

# HAWAI'I WOMEN LAWYERS NEWSLETTER

August 1998

## *In This Issue...*

### **Pictures from HWL Annual Meeting and Party**

Fun photos of an informal meeting

### **"Our Rights, Our Lives"**

Reprints now available for distribution

### **Hon. Leslie Hayashi publishes her first children's book**

"Fables from the Garden" now available in local bookstores everywhere

### **Susan Oki Mollway to be sworn in on August 31st**

New federal judge expected to help alleviate District Court overload

## *Calendar of Events*

**Friday, August 28th** 3:30 to 5:00 p.m. "Technology Software" HSBA Practice Management Workshop to be held in the HSBA Conference Room located at 1136 Union Mall, PH-1 in downtown Honolulu. Call 537-1868 to make a reservation.

### **Monday, August 31st**

3:30 p.m. 'Aha Kaulike Courtroom at the Prince Kuhio Federal Building in Honolulu. Investiture of Susan Oki Mollway as United States District Judge

### **Saturday, October 10th**

Hawaii Women's Legal Foundation Fundraiser "An Evening with Hawai'i's Mayors"  
5:30 p.m. Champagne reception & silent auction  
6:30 - 9:30 p.m. Dinner & Program  
Royal Hawaiian Hotel \$125 Call Mary Houghton at 396-8506 for reservation form. Credit cards accepted.

## **HWL Hosts "Protect Our Constitution" Event**

### *Vote "No-No" On the Con-Con Ballot*

By Susan M. Ichinose

Three days after Independence Day, Hawai'i Women Lawyers hosted a reception at the Pacific Club for "Protect Our Constitution." Al and Jane Nakatani were featured speakers for the evening, which attracted over 30 members and guests to the event. Jackie Young, former State Representative and present head of POC, also addressed the group.

The Nakatanis have attracted nationwide attention to their quest to "Honor Thy Children," which is also the title of a book about their family. They are third-generation Japanese-Americans who were born in Hawai'i and moved to California after their marriage. Three sons were born to them and have died, the eldest and youngest from AIDS and the third in a senseless street incident. Al and Jane, who describe themselves as having been "traditional and homophobic," had difficulty accepting the homosexuality of their oldest and youngest sons. But eventually, they learned a lesson in love and acceptance from their youngest son, Guy.

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## **HWL Legislative Committee Report**

### *Success with bills that would erode rights of women & children*

HWL's Legislative Committee reports mixed success in its lobbying efforts at the Legislature this past session. "Most of the bills we supported did not pass because of budget constraints and other issues in this election year," said Chair Susan Ichinose. "However, there were many bills that threatened to erode rights and programs for women and children, and we successfully lobbied against those."

The principal focus of this year's Legislative Committee was to support bills which sought to amend Rule 412 of the Hawai'i Rules of Evidence. Known as the "Rape Shield Law," Rule 412 presently shields victims of criminal sexual assaults from interrogations by the defendants as to the victim's past sexual conduct. It has no civil litigation counterpart, unlike Federal Rule 412, which was amended several years ago to include use in civil litigations. A Senate bill introduced by Senators Matt Matsunaga and Avery Chumbley passed over into the House, where the bill was bottled up in the House Judiciary Committee. The bill is alive, but has been referred to the Judiciary's Committee on Rules for a report. Other bills supported by HWL did pass, such as bills which refocus the Department of Human Services to hold the safety and health of the child paramount over parental rights. But other major bills supported by HWL, such as the Judicial Pay Raise bill, are dead for this session. Bills which HWL opposed included bills to test all women sexual assault victims for HIV.

Members who are interested in working on the next legislative session are asked to contact Kay Lorraine at 545-8055. The Legislative Committee (Susan Ichinose, Rosemary McShane, Prof. Hazel Beh, Suzanne Terada, Magali Sunderland, and Calleen Ching) would appreciate it.

## HWL Introduces New Officers & Board Members at Annual Meeting

*Good Fun, Good Food*

On July 12th, Hawai'i Women Lawyers held their annual meeting and installation of officers at Murphy's on Merchant St. Outgoing President Susan M. Ichinose introduced the new board members to a crowd of approximately 40 HWL members and guests. Incoming President Rosemary McShane told the group that the focus of her term would be on domestic violence against women and children. She summed up the accomplishments of the previous year, and pledged continued action on the legislative front, as well as the development of new programs aimed at helping families seeking protection in the courts. Here a few of the men and women who were present that evening:



## Protect Our Constitution Vote "No" to Con-Con

(continued from front page)

Before Guy died from AIDS, he began speaking to communities, schools, and other groups in California, demystifying AIDS and HIV for an estimated 40,000 listeners.

Among his listeners were his parents, Al and Jane Nakatani. Al Nakatani now describes their journey as one from exclusion to acceptance, from phobia to love. "Ultimately, my family's story is not about AIDS or homosexuality, but about what happens to all of us when any child is denigrated. Whether because of race, or gender, or sexual orientation, size or shape—the reason doesn't matter. The damage is the same. We should care about every child as we would care about our own, and see the enemy not in AIDS or homosexuality, but in our own inability to tolerate differences. The exclusion, and the hate, hurt the child forever."

Jackie Young ended the evening with a reminder of how Hawai'i used to be within her own remembrance. Communities restricted to Haole property ownership; exclusion of various racial groups; the "All Male" clubs. "When we remember our past, we can see how we should protect our Constitution. There are groups across the country who are raising money and targeting Hawai'i to hold a Constitutional Convention so that they can rewrite our Constitution. Their goal is to exclude one group—homosexuals—from equal rights under the law." She urged our members to vote "No" and "No" on the Constitutional Convention ballot in November.

HWL is one of a number of equal rights groups who have joined in a coalition to support the Constitution, and have indicated support for POC.

## University General Counsel Position Open

*Applications being accepted throughout August*

On August 10th, the University of Hawai'i will begin reviewing applications for the position of University General Counsel. The position pays between \$82,944 and \$130,092. The General Counsel will provide a wide range of legal services, including advising the Board of Regents and administrators; managing all litigation involving the University; researching specific legal problems; representing the system in State and federal courts and before administrative boards and commissions; and directing the work of subordinate attorneys.

Obviously, all candidates must have a law degree and be admitted to the State Bar of Hawai'i, Federal District Court, with a minimum of ten years as a licensed attorney. Experience in civil litigation, trial and appellate practice is a must. Also desirable would be additional experience in legal issues facing public institutions of higher learning.

Applicants should submit a letter specifying how qualifications are met, a resume and three professional references. For details, please call Dr. Judith Inazu at (808) 956-5287.

## Judge/Author Leslie Ann Hayashi Releases New Children's Book

HWL Member Leslie Ann Hayashi has introduced her first children's book "*Fables from the Garden*." The book, published by UH Press, is a collection of ten stories featuring plants and animals living in a Hawaiian garden. Within the pages of this beautifully illustrated volume is the story of how a lonely orchid finds friendship among roses; how two greedy mynahs learn about sharing; a kind albatross teaches a young frog about the joy of discovery; and a lazy blue ginger is encouraged to blossom.

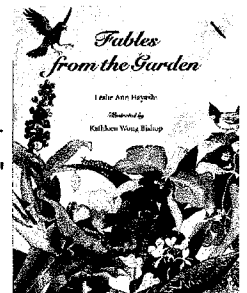
A graduate of Leilehua High School, Hayashi received her Bachelor of Arts with distinction from Stanford University, and her Juris Doctor degree from Georgetown University Law Center. She serves as a district court judge in Honolulu, where she lives with her husband Alan Van Etten and two active young sons, Justin and Taylor.

Judge Leslie Hayashi is one of the authors of HWL's award-winning book "*Our Rights, Our Lives*." Her "*Thoughts for a Dead Japanese Fisherman*" was the 1995 Grand Prize Winner in the Honolulu Magazine/Boarders Books and Music fiction contest.

"This book is really a childhood dream come true," reports Hayashi.

The book is illustrated in brilliant watercolors by friend and former Hawaii resident, Kathleen Wong Bishop.

In checking around town, HWL was able to find "*Fables from the Garden*" available at Barnes & Noble at the Kahala Mall, and all Walden-book locations. You can also order directly from UH Press (956-8255).



**HAWAI'I WOMEN LAWYERS  
NEWSLETTER**

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Letters, articles and other contributions are always welcome. Fax your submissions to Kay Lorraine at (808) 545-8636. We reserve the right to edit for space and content.

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## Chief Justice Thanks HWL's Efforts

*From time to time, HWL receives letters regarding our various activities. We were especially appreciative of this one from the Chief Justice of the Supreme Court of the State of Hawai'i. We only regret that the Judicial Pay Raise bill is dead for yet another year. We would welcome the assistance of any HWL member who would like to become a part of our continued lobbying effort in this worthwhile cause. Just call the HWL office at 545-8055 to become part of the Legislative Committee.*

April 27, 1998

On behalf of the justices and judges of the Judiciary, I extend our sincere appreciation for your efforts and support of the judicial salary increases. Although many individuals and organizations, like the Hawai'i Women Lawyers, have wholeheartedly supported our judges with respect to judicial salary increases, we remain cautiously optimistic as the legislature nears conclusion. Having to go yet another year without a salary increase will indeed be a hard pill to swallow; nevertheless, our judges remain committed to the mission of the Judiciary -- to adjudicate cases efficiently and fairly.

Thank you again for all of your efforts.

Sincerely,  
Ronald T.Y. Moon  
Chief Justice

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