

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1100 Alakea Street, Suite 1000
Honolulu, HI 96813

Thursday, January 23, 2020

A. **CALL TO ORDER**

President P. Gregory Frey called the meeting to order at 12:02 p.m. with a quorum present.

The following persons were present for all or part of the meeting:

Officers Present

P. Gregory Frey
Karin Holma
Levi Hookano
Russ Awakuni
Paul Naso

Directors Present

Steven Chow
Jessica Domingo
William Harrison
Geraldine Hasegawa
Kristin Izumi-Nitao
Erin Kobayashi
Jeen Kwak
Corianne Lau
Jacob Lowenthal
Mark K. Murakami
Zale Okazaki
Addison Bonner, YLD President

Directors Absent

Vladimir Devens - excused
Carol Kitaoka - excused

Others Present

Kathy Bruce
Michelle Correia
Daylin Heather
Brandon Kimura
Chief Justice Mark Recktenwald
Inia Yevich
HSBA Staff
Patricia Mau-Shimizu
Iris Ito
Christina Bae
Katra Cuskaden

- B. **INTRODUCTION OF ATTENDEES** - All those who were present introduced themselves and their representative capacity including 2 section chairs and staff members.
- C. **APPROVAL OF MINUTES** - A motion was made, seconded, and carried without opposition to approve the minutes of the December 19, 2019 board meeting.
- D. **TREASURER'S REPORT** - Treasurer Paul Naso stated that HSBA is still reconciling payments for the year end, therefore December financial statements will be included with next month's agenda. He also reported that the mortgage refinancing has been finalized and the result is that the mortgage payments have been reduced from \$9,000 to \$5,700 a month.
- E. **EXECUTIVE DIRECTOR'S REPORT** - Executive Director Patricia Mau-Shimizu reported that about 500 members have not yet paid their dues & fees; about 80 of those are *pro hac vice* members.
- F. **YLD PRESIDENT'S REPORT** - YLD President Addison Bonner reported that the YLD Board will hold its first meeting of 2020 at the end of the month. He noted that the Mock Trial program is underway with the first round scheduled for next week and a YLD social is set for January 24th at Square Barrels.
- G. **UNFINISHED BUSINESS** - None.
- H. **NEW BUSINESS**
1. **2019 Annual Dinner Proceeds** - Ms. Mau-Shimizu explained the background of the proceeds from the Annual Dinner. A list of 2020 HSBA projects, consistent with the mission and goals of the HSBF and HSBA, are being proposed for funding through Dinner proceeds.

Action taken: After discussion, a motion was made, seconded, and carried without opposition to approve the submittal to the Hawaii State Bar Foundation of project expenditure proposal for 2020 projects to be funded from the \$55,000 net proceeds of the 2019 Annual Dinner.
 2. **2020 HSBA Committee Chair Appointments** - President Frey reported that he is in the process of confirming the HSBA Committee Chairs for 2020 and would present their names at the February board meeting for ratification.
 3. **2020 HSBA Nominating Committee Members**

Action taken: A motion was made, seconded, and carried without opposition to ratify President Frey's appointment of Florence Nakakuni as Chair of the HSBA Nominating Committee. The majority of the committee members will remain the same; the names will be presented at the February board meeting for ratification.

4. **HSBA Representatives on 2019 Supreme Court Nominating Committee**

Action taken: A motion was made, seconded, and carried by a vote of 17 to 1 to ratify President Frey's appointment of the following individuals as 2020 HSBA representatives to the Supreme Court Nominating Committee: Sidney Ayabe, Sherry Broder, Judge Linda Luke, and Stephanie Rezens.

5. **HSBF Amendment to Bylaws** - Ms. Mau-Shimizu explained that the reason for the proposed bylaw amendment was to clarify the language of the staggered terms, successive terms, and term limits. The Board asked that the HSBF provide a red-lined version of the amendments for review and whether the HSBF Board could wait until the HSBA Board discusses it at its February board meeting.

- I. **HAWAII STATE JUDICIARY UPDATE** - Chief Justice Mark Recktenwald briefly highlighted some of the Judiciary's 2019 programs: the opening of the long-awaited Kona Courthouse; the Civil JIMS rollout; the continuing Courts in the Community. He thanked the HSBA for its collaborative partnering and support of the Judiciary's programs.

Chief Justice Recktenwald then reviewed the Judiciary's supplemental budget requests submitted for consideration during the 2020 legislative session. This included 7 new positions (1 judge for the Second Circuit and 6 staff), salary adjustments for judges as provided by the 2019 Salary Commission, and funding for civil legal services; and CIP requests to replace and/or repair fire alarm systems, unreliable elevators, leaking roofs and pipes, and other building security and maintenance issues, totaling \$27.7M. He also noted other legislative bills that may affect the Judiciary are being monitored: a bill to limit the time that juveniles can be locked in detention facilities; and a bill regarding a vision to better address mental health issues.

J. **NEW BUSINESS** (cont.)

- *6. **2020 Judiciary Budget and Legislative Requests** - Ms. Mau-Shimizu brought to the Board's attention that a hearing will be scheduled next week on the Judiciary's budget, and if the Board intends to support it, it is best for the Board to vote on it today and submit testimony for next week's hearing to have the most impact.

Action taken: A motion was made and seconded to support all items (operational and CIP) on the Judiciary's supplemental budget request. After further discussion and several friendly amendments, the motion to support all items on the Judiciary's budget request stood, was voted upon, and carried by a vote of 12 to 1, with 1 abstention.

*7. **Keller Analysis**

Action taken: A motion was made, seconded, and carried without opposition to determine that the issue of the 2020 Judiciary budget and legislative requests is germane to the purposes of regulating the legal profession and therefore meets the *Keller* test.

* Addendum to agenda.

K. **ADJOURNMENT**

The meeting adjourned at 1:33 p.m.

Submitted by:



Patricia Mau-Shimizu
HSBA Executive Director

Approved by:



Russ S. Awakuni
HSBA Secretary