

MINUTES  
HAWAII STATE BAR ASSOCIATION  
BOARD MEETING

1100 Alakea Street, Suite 1000  
Honolulu, HI 96813

Thursday, March 24, 2011

**1. CALL TO ORDER**

President-elect Carol Muranaka called the meeting to order at 11:32 a.m. with a quorum present. The following persons were present for all or part of the meeting:

Officers Present

Louise Ing (phone)  
Carol Muranaka  
Craig Wagnild  
Ronette Kawakami (phone)  
Robert Godbey

Others Present

Malcolm Barcarse  
Nalani Fujimori-Kaina  
James Kawachika  
Jo Kim  
William Plum  
Shannon Wack

Directors Present

Nadine Ando  
Steven Chow  
Vladimir Devens  
Geraldine Hasegawa  
Carol Kitaoka  
Derek Kobayashi  
Christine Kubota  
Gregory Markham  
Gerald Matsunaga  
Timothy McNulty  
Suzanne Terada (phone)  
Calvin Young  
Levi Hookano

HSBA Staff

Lyn Flanigan  
Iris Ito  
Debra White

Board Members Absent

Rhonda Griswold  
Robert Harris  
William Harrison

2. **APPROVAL OF MINUTES** – [Minutes](#) of the February 24<sup>th</sup> board meeting were approved by consensus.
3. **TREASURER’S REPORT** – Treasurer Robert Godbey stated that the as of the end February 2011, due to fewer penalties on members’ dues, income was less than anticipated. However, expenses were also less than anticipated by almost the same amount, so HSBA is on budget. See [financials](#) for more details.
4. **EXECUTIVE DIRECTOR’S REPORT** - Executive Director Lyn Flanigan reported that: a) the Self-Help Centers will be the beneficiary of the 2011 Fundraiser Dinner. The planning committee is working on securing entertainment; b) on attorney renewal, about 150 members have until March 31<sup>st</sup> to comply; c) Joseph Wildman will be interviewed by the Board on March 29<sup>th</sup> for the Maui Circuit Court judicial position. See [agenda](#) for other HSBA activities.
5. **YLD REPORT** - YLD President Levi Ho’okano reported that Moanalua High School won the mock trial competition, and that first time competitors Hana High School did well. He also noted that the Law Week planning committee is working with Action Line to have Legal Line volunteers answer calls at KHON2 during May 2-6.
6. **UNFINISHED BUSINESS**
  - a. **Review of Judicial Evaluations for Per Diem Judges** (see agenda item [6.a.](#)) - Secretary Ronette Kawakami, and chair of this committee, reported that she discussed with Judge Derrick Chan the HSBA’s idea of doing an evaluation of per diem judges. She stated that the Judge said the HSBA would not be stepping on any toes if it proceeded with this evaluation, but it would be duplicative of the Judiciary’s evaluation.
  - b. **Formation of a 501(c)3** (see agenda item [6.b.](#)) - FYI only.

- c. **Executive Director Search** (see agenda item [6.c.](#)) - Vice President Craig Wagnild reported that the Search Committee will send a questionnaire to select groups of members to gather input on the important qualities of applicants for the Executive Director position. He noted that the committee also talked about the importance of confidentiality for the search process.
- d. **HSBA Involvement in APEC** - nothing new to report.
- e. **Revisions to HRPC** (see agenda item [6.e.](#)) - FYI.
- f. **Legislative Update** (see agenda item [6.f.](#)) - Ms. Flanigan reported that many of the bills that HSBA was following have died. Board discussion focused on the Indigent Legal Assistance Fund (ILAF) bill (SB1073).

Delivery of Legal Services to the Public Committee Chair Shannon Wack explained how ILAF helps people with access-to-justice issues. Legal Aid Society of Hawaii Executive Director Nalani Fujimori-Kaina enumerated the amount of the filing fees in the various courts. She said that the increase in filing fees is important to legal service providers in order to maintain their services because federal funding has been cut and funds from Interest on Lawyer Trust Accounts have been reduced.

William Plum of the Collection Law Section stated that the Section opposes SB1073 because people who use the court system are being “taxed” with these filing fees. Funding for social service programs should be borne by all, not just those who use the court system.

Jo Kim of the DLSP Committee remarked that this is an access-to-justice issue and the Committee is asking the HSBA Board, as a professional organization whose obligation is to address access-to-justice issues, to support of this bill.

Further discussion by the Board included questions on historical information on ILAF, how/why HSBA should support this bill which is divisive among members, and how/why HSBA should not support this bill which will provide continued access to justice.

YLD President Ho’okano reported that the YLD Board took a position to support the bill due to earlier positions of support taken on the access to justice issue.

**Action taken:** After further discussion, a motion was made, seconded, and carried by a vote of 8 to 7 to submit testimony in support of the purpose and intent of SB1073 (ILAF bill). Carol Muranaka, Gregory Markham, and Gerald Matsunaga abstained from voting.

- g. **Report from Delivery of Legal Service to the Public Committee** - Ms. Wack reported that the Committee resolved the insurance requirements for the Self-Help Centers project and will start working on a business plan. She also stated that the Committee will ask the Chief Judges in each Circuit what is needed to start up the Self-Help Centers in their circuit and that the Committee has drafted a proposed waiver and conflicts-check form for participants.

7. **NEW BUSINESS**

**Action taken:** By consent the Board approved the following agenda items:

- a. **Request to attend ABA Malpractice Conference** (see agenda item [7.a.](#)) - Request from HSBA Professional Liability Insurance Committee Chair to attend 2011 National Legal Malpractice Conference with travel and hotel costs not to exceed \$2200.
- b. **Request for Funds for Tokyo Law Conference** (see agenda item [7.b.](#)) - Request for funds to pay for omiyage and other expenses related to the Tokyo Law Conference in the amount of \$2500, if the Conference is re-scheduled for the Fall.
- c. **Prepayment of \$50,000 on the FHB Buildout Loan** (see agenda item [7.c.](#)) - Request to prepay the buildout loan in the amount of \$50,000 due to a positive balance at the end of 2010, which will result in an earlier final payoff and savings of interest.

8. **ADJOURNMENT**

The meeting adjourned at 1:25 p.m.

Submitted by:



Lyn Flanigan  
HSBA Executive Director

Approved by:



Ronette M. Kawakami  
HSBA Secretary