Welcome

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

To expand student scholarships; to give added life to exceptional teaching, research, and service; and to improve our facilities, the Law School is dedicated to raising private funds in addition to the public funding it receives.

Those interested in contributing to an array of programs should contact Julie Levine at: julie.levine@uhfoundation.org or through the Foundation’s website at: http://www.uhfoundation.org/

TO REACH THE LAW SCHOOL FOR GENERAL INFORMATION:
2515 Dole St., Honolulu, HI. 96822-2350, (808) 956-7966
Stories by William S. Richardson School of Law Media Consultant Beverly Creamer, unless otherwise noted. Photos by Spencer Kimura, Director of LLM and Summer Programs

WATCH FOR OUR ‘SPECIAL ISSUE’ COMING SOON ON THE PACIFIC-ASIAN LEGAL STUDIES PROGRAM

Leadership Gift from Davis Levin Livingston for New Advocacy and Trial Practice Center and Clinical Building

New Native Hawaiian Law Treatise Helps Define Hawai‘i Legal Issues

ALSO INSIDE:
Kamaile Turčan to Clerk for U.S. Supreme Court Associate Justice Sonia Sotomayor page 2
Visit by Brazilian High Court Justice Antonio Benjamin page 9
International Law Environmental Scholars Meet page 11
Charles Colman joins Law School Faculty page 12
Student Katherine ‘Kaki’ Vessels Chosen one of 25 Law Students of the Year by National Jurist page 13
Debate over National Security Highlights J-Term page 15
Innocence Project Touches Lives and Changes Leadership page 17
Prof. Kapua Sproat Honored with International Environmental Teaching Award page 20
UH Bar Passage Rate Soars page 21
Rankings High for UH as ‘Best Value’ Law School page 22
High School Students ‘Discover Law’ page 22
Judge Sam King’s Papers Archived at Law Library page 24
Ete Bowl Grim but Friendly page 26
From Africa to the Pacific – Grace Magruder is Peace Corps Coverdell Fellow page 28
OHA and Ka Huli Ao Initiative Continues Service page 30
Art and Social Justice Meet in Law Library Show page 31
‘Hawai‘i Five-O’ Lights up Moot Court Room page 32
‘Richardson Riders’ Hit the Road for Century Race page 34
Nitty Gritty Law School Admissions Q&A Session page 35
UH Law Among ‘Top Tier’ for 2017 page 35
KAMAILE TURČAN (NÉE NICHOLS), ’08 has been chosen for a prestigious law clerk position by U.S. Supreme Court Associate Justice Sonia Sotomayor that begins this summer.

This is the first time a UH Law School graduate has been invited to clerk for a United States Supreme Court Associate Justice – as well as the first time that a person of Native Hawaiian ancestry has served as a law clerk to any Justice on the U.S. Supreme Court. No Native American has served as a Supreme Court clerk, so Turčan will also be the first indigenous law clerk.

Turčan, who was known to friends and colleagues as Kamaile Nichols before her marriage in 2013, comments on what the clerkship means to her: “The opportunity to work on some of the biggest legal questions of our day, to help Justice Sotomayor, is the ultimate opportunity for a young lawyer and it will be an unparalleled experience,” said Turčan.

“It’s an incredible lifetime opportunity for any law graduate, let alone one from Hawaiʻi, and I have to keep pinching myself. One of the exciting things about the Court is one never knows what nationally important issue will present itself,” added Turčan. “The Court is always faced with ‘hot topics,’ such as civil rights, the scope of the 4th Amendment protections in light of rapidly changing technology, and weighty legal disputes between Congress and the President.”

Ms. Turčan is a 1998 graduate and Salutatorian of Kamehameha Schools, and she received her B.A. in Integrative Biology from UC Berkeley in 2001. After working for several years as a field biologist, she entered the UH Law School, graduating in 2008 with a Certificate in Environmental Law. She served as Editor-in-Chief of the UH Law Review, participated on the International Environmental Law Moot Court team, and received the Carl K. Mirikitani, Jr. Valedictory Prize.

After graduating, Turčan served as a law clerk for Federal District Court Judge David Ezra, followed by a clerkship with Ninth Circuit Court of Appeals Judge Richard Clifton. She describes those two experiences as essential preparations for her coming clerkship with Justice Sotomayor.

“What I learned as a law clerk for Judge Ezra at the U.S. District Court and for Judge Clifton at the Ninth Circuit will be invaluable to my work with the U.S. Supreme Court,” said Turčan. “I am so grateful to have had those two amazing judicial mentors and courtroom experiences to
draw upon.”

Turčan also emphasizes the role of the UH Law School in opening up this opportunity. “I would not be in this position were it not for the advice, guidance, and friendly nudges in the right direction from Dean Avi Soifer and my ‘ohana at Richardson,” she said.

Ms. Turčan currently works in Hawai‘i as an Attorney Advisor with the National Oceanic and Atmospheric Administration (NOAA), providing legal advice to the federal agency tasked with managing and conserving fishery resources and protected species within the Western and Central Pacific Region. The scope of her work includes environmental law, administrative law, and some international law. She has been an attorney with the Pacific Islands Section of NOAA since 2011.

UH Law Dean Avi Soifer said that he and the Law School are thrilled to have a graduate serve as a clerk at the nation’s highest court. “Kamaile is an outstanding example of the high level of achievement and diverse talents of our students,” he said. “For an attorney, one simply cannot do better than to clerk for a United States Supreme Court Justice. The opportunity for Kamaile to assist and be mentored by Justice Sotomayor, whose life story is so inspiring, is even more special.”

Soifer noted that Turčan is certain to bring her warmth and compassion as well as her legal and scientific expertise to the clerkship. “Like Justice Sotomayor herself,” he added, “Kamaile Turčan has exceptional intellect, and she also has a culturally rich background, and is a most worthy path breaker.”

It was through Richardson Law School that Turčan first met Justice Sotomayor when the Justice visited the UH Law School in 2012 as part of the school’s Jurists-in-Residence program that brings Supreme Court Justices to the Law School every other year. Dean Soifer, together with Judge Clifton, introduced Turčan to Justice Sotomayor.

“It was such a treat to meet her in person,” said Turčan of Sotomayor. “It speaks so well of our Law School that we attract such a high caliber of jurists and scholars to Hawai‘i to enrich our legal community. The exchange and connections are invaluable.”

With her particular expertise in environmental and administrative law, Turčan hopes to be able to bring that knowledge to bear as she performs research and writing duties for Justice Sotomayor. In addition to earning an Environmental Law Certificate, she explains that she fell in love with constitutional law while taking a class taught by the late Professor Jon Van Dyke. She has taught legal writing at the Law School as a Lecturer several times and had already signed up to teach administrative law during the Spring 2016 semester.

Turčan said that in general there are four main duties of a Supreme Court law clerk, including: helping to review petitions for writ of certiorari to make recommendations as to whether the Court should hear the case; drafting bench memos to help prepare the Justice for oral arguments; researching and assisting in drafting judicial opinions; and assisting the Justices in deciding emergency applications to the Court.

“One can’t say exactly what life will hold for me once the clerkship is over, but I do know I would like to eventually bring this once-in-a-lifetime experience home to Hawai‘i with me, and to share it with the community that has supported and nurtured me and my legal career,” said Turčan. 
New Advocacy and Trial Practice Center and Clinical Building at UH Law School Receives $1 Million Leadership Gift

THE WILLIAM S. RICHARDSON SCHOOL OF LAW at the University of Hawai‘i received a commitment for a $1 million leadership gift from Davis Levin Livingston, which will launch private fundraising efforts for its new Advocacy and Trial Practice Center and Clinical Building.

After a decade of planning, the $7 million overall project was approved by the Hawai‘i Legislature and Board of Regents, and final design work has been completed. The Community Legal Outreach Center – its former working title – is now called the Clinical Building.

The project has already drawn intense interest from Hawaii’s legal community. This leadership gift kicks off private fund-raising for the new facility, leveraging existing state and Law School funding.

At its January 28, 2016 meeting, the Board of Regents voted unanimously to approve a list of donor naming opportunities in the new building.

The Advocacy and Trial Practice Center will be the academic core of the Law School’s multiple ways to teach trial practice and advocacy skills and to increase effective advocacy for some of the state’s most vulnerable people through a rich array of clinics.

“We are incredibly grateful to Mark Davis and Mike Livingston, and the Davis Levin Livingston firm for their support,” stated UH President David Lassner. “It is critical that we diversify and expand our funding sources, including through philanthropy. This gift is another testament to the growing confidence of the community in the excellence of Hawai‘i’s university.”

The Davis Levin Livingston firm was founded in 1980, with founding partners, Mark Davis and Mike Livingston both coming from civil rights and public interest backgrounds. Both Davis and Livingston teach at the Law School and have been active in its development.

Founding partner Mark Davis, said: “Clinical and trial advocacy education is the life blood of a lawyer’s training in the adversary system. The Richardson School of Law has developed an enormous depth in the opportunities it offers to law students to develop trial skills and to serve the public interest in pro bono pursuits.

“Now, with the new Advocacy and Trial Practice Center, as the addition to the physical plant of the Law School, UH is destined to be one of the leading centers for clinical education in the country. Our firm is excited to be part of this effort, which will preserve and improve the quality of justice our graduates will deliver to our community.”

The firm, which includes Loretta Sheehan, Matthew Winter, Clare Connors, Thomas Otake, Erin Davis and Anne Williams, does exclusively trial work, mostly from the plaintiffs’ side and continues to actively handle civil rights and public interest cases. In recent years, the firm’s lawyers formed the Davis Levin Livingston Charitable Foundation which receives a portion of the firm’s profits each year to support access to justice issues and other charitable pursuits. The Foundation also underwrites the Davis Levin First Amendment Conference.

Planning for the new Law School project goes back almost a decade, but in 2013, the Legislature approved a $7 million package for the Center that included $3.5 million in general obligation bonds backed by the state and authorization for $3.5 million in revenue bonds to be backed by the Law School’s own funding, through a combination of tuition and philanthropy.
The design calls for the two-story Clinical Building on the ‘Ewa side of the existing main Law School building; it will provide dedicated professional training facilities for law students and faculty who serve, one-on-one, some of the people in Hawai‘i who most need skillful legal assistance while at the same time teaching advocacy and trial practice skills.

Law School Dean Aviam Soifer noted that the new Advocacy and Trial Practice Center focuses the Law School’s longstanding excellence in clinical education and the importance of creating a center of excellence for trial advocacy education.

Dean Soifer said: “The new Advocacy and Trial Practice Center will soon become a reality, in large measure thanks to the vision and generosity of Mark Davis and Michael Livingston and the Davis Levin Livingston Foundation. They are providing generous leadership with a catalyzing gift of $1 million. Mark and Mike recognize the importance of trial lawyer education and they taught and inspired our students directly for many years.”

He added, “With their help and that of many other leading lawyers and judges, the Richardson Law School is certain to be recognized as one of the leading law schools in the country for clinical and trial advocacy education and public service.”

Associate Law Dean Denise Antolini added: “This will be a new state-of-the-art home for clinical programs and for practical legal training for our law students who are eager to contribute to the community.”

Antolini continued, “We started work on the Master Plan for Law School expansion back in 2004, with the overall planning phase approved and funded by the legislature in 2006. We are fortunate that the legislature supported this vital part of our vision, and we are greatly encouraged by the generous support of the Davis Levin Livingston Charitable Foundation. This exciting project will be constructed starting in November 2016.”

The Law School recently has been singled out nationally for its high quality and innovative clinics that provide public service while offering students a chance
to flex their legal muscles by working with real clients.

The new Advocacy and Trial Practice Center also will support the Law School’s ongoing commitment to pro bono activities. As part of the Law School curriculum, students are required to provide 60 pro bono hours of legal service. Richardson was one of the first law schools in the nation to require pro bono service as a graduation requirement, and it certainly was the first - and still probably is the only law school - to have the requirement requested by students.

“Our school already serves many of the state’s individuals who are most in need of legal help,” said Soifer, “and this new Clinical Building and Advocacy and Trial Practice Center will help us focus our efforts and provide even greater reach while also fulfilling an important academic objective as we train skilled advocates who are imbued with the vision of service to our community. That was key to the founding of our Law School by Chief Justice William S. Richardson and his allies.”

Those who already receive law student help include the elderly, veterans, troubled and incarcerated youth, and families living at or near poverty levels. The Elder Law Clinic alone has provided more than 10,000 hours of free legal help to seniors in over 25 years since it moved from the Legal Aid Society to the Law School under the leadership of Professor James Pietsch.

The Advocacy and Trial Practice Center in the Clinical Building will feature two new large multi-purpose and flexible conference and meeting rooms, four dedicated interview rooms, three work preparation zones, and a number of faculty offices. In keeping with the overall design and ambience of the Law School, the Clinical Building will have a practical design echoing the open, collegial plan of the existing Law School buildings.

The dedicated clinical space also will assist the Law School in meeting national accreditation standards, which are increasingly focused on practical legal training skills.

“This new clinic and trial practice center will help us focus our efforts and provide even greater reach ...."
New Native Hawaiian Law Treatise
Will Help Guide and Define Island Legal Issues

NEW 1,400-PAGE VOLUME on Native Hawaiian law - compiled and edited by three members of the faculty at the UH Law School who specialize in Native Hawaiian law - touches everything from traditional and customary rights, to self-determination, to securing land titles. The volume - Native Hawaiian Law: A Treatise - was unveiled during the fall semester in a special book-signing reception at the Hawai‘i Supreme Court.

Fifteen years in the making, the new work offers a comprehensive overview as well as important historical background for Native Hawaiian law as it relates to U.S. law as well as international law. It also provides detailed explanations of many aspects of law affecting Native Hawaiian cultural and natural resources.

“In doing this new book we realized how much further Native Hawaiian law had been developed since its predecessor, the Native Hawaiian Rights Handbook,” said editor-in-chief Professor Melody Kapilialoha MacKenzie ’76, director of Ka Huli Ao Center for Excellence in Native Hawaiian Law at the Richardson Law School.

Executive editors are Susan K. Serrano ’98, director of Research and Scholarship at Ka Huli Ao, and D. Kapua’ala Sproat ’98, a professor at the Law School who is an authority on Hawai‘i water rights, among other specialties.

The book will clarify many recurring issues that arise in Hawai‘i, said MacKenzie.

“There’s been an explosion in laws that affect the Native Hawaiian community,” continued MacKenzie. “There has been a substantial increase in the case law, and the federal and state regulatory regimes that affect Native Hawaiians particularly, and Native Hawaiian cultural and natural resources. In the first book we couldn’t include some important areas and now we’ve covered them.”

“This extraordinary scholarly accomplishment is also an invaluable tool to aid understanding of the intersection of western law and Native Hawaiian cultural practices,” said Law School Dean Avi Soifer.

Soifer added, “There are multiple reasons to be excited and proud of what Professor MacKenzie and her team accomplished. In fact, this book is a watershed moment for the Law School and its reach will extend far beyond lawyers and scholars.”

The new book updates and continues the Handbook, published in 1991, also edited by MacKenzie, and it provides additional or new perspectives on legislative action, court cases, and legal decision-making that have affected the field over the past quarter century.

“Our state courts have been very supportive and expansive in their interpretation of Hawaiian tradition and custom, and in relation to the trust issues surrounding the national lands of the Hawaiian Kingdom,” said MacKenzie. “We wanted to make sure that these important areas of law were well explained.”
MacKenzie notes that the 2000 U.S. Supreme Court case, Rice v. Cayetano, which left open the question of the U.S. relationship with the Native Hawaiian community, was a defining moment. “It seemed critical that we relook at Native Hawaiian legal issues and ensure that our Native Hawaiian voice was heard,” she said.

“What we did in the first book was examine the body of law that affects Native Hawaiians uniquely and needs to be acknowledged or recognized. The second book shows not only that there is this body of law, but also that it’s substantial and robust body of law that our courts and legislature have taken very seriously. The new book also situates Native Hawaiian law within the broader context of international human rights law and developments related to indigenous peoples.”

During work on this volume, writers and editors had to update frequently as new laws and court decisions occurred. As one example, MacKenzie noted that quite recently “the governor signed into law community-based subsistence fishery rules for Hā‘ena, in many senses a recognition of traditional fishing practices.

“This is the first time that rules have been adopted for a community-based subsistence fishery area,” she said. “The Legislature has designated other areas, but there are no rules in place.”

Another example MacKenzie cited involves developments relating to self-govern ment and the possibility that the U.S. Department of Interior may adopt a rule to reestablish a government-to-government relationship with the Native Hawaiian community.

“One of the real challenges of doing this book was the constant evolution in the law,” MacKenzie said. “The legislature would do something or a new case would come down and we’d have to change everything!”

A sampling of the many areas covered by the treatise includes:

• The Public Land Trust
• Water Rights
• Traditional and Customary Access and Gathering Rights
• Burial Rights
• The Hawaiian Homes Commission Act
• Judicial Methods for Securing Land Title
• The Island of Kaho‘olawe
• Konohiki Fishing Rights
• Native Hawaiian Health
• Hawaiian Language and Education.

The volume is a collaborative effort of Ka Huli Ao at Richardson Law School, the Native Hawaiian Legal Corporation, and Kamehameha Publishing. The project has also received support from funders including the State Office of Hawaiian Affairs (OHA), Wallace Alexander Gerbode Foundation, Kosasa Family Fund, Pōhaku Fund/Tides Foundation, Sukamoto Foundation, Pū‘ā Foundation, and Spoehr Family Fund.

The book is available in bookstores, through Apple iBooks, and on Kindle, as well as through Kamehameha Publishing, with the paperback version priced at $50, the electronic version at $30, and the boxed hardbound edition at $100.

It also can be ordered through this website: http://www.kamehamehapublishing.org/nativehawaiianlaw/
LEADING INTERNATIONAL AUTHORITY on environmental law told an audience at the UH Law School that continued clearing of the Amazon jungle in his home country of Brazil has decreased but continues to have a devastating effect on native species, including many still undiscovered.

“We are losing the library of life,” Justice Antonio Benjamin of the National High Court of Brazil told an audience of students, faculty, and members of the public during his visit at the end of March. “We can’t afford to lose what we don’t know is there.”

Benjamin was the 2016 International Jurist-in-Residence at the William S. Richardson School of Law, and he is a global authority on environmental courts, environmental law, and threats to fragile ecosystems. What Brazil faces with its unique and threatened indigenous - and even undiscovered - flora and fauna, is not unlike what Hawai‘i also has faced with its own unique species that developed in Hawai‘i’s relative isolation.

During a 10-day stay in Hawai‘i in which he met with students, political leaders, environmental attorneys, and leading jurists, Justice Benjamin also spoke passionately of the importance of...
environmental courts to evaluate dangers to the environment. Hawai’i established an environmental court last year, and is only the second state to do so; Justice Benjamin was one of the international jurists who helped train local judges for service on the new court.

In looking at threats to the Brazilian environment, Justice Benjamin noted that Amazon forest continues to be cleared at the rate of over 4,000 square kilometers a year, even though that rate has been reduced from 27,000 kilometers (about 16,000 square miles) annually just a few years ago.

“Four thousand is still a lot. The challenge is to bring this down,” he said. “And technology is on our side. Surveillance we used to do by planes we now can do by satellite, even at night with infrared. Also drones are being used in Africa, for example, not just to look at places that are dangerous for rangers, but also to do a census of all elephants. This couldn’t be done even 10 years ago.”

Despite the loss of native forest and species in the Amazon, Justice Benjamin pointed out that, “The most endangered forest in Brazil is the Atlantic forest with just 7 or 8 percent of it left.” He said a single acre of Atlantic forest holds more native species than the Amazon. The Atlantic forest is where 60 percent of Brazil’s population lives, including the area around Rio de Janeiro, the site of this summer’s Olympic Games.

Justice Benjamin will return to Hawai’i in September for a major global
environmental conference - the World Conservation Congress - that is expected to bring over 10,000 delegates from more than 160 nations to the Hawai‘i Convention Center to debate resolutions to enhance protection of the environment as well as to focus on issues such as invasive species, marine debris, global warming, and climate change. The Congress, considered the Olympics of the Environment, is held every four years by the IUCN, the International Union for the Conservation of Nature. This is the first time in its 60-year existence that it will be hosted in the United States. Justice Benjamin is the Chair of the World Commission on Environmental Law, which is one of the six IUCN global commissions.

In addition to working with law students in the UH Law School’s highly-regarded Environmental Law Program, Justice Benjamin met with Governor David Ige, the Hawai‘i State Supreme Court, including Chief Justice Mark Recktenwald, environmental court judges, legislative leaders in both houses - who recognized him from the floor - staff of the Department of Land and Natural Resources, and many Hawai‘i attorneys, including at the Case, Lombardi, and Pettit law firm, which sponsors the Jurist-in-Residence program.

Justice Benjamin emphasized that environmental courts must be “paid attention to by the judiciary, just as they pay attention to courts that protect children, or the elderly, or family law regimes.” But he also noted that judges on such courts have certain limitations.

“No good ruling can save a bad law,” he said. “If we don’t have good laws this is a recipe for having bad rulings.”

He added, “One good ruling does not protect the environment.”

This is the fourth time the Richardson Law School has hosted an international jurist as part of its mission to provide the best legal education possible for students – as well as opportunities for the community to learn of legal issues in other countries. The most recent visit was two years ago by the Honorable Justice Rosalie Silberman Abella of the Canadian Supreme Court, who spent a week at the Law School as a teacher, mentor, and speaker focusing on social justice issues.

Justice Benjamin praised the program highly, pointing out that it has been part of bringing Richardson Law School “to the international stage,” and singling out the work of Associate Dean Denise Antolini and Dean Avi Soifer.

“Thank you for opening the doors to the world,” Justice Benjamin said. “For bringing the world here, and having the Law School go out to the world. You did it in the most extraordinary manner, by putting social justice at the forefront.”

---

**INTERNATIONAL ENVIRONMENTAL LAW SCHOLARS DISCUSSED CLIMATE CHANGE AND BOUNDARY DISPUTES**

An international gathering of legal scholars, many of them leading authorities on climate change, boundary issues and environmental concerns in the Pacific, was hosted by the University of Hawai‘i and the East-West Center Nov. 12-13.

The conference - “Marine Diversity, Climate Change and Maritime Boundaries” - brought together experts from the U.S., Korea, the Federated States of Micronesia, the Philippines, American Samoa, and China to discuss issues that range from unresolved boundary disputes to the protection and management of important fisheries.

Key issues in question related to efforts to develop a new international instrument to govern biodiversity beyond national jurisdictions, as well as pressing climate change issues faced by indigenous peoples in the Pacific and Arctic.

Principal sponsors included:
- The Korea Institute of Ocean Science & Technology
- The Jon Van Dyke Institute of International Law and Justice
- The William S. Richardson School of Law
- The East-West Center.

Sponsors included:
- The Center for Korean Studies at the University of Hawai‘i
- The Spark M. Matsunaga Institute for Peace and Conflict Resolution
- The Environmental Law Program at the Richardson Law School.
NYU’s Charles E. Colman Will Offer

Expertise in Intellectual Property Law

CHARLES E. COLMAN will join the faculty of the William S. Richardson School of Law in August as an Assistant Professor, teaching courses on intellectual property law and other business-related subjects.

Colman comes from New York University School of Law, where he has spent three years as an Acting Assistant Professor of Lawyering. He also served as a Faculty Fellow in NYU’s Program on Visual Culture: Costume Studies, where he created and taught a yearly, semester-long course on histories and theories of dress.


UH Law Dean Avi Soifer said that the UH Law School is delighted to welcome Colman. He added, “Chuck brings us important practical expertise in intellectual property and business law as well as what is already an impressive scholarly publication record. We were fortunate to land him and we anticipate great things from Professor Colman on many levels.”

Before entering the legal academy, Colman practiced IP law at his own New York-based firm, Charles Colman Law, PLLC, overseeing transactional and litigation matters for clients in the fields of fashion, film, media, and new technology. Previously, he worked as a Litigation Associate at the New York law firm Patterson Belknap Webb & Tyler. He received his J.D. from Columbia Law School (James Kent Scholar, Harlan Fiske Stone Scholar) and his B.A. in Linguistics (cum laude, distinction in major) from Yale College.

Colman said he is excited to join the UH community and looks forward to sharing his enthusiasm for intellectual property law with the students at Richardson, “especially at a time when IP has become an important topic of discussion in Hawai‘i and the Asia-Pacific region.”

He added that his longtime interest in diverse cultures and languages makes Hawai‘i a particularly appealing place to continue his career.
UTSTANDING UNIVERSITY OF HAWAI’I

law student Katherine (Kaki) Vessels ’16 has been chosen as one of 25 “Students of the Year” picked from over 200 ABA-accredited law schools across the nation.

The ‘Student of the Year’ honor is a new feature in the spring issue of The National Jurist, which also publishes preLaw magazine, and is highlighting exceptionally talented, dedicated, and community-minded law students.

A third-year law student at the William S. Richardson School of Law, Vessels has been involved in a remarkable number of public service and educational activities, ranging from assisting at war crimes tribunals in Asia and Africa, to preparing patent applications for recent law graduates, to helping to develop security improvements for port operations in the Philippines.

Law School Dean Avi Soifer said, “The list of all that Kaki has done seems incredible; but that is only until you meet her. Kaki seems to be an irresistible force, and she does all this and more without ever losing her humanity and her commitment to doing everything well.”

Vessels credits many of her accomplishments to the array of opportunities offered by UH Law School, and to the vast amount of support from faculty and staff.

“I’ve had an amazing number of practical experiences that not a lot of other law schools even offer,” said Vessels. “Getting to travel to these other countries you learn about law in other cultures, but also how to interact with lawyers from other cultures, and how to do research in other countries. And you learn so much about how you deal with stressful events, and who you are as a person and a lawyer.”

A veteran of the war in Afghanistan, Vessels will complete her law studies at UH in May and hopes to take a Masters in Law degree at Ateneo Law School in the Philippines next year. While there she will be directly involved in continuing work on security measures for the maritime operations throughout the Philippines, work she began with UH Law Professor Diane Desierto.

“I’m all for students getting out there and getting their hands dirty,” says Vessels. “That was a huge part for me. For instance, reading about the Nuremberg trials is very different from seeing Hissene Habre dragged out of a courtroom in Senegal because he refuses to recognize what he has done to his people. You don’t get that from a book.”

As an extraordinary student leader, Vessels has a long list of credits that include: joining the research team of Professors David Cohen and Desierto and monitoring war crimes tribunals in Cambodia and Senegal; developing legal protections for victims of human trafficking in Southeast Asia; assisting in the assessment of the Law School’s strategic plan as part of its reaccreditation process; working with Prof. Eric Yamamoto in building the framework for reparations claims for victims of a 1948 massacre of South Korean citizens; and helping to coach the UH ‘Etes’ in the annual Ete Bowl that pits women law students against alumni.

In the past year alone she spent the summer as a war crimes trial observer
and recorder both in Cambodia and Senegal – the first as a participant in the trials of Pol Pot and Khmer Rouge regime leaders, and the second for the trial of the former president of Chad. In Senegal, Vessels worked with Human Rights Watch to establish a trial monitoring program for the new tribunal.

“In Cambodia we would go to court every morning, to this building built specifically for the tribunal, through the metal detectors and x-ray machines, and we would watch with simultaneous translation from the other side of bulletproof glass. In Senegal, the trial took place at the local courthouse, without translators, and with portable metal detectors and x-ray machines brought in from the airport the day after the tribunal officially began. My job at both was to keep a good record of what happened each day, but the circumstances for doing that were completely different.

“What was so shocking to me was that neither the members of the Khmer Rouge nor Mr. Habre had come to terms with what they had done. In Cambodia, a woman who had been in charge of the women workers at some of the camps testified that she had treated the women well and that the women had chosen to be at the work camps. Mr. Habre still has enough supporters that they were able to create a disruption on the first day and delay the trial by 45 days.”

Vessels is 29, with a Bachelor’s Degree in chemistry from Xavier University in Cincinnati, Ohio. She first came to Hawai’i in 2008 when she was stationed at Schofield Barracks in the U.S. Army and her husband, Brad, was stationed at Ft. Shafter with the 94th Air and Missile Defense Command. In 2010 she began serving in Afghanistan for a year where she was a movement control team leader responsible for overseeing all the trucks, planes, and helicopters bringing supplies to her base. Sometimes her job entailed dealing with hundreds of trucks and drivers from an array of nations – and determining daily if any posed a danger.

She returned to Hawai’i in 2011, and entered Richardson Law School in 2013, a year after leaving the Army. She and her husband also run a yacht brokerage business and live on a 58-foot trawler in Ko‘Olina.

Vessels’s photo and law school affiliation will be included in the National Jurist story, and her biography will be on the magazine’s website and may be seen online.
H LAW SCHOOL STUDENTS and the public had the exceptional opportunity to discuss the razor’s edge issue of national security vs. individual privacy with Edward Snowden attorney Ben Wizner and retired Army General David Bramlett, in the course of a unique week of seminar classes at the UH Law School in January. Students also learned from leading scholars on international law, environmental issues, and the current state of the legal profession.

January Term – or J-Term – is the annual schedule of bonus mini-courses held during winter break each year that brings foremost legal scholars and advocates to the William S. Richardson School of Law. These weeklong seminars offer extra credit for law students, thought-provoking offerings for the community, and - this year - continuing legal education credits for practicing attorneys.

On the final day of one of the seminars, students, attorneys, members of the public, and seminar leaders Wizner and Bramlett had a vigorous discussion weighing the use of domestic surveillance by the government against individual privacy rights.

Bramlett and Wizner taught this weeklong seminar together, often respectfully disagreeing with each other as they masterfully engaged the students and community members who attended. Wizner, director of the ACLU Speech, Privacy, & Technology Project, has been the lead American attorney for NSA whistleblower Snowden. Bramlett, a former Commandant at West Point, retired in 1998, ending his military career as Commanding General of U.S. Army Forces Command, responsible for training and deploying forces worldwide in support of theater Combatant Commanders.

“We know from Snowden’s revelations that the phone calls in this room were captured,” Wizner added. “Does it bother you that they’re sitting in a government file? Every phone call is turned over to the NSA and stored for five years. As far back as the 1990s, top leaders of al-Qaeda stopped using cellphones because they were worried about missiles targeting their phones.”

Said Bramlett: “We talk about how bad apples used some of the data to discredit individuals – that’s the frailty of my position. I worry about abuse.” And yet Bramlett said he wants to look for every edge that will make our country safe - and that may include collection of meta-data from cellphone calls. He recognizes, however, that “safeguards” are absolutely necessary to prevent abuse of that data such as occurred when the late FBI director J. Edgar Hoover used clandestine intelligence to target political enemies.

“Snowden does talk about the migration of information collected by one agency used by another,” said Wizner. “It’s not only use of it, but misuse of it.”

Congress has repeatedly investigated clandestine government surveillance, going back to the 1960s and 1970s when civil rights organizations, along with anti-war activists, and leaders of the women’s liberation movement were targeted for surveillance because of their agitation for social change. Wizner said letters were even sent to Martin Luther King by the FBI threatening to reveal extramarital affairs and suggesting that King commit suicide.

“What safeguards do we put in place to make sure this doesn’t happen again?” Bramlett asked. “We have to ask ourselves, what are the safeguards? Institutional? Legal?”

Bramlett noted that in Washington, D.C., for example, “there are 500,000 cameras ... Cameras are everywhere.”

While Wizner and Bramlett represented two sides of the on-going controversy, the session ended with no clear answer. As Wizner said: “This is a problem
NATIONAL SECURITY VS. INDIVIDUAL PRIVACY

without a solution.” The way forward for all of us, he said, is to be active citizens.

“We should pay attention, be involved, and not trust all these decisions to wise leaders.”

In the other J-Term seminars, Prof. Richard Lazarus of Harvard Law School, Prof. Harold Koh of Yale Law School, and Prof. Robert Gordon of Stanford Law School also taught full classes.

Lazarus is the Howard J. and Katherine W. Aibel Professor of Law at Harvard, as well as the Thurgood Marshall Professor of Constitutional Law at Harvard. He was the Richardson Law School’s Frank Boas Visiting Harvard Professor – and he was supported by funds provided by the late Frank Boas, a generous long-time supporter of the Law School.

Koh is the Sterling Professor of International Law at Yale, and a former Dean of Yale Law School who has had extensive experience in the State Department. Gordon is the Chancellor Kent Professor of Law and Legal History, Emeritus at Yale Law School, who has returned to teaching law at Stanford.

Third-year law student Rebecca Soon ’16 offered a welcoming chant of aloha just before the final lesson began in Koh’s course and in the Wizner/Bramlett class. Soon has taken three J-Term classes and calls them “a valuable opportunity to be submerged for a week in unique, niche areas of the law.

“Professors are highly accomplished in their fields, have a deep passion for their work, and travel from around the world to be with us,” said Soon in admiration of the special opportunity provided by J-Term.

“I was honored this year to be able to take both “Liberty and Security” and “International Human Rights.” Both were the perfect examples of the kind of unique content that J-term is able to explore with world-renowned lawyers in the field.”

Army General David Bramlett and attorney Ben Wizner met individually with students and members of the public during a break.
Innocence Project

Touches Individuals

And Saves Lives Across the Country

OR RICKY JACKSON the emotions are still raw. Forty-one years ago police kicked in the family’s front door and dragged his mother, stepfather, and younger brothers and sisters into the street, forcing them down on the pavement, shotguns at their heads.

Jackson’s eyes welled with tears at that memory, and his voice broke as he told his story to over 100 Law School students and members of the community this spring at the UH Law School, recounting that terrible day in 1975 when his family was shattered and his life changed forever.

“Where’s Ricky Jackson,” the police demanded, and then dragged the 18-year-old out, too, forcing him onto the ground and then into a police car. A few hours later Jackson was charged with murder, a murder he didn’t commit. He soon began serving 39 years in prison, continuing to protest his innocence and trying to clear his name.

Five years ago the Ohio Innocence Project, supported by law students, took up Ricky Jackson’s case, reviewing the evidence, and tracking down the single witness against him who had been a 13-year-old neighborhood boy known for making up stories. Now faced with a life-threatening medical condition, this witness told officials he lied about seeing Jackson and his two friends at the convenience store shooting. He admitted he had been coerced by police to finger them.

“The police sequestered this 13-year-old juvenile from his family and turned him into a professional witness,” said Jackson. “It was so obvious this young man was prone to creating stories. He was known for this in the neighborhood .... They never had any physical evidence or any other witnesses. The case was solely on the basis of this witness. Other witnesses in the store gave sworn testimony that the three men outside the store were not us. But they (police) had their hearts set on us.”

Jackson is slim, and not as tall as photos make him appear. As he sits in front of Hawai’i law students as a guest of the Hawai’i Innocence Project, co-directed by Associate Dean Ronette Kawakami ’85 and Faculty Specialist Kenneth Lawson, he repeatedly praised the young law students for their energy, drive, and ability to change the world.
was law students, he told them again and again, who changed his.

“People like those in front of me today were working on my case ... I had images of spitballs and rubber bands! But they looked like you guys – young and eager, just like you – and I made so many lasting friends. They never asked ‘How come?’ it was always ‘We can do this. Don’t worry, we’ll get you out of here.’”

Jackson never stopped writing letters and appealing his case to attorneys, newspapers, legislators. “I had an extensive letter campaign for so many years and was getting denied. Then I met these incredible students and I felt someone was finally listening to me.”

A guest of HIP and the Hawai‘i State Bar Association during his visit to Hawai‘i in early February, Jackson also told his powerful story to HSBA members during a fundraiser at The Pacific Club, as well as to the earlier audience of students, lawyers and members of the public at the Law School. As he finished speaking each time, those hearing him rose as one in standing ovations.

It took three years of bureaucracy and paperwork, but the recanted testimony meant that 39 years after he entered prison, Ricky Jackson was finally free – with the dubious distinction of being the exonerated innocent man who was incarcerated longer than any other person in this country.

Upon his release in 2014, Jackson was 57 years old, without a job, home, or family. He didn’t even own a pair of shoes. His mother had died six years before he was released; a younger brother was now in

---

**Hawai‘i Innocence Project**

*Has New Leadership at UH Law School*

Ricky Jackson was the guest of the Hawai‘i Innocence Project at the UH Law School, currently headed by Associate Dean Ronette M. Kawakami ’85, and Associate Faculty Specialist Kenneth Lawson.

Kawakami and Lawson have taken the helm of HIP since the retirement of former director Prof. Virginia Hench. The Hawai‘i Innocence Project is one of many in the United States that began in the early 1990s and have freed hundreds of unjustly accused prisoners, often through the use of sophisticated DNA evidence. Innocence Projects in 37 states have freed 333 individuals using DNA evidence alone. Through the work of the Innocence Project in Hawai‘i, for example, Alvin Jardine of Maui was freed in 2011 after spending 20 years in prison for a rape and burglary he maintained he did not commit. When advanced DNA evidence suggested that Jardine was not the perpetrator, a Maui Circuit Court judge overturned his conviction.

It was Barry Scheck, now a professor at Benjamin N. Cardozo School of Law in New York, who was primarily responsible for setting the standards for the forensic application of DNA technology as far back as 1988. Scheck plans to teach in the Richardson Law School’s January Term next year.

The new leadership of the Hawai‘i Innocence Project expects to take on a larger load of cases. They will utilize Kawakami’s background as a public defender in felony jury trials and Lawson’s past experience as a criminal lawyer and his powerful personal teaching message. Lawson’s work will focus primarily on classroom material and working with students. “Ken has been named by many students as one of the best instructors they ever had,” said Law School Dean Avi Soifer. “Through his extraordinary commitment to our students, he has taken huge strides in rehabilitating his own career that went far off track after he became addicted to prescription pain medication. Ken’s involvement at the Law School helps our students understand the potential pitfalls that even the best among us may face.”

In helping lead the Hawai‘i Innocence Project, Lawson speaks of the importance of introducing law students to this work. “The reason this is important is because these are real people,” he tells students. “I can teach you law, but I can’t teach you how to feel, how to care, and how to stand up for someone who has been wrongfully accused. If you don’t care about your client, why should the judge care? Why should the jury care? No one was born being a bad person.”

HIP includes a number of Law School adjunct faculty who also help teach. They include attorneys Susan Arnett, Bill Harrison, Brook Hart, and DNA expert David Haymer.
prison; a sister was involved with drugs; and another brother had settled far away in California.

“I didn’t have anything,” Jackson says. “Without the safety net of the Ohio Innocence Project, I had nothing.

“The world is so drastically different from when I left the streets,” Jackson continued. “We need more level-headed people who can get out there and make change.” Asked about the “Black Lives Matter” movement in the wake of police shootings of young black men across the country, Jackson was adamant: “All lives should matter,” he said. “Everybody’s lives should matter. Black lives should matter on all occasions. Black lives should matter all the time – in times of strife and in times of peace.”

In prison Jackson spent two and a half years on Death Row before the Ohio Supreme Court struck down the death penalty as unconstitutional and commuted all the sentences to life imprisonment. Jackson reflected on what it was like to be part of what he called ‘its own little world.’

“We learned to pick each other up,” he said. “If a guy’s execution day was coming up, we’d say things like ‘Hey Joe, can I still get that radio before you go?’ We were all afraid as that day was coming.”

Jackson said being on Death Row “is like being in a dog kennel and waiting to be euthanized.

“We have people who have been there for 30 years. If that was a dog we’d be up in arms. You’re never outside, there’s no fresh air, we never saw the sun. For two hours a week we had to walk around, with 10 minutes for a shower. The rest of the time we were in cells with no windows.”

For Jackson, escape from the harsh prison reality came in books, and he read anything he could get. His favorite? Stephen King. But he also read ‘War and Peace.’ “I have a vivid imagination and I was able to get into any time period,” he said.

As a free man, Jackson has been compensated by the state of Ohio for his wrongful conviction, and he has tried to pick up his life and reconnect with his family. The latter has been difficult because of the anger he still feels. They didn’t visit, didn’t write, he said, and he hasn’t been able to forgive that.

What he has done is to forgive the witness who testified against him, part of his own salvation as a free man.

“A lot of people ask ‘How can you forgive him?’ I had to,” he continued. “I wanted to be totally free of the past. I’ve met so many great people, like today. The past is gone. I don’t want to be a perpetual victim the rest of my life.

“I believe in people despite what I’ve gone through,” Jackson continued. “I believe in life. Getting out of prison I wasn’t going to squander it. I was going to take this opportunity and live life and not live in uncertainty. I was determined I was going to be a happy man.”

In his year and a half of freedom, Jackson has begun working with young people in his own community. “I love Cleveland and I’m trying to get it back on track. These young people need direction. They don’t have any hope in their community or any direction. They talk about ‘the ‘hood'; but what have you done for the ‘hood? We want to blame the police, the mayor, the governor, but this is our problem. It’s easy to blame other people and they are culpable, but we have to stop being the victims and start standing up and taking responsibility for what’s going on in our community.”

The prison system needs drastic change, however, says Jackson. “To me one innocent person in prison is too many. That’s one guy’s life. Nothing is 100 percent foolproof, but we can do a lot better.

“It’s time to shake the system up. There’s so much injustice going on across the country. There’s nothing like sitting in a jail cell when you shouldn’t be there. We need to break it open and rebuild it.

“It needs an infusion of fresh people, fresh ideas. It’s a perpetual motion machine that doesn’t know how to make change. It takes courage, and good, smart people like you guys.”
Kapua Sproat Honored with International Environmental Teaching Award

Prof. D. Kapua'ala Sproat '98 has been recognized with a major international award for her expertise in environmental law and her inspiring and dynamic teaching abilities.

Sproat, a member of the Ka Huli Ao Center for Excellence in Native Hawaiian Law at the Law School, is the recipient of the IUCN Academy of Environmental Law’s 2015 Distinguished Environmental Law Education Award in its Emerging Scholars Category.

The International Union for Conservation of Nature - or IUCN - is an organization for global action with 1,300 member agencies and institutions in 185 countries working to solve environmental challenges involving climate, food, and development.

The awards for 2015 were announced during the Academy’s recent 13th Annual Colloquium dinner held at Atma Jaya Catholic University in Jakarta, Indonesia.

In recognizing Prof. Sproat, the IUCN Academy cited her work in community service that combines classroom teaching with leading an environmental law clinic that offers students hands-on work with real clients. Professor Eric Yamamoto, who is the Fred T. Korematsu Professor of Law and Social Justice at the UH Law School, nominated Sproat and emphasized her outstanding professionalism, her ability to inspire students, and her leadership in creating exceptional learning opportunities.

“...She makes oftentimes overwhelmingly prosaic legal learning both exciting and relevant,” wrote Yamamoto. “...She integrates path-forging indigenous peoples’ environmental justice scholarship and deep hands-on environmental litigation experience with an exceptional grasp of the linkage between the theoretical and the practical in law.” All that is overlaid, he continued, “with sensitivity for how students learn and develop personally and professionally.”

She took the helm of the Environmental Law Clinic in 2007, said Yamamoto, “And this clinic has been the only one of its kind at the Law School to use place-based, project-based learning to address environmental and Native Hawaiian issues while also providing free legal advice to underserved communities.”

Yamamoto noted that the clinic has been remarkably effective in strengthening collaboration both within and beyond the Law School. In fact, he added, the clinic has received $650,000 since 2011 from the Office of Hawaiian Affairs to support travel, training, and direct legal services in Hawai‘i’s rural communities.

Sproat has been at Richardson for nine years, during which time she won two Presidential Citations for Meritorious Teaching, the Law School’s Outstanding Teacher of the Year Award, and UH’s highest teaching award, the Regents’ Medal for Excellence in Teaching.

She is a graduate of Mills College and the Richardson Law School, and she joined Earthjustice as a staff attorney immediately after graduation in 1998. Nine years later she was lured back to Richardson as a member of Ka Huli Ao, and she has taught many subjects and written about water law and other topics in addi-
In addition to her outstanding teaching, outreach, and scholarship, Sproat recently co-authored and co-edited Native Hawaiian Law, a 1,400-page treatise that covers the vast expanse of Native Hawaiian law throughout Hawai‘i’s legal system, and also examines how Hawaiian law and custom interacts with western and international law.

Law School Dean Avi Soifer said, “Kapua Sproat is amazing and there could be no one more deserving of this prestigious international award. She teaches and serves others with remarkable effectiveness on a daily basis and she consistently does the Law School proud, whether noticed or not for all that she accomplishes.”

Dean Soifer said he is particularly pleased by Sproat’s recognition in light of the next IUCN World Conservation Congress, scheduled for next September, at the Hawai‘i Convention Center in Honolulu.

The IUCN is headquartered at the University of Ottawa in Ontario, Canada, and it has held international environmental conferences in Asia, Africa, Europe, North America, and Australia to focus on issues including climate change, biofuels, water, and the development of policy for protected areas.

The July 2015 bar exam pass rate for William S. Richardson School of Law graduates leapt 7 percentage points from July 2014, going up to a 76 percent passage rate for first-time takers.

The results also rose for all Richardson graduates who took the bar exam, going from 66 percent in 2014 to 70 percent in 2015. In both categories Richardson alumni again did better than the overall Hawai‘i pass rate of 69 percent.

These Hawai‘i results are bucking a national bar exam trend that has seen passage rates drop significantly over the last few years.

Legal experts suggest that the national downturn may be caused by the inclusion of additional material on the exams. Some critics have begun to question the validity of a single, high-stakes national exam.

Richardson Law School Dean Avi Soifer pointed out that the Law School has been doing a great deal in recent years to help students prepare for the exam. Associate Faculty Specialist Liam Skilling ’07, director of the Evening Part Time and Academic Success Programs, devotes a great deal of time to supporting students and he has added additional tutoring sessions for bar exam preparation to help students get ready for the rigorous test that is given over a period of several days.

“Even one Richardson graduate having to retake the Bar Exam is one too many,” said Skilling. “However, to see our graduates passing at a higher rate, while the passage rate is declining in so many other jurisdictions, is a testament to the quality of our graduates and the commitment by the whole Richardson community to see them succeed.”

Prof. Daniel Barnett, Director of Legal Writing at the Law School, noted that Richardson “has a long tradition of carefully designing its law program to provide students with the training they need to be successful lawyers.

“Our curriculum – including the specific subject-area requirements combined with the small intensive writing courses in the first and upper years – along with the amazing support designed by Professor Skilling, prepares our students well for the bar and beyond,” said Barnett.

Dean Soifer added: “It’s gratifying to know that the extra measures we have taken to prepare students, as well as all the support they receive from Liam Skilling and the rest of our faculty and staff, are leading to gratifying results.”
Fifty-two local high school students took part in a special ‘Discover Law’ program at the UH Law School this spring, learning about the possibility of careers in law and the broad scope of justice in their own community.

Students from Waipahu and Roosevelt High Schools, along with teachers and counselors, spent the morning at the William S. Richardson School of Law learning about trial procedures; doing legal exercises, including one involving the delicate art of negotiation; and hearing from law students.

For Brent Micua, a 16-year-old junior from Waipahu High, which has a law and justice academy, it was a chance “to learn about the law and justice” from people who are teaching and practicing it every day.

“I watch a lot of cop shows like ‘Criminal Minds’ and I think it’s pretty cool,” he said. He also thinks that someday – after he graduates and finishes college - he just might consider law school.

Those are the kinds of ideas Roosevelt teacher Ryan Darnell hopes are being fostered with this UH partnership. “By giving them a taste of law school it could help them decide what their major might be,” he said.

James Diehl, a third-year law student who will be graduating this May, is the president of SPOCE – Students for Public Outreach and Civic Education – an organization of Richardson law students that planned the program. Diehl said that simply having the opportunity to visit the UH Law School and to hear from professors is a unique chance to explore potential
For a lot of students it’s an eye-opening experience.

High school students gather in the courtyard for a photo during ‘Discover Law’ day at Richardson Law School this spring.

Among the faculty members involved were Liam Skilling ’07, director of the Evening Part Time Program and Academic Success; Prof. Justin Levinson; and Associate Faculty Specialist Ken Lawson, interim co-director of the Hawai‘i Innocence Project. They shared both personal and legal perspectives. In addition, a panel of current law students discussed the challenges they face, but also the fun and satisfaction they experience as students at Richardson.

As volunteers with SPOCE, UH law students are deeply engaged in mentoring high school students, including assisting directly in Hawai‘i Chief Justice Mark Recktenwald’s ‘Courts in the Community’ program. They help develop curriculum around current cases, and spend time in the high schools coaching and teaching students about actual cases and their significance. SPOCE president Diehl also noted that the organization holds ‘Street Law’ classes in a number of high schools to acquaint students with their legal rights.

“No students at any other law school are as involved in the community as are Richardson students,” said Law School Dean Avi Soifer. “This program is just one good example of their willingness to commit time and effort to others, no matter how busy they are.”

Skilling is in total agreement: “We’re the most humane law school,” he said. “We help each other, and take care of each other - and there’s a lot of good food!”


careers as well as to be introduced to the only Law School in the Pacific.

“For a lot of students this is the only way they’re going to be exposed to law at an early age,” said Diehl. “For a lot of students it’s an eye-opening experience.”

It’s also an experience that many of the UH law students wished they had had.

“I grew up in the public school system and I never learned even the most basic things about law that a citizen should understand,” said Lucy Brown ’18. “From a Civics standpoint, it should be taught and a face put to it. These students are intrigued, they’re figuring it out and problem-solving and it’s exciting to see them engaged and interested. That’s what we’re doing every day in law school.”

For law student Linnea Schuster ’17, the program is “a way to involve high school students in the law school process in a more accessible way … If you get them excited before college,” said Schuster, “it shows them this is something they could do.”

Added Brown: “It’s like putting a little idea in their heads. It could make all the difference down the road.”
Judge Sam King's papers and memorabilia
In Touching Display at UH Law Library

UNIQUE HISTORICAL ARCHIVE covering items and papers from the life of the Hon. Samuel P. King, once a Hawai‘i gubernatorial candidate and a legendary state and federal judge, were on display in the UH Law Library through November and into December 2015 during regular daily library hours.

The new archive is one of two involving federal judges now housed at the UH Law Library at 2525 Dole St. The other archive includes collected papers of the Hon. Myron H. Bright of the U.S. Court of Appeals for the Eighth Circuit, who helped launch and regularly attended the Jurist-in-Residence program.

The Richardson Law School Library is a natural repository for the personal and professional papers of significant Hawai‘i legal and political figures, notes Law Library Director and Assoc. Prof. Victoria Szymczak. She is already planning further expansion in this area.

“Because of the very close legal community, personal archives have a special place in peoples’ hearts and are viable research collections as well as historical collections,” she said.

With the papers of both King and Bright as the beginning, Szymczak envisions adding other collections that have historical significance.

King’s life alone spanned Hawai‘i’s pre- and early statehood years through 2010, the year of his death. The archive reflects a leading citizen of Hawai‘i with a multitude of interests, and it includes such things as photos of him as a young World War II Navy officer, copies of notebooks in which he recorded the 2,200 marriages he performed as a judge, and elaborate diagrams for ‘Go’ strategies. King was an expert at the game and translated the seminal book on the subject from Japanese to English.

“Sam was born in China when his father was stationed on a U.S. gunboat on the Yangtze River,” says Szymczak. “There are even some pictures of him as a baby in China, and one very old photo of his grandmother.”

The archive begins in 1933 when King won an oratory award in his senior year at Punahou that included...
a free ‘reporting’ trip to Europe, and it extends through his involvement in politics, his role as a pioneering Family Court state judge and his long history as a federal District Court judge. He was involved as a judge in some of the thorniest issues of the time, including the H-3 litigation, a mysterious Palmyra murder case, and even the legal maintenance of the habitat of an endangered native honey-creeper.

The King items on display, including a 1940/1950 era movie projector and camera equipment, are just a tiny portion of the thousands of items and documents donated by King’s widow, Anne, and her family to the Law School. The gift also included Judge King’s extensive law library.

Law Dean Avi Soifer said, “Many of us greatly admired Judge King and it has been a treat to get to know the King family better as we arranged for this wonderfully generous gift.” Prof. Randall Roth, an authority on trust law and a close friend of the King family, was instrumental in having the King papers archived at the UH Law Library.

Both Roth and King were involved in developing a document known as “Broken Trust” that helped bring to light some questionable operations of the former Bishop Estate in the late 1990s. Its publication played a key role in a change in trustees and a renewal of the mission of what is now known as Kamehameha Schools.

Memorabilia from the King archive - which will not be fully available to the public for research purposes until a year from now – were displayed in four cases near the library entrance.

“Sam was born in China when his father was stationed on a U.S. gunboat on the Yangtze River.’ “
After a Tough Flag Football Game

The Bruzers Beat the Etes, 24-12

It was a tough but friendly fight to the finish under a blazing November sun on the UH soccer practice field as the UH Law School Etes faced off against their nemesis – the alumnae Bruzers team - in the 37th playing of the annual Ete Bowl.

When the shins had been wiped clean of dirt and grass stains - and one Ete had been driven to the ER to check an injured knee - the Bruzers had won, 24-12.

But even into the second half, it was touch and go for a possible Ete win in the flag football game that has become a tradition at Richardson.

The game even earned honors two years ago from the Hawai'i Women Lawyers, who gave the Ete Bowl their President's Award, citing its important networking role connecting up-and-coming law students with seasoned attorneys.

With fans cheering loudly on both sidelines, current women law students faced off against women graduates, including at least one player who had flown in from California for the game.

“It's an opportunity to stay connected and it does a great job,” said Dora Dome '96, who scored one touchdown for the Bruzers with an amazing run. Dome, who...
third-year classmates, and break gender barriers.

“It says a great deal about our Law School that our women students are so forward-thinking,” said Associate Dean of Student Services Ronette Kawakami ’85. “That tradition is something the Law School has always supported and encouraged.”

In more recent years the game has brought together first, second and third-year law students and pitted them against graduates. Even Hawai’i Supreme Court Associate Justice Sabrina McKenna ’92 is a frequent Ete Bowl participant.

The game itself is as competitive as any. When a long pass is caught, an ‘OOOOHHHH’ erupts from the crowd.

Bernard Ragamat and his two daughters had come out to cheer on his sister, Melanie Ragamat ’17, a second year law student, while Dan Baram was there to practice his photography by taking photos of a friend, Rachel James ’19. “I’m not a big sports person,” he admitted. “I’m focusing on photography.”

Keone Nakoa ’15, who coached Ete teams for the three years that he was at Richardson, still couldn’t bring himself to cheer for the Bruzers, though he’s a graduate now and clerking with Chief Judge Craig H. Nakamura of the Intermediate Court of Appeals.

“This is one of the biggest events that helps the Law School and community come together and brings alumni back,” he said.

“And it’s also an excuse to run around the field and have some fun.”
FROM AFRICA TO THE PACIFIC, GRACE MAGRUDER 

Brings Heart and Peace Corps Savvy to Law

FORMER U.S. INTERIOR AND STATE Department intern, who spent two years in two African nations during her Peace Corps service from 2011-2013, is the recipient of a prestigious Peace Corps Coverdell Fellowship to study law at the University of Hawai‘i.

The new partnership is the first between a university in Hawai‘i and the Peace Corps, and it is one of only a handful of law-related Coverdell Fellowships in the United States.

Grace Magruder ’17 is receiving a $3,000 annual grant to study at the UH William S. Richardson School of Law.

As a Small Business Volunteer, Magruder sought to promote cultural exchange through food security and ecotourism projects on the island nation of Cape Verde, off the West African coast. In her second year, she served in the nation of Togo, where she worked with a cooperative of local artisans, including an organic coffee farmer and a fabric/clothing designer helping to strengthen quality control, design, and marketing of their unique products to local and international consumers.

Magruder has long been fascinated by the potential for culture as a way to empower economic development of communities. She had originally intended to come to the University of Hawai‘i in 2006 as an ethnobotany major but she chose to stay closer to home and ended up at the University of Florida in Gainesville.

At the time she was researching the noni fruit, which had become a commodity crop in the Pacific. Fascinated by the broader economic, social, and cultural implications of niche product markets, she switched her major from botany to political science during her sophomore year.

“My interest in the Pacific began after studying ethnobotany in high school ....

Working with the children in the community
en cultural exchange,” said Magruder.

“But it was the Peace Corps that opened my eyes to the broader community of small-island developing states across the Pacific, Caribbean, and Africa and the similar challenges they all face, especially today in light of globalization and the effects of climate change.”

Magruder approached the Law School about partnering with the Peace Corps during her second year of service. “I had always hoped to eventually attend the University of Hawai‘i, so I reached out to the Law School’s admissions director, Elisabeth Steele Hutchison, who suggested we meet over Skype. The whole idea of Coverdell at the University of Hawai‘i started in our Peace Corps bureau in Togo. Through the efforts of Elisabeth, Dean Soifer, and Minara Mordecai, the Law School took this idea and ran with it. A year later, when I finally submitted my application, Elisabeth immediately called to let me know they had just gotten approval for the program.”

Magruder moved halfway around the world for a second time to join the Law School’s 2014 entering class. She now attends school part-time while working as the Peace Corps Recruiter for UH-Mānoa. In this role, she intends to create more educational partnerships between the Peace Corps and Hawai‘i, a state which already has a proud legacy as a former Peace Corps training site and is home to many returned Peace Corps volunteers.

With a joint law degree and MA in Pacific Island Studies, Magruder hopes eventually to return to her home in Washington, D.C. so that she can help bring greater attention to Oceania and its people.

“The Pacific will be of growing importance to U.S. foreign policy in the coming years and I feel a pull to go back to my own community and educate our government officials about the importance of the Pacific and the long legacy of U.S. foreign policy decisions there – whether it is military build-up on Guam, sea level rise in Kiribati, or the Compact of Free Association with the people of Palau, Micronesia, and the Marshall Islands.”

She added, “I am particularly interested in cultural preservation and sustainability of these island states so the idea of working with UNESCO on intangible property rights or food sovereignty really excites me.”

Law School Dean Avi Soifer said, “We are grateful to Grace and very enthusiastic about the Coverdell Fellowship, which will continue to bring us top-notch students like Grace who will bring fresh ideas to our community.” Soifer added, “Their global experience combined with local commitment neatly reinforces core values of our Law School.”

The Coverdell Fellowship is one of several opportunities available for returning Peace Corps volunteers, now with more than 90 university partners across the country, including in Alaska, Hawai‘i, and the District of Columbia.”
OHA And Ka Huli Ao Continue Initiative

To Serve The Native Hawaiian Community

The Office of Hawaiian Affairs ("OHA") has finalized an agreement with Ka Huli Ao Center for Excellence in Native Hawaiian Law at the University of Hawai‘i at Mānoa’s William S. Richardson School of Law to continue the A‘o Aku A‘o Mai Initiative ("Initiative").

This Initiative was created to provide access to justice for Native Hawaiians through legal education and direct legal services on issues of importance to the Native Hawaiian community. OHA has committed $150,000 for Ka Huli Ao to offer a minimum of four legal clinics for the community over the next two years.

This latest phase of the Initiative aims to expand the base of knowledge and support on issues that have an impact on OHA beneficiaries and Hawai‘i’s natural resources, especially those in rural, Neighbor Island communities. For example, during the Fall Semester 2015, the Environmental Law Clinic offered free workshops and informational assistance to more than 80 community members on Maui who were participating in an administrative trial without the assistance of an attorney.

OHA and Ka Huli Ao first launched the Initiative in 2011 to produce a legal primer and to support community outreach on Native Hawaiian land issues, with a focus on quiet title law. Quiet title actions involve a judicial method to determine land title through which a court decides the interests of the various parties. Quiet title lawsuits often arise when more than one party claims ownership, if there are boundary disputes, or when questions surface about who owns or should own the property. Historically, many Native Hawaiians have lost title to land via this process.

In the first two years of the Initiative, Ka Huli Ao provided information and assistance to more than 150 people, facilitated 14 community workshops/trainings, and educated 40 law students about quiet title, partition, and adverse possession. Given this success, OHA and Ka Huli Ao are now focusing on other areas of Native Hawaiian law.

“The A‘o Aku A‘o Mai Initiative has already produced significant benefits for Hawai‘i’s people and resources. We are honored to continue partnering with OHA in this important endeavor and we are thrilled to expand our reach to other legal issues that have an impact on Native Hawaiians, especially those in rural communities. Through this Initiative, we hope to create a lasting legacy that will continue a mau loa,” explained Ka Huli Ao Associate Professor Kapua Sproat.

Richardson Law School Dean Avi Soifer noted, “This is still another example of the crucial role played by Ka Huli Ao through its community outreach. Ka Huli Ao does extraordinary work in many other realms as well, such as in their teaching and scholarship, including the recent publication of their major treatise, Native Hawaiian Law.

Established in 2005 at the William S. Richardson School of Law, Ka Huli Ao Center for Excellence in Native Hawaiian Law is an academic center that promotes education, scholarship, community outreach, and collaboration on issues of law, culture, and justice for Native Hawaiians and other Pacific and indigenous peoples.
Art and Law Meet on the Common Ground

of Social Justice in UH Law Library Exhibit

MORE THAN 80 PEOPLE joined in the opening evening celebration last fall as the UH Law Library unveiled its first-ever art exhibition, presented around the theme of social justice. The display continued for a month - through Oct. 23.

The exhibit brought together a broad collection of works by members of the William S. Richardson Law School community, including photos, paintings and wall hangings, plus a unique, wall-sized art projection by lawyer/artist/writer Sonny Ganaden '06. All of the pieces touched on controversial issues such as human trafficking, development on Mauna Kea, immigration, World War II internment of people of Japanese ancestry, and social and economic equality.

A stunning ‘bomber’ jacket, assembled from dyed female undergarments and created by mediator, artist, and clothing designer Elizabeth Kent '85, for example, alluded to sex trafficking with its title “Meet Me at the Meat Market, But Be Careful,” while a stark portrait in black on yellow by attorney Randy Compton '12, portrayed Jojo Peter, a wheelchair-bound scholar and outspoken advocate for his fellow Micronesians.

Peter is working on a doctorate in special education at the University of Hawai‘i and serves as a translator for Pacific island immigrants in need of health care and legal help.

“He’s the embodiment of social justice to me,” explained Compton, who is on the staff of the Medical-Legal Partnership for Children at Kokua Kalili Valley Comprehensive Family Services, and who explained that he paints what inspires him. “Jojo does so much for disadvantaged people, including people with disabilities. And he’s just a really nice guy.”

The exhibition opened with a performance by five young women who are members of Pacific Tongues, a troupe of slam poets who have won a number of awards in national competitions. They work in the community to offer young people another outlet for ideas and feelings. Their searing words echoed the social theme with poems exploring intensely personal stories of pain involving topics such as racial inequity, body loathing, sexual discrimination, and gender identity.

The art works were juried by a committee chaired by Librarian Roberta Woods, and the display was established by Law Library staff members, led by Law Library Director Victoria Szymczak, who has been planning to offer the public an exhibit like this for two years. “Our goal is to provide a forum where art and law meet on common ground,” she said.

The exhibition was open to the public during library hours.
AWAI'I FIVE-O DESCENDED ON THE UH LAW SCHOOL for three hours this past fall with a cast and crew of 150, and many thousands of pounds of equipment - all to shoot inside the school's Moot Court Room for what will end up as a minute or two in the show.

As students and faculty at the William S. Richardson School of Law tiptoed around cables and hoped for glimpses of stars like Alex O'Loughlin and Chi McBride, who were on site, a battery of giant floodlights lit up the courtroom for the drama unfolding inside.

But wait, the crew won't talk about it!

“It's top secret,” said Ernest Alvarez, a paramedic who is on the set daily to keep everyone healthy. “It comes out in about six weeks,” added Alvarez, whose skills were put to the test several years ago when one of the crew toppled into a ditch near Kualoa, requiring Alvarez to splint pro-
truding bones.
Fortunately nothing traumatic occurred at the Law School.
“It was 20 Advil and a couple of band-aids,” says Alvarez.
Richardson Law School wasn’t the only UH venue visited by Hawai‘i’s top-rated TV crime drama. Earlier that same day, the crew shot a scene in front of Bachman Hall, and, later in the afternoon, another took place on the top deck of the parking structure. This included a couple of “dummy police cars and a dead body,” said a security guard.

As the shoot evolved, law students were patient with the hubbub that kept them from reaching the room assigned to student organizations. “There was a lot of excitement,” noted Admissions Coordinator Peggy Su.

At one point actress Joy Minai swept through a hallway in black robes. Minai plays the judge in the courtroom scene, just as she did in an earlier courtroom scene involving a custody hearing over a child in the show.

She, too, was mum about the script and not about to spill the beans.

Frankly, there wasn’t much time to do so, with cast and crew on a tight schedule. “We move a lot,” said camera operator Don King. “We’ve got five different locations today.”

King, who has worked with ‘Five-O’ off and on since shooting began more than five years ago, particularly remembers one of the most demanding scenes for a show last season. Toting a camera, King swam out half a mile offshore from both Waimanalo and Portlock to shoot Grace Park in a sailing canoe, spending several hours treading water.

For the Hawai‘i-based crew members who work on the popular drama, being adaptable is par for the course. Kaipu Seales, who started out as an extra, now works full-time dispensing fake guns and phony badges, laying cables, and making sure the lights cast just the right glow. But the day he played an HPD officer chasing a bad guy was the day he called home to Moloka‘i.

“I used to watch the original ‘Five-O’ with my dad,” says Seales, “and that day I called him. He said ‘Wow! I can’t believe it! You did it!’ That was memorable.”

For Dean Avi Soifer, it was somewhat ironic to have ‘Hawai‘i Five-O’ shooting a scene in the Law School’s Moot Court Room. “This is a venue where students learn to deal with complexity as they become expert advocates, and we have actual court hearings here, too,” Soifer said.

He added, “The knotty problems we regularly learn from in the Moot Court Room don’t lend themselves to the neat, dramatic problem-solving resolutions on ‘Hawai‘i Five-O’.”
BOUT A DOZEN UH LAW SCHOOL GRADUATES, current students, and faculty members joined thousands of cycling enthusiasts last fall for the annual “Honolulu Century Bike Ride.”

Dubbed the “Richardson Riders,” the avid Law School bicyclists fielded three teams for the Sunday ride, with the most experienced riders aiming to finish a full 100 miles, and the others setting sights on 25- and 50-mile rides.

“The 100-milers are the ‘Zealous Advocates,’” chuckles Prof. Mark Levin, one of the group leaders. “The 50-milers are the ‘Easements of Passage’ and the 25-milers are the ‘Avoiders of Undue Hardship’.”

The sport brings diverse members of the Law School community together not just for a day of fun, but also as a way to connect across some common dividing lines.

“Having fun is 98 percent of it,” adds Levin. “But for the students, there’s also the networking with graduates who are already working. The other huge plus is that students are meeting other students across the boundary of class years.”

Graduate David Robyak ’14, an enthusiastic team member and co-organizer with Levin, said he was going to attempt 100 miles, though it could take him more than seven hours – and accomplished his goal. Robyak, now with the law firm Turbin Chu Heidt, had been training three to four times weekly, with some of his training rides as long as 60 miles. Team member Andrew Strand ’14, a Deputy Prosecuting Attorney, often joins him.

“If you’re really interested in cycling there are a couple of moments when you get more serious,” Robyak explains. “One is when you get the shoes with the cleats that snap into the pedals. But the first time when you’re wearing them you tend to forget, and when you come to a stop you have this moment of panic and slowly fall over.”

The Richardson Riders are just one of the multiple ways in which the Law School community gets together outside the classroom in sports activities and competitions that create friendships, but also maintain mental and physical fitness.

Each November the traditional flag football game known as the Ete Bowl pits current women students against female alumnae who are now practicing attorneys, judges, and office holders. Additionally, Prof. Linda Krieger paddled in the Na Wahine O Ke Kai Outrigger Canoe Race from Hale O Lono Harbor on Moloka‘i to the Hilton Pier in Waikiki. And, in early December, Ramona Hussey, Assistant Director of the Evening Part Time Program, again organized a Wellness Fair that offered a day of enjoyable activities as stress relief for students just before they went into final exams.

“We treasure our out-of-class activities,” says Law Dean Avi Soifer. “The great extent of having fun together and looking out for one another is one of the key things that set Richardson Law apart. We actually enjoy each other’s company.”
Prospective Law Students heard down-to-earth advice about how to finance law school, as well as what admissions directors look for in applications, during an informal gathering at the UH Law Library as part of the Admissions Office outreach program.

“Law School is the best time to discover what you’re interested in,” said Erin Fale ’18, one of three law students who joined the gathering to share law school experiences. “I see a ton of people who may not want to take the bar but feel law is important for any career.”

UH Law School Admissions Director Elisabeth Steele Hutchison spoke about three areas critically important to admissions committees: LSAT scores; undergrad GPA; and everything else, which includes a personal statement, work experience, and letters of recommendation. And she advised prospective applicants to ask for feedback from friends and associates to ensure that their
The UH Law School has again placed among the Top Tier of ABA-accredited U.S. law schools, and is ranked at 92nd among the nation’s best law schools released in March by U.S. News & World Report for 2017.

In the same rankings, Richardson Law School was rated 28th for its Evening Part Time Program, up from 30th place a year ago.

These new rankings for 2017 came two weeks after one of Richardson Law School’s students - Katherine ‘Kaki’ Vessels - was named by The National Jurist magazine as one of the top 25 Students of the Year among the nation’s law schools. National Jurist highlighted exceptionally talented, dedicated, and community-minded law students.

In the 2017 rankings, UH Law School tied with Rutgers, Lewis & Clark College, the University of South Carolina and the University of Louisville. A year ago, UH Law School placed 82nd among the top tier law schools.

Dean Avi Soifer pointed out that Richardson is one of the country’s most affordable, smallest and most diverse law schools. “What makes our school exceptional, however, is not measured only in these rankings,” Soifer noted. “We are able to personalize the legal education we provide, and our extraordinarily diverse students support one another, have fun together, and actually enjoy law school.”

A school’s bar passage rate is one of the complex array of metrics used by the U.S. News consumer guide in making its evaluations, including:

- 0.72 Diversity index (highest in the country ranked in 2016)
- 6th lowest average debt of 2015 graduates who incurred Law School debt.
- 4th smallest faculty/student ratio.
- 36th most selective.

Financial Aid Manager Cyrelle White suggested that even if prospective applicants haven’t entirely decided to apply to Law School, they should file a FAFSA and apply for scholarships.

“Fill out the FAFSA early – it opens Dec. 31 – because our grants are priority funding,” said White. “The sooner you fill it out, the more likely you are to receive a grant. The vast majority of students receive financial aid through federal loans, need-based grants, and some merit-based aid.”

Law students may borrow enough funding to cover all their needs, including tuition, housing, books, and other miscellaneous costs, depending on their total borrowing so far, said White. Graduate and professional degree students may borrow up to $20,500 annually as an unsubsidized federal Stafford loan. The cap is currently $138,500 for total graduate debt, which includes borrowing for undergraduate studies.

Hutchison and White noted the high employment rates of UH Richardson Law School graduates, as well as the relatively low amount of student debt Richardson graduates carry upon graduation. National rankings show that Richardson graduates carry the second lowest level of law school debt in the United States, while their employment rates are among the highest.

Richardson Law School provides flexibility for students, including both day and evening tracks, with the latter enabling students to continue working day jobs. Students may also transfer between the two programs.

In partnership with the Shidler College of Business, Richardson Law School also offers a unique joint degree program that enables students interested in both graduate areas to earn a JD and an MBA in four years.