



HAWAII WOMEN LAWYERS

NEWSLETTER

March, 1991

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March Monthly Meeting: The How and Why of Networking

Date: Thursday, March 28, 1991 (New Day)

Time: Noon to 1:00 p.m.

Place: Cades Schutte Fleming & Wright,
1000 Bishop Street, 15th Floor Conference Room #1

Topic: The "How and Why" of Networking

HWL is holding its second annual brown bag luncheon on the importance of networking for women professionals. We are very fortunate to have Lisa Smith for our guest speaker. Ms. Smith is President of King & Neel Consulting, Inc., and this year's president of the Professional Women's Network. She will be joined by Trudy Burns, an associate at Chun, Kerr, Dodd & Kaneshige, and a member of PWN. We will discuss practical tips on how to network and why, including how to build professional contacts, increase possible new clients for your firm, and provide new career opportunities for yourself! Please join us.

Highlights of the HWL Retreat

The officers and directors and other members of HWL gathered for a retreat on February 9 to brainstorm and put together some ideas for the future of Hawaii Women Lawyers. Ellen Godbey Carson, the outgoing president of HWL, gave a brief overview of the history of the organization. Then HWL's 1991 president, Linnel Nishioka, described her vision for the future.

In brief, Linnel pointed out that HWL has achieved a great deal of visibility and credibility in the community through the success of its various projects. Now we need to move forward and involve more members in the projects. The focus this year will be to improve our internal organizational structure and to involve more members in the broad spectrum of HWL projects. We hope to expand the newsletter and diversify the monthly educational meetings, with each board member taking responsibility for planning at least one program. A number of interesting suggestions were made for the monthly meetings — look forward to some innovative programs!

The retreat participants also reviewed the activities of the Legislative Committee, discussed ways of getting more women appointed to boards and commissions, and sought ways to meet the increasing administrative needs of HWL. All in all, it was a very successful retreat that energized the participants and excited everyone about HWL's future!

Second Printing of Legal Rights Handbook

Due to the phenomenal success of the Legal Rights Handbook, a second printing of 10,000 will be available for pick up this month at the State Commission on the Status of Women, 335 Merchant Street, Room 253. If you would like further information, please call 548-4199.

Hawaii Lawyers Kokua Program

Judge Francis Yamashita of the District Court will discuss District Court practice at a Hawaii Lawyers Kokua Program brown bag lunch on Wednesday, April 10, from noon to 1:15 p.m. at the third floor courtroom of the Intermediate Court of Appeal, 335 Merchant Street. Please bring your lunch and attend what promises to be an informative and interesting program!

Domestic Violence Clearinghouse Position

Program director. Full time position. Responsible for overall management/operation/evaluation of domestic violence program. Must have excellent oral and written communication skills, ability to supervise/direct professional personnel and staff. Act as liaison with community and governmental agencies.

Staff Attorney. Full-time. Responsible for managing and coordinating case load and supervising intake/paralegal staff of domestic violence program. Must be licensed to practice law in Hawaii.

Intake Paralegal: Two full-time positions available. Under supervision of staff attorney, evaluate/handle calls and service clients of domestic violence program. Must have Bachelor's or paralegal degree and minimum of two years experience in legal field.

Administrative Assistant. Full-time. Coordinate administrative activities under supervision of domestic violence program director. Excellent written and oral communication skills required.

Bilingual Intake Staff. Two part-time positions available. Function as interpreters for Korean, Laotian or Vietnamese clients receiving assistance from domestic violence program.

Secretary/Receptionist. Full-time. Provide clerical support to domestic violence program director and staff. Must type 70 wpm and have computer/word processing skills.

Salaries commensurate with experience. Mail resume to Cori Ching Weston, Esq., Attn: Domestic Violence Clearinghouse, c/o Foley Maehara Judge Nip and Chang, 2700 Grosvenor Center, 737 Bishop Street, Honolulu, Hawaii 96813. Domestic Violence Clearinghouse is an equal opportunity employer.

U.S. Attorney's Office Seeks Applicants

The U.S. Attorney's Office has four immediate openings for experienced litigators. Interested applicants should contact Michael Chun, Chief of the Civil Division, at 541-2850.

Judicial Selection Commission Candidates Express Their Views

Hawaii Women Lawyers invited all of the candidates for the Judicial Selection Commission to express their views on any two issues they selected from a list of five issues drafted by the HWL Newsletter editors. The candidates were limited to no more than 150 words on each of the two issues. In fairness to all the respondents, some of the responses have been edited to keep them within the length limitation.

The opinions of those candidates who responded by the deadline are printed in the insert to this month's newsletter, and make for interesting reading that we hope will help our readers in their selection of a new member of the Judicial Selection Commission. We thank all of the participants for their prompt and thoughtful responses.

Sexual Harassment in Japan

The Hawaii Chapter of the Industrial Relations Research Association is presenting Professor Hiroko Hayashi, professor of law at Fukuoka University in Japan, at a luncheon on Thursday, April 4, 1991 at the Robert Louis Stevenson Room of the Princess Kaiulani Hotel. No-host beer and wine will be served beginning at 11:30 a.m., followed by lunch at noon. The cost is \$15.50 to IRRA members and \$17.50 to non-members. Please call Debbie Wong at 956-8165 or Kathy Hamada-Kwock at 521-6941 for reservations. The deadline for reservations is March 28, 1991.

Since World War II, Japan has made great strides in rebuilding its economy and becoming a world leader in advanced technology. In the economic development and Japan's adaptation to structural changes in the world market, women have played a vital role. Today working women make up half of Japan's labor force, yet Japanese women face tremendous obstacles in their attempt to acquire equality in the workplace.

Although women college graduates start out with comparable pay, men advance faster and earn more during their careers. Employers provide little or no job training for women workers who are expected to follow the pattern of "early retirement," or leaving the workplace after childbirth to care for their families. Women are limited to a narrower range of occupations, paid lower salaries, and promoted at a slower rate.

In July 1990, the Tokyo district court ruled that promoting male employees while excluding their female colleagues constituted sex discrimination in a case that took 10 years to wend its way through the court system. In December 1990, the first court decision on sexual harassment was issued.

Hiroko Hayashi, professor of law at Fukuoka University and the author of numerous publications on labor issues, will examine the status of the woman worker in Japan with respect to discriminatory employment practices, in particular sexual harassment.

RESPONSES FROM JUDICIAL SELECTION COMMISSION APPLICANTS

Issues

1. Would the fact that many women attorneys in practice today have less litigation experience than do male attorneys, in general, be considered a liability in the judicial selection process?
2. Do you feel that the disproportionate number of male judges results in inequities in the judicial system as it impacts upon judicial policy-making and decisions?
3. What is your position on the proposal that the number of years of practice required for per diem District Court judges be extended from five years to ten years?
4. What recommendations would you make to Hawaii Women Lawyers to encourage more women to apply to the Judicial Selection Commission?
5. Please identify five to seven desirable qualities that you feel are important for a judge to have, whether the judge be male or female. Please prioritize the qualities and explain their significance.

1. There is a widely held misconception that trial experience is the most important criterion in judicial selection. Certainly it is one of the factors to consider. But there are many others, such as judicial temperament, integrity and moral courage, diligence and decisiveness, compassion and fairness, etc. Four of the last seven judicial appointments were women: Judges Harriet Holt, Leslie Hayashi, Victoria Marks and Virginia Crandall. They are all excellent selections. They had varied levels of trial experience but obviously made the list of six. We on the Judicial Selection Commission seek the best nominees possible. The record speaks for itself.

2. I believe that the recent appointments of Judges Harriet Holt, Leslie Hayashi, Victoria Marks and Virginia Crandall should be emphasized to the women lawyers through your organization and the Bar News. All too often, excellent possible candidates do not apply because they feel that they "would not have a chance." Knowing that their peers have been selected would lend greater incentive to their applying. As I said in the previous answer, the record speaks for itself.

Therefore, the judge must be cognizant

2. Yes. While there is a disproportionate number of male judges in Hawaii, the inequities in litigation extend far beyond the issue of numbers. I do not believe there has been a proper discussion of creating a "level playing field" in the courtroom for female practitioners. Subtle statements and actions by male judges, subconsciously rendered, have placed female practitioners in disadvantaged positions.

In my opinion, a judge who is not aware of the subconscious discrimination against female practitioners, and against women in society, cannot guarantee against rendering unfair decisions in cases involving or affecting women. Female judges will bring another perspective to judicial policy-making decisions and concerns experienced by female practitioners that may not be evident to male judges.

5. Many of these qualities are of equal importance.

A. A sense of fairness. This is the most important quality for a decision maker. When persuasive rhetoric and a proper application of law are reviewed, a judge must apply an inherent sense of right to each decision.

B. Lack of bias and prejudice. A judge must be cognizant of avoiding bias and prejudice influencing decisions. Therefore, the second most important quality for a judicial candidate is an insight into the possibility of personal prejudices and a desire to overcome them. Our judicial system must be to be fair to all who come before it, both advocates and parties.

C. Dedication and hard work.

D. Courage and integrity. A judge must be willing to follow a proper course of action even when that may be unpopular. A judge must have the integrity to make the difficult decisions and follow through on convictions.

E. A proper judicial temperament. A judge must genuinely display the aura of interest, respect, understanding and courtroom decorum.

F. An insight into human motivation. A judge should have an understanding of why parties may have acted in the manner they did.

G. A desire to solve problems. A judge who is interested in the resolution of problems and who has the qualities of a mediator, including innovation and imagination, services the highest cause of justice. Too often, judges leave the solution of problems to a trial. A judge must also be interested in settlement and resolution by methods other than trial decision.

OF PROBLEMS TO A JUDGE: A JUDGE MUST BE ABLE TO RESOLVE
settlement and resolution by methods other than trial decision.

Jack Schweigert

3. A per diem district court judge must be able to resolve a high volume of all kinds of criminal and civil cases without the assistance of a law clerk and with little briefing. Therefore, I am not opposed to increasing the number of years of practice one must have before being eligible to be a judge from five to 10 years.

5. As to qualities that are important for a judge to have, I believe they would include: (1) integrity: to be honest is one thing, but to be able to remain impartial as to your personal beliefs and opinions means decisions rendered are fair; (2) patience: this quality allows for detachment from the emotional issues, and a judge who is patient and displays no emotional involvement with his cases can truly see the forest through the trees; (3) wisdom: to be intelligent is one thing--yet many intelligent people have tunnel vision. Wisdom is a virtue into itself; (4) courage: a judge should leave no stone unturned in their desire for justice and have the courage to withstand political or other pressures to reach a fair decision; (5) compassion; (6) humility; and (7) commitment.

Leonor Tamoria

2. I believe that the judicial system should be reflective of the community it serves. More and more, the United States Supreme Court has left important issues, such as civil rights, - for state courts to decide. Our community has large segments - women, children, immigrants - that do not even have access to legal services. Yet judicial policy-making and decisions are made concerning them by largely male judges. I am a woman and a Filipino immigrant, and I see a strong need for judges who at least should be sensitive to these issues.

4. The recommendation I would like to make to encourage more women to apply for the Judicial Selection Commission is for the organization to visibly provide organizational support through lobbying or material and financial support. Special interest groups, such as the plaintiffs' attorneys and the insurance defense lawyers, have conducted costly campaigns to have their candidates elected or appointed.

HWL MEMBERSHIP

HWL invites you to become a member, or to renew your membership dues, if you have not already done so. The date on your address label shows the last date your dues are current. (Dues run from July 1 to June 30 of the following year.) Please send the following form to HWL, P.O. Box 2072, Honolulu, Hawaii 96805. Dues are as follows:

Regular members \$30 Out-of-state members \$20 Student members \$10
New admittees (within 1 year of Hawaii admission) \$20

HWL President's Circle: \$100 \$500 \$1000 (circle one)

Name _____ Phone (day) _____ (night) _____

Mailing Address _____

Please indicate if you are interested in information about serving on the HWL Board or Committees

Please note any topics or projects in which you would be interested in assisting

Moved? Name change? Receiving duplicates? Please send old mailing label with corrections to HWL, P.O. Box 2072, Honolulu, Hawaii 96805. If you have any announcements you wish to submit for the monthly newsletter, please call Susan Arinaga at 543-4791, Rhonda Nishimura at 537-6119, or Kathy Young at 523-0111, or send a copy to HWL by the end of every month.

HAWAII WOMEN LAWYERS

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