others groups of lawyers. Ken was selected by the Class of 2014 to deliver the graduation address.

12:45pm: Closing Session and Dismissal

David Hayakawa