Welcome to the eleventh issue of the William S. Richardson School of Law e-news.

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Stories by William S. Richardson School of Law Media Consultant Beverly Creamer, unless otherwise noted. Photos by Spencer Kimura and Mike Orbito. Graphic design by Kristin Lipman.
Law School’s $9.3 Million Clinical Building Dedicated With Blessings, Lei-Untying, Hope, and Gratitude

A CEREMONY THAT DEDICATED UH Law School’s airy and much-needed new Clinical Building on Friday, September 6, 2019 concluded a long effort, and was highlighted by a Hawaiian blessing, a traditional maile lei-untlying, and words of hope and gratitude. The celebration ended a 15-year quest for much-needed space to provide practical training for law students while simultaneously serving members of the community in need of access to justice.

UH President David Lassner called the new building yet another important way the Law School is committed to community service and embedded in the community. “It will help us serve the people of Hawai‘i,” Lassner told a crowd of several hundred filling two classrooms. “How important this is to what we do at this great Law School.”

Dean Avi Soifer and Associate Dean of Academic Affairs Denise Antolini expressed their overwhelming gratitude to all those who had a part in the project, from its beginning more than a decade ago. “It takes a bazillion people to say ‘yes’ to build a building,” said Antolini. “And it took all of them to say ‘yes’ thousands of times.”

Soifer told the assemblage that the new building is a continuation of what Richardson Law School has embodied from its start – “commitment to the community and serving those who need it. “At the same time we’re serving, we’re teaching,” said Soifer. The building will house many of the dozen clinics that provide direct service to clients in the community, with law faculty guiding students as they learn to work with real people on real problems.

Antolini guided the clinical building through numerous phases and obstacles and Honolulu attorney Mark Davis led the campaign to raise necessary funds from private donors and his Davis Levin Livingston law firm and foundation provided a $1 million leadership gift. Soifer was also praised for his calm
and resolute leadership in bringing the project to fruition.

Davis stressed the exceptional generosity of the legal community and he emphasized that the new building will be a place “where students learn to be lawyers – courtroom lawyers.”

“The justice system is going to depend on things like this for students to learn how to deliver justice, and learn how to use the justice system,” he said. Within the pillars of our democracy, added Davis, “our law schools have a special responsibility … The courtroom remains a venue for civil discourse. To maintain a viable civil justice system this building is important.”

Davis also took the opportunity to praise Soifer, saying that the building “is a true testament to the extraordinary job” he has done for the Richardson School of Law. Last spring, Soifer announced his retirement from the deanship when a successor is in place. But he has been teaching regularly and he will continue as a member of the Law School faculty.

The dedication began with kumu hula Māpuana de Silva of ‘Iliahi, a Native Hawaiian cultural dance studio, and Richardson Professor Melody Kapilialoha MacKenzie ’76 sprinkling water with a ti leaf from a koa wood bowl, in a traditional blessing. Garbed in flowing Hawaiian kikepa, they walked through the building blessing the rooms, and calling on all of the ancestors through the waves of migration to Hawai‘i to imbue the building with intelligence, perspective and aloha – all qualities of good attorneys. And de Silva asked people to enter the building with aloha - kindness, sincerity, harmony, humility, modesty and perseverance – which she called the word’s full meaning.

The $9.3 million project – which included over $2 million in philanthropic funds that paid for things like moveable partition walls, flooring, ‘white boards,’ an advanced IT system, and sustainable features like the PV units on the roof - was a combined effort of the Law School, UH administrators, and the State Legislature that approved $500,000 in planning funds in 2006 and then provided funding and the authorization of revenue bonds in 2013. The legislative package included $3.5 million in general obligation bonds backed by the state, and the innovative authorization of $3.5 million provided by the Law School through a combination of tuition and philanthropy.

Julie Levine, the Law School’s Executive Director of Development, organized the campaign chaired by Davis, which raised over $4 million from 120 donors, including 13 law firms, and Attorney Mark Davis chaired the fundraising campaign and praised the legal community for its overwhelming generosity.
4 foundations. Half of the funding was needed for the new building, with the remainder used to help refurbish areas in the existing building that are nearly 40 years old.

Almost exactly three years ago – on September 30, 2016 – ground was broken for the new building that had first been envisioned by Dean Soifer soon after his arrival in 2003. In that groundbreaking ceremony, Associate Dean Antolini spoke movingly of an even earlier dream of a third law building.

“If you may not know that CJ Richardson was personally involved in the early planning phase,” she told the crowd gathered under a large white tent in the parking lot that day. “He quietly told Avi and me that he had always envisioned a third law school building on this very spot. Dean Soifer and I might have been a little slow in catching up with CJ’s clear vision, but we are finally here, thanks to him, and all of you.”

Throughout the project UH President Lassner has been a supportive advocate, speaking of the critically important nature of legal training to afford Hawai’i residents and non-residents alike the opportunity to become practicing lawyers. For Soifer, too, the new building adds depth and breadth to the part of the Law School’s determination to build a sustainable campus that uses natural rainwater to water native shrubs planted around the new building.

The architect, Chris Hong, and contractor, F&H Construction of Maui, were part of the Law School’s determination to create a sustainable, state-of-the-art building that is light, open, flexible, and agile. Rooms can be easily reconfigured with foldable, moveable walls that enlarge or contract the spaces. “It’s more collaborative, with the rooms designed so you can see what’s going on, and run into each other, to catch the wave to a new style of legal practice,” Antolini has explained.

The building has multiple additional innovative features including double-paned and delicately tinted windows to reflect heat, a specialized skylight two stories overhead that fills the lobby with natural light, and sound-proof interview rooms offering privacy to community members served by the increasingly robust clinical program.

Thousands of hours of free legal assistance are provided annually to some of the state’s most vulnerable people including elders, veterans, youths, immigrants, prisoners, and families living at or below poverty levels.

The two-story building includes: 2 classrooms; 4 interview/skills rooms; 9 offices, 1 break room; 3 all-gender bathrooms; a service Xerox and event prep room, and an atrium. It is connected to the main law school building by an elevated walkway.

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Molly Olds ’20, a student who works on cases with the Innocence Project clinic, says the new building “is important for our clients. It will offer us more space, and privacy to work on their cases.” She added, “It’s important to have this space for outreach to the community. We meet with families.”

Taylor Brack ’19, who graduated from the Law School last spring and is now a Law Fellow in the Refugee & Immigration Clinic, echoed those thoughts. “It’s important to have a space that’s welcoming for students and for clients,” said Brack. “I’m very excited about that, and the new space for our clinic.”

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LEFT and ABOVE: Construction by the Maui company F&H Construction begins in September of 2016 for the $9.3 million project funded by bond issues approved by the 2013 Legislature, plus $2 million in Law School philanthropy. Dean Avi Soifer and Associate Dean of Academic Affairs Denise Antolini inspect the structure as the Clinical Building rises in the nextdoor parking lot. BELOW: The finished walkway that connects the original Law School building with the new Clinical Building on the second floor level.
ABOVE: As the building takes shape, a carved decorative screen by Cunningham Cabinets from solid mango wood is installed in the lobby. Law School faculty and staff have a chance to tour the partially finished building. BELOW: Associate Dean Antolini with building architect Chris Hong, originally with Group 70, and now with English Hong Architecture, in front of the finished building, 2019.

AT RIGHT AND ABOVE: The finished building in daylight and at twilight. BELOW: Antolini, Julie Levine, Executive Director of Development for the Law School, and attorney Mark Davis of Davis Levin Livingston, whose firm and foundation committed a $1 million leadership gift and who chaired the fundraising campaign that paid for furnishings and much of the building’s interior needs.
UH Law School 2019 Commencement Honors Graduates and the Host Culture

IN A COMMENCEMENT DAY that highlighted Hawaiian language, chant, and hula, Hawai‘i social justice activist Kim Coco Iwamoto challenged a new generation of law graduates to fight to protect the legal rights of the most vulnerable among us.

“Education is an investment that goes beyond a bottom line,” said Iwamoto who has fought to strengthen civil rights for outsiders for 30 years. Describing the discrimination suffered by those in the LGBTQ community, she explained that she was inspired to earn a law degree back in 2000. When she was first elected to the Hawai‘i Board of Education in 2006, Iwamoto became the highest-ranking openly transgender elected official in the country.

After tracing her own journey to activism for the 82 graduates who earned their JD degrees, and five who earned LLM degrees, Iwamoto was joined by other inspirational speakers. All encouraged the Class of 2019 to hold to their own values, to never forget who they are, and to find their own committed place in the legal community.

“Grab hold of your heart and you’ll find your place in a crazy, beautiful life,” advised Professor Nicholas Mirkay, who was chosen as the faculty speaker by the graduating class. “Embrace what makes you unique and different,” he told the graduates. “Trust that the right people will come into your life when you need them. Stand up for things you believe in, and for those who can’t stand up for themselves.”

Student speakers reflected directly on the example set by Chief Justice William S. Richardson for his own time—and for the future—and vowed to carry that legacy forward.

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Graduate Kaitlyn Mark and her family take photos in the courtyard.
“CJ challenged the status quo,” said Rachel James, representing graduates from the Evening Part-Time Program, who called themselves “The Night-Walkers.” “He asked what would Hawai‘i be if there were more people of color trained in the law.” Invoking the 2018 Law School graduation speaker, Nainoa Thompson, James spoke of law graduates as way-finders who discern where they are, and who discern what is needed to navigate in the future.

Fittingly, as Associate Dean Ronette Kawakami pointed out, several ferry terns, also known as Navigator Birds, kept swooping gracefully overhead during the outdoor ceremony held at Andrews Amphitheater.

Innovations the graduating class suggested included printing the Commencement program for the first time in Hawaiian as well as in English, with English translations of several Hawaiian chants next to the original Native Hawaiian versions. Several spoke on behalf of their class in both English and Hawaiian, and the ceremony deeply honored the host culture, including ‘ōli and a lovely hula performed by members of the class.

Graduates also pledged to carry on the values of a Richardson lawyer, including humility, respect for other cultures, the commitment to defend the rights of the oppressed.

“Being a leader is what a Richardson attorney is all about,” said V. Lu‘ukia Nakanelua, who presented the student address on behalf of the full-time program. “Go forth into the unknown and be fearless.”

Commencement day is joyful for graduates and their families, as they celebrate with a champagne toast, and a gathering in the courtyard before ceremonies in Andrews Amphitheater.

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Cathy Hite from the Solomon Islands gave the Master of Laws address, quoting from Nelson Mandela, as she declared: “Education is the most powerful weapon you can use to change the world.”

Graduates Caitlin Moon and Keali’i Sagum served as emcees and presented the Class gift to the Law School. Barbara Richardson, Deputy Chief Judge of the District Court (ret.), who represented the Richardson family, formally introduced the class to the audience of more than 1,000 friends and family, and urged the graduates to “seek justice even in these unsettling times.”

In the spirit of her father, she advised, “Know that kindness goes a long way” and, she continued, “Respect, trust, and hold close all of your peers.”

During the traditional champagne toast before the public ceremony, Dean Avi Soifer praised the class as innovative and cohesive and spoke movingly of the “remarkable Class of 2019” who not only supported each other through the arduous years of law school, but who offered innovative and environmentally-friendly ideas the Law School will carry forward.

The ceremonial Commencement day included other recent customs, including a Keiki Diploma Ceremony, during which 13 children of graduates, including a three-month-old, received their own diplomas for assisting mom or dad through Richardson.

Evening Part-Time Program graduate David Hooper, who works as a behavioral therapist, summed up the challenges the graduates face with a ‘Game of Thrones’ quote: “We are the sword in the night, and the shield that guards the realms of men,” he said. “If we don’t, no one else will.”

DEAN AVIAM “AVI” SOIFER, who has taken the UH Law School through two successful re-accreditations and a major facility expansion that added a new $9.3 million Clinical Building, announced his retirement this spring during meetings with the Law School staff and faculty members.

Soifer, who has served as dean of the William S. Richardson School of Law since 2003, said he is leaving “a fantastic job I love” - but added that it is time to let someone else have this wonderful opportunity.

“Someone else will bring fresh ideas and a new perspective as dean at our wonderful Law School,” Soifer said. “Our school is in a very good place, and I believe I am handing it off at the right time. It is the Law School faculty and staff who really are the ones who have maintained and shaped our many successes.

“We have a remarkably broad and deep faculty, with particular expertise..."
not only in basic law school courses but also in international and comparative law, environmental law, practical clinical law, business law, business law, and the law of countries in Asia and the Pacific - all of which are of increasing importance throughout the world."

A 13-member search committee to find a new dean is being chaired by Noreen Mokuau, dean of the Myron B. Thompson School of Social Work. The group was expected to choose finalists over the summer, and to begin bringing candidates to the Law School for introductions this fall, with a choice expect-ed soon thereafter.

“Avi has led the Law School to a very solid foundation today.”

Soifer said he will remain in the deanship during the dean search, and he will continue to teach after new leadership is in place. Soifer is an authority on constitutional law, and he has taught courses in this and many other areas throughout his 16 years at Richardson. He has regularly published articles about current constitutional law issues as well as on American legal history. His book, Law and the Company We Keep, is an account of the often overlooked importance of voluntary and involuntary groups in individual lives as well as in legal culture. Most recently, he has published articles and book chapters about constitutional law decisions as well as about slavery,peonage, and the Thirteenth Amendment.

During Soifer’s tenure, the Law School made dramatic advancements in programs, funding, and faculty and student excellence. Associate Dean Denise Antolini calls him both “a gentleman and a scholar” who has “forged strong professional connections with the bench and the bar, expanded the horizons and breadth of the school’s top-notch faculty, and increased the opportunities for students and graduates to practice in Hawai‘i, across the U.S., and abroad.”

“His deanship has transformed the Law School into a nationally recognized center of excellence in legal education,” continued Antolini. “Avi has led the Law School to a very solid foundation today - creating new programs, enhancing existing programs, boosting enrollment, enhancing bar passage rates, setting up a resilient budget, and generating record fundraising.”

Professor David L. Callies, an authority on land use and real property law who holds the Law School’s Benjamin A. Kudo Chair, praised Soifer as “the perfect Dean for this time – an experienced dean, scholar, and teacher. “He was widely recruited else-where,” said Callies, “and when I attended the annual meeting of the American Law Institute (a prestigious national law reform group) shortly after Avi’s appointment was announced, everyone wanted to know how we managed to attract someone of his caliber to our school.”

Soifer joined the UH Law School after serving as a dean and professor at Boston College Law School, and he has led the UH Law School through a period of major growth. During his deanship the Richardson Law School added its Evening Part-Time Program, Ka Huli Ao —the Center for Excellence in Native Hawaiian Law, its own Summer School, its innovative January Term, and a number of joint degrees and multidisci-plinary UH programs.

Professor Melody Kapilialoha Mackenzie ’76, who led the Ka Huli Ao Center from its launch in 2005 until 2018, and who also stepped in as Acting Dean during a recent sabbatical by Soifer, calls him “an amazing dean” who has increased the Law School's visibility in the community, supported innovative programs, and led the school through both difficult and joyful times.

“Most significant for me,” said MacKenzie, who was a member of the school’s first graduating class, “has been his unwavering support for the Native Hawaiian and Pacific Island communities and his successful efforts to establish Ka Huli Ao Center for Ex-cellence in Native Hawaiian Law ... He has held true to CJ Richardson's vision for the Law School as a place that seeks to provide an excellent legal education, and advance justice for all of Hawai‘i’s people.”

Soifer also led the creation of several clinics and public service projects and the Pacific Islands Legal Institute, ad-ministered by UH and funded through the Ninth Circuit Pacific Islands Commit-tee, which provides training for Pacific Island judges with little or no legal training.

Soifer likes to point to Richardson’s welcoming atmosphere, the mutual support provided by faculty and stu-dents, and the sense that students are mem-bers of an ‘ohana that is unique in American legal education. He empha-sizes that it is the faculty and staff, as well as the students and alumni, who deserve the credit for the warm atmosphere that makes the Law School exceptional.

“Richardson students actually enjoy law school and they genuinely look out for one another,” Soifer said. Those most helpful to their peers may win the “Red Sox” award for kindness, appropriately named after his favorite baseball team. Much of that atmosphere is en-hanced by Soifer’s administrative style and the style of his leadership. The newly-finished clinical and trial advocacy building facilitates a major expansion of the school’s clinical training program and will more fully serve vulnerable members of the community, while offering students additional hands-on experience with real clients.

“Our Law School remains a place where people do not forget where they come from, while we also recognize and celebrate our unprecedented diversity,” Soifer has said. “We never want our strong sense of community to change, and it is encouraging when we are recognized nationally for the diversity we prize.”

The Jurist-in-Residence program has also thrived under Soifer and brought Supreme Court Justices, in-cluding most recently Associate Justices Ruth Bader Ginsburg, Sonia Sotomayor, and the late Antonin Scalia, for a week of teaching and talking story with law students and faculty. The program is now mirrored by a newer International Jurist-in-Residence program, which this year brought to campus Justice Emmanuel Ugirashebuja, president of the East African Court of Justice.

During Soifer’s tenure, Richardson Law has consistently earned high marks among ranking agencies and in national magazine surveys. Just recently it was given the top grade of A+ by National Jurist magazine as the 4th best law school in the nation for diversity. In the past year alone, Richardson was named one of the nation’s “best” 169 law schools by The Princeton Review, which in 2018 also scored Richardson
as first in the nation in terms of having the “Greatest Resources for Minority Students.”

The Princeton Review also ranked Richardson as 4th nationally for having the “Most Diverse Faculty” and 10th as the law school “Most Chosen by Older Students.” The U.S. News & World Report’s annual national rankings for 2019 moved up the Law School’s Evening Part-Time program to rank within the Top 25 among all law schools.

Additionally, in two of the first three years of competition, it was a Richardson student chosen as a “National Law Student of the Year” by National Jurist and preLaw magazines: first Katherine ‘Kuki’ Vessels ’16, and then Mahesh Cleveland ’18.

Ronette Kawakami ’85, Associate Dean for Student Services, called Soifer a person who cares deeply about students and whose door is always open to listen to problems, discuss issues, or offer guidance and praise to students, faculty, and staff alike.

“He is always available to help, assist, give advice or suggest alternatives,” said Kawakami. “And he’s also a person who throws himself into the spirit of everything at the Law School, from dressing up like a wizard on Halloween to delight the keiki at the annual Law School Halloween party, to rooting for the two women’s teams during the yearly Ete Bowl, the school’s famous flag football game between women law students and women graduates.”

Assistant Professor Troy J.H. Andrade ’11, who heads the Ulu Lehua Scholars Program, can attest to that, saying that Soifer has continued the school’s vision as a model of excellence, leadership, service, and aloha.

“As a student, then an alumnus, and now a colleague, I can unequivocally say that Dean Soifer has ensured the success of our Law School for the last 16 years. In his quiet, yet very effective way, he helped lay the groundwork to ensure the expansion and success of various programs and initiatives. In doing so, and like a true leader, he always shied away from the limelight and gave credit to others. We should all aspire to be like him.”

While other law schools suffered cutbacks and retrenchment as legal education became more expensive and jobs less available in the wake of the 2008 financial crisis, Richardson actually expanded with new programs, and continued to attract students from around the world. In 2014 – a year which saw enrollments tumble at many mainland schools - Richardson logged its highest enrollment ever, with 145 students in the incoming fall class. The average annual enrollment is typically closer to 100 students.

Third-year law student Ian F. Tapu ’20, incoming president of the Student Bar Association, counts himself lucky to be at Richardson during Soifer’s deanship, and because of the standards set by CJ Richardson which Soifer has exemplified.

“While we are sad to hear that he will be retiring,” said Tapu, “we are also grateful that we were one of the last classes to be under his leadership. He has been so integral to our development as the future of Hawaii’s legal community.” Graduate Miranda C. Steed ’19, speaks of how Soifer cares about each of the school’s students, and how his time at Richardson will resonate for students for years to come.

“When a group of environmental law students wanted to travel to Poland for the UN Climate Change Summit, he supported and believed in us despite the many logistical hurdles to overcome to get there,” said Steed. “Dean Soifer’s calm and steady leadership has made Richardson a welcoming school full of opportunity.”

Soifer has always viewed the Law School’s role not just as a legal training ground for the next generation of attorneys, but also a training ground for their commitment to social justice and as means to improve access to justice for those less fortunate in the larger community. Since the 2008 founding of the Hawai‘i Access to Justice Commission, the Law School has hosted an annual conference bringing together leadership from the Hawai‘i legal, governmental, and non-profit sectors, as well as bringing major speakers from the continent to share ideas and strategies.

At the June 2019 conference, Soifer was surprised with proclamations in his honor by the Commission, the Hawai‘i Legislature, and the Hawai‘i Supreme Court.

Soifer is a 1972 graduate of Yale Law School, and he also earned bachelor’s and master’s degrees from Yale University. He helped create a clinical program in which law students represented mentally ill residents of the largest state hospital in Connecticut, and he served as editor of the Yale Law Journal and a director of the Law School Film Society.

Soifer is married to award-winning documentary filmmaker Marlene Broth, an instructor in film at UH. They have two grown children.
Bringing Legal Help to Women and Children Refugees at the Texas-Mexico Border

Inside the Barbed Wire Fence that encloses a detention center on the dusty Texas prairie by the border town of Dilley, a three-year-old boy was drawing tiny circles with colored markers as he sat with his mother in a sterile prison-like room.

Next to him in the windowless interview room, where volunteer attorneys from across the country hear terrifying stories told by refugees, Hawai‘i law student Andres Tobar ’19 leaned toward the child and added another circle to the boy’s timid drawing. Simultaneously Tobar was translating into Spanish the words of UH Law School Associate Dean Ronette Kawakami ’85, as Kawakami helped prepare the child’s mother for her interview as the mother sought asylum in the United States.

“After 27 years as a Deputy Public Defender I thought I was used to interviewing witnesses or clients because everyone has the most heartbreaking stories,” said Kawakami, who joined the Law School six years ago as Associate Dean for Student Services. “But I wasn’t ready for these stories that you just don’t hear in Hawai‘i.”

Kawakami had gone to the infamous Dilley detention center with Tobar last fall to offer pro bono legal assistance for people caught in one of the nation’s most heart-wrenching, ongoing human dramas. Legal preparation often makes the difference when asylum-seekers finally come before an interview officer.

After Tobar and Kawakami returned, they shared their experiences as volunteers at the detention center with Richardson students and faculty, painting a vivid picture of how hundreds of mothers and children are being held while they await adjudication for asylum. Some families have been recently reunited, but many are still separated.

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Kawakami and Tobar joined the volunteers at the border town under the auspices of the Dilley Pro Bono Project Immigration Justice Campaign, which has brought attorneys from around the country to assist refugees and those seeking asylum. Organizers ask that volunteers make arrangements ahead of time so that they can receive training videos about how best to help. Information is available at immigrationjustice.us.

Before heading for Texas, Kawakami created an Immigration Research Group of interested Richardson students to learn as much about the detention center and the immigration crisis as possible. She read immigration cases, watched training videos, and even signed up for Spanish lessons.

Looking through the fence to the immigrant detention center in Dilley, Texas.

“Those tears are real, when telling about the most horrific things they went through.”

The entrance road to the detention center taken from outside the barbed wire fence.
Kawakami’s request to help moved forward.

“I had gone to the Dean and told him what I wanted to do, and he instantly said ‘That’s great. Take a student with you,’” said Kawakami. “And Kay was sending hypothetical issues for us to research and the students were ‘briefing’ cases and sending them back to her.”

By late September 2018 Kawakami finally heard when she and Tobar could arrive, and they flew into San Antonio, rented a car, and drove to Dilley. Even with all of their preparation, they were not ready for their overwhelming emotions. “I thought I was tough,” said Kawakami. “It was a very sobering experience - but I would go back in a heartbeat.”

While the experience left Tobar very emotional, he was also grateful for what volunteers are able to offer those confined. “It’s emotionally heavy,” he said, “but that’s balanced by a lot of good work and by all the aloha from the volunteers coming in.”

None of the volunteers is allowed to take photographs inside the camp or of the people they assist, said Kawakami. Nor were they allowed to touch the people with whom they worked.

When it was time to leave, the young boy drawing circles dutifully returned the notebook and colored markers he was using - the refugees are not allowed to receive even the smallest of gifts. “There’s no hugging,” said Kawakami. “At the end of every interview I asked Andres to tell them in Spanish that ‘We’re not allowed to embrace you, it’s not permitted, but we’re embracing you with our hearts.’”

Our job was to have them tell us their story so that we understood from a legal perspective.

First African Justice Visits As International Jurist-in-Residence

BY DIANE CHANG

ABOVE: The Honorable Emmanuel Ugirashebuja, president of the East African Court of Justice, served as the Law School’s 2019 International Jurist-in-Residence, representing the first participant from Africa.

The Honorable Emmanuel Ugirashebuja, president of the East African Court of Justice, served as the Law School’s 2019 International Jurist-in-Residence, representing the first participant from Africa.

His March 7 talk story, “Judges, the
Environment and Indigenous People: The Judiciary in Creating a Safe and Just Place for Humanity,” addressed the bigger impact on indigenous peoples so the judicial arm of government needs to “create a safe and just world.

“There must be equity,” he said, when it comes to protecting the environment, dealing with climate change, and countering a general lack of respect for their rights.

“When in doubt, judicial decisions should be in favor of the environment,” he believes. “For example, due to environmental degradation, rain patterns have been disrupted and indigenous people are being impacted detrimentally.”

Ugirashebuja is from Rwanda and is serving as president of the East African Court of Justice in Arusha, Tanzania, for a seven-year term until 2021. In an interview with Hawai‘i Public Radio’s The Conversation during his visit, he said that, while it is common to refer to the mass slaughter of Tutsi in Rwanda during the Rwandan Civil War as “the Rwandan genocide,” that descriptor is not accurate.

“You have to go back to the definition of genocide, which is that it has to be aimed at exterminating a given group of people,” said Ugirashebuja. “Therefore, it is more accurate to refer to it as the “genocide against the Tutsis in Rwanda” instead of the Rwandan genocide.

Ugirashebuja previously served as dean of the University of Rwanda Law School and as a member of the Rwandan Superior Council of Judiciary and Supreme Council of Prosecution. An expert and arbitrator in national and international arbitrations, he has written numerous academic and conference papers.

He has law degrees from the former National University of Rwanda and a PhD from the University of Edinburgh in the United Kingdom.

During his visit to Honolulu, President Ugirashebuja met with the Hawai‘i Supreme Court; lawyers and UH law school students, faculty and staff; as well as Kaiser High students in the school’s International Baccalaureate Diploma Programme.
Law Students Step Up in Court For Deployed Military Personnel

SERVICE MEMBERS WHO LEAVE the Islands on sudden deployments are now getting help from UH law students appearing on their behalf in disputed security deposit cases. It’s part of a new partnership with the State Judiciary, Navy JAG Corps, and the Richardson Law School.

In the first case of its kind late last year, Kenneth Hall ’19 successfully assisted a Naval officer whose landlord had retained her deposit beyond the allowable time period and long after she was deployed.

If a renter disputes the retention of a security deposit, a claim may be filed in small claims court. However, this process is difficult to complete when the tenant has been deployed many miles away. The result is the permanent loss of the withheld amount, which can be substantial. “This gave me a chance to fight back against unethical practices,” said Hall, who was both a law student and a veteran of the war in Afghanistan. “When I heard about this program I knew I had to get involved.”

Hall said the experience is a powerful one for students learning the law, and particularly for those who may want to be litigators, as he does. It also benefits military personnel who are no longer in Hawai’i to argue on their own behalf, and who may have been the targets of unethical rental practices.

“It was a valuable opportunity to actually stand in front of the court and make an argument and present testimony,” said Hall. “It’s always good to have more practical experience as law students, and to get to the meat and potatoes of facing an opponent with real world consequences.”

Hall was one of 24 William S. Richardson School of Law students who volunteered to help when Professor Calvin Pang discussed the issue through the school’s student email list during the 2018 spring semester. Pang said he wasn’t surprised by the outpouring of interest and support, and all two dozen students received a half day of training from Judiciary and Judge Advocate General Corps personnel as well as by a professional mediator and members of the Legal Aid Society.

“So many students choose this school because they understand its mission is community-based,” said Pang, “and this provides opportunities for students to give back to very deserving members of our community.”

Pang had been approached by LCDR Kristi Bao of the U.S. Navy JAG Corps, who had a growing concern about the issue, and had reached out to the Judiciary for potential solutions. In the past, deployed service members either did not file a claim for their deposits or, if they did, were unable to effectively participate in their cases because of the distance.

Under the Landlord Tenant Code, neither party is allowed to be represented by a lawyer in a security deposit case. However, each party may be assisted by a non-attorney. In the case of service personnel, this might include a willing or knowledgeable friend, but such a representative is often not available.

“In this situation it makes it very difficult even to mediate with landlords if service members are off island,” said Bao, “and it’s so hard for them to come back, given time and travel restrictions and the cost.” This is how the idea of using law students was hatched. Bao said there are 35,000-40,000 service members in Hawai’i at any one time in the Navy, Coast Guard, Marine Corps, Air Force, and Army, and with rotations every three years and deployments more often, there are a lot of people moving in and out of rental agreements. Deposits generally are around $2,000-$3,000, said Bao, but she has one case in which the amount in question is $8,000, because the landlord is charging for possible damages and the officer has already deployed. “Things that happen in the dark don’t go reported,” said Bao. “There’s no way to get good numbers because military personnel are constantly turning over and leaving.”

If damage has occurred, landlords are entitled to retain part or all of security deposits, but they are required to notify the tenant within 14 days. However, deployments can occur so quickly that military personnel may not still be in the Islands. Pang also saw a tremendous benefit for law students. “I saw an opportunity for students to work with clients that are largely under-represented.”

Long before Hall went into court, he met with Pang to talk through the case, identify the issues, and develop a strategy. Pang said that he was just a “sounding board” and that the law student had already digested the facts and devised his plan. Bao said she was pleased with the way the first case was handled, “and the service member (who was already serving in a foreign country) was very pleased as well.”

District Court Judge Hilary Gangnes also expressed her support for this new partnership, and the opportunity to give both sides their day in court. “It’s all about getting rid of the barriers that have kept people from being able to come to court,” she said. “We’re increasing the ability for people to pursue their legitimate claims. And it will give law students some real court experience, working with a client, and learning court procedures. This is another program where students get that experience and help out real people.”

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Kenneth Hall ’19
UH Law School Sees an Increase of Entering Students with GRE® Scores in Pilot Study

FOUR INCOMING LAW STUDENTS last fall were the first to enter the William S. Richardson School of Law based on their GRE® scores – part of a pilot project underway at the UH Law School and at a number of others across the country that broadens access to legal education.

The four are the leading edge of students accepted during the first of a three-year change in admissions policy at the UH Law School that enables prospective students to enter with their scores from the graduate school General Test as well as the standard Law School Admissions Test (LSAT.)

The pilot study has been expected to expand access to legal education for many students who are already considering graduate school and have taken the GRE® test, but may not have the time or funds to take the LSAT. The LSAT has been offered just four times a year although that was changed to six tests this year, while the GRE® can be written almost every week.

Of those who applied to Richardson for entrance this fall using GRE® scores, 50 percent were admitted, according to the Richardson Admissions Office. Of a total of 122 incoming first-year students, five qualified with GRE® scores.

If not for the GRE®, Kevin Wrabley, 33, a paralegal and former middle school teacher, might not have applied to law school at all.

“My strength is in essays ... It looks at how you argue a point, and that’s why I chose the GRE® rather than the LSAT.”

Additionally, said Wrabley, he likes the fact that the GRE® encourages even more student diversity.

“They view you as a whole person with a whole perspective. The LSAT only measures part of what you are. The GRE® measures your ability to do logic and reasoning.”

Melissa Miles, a 30-year-old originally from Germany, agrees that admitting students based on strong GRE® scores provides a richer learning environment for all.

“The more viewpoints you have, the better it is,” said Miles. “We need to bring in people from different backgrounds. The social sciences are an area where we need more diversity. If we are thinking about how to apply the law, we need to hear from people who have different backgrounds.”

Kevin Wrabley ’21, William Morrison ’21, and Melissa Miles ’21 were three of the first four students to enter Richardson based on their scores from the graduate school general test rather than the LSAT.

“The GRE® General Test came after an intensive validation study of the GRE® in collaboration with Educational Testing Service. The Richardson data gathered in 2015 and 2016 showed that GRE® scores were a better predictor of first year law school grades than were undergraduate grades.

Over the last year more than 40 other law schools across the country have moved to accept GRE® scores. Richardson Law School will be accepting applications for the 2020 fall semester as of September 1. Here is the Admissions office link: https://www.law. hawaii.edu/jd-admissions.
UH Delegation Joined International delegates in Poland for Paris Agreement Follow-Up

The students had a brutal travel schedule: they finished exams on a Saturday morning, and then caught a flight to begin 30 hours of travel, with multiple stops, before arriving in Prague in the Czech Republic, and then catching an overnight bus to Poland. They arrived Monday morning in time for the beginning of the convention’s second week.

“The trip was totally engineered by the students. Steed said she decided even before the semester began that it was important to go to Poland. The gathering is the three-year follow-up to the Paris Agreement of 2015. Article 15 of that agreement called for creation of an emissions abatement rule book and a monitoring body by 2018.

“The students told me at the start of the semester that they wanted to go to this conference and I said ‘How are you going to get badges to attend, manage the financing, and then finish your finals?’” said Wallsgrove.

“Nothing is impossible,” said Steed, who proceeded to work with Wallsgrove on the details, as well as with UH Campus Sustainability Coordinator Matt Lynch, who was able to have the students registered as members of the Conference of the Parties. UH was admitted as an observer to the convention, and the Law School provided part of the funding, with help from several private donations.

“This was a testament to the students’ persistence,” said Wallsgrove. “They doggedly pursued every angle and made it work.”

“The trip was also a testament to the involvement of the University of Hawai‘i and the Richardson School of Law in cutting-edge international negotiations as the globe wrestles with increasingly urgent needs to control greenhouse gas emissions, limit global warming, and structure international rules. There are no rules now.”

offering environmental law students an extraordinary opportunity to feel intimately connected to the latest information on the global environment, the Paris Agreement, and its follow-up.

Voigt headed the U.N. Enforcement and Compliance Working Group for the convention in Poland.

She said that each of the 197 parties to the agreement is obliged to provide a climate plan every five years. But there is nothing that says what kind of information needs to be in these plans, a timetable, or how the national plans should be enforced, said Voigt.

While the students were not able to sit in on all of the sessions, Voigt said it is a phenomenal experience to watch up close as international agreements are being forged. The students also were able to talk with conference delegates about their own ideas on what kind of mechanism could be used internationally to enforce climate controls. And they were able to mingle with representatives from non-governmental organizations, as well as some of the world’s largest environmental groups.

“For students to have the opportunity to participate is a chance to become part of the solution and make our voices heard.”

The rule book would create a way to enforce the rules,” said Professor Christina Voigt, who was a visiting Norwegian Professor of International Environmental Law from the University of Oslo, and who headed negotiations at the conference. She is also Norway’s chief legal negotiator.

“Without the rule book, the Paris Agreement doesn’t work. It doesn’t say how to move forward,” said Voigt, who spent the fall semester at Richardson,

“…for climate change there is no court currently,” said Wallsgrove. “So do you create a new court? Do you use the International Court of Justice? Or could you use other mechanisms?”

Already the students are suggesting a regional system so each of the UN’s global regions would have its own monitoring body composed of experts from that region in climate change science, economics, and political science.

“The way our idea would work,” said Steed, “is every country would be reviewed every five years by the board in their region.”

They modeled their idea after the current human rights monitoring body that performs universal periodic reviews in Geneva.

“But ours would be regionally-based rather than out of Geneva, and reviewed by experts rather than by other nations,” said Steed. “It has been fairly successful in many ways and we’ve seen significant reductions in human rights issues in some countries.”

Steed said it’s critical for Hawai‘i students to be part of such global discussions. “It’s important we send UH students everywhere because of the direct impact the climate crisis is already having on the Islands.

“A lot of the decision-making is still being done by the previous generation, but it’s my generation and my children’s generation who are the ones that are going to be affected.”

UH law students Miranda Steed ’19, Stacey Gray ’19, Tiana Winstead ’19 and Ryan McDermott ’19, were joined by Environmental Law Professor Richard Wallsgrove and Associate Dean Denise Antolini for this intense series of international meetings to create a compliance and monitoring body to oversee how nations plan to control emissions.

“This crisis is going to be the biggest problem that my generation faces in our lifetime,” said Steed ’19, who headed the UH student delegation. “For students to have the opportunity to participate is a chance to become part of the solution and to make our voices heard.”

The United Nations’ Framework Convention on Climate Change brought 10,000-13,000 representatives together in December 2018 from virtually every country in the world with the goal of establishing rules to provide for global monitoring of greenhouse gas emissions, though not enforcement. The end result was the Katowice Climate Package.

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“This crisis is going to be the biggest problem that my generation faces in our lifetime,” said Steed ’19, who headed the UH student delegation. “For students to have the opportunity to participate is a chance to become part of the solution and to make our voices heard.”
Handling Issues of Life and Death With Charm, Grace, and Winning Style

In the movie “The Best Exotic Marigold Hotel,” a collection of aging British seniors arrive in India, having imagined an elegant, inexpensive retirement at a refurbished hotel. What they discover is an establishment with as many issues as they have. Their ensuing adventures validate not just the importance of aging carefully and well, but also suggest how one can continue to enjoy living.

As Richardson Professor James Pietsch puts together specialized programs on aging for seniors, caregivers, and the caring establishment each year, he references that charming movie with his own charm and wit - ensuring that the audiences not only leave with a sheaf of important information, but also a sense of fun. He has even shown the movie - and served tea - to his audiences.

Those workshops speak of Pietsch’s ability not just to inform, but to entertain while handling delicate issues of life and death, and the space in between. The extremely popular “Nite of the Living Will,” scheduled every year around Halloween, assists community members in learning about advance directives for healthcare.

This past year Pietsch was awarded the Regents’ Medal for Excellence in Teaching, the second major award he has received during the past two years for his remarkable teaching skills, the clinics he runs on both Elder Law and Veterans Law, and the vast experience and wisdom he brings to both arenas.

“He’s really been the spark-plug behind these efforts,” said UH Law School Associate Dean Denise Antolini. “He has been front and center in leading these initiatives to produce more and better trained DOCARE officers, and in inspiring community partnerships. Simultaneously providing on-the-job training opportunities for our law graduates has been an invaluable experience for each of them.”

As a long-time leader in the environmental community in Hawai‘i, Antolini views the partnership with DLNR over the past decade as an important way to achieve better protection of Hawai‘i’s fragile environment, which is under pressure from invasive species, climate change, and the record number of visitors.

In 2017, a private grant of $48,000 Antolini received from the philanthropic Harold K.L. Castle Foundation in Kane‘ohe provided critically-needed consulting work by a national authority on conservation officer enforcement training.

This grant allowed DOCARE to design a new officer training academy to build legal enforcement capacity in the state. This initiative received strong support from the Governor and the Hawaii Legislature, which provided $500,928 to support the new Academy.

Since 2013, Antolini has received additional private and federal grants totaling around $490,000, including from the Castle Foundation, which have supported six full-time fellowships for Law School graduates who have worked inside DOCARE to increase the state’s capacity to monitor and enforce environmental laws.

Eric Co, Senior Program Officer for Ocean Resilience with the Castle Foundation, said working with UH, and the DLNR leadership under Farrell has been “a high priority” for many of the state’s environmental stakeholders.

“We are particularly excited about their (DLRN and DOCARE) chosen approach of establishing a training academy that would create more local jobs for local people, providing career opportunities to those who already have a deep love and understanding of Hawai‘i’s unique natural environment,” said Co.

In initial meetings more than two years ago to discuss the latest grant, Castle Foundation representatives were especially enthusiastic because of the potential involvement of Mike Carion, the retired chief of the California Fish & Game Academy. “It was clearly the prospect of getting top expertise in this field to help us design the Academy that made the grant possible,” said Antolini.

Castle Foundation’s Co was especially happy to make the grant possible, giving Castle Foundation trustee and retired chief of the California Fish & Game Academy.

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especially encouraged about the opportunity to work with Carion, calling him “uniquely qualified based on his deep experience doing similar work in a variety of locations across the country.”

Initial conversations involving DOCARE, Castle, and Carion inspired going forward on the grant, said Antolini. Additionally, Chief Farrell was familiar with Carion’s decades of work in the field of officer training and had consulted with Carion’s decades of work in the field of officer training and had consulted with him on policies in the past.

“His (Carion’s) initial involvement was critical to attracting the donor money,” said Antolini, praising the Castle Foundation for its ongoing grant support and its commitment to conservation and environmental law. “Without a doubt, the Environmental Law Program made a major leadership contribution in this field and it has transformed Hawaii’s in so many positive ways. The partnership with DOCARE and the Academy is the latest innovative partnership that exemplifies how the UH Law School directly serves to build legal capacity in our community.”

Antolini also was among the key people involved in launching Hawaii’s Environmental Court in 2015, one of the first two in the nation. Hawaii’s new court has the broadest jurisdiction in the United States over civil and criminal cases affecting the environment. “Our alumni are everywhere in this field,” Antolini has said. “They’ve found land trusts, are running environmental non-profits, are administering government programs that support natural resources protection, and are serving as private attorneys to help clients achieve environmental compliance.”

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“Left: Law School graduate Ian Garland ‘18 works with DOCARE Assistant Chief Jason Redulla in the law fellowship program.”

Freeze Means UH Law School Tuition Stays The Same For Five Years—through 2022-23

Admissions Director Elisabeth Steele Hutchison noted that in 2018-19 Richardson welcomed its second largest class ever, and in 2019-20 admitted its third-largest class. Included in both are students admitted based on their GRE® General test scores rather than LSAT scores.

“We are receiving excellent applications both for our day and evening programs,” said Hutchison. “Our evening, part-time program is particularly geared toward students who will continue to work or care for families during the day, but are looking to change careers, or learn important new skills to apply to their current jobs.”

The tuition at UH’s Law School has remained low compared to law schools on the continent, even for students who are not from Hawaii’s, and Richardson graduates carry some of the lowest law school debt in the United States.

The new tuition schedule, which freezes undergraduate tuition rates across the UH system after the 2019-20 year, and decreases general graduate student tuition rates, aims specifically to support the educational aspirations of the Hawaii’s community. The current tuition per semester at Richardson for Hawaii’s residents is $12,996, and it is $22,908 per semester for non-residents.

Among the incoming class of 2018-19, 84.4% of JD students received some form of financial aid, with 70% receiving some type of scholarship aid, according to Heather Smith-Lee, Director of Law Student Financial Assistance. In the 2018-19 year, the average total financial aid package per year for JD students receiving aid was $31,432, with the average amount of scholarship aid at $7,806, said Smith-Lee. Merit scholarship awards rose by 90 percent from 2017-18 to 2018-19, and rose 63% from 2018-19 to 2019-20, she said.
Three Outstanding Faculty Members Retire After Dedicated Service

Three of the Law School’s long-time faculty members retired this past year, after years of inspired teaching, outstanding academic work, and enduring friendships. The three are Professor Charles R. Lawrence III, Hazel Glenn Beh ’91, and Roberta Woods. Each was an authority in his or her field, beloved by students and colleagues alike, and prolific in adding a body of scholarly work on important topics.

Professor Lawrence, who has spent his career writing about racial justice and civil rights, is best known for his eloquent scholarship about antidiscrimination law, equal protection, and critical race theory. He was among the first to develop the legal importance of recognizing that racism is deeply enshrined in American society, with people of color marginalized by power structures based on white privilege.

Professor Beh, who also holds a PhD in American Studies and a Masters of Social Work, has worked extensively with the elderly and is an authority on health care. She joined the Law School in 1995 as Acting Associate Dean, and joined the faculty a year later. She was also Associate Dean for Academic Affairs from 2007-2009, and served as co-director of the Health Law Policy Center for many years. Her awards include being named Outstanding Woman Lawyer of the Year by Hawai‘i Women Lawyers in 2008 and being named a Regents’ Medalist for Excellence in Teaching.

Roberta Woods, who served as the Reference and Instructional Services Librarian, is an expert on Hawai‘i legal research and the author of many research guides on the topic. She is often called upon as a guest lecturer in the Library and Information Sciences graduate program. She earned bachelor’s degrees in computer and library sciences from Texas Women’s University and a JD from Franklin Pierce Law Center, now the University of New Hampshire School of Law. She also earned a Master of Library and Information Science at the University of Hawai‘i.

The retirees were honored at a celebratory gathering attended by faculty, staff, and family members at College Hill.

“They are beloved by students and colleagues alike.”

From left, Roberta Woods and Hazel Glenn Beh ’91 at their retirement party.

Dean Avi Soifer with Professor Charles R. Lawrence III at the retirement party.

Professor Charles R. Lawrence III

Professor Hazel Glenn Beh ’91

Reference and Instructional Librarian Roberta Woods
Gifts from 2 Hawai‘i Wood Master Craftsmen Have Places of Honor in UH Law Library and School

EXTRAORDINARY GIFTS by two of Hawai‘i’s outstanding wood-turners and master craftsmen are now on display in the UH Law Library.

The gifts, including 59 wooden bowls by the Big Island’s Dan DeLuz, and two statuesque ‘guardians’ created by the late Ron Kent, are now part of the Law Library’s refurbished look.

Several additional large, dramatic bowls and two more guardians by Kent will also be on display in the Law School’s Administration wing to honor both Kent and his wife, Myra Kent.

The DeLuz bowls were given to the Law School by banker John Dean and the Estate of William K. Richardson. The late William ‘Billy’ K. Richardson, a venture capitalist and entrepreneur who passed away in November of 2017, was the son of Law School founder William S. Richardson. He and Dean were good friends and worked together on a number of financial projects.

The friends had collected and co-owned the bowls, and they had contemplated the gift before Billy’s death, said Lea Hong ‘91, Richardson’s widow.

“I have ‘turned’ bowls in my day so I have a great respect for the craftsmanship that goes into them,” said Dean.

“Billy and I talked about someday giving the bowls to an institution where they could be shared with a broader public. We wanted to share DeLuz’s work. He was a gifted man. At the Law School Library his work now honors both Billy and CJ, his father.”

The beautiful DeLuz bowls were made from a remarkable range of woods such as lychee, koa, mango, sandalwood and ‘ohia over many years. A portion of the collection, formerly on display at Dean’s office downtown at Central Pacific Bank, now can be seen in the Law School Library’s “CJ’s Corner,” which celebrates and honors Billy’s father with his portrait and archival displays.

“We are extremely fortunate to be the recipient of these amazing gifts,” said Associate Professor of Law Victoria Szymczak, Director of the Law Library. “The bowls honoring Billy Richardson are displayed where students can gather, study or just relax.”

“CJ’s Corner” also includes a portrait of the Law School’s namesake who passed away in 2010, as well as recordings of his voice and legal decision-making which have been added to the area.

Law School Dean Avi Soifer pointed out that, “CJ’s Corner” is a place where students can gather, study or just relax, and this gift is a marvelously appropriate way to honor Billy Richardson and a great friendship.”

Soifer continued, “In fact, Billy followed his father in coming to the Law School often simply to get to know our students. He also taught here and he was always available to speak, as he did regularly at our Orientation and Commencement. We miss Billy very much.”

The works by Kent, as well as other art pieces, were donated in his and his wife Myra’s name by their daughter, Elizabeth Kent, a 1985 graduate, who is herself an artist as well as a mediator.

The six-foot tall ‘guardians’ in the Law Library have been positioned in an area where law students gather and relax, and where some public events are held.

They are two of a number of Kent pieces gifted to the Law School, including several massive bowls that are art pieces in themselves and have been in the Kent family. They are displayed in the Administration Building, along with two more statuesque guardians.

In a statement, the Kent family said: “The University of Hawai‘i has played an important role in our lives since the late 1960s when Myra completed her masters degree in education. As members of the community we love we’re glad we could contribute some prized art pieces to the school, along with our gratitude for what it has meant to both our family and our community. We are especially supportive of Chief Justice Richardson’s vision for the Law School and the advancement of justice.”

A ‘guardian’ by the late wood artist Ron Kent stands watch in the Law Library.

ABOVE: A collection of exquisite wooden bowls carved by the late Big Island artist Dan DeLuz bequeathed in honor of the late William ‘Billy’ K. Richardson. BELOW: A second Kent ‘guardian’
A MOMENT IN THE RECENT hit documentary “RBG” about U.S. Supreme Court Associate Justice Ruth Bader Ginsburg has special resonance for people in Hawai‘i.

It lasts less than a minute, but it puts the University of Hawai‘i Law School on the map in a unique way.

In the film, Justice Ginsburg is standing in her office at the Supreme Court, and reaches for a box resting on top of several others in the closet. As Ginsburg pulls it down, she opens the box to reveal a lace jabot (judicial collar) that she wears atop her judicial robes.

This particular lace collar features 49 rare tiny pink kahelelani Ni‘ihau shells, a gift from the William S. Richardson School of Law when Justice Ginsburg visited in February 2017 as the Law School’s Jurist-in-Residence.

“This one was given to me by the University of Hawai‘i,” Justice Ginsburg explains in the documentary, speaking to co-director Betsy West. “And she made it with French lace, and the beads are from the beach.”

Associate Dean Romette M. Kawakami ’85 was both stunned and thrilled as she watched that scene. It was Kawakami who designed and sewed the collar in addition to her many duties as the key hostess during Justice Ginsburg’s five-day visit. Dean Kawakami set up gatherings with Justice Ginsburg not only for Law School students but also for UH undergraduates, and for high school students from 10 schools.

“I wanted the students at her side, to have the chance to talk with this amazing, wonderful, trailblazing woman,” says Kawakami. “I wanted her to be as accessible and available to as many people as possible, and to the students especially.”

And Kawakami also wanted to give the Justice something of Hawai‘i to take back to Washington D.C. — a special collar. “She’s a lefty, so I made the special, delicate collar, decorated with shells gathered on the island of Ni‘ihau, to be lefty-friendly,” says Kawakami. Among Hawaiian shells, those from the private island of Ni‘ihau are the most treasured.

Justice Ginsburg’s collars have often been noted, particularly when the Court gathers to announce one of her opinions.

“The one she wears for majority opinions is from her law clerks and it looks like it is gold crochet,” said Kawakami. “A black one is for her dissents.”

Justice Ginsburg has been a guest of the Richardson Law School several times. But that most recent visit featured a meeting with 200 high school students and their teachers during a rainy Saturday event at Mililani High School.

During the same February 8-12, 2017 visit, the Law School planted an ‘ohia lehua in her honor. In addition to telling Justice Ginsburg about the significance of the ‘ohia lehua, and the importance and mythology surrounding the kalo that law students planted and tend in the Law School’s leafy courtyard, Sabrina Gramberg ’18, Letani Peltier ’17, and Marcos Bendana ’18 warmly thanked her for honoring their school.

“The kalo stands for social justice for the Native Hawaiians,” explained Bendana. “You are like the kalo, standing for social justice.”
Numerous Awards for UH Law From Ranking Agencies and Legal Publications

The annual evaluation by the national publication also recognized the high quality of both the Evening Part-Time Program and the Environmental Law Program, ranking them both at 30th.

“We are always pleased when we achieve high rankings from national evaluators, but the other strengths of the William S. Richardson School of Law lie in its atmosphere, and the support that students and faculty provide to one another,” said Dean Avi Soifer.

“Such support is difficult to quantify, but our graduates leave Richardson feeling that it has given them not just a superb legal education, but also a powerful new network, and friendships that last a lifetime.”

Both the Full-Time and Part-Time programs at Richardson have repeatedly been ranked among the best in the country, despite the school’s small size. Additionally the Law School maintains one of the lowest rates of tuition in the country.

* Named one of the nation’s most outstanding law schools, according to The Princeton Review, which ranked it second both for offering the “Greatest Resources for Minority Students,” and as the law school “Most Chosen by Older Students.”

The annual evaluation by the educational services company does not rank the law schools from 1 to 165, or name one law school best overall. Instead, the company publishes 12 ranking lists of the top 10 law schools in various categories. UH Law School scores high each year in areas that support diversity.

Richardson Law School is one of 64 schools (39% of the 165 profiled) that appear on one or more of the ranking lists.

In addition to the clinical program’s 10 areas for specialized experience, the school requires 60 hours of pro bono service as a graduation requirement. This requirement – spearheaded by Richardson students more than 20 years ago – has since become standard in law school training, but Richardson was one of the first schools nationally to make it a formal requirement. 

“We are always pleased when we achieve high rankings from national evaluators.”
A New Honor for Professor Charles Booth As Michael Marks Business Law Professor

CHARLES D. BOOTH, founder and director of the Institute of Asian-Pacific Business Law at the William S. Richardson School of Law, was chosen this past year as the next Michael J. Marks Business Law Professor.

The honor is for a three-year term, renewable for an additional two years.

Booth is an expert on Asian business law whose work looks at cross-border transactions and insolvency as well as commercial law, particularly in the aftermath of the Asian Financial Crisis.

He has authored more than 70 publications, including his book “Commercial Law for a Global Economy,” and is often asked to deliver keynote addresses and to speak at forums and conferences involving Asia-Pacific business law.

Professor Booth has had a vast range of teaching experience that took him to the University of Hong Kong from 1989 to 2005, before rejoining the UH Law School in 2006. He taught at UH Law for three years before joining the Hong Kong faculty.

Professor Booth earned his BA, summa cum laude, from Yale University in 1981 and his JD, cum laude, from Harvard Law School in 1984. He spent three years in practice with the international law firm Cleary, Gottlieb, Steen & Hamilton in New York before first coming to the UH Law School in 1986.

Dean Avi Soifer said he is grateful to the many friends of the late Michael J. Marks “for their ongoing support of the scholarship being produced by our faculty.”

Soifer added: “Professor Booth’s expertise in business lawyering in Asia offers a broad base of knowledge, depth, and insight to Richardson students. We are fortunate to have him on our faculty.”

The Michael J. Marks professorship was established at UH in 2010 to honor the longest serving general counsel among Hawai‘i’s publicly traded companies. His 39-year legal career included 28 years with Alexander & Baldwin, and many years in private practice in Honolulu and New York. He retired in 2003 as Vice President and General Counsel at A&B.

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Attorney Rick Fried Joins Hawai‘i Innocence Project as Co-Director

L. Richard ‘Rick’ Fried Jr., one of the state’s most successful litigators, has joined the Hawai‘i Innocence Project as a volunteer co-director replacing emeritus Law Professor Randy Roth.

The Hawai‘i Innocence Project at the Richardson School of Law is one of the most popular legal clinics for law students.

Fried joins co-director Faculty Specialist Kenneth Lawson, under whose leadership HIP has expanded to accept more cases and to involve many more attorneys from the community.

Lawson said that Fried will bring a whole new level of expertise to HIP. “Rick has a hugely successful civil practice, and he is well known as one of the best litigators in the United States,” said Lawson.

“Without a doubt, Rick’s experience as a trial attorney is second to none, but it’s his passion for justice and his commitment to go the extra mile for his clients that make him the perfect fit for HIP.”

ABOVE: From left is Dean Soifer, staff attorney Jennifer Brown, co-director Kenneth Lawson, retired Professor Randall Roth and co-director Rick Fried.
The Hawai'i Innocence Project recently won a $567,006 federal grant to assist in DNA testing that often provides conclusive evidence of innocence in disputed cases. Lawson said the grant application was particularly impressive because student enrollment over the past several years has increased threefold, the number of volunteer attorneys has increased fourfold, and a new fundraising campaign has raised over $100,000 in unrestricted funds to help the project.

In addition, HIP has innovated by asking a distinguished panel of volunteer former prosecutors to listen to and assist law students as they begin to build their cases. Adjunct law professor Wes Reber Porter helped design and recruit members of the Case Integrity Unit, consisting exclusively of former prosecutors who help to vet HIP cases.

Each year student teams and supervising attorneys review hundreds of requests from prisoners claiming innocence. To date, three Hawai'i men have been released from prison through the efforts of the Innocence Project.

Fried, who already has been involved in assisting HIP as a volunteer supervising attorney, said that he hoped to be able to add expertise from his decades of experience as a litigator.

“I was very surprised to learn how many innocent people were incarcerated for crimes they did not commit,” he said. “Many of these people are wrongfully incarcerated due to misidentification at a line-up or picked out from photographs.”

In the clinic, HIP students investigate new evidence, prepare post-conviction motions, conduct hearings, argue motions, and file appeals. In addition to its students, the Law School provides office space, equipment, administrative support, and the services of Lawson. Lawson is responsible for daily operations, fundraising, and the recruitment and coordination of skilled volunteers, which currently include 12 lawyers, two private investigators, two office helpers, and a DNA expert from the John A. Burns School of Medicine, Dr. David Haymer.

Fried said that he hopes his participation in HIP will also spur other lawyers, especially young attorneys just starting out in practice, to become involved in volunteering “to help those paying the ultimate price – wrongful incarceration.”

And he said the new grant will help expand HIP’s important work.

Soifer noted, “The Hawai'i Innocence Project has grown considerably since some years ago. The work of volunteer cooperating attorneys has been instrumental in its ongoing success.”

Soifer added, “Professor Randy Roth and now attorney Rick Fried have contributed a great deal to the learning experience of the law students and to the overall success of the project - and Faculty Specialist Ken Lawson’s leadership has been invaluable.”

“I was very surprised to learn how many innocent people were incarcerated for crimes they did not commit.”

“Unfortunately, we know there are cases where people have been wrongfully incarcerated and who will benefit from this remarkable grant,” said Fried.

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“We’ve been mentored by eight of our own law students, and have established connections with law students who aren’t much older than they are, but who are already pursuing a path they too may pursue one day.”

For Hoku Chun ’21, one of the volunteer law students, it was a program much like this during her high school years at Kaumamoea School on Maui that cemented her dream to go to law school.

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“I don’t get this exposure in Farrington, to see if law is something I want to do,” said Serna. “It was kind of nerve-wracking,” she said of the mock trial experience, “but I feel I could do that.”

Hannah McKee ’21, another law student volunteer, was impressed by the determination the high school students brought to the program. “The kids who apply are already goal-oriented,” said McKee, “and have an inkling of what they want to do, and want to get an idea of what law would be like.”

She also found that they enjoyed being mentored by law students to whom they could easily relate. On the bench, retired Faculty Specialist Dale Lee served as judge, denying or allowing objections, issuing guidance from the bench, and at one point pounding it forcefully. It was, he said, the way his heart would feel when he was awaiting a jury’s decision after a trial during the years he practiced law.

“Receiving a decision from the jury is really a spooky thing,” he told the students. “Your heart is pounding and you think everyone can hear it.”

For Shane Grace Deloso, 17, a rising senior at Waipahu High School, the Law School experience helped her begin to clarify the future. “I’m kind of confused about what I want to do,” said Deloso. “Wow, this has been great information and the best part has been collaborating with different schools.”

In addition to Waipahu and Farrington, the high schools involved were: Roosevelt, Kaiser, Kalani, Mililani, and Moanalua.

During the week-long program the students also met Supreme Court Chief Justice Mark Recktenwald, as well as Associate Justices Paula Nakayama, Sabrina McKenna ’82, and Michael Wilson. The students were hosted for lunch by the Cades Schutte law firm, and met and spoke with Sen. Karl Rhodes and Rep. Chris Lee at the State Legislature.

The high school students also heard mini-lectures, including on: Constitutional Law by Dean Avi Soifer; Client-centered practice and Family Law by Professor Calvin Pang ’85; and Native Hawaiian rights by Professor Melody MacKenzie ’76.

In addition, they sat in on a murder trial at Circuit Court.

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New UH Dual Degree Available For JD And Masters of Social Work in Four Years

To be eligible for the dual degree program, law students must successfully complete their first year at the Law School. Coursework for the MSW would then begin in tandem with their second year of law school. Current Bachelors and Masters of Social Work students interested in the program should contact the MBT SSW Student Services Office for more information.

The dual degree designation allows students to enroll in both programs for the cost of only the full-time JD tuition. After graduation with a degree in law, students will pay graduate level tuition for any additional credits they might need to complete their MSW coursework.

Law School Dean Avi Soifer explained, “Some of our students recently advocated for just such a program, and we are very pleased that, with the close cooperation of Dean Noreen Mokuau and her excellent staff, we were able to work out all the details. The efforts of our terrific Registrar, Piyada Nonzee, made this program possible, and we are confident that because of the many areas in which law and social work overlap, students with both degrees will be in demand and will be able to better serve those who most need their help.”

Soifer added, “As the Law School Commencement speaker a few years ago, Hawai’i Supreme Court Justice (ret.) Jim Duffy declared that law is and should be a healing profession. This dual degree program will certainly help in this regard, and I am confident that because of the many areas in which law and social work overlap, students with both degrees will be in great demand and will be able to better serve those who most need their help.”

Nonzee: “It provides yet another opportunity to connect with, and learn from, students in other UH departments - just as they will do within the community in the career paths they choose. These two degrees open a tremendous range of opportunities, not just in legal circles, but in those involving social service work as well.”

Teaming with Registrar Nonzee, Mari Ono and Sara Okamura from the Social Work School’s Student Services Office collaborated for almost two years to develop a prototype plan for the dual degree. Director Ono noted: “Over the years, we have had social work students express their interest and desire for a dual degree with Law. It’s time that we are finally able to bring this partnership to fruition.”

For Social Work BSW student Austin Haleyalpiy, 24, having the option of the dual degree is a tremendous opportunity to serve the Pacific Island community from which he comes. “The two degrees go hand in hand,” said Haleyalpiy, whose father is from Yap, one of the Caroline Islands that are part of the Federated States of Micronesia, and whose mother is from the Republic of Palau.

“Pacific Islanders need a lot more representation, and while Social Work itself is community-based, a lot of additional things can be done on a policy level or in a courtroom,” said Haleyalpiy, who plans to apply for the dual JD/MSW when he graduates with his BSW degree. “There are a lot of community battles, and the arena would be the courtroom as far as fighting those battles.”

Haleyalpiy said he was especially inspired by a recent lecture by Richmond graduate Julian Aguon ’09, who established a law practice on Guam and who was fighting for the rights of indigenous people. “Listening to him and seeing the passion he brings, and what he does with his law degree, motivated me even more,” said Haleyalpiy.

Both senior MSW students and current MSW students are eligible to apply for admission to the Law School. To do so, contact the MBT SSW Student Services Office at (808) 956-7182.

For information on other dual degrees at UH Mānoa, visit the website. https://manoa.hawaii.edu/graduate/cont/dual-degrees

Dual Degrees at the Law School may be found at: https://www.law.hawaii.edu/5jd/dual-degree-programs

JD/MBA https://www.law.hawaii.edu/3jdmba-

Registrar Piyada Nonzee
Bar Exam Pass Rate Jumps To 81 Percent for First-Time UH Test-Takers

THE JULY 2018 PASS RATE for the Hawai‘i Bar Exam soared to 81 percent for first-time UH test-takers who graduated last May and took the exam in July.

That put these graduates a full 10 percentage points ahead of all those who took the Hawai‘i bar exam in July, 2017. That pass rate was 71 percent.

Dean Avi Soifer praised the preparation offered by the Law School, and particularly by Liam Skilling ’07, who is both Director of the Evening Part Time Program and of Academic Success.

“We have excellent, highly motivated students and faculty members who focus a great deal of attention on preparations for this challenging exam,” said Soifer. “Liam is especially committed to ensuring that every student is well-prepared.”

The first-time UH test-takers’ pass rate was also four points higher than a year ago, when it was 77 percent in July, 2017.

The July 2018 pass rate for UH graduates who may not have taken the exam the same year as their graduation, may have put it off for several years, or were retaking it, was 70 percent.

GIVING TO THE WILLIAM S. RICHARDSON SCHOOL OF LAW AT UH

To expand student scholarships; to give added life to exceptional teaching, research, and service; and to improve our facilities, the Law School is dedicated to raising private funds in addition to the public funding it receives. Those interested in contributing to an array of programs should contact Julie Levine at: julie.levine@uhfoundation.org or through the Foundation’s website at: http://www.uhfoundation.org/

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