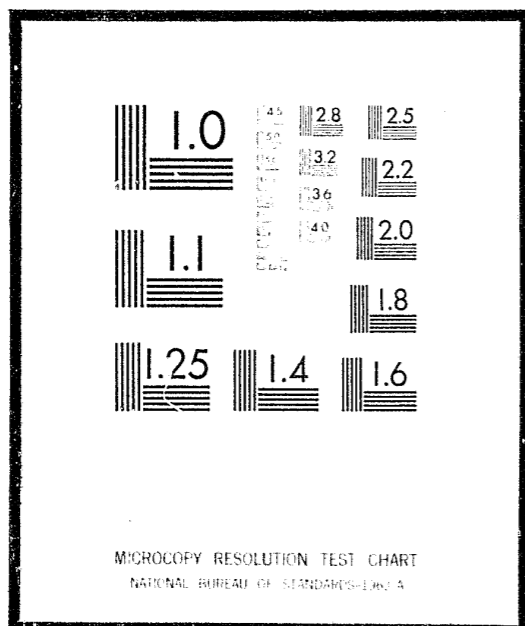


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"A Judiciary that discloses
what it is doing
and why it does it
will breed understanding.
"Confidence based on understanding
is more enduring
than confidence based on awe."

U. S. Supreme Court Justice William O. Douglas



NCJRS

MAR 30 1977

ACQUISITIONS

To the Honorable Members of the Ninth Legislature

It seems appropriate that in this annual report coinciding with the nation's Bicentennial we take a look at our roots and assess some significant steps forward.

This historical inventory is not only a means of measuring progress, but helps us compare where we once were with where we are and where we should be heading. By documenting the goals and struggles of our forbears we renew our vigor to refine and improve the Judiciary process.

The 1975-76 reporting year, an integral part of that process, has been one of considerable thrust. A record number of filings in the Supreme Court follows a national upward trend in appellate caseloads. Hawaii's filings have skyrocketed; indeed they have more than doubled in the last five years. And although appellate case terminations were up 28 per cent over last year, the continuing backlog calls for some hard decisions about the future.

In both the circuit and district courts a slight decrease in criminal actions filed was obliterated by an increase in the number of cases brought to trial.

An articulate citizenry demanding its day in court effected significant accelerations in civil actions where terminations not only lagged behind filings, but dropped below last year's total. Full impact of the new Probate Code and penal procedures revisions augurs more of the same.

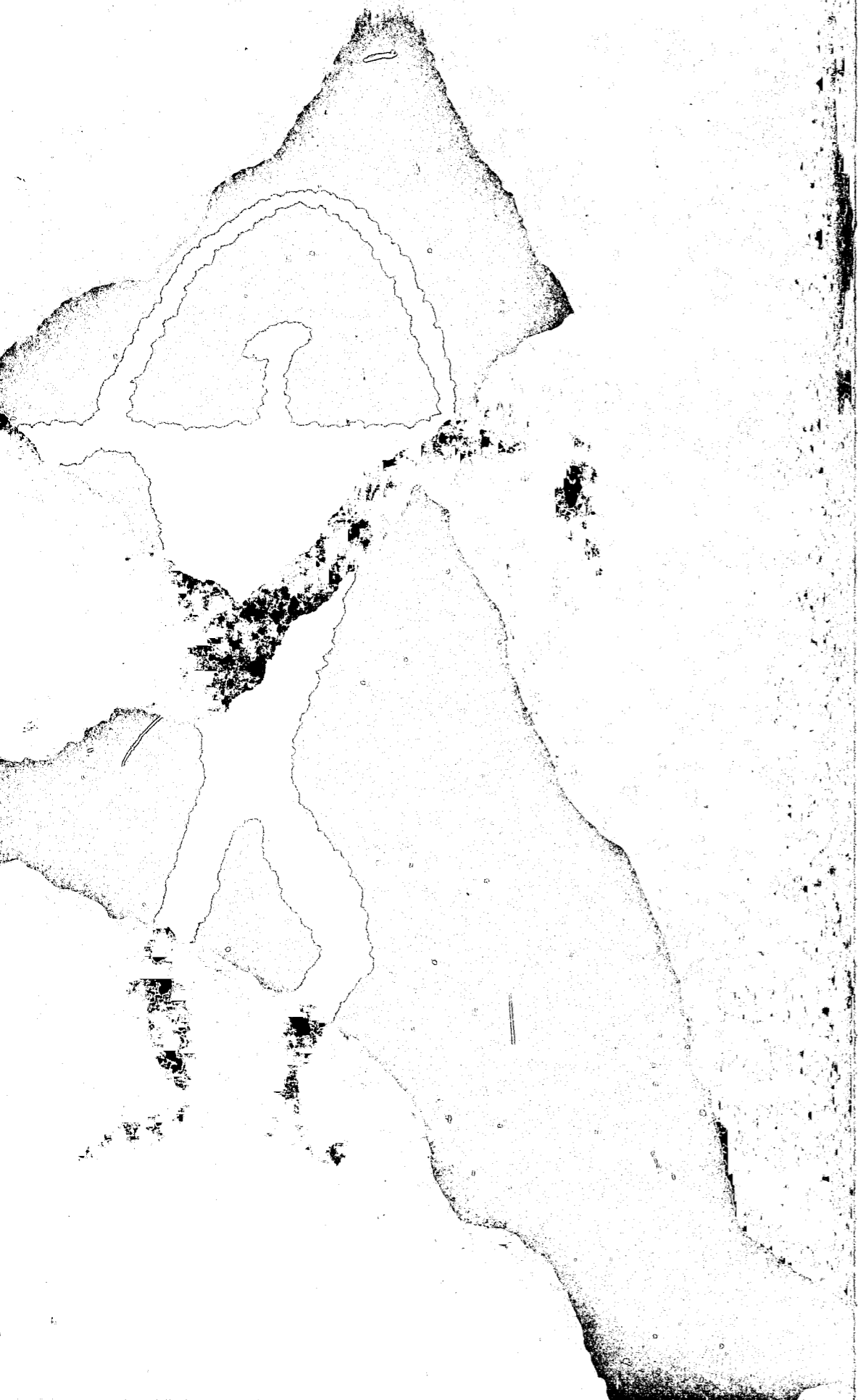
In the Family Courts a sharp increase in divorce actions was accompanied by a spiraling number of children's law violations. Acutely aware of the impact of early home attitudes on subsequent respect for the law, the Judiciary views with alarm the disintegration of today's family.

Court programs documented in this report try to take up the slack. They are viable; most are meeting with success.

However, in order to keep pace with what appears to be a downright upheaval in today's value systems, we shall need the vigilance, the imagination, the continued energy and resources of both the Legislature and the Judiciary.

Respectfully yours,

William S. Richardson
Chief Justice of Hawaii



Yesterday: The Legacy

When British explorer Captain James Cook stepped off the H.M.S. Resolution in 1778, he found himself among Polynesians living in a Stone Age culture under a centuries-old feudal system.

In old Hawaii, where the people lived simply from sea and soil, the law emanated from powerful chiefs—or *alii*—who owned and ruled the several small kingdoms. Chiefs apportioned land among their followers and favorites, who in turn re-apportioned it among theirs.

Although each chief acted as law giver, judge and executioner, a substantial body of custom, or common law grew among the people. Decrees relating to such basic civil matters as fishing and water rights were passed verbally from father to son.

Criminal offenses were treated variously. Retaliation by friends of the “injured parties” was common but could be thwarted if the offender escaped to sanctuaries known as “cities of refuge.” Thieves might be forced to return stolen goods; assault often was punished by breaking a limb; murder, by death.

Law of the Splintered Paddle

In this social setting, therefore, it is not surprising that an incident in the early stages of Kamehameha’s campaign to unite the islands took on momentous import. The event was not only a landmark in Hawaii’s past, but was to become an integral part of the people’s philosophy.

Crucial Encounter

Legend has it that one morning five fishermen in the Puna district on the Island of Hawaii were paddling to shore with their night’s catch when suddenly Kamehameha’s menacing war canoes bore down on them. Fearing for their lives and their catch, the fishermen quickly beached their boat, shouldered their nets and tried to flee. Three escaped successfully, but two were overtaken by the lone Kamehameha who had waved his soldiers back.

While struggling to wrest the coveted net from one fisherman, the king’s foot wedged in a lava crevice and he fell. Seizing a huge canoe paddle, the second fisherman struck a stunning blow to the trapped chieftain’s head, splintering the paddle and nearly killing the king. The warriors rescued their fallen leader and captured both fishermen.

Act of Mercy

When Kamehameha recovered, the fishermen were brought before him, certain of harsh sentences. After



Historic law emerged from violent incident.

questioning them, however, the king acknowledged his own guilt in the fracas, and decided the men had acted only to protect their property. His ruling countered the philosophy that no property rights existed except those of the king. In an act of great statesmanship and mercy, Kamehameha not only freed the fishermen, but granted them parcels of land which would be theirs and their children’s forever.



King Kamehameha I



Queen Kaahumanu

Custom and Kapu

Forbidden Fruit

An incorrigible queen led the first women's rights movement in old Hawaii. Kaahumanu, a strong willed and tempestuous rebel, was also King Kamehameha's favorite among 21 wives. She actively resisted and helped ultimately to shatter the powerful religious kapu (taboo) system that not only permeated every aspect of island life, but reinforced despotism and grossly discriminated against women. Offenders generally were put to death.

The eating kapus were most humiliating. Not only were men prohibited from eating with women, but certain foods were forbidden to females. These inequities most rankled Kaahumanu who saw them as a deterrent to her power. She flaunted the kapus by

secretly eating bananas, pork and shark's meat. In so doing, she was quick to learn the gods did not punish what the chiefs did not discover.

Liholiho Enticed

When Kamehameha died in 1819 Queen Kaahumanu as high chiefess assumed the position of kahina nui (premier) with young Liholiho (titled King Kamehameha II). Consequently, she bent every effort to convince him to abandon the kapu system. The feat was accomplished within six months. At a feast planned by Kaahumanu, Liholiho, fortified with liquor, joined the women's dining table and ate with them. This one symbolic gesture known as Ai Noa or "free eating," broke the power of the priests, emancipated women and toppled the entire socio-religious ethic of the islands.

Rest in Peace

The law that emerged from this incident became known as Kanawai Mamala-hoa—Law of the Splintered Paddle. "*E hele Ka elemakule a moe i ke ala, e hele Ka luhine a moe i keala, e hele ke keike a moe i ke ala.*" Eloquent in its simplicity, the Hawaiian edict translates: "Let the aged, the men and women, and the little children lie down (in safety) by the road." Because it established property rights and extended equal protection to all, the law is seen as a cornerstone securing peace and freedom in the emerging united Kingdom of Hawaii.



Early violators sought sanctuary in 'cities of refuge'.



William Little Lee, Hawaii's first Chief Justice.

No Frills in 1845

Compelling the respect of "foreigners" in the gravity of the court in 1845 was often discouraged by this fact as observed by first Chief Justice William Little Lee:

"The highest court in the land meets in an old grass house, floored with mats, without benches, seats or comforts of any kind, with one corner partitioned off with poles for judge's office, clerk's office, police court and jury room."

Wave of the Future

Mission Impossible

Except for proscriptions against crimes of murder, theft and adultery, the New England missionaries who arrived on *The Thetis* in 1820 were unsuccessful in several attempts to influence Hawaiian chiefs to replace the ancient *kapa*s with the Ten Commandments.

Seventeen years of Protestant evangelism coupled with an influx of foreign officials, beachcomber captains and miscellaneous traders led Hawaiian scholar David Malo to a prophetic warning in 1837: "If a big wave comes in, large and unfamiliar fishes will come from the dark ocean, and when they see the small fishes of the shallows they will eat them up."

Birth of the Judiciary

Presence of the *haole*s did indeed create a volatile society. It was inevitable that the chiefs would be forced by those Malo described as "clever men from the big countries" to consider reconstruction of the government of the kingdom.

Thus, in 1838, a group of missionary-educated Hawaiians including Malo drafted a Declaration of Rights referred to as the *Hawaiian Magna Carta*. Written in the Anglo-Saxon tradition, it embodied a national policy of religious toleration.

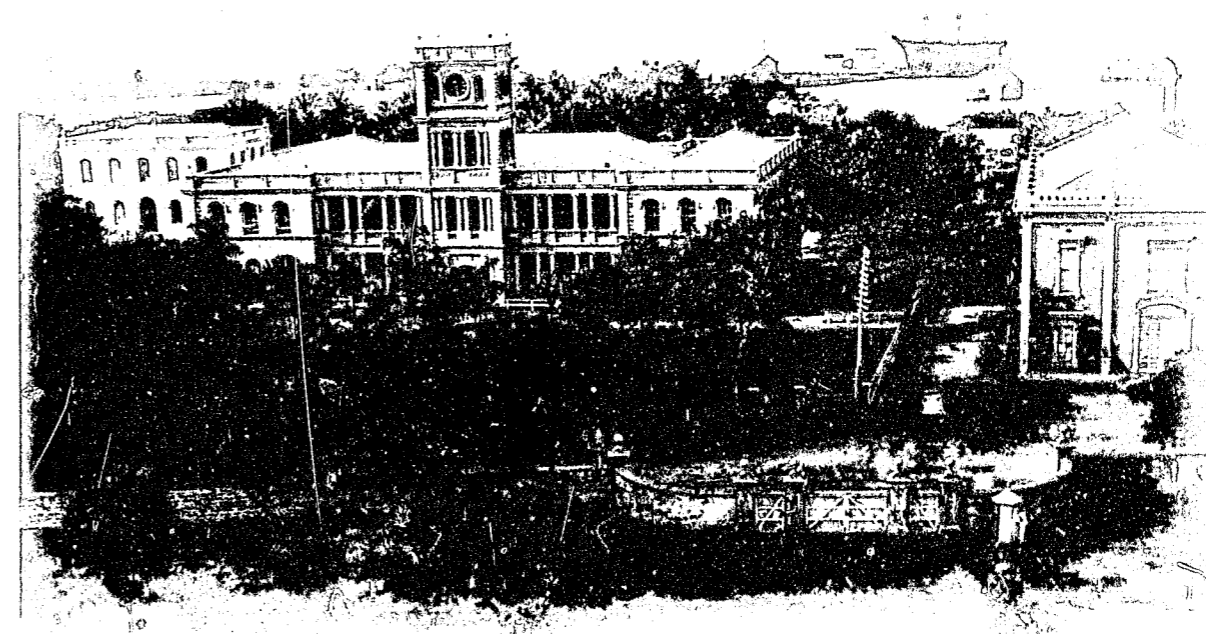
On October 8, 1840, King Kamehameha III proclaimed the first Constitution. Formalized government, including a legislature and an independent judiciary, was born in the kingdom.

The Young Lawyers

The first supreme court consisted of the king, the kahuna-*ne* and four other judges appointed by the legislature's lower branch. There were still no attorneys in the islands. Thus, when John Ricard, a 32-year-old lawyer with a somewhat questionable past, arrived in the islands in 1844 he was snapped up within 10 days to become attorney general of the kingdom.

Attorney William Little Lee, a consumptive from New York seeking a geographical health cure in Oregon, came ashore for a stopover in 1846 and stayed to be named the first chief justice of the supreme court. He was still in his 20's.

Both young lawyers were capable and energetic. Transformations in the government would have been delayed without their efforts. Ricard is remembered for 1817 legislation refining the Judiciary; Little, for the Criminal Code of 1850, the Constitution of 1852, and the first volume of the *Hawaii Reports* published in 1857.



Judiciary Building was completed in 1874.

Metamorphosis

The New Republic

The Hawaii Judiciary is unique in that it is the only one in the nation to survive four forms of government: monarchy, republic, territory (including martial law) and statehood. The constitutional monarchy ended with the bloodless overthrow of Queen Liliuokalani, 1892, and the new republic a year later adopted a constitution providing for a supreme court appointed by the republic's president (Sanford Dole) with the advice and consent of the Senate. Circuit judges were named in the same manner. The provisional government lasted six years until annexation to the United States in 1898.

Territorial Tensions

Justice by remote control some 6,000 miles away in Washington, D.C., did not always auger well for Hawaii's Territorial Judiciary. Judges not only served at the pleasure of the United States president, but their compensation was cut in half. Vacancies on the bench were allowed to continue for as long as two years. At one point, a supreme court justice died in office and the court did not sit for 18 months.

Adding insult to injury, martial law was imposed after Pearl Harbor and the courts were closed altogether for the duration of the war. Alleged criminals languished in prisons without trial, disgraceful testimony to the fact that "justice delayed is justice denied." Needless to say, the frustrating condition in

the Judiciary was a prime mover in the long and arduous campaign for statehood.

Nine Year Vigil

In 1950 statehood appeared to be just around the corner and a Constitutional Convention was called. The judicial structure under which we function after a century of development was firmly established by the resulting Constitution. However, the hopes of 1950 gave way to nine years of anxious waiting. When statehood finally came in 1959, it was, so far as the Judiciary was concerned, long overdue.

Twelve Good Men and True

In the first law relating to juries passed in 1842, the "haole" population in the isles was acknowledged in rules for the jury's composition. In cases where both parties to a cause were foreigners, the jury was to be composed of foreigners. If both parties were natives, the jury was to be made up of natives. If there was a foreigner on one side and a native on the other, the jury was half and half.

Although a jury was supposed to consist of 12 members, in cases where there were not enough foreigners to make a full panel, a jury was to be reduced in number, but never less than eight.



Today: The Process

When the tumult and shouting subsided after Hawaii became the 50th state, the judicial machine, rusting from federal neglect, ground along for several years with a number of squeaky wheels.

The district courts were factionalized and dependent on separate county funding. Buildings had deteriorated. The roofs often leaked. Documents from court to court varied in size, shape, color and format. Procedures were antiquated and differed from one circuit to the next.

Territorial tyranny had been demoralizing. Prestige was the primary impetus for accepting judgeships, some magistrates presided with little or no education in the law. Civil cases often took up to two years to come to trial. Calendaring was so disorganized that in one court with a heavy docket lawyers might sit an entire afternoon waiting for a case to be called; while in another court the judge was left with time on his hands because of pre-trial settlements or continuances.

Battery Charged

Two positive moves opened the way for subsequent overhaul of judicial machinery. First, a critical survey of the territorial courts was conducted in 1957 by retired Federal Courts Administrator Henry P. Chandler. His findings prompted a concise report that formed the backbone for constitutional and statutory revision. Chandler's recommended legislation was adopted intact and stands today as the basis of a model state court system.

Early Tune up

In a second thrust toward reform, the late Judge Gerald R. Corbett spearheaded efforts of several governmental and private agencies to replace Hawaii's separate Juvenile Court and Domestic Relations Division with a statewide Family Court. Here, all legal problems involved in family disorganization along with the specific problems of child delinquency and child neglect would be centered. Preliminary attempts to exercise the rule-making power of the Supreme Court to establish a family court fizzled, so studies were forwarded to the governor and key members of the legislature. The Family Court Act was adopted in the 1965 session.



Judge Herman Lum welcomes young visitor to Family Court.

No Labels

The words "delinquent," "delinquency," "dependent" and "dependency" were discontinued with inception of the Family Court. These words are seen as "labels" pinned on children, and as a hindrance rather than a help in treating their problems.



Chief Justice William S. Richardson has guided the Judiciary since 1966.

Decade of Dynamism

Major Overhaul

On July 1, 1966, Chief Justice William S. Richardson, appointed to the Supreme Court by the late Gov. John A. Burns, assumed office. Coupling soft-sell with quiet persistence to re-vitalize the Judiciary, the Chief Justice appointed an administrative director of the courts and began a major overhaul requiring an unflagging effort to unify, develop, update, streamline, revise, improve and innovate within the Judiciary.

Scoreboard

A tabulation of the decade's major achievements speaks for the process:

- Courts throughout the state were unified by revising existing court rules and promulgating new ones for statewide uniformity. Forms and operating procedures for both adjudicative and administrative services were standardized. A data processing system was initiated.
- The Family Court was created and functions within each circuit court as a full division (1966).
- The Tax Appeals Court was created as a full-time division of the Judiciary (1968).
- District Courts were elevated to courts of record. District magistrates were elevated to full-time judges who could be assigned as necessary among the four circuits (1972).
- Citizens' Conferences on the Administration of

Justice were convened in 1967 and 1972 to bring the community into the judicial process.

- A Judicial Council was named by the Supreme Court. Composed of judges, lawyers and lay people, the Council laid the groundwork for extensive law revision (Penal Code, 1972; Probate Code, 1975).
- Comprehensive training programs for judges, management and professional staff were introduced. Hawaii judges are required to take continuing education courses at the National College of the State Judiciary in Reno, Nev.
- A Driver Improvement Program was started in 1968 on Oahu and has been expanded to offer defensive driving and traffic safety education throughout the state.
- The Hawaii Criminal Justice Statistical Analysis Center and the Hawaii Judicial Information System were initiated with funding from the Law Enforcement Assistance Administration.
- An Office of Disciplinary Counsel was created to investigate allegations of lawyers' misconduct (1974).
- New District Court facilities were constructed in Hanalei and Koloa, Kauai; Honokaa and North Kohala on the Big Island; and Pearl City on Oahu. Facilities in Lihue and Kona were renovated. Circuit and District Court operations in the Third Circuit moved into the new state office building in Hilo.
- Planning was initiated for Judicial complexes for both district and circuit courts in the First Circuit (Honolulu).

Maintaining Momentum

Thousands of civil, family and criminal cases crying for justice are the *raison d'être* of the Judiciary. The year's statistics on these cases in Hawaii are carefully documented for study in succeeding sections of this report.

But behind every rap of the gavel is a story that goes beyond the bench. These stories deal with the process, the people, the programs, the plant—all vital parts of a dynamic, smooth-functioning Judiciary.

Here then, in capsule and pictorial review, are the areas of Hawaii Judiciary concentration during the 1975-76 Bicentennial year.

The Process

Standards and Goals.

The Statistical Analysis Center monitored a grant authorizing a mainland team to scrutinize information systems operations data of police, courts and corrections agencies. At the same time, University of Hawaii analysts investigated prosecution and defense systems to compare them with standards and goals set by the National Criminal Justice Advisory Commission and the National Bar Association.

Movers and Shakers

Tom Okuda was named deputy administrative director and Robert Ueoka assumed expanded responsibilities as business manager in a major reorganization of Administrative Director Lester E. Cingcade's staff. Personnel Officer Emmie Shigezawa completes the court's administrative team.

New Technology

Massive projects to automate civil and criminal activities in the courts, and to computerize traffic violations data storage and retrieval got the green light. Both the Hawaii Judicial Information System (HAJIS) and the National Highway Safety Project made substantial progress in 1975-76.

Video taping and trial recording, available in all circuits, were used routinely in several.

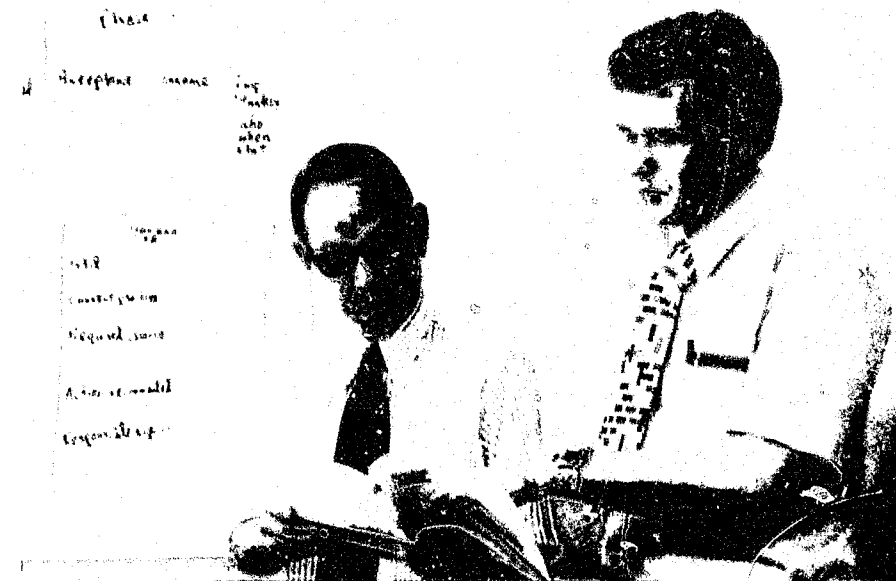
"Dial a Trial" utilized a recorded code-a-phone message in the Second Circuit to inform prospective jurors of trial status.

Statistical Analysis

During the year the Statistical Analysis Center researched Hawaii gambling offenses and related state policies; the Center also provided "early warning" crime indicators to the Law Enforcement Assistance Administration, supplied the media with Hawaii crime trends and published "Crime in Hawaii—1975, A Review of Unified Crime Reports".



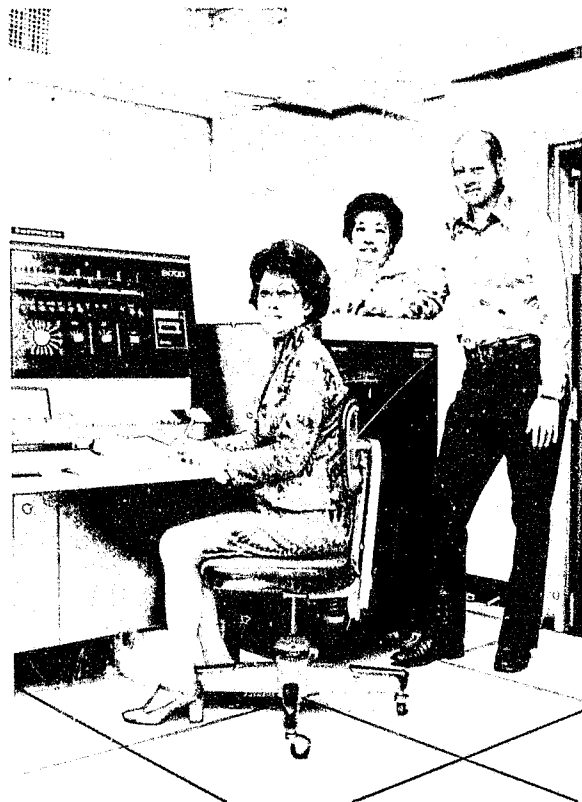
Administrative Director Lester Cingcade confers with Deputy Director Tom Okuda.



Judge Takashi Kitaoka and Consultant Paul Wormley analyze standards and goals.



Emmie Shigezawa and Robert Ueoka round out management team.



Planning for automation.

Rules Wrap Up

District Court judges and supervisory personnel met in Kona to make final rules and procedures changes in response to Hawaii's Revised Penal Code.

Parent Trackdown

Family Court trustees and the First Circuit Chief Clerk's office processed mountains of paperwork imposed by federal legislation designed to locate missing spouses in delinquent child support cases.

Do-It-Yourself Divorce

Third Circuit Chief Clerk Terry Kaide saved valuable staff time on the Big Island by putting together a divorce kit for qualified parties seeking divorces where minor children, property distribution and alimony are not involved.

Disciplining Lawyers

In two years of operation, the Office of Disciplinary Counsel received 365 complaints of attorney misconduct. Some 150 cases were terminated with discipline applied in 18 of them. The office received 61 requests from attorneys for advisory opinions on activities that might violate the Code. Eleven formal opinions were published.

The People

New Post

First Circuit Family Court Director Wayne Y. Kanagawa assumed directorship of the Oahu Intake Service Center, a main component of the Hawaii Correctional Master Plan.

Courses and Classes

Judiciary personnel (including 24 judges) completed some 9,800 instruction hours in special education or in-service orientation/training during the fiscal year.

Contingency Management

Maintaining secure custody while practicing therapeutic behavior modification methods challenged staffers at the Honolulu juvenile detention facility. A series of contingency management workshops were conducted to sharpen awareness of personnel who monitor teenage detainees at Hale Ho'omaluu. (Daily resident population at the facility averaged 39 during the year.)

Judiciary Tours

More than 3,000 school children visited the Judiciary during the year. Law Library staff provided orientation to the 104 groups who visited the Supreme Court and viewed circuit court trials in progress.

VIP Contributions

Some 217 volunteers in probation (VIPs) served as companions, tutors, case aides, bailiff aides, library helpers, messengers, clerical aides, writers and statisticians for the Judiciary. Volunteers contributed close to 19,000 hours at a savings of almost \$67,000 to the courts. In terms of humanitarian benefits, their contribution was immeasurable.



Conducting in-service training.



Guiding student tours.



Neighbor Island volunteer coordinators meet in Honolulu.



Teaching defensive driving.

The Programs

Jury Study

A national concern of the courts is the wasteful, inefficient and frustrating use of citizens called to jury duty. This concern prompted the Judicial Council to authorize an in-depth study of both grand and petit jury systems in Hawaii by consultants from the National Center for State Courts.

Safety First!

More than 3,000 adult traffic violators throughout the state were referred for driver improvement classes during the year. One out of four referrals was a drunk driver assigned for special instruction and counseling. The remainder took defensive driving courses. An added 850 juveniles were channeled into remedial driving classes.

Life of the Land

Priceless ancient Hawaiian land documents were recorded on microfilm in a late race against time and termites.

Divorce Experience

Divorce bound spouses and their children attended three-part evening seminars dealing with legal, economic, social and emotional problems. First Circuit Family Court judges, psychiatrists and administrative personnel participated, with assistance from outside consultants.

Counseling of parents and children of divorce in the Third Circuit, now in its sixth year, won continuing support.

Stop Thief!

Innovative programs using ex-offenders as counselor-companions were implemented in the First and Third Circuits. Former offenders shared experience, strength and hope with new probationers. The programs are based on successful techniques used in other rehabilitative groups such as Alcoholics Anonymous.

Partners with Parents

Parents of children involved with the justice system responded positively to First and Third Circuit Family Court Parent Education programs. Parent groups heard explanations of the judicial process, then grappled with the anxiety and emotional turmoil they shared in dealing with problem children.

Crime and Punishment

Some 486 traffic violators and misdemeanants were sentenced by district court judges to perform a total of 9,720 hours of voluntary community service, primarily as litter pickers at City and County parks and beaches.

Wheeling and Dealing

First Circuit Family Court joined a Windward and Kalihi National Youth Program Using Mini-Bikes (NYPUM) sponsored by the YMCA. The juvenile behavior modification program uses mini-bike rides as rewards for disadvantaged youngsters who sign contracts to attend school, perform chores and stay out of trouble. The bikes, donated by Honda, are maintained by the youngsters.



Guiding former offenders as rehabilitation aides.



Jury system is analyzed.



Microfilming ancient land records.



Judge Betty Vitousek listens to children of divorce.



Explaining judicial process to parents of juvenile offenders.



Picking litter at park sites as an alternative sentence.

Drugs and Deviants

All circuits zeroed in on drug-related crimes by fostering improved liaison with various drug and alcohol rehabilitation programs.

Diversionary Tactics

Intensive intervention projects in all circuits were aimed at keeping first offenders out of court through informal adjustments and referrals to other community agencies. Run-aways in particular gained from diversion programs.

Boy Builders

More than 70 disadvantaged boys from Maui, Lanai and Molokai attended the 27th Annual Boy Builders Unlimited Camp on the Valley Isle. Nine Second Circuit Family Court probation department staffers participated as counselors.

A Closer Walk

A more beneficial relationship between the Family Court and the Department of Education emerged during the year as a result of strong first efforts by the DOE to identify all youngsters not attending school. The new thrust enabled Liaison Officer Beverly Lee to track adjudicated juveniles for follow-up counseling.



Close relations with Department of Education benefits Court.

The Plant

Past Preserved

An advisory committee to preserve historical integrity of Aliiolani Hale was named by the chief justice. The group is monitoring restoration and renovation of the century-old Judiciary Building on King Street.

Smooth Moves

The Administrative Director's staff settled into renovated quarters in the Ii Building at 403 So. Queen St. Administration will be housed in the Judiciary Building with the Supreme Court when remodeling is completed.

Honolulu District Court Civil Division relocated to the eighth floor of the American Savings and Loan tower on the Fort Street Mall.

Driver Education and District Court Counseling Services moved to 119 Merchant St.

Facilities Dedicated

The chief justice took part in dedication ceremonies of new court facilities at Koloa and Waimea, Kauai.

Sites Selected

The mauka-diamond head corner of Hotel and Ala'ea street was chosen as site for a \$20.4 million Honolulu District Court building scheduled for completion in early 1981. A \$25.2 million First Circuit Judiciary Complex is set for completion in late 1981 and will be located in Kakaako near the new Federal Building.

Multi-Media Room

A former bedroom at the Maui Live-In Center was converted to recreational/instructional quarters. Cassette tapes, records, magazines and books were made available in the new media center.

Interim Facilities

Plans were developed for judicial operations in the Kekuanao'a Building (old Territorial Office Building). Facilities for Family Court adjudication, Adult Probation and Chief Clerk's Office will be provided.



Administrative offices move makai.



Sampling book in multi-media room at Maui Live-In Center.

Tomorrow: The Vision

By JAMES DATOR, Ph.D.

Professor of Political Science, University of Hawaii, and Planning Consultant to the Hawaii State Judiciary.

*"The law is conservative in the same way in which language is conservative. It seeks to assimilate everything that happens to that which has happened. In an age where change has become exponential, this natural disability of the law is especially marked."*¹

Like almost all of our present-day social institutions and values, the foundations of law and the system for the administration of justice lie in a past where the environment and human behavior was much more stable and predictable than now. In previous history—until perhaps only one or two hundred years ago—most humans lived in societies in which the present was so much like the past, and the future so much like the present, that most problems of the present or future had already been met and solved in the past. Thus, when one faced a problem, the best rule to apply was, "Has this problem been faced before, and, if so, how was it solved? I shall then solve it the same way."

Today, however, while many of our present and future problems are identical with those in the past, many more are not. Thus the past is less obviously a proper and sufficient guide for present and future decisions.

Up to now, one of the bases for much legislation and judicial decision-making has been "community values." In earlier times of stable, sedentary expectations and possibilities—it was so obvious that a community had common values that deviancy from these norms was easily recognized and universally deplored. Thus, acts of punishment and/or conformity were widely supported.

Today, in most parts of the world—certainly in Hawaii—it seems almost impossible to find a common set of values with an accompanying set of specifically operationalized definitions that has enough support to be called "community values." And yet, if there are none, how can there be "law," and how can justice be administered?

I believe we must answer that question, posed within the broader question of what has changed society from the way it was when "law" was born to the way it is now, and what will effect future change, in order to understand anything about the future of law and the administration of justice in Hawaii.

¹Howard Zinn, "The Conspiracy of Law in Paul Wolff," *The Rule of Law*, 1971, P. 31.



Futurist James Dator

The primary engine of change in our society has been technology. The operation of this engine has been through the expiation of Marshall McLuhan's pithy dictum, "We shape our tools, and thereafter our tools shape us." Humans have often created tools (including social institutions) for very narrow purposes or by accident, and then seen these tools assume a life of their own. The consequences have been widespread, unexpected and often unwanted. Moreover, as technological change has become institutionalized in our society, technologically-induced social and environmental change has accelerated until it has indeed achieved the exponential character.

And yet law remains conservative.

It is no wonder that our present system is under such strain or that so many people seek solutions by changing *parts* of the system only to discover that the strain merely has been transferred elsewhere or the solution itself has created a new and unanticipated strain.

In such a situation, it is no wonder that many

people throw up their hands in despair and want either to force a return to the "good old days," or give up and go surfing.

It seems to me highly unlikely that we will return in any significant sense to the good old days anytime soon. Moreover, many people have discovered they cannot avoid the basic problem by surfing because there are all those rowdies on the beach!

So I think most of us are going to have to decide on another way. As individuals who are part of a volatile island community which is part of an equally volatile nation and global system, we must think very carefully of what we actually expect from law and the administration of justice. It is not enough, in my view, to patch and modify our judicial system. Rather, we need to be as bold and imaginative at social invention as the Founding Fathers.

We need to seek to invent a new concept to replace what we mean by "law" in the present and future situation. We need to come up with a totally new social invention which makes sense in an environment where nothing can be expected to last forever, or even for very long; where permanence is no longer a prime value; and where "politics," (meaning flexibility, negotiation, bargaining, adaptability, and a willingness to see oneself and one's society as a dynamic, changing, uncertain thing) replaces "law."

"Law," as we now define it, seeks to create a state of predictability, order, inflexibility, certainty, the belief that there are or can be unchanging principles upon which all else is securely fixed. While many in our society still believe such principles exist, more and more frequently we find individuals differing profoundly about what those principles are, or how they should be operationalized. Hence, the effect on society is the same as if we believed there were no fixed principles. It is within this reality that I believe we must attempt to create a new meaning of law and a new judicial system.

I do not mean to suggest that there is one inevitable future. On the contrary, one of our gravest likely errors is to assume that the future will be essentially like the present—however we define the present. Many who are fixed in the present on certain problems or possibilities, extrapolate them rigidly into the future and try to build policy around them. Such a course, though understandable, seems to me to be folly. For example, if we assume that the "future" we are talking about is some 30 years off, then extrapolating the problems/possibilities of 30 years ago to the present should quickly indicate just how large our margin of error might be. And with the present

accelerating rate of social change our margin might be greater still. Edward McConnell, executive director of the National Center for State Courts, made such an extrapolation from 25 years ago to the present for the judicial system. He strongly confirmed how very different the judicial world of 1950 was from the one today. If technologically augmented social change continues, I believe we can expect an even-more dynamic and "unsettled" society than we now have and accompanied by an emergence of social and personal problems not yet visible to most of us. We need not seek so much to anticipate what those problems will be per se as to seek to create a more viable system for dealing with them as they arise.

On the other hand, we must also consider the very great probability that the world of the past 30 years (not to say 100-200 years) is even now in the process of coming to an end, that we should not expect more technologically-augmented social change. Indeed, the change in the immediate future may be a consequence of a more or less rapid *disintegration* of industrial society. This is certainly the implication of "The Limits to Growth" and a flood of other studies warning that our concern should not be focused so much on population growth, in-migration, increased tourism, greater construction and the like, but rather on population decline and stability, a near absence of tourists, and the end to most growth-oriented economic activity that has characterized the post-war period.

I can not guarantee that such a world will or will not occur. But I can say its occurrence has as much probability as that of the growth-oriented option.

Thus, we need to plan for *alternative futures*. (I have indicated only two out of many). We need also to recognize the problem as not one for the Judiciary alone to solve. The problem challenges every person and every institution in the State. Thus, while the Judiciary can make a contribution towards the overall solution by thinking through possible alternatives for itself, independent efforts by other public and private groups must be sought as well.

Let us all participate in shaping the future. Let us actively, rather than passively, adapt.

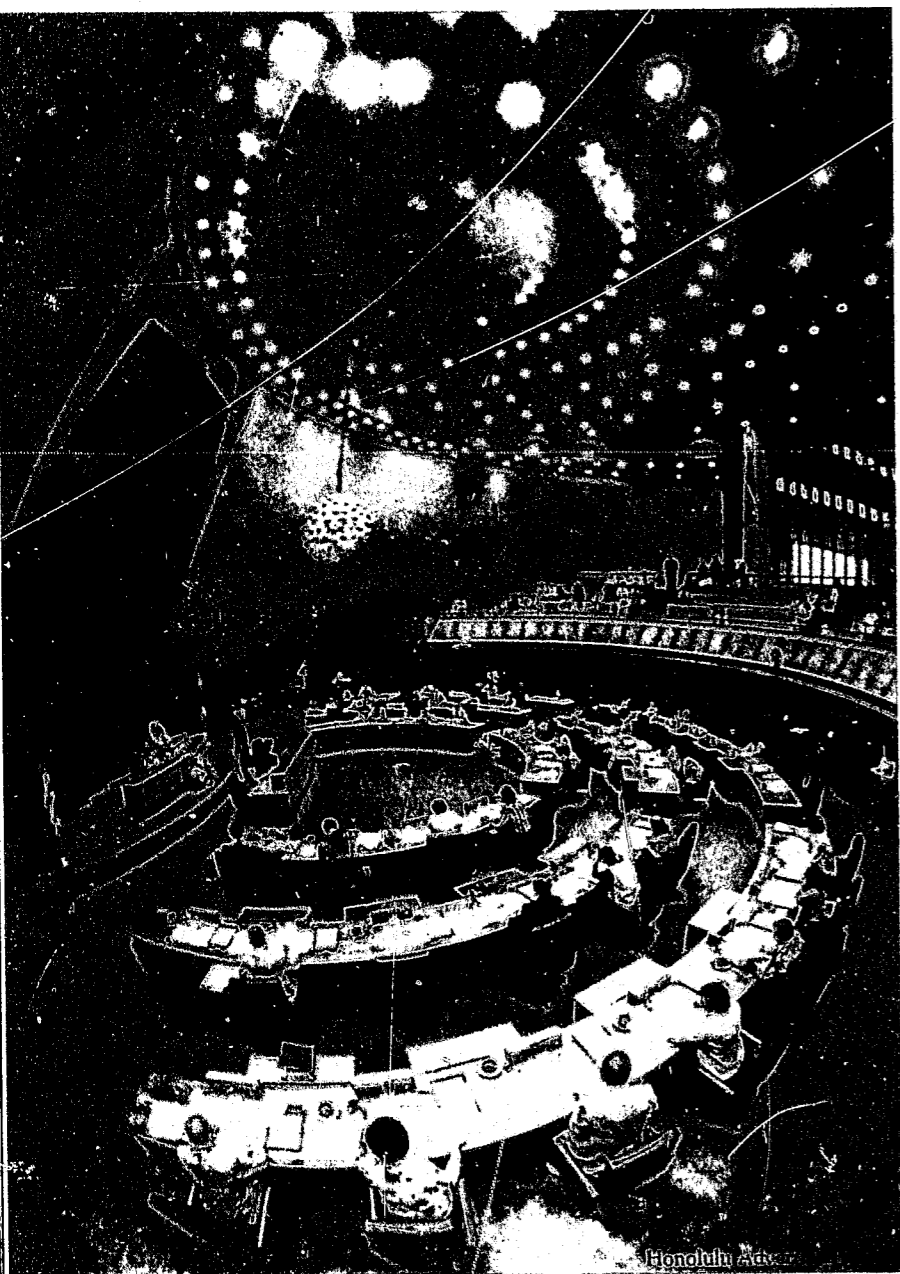
Kenneth Boulding, among the wisest of seers in our society, said "The greatest dilemma of humanity is that all knowledge is about the past and all decisions are about the future." That dilemma is now great indeed, and the dichotomy is widening.

I challenge those persons concerned about the administration of justice in Hawaii to begin a process which will enable us to meet the judicial challenges

Future Honolulu District Court complex will be constructed at this site on Hotel and Alakea Streets.



of the future at least as effectively as we met those of the past. To this end, we need aid from not only those who understand the past, the present, the alternative futures; but those who are capable of unprecedented creativity and imagination. Let us start now.



Impact!

Of 251 measures passed by the 1976 Legislature, nine were drafted or actively supported by the Judiciary.

In recapping action taken by the 1976 Legislature, passage of the Uniform Probate Code is seen as having greatest impact on the court. The Judiciary has had a long standing interest in this revision, beginning with a comprehensive study by a Judicial Council committee in 1972. Its recommendations were first submitted to the Legislature in 1973.

Passage of legislation providing two new judge-ships offers welcome relief for burgeoning case-loads. An additional circuit judge in the Second Circuit will serve the tri-island jurisdiction covering Maui, Molokai and Lanai. A new district judge in the First Circuit will hear landlord-tenant and small claims cases.

Two new Mandatory Sentence Acts and a law relating to Deferred Acceptance of Guilty Pleas are expected to have a compelling effect on the criminal court.

The Mental Health Commitment measure is expected to impose a tremendous burden on the court in terms of judge power and ancillary support (clerks and bailiffs) needed for judicial hearings required under the new law for involuntary hospitalization of persons suffering from mental illness or substance abuse.

Following is a digest of 1976 acts which will have special impact on the courts. Asterisks designate legislation submitted or actively supported by the Judiciary:

New Laws

General/Administrative

Act 28. Provides for an appropriation of \$838,000 for immediate construction of interim law school facilities at the University of Hawaii.

Act 56.* Provides for a second judge for the Second Circuit on Maui.

Act 65.* Increases the number of law clerks assigned to the Supreme Court.

Act 76. Amends qualifications required for admission to practice law by deleting the United States citizenship requirement.

Act 82.* Creates the two new positions of deputy administrator of the courts and second deputy sheriff.

Act 131.* Provides that costs for criminal defense of indigents by the public defender be paid by that office rather than the Judiciary. Further, the act allows the clerk of any court, rather than only circuit court, to issue witness service statements for certification and payment.

Act 143. Amends provisions of the real estate recovery fund to permit payment from the fund of court costs and fees, in addition to damages.

Act 156. Permits establishment of prepaid legal service plan similar to health plans.

Act 233.* Appropriates \$482,195 in supplementary operating funds for the Judiciary; and \$4.6 million for capital improvement projects for the fiscal year 1976-77.

Family Court

Act 85.* Amends the Family Court Act in various ways to insure specific attention to protection of children's rights. The act also amends parental termination rights to conform with the adoption law (Act 117/75) passed last year.

Act 16.* Provides for the elimination of adoption consent by parents of children brought into the United States as a result of extraordinary circumstances in their homelands if the parents cannot be identified or contacted. This act clears the way for the legal adoption of approximately 30 Vietnamese children brought to Hawaii before the communist takeover last year in South Vietnam.

Act 130. Replaces certain sections of the present law regarding involuntary hospitalization for mental ill-

ness that have been held unconstitutional. Affords an individual the right to a judicial hearing before commitment. (The former law permitted involuntary hospitalization of persons suffering from mental illness, drug addiction or alcoholism on the action of physicians, spouses, relatives, friends or any other responsible person.)

Civil Court

Act 200.* Uniform Probate Code. Under the new code, estates of \$30,000 and under may be handled by informal probate; i.e., there would be no requirement to employ a lawyer.

The court distributes simple forms and instructions to assist lay "personal representatives," a term replacing "executor" or "administrator." If a lawyer is hired, the new code abolishes the statutory table of fees and gives the court discretion in awarding fees on the basis of actual work done.

In other significant innovations the Code regulates multiple bank accounts; states requirements, procedures and obligations of guardians; regulates trust management and trust proceedings, giving beneficiaries the right to go to court to demand an accounting by trustees; raises limit on small estates handled without charge by the court from \$3,000 to \$10,000.

Criminal Court

Act 154. Permits the courts some discretion with first offenders by placing them on probation, (Deferred Acceptance of Guilty Plea). If probation is successfully met, the judge can discharge the defendant and dismiss the charge.

Act 181. Mandates imprisonment of individuals convicted of repeating the same major felony, with no probation or parole before the sentence is completed.

Act 204. Mandates a prison sentence for any person convicted of using firearms in the commission of a crime.

Traffic Violations Bureau

Act 44. Provides for an additional fine not to exceed \$25 for failure to answer a traffic citation which results in issuance of a penal summons.

Act 238. Clarifies the authority for parking violation convictions to be enforced and collected by the district courts, with fines deposited in the state general fund.

The Judiciary

Supreme Court



Chief Justice
William S. Richardson



Justice Bert T. Kobayashi



Justice Thomas S. Ogata



Justice Benjamin Menor



Justice H. Baird Kidwell

“Judicial power is never exercised for the purpose of giving effect to the will of the judge; always for the purpose of giving effect to the will of the legislature; or, in other words, to the will of the law.”

First U.S. Supreme Court Chief Justice John Marshall

Circuit Courts

District Courts



Judge Norito Kawakami
Administrative Judge



Judge Masato Doi



Judge Yasutaka Fukushima



Judge John C. Lanham



Judge Robert W.B. Chang



Judge Walter M. Heen



Judge Yoshimi Hayashi



Judge Harold Y. Shintaku



Judge Toshimi Sodehara



Judge Hiroshi Kato



Judge Arthur S.K. Fong

First
Circuit



Judge Herman T.F. Lum
Senior Judge



Judge Betty M. Vitousek

Family
Court



Judge S. George Fukuoka

Second
Circuit



Judge Ernest H. Kubota



Judge Shunichi Kimura

Third
Circuit



Judge Alfred Laureta

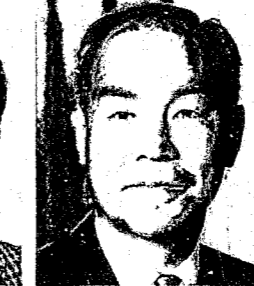
Fifth
Circuit



Judge Frank T. Takao
Administrative Judge



Judge Russell K. Kono



Judge Kenneth W. Harada



Judge James A. Leavey
Deceased Feb. 24, 1976



Judge Ronald B. Greig



Judge Richard Y.C. Au

District Court
of the
First Circuit



Judge Wendell K. Huddy



Judge Andrew J. Salz



Judge
Robert K. Richardson



Judge James Y. Shigemura



Judge Edwin H. Honda

District Court
of the
Second Circuit

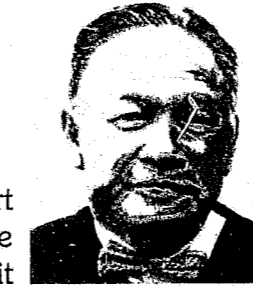


Judge Richard R. Komo
Administrative Judge



Judge Kase Higa

District Court
of the
Third Circuit



Judge Mark N. Olds
Administrative Judge



Judge Robert T. Ito

District Court
of the
Fifth Circuit



Judge Kei Hirano

District Family
Court Judges



Judge Paul C. Kokubun



Judge John T. West, Jr.



Judge Barry J. Rubin



Judge Patrick K.S.L. Yim



Judge Katsugo Miho



The Supreme Court

The Supreme Court is the highest judicial body in Hawaii's unified court system. As such, it exercises ultimate administrative responsibility and rule-making power for all courts and is empowered to hear and determine all questions of law, or mixed law and fact, brought to it from both circuit and district levels.

In accordance with its appellate function, the Supreme Court has the power to issue writs of mandamus, certiorari, prohibition, habeas corpus and all other necessary and proper writs.

Bar examinations and the granting of licenses to practice law in Hawaii are the province of the Supreme Court.

Justices

A chief justice and four associate justices are appointed by the Governor, with the advice and consent of the State Senate, to 10-year terms. All appointees must be attorneys licensed to practice law before the State Supreme Court for at least 10 years.

On July 1, 1975, H. Baird Kidwell was sworn in as associate justice.

The Chief Justice heads Hawaii's unified court system. He presides over all appeal proceedings and assumes responsibilities for Judiciary operations. To assist him, he appoints, with the approval of the Supreme Court, an administrative director to serve at his pleasure. He also appoints district judges, and has the power to assign circuit judges on temporary assignment to the various circuits or to the Supreme Court to fill vacancies.

Caseload Statistics

The Supreme Court had a record 640 filings during the fiscal year, 193 more than last year's high of 447. Hawaii's filings have more than doubled in the last five years, following a national upward trend in appellate caseloads.

There were 520 cases terminated during the year, highest total for the last seven reporting periods. Terminations were up 115 or 28.4 per cent over last year.

Cases pending at the end of the year totaled 348, an increase of 120 over last year's backlog. Of the total, 151 cases being briefed were primary proceedings; more than a third of the total pending cases were ready for hearing. The remainder had been argued and were waiting the filing of an opinion or were set for hearing.

A total of 84 appeals cases were decided by opin-



Activity in chief clerk's office increases with spiraling case load.

ion. Of these, there were 51 civil, 28 criminal and five tax appeals. Three out of every four opinions issued by the court during the fiscal year were regular opinions, while one of four was a memorandum opinion. An average of 21.8 months elapsed between the date an appeal was filed and the date a regular opinion was filed for civil appeals. Where memorandum opinions were filed, the average time was 17.8 months.

Seven out of ten of the 157 court sessions held during the year were devoted to arguments on merits. The balance were for arguments on motions.

Caseload activity is detailed in the Statistical Data section at the end of this report.

Study Requested

To evaluate options for dealing with the ever spiraling appellate caseload, the Judiciary requested a study of supreme court operations by a consultant from the National Center for State Courts. John E. Mueller, NCSC senior staff attorney, conducted an on-site review of practices relating to case assignments; prehearing preparation; use of staff; oral arguments; opinion preparation and publication of opinions.

Judicial Council's Evanita Midkiff (left) and Law Librarian Margaret Setliff check renovation plans for Aliiolani Hale.



New Rule

Rule 25, related to supervised student practice of law was adopted by the Supreme Court. The rule permits qualified University of Hawaii law student interns, under certain conditions, to appear in court or before legislative or administrative tribunals.

With proper approval and supervision a law student may also counsel and advise clients, interview and investigate witnesses, negotiate claims settlements, prepare and draft legal instruments, pleadings, briefs, abstracts and other documents.

General Functions

The Office of the Chief Clerk maintains custody of Supreme Court records. It provides information and assistance to attorneys and the public on matters relating to appeal procedures, calendars, and use of appeal forms. Copies of Hawaii Reports are distributed to paid subscribers and government agencies by this office. This office has experienced an increase in workload commensurate with the growing caseload.

Bar Examinations

An upward trend in bar applicants continued in 1975-76. Of the 194 examined, 83 per cent passed. Four out of ten applicants received their precollegiate education in Hawaii. Of these, 71 out of 85 were successful.

Approximately one of every eight persons examined was female. Applicants ranged in age from 23 to 54, the average successful applicant being 28.8 years old.

By the close of the fiscal year, 145 of the 161 successful bar applicants had been issued Hawaii licenses.

Judicial Council

The Judicial Council is a special division of the Supreme Court composed of judges, lawyers and lay citizens who volunteer their time and effort to act in an advisory capacity to the courts.

Created in 1959 by statute, the Council has undertaken tasks of major dimensions, often involving years of study and review. Its committees have laid the groundwork for extensive revisions of the law (1972 Penal Code, 1976 Uniform Probate Code), changes in court rules, and development of court-related programs and institutions such as the University of Hawaii Law School.

Chaired by Chief Justice William S. Richardson, Council members are Kazuhisa Abe; Wilson P. Cannon, Jr.; Hung Wo Ching; Walter G. Chuck; Herbert C. Cornuelle; Judge Masato Doi; The Rev. Stephen K. Hanashiro; Justice H. Baird Kidwell; Dr. Fujio Matsuda; Mrs. Evanita Midkiff; Hideki Nakamura; Rep. Stanley H. Roehrig; Thomas E. Trask and Henry A. Walker, Jr.

Jury Study

During the year a significant statewide examination of Hawaii's grand and petit jury system was authorized by the Council. A subcommittee chaired by retired Justice Kazuhisa Abe is guiding the study being made by consultants from the National Center for State Courts.

Preserving the Past

A citizens' advisory committee was named to preserve the historical integrity of Aliiolani Hale during its renovation. The committee, co-chaired by Council member Mrs. Evanita Midkiff and Mrs. Margaret Kidwell, proposed "History of the Law and Justice in Hawaii" as a theme for restoration of the century-old Judiciary building that will house the supreme court, the law library and administrative offices.

Land Court

The Land Court, which administers the Torrens System of land registration, is a statewide court of record based in Honolulu and exercising exclusive original jurisdiction over the registration of land titles and easements.

The Torrens System enables landowners to buy, sell or mortgage property without paying substantial title search fees. All appeals go directly to the State Supreme Court.

The Land Court's two judges are assigned by the Chief Justice from among the judges of the First Circuit Court.

Caseload Statistics

There were 2,467 ex parte petitions filed in the Land Court during the fiscal year, a sharp increase of 512 petitions, up 26.2 per cent over the previous year.

In addition, 57 original land registration and contested cases were filed, up 16 per cent.

A total of 46 contested and original land registration cases were terminated, leaving 87 cases pending.

Caseload activity is detailed in the Statistical Data section at the end of this report.

Tax Appeal Court

The Tax Appeal Court is a statewide court of record based in Honolulu with original jurisdiction in all disputes between tax assessor and taxpayer.

All appeals go directly to the State Supreme Court.

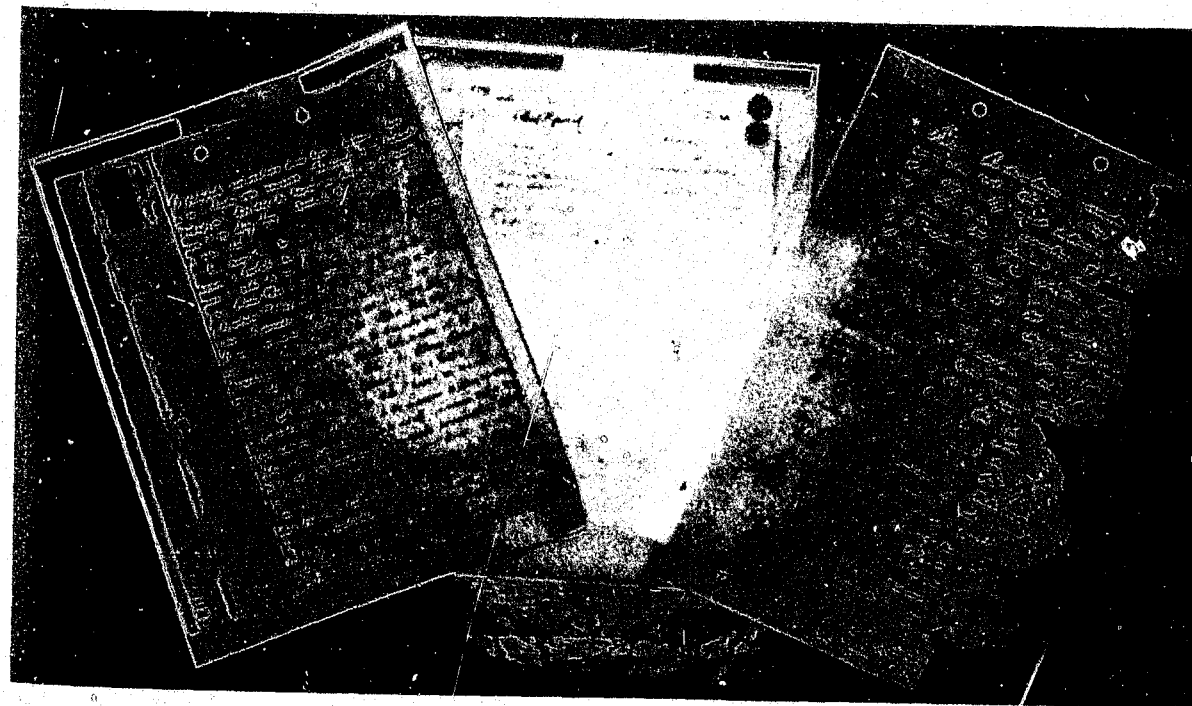
The Tax Court shares the two judges and the staff of the Land Court.

Caseload Statistics

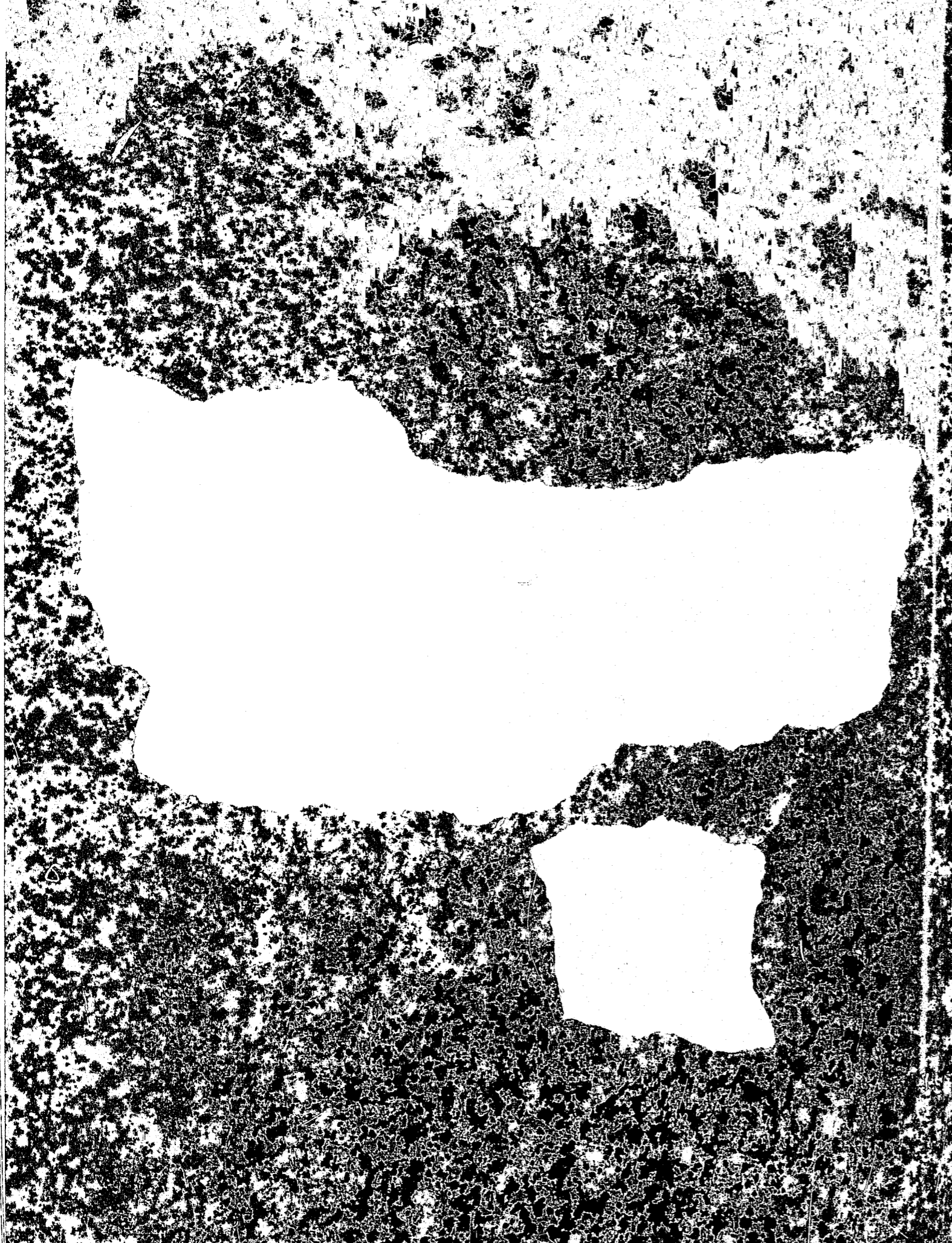
Although the 41 cases filed in the Tax Appeal Court represented a dramatic decrease from the previous fiscal year (148 fewer cases), the total still exceeded that of 1973-74 by 15 cases.

Terminations totaled 58, leaving 30 cases pending at the end of the fiscal year.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Ancient Hawaiian land records are microfilmed.



Circuit Courts

Four circuit courts in the state correspond to the four counties: City and County of Honolulu, First Circuit; Maui, Second Circuit; Hawaii, Third Circuit; and Kauai, Fifth Circuit. There has been no Fourth Circuit since it was incorporated into the Third in 1943.

General Functions

The circuit courts have exclusive jurisdiction in criminal felony cases; civil suits involving more than \$5,000; probate proceedings and determination of heirs; all jury trials; and—within the family court divisions—cases involving marital actions, juveniles and other domestic matters.

Concurrent jurisdiction with the district courts is exercised in civil matters involving less than \$5,000 but more than \$500.

Appeals are made directly to the State Supreme Court.

Judges.

Circuit court judges are appointed by the Governor with the advice and consent of the State Senate, to 10-year terms. They must be attorneys with a minimum of 10 years' experience as members of the Hawaii bar.

Two circuit court judges are designated by the chief justice to hear Family Court matters in the First Circuit.

Circuit Courts Proper

The circuit courts proper handle all proceedings that are not exclusively reserved to the family court divisions.

Offices of the chief clerk are responsible for processing legal documents, maintaining court archives, receiving and disbursing post marital support payments, and administering small estates and guardianship funds.

The chief clerks also assist jury commissions annually in processing the names of thousands of persons as prospective jurors for grand or trial juries.

Caseload Statistics

There were 9,769 cases filed in the circuit courts throughout the state in Fiscal Year 1975-76, an increase of 115 over the previous year.

A significant acceleration was noted in civil actions, up 9.6 per cent. Probate proceedings and supplemental proceedings also showed increases but to a lesser degree. Miscellaneous proceedings decreased more than 30 per cent and criminal actions were down 2.8 per cent from the previous year.



Civil case litigants await trial.

Terminations

A total of 8,094 cases were terminated during the twelve month reporting period. Terminations not only lagged behind filings, but dropped 13 per cent below last year's total. Except for probate and guardianship proceedings, terminations were down in all categories including civil actions and criminal actions.

Caseload activity is detailed in the Statistical Data section at the end of this report.

Family Courts

The family courts are divisions within the circuit courts designed to deal expressly with juvenile offenders and domestic relations matters. They transcend the strictly adjudicatory function to provide a number of counseling, guidance, self-help, detention and supervision programs for both children and adults.

Caseload Statistics

The total number of cases and referrals filed in all Family Courts jumped from 16,885 in Fiscal Year 1974-75 to 18,329 in this reporting period.

Although the past three fiscal years have shown a consistent rise in filings, the increases were small (two to three per cent each year) compared with the sharp 8.6 per cent jump registered for 1975-76. This trend indicates an accelerated filing rate which may affect substantially the Family Court workload during the next few years.

Children's referrals accounted for almost four out of ten cases and referrals filed in all Family Courts. Law violation referrals were up 300 cases over last

year to 4,909, a jump of six per cent. There were fewer referrals for children needing services or protective supervision.

Marital actions accounted for the largest and most consistent increases in filings, up 12 per cent from 5,704 to 6,395. Divorce showed the largest absolute gain, exceeding last year's total by 575 cases, a 12 per cent increase.

Although annulments were up 41 per cent, this figure represents a real gain of only 11 cases. More significant is the 15 per cent increase in uniform reciprocal enforcement of support cases. This gain followed on the heels of Federal legislation to assist in locating missing parents, and can be expected to rise even more when the full impact of the law is felt.

Terminations

Terminations increased slightly from 17,015 to 17,256—not enough to offset a larger total caseload combined with sharply increased filings. As a result, pending cases at the end of the fiscal year totaled 9,736, up 12 per cent over the previous fiscal year.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Family Court directors meet monthly.

First Circuit Court

The First Circuit Court serves the entire Island of Oahu and its 745,400 residents. It also retains jurisdiction over the Kalaupapa settlement of Kalawao, Molokai.

Of the circuit's 13 judges, two are assigned exclusively to the Family Court division, and two head the statewide Tax Appeal Court and Land Court in addition to their duties on the civil calendar.

Circuit Court Proper

Case filings rose three per cent from 6,982 last year to 7,190 in 1975-76. Almost half the total filings were civil actions, up nine per cent over the previous period and possibly a reflection of the depressed economy.

Terminations, on the other hand, were down 15.7 per cent. Terminations decreased in all categories except probate proceedings which showed an 11.6 per cent increase over last year.

Civil Actions

A total of 1,313 civil actions were placed on the Civil Ready Calendar during the fiscal year, a relative increase of 3.8 per cent over the previous reporting period.

Terminations did not keep pace with additions to the calendar: placements by filing Statements of Readiness averaged 109 per month while terminations averaged 97 per month, resulting in an 11.3 per cent increase in backlog over last year.

Civil Ready Calendar

Cases Pending on July 1, 1975	1,280
Statements of Readiness Filed	
July 1, 1975 through June 30, 1976	1,313
Total Caseload	2,593

Cases Terminated

July 1, 1975 through June 30, 1976	1,168
Cases Pending on June 30, 1976	1,425

	74-75	75-76	Change	%
SR filed	1,265	1,313	+ 48	+ 3.8%
Cases Term.	1,388	1,168	-220	-15.9%
Cases Pend.	1,280	1,425	+145	+11.3%

Criminal Actions

The criminal calendar report indicated 1,139 new criminal cases filed involving 1,403 defendants. New



Processing small estates under Probate Code.

criminal filings were down slightly, a little over one per cent. Case dispositions, on the other hand, decreased by more than one-third, leaving a backlog of 1,261 at the end of the year.

Criminal Calendar

	Felony	Misdemeanor		Total
		Traffic	Other	
Cases Pending				
July 1, 1974	765	14	139	918
New Cases Filed	900	47	192	1,139
Commitments-				
District Court		47	191	238
By indictment	888			888
By information	12		1	13
Cases Reactivated	3		2	5
Total Caseload	1,668	61	333	2,062
Cases Disposed	661	46	94	801
Cases Pending				
June 30, 1975	1,007	15	239	1,261

Caseload activity is detailed in the Statistical Data section at the end of this report.

Adult Probation

More than 80 per cent of all adult probation activity occurs in the First Circuit, necessitating the operation of an adult probation department as a separate division. In neighbor island circuits all probation cases are handled by the family courts.

In 1975-76 the supervision caseload totaled 1,895 probationers. There were 578 new placements, an increase of 256 over last year up approximately 80 per cent over the previous year. Investigative activity was up 23 per cent, with 658 presentence investigations conducted.

Family Court

The Family Court of the First Circuit constitutes the largest single court division in the state. Its four branches—Court Services, Children and Youth Services, Detention Services and Adult Services—have an annual total caseload of approximately 21,000 matters involving juvenile and domestic actions.

Caseload Statistics

The number of cases and referrals filed in the First Circuit Family Court rose from 13,166 in 1974-75 to 14,198 this year. This eight per cent increase not only continued but exceeded the trend set during the last three reporting periods. An even greater increase in filings can be expected in the future if this trend continues.

Since 37 per cent of the cases filed were marital action cases, a 15 per cent jump in this category substantially influenced the total gain.

Divorces increased 14 per cent, up from 4,038 to 4,588, a gain of 550 filings. Uniform reciprocal enforcement of support cases rose from 467 to 590, up 26 per cent and reflecting federal legislation to locate missing parents who have abdicated their responsibilities.

The total caseload for the First Circuit Family Court was 21,323, four per cent greater than that reported last year.

Terminations decreased slightly more than one per cent, leaving a 14 per cent increase in the number of cases pending at the end of the year.

Caseload activity is detailed in the Statistical Data section at the end of this report.

Children's Referrals

The consistent increases in all types of marital action filings were partially offset by decreases in the number of children's referrals filed during the year. Referrals dropped from 5,210 to 4,859, a seven per cent decrease. The number of children referred for law violation declined only slightly compared to other types of children's referrals. For example, children needing protective supervision decreased from 1,308 to 1,017, a difference of almost 300, down 22 per cent. Filings for children needing services de-

creased 23 per cent. Children's traffic referrals declined 13 per cent during the fiscal year, but the percentage is based on a difference of only seven referrals.

Detention Service

Hale Ho'omalū, located in mid-town Honolulu, is maintained by the Family Court as a temporary detention facility for children who require secure custody pending court disposition of their cases.

The emphasis is on a secure, yet therapeutic and constructive environment. Medical treatment is provided through a part-time nurse as well as on-call teams of medical specialists. Classroom instruction is supervised by the State Department of Education.

Extra-curricular programs in personal grooming, music, dancing, drawing, painting, crafts and gardening showed significant therapeutic results.

During the fiscal year, there were 1,817 admissions to Hale Ho'omalū, 19 fewer than last year. Almost four out of 10 residents were females. The daily population ranged from a low of 22 in September to a high of 60 in April. Average daily population was 39. Detainees stayed an average of eight days.



Gardening project at Hale Ho'omalū.

Second Circuit Court

The Second Circuit serves the Islands of Maui, Molokai and Lanai, and their aggregate population of 62,100.

The Second Circuit is the state's only circuit whose jurisdiction entails regular inter-island travel. Court proceedings are held in Wailuku, Maui, with at least semi-annual sessions scheduled on Lanai and Molokai.

Circuit Court Proper

Caseload Statistics

Case filings were down by 3.5 per cent from the previous year. This drop occurred primarily in naturalization proceedings, statistically nullifying gains in civil actions, probate, guardianship and supplemental proceedings. Criminal actions decreased by slightly under two per cent from last year.

Terminations were down by less than one per cent. Here again the decrease in naturalization cases accounted for the decline, despite increases in civil, probate and criminal terminations. In fact, miscellaneous proceedings (which includes naturalization) was the only classification showing decreased terminations.

Caseload activity is detailed in the Statistical Data section at the end of this report.

Family Court

Caseload Statistics

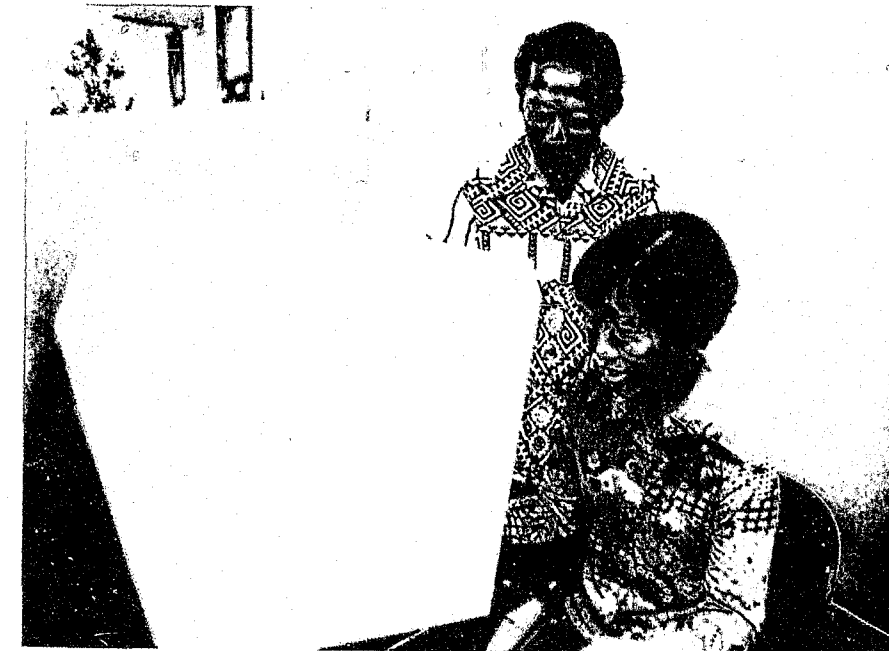
For the second consecutive period filings in the Second Circuit increased. There were 1,319 filings in 1975-76, 182 more than last year's total of 1,137, representing a 16 per cent increase. Children's referrals comprised more than half the total number of filings, jumping 24 per cent. Children's referrals for law violation increased by 100 cases; referrals of children needing protective supervision by 23 cases.

Marital actions remained relatively stable, registering an overall increase of two per cent. There was, however, an eight per cent increase in divorce filings.

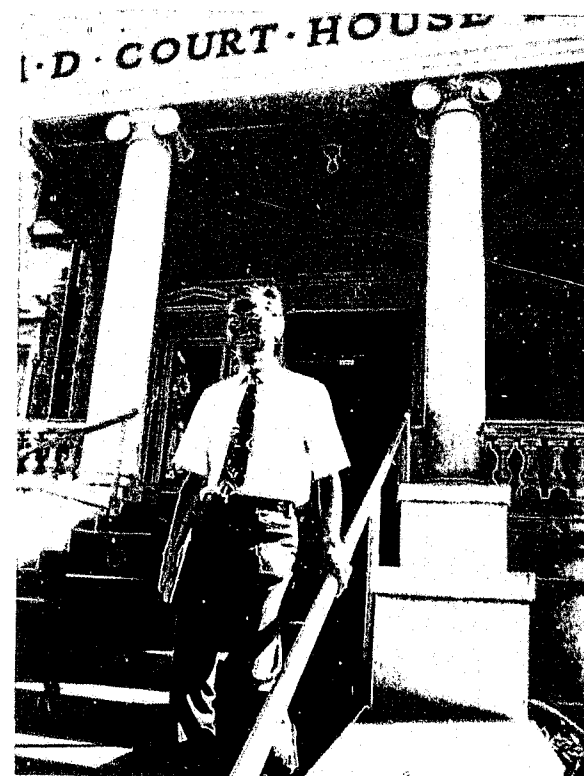
Although terminations increased by 15 per cent this year, the rise was not sufficient to offset a backlog resulting from two years of declining termination rates. Consequently, the number of cases pending at the end of the year was up 26 per cent over last year. This second consecutive period of sharp increase in backlog will bear close monitoring. Children's re-

errals were the primary contributor. Two-and-one-half times as many juvenile law violation referrals were pending at the close of the present year compared to 1974-75.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Testing micro-fiche equipment.



Family Court director leaves Wailuku Courthouse.

Third Circuit Court

The Third Circuit covers the entire Island of Hawaii serving its 80,600 residents. From the courthouse in Hilo, judicial officers and staff commute hundreds of miles regularly for sessions scheduled in Honokaa, Kamuela, Kohala, Kona and Ka'u courthouses.

Circuit Court Proper

Caseload Statistics

Total filings increased over last year by 14 cases or one per cent. Criminal actions showed the greatest total increase, up 53 cases or 22.4 per cent. Supplemental proceedings rose more than 31 per cent. On the other hand, fairly sizeable decreases were noted in probate and miscellaneous proceedings filings.

Case terminations were down by 3.5 per cent from the previous fiscal year. Like the Second Circuit, terminations increased in civil actions, guardianship proceedings, criminal actions and supplemental proceedings. Miscellaneous proceedings was the only classification showing a marked decrease from the previous year. However, unlike the Second Circuit, there was no change in the number of probate proceedings terminated.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Chief clerk is off to conduct probate auction.

Family Court

Caseload Statistics

Filings rose eight per cent above last year's all-time high. This year's increase from 2,038 to 2,209 marks the third consecutive year that filings have risen. A 29 per cent increase in the number of children's referrals for law violation was major. These referrals jumped from 504 to 648. Although there was an accompanying three per cent decrease in juvenile traffic referrals and only small increases in other types, the total number of children's referrals rose from 1,222 to 1,355. This total was 11 per cent above that filed in 1974-75.

Adult referrals also showed an increase (14 per cent) over last year. The greatest gain was in the area of social studies.

Although total marital actions declined slightly (1.2 per cent) divorce was up two per cent.

Terminations increased 10 per cent over last year. Some 2,293 cases were terminated compared with 2,095 in 1974-75, reducing by 11 per cent the number of cases pending at the end of the year.

Caseload activity is detailed in the Statistical Data section at the end of this report.

Fifth Circuit Court

The Islands of Kauai and Niihau with a total population of 36,500 are served by the Fifth Circuit Court.

One judge presently hears all circuit court cases in the Lihue, Kauai Courthouse.

Circuit Court Proper

Caseload Statistics

The total number of cases filed was down 16.7 per cent from last year. Of the 385 cases filed, those in the miscellaneous proceedings classification decreased most notably. However, criminal actions and probate proceedings also declined.

Terminations declined this year by almost 25 per cent with a net decrease of 108 cases. Pending cases totaled 628. Miscellaneous proceedings terminations were down 50 per cent; guardianship proceedings, 48 per cent; criminal actions, 43 per cent; and probate proceedings, 16 per cent. On the other hand, supplemental proceedings terminations nearly doubled, up from 14 last year to 26 in 1975-76. Civil actions terminations also increased, up 19 cases or 20 per cent.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Family Court stenographer needs diversified skills.

Family Court

Caseload Statistics

The year's filings rose to 603, an 11 per cent increase over last year's total of 544. Children's referrals comprised 41 per cent of all cases filed. Fewer than 10 referrals were filed for children needing protective supervision or services. Children's law violations, however, jumped to 190, a gain of 46 referrals, representing a 32 per cent increase.

There was no significant change in the number of marital actions filed. Although there were fewer divorces this year (five per cent) the percentage represents a decline of only nine cases. At the same time, however, uniform reciprocal enforcement of support cases increased by eight per cent to 41 cases.

While terminations increased measurably from 489 to 538, a gain of 10 per cent, the backlog rose by 65 cases over last year, up 22 per cent. Children's referrals showed the greatest increase with 113 pending referrals, 79 per cent above last year. Even more alarming is the percentage increase in the backlog of law violation referrals. Based on a difference of 43 referrals, there were more than twice as many law violation referrals pending at the close of this year as in 1974-75.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Chief clerk must be versatile in neighbor island circuits.



Judge Ernest Kubota

District Courts

As the courts that come closest to the people, the district courts are important to the good order and contentment of the Islands' population.

General Functions

Each of the four judicial circuits in Hawaii has a district court which functions as a court of first instance with limited jurisdiction. District courts exercise exclusive jurisdiction in civil matters involving less than \$500; small claims cases; traffic and other violations; and criminal misdemeanors. They also conduct the initial criminal proceedings in felony cases that originate within their districts.

Concurrent jurisdiction with the circuit courts is exercised in civil matters involving more than \$500 but less than \$5,000. All case decisions are rendered by judges. (Defendants desiring jury trials may have their cases transferred to the circuit court level.)

Hawaii's district courts are courts of record, with all appeals made directly to the Supreme Court.

Judges

Sixteen full-time judges served Hawaii's district courts in 1975-76. Appointed for six-year terms by the Chief Justice, they must be attorneys with a minimum of five years' experience as members of the Hawaii bar.

A 12th judgeship was funded by the Eighth Legislature to become effective July 1, 1976 in the District Court of the First Circuit. The additional judge is provided to hear small claims cases in an attempt to establish uniform practice and set precedents for decisions.

In Hawaii's unified court system, district judges may be assigned from one circuit to another when needed.

Rules Revision

Eleven district court judges along with selected Judiciary personnel from across the state met in April, 1976 to wrap up revision of court rules on penal procedures and update the criminal division manual. The project was federally funded.

Counseling Services

As an integral part of the public services performed by the district courts, the Counseling Service prepares presentence investigations, supervises adult misdemeanants referred either by sentence or Deferred Acceptance of Guilty pleas, and provides casework services to misdemeanants and their families.

The First Circuit has a separate counseling section; the Second and Fifth Circuits utilize family court social workers; and the Third Circuit has a case worker federally funded by the Law Enforcement Assistance Administration.

Caseload Statistics

The district courts reported an increase in both the number of cases filed and terminated during the fiscal year. A total of 603,038 cases were filed, up five per cent over 1974-75. Although terminations increased more than three per cent to 597,583 cases, the total did not keep pace with the increase in filings.

Civil actions, which comprise only two per cent of all district court filings, declined by approximately five per cent from 12,189 cases in 1974-75 to 11,633 in this reporting period.

There was a 10 per cent decrease in the number of criminal actions, down from 19,117 in 1974-75 to 17,018 this year.

Leading specific offenses were larceny (under \$50) and drunk driving, followed by assault and gambling.

Caseload activity is detailed in the Statistical Data section at the end of this report.

Violations Bureau

The Violations Bureau is an arm of the court that prepares and processes citations for traffic and other violations. It accounts for a vast amount of terminations since the majority of violators forfeit bail via a postage-paid citation form developed by the Bureau. These return mail citations are uniform and operative in all circuits, with central records maintained in the Bureau's Honolulu offices.

Traffic and Other Violations

Offenses relating to traffic, air pollution, airport ramps, packaged goods, weights and measures, animal complaints, fish and game, harbor boating, industrial safety, etc. numbered well over a half million matters for the fifth consecutive year. Cases totaled 574,387, a jump of 13 per cent over 1974-75.

Driver Improvement

The only statewide program in the nation to be run by a judiciary, the Driver Improvement Program is a major preventive effort directed at both adult and juvenile traffic offenders. Defensive driving, remedial driving, and prevention of driving while intoxicated are targeted in classroom instruction and counseling.

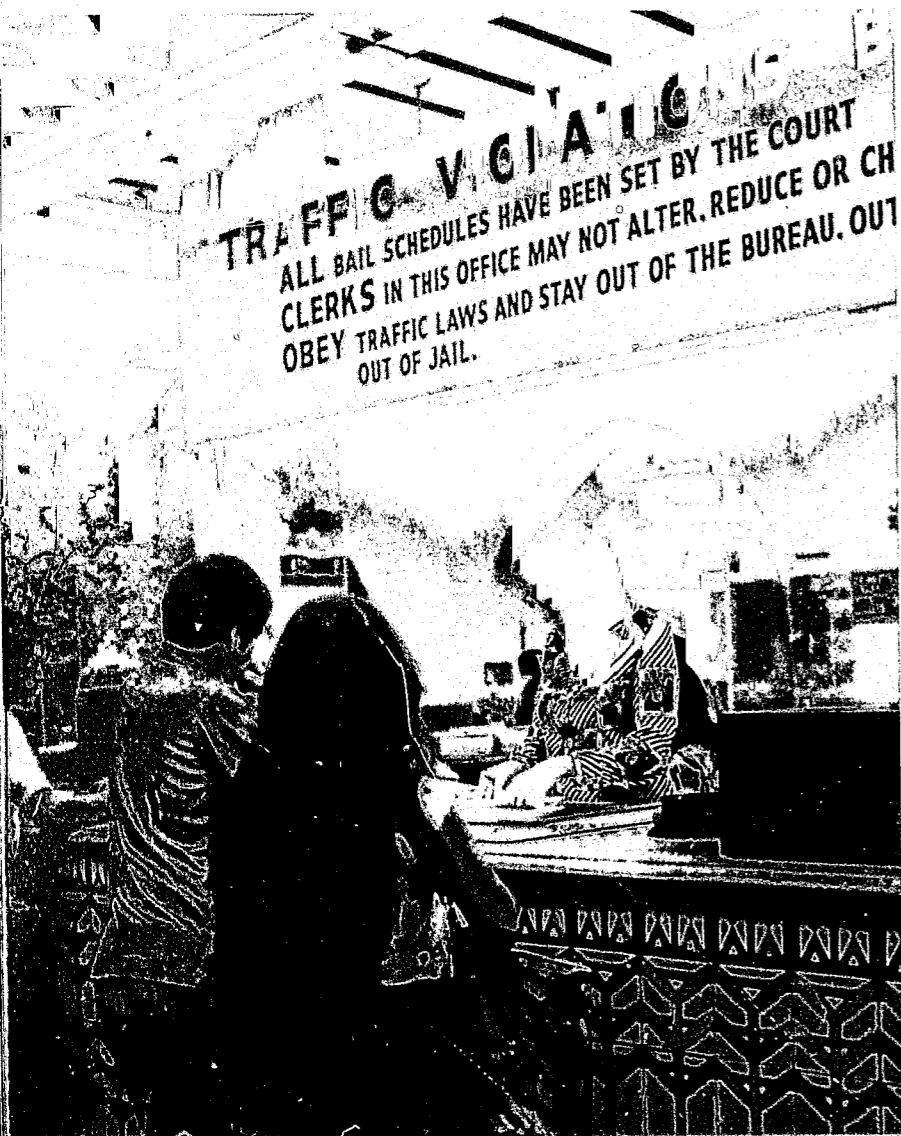
District Court of the First Circuit

The District Court of the First Circuit encompasses the Island of Oahu and includes the Kalaupapa settlement in Kalawao, Molokai.

General Functions

The main courthouse in downtown Honolulu serves as headquarters for 11 judges who also preside over satellite courtroom proceedings in the six rural divisions of Ewa, Koolauloa, Koolaupoko, Waianae, Wahiawa and Waialua.

A Violations Bureau operates as a division of the court and is responsible for maintaining a central depository of all traffic records in the state.



Processing traffic citations.

A 12th judgeship was funded by the 1976 Legislature to become effective at the beginning of the next fiscal year.

Counseling Services

In the ten years from 1966 to 1976, Counseling Services criminal case referrals have increased by 700 per cent from 271 in 1966 to 2,167 in 1975-76. The latter total was up 38 per cent from the previous reporting period.

Dispositions numbered 1,478 cases, including 972 cases where pre-sentence reports were completed and 483 supervision cases discharged.

Counseling Services also monitored 356 alternative community service sentences during the fiscal year.

Caseload Statistics

A total of 531,264 cases in all categories were filed in the District Court of the First Circuit this year, comprising 88 per cent of the total filings in all district courts.

Filings increased by more than 20,000 cases, up four per cent from the prior reporting period. Decreases in civil and criminal filings were offset by increases in both traffic and other violations.

Terminations for the fiscal period fell short of filings in all major categories increasing the total number of pending cases to 51,981, up more than 3,000 from last year.

Caseload activity is detailed in the Statistical Data section at the end of this report.

Violations Bureau

Although more than 554,000 traffic citations were issued by enforcement agencies during the fiscal year, the total was less by 2,900 than in the previous reporting period.

The Bureau is responsible for accepting bail forfeitures, and for the accounting, recording and controlling of all traffic complaints, summonses and parking citations issued. It also supplies forms and collects bail for violations of environmental codes and laws governing weights and measures, fish and game, dogs, harbor boating, parks, airport ramps, industrial safety and animal quarantine.

Of 545,000 traffic citations terminations, eight out of ten were disposed of outside traffic court. Almost half of the dispositions were from bail by mail.

Revenues collected by the Violations Bureau exceeded \$2.4 million during the period.

The Driver Improvement Program is a core project of the Violations Bureau with outreach to all neighbor island circuits.

District Court of the Second Circuit

The District Court of the Second Circuit serves the Islands of Maui, Molokai and Lanai.

General Functions

Two judges extend judicial services from the main courthouse in Wailuku, Maui to satellite courtrooms in Lahaina, Paia, Hana and on Molokai and Lanai.

Population increases in the rural Kula and Pukalani areas are expected to require additional services there.

In addition to their regular duties district judges presided over all family court matters in the Second Circuit for the second consecutive fiscal period.

Caseload Statistics

Case filings declined by nine per cent from 25,268 in 1974-75 to 22,981 in this reporting period.

Traffic offenses were down by more than 3,000 cases (a sizeable 17 per cent), offsetting a 39 per cent increase in other violations. Criminal filings also decreased. Civil filings registered the only increase, rising by 21 per cent during the year.

The number of terminations decreased 11 per cent, down from 24,680 in 1974-75 to 21,926 this year.

Declines in terminations were registered in traffic violations and criminal offenses, while gains were noted in civil actions.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Chief clerk monitors court activities.



Helping citizens file small claims.

District Court of the Third Circuit

Headquartered in Hilo, the District Court of the Third Circuit, with two judges, serves the entire Island of Hawaii.

General Functions

Judges travel thousands of miles annually to preside in divisions maintained in South Hilo, North Hilo, Kau, Puna, Hamakua, North and South Kohala, and Kona.

A striking advantage of Hawaii's unified court system is again evident in the district court on the Big Island where the Chief Justice has designated district judges to assist in adjudicating family court cases.

Caseload Statistics

The District Court of the Third Circuit experienced significant gains in both filings and terminations during this reporting period. Filings increased from 31,211 in 1974-75 to 41,541 this year, a gain of 33 per cent.

The largest increase in filings was found in traffic violations which jumped to 24,958, up 9,063 filings or 57 per cent. There was a 10 per cent increase in other violations filings.

Criminal filings increased 10 per cent during the fiscal year, while civil filings showed the only decline, down 156 cases or 18 per cent.

Terminations during the fiscal year followed a pattern similar to filings, increasing from 30,901 to 41,195 for a gain of 33 per cent over the last reporting period.

Violations terminations registered the largest increase—38 per cent over last year;—while criminal terminations rose by 10 per cent.

Civil terminations reflected the decline in civil filings during the year, dropping 15 per cent based on a 130 case difference between totals for the two fiscal periods.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Judge Robert Ito



Lines form early for business with court.

District Court of the Fifth Circuit

The District Court of the Fifth Circuit, with one judge, serves the Islands of Kauai and Niihau. Headquarters are in Lihue, Kauai, with four rural divisions in Koloa, Hanalei, Kawaihau and Waimea.

Facilities

During the reporting period a new courtroom in the Waimea Neighborhood Center and a long-sought courthouse in Koloa were opened with dedication ceremonies.

Caseload Statistics

Both filings and terminations showed an increase in Fiscal Year 1975-76.

Civil and traffic violations filings dropped, but the reduction was offset by a 38 per cent increase in other violations.

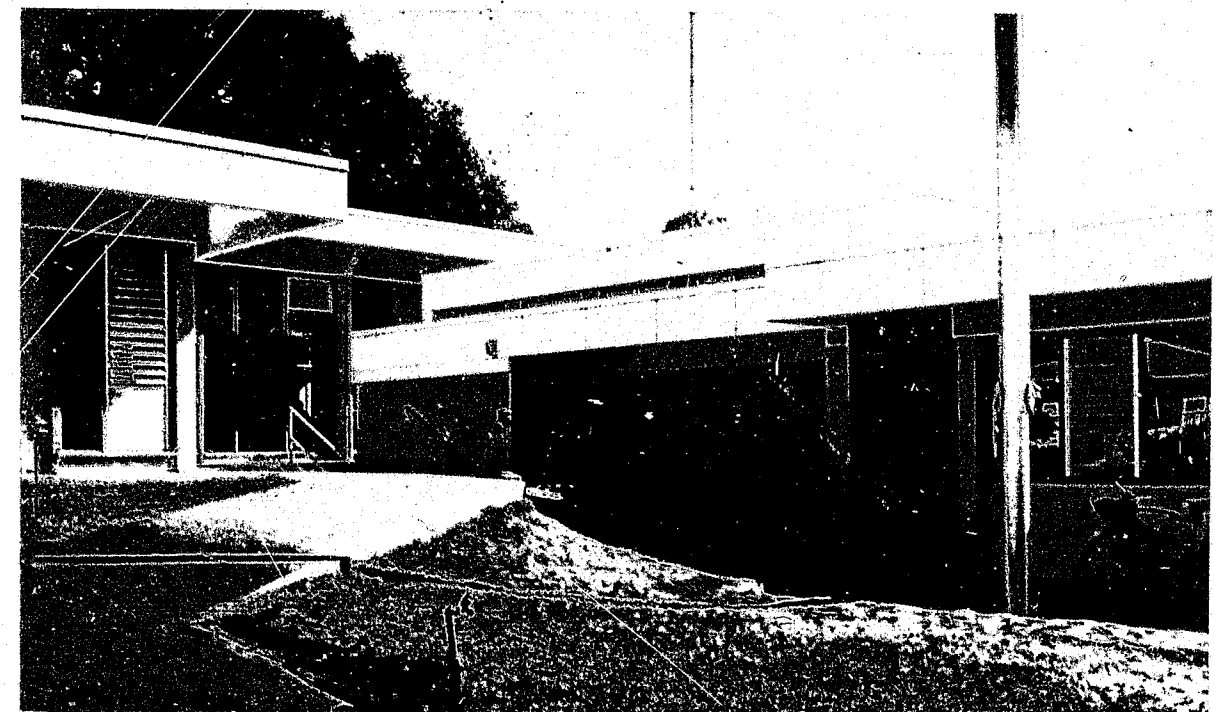
Criminal filings showed an increase of less than one per cent. Although drug arrests and drunk driving led in the criminal actions category, these violations dropped below last year's totals.

Terminations were up 503 cases from 6793 in the previous year to 7,296 in Fiscal 1975-76, an increase of nine per cent.

Caseload activity is detailed in the Statistical Data section at the end of this report.



Judge Kei Hirano



New court facility in Waimea, Kauai.

Support Services

Lending support to the judicial process by developing innovative programs and adopting modern management practices is a function of the Office of the Administrative Director.

Office of the Administrative Director

Appointed by the Chief Justice with the approval of the Supreme Court, the administrative director heads a central office with responsibility for statewide programming, budgeting, personnel and management operations of the Judiciary.

He is assisted by a deputy administrative director who, in addition to administering the District Court of the First Circuit, coordinates management of the rest of the state's district courts and assists in developing Judiciary policy.

A 1975-76 operating budget of \$12.6 million (1.71 per cent of the total State General Fund) was administered by the central office. Centralized budgeting, purchasing and accounting procedures are employed to upgrade Judiciary functioning and promote uniformity.

State Judiciary capital improvement projects are planned by the central office and will total approximately \$54 million over the next five years.

Facilities

During the fiscal year new court facilities in Waimea and Koloa, Kauai were dedicated, and planning proceeded for a Kaneohe district court.

Processing began for site acquisition, and an architectural firm was selected to design the Honolulu District Court building to be located at Hotel and Alakea Streets.

Site for a new First Circuit judicial complex in Kakaako was considered, with land acquisition targeted in 1976-77.

Administrative offices moved from Aliioli Hale to the I'i building at 403 So. Queen St. where they will remain until extensive renovations to the Judiciary building are completed.

Personnel and Management

As the central personnel office for some 700 employees of the Judiciary, the Office of the Administrative Director administers all non-judicial personnel. Processing new hires, preparing payroll, and developing training programs are among functions performed.

This past year the office sponsored several in-service training programs for staff of all circuits, in-

cluding seminars on communications and effective decision making for Unit 13 (Professional and Scientific) personnel.

Public Information Office

An information arm of the Judiciary, this office provides educational and information materials about court operations, services and programs for distribution to the general public, the Legislature, government and private agencies, and court personnel.

A public information officer answers written and telephoned information requests and complaints; edits a Judiciary newsletter; prepares media releases and assists the Chief Justice and Administrative Director in the preparation of public addresses and official reports, chief among them the *Annual Report*.

Volunteer Services to the Judiciary

This program, now in its fifth year, serves not only to meet shortages of personnel in probation counseling and other services in the family and district courts, but enhances citizen understanding of Judiciary aims by promoting personal participation (some 840 volunteers) in its program.

In December, 1975, the program became an operational part of all the courts in the state with the addition of five full time assistant coordinators hired



Administrative Director Lester E. Cingcade

through temporary funding by the State Comprehensive Employment Training program. During the past fiscal year 217 volunteers contributed 18,556 hours at a savings to the Judiciary of almost \$67,000.

Research and Development

The central office administers a number of federally funded projects designed to benefit the Judiciary. Chief among them are operations computerization, criminal statistics analysis, jury system studies, and various family court programs.



Information Officer Corinne Opsahl

Law Library

The Supreme Court Law Library and its satellite collections in the Second, Third and Fifth Circuits constitute the State Law Library System.

Although its first responsibility is to provide judges and staff of all courts with information and material, it also serves as a primary resource for the community.

More than 49,000 people used the library during the fiscal year. At the central library, which maintains the major portion of the collection of 123,000 books, the combined reference and circulation use in 1975-76 totaled 116,672 instances.

The central library performs the budgeting, planning and purchasing for the entire system. Its staff performs its own cataloguing, indexing and book restoration. The staff this year bound 430 volumes and prepared 500 periodicals for commercial binding.

A two-year effort to catalog neighbor island collections was completed and installed by the assistant law librarian.



Table 9

CASELOAD ACTIVITY FY 1975-76, CIRCUIT COURT PROPER
SECOND CIRCUIT

Table with 20 columns: CASELOAD ACTIVITY (Pending at Start, Filed, Total Caseload, Terminated, Pending at End) and TYPE OF TERMINATION (DISMISSAL, NON-JURY, JURY, HEARINGS). Rows include TOTAL CASES, Primary Proceedings, Civil Actions, Probate Proceedings, Guardianship Proceedings, Miscellaneous Proceedings, Criminal Actions, and Supplemental Proceedings.

Table 10

CASELOAD ACTIVITY FY 1975-76, CIRCUIT COURT PROPER
THIRD CIRCUIT

Table with 20 columns: CASELOAD ACTIVITY (Pending at Start, Filed, Total Caseload, Terminated, Pending at End) and TYPE OF TERMINATION (DISMISSAL, NON-JURY, JURY, HEARINGS). Rows include TOTAL CASES, Primary Proceedings, Civil Actions, Probate Proceedings, Guardianship Proceedings, Miscellaneous Proceedings, Criminal Actions, and Supplemental Proceedings.

Table 11

CASELOAD ACTIVITY FY 1975-76, CIRCUIT COURT PROPER FIFTH CIRCUIT

Table with columns: CASELOAD ACTIVITY (Pending at Start, Filed, Total Caseload, Terminated, Pending at End) and TYPE OF TERMINATION (Dismissal, Non-Jury, Jury, Hearings, Others). Rows include: TOTAL CASES, Primary Proceedings, Civil Actions, Probate Proceedings, Guardianship Proceedings, Miscellaneous Proceedings, Criminal Actions, Supplemental Proceedings, etc.

Table 12

CASELOAD ACTIVITY FY 1975-76, FAMILY COURTS ALL CIRCUITS

Table with columns: CASELOAD ACTIVITY (Pending at Start, Filed, Total Caseload, Terminated, Pending at End) and TYPE OF TERMINATION (Nolle Prosequi, Dismissal, Non-Jury, Jury, Hearings, Counseling Services, Others). Rows include: TOTAL CASES, Primary Proceedings and Referrals, Marital Actions and Proceedings, Adoption Proceedings, Paternity/Parental Proceedings, Miscellaneous Proceedings, Criminal Actions, Children's Referrals, Supplemental Proceedings, Status Dispositions*, Auxiliary Order*

*Not included in caseload totals

Table 19

CASELOAD ACTIVITY FY 1975-76, DISTRICT COURT
SECOND CIRCUIT

Table with columns: CASELOAD ACTIVITY (Pending at Start, Filed, Total Caseload, Terminated, Pending at End) and TYPE OF TERMINATION (CIVIL, TRAFFIC & OTHER VIOLATIONS) with various termination methods like Discontinuance/Dismissal, By Default/Confession, By Trial, etc.

CASELOAD ACTIVITY

TYPE OF TERMINATION

Table with columns: CASELOAD ACTIVITY (Pending at Start, Filed, Total Caseload, Terminated, Pending at End) and TYPE OF TERMINATION (MISDEMEANOR, FELONY) with various termination methods like Discharge/Dismissal, By Nolle Prosequi, Stricken, etc.

Table 20

CASELOAD ACTIVITY FY 1975-76, DISTRICT COURT
THIRD CIRCUIT

Table with columns: CASELOAD ACTIVITY (Pending at Start, Filed, Total Caseload, Terminated, Pending at End) and TYPE OF TERMINATION (CIVIL, TRAFFIC & OTHER VIOLATIONS) with various termination methods like Discontinuance/Dismissal, By Default/Confession, By Trial, etc.

CASELOAD ACTIVITY

TYPE OF TERMINATION

Table with columns: CASELOAD ACTIVITY (Pending at Start, Filed, Total Caseload, Terminated, Pending at End) and TYPE OF TERMINATION (MISDEMEANOR, FELONY) with various termination methods like Discharge/Dismissal, By Nolle Prosequi, Stricken, etc.

Table 21

CASELOAD ACTIVITY FY 1975-76, DISTRICT COURT
FIFTH CIRCUIT

	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	CIVIL			TRAFFIC & OTHER VIOLATIONS						
						By Discontinuance/Dismissal	By Default/Confession	By Trial	By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	
CIVIL, TRAFFIC & OTHER VIOLATIONS	367	6,773	7,140	6,823	317	143	233	21	690	4	30	4,332	1	1,369	
CIVIL ACTIONS	245	402	647	397	250	143	233	21							
Regular Civil	186	341	527	342	185	115	215	12							
Assumpsit	168	328	496	332	164	111	211	10							
Non-Payment of Taxes		3	3	2	1	1	1								
Tort	1	3	17	3	14	1	1	1							
Summary Possession	3	7	10	5	5	2	2	1							
Other	1		1		1										
Small Claims	59	61	120	55	65	28	18	9							
Assumpsit	58	57	115	52	63	27	18	7							
Tort	1	2	3	1	2	1	1								
Other		2	2	2		1	1								
TRAFFIC VIOLATIONS	122	3,724	3,846	3,766	60				638	2	28	1,842	1	1,275	
Moving Arrest & Citation	64	1,354	1,418	1,395	23				232	2	16	194	1	950	
Non-Moving	58	1,102	1,160	1,123	37				392		12	400		319	
Parking		1,268	1,268	1,268					14			1,248		6	
OTHER VIOLATIONS		2,647	2,647	2,640	7				52	2	2	2,490		94	
Airport		2,445	2,445	2,444	1				1			2,441		2	
Dog Leash		109	109	109					23	1	1	42		42	
Fish & Game		42	42	39	3				2	1		3		33	
Harbor Violations															
Industrial Safety															
R.U.C. Violations		1	1	1										1	
Weights & Measures		2	2	2								2			
Other		48	48	45	3				26		1	2		16	

	CASELOAD ACTIVITY					TYPE OF TERMINATION									
	Pending at Start	Filed	Total Caseload	Terminated	Pending at End	MISDEMEANOR					FELONY				
						By Discharge/Dismissal	By Nolle Prosequi	Stricken	By Bail Forfeiture	By Commitment to Circuit Court Jury Trial Demanded	By Conviction	Stricken or Discharged	By Commitment to Grand Jury	By Commitment to Circuit Court	
CRIMINAL ACTIONS	31	479	510	473	37	73	66	9	46	20	232	8	10	9	
Part I															
Murder & Non-Negligent Manslaughter	4	64	68	60	8	5	11		6		15	7	10	6	
Negligent Homicide		1	1		1										
Forcible Rape		1	1	1								1			
Robbery															
Aggravated Assault		7	7									3	3	1	
Burglary	1	9	10	8	2							2	4	2	
Larceny-Over \$50		11	11	11		3	2				3	2	1		
Larceny-Under \$50	3	31	34	29	5	2	9		6		12				
Auto Theft		4	4	4										3	
Part II	27	415	442	413	29	68	55	9	40	20	217	1		3	
Other Assaults															
Arson	2	60	62	59		5	2	1	1	13	37				
Forgery & Counterfeiting															
Fraud	1	4	5	5						1	2			1	
Embezzlement															
Stolen Property		1	2	2							1				
Vandalism	1	9	10	8	2	1	1			2	4				
Weapons	2	14	16	14	2	3	4				6			1	
Prostitution	1		1	1											
Sex Offenses		2	2	2						1	1				
Narcotic Drug Laws	11	58	69	53	16	13	19		10	2	9			9	
Gambling		7	7	7			4				3				
Offenses Against Family & Children															
Driving Under the Influence	1	86	87	86	1	6	1	1	9	1	68				
Liquor Laws															
Disorderly Conduct		11	11	11		2	2	1			6				
Vagrancy															
All Other Offenses	7	163	170	165	5	38	20	6	18	1	80	1		1	

- Sources for Design of Hawaiian Petroglyphs
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