

# HAWAII WOMEN LAWYERS

## NEWSLETTER

March 1997

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## Put The Bucks Back In The Bill!

*If the Legislature Fails to Fund the Clearinghouse Bill, the Missing Child Center Hawai'i Will Be History*

The Hawai'i State Clearinghouse on Missing Children is taking a new name, and throwing a party. Whether the event is a joyous celebration or a sad farewell depends on the actions of the Legislature.

HR1591 and SR1296 have just passed the third reading, and have now moved into the Senate Ways and Means and House Finance Committees. The bills would make Missing Child Center Hawai'i a permanent program and would allow for partial funding.

### *Most of the Budget Comes From Private Sector*

Missing Child Center Hawai'i was formerly known as the Hawai'i State Clearinghouse on Missing Children, Department of the Attorney General. The operating costs are about \$200,000 per year and the success rate for locating and recovering missing children is one of the best in the nation. The bills ask the legislature for less than half of that amount, only \$86,000, to fund the two staff positions. The remainder of the money will come from the private sector as part of the new breed of public/private partnership programs.

### *160 Keikis Recovered*

"I have to give a lot of credit to Governor Cayetano for backing this program," says Anne Clarkin, Coordinator of Missing Child Center. "160 children owe their safe recovery to the people who have supported our work over the past two years. We've had a great partnership between the Governor's office and ours, and we're hoping that his backing will make the difference with the legislators. Because if they pass the program without funding it, it's a dead duck."

Cayetano, Attorney General Margery Bronster and the Advisory Board are hosting a reception for sponsors of the program and law enforcement partners at Washington Place on March 25th. "If we get our funding, the reception will be a celebration party," reports Clarkin. "If we don't get the funding, it will turn into a 'thank you and goodbye' event."

Despite the present budget constrictions, it is imperative that the legislature pass HR1591 and SR1296 with the \$86,000 funding intact.

**HWL urges you to call or fax the members of the committees right now!! We must not allow this successful and necessary program to disappear.**

(If you want, HWL will do the faxing for you. Just call Kay at 545-8055.)

Fax your support now:

### Senate Ways and Means Committee

Chairs	Fax No.		Fax No.
Lehua F. Salling	586-6799	Carol Fukunaga	586-6899
Witner Anderson	586-6839	Marshall Ige	586-9410
Les Ihara, Jr.	586-6251	Randy Iwase	586-6829
Cal Kawamoto	586-6879	Andrew Levin	586-6689
Rod Tam	586-6451	Joe Tanaka	586-7119
Brian Taniguchi	586-6461		

### House Finance Committee

Chair	Fax No	Vice Chair	Fax No
Calvin Say	586-6201	Bertha Kawakami	586-6281
Felipe Abinsay	586-6011	Jeffrey Chang	586-6121
Galen Fox	586-8524	Kenny Goodenow	586-9456
Eric Hamakawa	586-8484	Ken Ito	586-8474
Lei Ahu Isa	586-9421	Michael Kahikina	586-8469
Ezra Kanoho	586-6271	Barbara Marumoto	586-6311
Colleen Meyer	586-8544	Bob Nakasonje	586-6211
Nathan Suzuki	586-6221	Gene Ward	586-6511
Michael White	586-6779		

### Practitioner's Guide To Sexual Harassment

*HWL Free Training Session March 20th*

On March 20th, Hawai'i Women Lawyers will present the first in our 1997 Training Sessions.

**"A Practitioner's Guide to Sexual Harassment**

**3:30 p.m. in the Conference Room of**

**Watanabe Ing Kawashima**

**First Hawaiian Center**

**999 Bishop Street, 23rd floor**

Leading the workshop will be attorneys Cindy Winegar and Susan Ichinose. They will present a short course on litigation perspectives, highlighting problems, how to's, and general information on what you can expect during sexual harassment litigation.

Information will be presented from the viewpoint of the defense as well as that of the plaintiff.

This session is open to all members of the legal community, and is free of charge. To make a reservation, please call Kay Lorraine at the HWL office at 545-8055.

## CSI Community Resource Helping Seniors and Disabled Remain Independent

### *Making a Difference in Hawai'i Each and Every Day*

Maintaining an independent life style as long as possible is a cherished goal for most people, but often, they do not know where to turn for assistance in dealing with their financial affairs. For the elderly and disabled, routine tasks such as the payment of a bill, the filing of an insurance claim form, checkbook reconciliation and record keeping can be an overwhelming experience.

CSI's mission is to eliminate this stress and confusion by providing a wide variety of services designed to keep one's financial affairs in order, to minimize their vulnerability to financial abuse, and to assist in helping them to remain independent.

### *Bridges Gap Between Social Workers and Attorneys*

CSI (Comfort, Security, Independence) bridges the gap between those services offered by traditional caregivers such as nurses or social workers, and professional advisors such as accountants and attorneys.

Started in 1987 by a financial planner, CSI has been run since 1991 by Sister Michele McQueeney and her staff of four full-time employees, three part-time employees, and a lot of generous volunteers.

"Most of our work is by referral," says Sister Michele. "Just last week we got a call from a social worker at Kaiser regarding an 82 year old stroke victim who wanted to continue to live independently but had no one to rely on. She was worried about what would happen to her if she suffered another stroke and was unable to speak or make her wishes known. I visited her at Kaiser and, after a consultation with my staff, decided that we would take power of attorney for her. She is now back home and feeling more secure about her future. She knows that she can stop worrying and concentrate on recovery. If she has a setback and has to go into a care home, she knows that we will assist her in maintaining a life style in accordance with the wishes she has made known to us.

"So many of our elderly today have no family at all, or must rely on family on the mainland. They are easy targets for financial abuse because they have no one with whom to

talk over their decisions. We recently had an elderly blind man who lost \$30,000 in savings and was very nearly cheated out of his real estate holdings as well, by unscrupulous employees at the care home where he was living. Fortunately, someone reported the situation to Adult Protective Services, an agency with whom we work closely. The Quit Claim Deed that the blind man had signed has been declared invalid and we are now working on the restitution of his savings."

### *Most Guardianship Referrals Come From Attorneys*

CSI has started doing guardianships in the past couple of years. Most of those referrals come from attorneys who are looking for someone to act as guardian for their clients.

In addition to helping the elderly, CSI supplies ongoing or short-term support services for persons with disabilities. These disabilities include mental illness, substance abuse and the homelessness that is often a result of mental incapacity. "Having our office located in Chinatown is quite convenient for this group of clients," reports Director of Services, Bonnie Benedetti.

CSI charges \$25 an hour for its services, and most people need only about an hour a month. But there are those who need more, especially younger people who have been disabled through drug or alcohol addiction. They are eligible for SSI benefits through Social Security (federal monies for the disabled), but in order to receive the benefits, the social Security administration requires someone to take care of their money for them. CSI serves as the representative payee.

### *No State or Federal Funding*

\$25 doesn't begin to cover the costs involved in setting up benefits such as SSI arrangements. But since CSI is a private not-for-profit agency, receiving no state or federal funding, they must rely on grants, donations, fundraising and volunteers for additional support.

"We're always looking for volunteers who can work in the office doing clerical work. But mostly we need people who will assist with grocery shopping, pharmacy pickup, friendly visits and telephone calls," says Sister Michele.

"And money, of course. We're always looking for money. And cars. If you have a car that you're not using and want a tax write-off, donate it to us."

If you would like to help CSI, or if you have a client who needs their services, call 538-0353.

## "Financing Your Practice" Workshop To Be Held March 21st

*John Candon and Jon Shigemitsu Will Be Speaking*

CPAs John Shigemitsu and John Candon will be speaking on "Financing Your Practice" on March 21, 1997 at 3:30 p.m. at the HSBA Conference Room.

Mr. Candon, CPA, ASA, CBA, CFE is a Director in KPMG Peat Marwick LLP's Corporate Transaction practice. In this capacity, he provides business valuation, forensic investigation, corporate finance and corporate recovery services. Mr. Shigemitsu is the Director of Administrative Services for Carlsmith Ball Wichman Case & Ichiki. He is the author of a chapter in the Solo Practitioners Handbook on "Setting Up My Books" and taught a section in the Legal Secretary Certification program.

Practice Management Workshops are free to all members of the HSBA and their staff. Please call Lyn at 537-1868 to reserve seating for this important and timely discussion.

## ACLU Invites Opponents to Speak in First Amendment Debate April 12<sup>th</sup>

*Nadine Strossen vs. Jay Sekulow*

The attorney who represented anti-abortion protesters in a U.S. Supreme Court First Amendment case decided this week will be one of two national speakers who will debate in Honolulu April 12.

The ACLU of Hawai'i Foundation is sponsoring an unprecedented debate between Jay Sekulow and Nadine Strossen on the question of whether the First Amendment has lost its meaning. The Davis Levin First Amendment Conference is named for attorneys Mark Davis and Stanley Levin who have successfully litigated First Amendment cases in Hawai'i for many years.

Sekulow is chief counsel for the national group American Center for Law and Justice (ACLJ) and is the premier litigator for religious conservative groups before the U.S. Supreme Court. The U.S. Supreme Court on February 19th, ruled in favor of Sekulow's clients. ACLJ is the creation of well known religious broadcaster and former presidential candidate Pat Robertson who also founded the Christian Coalition. Strossen is national president of the ACLU and considered one of the most influential lawyers in the country today.

### *First Amendment Controversy*

"Currently, there is a lot of controversy over what the First Amendment should mean. For example, have we gone too far by restricting prayer in the public schools while protecting expression such as flag burning? Is it fair to limit the free speech of demonstrators around a clinic which provides abortion services?" asked executive director Vanessa Y. Chong.

"Some people may be surprised that the ACLU has invited its opponents to speak, but it is actually in the spirit of the First Amendment to bring such diversity together. We hope the public takes advantage of this unique opportunity. This is not an event just for lawyers," Chong added.

### *Panel of Luminaries*

Adding to the debate will be panelists Lt. Gov. Mazie Hirono, Attorney General Margery Bronster, former State Supreme Court Chief Justice William S. Richardson, Bank of America-Hawai'i Vice President and former state senator Mike Liu, Honolulu Weekly managing editor Elizabeth Kieszkowski and Brigham Young University-Hawai'i Dean of Religious Studies Dr. Garth Allred. Governor Ben Cayetano will open the event.

### *\$5 Price Includes Lunch!*

Sponsored by the ACLU Education Committee, the debate is made possible by a \$10,000 grant from the Robert M. Rees Trust. The Tenney Theater at the St. Andrews Cathedral will be the location of the 9:00 a.m. to 1:00 p.m. event. The cost is \$5.00 in advance or \$7.50 at the door which includes lunch.

For reservations, call the ACLU at 522-5900.

## Membership Committee Debuts New HWL Brochure

*Designed to Explain HWL Goals and Services*

Hawai'i Women Lawyers now has available a simple folder that explains the objectives and workings of the organization. It also doubles as a membership recruitment piece, complete with an application. Board members and HWL administrators have long been asked if basic literature was available about the organization. Until now, we have had no way to respond to requests.

The brochure was designed by HWL Vice President and Membership Chair Susan Ichinose. The content of the piece was written jointly by Board members and finalized at the February Retreat.

The organization expects to do substantial mailings of the piece to women Bar members and others interested in HWL and its work.

If you would like copies of this brochure to distribute in your office, or if you would like to share it with an attorney or law student who is not already a member, contact Kay at the HWL office (545-8055).

### *Additional Membership Committee News*

This month we will be beginning Phase II of our 1997 new-member drive. We could use help in addressing envelopes to prospective attorneys and judges. If you have a couple of spare hours to give us, the work can be done in the HWL office, or you can take it home and address envelopes while watching television. Please call us at the above HWL number if you are willing to work on Phase II.

## Celebrity Easter Egg Auction To Benefit People With HIV/AIDS

The Save the FoodBasket Committee, People With AIDS Coalition, and Hawaii State Bar Association's Young Lawyers Division are holding the First Annual Celebrity Easter Egg Auction on March 22, 1997 between 4:00 and 7:00 p.m. at Moose McGillycuddy's Pub & Café in Waikiki. The cost of the fundraiser is \$5.00 per person, and proceeds will benefit men, women and children with HIV and AIDS.

The fundraiser will feature an auction of paper mache eggs decorated and signed by local and national celebrities. National stars participating include Magic Johnson, Rosie O'Donnell and Englebert Humperdink. Local celebrities include Keali'i Reichell, Na Leo Pilimehana, Perry & Price, Pegge Hopper, Sam Choy, Linda Coble, Brickwood Galuteria, Governor Ben Cayetano, and Rich Miano.

The Save the FoodBasket Committee's goal is to provide people with HIV & AIDS with the nutritious food they need to help fight their illness. The FoodBasket has been distributing food every month to people with the illness, and feeds approximately 720 people on Oah'u each year. The committee hopes to raise \$5,000 to provide families with baskets of food for the next three months.

For more information, contact Cheryl Nolan at 527-8019.

## Human Connections Warm Presentation of HWL Awards to Four Remarkable Women *Congressional and Council Accolades at Plaza Club Celebration*

HWL Board Member Daphne Barbee-Wooten and Richardson School of Law Assistant Professor Judy M. Weightman began their long acquaintance while studying together for the Hawai'i State Bar. In presenting her friend with the Distinguished Service Award of Hawai'i Women Lawyers, Ms. Barbee-Wooten inadvertently established the theme of the event, by demonstrating how the honorees are connected in law, in life and in extraordinary service. She also brought the house down with a retrospectively hilarious tale that set a joyous tone for the presentations.

The February 21st pau hana reception at the Plaza Club honored Professor Weightman; Woman Lawyer of the Year Yukin Aluli; President's Award recipient Marie Nakanishi Milks, Judge of the First Circuit Court; and Lifetime Achievement Award winner Patsy Takemoto Mink, US Representative, Hawai'i. All were additionally awarded Congressional Delegation Joint Resolutions by Congressman Neil Abercrombie, and Certificates of Recognition from the Council of the City and County of Honolulu, introduced by Council Member Rene Mansho and presented by her colleague Andy Mirikitani.

### *"Hi! This is Judy!"*

Barbee-Wooten recalled that on the eve of her very first court appearance as a Hawai'i lawyer, her despondent client called to announce his impending suicide. No amount of pleading, cajoling or reassurance seemed to be dissuading the client from his course until Daphne gave the phone to her friend, who said, "Hi! This is Judy! What seems to be the problem here?" Recently minted Attorney Weightman engaged in the crisis intervention and negotiation that calmed the client and allowed him to appear in court the next day with Attorney Barbee-Wooten, who plead his case before Judge Marie Milks.

As it turned out, honoree Weightman, who is renown for her selfless efforts to ensure justice, equal access and opportunity for all people, tried her first case before Judge Milks as well, describing her in mentoring terms when recalling law school mock trial experience before the jurist.

### *Marie Milks Was Once Patsy Mink's Secretary*

For her part, Marie Nakanishi Milks credits Congresswoman Mink for encouraging her to attend law school. Judge Milks was Patsy Mink's secretary and had not seriously considered the bar after graduation from the University of Hawai'i. Patsy Mink had blazed so many trails as an Asian woman, that others saw possibilities for their lives. For Marie Milks, who was called "one of our best trial judges," by HWL President Magali V. Sunderland, the possibilities began with Georgetown Law. They then included high profile felony cases with the Office of the Public Defender (working with Judy Weightman), and four years on the District Court bench, before being named a Circuit Court judge.

### *Fighting Prejudice Links Awardees*

Representative Mink, who praised her former protégé for contributions on and off the bench, also noted how all of the honorees were connected, especially in the area of facing and fighting prejudice. After an introduction by HWL Vice President Susan M. Ichinose, The Honorable Ms. Mink spoke of pursuing law because low female quotas prevented her from going to medical school; of choosing a public life because racial and gender discrimination prevented her from getting a private sector job; of confronting inequality in the workplace with the landmark "equal pay for equal work" law in the Hawai'i legislature; the Women's Educational Equity Act and the Early Childhood Educational Act in the US Congress.

Mink also spoke of her admiration for the work of Woman Lawyer of the Year Yukin Aluli. Yukin recognized Patsy Mink as a role model as early as 1964, when Mink was the keynote speaker at Aluli's high school Girls' State Conference. Yukin first worked with Judy Weightman on the Hawai'i State Bar Association Gender and Other Fairness Committee, where the two of them helped write the HSBA's Sexual Harassment Policy for Lawfirms. Not that it was needed, or anything; Yukin still recalls the Saturday porno films that were a regular feature in the partners' office of the 28-man lawfirm where she was working at the time.

### *Family, Friends, Food and Music*

As with all of the recipients, Ms. Aluli was surrounded by family, extended family and friends as she received her award from Judge Bambi Weil. And as a special treat, reception celebrants were able to enjoy the vocal and instrumental traditions of Puamana, a female trio headed by Yukin's cousin, Mihana Souza. Their beautiful Hawaiian music quietly filled the Plaza Club.

"As I was standing there listening to everyone, two things ran through my mind, and they were both about family," recalled Yukin after the reception. "It was really incredible watching the parents respond to this stuff. To my father, this was a really big deal. And you couldn't help but feel emotional when Marie Milks' mother was crying for joy. The second thing I thought about was how much our children have put up with through our careers. I raised a son who has been in court from infancy to age 20. This is just the reality of the situation. I thought about that watching Marie's son."

### *Senator Akaka's Message Reflects Respect*

Senator Daniel K. Akaka honored each of the award winners with a written message that said, "these tributes reflect the respect and admiration you have earned by years of forceful leadership, genuine commitment to your profession, and aloha for these islands." His senior colleague, Senator Daniel Inouye, drafted the Joint Delegation Resolution which commended the honorees for their dedication to issues surrounding women, children and families in need. He said the four lawyers have displayed "compassion and public concern that illustrate the foundation of the legal profession."

Aluli, Weightman, Milks and Mink. Connected to each other. Connected to the issues of their time. Connected to the people of Hawai'i. And mentors of the generations of Hawai'i women lawyers to follow.

## "Justice For All" Theme of HJF/HSBA First Annual Photo Contest

The Boards of Directors of the Hawaii Justice Foundation and the Hawaii State Bar Association cordially invite members of the Bar and the public to submit their very best color or black and white photograph on the theme "Justice For All." Judges will select the three winning photos which best celebrate, illustrate, or spotlight this powerful message, and will publish the photos in the Hawaii Justice Foundation's 1997 Annual Report. Winning entries, along with other entries, may also be published in The Hawaii Bar Journal. The three winners (1st, 2nd and 3rd place) will receive \$500, \$250, and \$150 respectively.

### Contest Rules

1. The subject is "Justice For All." Winning entries will creatively and dramatically interpret this theme and its relevance and meaning to Hawai'i's citizens.
2. The contest is open to all professional and amateur photographers except present members of the Hawaii Justice Foundation and Hawaii State Bar Association boards and staffs.
3. Each contestant may submit one photograph. Color or black and white photos are acceptable. Prints should be at least 7" x 5" (or larger) in size. Color slides are also acceptable.
4. Photos should be submitted to: "Justice For All Photo Contest," Hawaii Justice Foundation, 810 Richards Street, Suite 645, Honolulu, Hawai'i 96813. All entries must be received at the Foundation's office no later than 5:00 p.m. on August 30, 1997.
5. Persons submitting photographs retain all rights to the use of their photographs but grant the Hawaii Justice Foundation and Hawaii State Bar Association the use of the photos in the Foundation's *Annual Report*, the *Hawaii Bar Journal*, and such other publications as may be produced during calendar year 1997.
6. Persons wishing to receive acknowledgment of receipt of their entries should include a stamped, self-addressed envelope with sufficient postage.

*Questions? Call the Hawaii Justice Foundation  
at (808) 537-3886.*

### HWL Members Named by *Honolulu Magazine* as "Hawai'i's Top Lawyers"

The February issue of *Honolulu Magazine* (the one with Gail Tamashiro on the cover) lists "Hawai'i Top Lawyers," as adapted from *The Best Lawyers in America 1997-98* published by Woodward/White. The list was created by surveying more than 12,000 attorneys nationwide, asking them to confidentially rate other lawyers practicing in their geographic area and in their specialty.

Among those names were HWL members Lea Hong, Sherry Broder, Rosemary Fazio, Patricia Y. Lee, Susan Ichinose, Paul D. Alston, Lisa Woods-Munger and of course, attorney and coverperson, Gail M. Tamashiro.

## Volunteers Needed For City or State Boards and Commission

*Susan Arnett*

There are numerous positions open on both City and County of Honolulu and State of Hawaii Boards and Commissions and Committees. Qualified, enthusiastic, and hard working persons are needed to serve on these important public bodies. Membership on a Board, Commission or Committee provides a valuable public service and is personally satisfying. Consider applying for membership!

The positions on the State Boards and Commissions must be filled by the end of the 1997 Legislative Session. There are State Boards and Commissions to suite almost anyone's areas of interest. Positions are available, among many others, on the following Boards and Commissions:

- the Board of Public Accountancy
- the Civil Defense Advisory Counsel
- the Civil Rights Commission
- the Civil Service Commission
- the State Foundation on Culture and the Arts
- the Board of Trustees, Deferred Compensation Plan
- the Commission on Persons with Disabilities
- the Hawaiian Homes Commission
- the Land Use Commission
- the State Council on Mental Health
- the Stadium Authority
- the Boards of Taxation Review for the Third (Hawaii) and Fourth (Kauai) Taxation Districts.

The City and County of Honolulu has 31 diverse Board, Commissions, and Committees. Members of these bodies are usually appointed by the Mayor. Confirmation by the City Council of Mayoral appointments is occasionally required. Membership is available on many of these Boards, Commissions and Committees which may include:

- the Honolulu Committee on Aging
- the Child Care Advisory Board
- the Civil Service Commission
- the Commission on Culture and the Arts
- the Ethics Commission
- the Neighborhood Commission
- the Board of Parks and Recreation
- the Police Commission Oahu Traffic Safety Council
- the Board of Water Supply.

If you are interested in membership on a State Board or Committee, contact Celia Suzuki of the governor's office at (808) 586-0026. Membership on these bodies must be filled soon, so if you are interested you should apply as quickly as possible. Those interested in the Boards, Commissions, and Committees of the City and County of Honolulu should contact Paula Loomis of the Mayor's Office at (808) 527-5759.

### Ho'omaika'i iā 'oe

Congratulations to Hon. Patricia McManaman who, as of February, has taken over the reins as Executive Director of Na Loio No Na Kanaka, lawyers for the people of Hawai'i. Patricia can be reached at 847-8828.

# **UH Law Students Capture Awards in National Competitions**

## *The Tradition of Excellence Continues*

On March 4, 1997, Dean Lawrence C. Foster of the William S. Richardson School of Law announced outstanding student achievement in all six of the regional and national law school competitions the School has participated in during this academic year:

- Mona Bernardino as Best Oralist and, with fellow teammates Albert Tiberi, Sarah Hiramami and Kilipaki Vaughn, team standing within the top eight among 25 teams participating in the Native American Law Students Association (NALSA) sponsored Native American Moot Court Competition in Madison, Wisconsin;
- Elizabeth Thompson and Peter Horovitz received Best Oralist awards for their performance during preliminary rounds and, along with team member Rafael del Castillo, made it to the semi-final (top nine) rounds in the Environmental Law Moot Court Team Competition at Pace University in New York;
- Lane Boyarsky received the award as Third Best Oralist and, with team captain Allison Chang and team members Jamesner Dumlao, Issac Moriwaki, and Vern Perez, won the award for Fifth Best Memorial in the Pacific Regional competition of the Jessup International Law Moot Court Competition at Pepperdine University School of Law;
- Laura Lee and James Fleck were awarded the "Competitor of the Year" in the Turlane Invitational Moot Court Competition in New Orleans (this was our School's first time competing in this competition among 32 law schools);
- The Client Counseling team, consisting of Angela Lovitt, Amber Williams, Maura Okamoto and Julianne Tigert, placed fourth in the regional competition at Chapman College in Anaheim, California; and
- In November, Kristin Hamman, Peter Knapman, and Steve Mandelker came in sixth out of 21 teams in the Western Regional Rounds of the National Moot Court Competition.

**Hawai'i Women Lawyers congratulates these exceptional young people  
and extends to them our warmest aloha.  
You make us proud!**

HAWAII WOMEN LAWYERS  
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