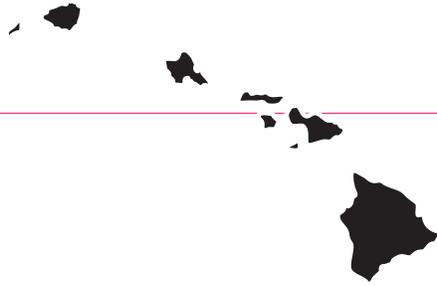


DISTRICT OF HAWAI'I



2017 DISTRICT REPORT FOR THE DISTRICT OF HAWAII

HAWAII U.S. DISTRICT COURT MATTERS (July 2017 – July 2018)

PRO BONO COUNSEL CLE and TRAINING

In August 2016, the Court adopted rules for a new pro bono panel of attorneys available for appointment in civil cases filed by pro se plaintiffs. The Court typically assigns cases for limited purpose representation, requiring a relatively limited cost and time commitment. The cases provide opportunities for newer attorneys who might otherwise not have experience arguing a motion or trying a civil case in federal court.

On September 26, 2017, the Court, in partnership with the Hawai'i FBA Chapter held a Pro Bono Counsel CLE and Training which featured presentations by attorneys with extensive experience in employment law and civil rights matters, legal staff from the State of Hawai'i Department of Public Safety and the Federal Detention Center, the Pro Se Attorney for the U.S. District Court, and attorneys who had prior experience accepting pro bono appointments via the Pro Bono Panel. The Honorable James P. Donohue, Chief U.S. Magistrate Judge, Western District of Washington, also attended and presented a segment on civil rights in prisoner and non-prisoner cases. The CLE and Training also featured a panel of three District Judges who provided tips for practicing in federal court.

HAWAII FEDERAL TRIAL ACADEMY

On January 10 through 12, 2018, the Court, in partnership with the Hawai'i FBA Chapter, held the 2nd annual Hawai'i Federal Trial Academy, a comprehensive, three-day program at the federal courthouse, designed to help newer attorneys develop trial skills and experience in federal court. The program began with an introduction and presentation by Chief Judge J. Michael Seabright, followed by a series of lectures, panel discussions, and live presentations by the federal judiciary and some of the most experienced and dynamic trial lawyers in the district. The program concluded with a half-day mock trial in federal court before a federal judge. Following the mock trial, the twelve Trial Academy participants were invited to join the judges and practitioner-instructors for lunch.

INTERPRETER TRAINING

On February 2, 2018, the Court, in partnership with the Federal Public Defender's Office, conducted the 2018 Federal Court Interpreter Training. This half-day session featured presentations on the interpreter appointment and payment process, common issues attorneys encounter in working with interpreters, an overview of frequently used terms and forms, and the code of ethics. Presenters included Chief Judge J. Michael Seabright; Sue Beitia, Clerk of Court; Lynn Panagakis, local attorney and CJA Panel Attorney; Alexander Silvert, First Assistant Federal Public Defender; and Dr. Suzanne Zeng, Assistant Professor, University of Hawai'i Center for Interpretation and Translation Studies.

COURTROOM AUDIO/VISUAL EQUIPMENT UPGRADE AND TRAINING

In February 2018, the Court completed a \$1 million upgrade of all audio/visual equipment in the 4th floor courtrooms. The equipment features the latest technology available on the market and integrates the use of individual iPads for the electronic presentation of evidence to jurors. Court IT Staff conducted weekly sessions at noon each Thursday in March, 2018 to demonstrate the capabilities of the new equipment.

TEACHERS' WORKSHOP

From June 21-23, 2018, the Court, along with the King Kamehameha V Judiciary History Center and Hawai'i State Bar Association Civic Education Committee, will be hosting the 4th annual Teacher's Workshop. The workshop will be entitled "Social Justice: The Rule of Law and the Spirit of Aloha" and offers teachers an immersive experience in law-related education using an inquiry-based model to explore substantive issues of law, social justice, race, and policy related to the Hawai'i Constitution, federalism, and political processes. Presenters include: Melinda Cooperman, J.D., LL.M., Staff Attorney, Children's Law Center at Georgetown University; Efrain Marimon, M.S.Ed., J.D., LL.M., Instructor of Education and Affiliate Faculty for the Rock Ethics Institute, Director of the Social Justice Fellowship and the Restorative Justice Initiative, College of Education, The Pennsylvania State University; Chief Judge, J. Michael Seabright; and leading practitioners of Restorative Justice in Hawai'i.

CIVICS CONTEST

The Court, as part of the Ninth Circuit Court of Appeals' Civics Contest, conducted a statewide essay and video competition open to all high school students, including homeschooled students, with the theme "The 14th Amendment – 150 Years after Ratification – What Does Equal Protection Mean to Students?" The contest began on January 2, 2018, and closed on April 8, 2018. The Court received 14 essay submissions. The essays and videos had to: (1) demonstrate an understanding of the historical background of the Equal Protection Clause; (2) explain the constitutional powers and rights relevant to several noteworthy court decisions; and (3) discuss the important role of the judicial branch in preserving the rights of Americans to equal education.

The top three essays were chosen and the winners will now compete against winning essays from other districts within the Ninth Circuit. Local winners will receive \$2000 for first place, \$1,000 for second place and \$500 for third place. The essay winners are:

- 1st Place: Ye Seol Woo (Punahou)
- 2nd Place: Hypatia Pine (St. Andrews Priory)
- 3rd Place: Alexia Saad (St. Andrews Priory)

A Civics Contest Award Ceremony honoring the Hawai'i winners and their teachers will be held on June 21, 2018.

JUDGE DAVID A. EZRA CELEBRATION

On July 6, 2018, the Court will celebrate Senior Judge, David A. Ezra's, 30 distinguished years on the bench as a U.S. District Court Judge. The keynote speaker will be Aviam Sofier, Dean of the University of Hawai'i, William S. Richardson School of Law.

NATURALIZATION CEREMONIES

During 2017, the Court participated in 12 Naturalization Ceremonies. There were approximately 1,049 new citizens naturalized at a variety of venues, including The Hawai'i Theater, Punahou School, the Mission Memorial Auditorium, the Kapolei Public Library, and aboard the historic U.S.S. Missouri.

DISTRICT DINNER AND CONFERENCE

The District of Hawai'i's 2018 District Conference was held at the Halekulani Hotel in Waikiki, beginning with a dinner the evening of April 12, 2018. The dinner was attended by approximately 100 guests. Stacey Hayashi was the featured dinner speaker. Ms. Hayashi is the writer and executive producer of the movie "Go For Broke, a 442 Origins Story". The movie follows the all-Japanese fighting unit, the 442nd RCT, the most decorated combat unit in U.S. military history. Ms. Hayashi spoke about her experiences making the movie and showed excerpts from the movie.

The District Conference opened the next day with welcoming remarks by Chief Judge J. Michael Seabright. After the welcoming remarks, Chief Judge Seabright and Chief U.S. Bankruptcy Judge Robert Faris reported on the current status of and recent developments in their respective courts.

The remarks by the judges were followed by three engaging panel discussions about jury trials. The first panel, moderated by District Representative Michael Purpura of BlackSand Capital, was entitled "Preparing for a Jury Trial: Theme and Best Practices for Jury Selection" and featured panelist David Weinberg, the founder and principal of JuryScope. Mr. Weinberg has been retained as a jury consultant in more than 1,000 cases involving both civil and criminal trials. Mr. Weinberg shared his experiences as a jury trial consultant and provided informative tips for conducting successful jury trials.

The second panel, entitled "Ethical Considerations Related to the Use of Social Media in Jury Selection", was moderated by District Representative Andrew Lautenbach of the law firm Starn O'Toole Marcus & Fisher and featured Panelist Elijah Yip. Mr. Yip is a partner at Cades Schutte LLP, specializing in commercial litigation, IT law and media law, and is the chair and founder of the firm's Digital Media and Internet Law practice group. Mr. Yip's instructive PowerPoint presentation focused on the emerging use of social media in gathering information on jury members.

The third panel, entitled "Preparing for a Jury Trial: Practice Pointers", was moderated by District Representative Blaine Rogers of the law firm Alston Hunt Floyd & Ing. This engaging panel featured the Honorable Karl Sakamoto and attorneys Lyle Hosoda and Thomas Benedict, as well as David Weinberg. Judge Sakamoto served for 16 years as a Circuit Court Judge of the First Circuit, and is now a mediator/arbitrator for Dispute Prevention Resolution. Mr. Hosoda is the managing partner of Hosoda & Morikone, where he specializes in numerous fields of civil litigation and white-collar criminal defense. Mr. Benedict practices civil litigation, representing both plaintiffs and defendants in commercial and personal injury litigation. The panelists shared their experiences in selecting and working with juries and provided valuable insights about jury trials to the conference attendees.

The District Conference panel was followed by a buffet lunch that offered attendees the opportunity to continue informal discussions with the panelists, federal judges and other lawyer representatives.

FEDERAL BAR ASSOCIATION HAWAI'I CHAPTER ACTIVITIES

2017-2018 OFFICERS

The FBA Hawai'i Chapter's officers are:

- President Michael Purpura
- President-Elect Claire Wong Black
- Vice President Clare Connors
- Treasurer Susan Tius
- Secretary Sue Beitia
- National Delegate Emily Marr
- Younger Lawyer Chair Michael Albanese
- Committee Chair Howard McPherson
- Immediate Past President Wayne Parsons

Hawai'i Chapter members include attorneys in private practice, government agencies and military branches, as well as members of the judiciary and law professors from the University of Hawai'i, William S. Richardson School of Law. The Hawai'i Chapter is committed to serving the needs of federal practitioners throughout the State of Hawai'i, offering opportunities to learn, to foster collegiality, and to network.

2017 FBA HAWAI'I CHAPTER ANNUAL CONFERENCE

The Ninth Annual FBA Hawai'i Conference was held on December 8, 2017, at the Royal Hawaiian Hotel in Honolulu. The morning program included a Supreme Court Review by the Honorable Kent Jordan (U.S. Court of Appeals for the Third Circuit), Dominic Draye (Solicitor General of Arizona), Dean Erwin Chemerinsky (UC Berkeley School of Law), and Professor Pamela Karlan (Stanford Law School).

During lunch, Kip Bolin, Esq. (FBA National President) offered remarks on the state of the FBA. Christina Warns, Esq., Attorney-in-Charge of the New York Office of the Appellate Defender, then delivered the keynote address based on her experience in *Buck v. Davis*.

LUNCHTIME BROWN BAGS

The Hawai'i Chapter, with the help and support of the judges of the District of Hawai'i, has presented federal court practitioners with learning opportunities through informal lunchtime meetings. Sessions have included discussions of practical skills, such as introduction of evidence, a review of noteworthy opinions over the past year, and the use of social media in litigation.

HAWAI'I FEDERAL TRIAL ACADEMY

The United States District Court and the FBA conducted the second annual Hawai'i Federal Trial Academy from January 10-12, 2018. Twelve younger practicing lawyers and eight law students from the University of Hawai'i William S. Richardson School of Law participated in an intensive two-and-a-half day program that concluded in a mock trial. The students received instruction from leaders of the trial bar and the District and Magistrate Judges both instructed sessions and presided over all court proceedings.

Aloha,

Hawai'i Lawyer Representatives

Blaine Rogers
Gail Cosgrove
Andrew Lautenbach
Alika Piper
Michael Purpura