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PACE

Commission to Promote and
Advance Civic Education

Annual Report 2021-2022

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I. Introduction To The Commission

On January 7, 2021-- the day after the attack on the U.S. Capitol -- the Hawai‘i Supreme Court adopted Rule 23 of the Rules of the Supreme Court of the State of Hawai‘i creating the Commission to Promote and Advance Civic Education (PACE Commission or Commission).¹ The roots for the effort to create the PACE Commission stem back many years, to a speech by former Hawai‘i Supreme Court Chief Justice Ronald T.Y. Moon about the legal community’s responsibility to actively improve the public’s knowledge and understanding of how government works and to encourage the public’s participation. Chief Justice Moon’s speech inspired the American Judicature Society (AJS), Hawai‘i Chapter, to form a special committee in 2007 to address the issue. As a result, the AJS Special Committee created a report, surveying existing programs on civics in Hawai‘i and bar-sponsored civics education programs in other states. Based on its findings, the Report recommended, among other things, the creation of a Hawai‘i Institute for Civics Education (HICE), led by an advisory committee and a director, to explore partnerships with existing civics programs and to create new Hawai‘i-focused civics programs.² The idea for a HICE did not come to fruition, primarily due to a lack of funding. However, years later, a subsequent AJS committee reconsidered the report and recommended adoption of a rule by the Hawai‘i Supreme Court to create the PACE Commission. The Hawai‘i Supreme Court, led by Chief Justice Mark E. Recktenwald,³ supported the idea of advancing efforts in civic education and ultimately adopted Rule 23, creating the PACE Commission.

As set forth in Rule 23, the purpose of the Commission is “to promote and advance civic education for students and citizens throughout Hawai‘i.” The Commission is tasked with endeavoring to: provide leadership, oversight, and initiatives to increase civic education in the community and schools, increase knowledge about government, and promote informed participation in government and democracy in Hawai‘i; provide educational resources for the public about the importance of civic education; maximize the efficient use of available resources by improving collaboration and coordination among entities promoting civic education; encourage attorneys, judges, government officials, and other public and private leaders in Hawai‘i to take leadership roles in expanding civic education; reduce barriers to civic education by developing resources to overcome language, cultural, and other barriers; and increase pro bono contributions by Hawai‘i attorneys to civic education.

The Commission has fourteen members appointed according to Rule 23 by the following: Chief Justice of the Hawai‘i Supreme Court, Governor, President of the Senate, Speaker of the House, Office of Hawaiian Affairs (OHA), Superintendent of the Department of Education, Chief Judge of the U.S. District Court for the District of Hawai‘i, President of the University of Hawai‘i, Dean of the William S. Richardson

¹ A copy of Supreme Court Rule 23 is attached to this report.

² The AJS Special Committee report is attached to this report.

³ The Commission recognizes and thanks Chief Justice Mark E. Recktenwald, who played a critical role in supporting the idea of the PACE Commission, from its early planning stages through to the adoption of Rule 23.

School of Law, Hawai‘i State Bar Association, Hawai‘i Association of Independent Schools, and two members selected by the other appointed members.

After Commission members were appointed, the Commission began meeting in April 2021 and meets monthly.⁴ It also has two committees, one focused on civic education in the schools and one focused more generally on civic engagement in the community, which also meet monthly. In its first year, the PACE Commission has worked to build bridges among the groups represented on the Commission and with other community partners to explore and work toward the best ways to meet the purposes set out in Rule 23. Notably, the Commission has garnered the support of the Hawai‘i Department of Education (DOE) interim superintendent and has received funding from the U.S. District Court for the District of Hawaii to support the Commission’s efforts.

Much of the Commission’s work has and will be carried out by the two PACE committees, which have identified projects or programs they are working to support or to initiate, as detailed further in this report. There is also a work group that has been meeting to create a PACE website envisioned as a hub for much of the Commission’s work.

In the current legislative session, there have been several bills addressing civic education for which the Commission provided testimony, including two bills introduced by legislators on the Commission. HB2494 (seeking to expand civic education in public schools and to create a civic education resource teacher position in the DOE) was introduced by Representative Amy Perruso. SB2885 (creating a position in the Public Access Room at the Legislature to provide educational outreach and engagement with Hawai‘i schools) was introduced by Senator Dru Kanuha. As of the submission of this report, HB2494 had passed in the House but not advanced in the Senate, and SB2885 was pending in conference committee.

A number of professionals in the legal field, including judges and private and government attorneys, are already involved in the Commission’s efforts or have committed to support the Commission through its committees. The Commission continues to increase its visibility through public events and by encouraging members and their respective organizations to promote the Commission’s mission.

⁴ Because the Commission did not start meeting until April 2021, this annual report is being submitted in April 2022.

Mission Statement

The Commission has adopted the following mission statement:

“To create, implement and amplify sustainable programs, resources, and practices that improve place-based, constitutionally informed and culturally sensitive civic education and engagement in Hawai‘i schools and communities.”

II. Commissioners

	Name	Appointed By
1.	Hon. Lisa M. Ginoza (Chair)	Chief Justice
2.	Rep. Amy A. Perruso (Vice-Chair)	Speaker of the House of Representatives
3.	Matt M. Mattice	Chief Justice
4.	Gary H. Yamashiroya, Esq. ⁵	Governor of the State of Hawai‘i
5.	Carmen Hulu Lindsey, OHA Board Chair	Office of Hawaiian Affairs
6.	Rosanna Fukuda, MAEd.	Superintendent of the Department of Education
7.	Hon. Wes Porter	Chief Judge of the U.S. District Court for the District of Hawaii
8.	Debora Halbert, Ph.D.	President of the University of Hawai‘i
9.	Troy J.H. Andrade, Ph.D.	Dean of the William S. Richardson School of Law
10.	Ruth Oh, Esq.	Hawai‘i State Bar Association
11.	Philip Bossert, Ph.D.	Hawai‘i Association of Independent Schools
12.	Sen. Dru M. Kanuha	President of the Senate
13.	Nathan G. Kam	Commission
14.	Colin Moore, Ph.D.	Commission

⁵ Former state Attorney General Clare E. Connors held this position until she was appointed U.S. Attorney for the District of Hawaii, which resulted in her resignation from the Commission in December 2021.



Top row (L-R): Professor Troy J.H. Andrade; Sylvia Hussey, Ed.D; Rep. Amy A. Perruso; Chief Judge Lisa M. Ginoza; Attorney General Clare E. Connors.

Middle row (L-R): Matt M. Mattice; Carmen Hulu Lindsey, OHA Board Chair; Debora Halbert, Ph.D.; Magistrate Judge Wes Porter; Philip J. Bossert, Ph.D.

Bottom row (L-R): Rosanna Fukuda, MAEd; Ruth K. Oh, Esq.; Alicia M. Fung, Esq.

The Commission wishes to recognize and thank the following who regularly participate in Commission meetings and provide valuable input and service to the Commission: Sylvia Hussey, OHA Chief Executive Officer; Iokepa Command, Office of Sen. Dru Kanuha; and Alicia Fung, Esq., who prepares the minutes at each of the Commission meetings. The Commission also recognizes and thanks Nadine Grace for her administrative work in support of the Commission, and Kauluponookaleihua Lu'uwai for her assistance in preparing this annual report.

III. Commission Meetings

On April 12, 2021, the Commission held its first meeting via WebEx. Chief Judge Lisa Ginoza welcomed members and guests and Chief Justice Mark Recktenwald gave remarks. During the meeting, a brief background was provided on the origins of the Commission and Rule 23 of the Supreme Court of the State of Hawai‘i.

Since its establishment, the Commission has held thirteen meetings on the following dates:

Monday, April 12, 2021 at 12:00 p.m.
Tuesday, May 11, 2021 at 1:00 p.m.
Tuesday, June 15, 2021 at 1:00 p.m.
Wednesday, July 21, 2021 at 11:00 a.m.
Tuesday, August 17, 2021 at 12:00 p.m.
Tuesday, September 21, 2021 at 12:00 p.m.
Tuesday, October 19, 2021 at 12:00 p.m.
Tuesday, November 16, 2021 at 12:00 p.m.
Tuesday, December 14, 2021 at 12:00 p.m.
Tuesday, January 18, 2022 at 12:00 p.m.
Tuesday, February 15, 2022 at 12:00 p.m.
Tuesday, March 15, 2022 at 12:00 p.m.
Tuesday, April 19, 2022 at 12:00 p.m.

Copies of the Commission agendas can be found in the Appendices.

A Brief Summary of the Commission Meetings

1. April 12, 2021

Chief Justice Recktenwald and Chief Judge Ginoza gave introductory remarks. Commission members then introduced themselves and shared their priority goals and suggestions for the Commission. Members agreed that committees and task forces should be formed after identifying a Commission vision statement. Members also discussed nominating individuals for the two additional seats to be filled on the Commission.

2. May 11, 2021

Representative Amy Perruso presented a draft vision statement and members provided feedback. Members discussed nominations submitted for the two additional seats on the Commission, with Nathan Kam and Pam Omidyar being selected pending their acceptance. Members agreed to establish two committees: 1) Committee to Increase Civic Education in Schools and 2) Committee to Increase Civic Education in the Community. Members elected Matt Mattice to serve as the Chair of the

Committee to Increase Civic Education in Schools. No Chair was elected for the Committee to Increase Civic Education in the Community.

3. June 15, 2021

Members welcomed new Commission member, Nathan Kam. Pam Omidyar respectfully declined the invitation to serve on the Commission. Professor Colin Moore was selected for the remaining seat on the Commission, pending his acceptance. Members had no objection to Civil Beat's request for the Commission's meeting minutes. Members discussed and ultimately agreed that the Commission should have a mission rather than a vision statement to include actionable terms and promote accountability. After discussion, members unanimously adopted the Commission's mission statement. Members discussed the need for community input but also the need for a communication plan before engaging in a community listening tour or outreach events.

Rosanna Fukuda was unanimously approved to serve as co-chair of the Committee to Increase Civic Education in Schools. Attorney General Clare Connors and Professor Troy Andrade were unanimously approved to serve as co-chairs of the Committee to Increase Civic Education in the Community.

Mary Ellen Daneels, Lead Instructional Specialist of Illinois Civics Hub, presented to the Commission on her work to reform K-12 civic education in Illinois.

4. July 21, 2021

Members welcomed new Commission member, Professor Colin Moore. Members discussed the need for an online presence with general information on the Commission. Members unanimously approved shortening the committee names to: (1) Committee on Civic Education in Schools (Education Committee) and (2) Committee on Civic Engagement (Civic Engagement Committee).

The committees plan to provide proposals for outreach efforts at the next meeting. The Civic Engagement Committee reported on the committee's discussion regarding its purpose/vision, including to create an interactive resource that educates, connects ongoing initiatives throughout the islands, and be a central repository for organizations and initiatives that address community civic engagement.

5. August 17, 2021

Member Dr. Phil Bossert discussed the Hawai'i Online Portal for Education (HOPE) Program, a public, open resource portal that also supports cohorts of local teachers to develop Hawai'i-focused online curriculum resources. Chief Judge Ginoza reported on discussions with Judiciary officials regarding the process to create a Commission webpage housed under the Judiciary. The AJS National Conference in November 2021 was discussed because of its civic education component.

The Education Committee Co-Chair Matt Mattice reported that the committee discussed strategies for outreach and discussed challenges as well as solutions to overcome challenges. After member discussion, the Education Committee agreed outreach to public schools should be deferred until a relationship with the new superintendent is established. Chief Judge Ginoza and Co-Chair of the Education Committee, Rosanna Fukuda, proposed a program for teachers to connect with individuals involved in civics, similar to the Judiciary Speakers Bureau, but broadened to include the legislature, executive branch, public defenders, prosecutors, and other attorneys. Chief Judge Ginoza will be the Judiciary contact/coordinator, Representative Perruso will be the Legislature contact/coordinator. The Civic Engagement Committee did not have anything new to report.

6. September 21, 2021

Chief Judge Ginoza reported she is scheduled to meet with Department of Education Interim Superintendent Keith Hayashi on October 1, 2021. Representative Perruso discussed a tentative outreach plan, pending approval of the interim superintendent, including virtual meetings with each complex area to address area-specific challenges and solutions. Member Nathan Kam offered to inquire about research/surveying services on civics from Anthology. Member Rosanna Fukuda summarized the social studies speaker webinar series she holds for educators. Nathan Kam presented on the PACE Commission logos (created by Anthology) that were circulated prior to the meeting, and members discussed the proposed logos. Chief Judge Ginoza reported that approval for a Commission webpage is being considered by the judiciary.

The Civic Engagement Committee reported that the committee is being mindful of existing resources on community civic engagement for the Commission to leverage. Professors Colin Moore and Troy Andrade agreed to activate professors at the University of Hawai'i.

7. October 19, 2021

Chief Judge Ginoza reported on meeting with Interim Superintendent Hayashi, joined by Chief Justice Recktenwald. The superintendent voiced strong support for the Commission's mission and initiatives. DOE's initiatives were also discussed at the meeting, including the Career Pathways Program for students. Judge Shirley Kawamura agreed to serve on the Law and Public Safety Pathway advisory council. Evangeline Casinas, DOE Education Specialist, Career and Technical Education, presented on the DOE Law and Public Safety Pathway, which allows students to learn about, and see firsthand, career opportunities, including in the judiciary and legal fields. Nathan Kam and members discussed revised logos being considered and that final versions will be circulated. The Judiciary administrator approved the Commission webpage to proceed. Members discussed website domain names.

The Education Committee reported that the committee is still working on defining “civic education.” The committee also discussed potential initiative and projects, including Schools of Democracy, the PACE Speaker’s Bureau, and the DOE’s Career and Technical Education Pathways. The Civic Engagement Committee reported that the committee is working to populate the Commission webpage with resources in a way that engages student involvement and suggested partnering with the Education Committee.

8. November 16, 2021

Regarding school and community outreach, Matt Mattice reported that the format for schools and community outreach will probably be similar to the Judiciary’s Courts in the Community Program and organized by school complex area with a target date of spring 2022. Education Committee co-chair Rosanna Fukuda reported that the National Council for Social studies is forming a local council. The Civic Engagement Committee reported on the committee’s discussions to make civics “real” and how to engage the community through the Commission webpage. Kaua’i High School has expressed interest in a PACE project teaching students about civics and local government, and then creating video interviews of local government officials or others on Kaua’i that can be replicated with other schools/counties. Nathan Kam announced the logo that received the most votes from Commission members and he will begin to generate materials with the logo for use by the Commission. A list of possible webpage domains was presented. Members expressed a preference for .org over .com. Committee chairs were requested to submit information for the annual report.

9. December 14, 2021

Attorney General Clare Connors has been appointed U.S. Attorney for the District of Hawaii and has resigned from the PACE Commission. A new appointee from the Governor will be sought. Members discussed a plan for school and community outreach, the potential for civic education funding through the Hawai’i Schools Digital Media Grants, next steps to plan the potential video project with Kaua’i High School teachers and possibility of expanding to schools on each island. Commissioners also discussed website domain names. Chief Judge Ginoza reported on the American Judicature Society’s National Conference held on November 21-24, 2021, which included: a discussion on civics by U.S. Supreme Court Justice Sonia Sotomayor and Dr. Anthony Simones of the Missouri Bar, moderated by Chief Judge Ginoza; and a civics breakout session with presenters Rep. Amy Perruso, Mary Ellen Daneels and Dr. Simones. The Commission also discussed creating a separate working group to oversee content and presentation materials for use on a Commission website and translation of training materials into ‘Ōlelo Hawai’i.

10. January 18, 2022

Discussion on various public events in which the Commission may want to consider participating, including Project Citizen Institute (July 11-15, 2022), 175th Anniversary of Washington Place, and 150th Anniversary of Kamehameha Day. A Speaker's Bureau draft is being reviewed by the HSBA Civic Education Committee and members of the legislature. Legislative bills regarding civic education were discussed. Members discussed the Commission's work with schools and trying to ensure a project is sustainable. Nathan Kam presented potential PACE Commission letterhead designs for consideration and that his design team will continue to work on the letterhead. Chief Judge Ginoza reported that four different domain names have been reserved for use by the PACE Commission. Suggestion made for the PACE Commission to also have a social media presence. Members also discussed potential projects given the upcoming 2022 elections and an effort will be made to reach out to the Office of Elections for ideas.

11. February 15, 2022

Gary Yamashiroya was welcomed as Governor Ige's new appointee to the Commission. The Education Committee reported on various initiatives including surveys to collect school input on civic education, Speakers Bureau, and Schools of Democracy program pilot. The Civic Engagement Committee reported on initiatives, including possible civic engagement video projects with various schools across the islands. Commission member Fukuda presented on Hawaii Core Standards for Social Studies. Regarding reach out to the Office of Elections, the Commission can assist in efforts to have schools participate in a voter pre-registration program for students at least 16 years old. Nathan Kam provided an update regarding the work on the PACE website.

Update provided on multiple legislative bills concerning the Commission and/or civic education. The Commission submitted testimony on three bills:⁶ in support of SB2885 (appropriating funds and creating one full-time position at the Legislature's Public Access Room to provide educational outreach and engagement with Hawai'i public schools); supporting the intent but deferring to the DOE regarding HB1683 (requiring the DOE, in consultation with the PACE Commission, to develop and implement curriculum in civic education as a component of high school United States history courses); and in support of HB2494 (appropriating funds for expansion of civic

⁶ Testimony by the PACE Commission on legislative bills was drafted and sent by email to all commission members for review, comment, and for a vote. If a majority (8 votes) of the members approve, the testimony was submitted. Chief Judge Ginoza or Ruth Oh, Esq. also provided oral testimony in support of the PACE Commission's testimony during the 2022 session.

education in public schools and for a full-time permanent civic education resource teacher position).

12. March 15, 2022

Alexander Heffner, who is a journalist, civic educator, and host of “The Open Mind” on PBS, gave a presentation to the Commission on civic education and civic discourse. Also, Commission members Dr. Debora Halbert, Prof. Colin Moore and Prof. Troy Andrade presented on civics and civic engagement in the University of Hawai‘i system. The Civic Engagement Committee and the Education Committee reported that they have pivoted their respective meetings to project-specific meetings. The Civic Engagement Committee continues to work on its Project “A”, a video project partnership with Kaua‘i High School, and is also now working on Project “B”, a form of Law & Justice Academy to be held on Maui, which is patterned after an academy run by the William S. Richardson School of Law. The Education Committee reported on its work related to the National Council for Social Studies, Hawai‘i Chapter, as well as its ongoing initiatives: Schools of Democracy, We the People, and Project Citizen. Update provided regarding work on the PACE website.

Update provided on the legislative session. Since the last Commission meeting, the Commission submitted testimony in support of: SB2885, which has crossed over to the House; and HB2494, which has crossed over to the Senate.

13. April 19, 2022

Education Committee co-chair Matt Mattice provided update on the Project Citizen teacher training coming up in July in Hawai‘i being organized by the Judiciary History Center. Teachers from Hawai‘i and other states will be training. The PACE Commission can support this training by providing funds for speaker fees. A written request for funds will be made to the Commission. Funds provided to the PACE Commission by the U.S. District Court remain available. Co-Chair for the Education Committee, Rosanna Fukuda, reported that Schools of Democracy is moving forward, they are working with a teacher from Maui and a teacher at Waipahu High School, and aiming to have a program started in the fall semester. Also, there is a DOE conference in July that may be an opportunity for the PACE Commission to make a presentation on its projects and mission. An update was provided on the Civic Engagement Committee’s work on a Law & Justice Academy on Maui, working in collaboration with the UH Maui College, Maui bar members and Maui judges. Regarding the PACE website, Nathan Kam reported on a recent work group meeting and the suggestion to hold a half-day brainstorming session to help shape the website, and that Anthology is willing to assist in the website development.

Update provided on the legislative session. Since the last Commission meeting, the Commission submitted testimony in support of SB2885 for two hearings in the House. The bill passed both House committees and is headed to conference

committee. For HB2494, which crossed over to the Senate, no Senate hearing was held.

IV. Committees And Work Group

A. The Committee on Civic Education in Schools

Since its formation in May 2021, the Education Committee has met monthly to discuss its purpose, the ongoing or new initiatives the Committee and Commission should support, and how the Committee can incorporate practices of equality, equity, and inclusion in all of its initiatives. This Committee is co-chaired by Matt Mattice (Executive Director of the Judiciary History Center) and Rosanna Fukuda (DOE Education Specialist for Social Studies). Committee members are: Senator Dru Kanuha, Representative Amy Perruso, Judge Shirley Kawamura, Phillip Bossert, Ruth Oh, Iokepa Command, Keahe Davis, Debora Halbert, Robert Miller, Aiko Yamashiro, Judge Rebecca Copeland, and Judge Jessi Hall.

One of the Committee's goals has been to seek the DOE's support of the PACE Commission's mission. Part of that effort included a meeting between Chief Justice Recktenwald and Chief Judge Ginoza with DOE Interim Superintendent Hayashi in October 2021. During that meeting, Interim Superintendent Hayashi indicated strong support for the PACE Commission's mission and initiatives, and also discussed DOE projects in which the PACE Commission could participate, including the Law and Public Safety Pathway and the Pathway Advisory Council, which is part of the DOE's Career and Technical Education programs. Resulting from that discussion, Judge Shirley Kawamura has been serving on the DOE's Pathway Advisory Council, which seeks to educate and provide opportunities for students to learn about careers in law and public safety. Through Judge Kawamura's work in this area, contact was also made with ClimbHI, which provides opportunities for students and educators to make contact with those interested in providing workforce development opportunities, including in government. The Judiciary is working to provide speakers through the ClimbHI Bridge program.

The Education Committee has also focused on the following existing or new initiatives:

1. Hawai'i Schools of Democracy Program

The Hawai'i Schools of Democracy voluntary program, which is currently being developed in the DOE, will recognize public high schools in Hawai'i for a commitment to preparing students to be engaged and active citizens in their communities through high-quality civic learning opportunities. At the core of this preparation are:

- a. A rigorous commitment to civic learning aligned to the Hawai'i Core Standards for Social Studies;
- b. Opportunities for civic learning across the curriculum;

- c. A school culture that embraces the Aloha Spirit; and
- d. The application of research around high-quality civic learning to prepare our youngest citizens for civic life through service learning, voter engagement, and the use of democratic principles as content and practice.

Development of this initiative started in School Year 21-22, will continue to be developed and refined in School Year 22-23, and is expected to be ready for launch in School Year 23-24. Input and participation from the PACE Commission will be sought throughout this initiative's development and implementation.

2. Seal of Civic Engagement

The Seal of Civic Engagement recognizes graduating seniors who have demonstrated a substantial commitment to civic preparation through a combination of civic knowledge, skills and actions, mindsets, and experiences by placing a Distinction Seal on their diploma. Initial planning has begun but no implementation date has been projected.

3. Federal Courts Workshop

Initiated in 2014, the Federal Courts Workshop is an annual professional development opportunity for Hawai'i's public and private schools. The two- to four-day workshop, targeting DOE Subject Matter Standards in Civics and History, is a partnership effort of the U.S. District Court for the District of Hawai'i, the Hawai'i State Bar Association Civic Education Committee, and the King Kamehameha V Judiciary History Center.⁷ An upcoming workshop is planned for June 2022. The PACE Commission's support of this initiative may include some funding, content speakers, and promotion.

4. Project Citizen

Project Citizen is a national curriculum program provided by the Center for Civic Education that teaches students to participate in local public policy issues. Through a four-step process, students identify a community problem, including its causes and consequences. Next, students research and evaluate existing public policy addressing the problem. They then propose a new policy or a new means to enforce existing policy. Finally, students create an implementation plan. In Hawai'i, the Judiciary History Center coordinates Project Citizen and has recently been awarded a grant to provide training to 20 teachers from a nine-state region (Hawai'i, Alaska, Washington, Oregon, California, Nevada, Arizona, Idaho, and Utah). The PACE Commission's support may include assisting students in tracking bills and writing testimony, funding curriculum and training for additional teachers, and assisting in providing judges for a state showcase event where students present public policy proposals to community leaders.

⁷ During the 2020 and 2021 school years, the Federal Court Workshops were not held due to the pandemic.

5. We The People

We The People is a six-unit national curriculum program provided by the Center for Civic Education that teaches principles of the United States Constitution and representative democracy. The curriculum culminates with a "Simulated Congressional Hearing" during which teams deliver prepared remarks to pre-assigned hearing questions. Following the prepared remarks, teams must answer follow-up questions posed by a panel of hearing judges. Each year, high school We The People classes can enter a state tournament with finalists continuing to the national finals in Virginia.

In Hawai‘i, We The People is coordinated by the Judiciary History Center. Hawai‘i’s annual state tournament is conducted on the first Saturday in February. Following the tournament, the Judiciary History Center coordinates assistance to prepare the winning team for the national competition. The PACE Commission’s support of this initiative has included assistance with judges for the state competition and providing coaching assistance for students preparing for the national competition. In the future, the PACE Commission may also assist with funding to help train and provide curriculum for We The People high school teams and assistance with teacher training and support.

6. Teacher Survey

The Education Committee developed an informal needs assessment for the PACE Commission to determine ways to support Hawai‘i’s teachers with instruction and resources in civics. In February 2022, the survey was sent to 689 teachers who have participated in the Judiciary History Center’s education programs and/or workshops. After initial survey results are analyzed, the Education Committee anticipates sending an amended survey, with DOE’s permission, to selected DOE teachers in May 2022. The survey also will be made available to Hawai‘i’s private school teachers.

7. PACE Speakers Bureau

The Education Committee is developing a Speakers Bureau to promote knowledge from professionals involved in civics to students. The list will include individuals and organizations who are able to speak about topics such as the three branches of government, public policy advocacy, community building, and civic engagement. The list will be posted to the PACE Commission’s website as a resource for schools and community organizations. To date, 38 individuals, primarily associated with the University of Hawai‘i, and 16 organizations, have been identified. The list was circulated at the Legislature and will likely include a number of lawmakers.

8. Hawai‘i Council for the Social Studies

An Ad Hoc Hawai‘i-based group is planning to seek recognition as an Affiliated Council under the National Council for the Social Studies. The Ad Hoc group is working with the PACE Commission to seek membership, propose activities, and assist with aspects of setting up such a council. Proposed timeline for affiliation is Fall of 2022.

B. The Committee on Civic Engagement

Since its formation in May 2021, the Civic Engagement Committee has held monthly meetings to address creating resources for the Hawai‘i community to understand the State’s civic framework, engage in it, and problem-solve peacefully. This Committee was initially co-chaired by Attorney General Clare Connors and Professor Troy Andrade. Since AG Connors’ resignation from the PACE Commission in December 2021, due to her appointment as U.S. Attorney for the District of Hawaii, the Committee has been led by Professor Andrade. Individuals who have participated on this Committee are: Steven Uejio, Sylvia Hussey, Magistrate Judge Wes Porter, Gary Yamashiroya, Kaliko D. Fernandes, Robert T. Nakatsuji, Judge Sonja McCullen, Chief Judge Peter Cahill, Judge Adrienne Heely, and Chief Judge Ginoza.

The Committee’s goals include:

1. An interactive resource that explains our existing government systems and provides tools for persons wishing to engage with issues of community importance;
2. A hub that connects ongoing civic engagement efforts across the state and brings people together by providing information about events and projects ongoing in the community; and
3. A repository of organizations, groups, and entities engaged in addressing matters and resolving issues that impact our community, including those that provide active dispute resolution services as well as training.

The Civic Engagement Committee’s monthly meetings have entailed discussions about information on various local and national civic engagement initiatives as well as existing resources provided by the counties, state, and federal government regarding civics. The Committee’s role in curating content for a Commission website has also been considered. One member of this Committee has created a detailed outline and brief description of the government structure related to Hawai‘i at the federal, state, and county levels, with links to relevant resources for each. This work is being considered as an element of the PACE Commission website, which is being constructed.

The Civic Engagement Committee is also actively working on two initiatives:

1. Interviewing Civic Leaders Media Project

The Civic Engagement Committee, in partnership with the Education Committee, is working to develop an initiative for youth to learn about government and how it affects them in their local communities and then have youth conduct video interviews with civic leaders from their communities. The project would hopefully be an important civic learning experience for youth, and the videos would also be informative for others and be posted on the Commission's website. The Committee has started pursuing this project through a pilot with Kaua'i High School, to be incorporated into the social studies curriculum. The Committee has also held discussions with two other schools. Ideally, the Committee would like this program to be replicated and modified in each county.

2. Law and Justice Academy

The Civic Engagement Committee is working to initiate a Law and Justice Academy modeled after an academy instituted at the William S. Richardson School of Law. Ideally, each academy session would be a week long, with approximately 20 students and involve: sessions that would include speakers from different areas of government or community groups; tours to courts, the legislature, local county offices or other sites; and include a work project such as a moot court or other interactive presentation at the end of the academy. The Civic Engagement Committee is currently working on an initial Law and Justice Academy to be held on Maui, in collaboration with UH Maui College, and with support from the Maui County Bar Association and judges from the Second Circuit. The Committee is considering whether shorter academy sessions might be needed at the beginning, rather than a full week.

C. PACE Commission Website – Work Group

A group of individuals, led by Nathan Kam, have been meeting to create a PACE Commission website envisioned to be an important hub for the Commission's work and outreach to the public. In addition to Nathan Kam, those working on this project are: Keahe Davis, Steven Uejio and Chief Judge Ginoza. Further, individuals at Anthology, a Hawai'i marketing company, have participated in meetings to share their expertise, and the PACE Commission appreciates that Anthology has indicated its willingness to continue assisting in this endeavor.

The work group initially focused on securing appropriate website domain names. Currently, there are four website domain names reserved for the PACE Commission, as approved by the Commission. The work group has discussed and will continue to address: content for the website, where the content will be coming from, and who will manage the website. This is a significant project for the Commission and

the effort to stand-up a website is being done carefully to ensure a meaningful and useful site can be created.

V. Funding

To date, the Commission has received \$15,000 in funding from the U.S. District Court for the District of Hawaii. The Commission may pursue other sources of funding in the future.

VI. Fulfillment Of Purposes

Rule 23 of the Rules of the Supreme Court of the State of Hawai‘i sets forth six purposes to accomplish the goal of promoting and advancing civic education for students and citizens throughout Hawai‘i.

Purpose (1)

Provide leadership, oversight, and initiatives to increase civic education in the community and at schools, to increase citizens’ knowledge about government, and to promote informed participation in government and democracy in Hawai‘i.

The Commission has provided leadership through participating in discussions on civic education, meeting with the DOE interim superintendent, and engaging educators and schools through the Committees on Education and Civic Engagement.

In November 2021 at the AJS National Conference on “Judicial Independence in an Age of Political Polarization,” the Chair of the Commission, Chief Judge Ginoza, moderated a panel entitled “Understanding the Courts, Civics, and Judicial Independence” with speakers Dr. Anthony Simones, Director of Civic Education for the Missouri Bar, and U.S. Supreme Court Justice Sonia Sotomayor. During the discussion, panelists emphasized the importance of strong civic education to a thriving democracy. Chief Judge Ginoza also facilitated a breakout discussion at the conference on “Planning for Civic Education,” at which Dr. Simones, Mary Ellen Daneels (Illinois Civics Hub), and Representative Amy Perruso presented on various initiatives for consideration as Hawai‘i contemplates how it will reinvigorate civics education in schools and communities.

The Commission and its committees have continually considered and discussed new civic education initiatives and ways to support ongoing initiatives.

Purpose (2)

Provide educational resources for the public about the importance of civic education through collaboration with the media, communication campaigns, statewide conferences, recognition awards for those successfully promoting and advancing civic education in Hawai‘i, and by other means.

The Commission is working through ideas for creating content for a PACE Commission website, which is recognized as an ideal hub for promoting civics. Different groups, such as University of Hawai‘i professors, judges and others, have expressed an interest in creating resources for the public. As the Commission continues its work, it will look for opportunities to collaborate with others in conferences or through the media, and to recognize those who are succeeding in advancing civic education and engagement.

Purpose (3)

Maximize the efficient use of available resources by improving collaboration and coordination among various entities seeking to promote and advance civic education in Hawai‘i.

The Commission, through its members and committees, has been reaching out to various organizations involved in civic education in Hawai‘i and nationally to gain a familiarity with the landscape and to maximize existing efforts and resources. The Commission heard from Mary Ellen Daneels on civic education reform in Illinois, Dr. Bossert regarding the Hawai‘i Online Portal for Education program, Evangeline Casinas from the DOE’s Career and Technical Education program, with Judge Shirley Kawamura now serving as an advisor to the Career and Technical Education program’s Law and Public Safety Pathway, and Rosanna Fukuda on the formation of a local Hawai‘i council under the National Council for Social Studies. The Commission is also seeking to promote the Office of Elections program for voter pre-registration of students who are 16 years old.

Purpose (4)

Encourage attorneys, judges, government officials, and other public and private leaders in Hawai‘i to take leadership roles in expanding civic education in Hawai‘i.

A number of judges are already involved in the Commission and/or its committees. A number of other judges have also shown interest in participating in the Commission’s efforts, including judges from Family Court, District Court, and the Intermediate Court of Appeals.

In addition to representation from the Hawai‘i State Bar Association and private firms, several attorneys from the Department of the Attorney General and federal court are actively participating in the Education Committee or Civic Engagement Committee or have volunteered to support the Commission.

At the 2021 AJS conference, Chief Judge Ginoza highlighted the Commission’s work and the panel encouraged attorneys to get involved in the Commission’s efforts.

Purpose (5)

Reduce barriers to civic education by developing resources to overcome language, cultural, and other barriers.

The Education Committee recognizes the importance of incorporating principles of equality, equity, and inclusion in all of its initiatives while supporting initiatives that embrace responsibilities to Native Hawaiians. The Civic Engagement Committee has also initiated projects on Kaua‘i and Maui in an effort to promote civics statewide. The Commission aims to make civic education materials and information available and accessible.

Purpose (6)

Increase pro bono contributions by Hawai‘i attorneys to civic education through such things as recruitment campaigns, increased involvement by the judiciary, and increased recognition for contributors.

Hawai‘i attorneys and judges have been actively participating in PACE Commission work, including: judging the 2022 We The People competition, helping to prepare students for the We The People national competition, meeting a request for a coach for a high school mock trial team, assisting efforts to create a Hawai‘i Council for Social Studies, and working on the Law and Justice Academy project for Maui. The Commission will continue to seek the involvement of attorneys and those in the judiciary in the efforts to advance civics throughout the state.

APPENDICES

Rule 23 of the Rules of the Supreme Court of Hawai'i

Rule 23. Commission to Promote and Advance Civic Education

(a) Creation. There shall be a commission to be known as the Commission to Promote and Advance Civic Education ("PACE Commission").

(b) Purpose. The purpose of the PACE Commission shall be to promote and advance civic education for students and citizens throughout Hawai'i. The PACE Commission shall, along with such other actions it deems appropriate, endeavor to:

(1) Provide leadership, oversight, and initiatives to increase civic education in the community and at schools, to increase citizens' knowledge about government, and to promote informed participation in government and democracy in Hawai'i.

(2) Provide educational resources for the public about the importance of civic education through collaboration with the media, communication campaigns, statewide conferences, recognition awards for those successfully promoting and advancing civic education in Hawai'i, and by other means.

(3) Maximize the efficient use of available resources by improving collaboration and coordination among various entities seeking to promote and advance civic education in Hawai'i.

(4) Encourage attorneys, judges, government officials, and other public and private leaders in Hawai'i to take leadership roles in expanding civic education in Hawai'i.

(5) Reduce barriers to civic education by developing resources to overcome language, cultural, and other barriers.

(6) Increase pro bono contributions by Hawai'i attorneys to civic education through such things as recruitment campaigns, increased involvement by the judiciary, and increased recognition for contributors.

(c) Membership.

(1) NUMBER OF MEMBERS AND TERMS OF OFFICE. The PACE Commission shall consist of no more than 14 members. Each member may serve 1 or more, but no more than 3 consecutive, 3-year terms, except that a member may continue to serve following the end of the member's last term, until the member's successor is duly appointed. The appointing authority (except with respect to PACE Commission members appointed under provision (c)(2)(xii) of this Rule), may, in its sole discretion, appoint a successor to a member, during the term of such member, with the new appointment to take effect 30 days after the appointing authority has provided notice in writing to the PACE Commission of such appointment.

(2) APPOINTMENT OF MEMBERS. Members of the PACE Commission shall be appointed as follows:

- (i) The Chief Justice of the Supreme Court shall be entitled to appoint 2 members to the PACE Commission, including a current or retired judge and a representative of the King Kamehameha V Judiciary History Center.
- (ii) The Governor of Hawai'i shall be entitled to appoint 1 member from the Executive branch.
- (iii) The President of the Senate shall be entitled to appoint 1 member from the state Senate.
- (iv) The Speaker of the Hawai'i House of Representatives shall be entitled to appoint 1 member from the state House of Representatives.
- (v) The Office of Hawaiian Affairs (OHA) shall be entitled to appoint 1 member from OHA.
- (vi) The Superintendent of the Department of Education shall be entitled to appoint 1 member from the Department of Education.
- (vii) The Chief Judge of the United States District Court for the District of Hawai'i shall be entitled to appoint 1 member whom shall be a current or retired U.S. District Judge, Magistrate Judge, Bankruptcy Judge, or Circuit Judge.
- (viii) The President of the University of Hawai'i shall be entitled to appoint 1 member who shall be a faculty member at the University of Hawai'i who has a background or expertise in civic education.
- (ix) The Dean of the University of Hawai'i William S. Richardson School of Law shall be entitled to appoint 1 member from the faculty or staff at the Law School.
- (x) The Hawai'i State Bar Association (HSBA) shall be entitled to appoint 1 member who shall be an HSBA member with a demonstrated interest and familiarity with civic education.
- (xi) The Hawai'i Association of Independent Schools (HAIS) shall be entitled to appoint 1 member from HAIS.
- (xii) Members of the PACE Commission appointed as set forth above shall have the discretion, by a vote of the majority, to appoint up to 2 additional members to the commission. Any such appointee shall have a background or expertise in communications, public media, broadcasting, journalism, business, education, or non-profit organizations.

(3) **COMMUNITY-WIDE REPRESENTATION.** In making appointments, the appointing authorities shall take into account the effect of their appointments on achieving a PACE Commission composed of members who are residents of different islands in Hawai'i and who reflect the diverse ethnic, ancestral, economic, urban, and rural communities in the Hawaiian Islands.

(4) **VACANCIES.** A vacancy in the office of a member shall occur upon

- (i) the written resignation, death, or permanent incapacity of such member;
- (ii) the determination by the applicable appointing authority that there has been a termination of a position held by such member that was the basis of such member's appointment to the PACE Commission and that the appointing authority wishes to replace such member with a new appointee; or
- (iii) for such other cause as shall be specified in the bylaws, rules, or written procedures of the PACE Commission. Upon the occurrence of a vacancy, the appropriate appointing authority shall appoint a successor member to serve the remainder of the term of the vacating member.

(d) **Officers.** The Chief Justice of the Supreme Court shall designate from among the members of the PACE Commission a chair and a vice chair. The chair shall serve an initial term of 1 year and thereafter shall be designated at such times as the Chief Justice shall determine. The vice chair shall be designated for a term of 2 years, provided that such term shall expire at any earlier date when the term of the vice chair as a member of the PACE Commission shall expire or be terminated. The PACE Commission shall select such other officers as it deems useful. Terms of all officers shall run on a calendar year basis, except that an officer shall continue in office until the officer's successor is duly designated or selected.

(e) **Bylaws, Rules, and Procedures.** The PACE Commission may adopt bylaws, rules, or operational procedures as it deems necessary.

(f) **Committees and Task Forces.** The PACE Commission may create such committees and task forces, and appoint such committee and task force members, as it deems desirable to facilitate the work of the PACE Commission. The PACE Commission shall designate a chair of the committee or task force. The PACE Commission may appoint to the committee or task force persons who are not members of the PACE Commission. The role of committees and task forces shall be advisory, and they shall make such recommendations to the PACE Commission as the members of such committees and task forces deem appropriate.

(g) **Meetings, Quorum, and Voting.** The PACE Commission shall meet at least quarterly and shall have additional meetings at the call of the chair or at least 5 commission

members. A quorum consisting of not less than one-third of the members of the PACE Commission then in office shall be necessary to transact business and make decisions at a meeting of the PACE Commission. On any votes taken at a meeting of the PACE Commission, the chair shall vote only in the event of a tie.

(h) Staff and Funding Support. While it is anticipated that the Commission will remain an all-volunteer organization with minimal administrative overhead, staff and funding support for the PACE Commission may be provided by a combination of private and public sources of financial and in-kind support.

(i) Recommendations. Any recommendations by the PACE Commission shall be made in the name of the PACE Commission only, and not in the name of the individual members or of the institutions or entities from which the members were drawn.

(j) Reports and Review.

(1) ANNUAL REPORTS. The PACE Commission shall submit to the Supreme Court an annual report describing its activities during the prior 12-month period.

(2) THREE-YEAR REVIEW. Three years after the PACE Commission holds its first meeting, the Supreme Court shall evaluate the progress made by the PACE Commission toward the goal of promoting and advancing civic education for citizens and students throughout Hawai'i.

Haw. R. Sup. Ct. Rule 23 (2021) (West).

AMERICAN JUDICATURE SOCIETY -- HAWAI'I CHAPTER

REPORT OF THE SPECIAL COMMITTEE ON PUBLIC KNOWLEDGE, UNDERSTANDING AND CONFIDENCE IN THE COURTS

I. THE COMMITTEE'S MANDATE

In December of 2006, the Honorable Ronald T.Y. Moon, Chief Justice of the Hawai'i Supreme Court, presented his annual speech on the state of the Hawai'i Judiciary to the American Judicature Society, Hawai'i Chapter. Chief Justice Moon's speech focused on a responsibility that he believes falls on the entire Hawai'i legal community; that is, actively to pursue improving the public's knowledge and understanding of how government works and to encourage the public's participation in it.

Chief Justice Moon noted that one of the missions of the American Judicature Society ("AJS") is to promote public understanding of the justice system which, in turn, promotes one of the primary goals of AJS: to secure and promote an independent judiciary and fair system of justice. The Chief Justice concluded his remarks with this challenge to the AJS: help our citizens acquire the knowledge and, most importantly, the desire to monitor government, including the justice system, and to actively participate in ways that will ensure the preservation of democratic principles and processes. The AJS Hawai'i Chapter accepted the Chief Justice's challenge and formed the Special Committee on Public Knowledge, Understanding and Confidence in the Courts.¹

The Committee was tasked with addressing the concern that the public may not fully understand the workings of our government, and, in particular, our court systems, thus creating misunderstandings and apprehension by the public. Recent surveys reflect alarming levels of public knowledge of our system of government and the role of the judiciary within that system.²

¹ The members of the Special Committee are: **Co-Chairs:** Alan Oshima, Esq. (Director, Senior Advisor, Hawaiian TelCom); The Honorable J. Michael Seabright, Judge, U.S. District Court for the District of Hawai'i; **Reporter:** Michelle Imata, Partner, Carlsmith Ball LLP; **Judges:** The Honorable James E. Duffy, Associate Justice, Hawai'i Supreme Court; The Honorable Rhonda A. Nishimura, Judge, First Circuit Court; The Honorable Patrick W. Border, Judge, First Circuit Court; The Honorable Russel S. Nagata, Judge, District Court, First Circuit; **Lawyers:** Aviam Soifer, Dean, William S. Richardson School of Law; Ted N. Pettit, Partner, Case Lombardi & Pettit; Steven B. Songstad, Esq., HSBA Designee; **Community Leaders:** Herman Aizawa, Superintendent, Department of Education (retired); The Honorable Walter S. Kirimitsu, Former Judge, Intermediate Court of Appeals and President, Saint Louis School; The Honorable Norman Sakamoto, Chair, State Senate Education Committee; Roger Takabayashi, President, Hawai'i State Teachers Association; Barbara J. Tanabe, President, Ho'akea Communications, LLC; **Ex-Officio and Liaison to AJS Hawai'i Chapter Board:** Jean Aoki, League of Women Voters.

² (1) "The Nation's Report Card: Civics 2006," released May 16, 2007 by the National Assessment of Education Progress (http://nationsreportcard.gov/civics_2006) reports that only five percent of 12th graders were able to explain our system of checks and balances; (2) a 2006 report from the Annenberg Public Policy Center (<http://www.annenbergpublicpolicycenter.org>) summarized results from several surveys regarding the public and the courts and found that only one-third of Americans could name all three branches of government, while one-third could not name any. The report found that Americans consistently rank the Supreme Court as the most trusted body in the government, but only 58 percent believe that if the President disagrees with a Supreme Court ruling, the President should follow the Supreme Court's ruling rather than do what the President thinks is in the country's best interest. Further,

The Committee was asked to review these issues and to make recommendations to the Governor, the Legislature, and the Hawai'i educational system leaders, as well as to the Hawai'i Judiciary. Chief Justice Moon expressed his hope that this Special Committee would provide a concrete action plan for the implementation of programs in Hawai'i to increase public knowledge, understanding and confidence in our legal system.

This Report first discusses the Committee's investigation and findings on the status of civics education and programs in (i) Hawai'i's educational system, (ii) the Judiciary, (iii) the Hawai'i State Bar Association, and (iv) other state bar-sponsored programs. The role of Hawai'i's news media in understanding and promoting confidence in the courts is also examined.

The Committee's recommendations conclude this Report. In brief, among other things, the Committee recommends the following: (a) prompt action to establish a Hawai'i Institute for Civics Education ("HICE"), with oversight by a broad-based advisory committee composed of representatives of existing civics groups and programs; (b) creation of a 501(c)(3) non-profit corporation for fundraising activities by the advisory committee to allow for hiring of a director of HICE to explore partner arrangements with existing civics programs and to create new programs suited specifically for Hawai'i; (c) creation of an effective and comprehensive website on civics programs and activities; and (d) specific programs within the Judiciary to develop a higher quality of news coverage and understanding of court procedures.

II. MEETINGS AND REVIEW PROCESS

The Committee held its first meeting in August of 2007 and then met approximately once each month thereafter through the summer of 2008. The Committee initially focused on the current status of civics education and programs in Hawai'i and on dissemination of information relating to the public's understanding of the Judiciary and the judicial process.

The following provides a brief overview of the Committee's findings:

nearly half said it is essential or very important to be able to impeach or remove a judge from office if the judge makes an unpopular ruling. The "2007 Annenberg Judicial Survey" found that those who are less knowledgeable about courts and government are more likely to believe that judges are biased and less likely to believe that the courts act in the public interest; (3) "Civics Education," a report prepared for the American Bar Association in 2005 by Harris Interactive (http://www.justiceteaching.org/resource_material/ABASurvey.pdf) surveyed adults ages 18 and older, and found that just over half of Americans can correctly identify the three branches of government. In fact, more than one in five respondents believed that the three branches are the Republican, Democrat, and Independent branches. With respect to the courts, less than half of respondents correctly identified judicial responsibilities, while 29 percent of those surveyed believe that the role of the judiciary is to "Advise the President and Congress about the legality of an action they intend to take in the future."; (4) "Knowing About Courts," a 2007 report presented at the annual meeting of the Midwest Political Science Association (http://www.allacademic.com/meta/p196799_index.html), discusses the consequences of public knowledge and understanding of the judiciary. The report reviews recent research documenting the relationship between being knowledgeable about courts and extending them respect and legitimacy. It concludes that there is a tendency for those who are more knowledgeable about the Supreme Court to be more supportive of the institution.

A. Hawai'i's Educational System

Initial discussions of the Committee focused on the current status of civics education and programs in Hawai'i. See, Attachment, "Survey of Civics Related Programs in Hawai'i."

1. The Public Schools. Graduation requirements include earning four credits in social studies from grades 9 to 12.³

Various ongoing Department of Education ("DOE") work groups review and approve learning materials and course and credit approvals to align them to standards and benchmarks. Of note is a new group, The Civics Responsibility Work Group, being formed to review civics education.

2. The Independent Schools. In evaluating social science curriculum and integration of civics learning in Hawai'i's independent schools, the Committee reviewed and discussed, as an example, the program currently offered at Saint Louis School.⁴

Saint Louis School also participates in the Kids Voting Hawai'i program.

3. The University of Hawai'i and the William S. Richardson School of Law. The William S. Richardson School of Law engages in extensive outreach in K-12 public education.

B. Hawai'i's Judiciary

In addition to surveying the available programs in Hawai'i's educational system, the Committee also sought input from Hawai'i's Judiciary on its existing civics and other outreach programs. See Attachment, "Survey of Civics Related Programs in Hawai'i."

To inform the public about various court processes and procedures, the Judiciary has informational brochures and booklets on various topics available without charge.⁵ The Committee

³ Teachers are using the following, including various websites, to provide them with specific curriculum and lesson plans currently available for use in their classrooms:

<http://www.cyberlearning-world.com/lessons/dec8usg.htm>

<http://www.crf-usa.org/lessons.html>

<http://www.lessonplanspage.com/SSGovtDecIndepenBillRights36.htm>

<http://members.mobar.org/civics/JudiciaryLP.htm>

http://www.courts.state.hi.us/page_server/News/Speeches/Articles/380C1D38AA88F856F2DE51D532.html

⁴ Online resources that Saint Louis teachers frequently access for civics-related content are: Center for Civic Education <http://www.civiced.org>; Close-up Foundation <http://www.close.org>; Constitutional Rights Foundation <http://www.crf-usa.org>.

⁵ These materials include the following: Are You Interested in Being a Court Interpreter? -- Attorney-Client Relations Program -- Center for Alternative Dispute Resolution -- Dispute Resolution Procedures -- Going to Probate Court? -- Going to Small Claims Court? -- Mediation Times -- Selecting a Facilitator -- Selecting a Mediator -- What is Facilitation? -- When You Have Disputes, There Are Choices -- Children and Divorce -- Children's Justice Center of O'ahu -- Commission on Judicial Conduct -- Community Mediation -- Community Service Sentencing Branch -- Court Orientation Tours -- Disciplinary Complaints Against Lawyers -- King Kamehameha V Judiciary History Center -- Lawyer Referral Information Service -- The Judiciary State of Hawai'i 2007 Annual Report -- The Judiciary State of

also discussed Hawai'i's jury selection process and recognizes that one of the most powerful tools for education of the public on the functions of the law is service on a jury. Participation in a trial as a juror is the most direct form of citizen involvement in the justice system that is contemplated by the United States Constitution. At some point following the formation of HICE, the Committee hopes that HICE will allocate resources to study ways to make Hawai'i's jury selection and service process as simple and user friendly as possible, including consideration of alternate jury selection approaches, in order that prospective jurors will appreciate, and even look forward to becoming involved when they are selected to be a prospective juror in a criminal or civil case. The Committee believes, for example, that some consideration should be given to amending state law to allow for use of the "single strike method" of jury selection.

C. The Hawai'i State Bar Association

Hawai'i's State Bar Association ("HSBA") and, in particular, its Young Lawyers Division ("YLD"), have worked on several projects to promote civics education.

At present, there are no HSBA standing committees addressing the area of civic or law-related education. The YLD represents the service-arm of HSBA and conducts numerous law-related activities throughout the year, including the well-received High School Mock Trial Program (where volunteer lawyers coach mock trial teams as they take a case from start to finish, culminating in mock trial competitions between schools). YLD's emphasis, however, centers on targeted youth groups and the general public responding to specific social issues rather than "civics education."

D. Other States: Bar-Sponsored Programs

The Committee reviewed the websites for a number of state judiciary and state bar programs concerning civics education. After initial research, the Committee focused on state programs in Missouri and Kentucky. Although the two programs have differing purposes, funding, activities and objectives, both encompass an effective website and dedicated, professional staffing.

1. Missouri Model.

a. Purpose of Program. The Missouri Bar is in its fourteenth year of sponsoring a Citizenship Education Program. The mission of the Missouri program states:

The mission of the Missouri Bar Citizenship Education Program is to promote and encourage the education of all citizens for a lifetime of responsible citizenship through programs about the law, the constitution and our system of government.

The purpose of the Program is broad, as evidenced by its numerous activities. Some of the Bar-sponsored activities include the following:

- Brochures for judges, lawyers and educators.

- Outstanding Citizen Program.
- Awards for outstanding civic educators in Missouri.
- Support for youth programs such as YMCA Youth in Government and Kids.
- Voting.
- Law-related education in juvenile justice settings.
- Annual Law Day Conference – a professional development opportunity for teachers.
- We the People . . . The Citizen and the Constitution – a three-day summer institute for teachers, funded in part by Center for Civic Education.
- Project Citizen lesson plans for educators and middle school students sponsored in part by the Center for Civic Education.
- Missouri Press Association newspaper activities on citizenship education.
- Checks and Balances – Internet casts (webcasts) concerning the three branches of government, in collaboration with the Department of Elementary and Secondary Education Service Learning and the Missouri School Boards Association ("MSBA").
- Constitution and Bill of Rights Day Programs – Internet casts (webcasts) featuring a panel to discuss constitutional issues in collaboration with the MSBA.
- Civics Library of the Missouri Bar – lesson plans, content materials and links to various Internet resources on civic education topics.

The Bar programs are guided by the Missouri Bar Advisory Committee on Citizenship Education. Members of this Committee include most of the civic education stakeholders in Missouri. Representatives of the Judiciary, Missouri Bar, law firms, school boards and administrators, government agencies, colleges and universities, civic groups, community organizations and business sector comprise the Advisory Committee. There are approximately fifty members who represent organizations that provide a broad base of resources in complementary services and programs in civics education. An active, synergistic advisory committee is one of the strong points of the Missouri program.

b. Objectives. The objectives of the Missouri program are to provide public information and education about the judiciary, the Constitution, various areas of the law, and to coordinate civics education throughout the State. In particular, the Missouri program focuses on education in the school system through various workshops, civic education programs, and development of lesson plans and materials for teachers.

c. Funding. The Missouri program has an annual budget of approximately \$250,000, which includes salaries for its director and staff, supplies, and other budgetary items. Salaries total approximately \$110,000 per year. Funding is provided through dues charged by the Missouri Bar to licensed lawyers. In addition, the Missouri program receives annual grants from the Center for Civics Education (\$70,000 – \$90,000), and donations from the Missouri Bar Foundation (\$10,000 – \$15,000).

d. Activities and Websites. The Missouri program hosts an effective website at www.mobar.org with up-to-date information on a variety of activities, such as those mentioned above. In addition, the Missouri Bar also sponsors another website, www.ShowMeCourts.org, which contains detailed information about Missouri's judicial system. Lesson plans and handouts, a civics library, activities and discussion points and other materials are available at the websites to assist learning about the judicial system and constitutional law.

e. Director. The Committee interviewed Millie Aulbur, who has been the Director of Legal Education for the Missouri Bar since 1994. She is a full-time employee. Ms. Aulbur is an enthusiastic and knowledgeable lawyer who is dedicated to the objectives of the Missouri program. Ms. Aulbur has emphasized to the Committee the importance of strong leadership for any bar-sponsored program on civics education. Ms. Aulbur has developed many of the lesson plans and other materials at the Missouri Bar website and generously offered to make those materials available for use and/or modification by the HSBA or the Judiciary in developing its own program and website.

2. Kentucky Model.

a. Purpose of Program. The Kentucky Law Related Education ("LRE") program was created in 1990 by the Administrative Office of the Courts, Kentucky Court of Justice. The division of LRE is organized under the Department of Juvenile Services. The LRE was formed specifically to deal with juvenile delinquency and educating citizens about the law, the legal process and the fundamental principles of constitutional democracy. The LRE program consists of various training programs on the court system to juvenile justice practitioners, law enforcement officials, educators, court personnel, and lawyers throughout Kentucky.

The LRE program is unusual because the majority of state-sponsored programs are administered by their respective Bars.

b. Objectives. As stated the goals of LRE are to:

- Demystify the law in legal proceedings.
- Provide a balanced view of the law.
- Develop critical thinking abilities.
- Prevent delinquent behavior.
- Increase interaction with members of the legal community.

- Teach youth their rights and responsibilities under the law.

c. Funding. The LRE Program is funded by the State of Kentucky through its Judiciary. The budget includes funding for a director and staff for LRE and court-designated workers ("CDWs") who help juveniles under age eighteen charged with criminal offenses to enter a diversion program. This allows the juvenile to carry out restitution without court action and without creating a formal court record, depending on the ruling of the court. CDWs are employed by the administrative office of the courts. The exact amount of funding by the Kentucky Judiciary for its LRE Program is not available.

d. Activities and Website. A number of programs have been developed by the LRE Program.⁶ Participants benefit from LRE materials presentations by justice system experts, field experiences such as courtroom tours and mock trials, and opportunities to participate in civic and community projects.

The Kentucky Program maintains an active website at <http://courts.ky.gov/lre>. Links to promote the goals of law-related education and programs are the website.

e. Director. Deborah Williamson, Ph.D., is the Director of LRE for the Court of Justice in Kentucky. The Committee interviewed Dr. Williamson to learn about her experience working with the Kentucky Judiciary to develop and promote law-related education programs, with an emphasis on juvenile outreach programs. Dr. Williamson has drawn on many national resources such as Center for Civic Education, the U.S. Department of Education, National Crime Prevention Council, Street Law, Inc., and other resources to develop Kentucky's program. Dr. Williamson stressed the importance of an energetic and knowledgeable individual acting as director to insure a successful program.

E. The News Media's Role in Understanding of the Courts

Another material component in understanding and promoting confidence in the courts is the role of the news media. The Committee examined the current status of media coverage of the courts in Hawai'i and conducted an informal survey with news media professionals.

1. Assessment. The news media in Hawai'i has undergone significant changes in recent years. Reflecting the trend on the mainland where competition from alternative media channels has led to falling revenues and drastic cost cutting, traditional news media outlets such as newspapers and television stations have reduced their news gathering operations. In Hawai'i, news operations have tighter budgets, less experienced editors and reporters, and more reliance on news stories which can be produced quickly and simply.

⁶ Some of the Kentucky LRE Programs include the following: (1) "We the People ... The Citizen and the Constitution" - Grades 4 - 12; (2) "We the People ... Project Citizen" - Grades 5-8; (3) Truancy Diversion Program - Grades K-12; (4) Kentucky Mock Trial Program -- Grades 9-12; (5) Kentucky Teen Court Program - Grades 9-12; (6) Community Works - Grades 7 - 12; (7) Bobby and the Court Designated Worker - Grades 3-6; (8) Street Law: A Course in Practical Law - Grades 9-12; (9) Under 18: Under the Law - Grades 6-12; and (10) School Violence Prevention Demonstration Program - Grades K-12.

The Committee conducted an informal survey with news media professionals who provided the following observations:

- The current generation of reporters are likely less familiar with the judicial process because of the de-emphasis of civics education in schools.
- News reporters tend to be generalists so courts need to be far more proactive to help reporters understand the importance of rulings.
- Cameras in the courts have helped the public understand what happens in court, but the news media gravitate to criminal trials so complex but important civil cases might be overlooked.

2. Issues. Absent a sensational crime story or celebrity suspect, news coverage of the courts is no longer a priority or a routine "beat." News professionals who participated in our survey identified the following issues:

- Editors and reporters, especially in television, tend to be inexperienced or unfamiliar with the procedures of the judicial system.
- Reporters, pressed to file multiple stories, focus on stories that require less time and research, and significant trials or court rulings might be overlooked.
- With rare exception, reporters assigned to the courts are provided no training or resource materials to improve their professional understanding of the judicial system.

News professionals also cite issues with the Judiciary which make coverage of the courts more difficult. They include:

- Judicial staff insensitivity to news media deadlines.
- Lack of access to an authority or spokesperson on major cases.
- Propensity of judges to seal documents or close hearings.
- Lack of online access to state court documents.
- Rules restricting interviews with judges.

The news professionals also identified existing programs and initiatives that are helpful in their coverage of the courts. They include:

- Camera in the courts – this state program has given the public a better understanding of what happens inside the courtroom.
- Online materials – PACER allows public access to federal court documents, even after courts are closed.

- Recordings – Ninth Circuit hearings are available on recordings for reporters to develop accurate, in-depth reports.
- Proactive communications from judges – some judges make copies of rulings available to discuss with reporters early enough to help write news stories.

III. RECOMMENDATIONS

The Committee was tasked with addressing the concern that the public does not fully understand the judiciary, thus creating misunderstandings and apprehension by the public. The Committee unanimously recommends that the following steps be taken to improve the general level of understanding of civics and thus, the role of the judiciary:

- Creating HICE - an organization to address civics education and the judiciary's role in our society.
- Improving news media access to public information and activities of the judiciary.

A. Development of a Comprehensive and Sustainable Civics Education Program

An understanding of the judiciary begins with education. The Committee recommends the development of a comprehensive and sustainable education program aimed at Hawai'i's schools, including providing teachers with the tools and training necessary to provide meaningful education regarding civics education and the judiciary. To accomplish this goal, the Committee recommends the creation of HICE.

HICE would be comprised of a broad-based advisory committee, drawing from existing civic groups and programs. The stakeholders in civics education in Hawai'i should be identified and invited to join this advisory committee to develop objectives and to guide HICE's activities and programs. HICE's mission would be to work with all existing civics education groups and to coordinate a sustainable effort to improve the level of civics education and the public's knowledge of the judiciary's role in our society. At a minimum, the advisory committee should include representatives from the following stakeholders:

- The Judiciary
- The Executive Branch
- The Legislature
- Hawai'i State Bar Association (including the Young Lawyers Division)
- State of Hawai'i Department of Education
- Hawai'i Association of Independent Schools

- William S. Richardson School of Law
- News Media
- Universities and Colleges
- Community and Civic Organizations
- Businesses and Union Participants

B. HICE's Salaried Director

The Committee strongly recommends that HICE should appoint a full-time salaried director. The Committee cannot overstate the importance of a strong, resourceful and energetic individual to provide firm guidance and sustainability. Although the director need not be a lawyer, the director should be familiar with the legal process and Hawai'i's court system.

C. Collaboration With Other Organizations

The Committee further recommends that HICE partner with existing civics education programs and create new programs suited specifically for Hawai'i. In this regard, the Committee finds that the William S. Richardson School of Law and the HSBA/YLD are uniquely situated to partner with HICE to provide needed services. Including as many of the above-listed stakeholders in HICE's programs will substantially improve HICE's ability to carry out its mission.

D. Creation of a Robust Website

One of the early goals of HICE should be to create an effective and comprehensive website. The website would be a resource for all of Hawai'i's citizens, including students and teachers. To accomplish HICE's goals, the website should publish general information regarding the courts, the history of the judiciary in the United States and Hawai'i, lesson plans, calendar of events, news media guidelines, and other related services.

E. Assuring Sustainability

1. Hawai'i State Bar Association's Possible Role. The Committee is aware that its proposal is far reaching and will involve considerable expenditure. Nonetheless, any program that is developed needs to consider long-term viability and continuity of its programs to ensure success. After researching and discussing various models used by other states, the Committee believes that the creation of HICE, with an advisory board and a full-time director, is most likely to achieve these goals. In this regard, the Committee believes, after consultation with HSBA, that it may be possible for HSBA to house and provide administrative support to HICE and its director. This would minimize fixed expenses for HICE.

The Committee discussed various funding possibilities. The Committee heard, consistently and from several individuals and groups, that an increase in HSBA dues to pay for this effort would meet stiff resistance. In fact, many have said that any effort dependent on HSBA dues would be sure to fail, and HSBA itself echoed these concerns. Nonetheless, one option is to fund HICE, at least in

part, through an increase in bar dues. Upon reflection, the Committee believes that the HSBA should be asked to consider an increase in dues to raise a minimum of \$50,000 annually. This base amount can then be supplemented by grants and other fundraising activities. Without a base level of support, the Committee believes that it would be difficult to attract and retain qualified applicants for director.

2. State of Hawai'i Funding. Funding from the State of Hawai'i also appears problematic. With increasing pressures on the state budget and a cut in DOE's budget, it is unrealistic to expect state lawmakers to fund a new program. However, state funding can be considered for future services and programs.

3. Grants and Fundraising as a 501(c)(3). The Committee ultimately determined that the most likely source of additional funding would be through grants and fund-raising by HICE as a 501(c)(3) non-profit corporation. Broad-based public support should be sought. The director of HICE should be tasked with seeking sources of funds and working with organizations (including the AJS) and foundations to obtain the necessary funds to ensure that HICE will be a long-term, sustainable organization.

F. The Role of the News Media

The Committee believes that a higher quality of news coverage would result in an increased level of confidence in and understanding of the judiciary.

1. The Judiciary Should Review Communication Approaches. The Committee recommends that the courts consider:

- Facilitating access by the news media to the judicial system;
- Developing and maintaining a website with updates and content that includes useful news media tools such as glossary of terms, judicial code of conduct, and contacts of judicial staff;
- Improving online capabilities for all court filings and news media resources.
- Identifying a spokesperson at each court to respond to news media queries.
- Providing a rostrum of retired judges who can provide background on the court process, answer questions regarding complex areas of the law, and mentor young reporters.

2. News Media Training. Periodic training of the news media would result in a better-educated news corps and thus more accurate reporting. Courts should consider:

- Hosting training programs for the media, to be held annually or semi-annually.
- Inviting media professionals to special events such as swearing-in ceremonies, retirements, commemorative celebrations, and similar functions.

3. The Role of HICE with the News Media. Finally, a forum should be developed to ensure that the media is obtaining accurate information, and inaccuracies can be immediately addressed. HICE should consider creating a process to immediately correct inaccurate or misleading news media information.

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
Hawai'i Department of Education ~ The Public Schools	Social Studies, including civics education, are taught yearly in classrooms from Kindergarten to Grade 12. The curriculum listed incorporates the rights, privileges and responsibilities of being a citizen in our state, nation and the world.	<p>Grades K-3 curriculum covers social studies from a broad-based perspective.</p> <p>Grade 4 curriculum covers pre-contact Hawai'i and Politics.</p> <p>Grade 5 curriculum covers Early American History and Politics.</p> <p>Grade 6 curriculum covers Ancient Civilizations through Pre-Modern Times and Governance.</p> <p>Grade 7 curriculum covers the History of the Hawaiian Kingdom and Pacific Islander Studies.</p> <p>Grade 8 curriculum covers United States History and the Constitution through Reconstruction from the Civil War through the 20th Century.</p> <p>Grade 9 curriculum covers United States History, Early 20th Century from Immigration to Present.</p> <p>Grade 10 curriculum covers World History through Modern Times.</p> <p>Grade 11 curriculum covers a semester of Modern History of Hawai'i and a semester of Participation in Democracy.</p> <p>Grade 12 curriculum covers two semester courses from a list of 17. The most popular include Economics, Psychology, and Global Studies.</p>

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"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
The Independent Schools ~ Saint Louis School (School Year 2008 – 2009) (In evaluating social science curriculum and integration of civics learning in Hawai'i's independent schools, the Committee reviewed and discussed, as an example, the program currently offered at Saint Louis School.)	Social Science Courses	<p>Grade 4 curriculum covers Hawaiian Studies, with a focus on Hawaiian history prior to European contact.</p> <p>Grade 5 curriculum (Social Science 5) includes basic elements of maps and globes; physical and human characteristics of space; patterns of economic interdependence.</p> <p>Grade 6 curriculum (Social Science 6) includes government and its functions; values, beliefs, principles of American constitutional democracy.</p> <p>Grade 7 curriculum (World Geography) focuses on relation of the United States to other nations; distribution of important resources; human actions in global stewardship.</p> <p>Grade 8 curriculum covers United States History, European colonization; Revolution and nation-building; industrialization; Civil War; Depression; World Wars; Civil Rights.</p> <p>Grade 9 curriculum covers Modern Hawaiian History, Hawaiian history from 1760 to the present; native issues; self-determination.</p> <p>Grade 10 curriculum covers Modern European History, Western civilization from 1600 to the present.</p>

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
(con't...) The Independent Schools Saint Louis School		<p>Grade 11 curriculum covers US History, European colonization to the Modern Era; Advanced Placement US History, United States history from colonies to the present; and, Economics (one semester), Essentials of macroeconomics.</p> <p>Grade 12 curriculum covers US Government (functions and structure of American government at state and federal levels); the Constitution; Advanced Placement US Government & Politics (college-creditable component to US Government); and Advanced Placement Psychology.</p>

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
University of Hawai'i – William S. Richardson School of Law	K-12 Public Education	The School of Law engages in extensive outreach in K-12 public education.
	Volunteer Work	Volunteer work ranges from teaching classes on legal matters to coaching Mock Trial and We the People teams. The Law School students also participate in school based career fairs throughout the state.
	Street Law Programs	School of Law students initiated two Street Law programs last year to teach teens who are at risk or incarcerated about the basic laws that affect their lives. The basic goal was to model and inspire at risk youngsters to think about going to college and even, perhaps, to imagine law school in their futures. Law students, several alumni, advisor Jaimie Kunichika, and retired judge James Burns worked together to offer two separate six-week programs.
	Free Speech and Constitutional Law Curriculum	School of Law students and professors developed a Free Speech and constitutional law curriculum for high school students. Law students have presented this curriculum to high school students throughout the state. A group of Waianae High School students won the 2008 First Freedom Award, sponsored by the Student Television Network, and enjoyed a trip to Washington to be part of the opening ceremony for the new "Newseum."

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
(con't...) University of Hawai'i – William S. Richardson School of Law	Native Hawaiian Law	This project involves developing a curriculum that focuses on Native Hawaiian law for students at the Anuenue public charter immersion school. The six-week curriculum covers issues centered on water, language, land, historic preservation, and nationhood.
	Multidisciplinary Project	<p>A multidisciplinary project revolves around a class taken by rising professionals from the schools of Education, Nursing, and Social Work as well as Law. The class involves partnering with Farrington High School in various ways, such as the development of a curriculum for faculty and administration about domestic violence, working as mentors with an at-risk student group, and helping foster children draft and lobby for legislation during this year's legislative session.</p> <p>Although in the planning stage, the Law School also expects to partner with Kamehameha Schools and Big Brothers Big Sisters of Honolulu to begin a volunteer law student program for students at Waimanalo Intermediate School in January, 2009.</p>

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
<p>The Hawai'i State Judiciary</p> <p>The Hawai'i State Judiciary's civics and outreach programs are conducted primarily through the King Kamehameha V Judiciary History Center ("JHC") and the Judiciary's Public Affairs Office ("PAO"). JHC civic programs target students and teachers, and center visitors who tour the exhibits, view the movies and watch the historical reenactments and other special presentations put in by the center. PAO outreach programs target the general public, court users, including lawyers, litigants, service providers, and others. JHC is a permanent educational institution created to inform and provide learning opportunities about the judicial process and Hawai'i's legal history from pre-contact to present. JHC civic initiatives include school tours of its exhibits, curriculum and DVDs, teacher training, and a Speaker's Bureau program. Other Judiciary offices provide civics and outreach programs in support of the offices' respective missions.</p>	Judges in the Classroom	<p>This program introduces students to Hawai'i's juvenile justice system. The lessons include guidelines for a discussion on the difference between the trial and appellate courts, Hawai'i's laws as they pertain to minors, a judge's role as an interpreter of law, and what it takes to become a judge. The lessons were developed for judges to use during school speaking engagements.</p>
	The Trial of Nathaniel Bacon	<p>The Trial of Nathaniel Bacon is a mock-trial activity created to meet the Social Studies benchmarks for the DOE's fifth grade students. Focusing on the conflicts that arose between the Native Americans and the Colonists, the curriculum also examines the conflict between the Colonists themselves and the courts of early America.</p>
	Authority vs. Power and Rules and Law	<p>Authority Versus Power and Rules and Laws, a two-part lesson plan, was developed to address the DOE's third grade Social Studies benchmarks. Students learn to differentiate between power backed by "might" and power backed by "right."</p>
	Animal Cases	<p>Animal Cases, developed to introduce lower elementary students to the judicial process, is a collection of scripted court cases based on transcripts from the District Courts of the Hawaiian Kingdom. Cases involving theft of a chicken, runaway pigs, and reckless horseback riding, encourage student jurors to consider evidence, issues of choice and consequence, social responsibility, and justice.</p>

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<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
(con't...) The Hawai'i State Judiciary	DVDs and Videos	The Judiciary offers several DVDs and videos with civic education content. Broken Scales: Justice Under Influence is accompanied by a speaker's kit for use by judges and focuses on the separation of powers and importance of an independent Judiciary. When Fear Reigned examines martial law during World War II and its impact on American democracy and the system of checks and balances. Work It Out, Restoring J, and Mediation: An Alternative to the Courts stress the important role of mediation and civic engagement in our society.
	Teacher Training Initiatives	<p>The Judiciary provides professional development for Hawai'i's teachers through several teacher training initiatives conducted by JHC. The School Violence Prevention Demonstration Project ("SVDPDP") is designed to improve students' civic knowledge, skills, and attitudes. SVDPDP helps teachers learn how to teach their students about civic education, constitutional doctrine, and public policy theory. Participating teachers receive six to eight days of professional development throughout the school year, and class sets of three curricula.</p> <p>We The People includes instruction in a curriculum that examines the U.S. Constitution and Bill of Rights.</p> <p>JHC is conducting a third teacher training initiative through a Teaching American History Grant ("TAHG") from the DOE. Currently in the second of three years, the TAHG workshop targets 8th grade U.S. History and ninth grade Participation in Democracy teachers. The training focuses on the U.S. Constitution.</p>

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<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
con't... The Hawai'i State Judiciary	Speakers Bureau	JHC arranges for judges to speak at schools and community groups, and provides curriculum materials as needed. Judges may talk about the role of the courts, careers in the legal profession, and other topics of interest.
	Lunch 'n Learn Law	Lunch 'n Learn the Law is a series of free information seminars about specific areas of the law and the courts. Volunteer presenters include judges, lawyers and other subject-matter experts. The one-hour sessions are held monthly, from January to November, in the Supreme Court courtroom. Topics include small claims, credit and bankruptcy, landlord-tenant issues, elder law, and labor and employment disputes.
	Hawai'i State Judiciary Website	PAO is responsible for the Judiciary's Internet website, www.courts.state.hi.us , a gateway to online court services, case information, and other resources. The website contains Circuit and Family Court case records and District Court traffic case records, appellate opinions, self-help legal information, Hawai'i Rules of Court, news releases, employment listings and an online application form, court forms, and caseload statistics. As the official voice of the Judiciary, PAO regularly disseminates news to the print and broadcast media and will clarify inaccuracies and/or misrepresentations carried in the press.

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
con't... The Hawai'i State Judiciary	Media Release / Letters to the Editor	Judges often publish articles in The Honolulu Advertiser in observance of Law Week to promote greater public understanding of, and appreciation for, the judicial and legal systems. Topics have included judicial independence, restorative justice, burden of proof, the importance of civic education, judicial elections, balancing public access against privacy rights, right to counsel, sentencing, judicial decision-making, etc.
	Public Access	<p>The Hawai'i State Judiciary implemented a program to streamline services and provide up-front personalized assistance through Court Concierge Desks and Customer Service Centers. The program is called Ho'okele, which means "to guide" in Hawaiian. Under this program, the first stop for a court user is a Court Concierge Desk located at the entry point to the two courthouses on Punchbowl Street and on Alakea Street. In addition to providing directional information, the Concierge staff performs "triage" by determining the type of assistance that is needed and directing the user to the proper court or, if appropriate, to an outside agency.</p> <p>The Customer Service Center gives court users more options by providing opportunities for self-learning, self-help, and individualized assistance. At the Center, a court user can pick up informational brochures, forms, and self-help packets; browse through reference material; or view videos on court procedures. There are two Centers located in downtown Honolulu.</p>

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
con't... The Hawai'i State Judiciary	Family Court Self-Help Packets	Family Court developed educational, self-help packets with forms and instructions for the following types of cases: Uncontested Divorce with Children; Uncontested Divorce without Children; Guardianship for an Incapacitated Person; Guardianship of a Minor; Change of Custody and/or Visitation in Paternity Actions; Uniform Child Custody Jurisdiction Act; Establishing a Foreign Adoption; Appeal from the Administrative Orders of the Office of the Child Support Hearings; and Motion for Pre- or Post-decree Relief in Divorce Cases.
	Divorce Law in Hawai'i	The Divorce Law in Hawai'i informational program assists the public in understanding the state's divorce laws in order to assist separating families through the difficult period of marital-action cases (divorce, annulment, separation, and separate maintenance). The free sessions include an overview of custody, visitation, child support, property division, alimony and other issues related to divorce, including mediation.
	Courthouse Assistance Project	On July 1, 2008, a collaborative effort between the state court system's Fifth Circuit and the Legal Aid Society of Hawai'i began called the Courthouse Assistance Project. This new office provides legal advice and other assistance to persons who cannot afford an attorney who may be eligible to receive free or low-cost legal help for divorce, TROs, small claims, landlord/tenant, and other civil cases filed in the Family and District Courts.

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
con't... The Hawai'i State Judiciary	Adult Client Victim Services	Adult Client Services of the First Judicial Circuit provides services to assist victims and their families as they proceed through the criminal justice system. Information found on the Judiciary's website includes: your rights as a victim of a criminal act, how Adult Client Services assists crime victims, how to submit a victim impact statement, sentencing of the offender, how to seek restitution from the offender, how to seek government compensation for certain types of crimes, how to be notified or comment on an offender's transfer request to another state, and where to go for help.
	Publications	To inform the public about various court processes and procedures, the Judiciary has informational brochures and booklets available for free, on various topics.

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
Young Lawyers Division of the Hawai'i State Bar Association (YLD)	High School Mock Trial Program	The Mock Trial competition consists of high schools from state wide who compete by acting as lawyers and witnesses in simulated civil and criminal trials before actual judges.
	College and Career Fairs	Volunteer lawyers travel to College and Career Fairs to visit with middle and high school students who are interested in a legal career and to inform them of the roles of lawyers in the community.
	Junior Judges	Volunteer lawyers go to 3rd-5th grade classrooms to discuss the various challenges and difficult decisions facing our young students. Through the use of video clips depicting various scenarios, lawyers talk with the students about a variety of topics, including: cheating, destroying property, bullying, teasing, peer pressure, and drugs/alcohol, and walk the students through the "right decisions" and the consequences of making bad choices.
	Law Week	Held in conjunction with National Law Week (typically in May), lawyers participate in various public events and projects which educate people about the law. Law Week activities include general clinics at neighborhood shopping centers, and other public locations, social activities and education/awareness programs for the public and members of the bar.

ATTACHMENT

"Survey of Civics Related Programs in Hawai'i"

<u>Organization or Entity</u>	<u>Program or Activity</u>	<u>Description</u>
con't ... Young Lawyers Division of the Hawai'i State Bar Association (YLD)	Legal Line	Every Wednesday evening between the hours of 6 pm - 7 pm, volunteer lawyers answer questions from the public concerning various legal topics and provide helpful legal information, basic insight and direction as to where the individual may go for help.
	Ready For The World	Volunteer lawyers visit local high schools to talk with students about various topics, including: their civic rights and responsibilities upon turning 18, civic responsibilities, voting, jury duty, credit and debt, housing, and employment among other topics.
	Goldilocks	Volunteer lawyers work with elementary school students through the judicial process with particular emphasis on the jury; putting Goldilocks on trial for her crime against the Three Bears.

Education

Hawaii Hopes New Commission Will Improve Civic Engagement And Respect For Democracy

The commission known as PACE was formed through the adoption of a Hawaii Supreme Court rule earlier this year, a day after the Jan. 6 attack on the U.S. Capitol.

**16**

By Suevon Lee    / June 9, 2021

🕒 Reading time: 6 minutes.



The need for a strong civics education has never been clearer than in the past several years with the rampant spread of misinformation and disinformation on the internet, a growing distrust of government and the media and a breakdown of civil discourse on difficult or polarizing issues, say experts.

In a bid to encourage democratic engagement by citizens young and old, Hawaii has joined a growing list of states, including [California](#) and [Illinois](#), in establishing initiatives aimed at providing education and resources about basic government processes and ways to influence them.

The Commission to Promote and Advance Civic Education, which was [established through the state Supreme Court](#), has held two virtual meetings since being formed in January. Hawaii's Chief Justice Mark Recktenwald called it a way to “serve as a catalyst for civic education throughout the state, and increase understanding and respect for the institutions of our democracy” during his [Jan. 27 State of the Judiciary address](#).



Cory Lum/Civil Beat/2021

The Hawaii PACE Commission consists of representatives from different branches of government and academia.

The 14-member commission is still working on the details of how to implement its goals, which include amplifying existing programs in schools and finding new ways to educate both students and everyday people about how to get involved and influence policies.


House Rep. Amy Perruso, the vice chair, said by way of example that people could learn how to impact the conversation at a neighborhood board meeting or persuade city and county officials to patch a pothole.

“It’s been a larger national conversation,” Perruso said, of the need for greater civic awareness. “Here, we have struggled to get anything passed legislatively, so I’m really grateful for the creation of this commission because it creates space for people to come together.”

“There’s a pretty broad consensus that we are not doing enough in our schools to make sure that students are civically prepared,” she added. “The emphasis is on college and career and not civic life.”

Perruso, a former social studies teacher at Mililani High, highlighted positive initiatives already present in the state such as [Project Citizen](#), a curriculum that dives into the public policymaking process, or [Kids Voting Hawaii](#), which encourages kids to get involved in elections.

The [commission’s members](#) were each selected by an “appointing authority” such as the governor, school superintendent, House and Senate leadership, chief judges and the Office of Hawaiian Affairs, among others. Members are unpaid and may serve up to three consecutive three-year terms.



“There’s a pretty broad consensus that we are not doing enough in our schools to make sure that students are civically prepared.” — House Rep. Amy Perruso.

The Supreme Court rule establishing the PACE commission was coincidentally adopted a day after the Jan. 6 attack on the U.S. Capitol by a group of armed insurrectionists energized by the remarks of then-president Donald Trump who falsely claimed the 2020 election was stolen from him.

“No one could have known what was going to happen on Jan 6. It certainly makes everyone who was involved in this (say), we really need to see what we can do,” said commission chairwoman [Lisa Ginoza](#), the chief judge of the Hawaii Intermediate Court of Appeals.

She summed up the commission's purpose as "simply to raise the bar on civic education in whatever way we can and try and create an entity that will be long-lasting."

Evidence of the need for more civic engagement abounds in Hawaii, which saw [a 54% overall backslide in voter turnout](#) between 1959, when statehood was established, and 2018, though voter turnout in the state reached [nearly 70%](#) in the 2020 election [thanks to a new vote-by-mail process](#).

Hawaii isn't alone as far as grappling with an erosion of civics knowledge and participation: just half of U.S. adults could name the three branches of government, according to a [2020 survey](#) by The Annenberg Public Policy Center of the University of Pennsylvania, while a [2018 Brown Center on Education Policy report](#) concluded that civics education was not a core priority in U.S. schools.

"I believe we can say nationally that civics has been put on the back burner in our education system," said Rosanna Fukuda, educational specialist for the Hawaii Department of Education and the DOE representative on the new commission.

In Hawaii, high schoolers are required to take a semester-long course, Participation in Democracy. But there is no community service requirement, though students may take a service-oriented elective that emphasizes community-based projects.

In 2015 the Hawaii Board of Education [adopted a new social studies framework](#) to strengthen civics education. The idea behind it was to [emphasize a more active and critical way](#) of engaging with material rather than rote memorization of dates, places and events in history.

Fukuda said the idea of more robust civics education needs to extend beyond social studies classes.

“All educators send a message to our students about the power of justice and equity,” she said.

Roots Of The Commission

A recognition of the need to better instill in Hawaii residents a basic understanding of the workings of government was first raised 15 years ago during a 2006 speech by then-Hawaii Supreme Court Justice Ronald Moon to the Hawaii chapter of the American Judicature Society, which later formed a committee to increase public understanding of the legal system.

One key recommendation from a subsequent 2008 report by that AJS committee was to establish a Hawaii Institute for Civics Education, helmed by a full-time salaried director. The purpose of the institute would be to improve civics education in Hawaii and expand the public’s knowledge of the judiciary’s role in society.

But the recession delayed the formation of the institute. Ginoza, who was sworn in as chief judge of the appellate court in April 2018, decided to revisit the concept with the support of Recktenwald, after AJS asked one of its committees to revisit the 2008 report.

“We found there were definitely people and entities that were really doing amazing things, but in dispersed ways,” she said, adding the commission’s main role will be to make suggestions and bring together ideas.

“We don’t have any funding or role in telling people what they can and should do,” she said.

Troy Andrade, a PACE commission member and UH Manoa law professor, expressed hope that the group will dive into the unique challenges and issues in the islands, including the role of Native Hawaiians in the community.

“For me, I really see this as not just focusing on civics in the national sense, but really civics in Hawaii,” he said. “It’s important for anyone who lives in Hawaii to understand that to understand civics, you really have to understand Hawaii’s history.”

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COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(April 12, 2021 Meeting)

- I. Welcome
- II. Remarks by Chief Justice Mark Recktenwald
- III. Brief Background on the PACE Commission and Rule 23 of the Supreme Court of the State of Hawai'i
- IV. Members
 - Introduction by each member
 - Each member's priority goal or suggestion for the PACE Commission
- V. Organize Committees
 - Create committees or task forces
 - Committee/Task Force chair and members
 - See Rule 23(f)
- VI. Additional PACE Commission Members
 - Two additional members may be appointed, who "shall have a background or expertise in communications, public media, broadcasting, journalism, business, education, or non-profit organizations."
 - See Rule 23(c) (2) (xii)
- VII. Other Business
- VIII. Schedule next meeting

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA
(May 11, 2021 Meeting)

- I. Minutes from April 12, 2021 meeting
- II. Vision Statement
- III. Additional PACE Commission Members
- IV. Organize Committees
- V. Other Business
- VI. Next meeting schedule

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(June 15, 2021 Meeting)

I. Welcome new commission member

- Nathan Kam

II. Minutes from May 11, 2021 meeting

III. Vision Statement

- Current draft: "Sustainable programs, resources, and practices that improve place-based, constitutionally informed and culturally sensitive civic education and engagement in Hawaii schools and communities."
- Confirm whether to add at the beginning: "To create, implement and amplify"

IV. Additional PACE Commission Member

V. Committees

- A. Report from Committee to Increase Civic Education in the Schools
- B. Organize Committee to Increase Civic Education in the Community

VI. Seeking Community Input

VII. Other Business

VIII. Next meeting

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(July 21, 2021 Meeting)

- I. Welcome new commission member
 - Prof. Colin Moore
- II. Minutes from June 15, 2021 meeting
- III. Donation to PACE Commission from U.S. District Court
- IV. Public Outreach
 - Discuss community outreach and communication plan
- V. Committees
 - A. Committee names
 - Revise and shorten committee names, such as:
 - Committee on Civic Education in Schools
 - Committee on Civic Engagement
 - B. Committee Reports
- VI. Other Business
- VII. Next meeting
 - Set schedule for same day & time each month

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(August 17, 2021 Meeting)

- I. Minutes from July 21, 2021 meeting
- II. Update regarding Donation to PACE Commission from U.S. District Court
- III. Public Outreach
 - Discuss community outreach and communication plan
- IV. Committees
 - Committee reports
 - Committee on Civic Education in Schools
 - Committee on Civic Engagement
- V. PACE web page
- VI. American Judicature Society (AJS) National Conference
 - November 21-24, 2021
- VII. Other Business
- VIII. Next meeting
 - Third Tuesday of every month starting at Noon
 - Next meeting is Tuesday, September 21 at Noon

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(September 21, 2021 Meeting)

- I. Minutes from August 17, 2021 meeting
- II. School and Community outreach
 - DOE outreach: Rep Perruso
 - Other ideas
- III. Committee Reports
 - Committee on Civic Education in Schools
 - Committee on Civic Engagement
- IV. PACE Logo
 - Nathan Kam
- V. PACE Web page
- VI. Other Business
- VII. Next meeting
 - Third Tuesday of every month starting at Noon
 - Next meeting is Tuesday, October 19 at Noon

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(October 19, 2021 Meeting)

- I. Minutes from September 21, 2021 meeting
- II. School and Community Outreach
 - Meeting with Interim Superintendent Hayashi
 - DOE Law and Public Safety Pathway Presentation by Evangeline Casinas, DOE Education Specialist, Career and Technical Education
- III. Committee Reports
 - Committee on Civic Education in Schools
 - Committee on Civic Engagement
- IV. PACE Logo
 - Nathan Kam
- V. PACE Web page
- VI. Other Business
- VII. Next meeting
 - Third Tuesday of every month starting at Noon
 - Next meeting is Tuesday, November 16 at Noon

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(November 16, 2021 Meeting)

- I. Minutes from October 19, 2021 meeting
- II. School and Community Outreach
- III. Committee Reports
 - Committee on Civic Education in Schools
 - Committee on Civic Engagement
- IV. PACE Logo
 - Nathan Kam
- V. PACE Web page
 - Possible Domain Names
 - (1) Hawaii-Civics.org
 - (2) civichawaii.org
 - (3) civicshawaii.org
 - (4) hawaiiicivics.net
 - (5) hawaiiicivics.com
- VI. Other Business
- VII. Next meeting
 - Third Tuesday of every month starting at Noon
 - Next meeting is Tuesday, December 21 at Noon

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(December 14, 2021 Meeting)

- I. Minutes from November 16, 2021 meeting
- II. AG Connors now U.S. Attorney for Hawai'i
- III. School and Community Outreach
- IV. Committees Update
- V. PACE Logo/Letterhead ideas
- VI. PACE Web page
 - Possible Domain Names
 - (1) hawaiiicivics.org (seeking)
 - (2) civicshawaii.org (reserved)
 - (3) 808civics.org (reserved)
- VII. American Judicature Society Conference:
Civics Presentations
- VIII. Create Work Group for Substantive Content and
Presentations
- IX. Other Ideas/Other Business
- X. Next Meeting
 - Third Tuesday of every month starting at Noon
 - Next meeting is Tuesday, January 18, 2022, at Noon

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(January 18, 2022 Meeting)

- I. Minutes from December 14, 2021 meeting
- II. Committees Update
 - A. Committee on Civic Education in Schools
 - 1. Public events
 - a. Project Citizen Institute July 11-15, 2022
 - b. 175th Anniversary of Washington Place
 - c. 150th Anniversary of Kamehameha Day
 - 6/11/22 (month of programs)
 - 2. Other items
 - B. Committee on Civic Engagement
- III. PACE Letterhead
- IV. PACE Web page
 - A. Reserved domain names
 - civicshawaii.org
 - civicshawaii.net
 - civicshawaii.com
 - 808civics.org
 - B. Creating substantive content
- V. Other Ideas/Other Business
- VI. Next Meeting
 - Third Tuesday of every month starting at Noon
 - Next meeting: Tuesday, February 15, 2022 @ 12 p.m.

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(February 15, 2022 Meeting)

- I. Minutes from January 18, 2022 meeting
- II. Committee Updates
 - Committee on Civic Education in Schools
 - Committee on Civic Engagement
- II. Hawaii Core Standards for Social Studies (HCSSS)
(Rosanna Fukuda)
- III. Project with Office of Elections
(Prof. Moore)
 - Collaborating on early registration project for students at least 16 years old
- IV. Legislative Bills
 - **SB2809:** Appropriates funds to expand civic education in public schools
 - **SB2885:** Appropriates funds for one full-time equivalent (1.0 FTE) position at the Public Access Room to provide educational outreach and engagement with Hawaii public schools (Sen. Kanuha)
 - PACE submitted testimony for 2/10/22 hearing before Senate Government Operations Committee
 - **HB1683:** Requires the Department of Education, in consultation with the Commission to Promote and Advance Civic Education, to develop and implement curriculum in civic education as a component of high school United States history courses
 - PACE submitted testimony for 2/1/22 hearing before House Education Committee

- **HB2494:** Appropriates funds for the expansion of civic education in the public schools and for one full-time equivalent permanent civic education resource teacher position (Rep. Perruso)
 - PACE submitted testimony for 2/8/22 hearing before House Education Committee
- **HB781/SB214:** Establishes freedom of press protections for student journalists producing school-sponsored media or university-sponsored media unless subject to certain exceptions
- **SB551:** Proposes a constitutional amendment to allow citizens who are seventeen years of age but will be eighteen years of age on or before the next general election to vote at the primary election immediately preceding the general election by which the citizen will attain the age of eighteen and any intervening or co-occurring special election
- **SB2587:** Requires the Youth Commission to appoint an Executive Director.
- **HB11:** Allows the board of education to develop statewide performance standards to be culturally relevant, historically and scientifically accurate, and nondiscriminatory. Authorizes a standards-based curriculum and its related educational materials to be nondiscriminatory. Establishes certain requirements for school complexes when developing standards-based curricula. Requires reports to the legislature.

V. PACE Website

- Roadmap for creating website
- Substantive content

VI. Other Business

VII. Next Meeting

- Third Tuesday of every month starting at Noon
- Next meeting: Tuesday, March 15, 2022 @ 12 p.m.

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA

(March 15, 2022 Meeting)

- I. Minutes from February 15, 2022 meeting
- II. Presentation from Alexander Heffner
 - Journalist and Civic Educator
 - Host of *Open Mind* on PBS
- III. University of Hawaii - Civic Engagement
 - Dr. Debora Halbert
- IV. Committee Updates
 - Committee on Civic Education in Schools
 - Committee on Civic Engagement
- V. Legislative Bills
 - **SB2885:** Appropriates funds for one full-time equivalent (1.0 FTE) position at the Public Access Room to provide educational outreach and engagement with Hawaii schools (Sen. Kanuha)
 - Since last commission meeting, PACE submitted testimony in support for 2/23/22 hearing before Senate Ways and Means Committee
 - Bill has crossed over to the House
 - **HB2494:** Appropriates funds for the expansion of civic education in the public schools and for one full-time equivalent permanent civic education resource teacher position (Rep. Perruso)
 - Since last commission meeting, PACE submitted testimony in support for 3/1/22 hearing before House Finance Committee
 - Bill has crossed over to the Senate
- VI. PACE Website
- VII. Other Business
- VIII. Next Meeting
 - Third Tuesday of every month starting at Noon
 - Next meeting: Tuesday, April 19, 2022 @ 12 p.m.

COMMISSION TO PROMOTE AND ADVANCE CIVIC EDUCATION

AGENDA (April 19, 2022 Meeting)

- I. Minutes from March 15, 2022 meeting
- II. Committee Updates
 - Committee on Civic Education in Schools
 - Committee on Civic Engagement
 - Suggestions for new co-chair to work with Prof. Andrade
- III. PACE Website
- IV. Legislative Bills
 - **SB2885, SD1, HD1:** Appropriates funds for one full-time position in Public Access Room at Legislature to provide educational outreach and engagement with Hawaii schools (Sen. Kanuha)
 - After crossing over to the House, bill was passed by House Legislative Management Committee with technical amendments to create HD1 version, then passed by House Finance Committee. PACE submitted testimony to both committees.
 - Headed for Conference Committee
 - **HB2494, HD1:** Appropriates funds for the expansion of civic education in public schools and for one full-time civic education resource teacher position in the DOE (Rep. Perruso)
 - After crossing over to the Senate, bill was referred to Senate Education and Ways and Means Committees, but did not get a hearing
- V. PACE Annual Report
- VI. Other ideas to fulfill mission statement and Rule 23
- VII. Other Business
- VIII. Next Meeting
 - Third Tuesday of every month starting at Noon
 - Next meeting: Tuesday, May 17, 2022 @ 12 p.m.