

The Honolulu

Aloha!

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Final Edition

Panel will probe judiciary's actions

By James Dooley
Advertiser Staff Writer

A five-member citizens' panel has been appointed to investigate allegations of improper administrative and political lobbying activities in the state judiciary. Supreme Court Chief Justice Herman Lum said yesterday.

And Tom "Fat Boy" Okuda, named acting administrative director of the courts two months ago by Lum, has resigned from that position to allow the panel to "proceed more easily and expeditiously" with its assessment, Lum said.

Okuda returns to his position as deputy administrative director of the courts, in charge of the District Court system. Retired Circuit Judge Toshimi Sodetani will replace Okuda as acting administrative director, Lum said.

Political lobbying activities undertaken by judiciary employees every year at the Legislature have been overseen by Okuda. The public action group Common Cause has been extremely critical in recent weeks of the lobbying program, alleging that state employees contribute state time and labor

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to the lobbying efforts.

Okuda has refused to comment for the past two weeks about the allegations, saying he would defer to Lum, who returned to Honolulu last week after an extended business/vacation trip.

Lum said yesterday he has made a preliminary assessment of the allegations against the judiciary.

He said he was creating the citizens' panel because of the gravity of the allegations and because of his "concern that there be no perception that we are participating in a 'cover-up' and in view of my strong feeling that we owe our citizens clear, studied answers to all of the concerns which have been raised."

Members of the panel are:

- Herbert Cornuelle, former president of Dillingham Corp.
- Dorothy Lum, president of the League of Women Voters.
- David L. Fairbanks, past president of the Hawaii State Bar Association.

● Retired Circuit Judge Masato Doi, now a private attorney.

● Circuit Judge Daniel Heely, former head of the Disciplinary Board of the state Supreme Court.

"This panel has been given authority to hire its own legal counsel to assist with its work," Lum said.

"I will await the findings and recommendations of the panel and take such corrective measures deemed necessary."

Lum read a prepared statement yesterday about the panel. He declined to answer questions about the matter.

Carol Dodd, judiciary spokeswoman, said she expects the panel will take "a couple of months" to conduct its inquiry and make recommendations to Lum.

State Sen. Fred Hemmings, who, along with Common Cause, has been outspoken in criticisms of the judiciary and the state Sheriff's Office in recent weeks, said yesterday he was "thrilled" by Lum's action and by the "high-caliber and independently minded panel."

Hemmings expressed "confidence that the investigation and subsequent findings will result in meaningful change."

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Justice Lum Picks Panel to Probe State Judiciary

By Stirling Morita
Star-Bulletin Writer

Chief Justice Herman Lum has selected five community leaders to investigate allegations of ethics violations and improper politicking by high-ranking state judiciary employees.

Common Cause/Hawaii and state Rep. Fred Hemmings, who had leveled most of the charges, lauded Lum's action. They said he has chosen respected people to look into the matter.

Lum also announced yesterday that Tom "Fat Boy" Okuda has voluntarily stepped down from the top administrative job in the judiciary. Replacing him, as acting administrative director, will be retired Circuit Judge Toshimi Sodeani, Lum said. Okuda will return to his former job of deputy administrative director overseeing the District Court operations and the sheriff's office.

PANEL MEMBERS are:

✓ Circuit Judge Daniel Heely, who had served as chief disciplinary counsel to handle ethics cases against attorneys from 1978 to 1981.

✓ Retired Circuit Judge Masato Doi, who has been an attorney

in private practice since 1979 after 13 years on the bench.

✓ Herbert Cornuelle, board chairman of Campbell Estate and former president of Dillingham Corp.

✓ Dorothy Lum, president of the Hawaii League of Women Voters.

✓ David Fairbanks, past president of the Hawaii Bar Association and former chairman of a federal judge selection panel established by Sens. Spark Matsunaga and Daniel Inouye.

Lum, at yesterday's news conference, said he took the actions "in view of their (allegations) seriousness, my concern that there be no perception that we are participating in 'cover-up,' and in view of my strong feeling that we owe our citizens clear, studied answers to all of the concerns which have been raised." The chief justice read a prepared statement and declined to answer reporters' questions.

Lum authorized the panel to hire its own attorney and investigate allegations "about administrative practices within the sheriff's office and questionable lobbying efforts by some of our employees."

He said the panel will issue "findings and recommendations," and he will "take such corrective measures deemed necessary."

"IT SOUNDS like a very reasonable approach. It would appear that good people have been chosen to investigate," said Ian Lind, Hawaii Common Cause executive director.

"I'm extremely impressed with the caliber of people the chief justice selected, people of the highest integrity," said Rep. Hemmings, a Republican. "I'm sure they will investigate all aspects and come up with a meaningful report."

"I'm extremely pleased that the chief justice recognizes that there is a problem and has taken affirmative action to clear up the problem," Hemmings said.

He and Lind said they are willing to cooperate in the panel's probe.

Hemmings has charged that the sheriff's office is wasting taxpayers' money by buying unneeded weapons and other

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Chief Justice Herman Lum
No perception of a "cover-up"

Justice Lum Picks Panel for Judiciary Probe; Okuda Quits Post

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equipment. He also has alleged that the sheriff's office has been involved in illegal activities, such as withholding service of warrants.

Lind has said that judiciary employees are recruited to roll shi for political fund-raisers while on the job. Common Cause also has raised questions about the solicitation of judiciary employees to help raise money for

a lobbying organization made up mostly of judiciary workers.

That organization has catered fund-raisers for many state lawmakers and provided lunches for legislative committees that oversee the judiciary's budget.

The Star-Bulletin also reported about a Democratic Party meeting that was held in a Honolulu District Court office and about eight sheriff's cars that were purchased without competitive bids.

THE CHIEF JUSTICE said Sodetani agreed to come out of retirement to assume the top administrative job on a temporary basis. Known as a low-key judge in his 10 years on the bench, Sodetani is best known as the judge who presided over the Kukui Plaza bribery trial of Mayor Frank Fasi.

Bribery charges against Fasi were dismissed when the state's key prosecution witness refused to testify against Fasi.

Okuda has been the target of many of the allegations. He had been acting administrative director since Lester Cingcade resigned the job in mid-June.

IN A LETTER to the chief justice, dated yesterday, Okuda said, he voluntarily resigned as acting administrative director.

"I do so because I believe that it is in the best interests of the judiciary to name an impartial citizens committee to look into

questions recently raised about court administration. Should you decide to name such a committee, its work will proceed much more easily if I did not hold my current position," Okuda wrote.

"I wish to state my belief that I have not participated in any wrongdoing. Further, I believe that my workers are not guilty of any wrongdoing. I submit this letter because I do not wish in any way to impede the work of the committee."

Okuda said he will "encourage my employees" to provide the panel with information.

"I have never wished to cause embarrassment to the judicial institution or the chief justice, with whom my first loyalties lie," he said.

Okuda is the judiciary's chief lobbyist at the Legislature. He has worked for the judiciary since 1950 and became director of the Traffic Violations Bureau in 1961.