



August 1, 2017

The Honorable Chuck Grassley
Chairman, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein
Ranking Member, Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Mazie Hirono
United States Senate
730 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Brian Schatz
United States Senate
722 Hart Senate Office Building
Washington, D.C. 20510

Re: S. 276, Judicial Administration and Improvement Act of 2017; S. 295, Circuit Court of Appeals Restructuring and Modernization Act; and S. 296, Federal Court of Appeals Modernization Act, OPPOSE

Dear Chairman Grassley, Ranking Member Feinstein, Senator Hirono and Senator Schatz:

After a discussion and review of the arguments for and against the restructuring of the United States Court of Appeals for the Ninth Circuit, the Board of the Hawaii State Bar Association on behalf of its members at its July 27, 2017 duly noticed meeting, voted to strongly oppose S. 276, S. 295, and S. 296, the latest in a series of proposals to split the Ninth Circuit.

In addition to this action, the Hawaii State Bar Association is a co-sponsor to ABA Resolution 104 introduced for consideration by the House of Delegates of the American Bar Association, which reaffirms opposition to restructuring the United States Court of Appeals for the Ninth Circuit as there is no compelling empirical evidence of adjudicative or administrative dysfunction in the existing structure. Other sponsors and co-sponsors of ABA Resolution 104 include: the ABA Standing Committee on the American Judicial System Section of Litigation, the ABA Tort Trial and Insurance Practice Section, the ABA Criminal Justice Section, and the Washington State Bar Association. ABA Resolution 104 will be reviewed and debated during the August ABA Annual Meeting to be held in New York City.

The Hawaii State Bar Association Board on behalf of its members has concluded that splitting the Ninth Circuit would be expensive and undermine the administration of justice in the Western United States and Pacific Territories. These proposed measures are not in the public interest.

Sincerely,

Nadine Ando
HSBA President

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