

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

In person & via Zoom
Honolulu, HI 96813

Wednesday, January 24, 2024

A. CALL TO ORDER

President Jesse Souki called the meeting to order at 12:00 p.m. with a quorum present.

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

Officers Present

Jesse Souki
Mark M. Murakami
Mark K. Murakami
Lanson Kupau (Via zoom)
Kristin Izumi-Nitao

Others Present

Daylin-Rose Heather
Michael Iosua (Via Zoom)
Brandon Kimura
Lisa Lum
Chief Justice Mark Recktenwald

Directors Present

Jocelyn Chong (Via Zoom)
Steven Chow
Jessica Domingo
Geraldine Hasegawa (Via Zoom)
Amanda Jones
Ronette Kawakami (Via Zoom)
Carol Kitaoka
Erin Kobayashi
Simeona Mariano
Emiko Meyers (Via Zoom)
Robert Miyashita
Paul Naso
Danica Swenson for YLD (Via Zoom)

HSBA Staff

Lyn Flanigan
Iris Ito
Sean Perez
Brian Simon

Directors Absent

Jacob Lowenthal
Zale Okazaki

- B. APPROVAL OF MINUTES** - A motion was made (M.M. Murakami), seconded, and carried without opposition to approve the minutes of the December 20, 2023 board meeting.

- C. **TREASURER'S REPORT** - Director of Operations Sean Perez reported that the auditors informed him of their late filing of HSBA's 2022 taxes. The auditors will pay the late filing penalty if they are not able to arrange with the IRS to have it waived. Mr. Perez also delivered the financial report as of December 31, 2023, including YTD revenues and expenses. He noted total revenue for the year was \$2M and total expenses were \$1.9M, both amounts exceeding budget. Total net income was \$75k.

Interim Executive Director Lyn Flanigan stated that due to the \$75k surplus, it is recommended that \$50k be used towards paying down the mortgage balance. The Finance Committee supports this recommendation.

Action taken: A motion was made (M.M. Murakami), seconded, and carried without opposition to pay down the mortgage balance by \$50k.

*G. **NEW BUSINESS**

1. **Hawaii State Judiciary's 2023 Legislative Priorities** - Chief Justice Mark Recktenwald thanked the HSBA for its support of the Judiciary. He noted upcoming 2024 projects such as April 26th Courts-in-the-Community (OITC) at Kailua High School, another in the Fall at Hilo High School, Law & Justice Academy also in Hilo, and forthcoming judicial vacancies. The Chief Justice expressed his optimism on the legislative session this year. He then highlighted the Judiciary's proposed legislative priorities with respect to its operating budget and CIP budget. He also briefly discussed legislative bills related to an additional District Court Judge in the First Circuit, increased compensation for Court-appointed representation and Counsel, the Uniform Probate Code, protecting the personal information of certain Public Servants, Collective Bargaining, and establishing the Sheriff's Division within the Department of Law Enforcement.

- D. **EXECUTIVE DIRECTOR'S REPORT** - Interim Executive Director Lyn Flanigan reported on the following items:

1. HBJ Review - need to establish committee for review during 2024.
2. CLE Committee - committee being populated with members from different practice areas including Sections, AG's office, etc.
3. Strategic Planning - consultants will meet with core group, other board members, and staff next week.
4. E.D. Search - interviews being held this week to narrow down the pool to 2-3 finalists.
5. Judicial Selection - 4 Circuit Court positions in 1st Circuit and 1 Circuit Court position in the 2nd Circuit.
6. SCD Board - Representative will be invited to attend HSBA Board meetings.

- E. **YLD PRESIDENT'S REPORT** - YLD Board Secretary Danica Swenson reported that the High School Mock Trial competition is underway. The civil law problem this year is related to environmental law. The first YLD Board meeting for 2024 will be this Friday.

- F. **UNFINISHED BUSINESS** - None.

G. NEW BUSINESS

1. Hawaii State Judiciary's 2024 Legislative Priorities

Action taken: After discussion, a motion was made (M.M. Murakami), seconded, and carried without opposition to determine that legislation regarding the Judiciary's legislative priorities as indicated below is germane to the purposes of unified bar and would be generally supported by HSBA members, therefore, passes the Keller test.

- [HB1911/SB2374](#) RELATING TO THE JUDICIARY
- [HB1912/SB2375](#) RELATING TO JUDGES FOR THE DISTRICT COURT OF THE FIRST CIRCUIT
- [HB1913/SB2376](#) RELATING TO COMPENSATION FOR COURT-APPOINTED REPRESENTATION
- [HB1914/SB2377](#) RELATING TO COMPENSATION FOR COURT-APPOINTED COUNSEL
- [HB1916/SB2379](#) RELATING TO THE DISCLOSURE OF PERSONAL INFORMATION ASSOCIATED WITH CERTAIN PUBLIC SERVANTS
- [SB2931](#) RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT (Notably, only the part referencing the judiciary in SB 2931 was being considered for this motion.)

Action taken: After discussion, a motion was made (M.M. Murakami), seconded, and carried without opposition to submit testimony in support of the intent of the above-listed measures when the bills are scheduled for hearings at the Legislature.

2. ABA House of Delegates' Resolutions

Action taken: After discussion, a motion was made (M.M. Murakami), seconded, and carried without opposition to inform the HSBA-elected delegate to the ABA House of Delegates to not take positions on the ABA resolutions at the 2024 Midyear Meeting since there was insufficient time for the Board to review and conduct a *Keller* analysis on each. [Note: subsequently, additional information was provided that allowed the HSBA President to review and determine that 9 resolutions passed the HSBA's Keller test: i.e. the resolutions clearly relate to regulating the legal profession or improving the quality of legal services in Hawaii, and would be generally supported by HSBA members.]

3. Fill Oahu Director Position

Action taken: After discussion, a motion was made (M.M. Murakami), seconded, and carried without opposition to approve the Executive Committee's recommendation invite to the February board meeting two nominees (Arsima Muller and Mark Valencia) for the remaining 1-year term for the vacant Oahu Director position to address the HSBA Board.

4. 2024 Per Diem Amount

Action taken: A motion was made (M.K. Murakami), seconded, and carried without opposition to approve the Executive Committee's recommendation to retain the 2024 per diem amount for meals during conference travel at \$74.

5. **Eliminate Technology Committee as Standing Committee**

Action taken: A motion was made (M.M. Murakami) seconded, and carried without opposition to approve the Executive Committee's recommendation to eliminate the Technology Committee as a standing committee and to include it under the CLE committee.

6. **2024 HSBA Committee Chair Appointments**

Action taken: A motion was made (M.K. Murakami), seconded, and carried without opposition to ratify President Souki's appointment of 2024 HSBA Committee Chairs:

- Attorney/Client Relations - Charles Crumpton and Peter Lenhart
- Awards - Jacob Lowenthal and Robert Miyashita
- Civic Education - Troy Andrade, Ryan Hamaguchi, and Ruth Oh
- Consumer Protection - Paul Alston
- Continuing Legal Education - Levi Hookano
- Delivery of Legal Services to the Public - Rex Fujichaku, Jenny Silbiger, and Micah Smith
- Judicial Administration - Justice Simeon Acoba (ret.) and Associate Justice Vladimir Devens
- Legislation - Michael Iosua
- Nominating - Calvin Young
- Professional Responsibility - Hayley Cheng, Judge Kevin Morikone, and Judge Jill Otake
- Publications - Cynthia Johiro and Carol Muranaka
- Staff & Facilities - Sarah Wang
- Transitioning Lawyers - Geraldine Hasegawa
- Well-Being - Jasmine Wong

J. **ADJOURNMENT**

The meeting adjourned at 1:41 p.m.

Submitted by:



Lyn Flanigan
Interim HSBA Executive Director

Approved by:



Kristin Izumi-Nitao
HSBA Secretary