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**PART I: DEPARTMENT OF THE ATTORNEY GENERAL (ATG)
REPORT¹ TO THE LEGISLATURE
Regular Session 2003**

PART I: INTRODUCTION

Department Description and Overview

The Department of the Attorney General is comprised of 18 legal divisions, 4 public support divisions and a central administrative services office. The Attorney General (AG) is the executive in charge of the Department. The executive office of the Attorney General (OAG) is comprised of the AG, First Deputy Attorney General (FDAG), Special Assistant to the Attorney General (SPA), and an Administrative Services Manager (ASM), as well as necessary administrative support personnel.

The Department consists of approximately 683 personnel. The following is a breakdown of these positions by specific Department functions:

Legal Services Personnel:

Position Type	Number of Positions By Type	% of Program Staff in Relation to Total Legal Staff
Managers	27	7%
Attorneys	156	40%
Other Professionals	91	24%
Support Staff	112	29%
Total	386	

Child Support Enforcement Agency (CSEA) and the Office of Child Support Hearings (OCSH) Personnel:

Position Type	Number of Positions By Type	% of Program Staff in Relation to Total CSEA/OCSH
Managers	19	10%
Hearings Officers	5	3%
Other Professionals	50	26%
Support Staff	122	62%
Total	196	

¹ This report is mandated by Section 7, Act 100, SLH 1999 and Executive Memorandum Number 99-12, dated October 14, 1999, and requires that all state agencies and departments submit a report to the legislature at the start of the regular session of 2000 and each regular session thereafter relating to the departments' and agencies' goals and objectives, action plans, and processes.

Hawaii Criminal Justice Data Center (HCJDC) and Crime Prevention and Justice Assistance Division (CPJA) Personnel:

Position Type	HCJDC Number of Positions by Type	CPJA Number of Positions by Type	Total Number of Positions by Type	% of Program Staff in Relation to Total HCJDC and CPJA Staff
Managers	7	5	12	16%
Other Prof.	7	16	23	30%
Support Staff	35	6	41	54%
Total	49	27	76	

Administrative Services Office (ASO) Personnel:

Position Type	Number of Positions By Type	% of Program Staff in Relation to Total ASO Staff
Managers	6	24%
Other Professionals	5	20%
Support Staff	14	56%
Total	25	

Department Powers and Responsibilities

The authority of the Department of the Attorney General is derived through the Hawaii State Constitution, Art. V, Section 6, by various Hawaii Revised Statutes (HRS), principally Section 26-7 and Chapter 28, and the common law².

Organization of this Report

The report is structured in four parts: the introduction; a listing of the general department goals and objectives; a listing and general description of the individual divisions/offices; and a compilation of the individual division/office goals and objectives. Each division supervisor was provided maximum flexibility to structure their individual goals and objectives according to their respective division management plans.

² See State Attorneys General, Powers and Responsibilities, edited by Lynne M. Ross, Deputy Director and Legislative Director, National Association of Attorneys General, 1990 [second printing 1998].

PART II: DEPARTMENT-WIDE GOALS AND OBJECTIVES

Core Values

1. Foster an organization that provides the necessary professional and personal support for all employees.
2. Promote creative ideas by encouraging individual input and opinion.
3. Encourage actions for the good of the whole.

Goals

1. Protect the state's interest in all legal matters by providing competent and timely legal advice and representation to the executive, legislative, and judicial branches.
2. Enforce the state's laws and facilitate the enforcement of federal law.
3. Safeguard the rights and interests of the people by undertaking legal or judicial action on their behalf.
4. Assist or coordinate statewide programs or activities for the improvement of law enforcement and criminal justice.
5. Create a department work environment that motivates all employees to reach their full potential and that encourages open communication and cooperation to maximize productivity.
6. Instill a sense of pride for service in the department.

Objectives

1. Litigation: Represent the state, its agencies, and officers in civil proceedings in state and federal courts.
2. Administrative Hearings: Represent the state, its agencies, and officers in administrative proceedings.
3. Criminal Prosecutions: Prosecute certain criminal offenses such as Medicaid fraud, welfare fraud, tax fraud, unemployment fraud, public corruption, and any other crimes against the public order.
4. Legal Opinions and Advice: Provide legal opinions and advice to the Governor, the Legislature, judges, and state departments and officers.
5. Rules: Assist state departments and agencies in reviewing rules, regulations, and legislation.
6. Contracts: Draft, review, and approve as to form various legal documents.
7. Law Enforcement: Enforce federal, state, and local laws, rules, and regulations; monitor the operations of the Hawaii Career Criminal Program, the Witness Security and Protection Program, and the Victim-Witness Program.
8. Investigations: Investigate civil and criminal matters.

9. Federal Funds for Crime Prevention Programs: Seek, apply for, and administer federal funding and other resources to enhance and expand the capabilities of the criminal and juvenile justice programs.
10. Policy Development for Criminal Justice Programs: Coordinate and assess information on a statewide basis for the development of policies to improve the criminal justice and juvenile justice systems and program.
11. People's Representative: Safeguard the rights and interests of the people by undertaking legal actions on their behalf.
12. Workplace Environment: Maintain open door policy, create various communication groups of selected employees throughout the department, and empower everyone to feel secure in exercising authority and accepting responsibility at their level.

Department Action Plan

General: Over the past 3 years, the department has achieved a high measure of success in meeting all of its objectives. Recent examples of this success are: the department's efforts in the Bishop Estate investigation and litigation that have improved the lives of countless beneficiaries and employees of the estate; the successful completion of the asbestos case that returned over \$35 million to general fund; the settlement of the tobacco litigation that will return over a billion dollars to the state, and numerous antitrust actions to protect Hawaii's consumers. In order to sustain this substantial record of accomplishments the following general support plan is provided. The Department's detailed plan is supplemented by individual division/office plans attached at Part IV.

Action Plan

Action Plan Factors: From the department level, the primary factors that the Attorney General believes will influence the timely delivery of quality legal services and the achievement of success in all areas are: the number of people providing the services; the training of the people delivering the services; level of information technology supporting the service delivery; and the management oversight for the service delivery. These factors will be addressed in the following manner:

Year One:

Staffing Levels: Using time sheet analysis and other means of evaluation, divisions will determine the optimum level of attorneys and staff needed to deliver services at an acceptable level as determined by the Attorney General. If resources permit, the Attorney General may contract with appropriate consultants (special deputies) to assist with this analysis.

Training: Due to the reduced resource environment, the Attorney General will seek legal professionals who can provide in-house department-wide training to increase budgetary efficiencies. A training committee will be appointed to discover training opportunities and to negotiate affordable prices.

Information Technology: See goals and objectives of Administrative Services Office.

Management Oversight: The Attorney General will investigate the need to reorganize certain areas within the department to create efficiencies in the delivery of legal services. Special communication groups, chaired by the Attorney General, have been established outside the chain of supervision to increase the information flow into OAG.

Years Two to Five:

Staffing Levels: Continue to conduct analysis to determine staffing level necessary to provide quality legal services. Begin building strategic plan to increase staffing levels to keep pace with growing demand for legal services and support.

Training: The Attorney General will build a long-range training plan and seek funding to support a continuing legal education program.

Information Technology (IT): See goals and objectives of Administrative Services Office.

Management Oversight: The Attorney General will continuously review the department's organization and communication flow to ensure a department structure that enhances optimum productivity. Publishing a report of the department's activities and accomplishments will enhance pride of service within the department.

Update and Status Report of the Action Plan:

Staffing Levels Update: Due to economic constraints the Department has not been able to hire the appropriate resources for certain areas. This is especially evident in the IT, child support, and legal support staff areas.

Training Update: Although training has occurred on more frequently than in previous administrations, economic constraints have made it difficult to ensure that all staff are receiving the appropriate professional training on an ongoing basis. One area of particular concern is IT training. The Department is currently undergoing a standardization of office applications (i.e., word processing, spreadsheet, and presentation software) and has found it necessary to procure the training services of an outside vendor. As IT training has never been formally budgeted for, monies were moved from other areas of the budget to support this training.

Information Technology Update: With the assistance of the Legislature, the Department contracted with IT consultants to improve its IT environment. Over the past 1 ½ years the Department has purchased and implemented the following: a modern networking environment; standard office tools; a case management software system; and, a document management software system. In addition, within the last two years the Department has undergone drastic changes in IT modernization. Critical business tools such as Internet and e-mail access have been provided to approximately 75% of the total staff and nearly 100% of the legal staff. The advent of new business productivity tools will allow staff to concentrate on their true work functions rather than routine and mundane tasks that they were forced to do in the Department's obsolete IT environment. The entire project is scheduled for completion in January 2003.

Management Oversight Update: Reorganization plans over the period 1999-2002 have alleviated backlogs and provided staff with the structure to accomplish more. The Department of Education, specifically, received additional representation through the 1999 bifurcation of the Department's Administration and Education divisions. In 2002, because of legal representation conflicts the Tort/Litigation division was divided into two separate divisions. In the separation a new division, Civil Rights Litigation Division, was created.

As a result of actions that the State must take due to the Tobacco Settlement Agreement, with the Legislature's assistance the Department also created the Tobacco Enforcement Unit (under the Tax Division). The unit is charged with the strict oversight of tobacco products and enforcement of the tobacco stamp tax law, which was passed during the 2000 session.

Five Years:

Staffing Levels: The Attorney General will have a process in place to continuously review staffing levels to keep them in line with the demand for legal services.

Training: With adequate funding, the department should be on track with training necessary to ensure the high quality of legal services.

Information Technology (IT): See goals and objectives of Administrative Services Office.

Management Oversight: OAG will continue routine internal reviews to discover new efficiencies. Reporting on department achievements will become an annual report for submission to the Governor.

Measurement Processes

The Attorney General will measure progress in accomplishing department goals and objectives by periodic surveys of departments that receive services. For departments that request formal legal advice, the Attorney General will routinely monitor the timeliness of opinions provided.

PART III: ATG DIVISION DESCRIPTIONS

Administration Division (ADMIN):

ADMIN is a legal division principally responsible for commercial and financial related legal issues. The division provides legal advice and litigation support to various departments including the Department of Accounting and General Services (includes ICSD, State Foundation on Culture and Arts), the Department of Budget and Finance (including advice regarding bond matters and advice to the Employees Retirement System); the Judiciary (includes Office of Judiciary Counsel, Office of Disciplinary Counsel, Board of Bar Examiners, Judicial Selection Commission); Land Use Commission; the Health Fund; the Stadium Authority; and the Public Defenders Office.

Administrative Services Office (ASO):

ASO is a staff support office that provides fiscal, personnel, data processing and other support services, such as library, messenger and reception services, to the department and its operating divisions.

Appellate Division (APPD):

APPD is a legal division that has oversight responsibility for all state and federal appeals in the department. The division also serves as the primary contact point with other states for filing amicus briefs in the United States Supreme Court and other federal courts in pending cases that involve state issues.

Child Support Enforcement Agency (CSEA)

CSEA is a public support division that provides assistance to children by locating parents, establishing paternity and support obligations (both financial and medical) and enforcing those obligations.

Civil Recoveries Division (CRD):

CRD is a legal division that pursues claims that the state has against non-state entities for debts, liens, and complex claims, such as those that may arise in construction contract disputes.

Civil Rights Litigation Division (CRLD):

CRLD provides legal defense to the State, its department/agencies, and certain State employees' in lawsuits or other claims that involve allegations of constitutional/civil rights violations. This defense includes, but is not limited to, answering legal complaints filed in court, investigating claims, conducting discovery, filing motions as determined to be necessary, and representing State interests at arbitrations, mediations and/or trials.

Commerce and Economic Development Division (CED):

CED is a legal division that provides legal services to the Convention Center Authority, the Department of Commerce and Consumer Affairs, the Department of Business, Economic Development and Tourism, and the various boards and agencies attached to these agencies. CED also handles the department's antitrust work.

Crime Prevention and Justice Assistance Division (CPJA):

CPJA is a non-legal division that coordinates statewide programs, activities, and grants for the improvement of law enforcement and criminal justice.

Criminal Justice Division (CJD):

CJD is a legal division that performs all prosecutorial functions on behalf of the state such as welfare fraud, tax fraud, unemployment fraud, unauthorized practice of law, and public corruption. The Missing Child Center-Hawaii is administratively attached to this division and is Hawaii's only clearinghouse assisting in the recovery of missing or abducted children

Education Division (EDU):

EDU is a legal division that principally provides legal advice and support to the Department of Education and the Board of Education. Other clients include the University of Hawaii, State Library, Governor's Office, and the Lieutenant Governor's Office (including Campaign Spending Commission, Elections Office, and OIP). The special education, or Felix unit, is also part of the division.

Employment Law Division (ELD):

ELD is a legal division that provides legal representation and advice to the Department of Human Resources Development and to all state departments and agencies on employment-related issues. ELD also represents all state employers in mandatory arbitration hearings.

Family Law Division (FLD):

FLD is a legal division that handles all state litigation under the jurisdiction of Family Court, such as child and adult protection, guardianships, truancy, adolescent mental health cases, and involuntary civil mental commitment hearings. Clients include the Departments of Health, Human Services, Education, and the Office of the Public Guardian. FLD also provides support to the Child Support Enforcement Agency.

Hawaii Criminal Justice Data Center (HCJDC):

HCJDC is a non-legal division that is responsible for the statewide criminal justice information system (OBTS/CCH), the statewide Automated Fingerprint Identification System (AFIS), and the issuance of the state identification cards.

Health and Human Services Division (HHSD):

HHSD is a legal division that provides the principal legal services and support to the Department of Health and the Department of Human Services.

Investigations Division (INVES):

INVES is a non-legal division that conducts criminal, civil, and administrative investigations in support of the department's civil and criminal cases. Investigations involve such areas as drug trafficking, prohibited animal smuggling, hazardous waste violations, unlawful practice of law, and sunshine law violations.

Labor Division (LBR):

LBR is a legal division that provides legal services to the Department of Labor and Industrial Relations. In connection with its enforcement of the various labor laws, the division also collects penalties, fines and reimbursements for labor law violations.

Land/Transportation Division (L/T):

L/T is a legal division that provides legal advice and support in all land use, development and permitting issues, shoreline certifications, quiet title and accretion claims. Division clients include the Departments of Land and Natural Resources, Transportation, and the Commission on Water Resource Management.

Legislative Division (LEGIS):

LEGIS is a legal division that provides legal services on matters pertaining to legislation and to proposed administrative rules. The division coordinates the preparation and review of all legislative bills proposed by the executive branch agencies and coordinates the review, monitoring and evaluation of all legislative bills during and after each session of the Legislature. In addition, the division coordinates, monitors, and reviews the preparation of administrative rules of the Department of the Attorney General. This division also performs the final review of the formal opinions issued by the Attorney General and performs the initial review of complaints involving the sunshine law.

Medicaid Investigations Division (MID):

MID is a legal division that investigates and prosecutes fraud and overbilling by Medicaid providers. Funded by both special and federal funds, MID is the only government agency in Hawaii that prosecutes Medicaid fraud committed by a Medicaid provider including large corporate providers as well as private health care practitioners. MID is also the only agency that concentrates on medical fraud. MID also prosecutes crimes of abuse, neglect, and exploitation of patients in medical and nursing facilities.

Office of Child Support Hearings (OCSH):

OCSH is an office funded with state and federal funds that provides a fair and impartial administrative forum for the expeditious resolution of child support disputes. Once a part of the Child Support Enforcement Agency, the office has been a separate office of the department since 1992. OCSH has concurrent jurisdiction with the court in all proceedings in which a support obligation is established, modified, or enforced. Hearings officers (attorneys) issue orders establishing, modifying, suspending, terminating, and enforcing child support obligations.

Public Safety, Homelands, and Housing Division (PSHHD):

PSHHD is a legal division that provides legal services and support to the Departments of Public Safety and Hawaiian Homelands and to the Housing Community Development Corporation of Hawaii and the Hawaii Community Development Agency.

Tax Division (TAX):

TAX is a legal division that provides legal representation and advice to the Department of Taxation and other state departments and agencies primarily in the areas of tax litigation, legislation, rules, investigations, and opinions and advice. The division also contains a bankruptcy unit devoted to handling all bankruptcy cases for the Departments of Taxation and

Human Services. The division also represents the Attorney General in the oversight and enforcement of charitable trusts.

Tort/Litigation Division (T/L):

T/L provides legal defense to personal injury lawsuits/claims made against the State and/or its departments and agencies. The Division does not have primary responsibility for giving advice and counsel to any State department or agency, to provide representation in criminal matters, or to collect monies owed to the State. In general, the services provided by the Tort Litigation Division include Accepting service of legal complaints for the Attorney General, Answering legal complaints made against State department and agencies, Investigating claims and conducting discovery on claims, representing State interests at arbitrations, mediations and trials.

ADMINISTRATION DIVISION (ADMIN)
GOALS AND OBJECTIVES

GOAL 1: Provide quality, consistent, pro-active legal services to client agencies.

Objective 1: Work with client agencies to develop timely and effective legal services.

Objective 2: Provide cross-training for attorneys to ensure depth of coverage.

Action Plan: Implement research banks of existing documents and opinions so that attorneys in the division have the benefit of previous work by others on similar issues. Meet with clients to discuss approaches to issues and to prioritize questions, if necessary. Compile and index copies of opinions and legal advice by subject matter and/or statutory section, as well as copies of court documents, both in hard copy and on diskette and keep them in a central place available to all staff.

Process: Keep logs of when requests for advice are received and responses are sent; monitor the amount of cross-coverage that is needed; meet with attorneys to monitor workload and make adjustments as needed.

GOAL 2: Assist in improving the state procurement process and contracting functions.

Objective 1: Continue appropriate review of contracts, as expeditiously as possible.

Objective 2: Work with clients and with the Attorney General Contracts Committee to update standard contract forms and guidance for recurring procurement and contracting situations.

Objective 3: In conjunction with the Contracts Committee, provide training and education to client agencies and to legal services divisions within the department on various procurement and contracting issues, including methods of financing procurements in order to achieve consistency.

Objective 4: Vigorously defend the procurement process in appropriate cases and assist client agencies in enforcing sanctions against contractors for procurement violations; provide expertise to state agencies in procurement disputes.

Action Plan: Continue to monitor the turnaround time for receipt and review of contracts; explore methods to increase efficiency in review and to assist clients in developing specifications and evaluation criteria and procedures that are clear and consistent and reduce the risk of challenge.

Process: Maintain records of performance on contract turnaround, on training sessions provided, procurement disputes defended and procurement enforcement actions taken.

GOAL 3: Assist the Employees' Retirement System, and the Public Employees Health Fund, and the Employer-Union Health Benefits Trust Fund ("EUTF") in administering their respective employee benefit programs.

Objective 1: Ensure procurement and contracting activities associated with awards of health benefits contracts, investment manager contracts, and office systems modernization contracts are in accordance with applicable laws, rules, and procedures.

Objective 2: Ensure client agencies are drafting legislation, rules, agreements and other legal documents to achieve their goals while minimizing the risk of legal challenges.

Objective 3: Assist in making the transition from the Public Employees Health Fund to the EUTF as seamless as possible.

Action Plan: Continue to work closely with the client agency staff and board members to ascertain their goals and objectives; continue to review legislation, rules, agreements and other legal documents.

Process: Maintain records relating to the procurement and contracting activities that we assist on; maintain records relating to the legislation, rules, agreements and other legal documents, including advice and opinions, that are provided to the client agencies.

ADMINISTRATIVE SERVICES OFFICE (ASO)

INFORMATION SYSTEMS AND TECHNOLOGY UNIT

The goals established by the Information Systems and Technology Unit (IST) last year has not changed. However, a new goal (#4) has been added and some objectives were changed to more accurately reflect things that must still be accomplished to attain our stated goals as they become more clearly defined as we move forward. Significant progress has been made during the past year toward attainment of these goals and the IST staff will continue to focus its efforts in the coming year to complete or move even closer to realizing our goals.

GOAL #1 CONTINUE TO MAINTAIN THE HIGHEST POSSIBLE LEVEL OF DAY-TO-DAY OPERATIONAL SUPPORT FOR ALL COMPUTER RELATED HARDWARE AND SOFTWARE.

OBJECTIVE 1: Ensure that the IT staff receives the necessary training on an on-going basis for existing hardware (i.e., courses to repair and troubleshoot personal computers; PC operating systems) and software (i.e., courses on network design and installation; network operating systems; network security; telecommunication design and installation; E-mail administration; work flow application design; and new or updated versions of applicable software).

GOAL #2 IMPLEMENT AND ENHANCE WIDELY USED TELECOMMUNICATION TECHNOLOGIES SUCH AS E-MAIL, LOCAL AREA NETWORKS, INTERNET ACCESS, AND WEB SITES.

OBJECTIVE 1: Setup a department-wide Network (Local and Wide Area Networks) for all divisions on Oahu as well as all the legal offices in Hilo, Kona, Maui, and Kauai. Major features to include Internet access for all departmental personnel and remote access to file servers (i.e., traveling out of State)

OBJECTIVE 2: Setup the department's own E-mail servers.

OBJECTIVE 3: Develop work flow applications.

OBJECTIVE 4: Integrate certain existing business functions into the department's web sites (i.e., disseminating information to the public, online access to forms and applications, etc.). Also, redesign/enhance the department's web sites (i.e., meet Section 508 requirements for web site access by people with disabilities).

GOAL #3 ACQUIRE A NEW LITIGATION SUPPORT SYSTEM AND NEW DOCUMENT MANAGEMENT SYSTEM.

OBJECTIVE 1: Replace the existing Case Information Management System and Timekeeping System on the Wang VS departmental minicomputer with a new LAN based Litigation Support System.

OBJECTIVE 2: Acquire a LAN based Document Management System.

OBJECTIVE 3: Migrate all other miscellaneous applications off the departmental Wang VS minicomputer in order to get rid of the outdated hardware platform.

GOAL #4 PROVIDE ALL DEPARTMENTAL PERSONNEL WITH ADEQUATE COMPUTER HARDWARE AND SOFTWARE.

OBJECTIVE 1: Budget annually to acquire 100 to 125 personal computers and 10 to 15 laser printers (ideally setting up a 3 year replacement cycle) to ensure that the department will never again be saddled in a situation of having only very old and outdated computer hardware.

OBJECTIVE 2: Plan and budget for the periodic acquisition of upgrades (new versions/releases) to department-wide software (i.e., Microsoft Office, ProLaw, iManage). Due to operational issues (i.e., uniformity, functionality), each software upgrade should be purchased for everyone at the same time.

ACTION PLAN

ADDITIONAL STAFFING

The Information Systems and Technology Unit (IST) is tasked with the functional responsibility of providing all Information Technology (IT) related services for the entire Department with the exception of the Hawaii Criminal Justice Data Center (HCJDC), Juvenile Justice Information System Project (JJIS), and Child Support Enforcement Agency (CSEA). Essentially, the Unit supports all but two (2) divisions in the Department.

The Unit presently consists of five (5) systems analysts, one (1) data processing user support technician, and one (1) less than half-time student intern. Although the Unit provides IT support to more than seventy percent (70%+) of the department's personnel, the staff is the smallest when compared to the staff of the other three (3) IT Units (HCJDC, JJIS, and CSEA) in the Department. The IST staff is tasked with providing day-to-day operational support to more than five-hundred fifty (550+) personal computers and printers; providing day-to-day maintenance and operational support to the department's local and wide area network; maintaining the department's Case Management System (ProLaw) and Document Management System (iManage); developing and maintaining all PC database applications; maintaining the department's E-mail accounts; maintaining the department's main website; and eventually the development of Workflow applications. The workload of the Unit has steadily increased from

year to year and has now reached a point where it is at times overwhelming, more work than the IST Unit can handle. Also, the department has grown and moved into several new locations that have made it logistically more difficult and time consuming for the IST staff to provide the day-to-day operational support that is required. Yet, the Unit has not increased in size for almost ten (10) years and actually became smaller when three (3) half-time positions were eliminated several years ago.

The workload of the IST Unit is projected to substantially increase as the Department's \$1.4 million dollar project to develop a department-wide network and acquire a new Case Management System and Document Management System is fully implemented. The project is in its final phase and scheduled to be completed by the end of this year (December 2002). With the completion of this project, the Department will be far more efficient and productive. Unfortunately unlike other staff, the implementation of this project will increase and not decrease the workload of the IST Unit. Additional responsibilities will include network administration; E-mail administration; development and maintenance of screens and reports for the new Case Management System (ProLaw); development and maintenance of workflow applications; and development and maintenance of E-Gov applications. In order to undertake these new responsibilities, additional positions are critically needed by an already understaffed and overworked IST Unit. A budget request to establish two (2) additional computer programmer IV positions was not approved during the last Legislative Session and a new budget request for the positions was not submitted for the coming session because of a directive not to exceed the current budget. Since the additional staff is critically needed, the request for additional positions must be resubmitted year after year or whenever possible until the Unit is adequately staffed.

FIRST YEAR

GOAL #1 CONTINUE TO MAINTAIN THE HIGHEST POSSIBLE LEVEL OF DAY-TO-DAY OPERATIONAL SUPPORT FOR ALL COMPUTER RELATED HARDWARE AND SOFTWARE.

OBJECTIVE 1: Ensure that the IT staff receives the necessary on-going technical training.

The IST staff received some technical training (Windows 2000 Server, Lotus Notes Administration, Lotus Notes Application Design) as part of the current IT Project during the year. However, more technical training will still be required. On-going training for the IT staff is essential in order for the department to remain progressive and take advantage of emerging computer/information technology. Technical training for the IT staff will be applicable whether it's the first year, second year, or fifth year of the Department's Action Plan. Sufficient funds for technical training must be budgeted annually.

GOAL #2 IMPLEMENT WIDELY USED TELECOMMUNICATION TECHNOLOGIES SUCH AS E-MAIL, LOCAL AREA NETWORKS, INTERNET ACCESS, AND WEB SITES.

OBJECTIVE 1: Setup a department-wide network (local and wide area networks) for all units on Oahu as well as all the legal offices on Hilo, Kona, Maui, and Kauai.

This objective was achieved through the IT Project earlier this year. However, the IST staff is now tasked with the day-to-day administration and operational support of the department-wide network.

OBJECTIVE 2: Setup the department's own e-mail servers.

Since the two additional positions requested were not approved during this past Legislative Session and the huge effort that will be required to administer our own E-mail server, it was decided to defer the implementation of this objective until additional positions are approved and created by the Legislature. E-mail is now being provided through an E-mail server at the Department of Accounting and General Services' Information and Communication Services Division (ICSD).

OBJECTIVE 3: Develop work flow applications.

Additional training and additional staffing will need to be acquired before Workflow applications can be developed. Some of the required training could not be obtained from local training vendors (classes are being cancelled due to insufficient enrollment). The requirement for additional staffing is also applicable to achieving this objective.

OBJECTIVE 4: Integrate some existing business functions in the department's web sites (i.e., disseminating information to the public, online access to forms and applications). Also, to redesign/enhance the department's web site (i.e., meet section 508 requirements for web site access by people with disabilities).

A new main web site for the Department has already been developed and deployed. Some business functions are now available to the public. The IST staff will continue its effort to integrate the remaining business functions and embark on redesigning/enhancing other departmental web sites during the coming year. However, it should be noted that this would be an ongoing effort as new business functions evolve.

GOAL #3 ACQUIRE A NEW LITIGATION SUPPORT SYSTEM AND NEW DOCUMENT MANAGEMENT SYSTEM.

OBJECTIVE 1: Replace the existing case information management system and timekeeping system on the WANG VS departmental minicomputer with a new LAN based litigation support system.

OBJECTIVE 2: Acquire a LAN based document management system.

OBJECTIVE 3: Migrate all other miscellaneous applications off the departmental WANG VS minicomputer in to get rid of the outdated hardware platform.

The above goal and objectives will be achieved with the implementation of the current IT Project. The project is in its final phase and scheduled to be completed in December 2002. Although a new Case Information System (ProLaw) will be in place with the completion of the IT Project, the IST staff will still be required to develop hundreds or new screens and reports that will be needed by various divisions. It is projected that a huge development effort will be required from the IST staff during this first year.

GOAL #4 PROVIDE ALL DEPARTMENTAL PERSONNEL WITH ADEQUATE COMPUTER HARDWARE AND SOFTWARE.

OBJECTIVE 1: Budget annually to acquire 100 to 125 personal computers and 10 to 15 laser printers (ideally setting up a 3 year replacement cycle) to ensure that the department will never again be saddled in a situation of having only very old and outdated computer hardware.

OBJECTIVE 2: Plan and budget for the periodic acquisition of upgrades (new versions/releases) to department-wide software (i.e., Microsoft Office, ProLaw, iManage). Due to operational issues (i.e., uniformity, functionality), each software upgrade should be purchased for everyone at the same time.

The above goal and objectives should be an ongoing process that never ends. Although it is too late for it to be included in the Department's budget request for next year, the process should be put into place so that it will not be left off any budget requests in the future.

SECOND YEAR

GOAL #1 CONTINUE TO MAINTAIN THE HIGHEST POSSIBLE LEVEL OF DAY-TO-DAY OPERATIONAL SUPPORT FOR ALL COMPUTER RELATED HARDWARE AND SOFTWARE.

OBJECTIVE 1: Ensure that the IT staff receives the necessary on-going technical training.

As mentioned previously, on-going training for the IT staff is essential in order for the department to remain progressive and take advantage of emerging computer/information technology. Technical training for the IT staff will be applicable whether it's the first year, second year, or fifth year of the Department's Action Plan. Sufficient funds for technical training must be budgeted annually.

GOAL #2 IMPLEMENT WIDELY USED TELECOMMUNICATION TECHNOLOGIES SUCH AS E-MAIL, LOCAL AREA NETWORKS, INTERNET ACCESS, AND WEB SITES.

OBJECTIVE 1: setup a department-wide network (local and wide area networks) for all units on Oahu as well as all the legal offices on Hilo, Kona, Maui, and Kauai.

The above objective has been achieved. However, the IST staff is now tasked with the ongoing day-to-day administration and operational support of the department-wide network.

OBJECTIVE 2: setup the department's own e-mail servers.

Due to the huge effort that will be required to achieve and maintain this objective, it has been deferred until the Legislature can approve and fund the two additional positions required by the IST Unit.

OBJECTIVE 3: develop work flow applications.

As mentioned earlier, the IST staff has not been able to acquire some of the necessary training from local training vendors (classes are being cancelled due insufficient enrollment). Also, the requirement for additional staffing is applicable to fully achieving this objective. Until the above obstacles can be addressed, the development of workflow applications, if any, will be very limited.

OBJECTIVE 4: integrate some existing business functions in the department's web sites (i.e., disseminating information to the public, online access to forms and applications). Also, to redesign/enhance the department's web site (i.e., meet section 508 requirements for web site access by people with disabilities).

As mentioned previously, this will be an ongoing effort as new business functions evolve.

GOAL #3 ACQUIRE A NEW LITIGATION SUPPORT SYSTEM AND NEW DOCUMENT MANAGEMENT SYSTEM.

OBJECTIVE 1: replace the existing case information management system and timekeeping system on the WANG VS departmental minicomputer with a new LAN based litigation support system.

OBJECTIVE 2: acquire a LAN based document management system.

OBJECTIVE 3: migrate all other miscellaneous applications off the departmental WANG VS minicomputer in to get rid of the outdated hardware platform.

The above goal and objectives should be achieved before or during the first year of this plan. However, the IST staff will be tasked with ongoing support to develop new screens and reports when requested.

GOAL #4 PROVIDE ALL DEPARTMENTAL PERSONNEL WITH ADEQUATE COMPUTER HARDWARE AND SOFTWARE.

OBJECTIVE 1: Budget annually to acquire 100 to 125 personal computers and 10 to 15 laser printers (ideally setting up a 3 year replacement cycle) to ensure that the department will never again be saddled in a situation of having only very old and outdated computer hardware.

OBJECTIVE 2: Plan and budget for the periodic acquisition of upgrades (new versions/releases) to department-wide software (i.e., Microsoft Office, ProLaw, iManage). Due to operational issues (i.e., uniformity, functionality), each software upgrade should be purchased for everyone at the same time.

As mentioned previously, the above goal and objectives should be an ongoing process and should be included in the Department's budget request every year.

FIFTH YEAR

Most of the goals and objectives listed in this plan should be completed before the fifth year with the exception of the need for continual on-going technical training for the IST staff and the continual budgeting to replace outdated computer hardware and software. A deliverable of the current IT Project will be a Long Term (1½ to 5 years) Plan that will address and serve as a guide to our future direction. Specific goals and objectives are not known at this time. This deliverable is scheduled to be completed in December 2002.

FISCAL OFFICE

There has been no major change to the Fiscal Office's goals. We have not revised our action plan since last year on the study and installation of a purchase order system. Our plan is to implement the Department of Accounting and General Services' statewide purchase order system once the system is available.

GOAL #1 CONTINUE TO PROVIDE QUALITY AND TIMELY FISCAL SERVICES TO MEET THE NEEDS OF THE DEPARTMENT'S PERSONNEL AND TO ENHANCE THE FISCAL STAFF'S ABILITY TO PROVIDE FISCAL, BUDGETARY, ETC. REPORTS TO MANAGEMENT.

OBJECTIVE 2: UTILIZE AVAILABLE RESOURCES AND COMPUTER TECHNOLOGY TO ENHANCE THE FISCAL STAFF'S ABILITY TO PROVIDE QUALITY AND TIMELY SERVICES.

ACTION PLAN

FIRST YEAR

The implementation of the statewide purchase order system was placed on hold due to a turnover of 50% in the fiscal staff. The training of the Fiscal staff on the new ProLaw System for management of cases and tracking of litigation costs is of the most importance at this time since the Department will be fully utilizing this system for case tracking. IST will be loading the software onto the fiscal staff's computers. It is imperative that a network be set up for the fiscal office so files can be shared more easily. The new iManage system would provide the networking that is necessary for the fiscal office.

SECOND YEAR

The statewide purchase order system will be implemented provided that all of the inherent bugs have been worked out. The Fiscal staff will be trained on the new system and the system will be implemented for actual use in FY 2005.

FIFTH YEAR

Evaluate FAMIS Model Procedures Systems to determine whether it still meets the needs of the Fiscal Office.

LIBRARY SERVICES

We have done the following to meet some of our library goals: outdated library materials as well as materials less frequently used have been identified and discarded to save costs and space; a flat rate contract was negotiated for the department's on-line legal research system; and with the advent of this flat rate contract, an evaluation on which library materials could be done away with was completed and materials were discarded.

**GOAL #1 CONTINUE TO MAINTAIN THE BEST POSSIBLE ENVIRONMENT
FOR LEGAL RESEARCH IN THE DEPARTMENT IN TERMS OF
RESOURCES FACILITIES AND EQUIPMENT.**

OBJECTIVE I: Solve the library's growing lack of space by replacing older materials in the collection with cd-roms accessible through the department's intranet or obtained from westlaw at a reduced rate.

ACTION PLAN

FIRST YEAR

Discuss options and reach a consensus as to which approach would work best in addressing the lack of space in the library yet provide sufficient coverage for legal research at a reasonable cost. Proceed to eliminate older and less used materials and limit the coverage of the reporters to 20 years for the federal and 5 years for the regional

SECOND YEAR

Review options of obtaining CD-ROMs and determine best options to network these CD-ROMs on Department's intranet.

FIFTH YEAR

Replace older materials with either CD-ROMs or through inexpensive computer searching on Westlaw.

OBJECTIVE 2: Cut expenses significantly in terms of library materials as well as materials provided to the divisions. Last year, the library spent \$169,000 on materials for both areas. Recommended that future expenses be limited to only \$100,000.

ACTION PLAN

FIRST YEAR

Submit a list of all subscriptions of library materials and related costs to divisional representatives to evaluate where to cut expenses. Propose a plan for reduce library materials for review and approval. Once approved, initiate cuts in materials.

SECOND YEAR & FIFTH YEAR

By the end of year five, the manual collection should be current and contain materials in different areas of legal practice.

GOAL #2 DEVELOP AN ELECTRONIC VERSION OF THE LIBRARY'S CARD CATALOG.

OBJECTIVE 1: Develop an electronic library catalog that is easier to maintain, won't run out of room, and available to the entire department via the intranet.

ACTION PLAN

FIRST YEAR

Evaluate software in terms of cost, ease of access, ease in entering and modifying records in the catalog, and compatibility with department's intranet.

SECOND YEAR

Choose and purchase software for electronic catalog. Begin converting records from card catalog to electronic format.

FIFTH YEAR

Conversion to electronic catalog should be completed. Catalog initially set up in library, later to entire department via intranet.

PERSONNEL

There is no change to the goals that require the participation of the personnel staff and the assistance of the departmental IT staff in utilizing technology to provide quality and timely personnel services. This is due to the limited resources of the personnel and IT staff. We do, however, continue to provide technical assistance and guidance to the managers and supervisors on personnel matters.

GOAL #1 CONTINUE TO PROVIDE QUALITY AND TIMELY SERVICE TO MEET THE PERSONNEL NEEDS OF THE DEPARTMENT.

OBJECTIVE 1: utilize computer technology to enhance our ability to provide quality and timely services.

GOAL #2 IN CONJUNCTION WITH THE DEPARTMENTAL INFORMATION TECHNOLOGY SECTION, EXPLORE FEASIBILITY OF A CENTRAL DEPARTMENTAL COMPUTER NETWORK SYSTEM FOR PERSONNEL MATTERS.

OBJECTIVE 1: study feasibility of a computer network system to facilitate department wide communication for personnel activities.

OBJECTIVE 2: establish electronic bank of standard personnel forms to expedite actions.

OBJECTIVE 3: explore ability to process and transmit departmental actions electronically between divisions, including signatures.

GOAL #3 PROVIDE TECHNICAL ASSISTANCE AND GUIDANCE TO MANAGERS AND SUPERVISORS IN DEVELOPING AND MAINTAINING A QUALITY WORKFORCE.

OBJECTIVE 1: prepare policies and procedures to assist in the management of the workforce.

ACTION PLAN

FIRST YEAR

GOAL #1 CONTINUE TO PROVIDE QUALITY AND TIMELY SERVICE TO MEET DEPARTMENTAL PERSONNEL NEEDS.

OBJECTIVE 1: utilize computer technology to enhance our ability to provide quality and timely service.

A majority of our work and records are still processed manually. Review work processes and existing computer hardware capabilities to meet expanding personnel needs due to new programs resulting from legislative action, federal laws, and/or other mandates. Explore the development of a tracking mechanism

to monitor personnel activities and enhance our ability to provide personnel information in a timely manner.

Ensure personnel staff receives training on the latest computer software programs, e.g., ACCESS, EXCEL, Internet, etc., to assist in the work processes and request for information.

GOAL #2: EXPLORE DEVELOPMENT OF CENTRAL DEPARTMENTAL COMPUTER NETWORK SYSTEM FOR PERSONNEL MATTERS.

Objectives are to be explored in conjunction with the departmental IT Section.

GOAL #3 PROVIDE TECHNICAL ASSISTANCE AND GUIDANCE TO MANAGERS AND SUPERVISORS IN DEVELOPING AND MAINTAINING A QUALITY WORKFORCE.

Review existing policies and procedures. Develop a supplement to the departmental office manual on personnel matters containing forms and instructions with cross references to departmental office manual various other guides and manual available such as Position Description Manual, Reasonable Accommodations Manual, Performance Appraisal System, etc. Assure that each division or field office has pertinent reference material readily available.

SECOND YEAR

GOAL #1 CONTINUE TO PROVIDE QUALITY AND TIMELY SERVICE TO MEET DEPARTMENTAL PERSONNEL NEEDS.

Develop tracking mechanism to monitor personnel activities and enhance ability to maintain and provide information in a timely manner.

GOAL #2 EXPLORE DEVELOPMENT OF CENTRAL DEPARTMENTAL COMPUTER NETWORK SYSTEM FOR PERSONNEL MATTERS.

Objectives are to be developed in conjunction with the departmental IT Section.

GOAL #3 PROVIDE TECHNICAL ASSISTANCE AND GUIDANCE TO MANAGERS AND SUPERVISORS IN DEVELOPING AND MAINTAINING A QUALITY WORKFORCE.

Provide periodic and on-going training and review on pertinent topics.

FIFTH YEAR

GOAL #1 CONTINUE TO PROVIDE QUALITY AND TIMELY SERVICE TO MEET DEPARTMENTAL PERSONNEL NEEDS.

Acquire software and/or assistance of departmental IT Section to implement tracking mechanism to monitor personnel activities. Explore automation of internal records in various personnel functions - position, employee, workers' compensation claims, training, etc.

GOAL #2 DEVELOPMENT OF CENTRAL DEPARTMENTAL COMPUTER NETWORK SYSTEM FOR PERSONNEL MATTERS.

Objectives are to be implemented in conjunction with the departmental IT Section.

GOAL #3 PROVIDE TECHNICAL ASSISTANCE AND GUIDANCE TO MANAGERS AND SUPERVISORS IN DEVELOPING AND MAINTAINING A QUALITY WORKFORCE.

Provide periodic and on-going training and review on pertinent topics.

APPELLATE DIVISION (APPD)

Division Summary and Recent History:

The Appellate Division is a legal division that has oversight responsibility for all state and federal appeals in the department. The division also serves as the primary contact point with other states for filing amicus briefs in the United States Supreme Court and other federal courts in pending cases that involve state issues.

Many of the significant and/or difficult cases in the Department eventually become the responsibility of the Appellate Division. The division's workload has in the past several years included the following:

- Most cases involving Hawaiian rights and entitlements, including cases involving the State of Hawaii's administration of laws, lands, and trust monies intended to benefit Hawaiians.
- The Bishop Estate civil case (that resulted in a \$1.3 million reimbursement to the general fund and the removal of the trustees).
- The same-sex marriage case.
- The asbestos property damage case (that resulted in over \$35 million returned to the general fund).
- Cases in which the State of Hawaii asserts 11th Amendment immunity.
- The FEMA case involving Hawaii reimbursement to FEMA for its services in the aftermath of Hurricane Iniki (saving the State roughly \$10 million)
- Successful appeal of the Aloha Stadium rust case against USX steel company (leading to a roughly \$17 million benefit to the State)
- Drunken driver license revocation cases

OVERALL GOAL:

- To ensure and improve the quality of appellate advocacy on behalf of the State of Hawaii

OBJECTIVES:

- Continue to maintain contact with appellate divisions of all other states through the National Association of Attorneys General (NAAG) and particularly through the exchange of amicus briefs in cases with issues that affect numerous states (such as federalism and states' rights issues).
- Continue to provide review and revision services to other attorneys within the Department.
- Continue to act proactively on the appellate committee, which reviews and revises the Hawaii rules of appellate procedure.
- Continue to play an active role on an internal Department committee that critiques briefs and oral arguments.

ACTION PLAN:

The goals and objectives are currently being implemented on an ongoing and continuous basis.

CHILD SUPPORT ENFORCEMENT AGENCY (CSEA)

GOALS & OBJECTIVES

GOAL: **To assist children and families in obtaining financial support through locating parents and their assets, establishing paternity and support obligations, and enforcing those obligations by providing timely and efficient child support enforcement services while maximizing federal incentive funding.**

Objective 1: To provide more effective and timely customer services by increasing the Agency's telephone response rate from 75% to 95% and by expanding customer walk-in service hours to meet the demand of the child support case participants.

Action Plan: Increase the number of telephone workstations from four to ten at the Oahu Branch and create three customer service teams consisting of the lowest to the highest job classifications in each team. Also, study the feasibility of opening office hours two Saturdays each month and office hours to 6 pm daily.

Objective 2: To insure that the Agency maintains tight controls over child support payments and other financial transactions and to provide more timely and accurate payments to the custodial parents and children.

Action Plan: Establish a more cohesive and functional financial group by restructuring the Agency's State Disbursement Unit and by combining that Unit with the Agency's accounting staff; this financial group will report to the Chief Financial Officer of the Agency.

Objective 3: To establish child support programs mandated by state and federal regulations through the development of a policies and procedures unit within the Agency.

Action Plan: Update procedures and administrative rules for Hawaii Statutes and to implement child support programs through legislation to enhance the collection of child support payments.

Objective 4: Maximize Federal incentive payments to the Hawaii Title IV-D Program, Child Support Enforcement Agency.

Action Plan: Ensure that the number of Paternity's established meets or exceeds the required rate of eighty percent or higher by September 30, 2003, by working with the County Family Support Divisions more closely and by establishing performance quotas for the counties.

- Action Plan: Ensure that the number of Support Orders established meets or exceeds the required rate of eighty percent or higher by September 30, 2003, by restructuring our administrative processing branch and implementing procedures to expedite support orders at the CSEA branches.
- Action Plan: Increase the amount of collections and distributions on Current Support to meet or exceed the maximum federal reimbursement rate of 80% by September 30, 2003, by increasing employer withholdings and by implementing child support payment programs through electronic fund transfers.
- Action Plan: Increase the amount of collections on Arrears to meet or exceed the maximum federal reimbursement rate of 80% by September 30, 2003, by improving collections through the Financial Institute Data Match process and through enforcement actions on cases unresponsive to normal customer service requests.
- Action Plan: Maintain the agency's Ratio of Cost Effectiveness to meet or exceed maximum federal reimbursement rate by September 30, 2003. The Agency has consistently exceeded the federal requirements in this activity over the past three years.
- Objective 5: Complete federal system requirements mandated by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996.
- Action Plan: Complete implementation of the CSNET program added by the federal government to the PRWORA requirements. The State of Hawaii was the 7th state to have received its System Certification of Achievement. This added program enhances the locate functions of child support enforcement.
- Objective 6: To continue to maintain accurate and timely reconciliation of bank accounts and establish tighter controls over the Agency's cash receipts and disbursements.
- Action Plan: The Agency will close all inactive bank accounts and create the following bank accounts: (1) a child support payment account which processes all payments and disbursements; and (2) an operating account which includes interest earnings and other cash transactions separate from child support obligation payments.
- Objective 7: Improve staff efficiency and knowledge of the Child Support Enforcement Program.
- Action Plan: State Administration to institute a formalized Training Plan by March 30, 2003 to address (1) new employee training, (2) continuing KEIKI System Training, and (3) Title IV-D professional continuing education using a multi-media approach to employee development.

- Status: Initial plans have been designed for formalized training at the agency. The program calls for three separate segments: Beginners, or employees newly hired to positions requiring child support enforcement knowledge; Intermediate level, for employees progressing into higher case worker positions; and Advanced level, for employees moving into the supervisory functions at the Agency. The Agency will develop a training unit of three (3) qualified child support enforcement caseworkers directed by a highly qualified trainer who will complete the development of the Agency's overall training programs. The completion of forming a training unit is planned for January 31, 2003.
- Objective 8: Replace the current Voice Response Unit (VRU) with a system that is Y2K compliant and includes enhanced features to provide a more efficient customer services program
- Action Plan: Purchase and install a new VRU by July 01, 2003. The current VRU is not Y2K compliant and cannot be re-programmed for enhancements. The current VRU has reached its maximum capacity for data and cannot be upgraded. The new program will allow for an increase in caseload as well as provide the Agency with features to more effectively monitor and serve our customers.

**CIVIL RECOVERIES DIVISION
YEAR 2003 GOALS AND OBJECTIVES**

GENERAL

GOAL #1: To recover moneys owing to the State of Hawaii.

Objective: To provide timely and effective legal representation to state agencies who need collection assistance.

Action Plan: Continue to work with existing client agencies and advise other agencies on collection potential.

Process: Review agency delinquency reports and continue communications with agencies.

GOAL #2: To review state agency accounts for write offs.

Objective: To develop consistency in the write off of delinquent accounts.

Action Plan: To teach, train, and monitor state agencies in the write off process pursuant to Administrative Directive No. 96-02.

Process: To monitor state agency reports submitted pursuant to Administrative Directive No. 96-02.

JUDICIARY

GOAL #3: To provide efficient and effective representation to the Judiciary in the collection of traffic fines and restitution to the state.

Objective: To increase amounts collected for the Judiciary from traffic fines and restitution to the state.

Action Plan: To have division staff continue to work with the Judiciary staff in coordinating the referral and collection process.

Process: In 2001 the Judiciary team collected \$1,583,952 and its goal for 2002 was to increase collections by 10%. That goal was achieved in 2002 when collections totaled \$1,743,225. The goal for 2003 is to continue to increase the amount collected by the division for the Judiciary by 10% this year and each year thereafter.

HAWAII HEALTH SYSTEMS CORPORATION

GOAL #4: To provide efficient and effective representation to HHSC in the collection of its aged delinquent accounts (greater than one year old).

Objective: To maintain the amount collected for HHSC from delinquent accounts for services rendered.

Action Plan: To have division staff continues to work with HHSC staff in coordinating the referral and collection process.

Process: In 2001 the HHSC team collected \$1,769,916 and its goal for 2002 was to maintain that amount. Collections in 2002 totaled \$1,021,284, a decline due to the lack of referral of delinquent accounts from HHSC. The goal for 2003 is to urge HHSC to refer cases to the HHSC team and to increase the amount collected in 2003 by 10%.

CHILD SUPPORT ENFORCEMENT AGENCY

GOAL #5: To provide efficient and effective representation to CSEA in the collection of payments in difficult child support and FIDM cases.

Objective: To maintain amounts collected for CSEA from the collection of payments in difficult child support and FIDM cases.

Action Plan: To have division staff continue to work with the CSEA staff in coordinating the referral and collection process.

Process: In 2001 the CSEA team collected \$1,769,916 and its goal for 2002 was to maintain that amount. Collections in 2002 totaled \$1,556,623, a decline due to the loss of an attorney position. The goal for 2003 is to maintain collections for CSEA at \$1,500,000.

HUMAN SERVICES

GOAL #6: To provide efficient and effective representation to the Department of Human Services in the collection of its Medicaid third party liens, home property liens, and estate recovery liens.

Objective: To increase amounts collected for DHS from Medicaid third party liens, home property liens, and estate recovery liens.

Action Plan: To have division staff continues to work with DHS staff in coordinating the referral and collection process. Also, to develop a program for the recovery of unreported and unpaid third party liens.

Process: In 2001 the DHS team collected \$3,805,225 and its goal for 2002 was to increase collections by 10%. That goal was achieved in 2002 when collections totaled \$4,209,446. The goal for 2003 is to continue to increase the amount collected by 10% this year and each year thereafter.

AGRICULTURE

GOAL #7: To provide efficient and effective representation to the Department of Agriculture Loan Division for its delinquent loans.

Objective: To counsel and advise the Loan Division and to maintain the level of delinquent loan collection for DOA.

Action Plan: To have division staff continue to work with DOA staff in improving and coordinating the referral and collection process.

Process: In 2001 the Agriculture team collected \$2,497,329 and its goal for 2002 was to maintain that amount. Collections in 2002 totaled \$1,761,287, a decline due to fewer referrals. The goal for 2003 is to maintain collections for Agriculture at \$1,500,000.

BUSINESS AND ECONOMIC DEVELOPMENT

GOAL #8: To provide efficient and effective representation to the Department of Business, Economic Development and Tourism in the collection of its delinquent loans.

Objective: To maintain the level of delinquent loan collection for DBEDT.

Action Plan: To have division staff continue to work with DBEDT staff in coordinating the referral and collection process.

Process: In 2001 the DBEDT team collected \$1,062,996 and its goal for 2002 was to maintain that amount. Collections in 2002 totaled \$305,724, a decline due to fewer referrals. The goal for 2003 is to maintain collections for DBEDT at \$1,000,000.

CONSTRUCTION AND CONTRACT CLAIMS

GOAL #9: To provide efficient and effective representation to state agencies that have major construction or contract claims.

Objective: To increase the level of advice and representation offered to state agencies in their major construction or contract claims.

Action Plan: To train and work with DOT and DAGS staff to increase the recoveries and mitigate the claims from major state construction and contract claims.

Process: In 2001 the Contracts team collected \$290,000 and saved the State \$2,975,000. Its goal for 2002 was to increase the amount collected by 100%.

That goal was achieved in 2002 when collections totaled \$1,153,783. The goal for 2003 is to maintain collections at \$1,000,000.

HUMAN RESOURCES AND DEVELOPMENT AND EDUCATION

GOAL #10: To provide efficient and effective representation to DHRD and DOE in the recovery of third party liens on workers compensation liens.

Objective: To increase the amount collected from third party workers compensation liens.

Action Plan: To have division staff work with DHRD and DOE staff in coordinating the referral and collection process.

Process: In 2001 the Workers' Compensation team collected \$183,622. Its goal for 2002 was to increase the amount collected by 10%. Collections in 2002 totaled \$64,925. The goal for 2003 is to increase the amount collected for DHRD and DOE by 100% this year and 10% each year thereafter.

TRANSPORTATION

GOAL #11: To provide efficient and effective representation to DOT in the collection of its delinquent lease rents, salary overpayments, and property damage claims at the airports, highways and harbors.

Objective: To maintain the amount collected for DOT in the collection of its delinquent lease rents, salary overpayments, and property damage claims at the airports, highways and harbors.

Action Plan: To have division staff continue to work with DOT staff in coordinating the referral and collection process.

Process: In 2001 the DOT team collected \$712,541. Its goal for 2002 was to increase the amount collected by 100%. That goal was achieved in 2002 when collections totaled \$1,451,006. The goal for 2003 is to maintain collections at this amount.

DEFENSE

GOAL #12: To provide advice and counsel to the Department of Defense/State Civil Defense.

Objective: To assist and enable DOD to carry out its mission of providing for the defense of the State and its people from natural or man-made disasters or emergencies or mass violence.

Action Plan: Continue to participate in and to conduct training in areas, which will prepare DOD and the State for natural and man-made disasters or

emergencies and assist in additional Homeland Security readiness; to review contracts; and to draft and review appropriate legislation.

Process: Training and preparation has been stepped up since 9/11. We are anxiously engaged in receiving and providing additional training in various areas. In 2002, we participated in and assisted in providing numerous training classes/workshops to the Department of Defense and members of the Civil Defense system. The goal for 2003 is to continue to provide quality representation and training and maximize available resources to prepare for any contingency that may arise.

**CIVIL RIGHTS LITIGATION DIVISION (CRLD)
GOALS AND OBJECTIVES**

GOAL 1: PROVIDE QUALITY LEGAL REPRESENTATION TO ALL CLIENTS

Objective 1: Continue to improve the level of competence of all division staff with regard to their specific job responsibilities.

Action Plan: Explore the availability of training opportunities, including in the areas of trial advocacy, computer skills, legal writing and legal research, and encourage staff to take advantage of all such opportunities (several staff members attended training this past year, primarily in Word). Establish a system of in-house training, drawing upon the expertise of division members and other department personnel.

Objective 2: Facilitate positive relationships with all division clients.

Action Plan: Make appropriate introductions of division staff and functions to all new department heads, via letter or other means. Encourage the identification and implementation of improved means of communication with clients. Reinforce with division deputies the importance of keeping clients apprised of all significant case events.

Objective 3: Assist with client training, as requested.

Action Plan: This past year, staff from the Civil Rights Litigation Division participated in the training of deputy sheriff recruits at the request of the Department of Public Safety. We hope to continue to provide such assistance to our division clients.

Objective 4: Promote the use of informal, mini Litigation Review Committees (LRC's).

Action Plan: In addition to the LRC's required by department policy, the Civil Rights Litigation Division will continue to use informal, mini LRC's as a means of discussing case-specific issues, such as issues relating to liability, case strategy, and case value. Depending on the issue(s), deputies from other divisions are occasionally invited to attend these LRC's. This practice improves the level of service we are able to provide to our clients because the deputies have the benefit of group discussion and group knowledge on important case issues.

GOAL 2: INCREASE THE LEVEL OF KNOWLEDGE OF DIVISION DEPUTIES AND LEGAL ASSISTANTS IN SUBSTANTIVE CIVIL RIGHTS LAW

Objective 1: Continue to identify sources of relevant information.

Action Plan: Encourage the use of current business tools, such as the Internet, as a foundation of continuous learning. Explore the availability of speakers, seminars, videotapes, workshops, etc. relating to current civil rights issues.

This past year, our division deputies and legal assistants were invited to attend presentations by an expert in the corrections field, sponsored by the Department of Public Safety.

Objective 2: Facilitate the development of a division library.

Action Plan: Continue efforts to obtain treatises and other publications of specific relevance to the division, such as treatises regarding prison litigation, civil rights law, etc. We have thus far obtained a copy of the two-volume set by Nahmod entitled, "Civil Rights and Civil Liberties Litigation: The Law of Section 1983."

GOAL 3: PROMOTE A POSITIVE WORK ENVIRONMENT

Objective 1: Encourage open communication among all division staff members.

Action Plan: Continue to include clerical staff in division meetings as appropriate, to improve communication and increase participation of all CRLD personnel in matters of concern/interest to the division. The division supervisor will also continue to have an open-door policy and invite input/comments from all division staff on how the division can be improved.

Objective 2: For support staff, increase their understanding of the overall legal process (i.e., how their work "fits in" with the handling of a case).

Action Plan: As time permits, encourage staff members (including legal clerks) to attend trial sessions and hearings in order to further their understanding of the overall legal process and the integral part they play in our division's handling of a case. It is anticipated that this practice will facilitate positive morale and increase staff members' pride in their work.

Objective 3: Consider a division retreat to promote positive relationships among division personnel.

Action Plan: It is hoped that a retreat can be arranged this year. No specific timetable.

GOAL 4: CONTINUE ADDRESSING THE PRACTICAL ASPECTS OF ESTABLISHING THE CIVIL RIGHTS LITIGATION DIVISION

Objective 1: Continue to resolve space issues.

Action Plan: Facilitate movement of closed file boxes to storage in order to increase space and improve the professional appearance of the division. Continue dialog with the Tort Litigation Division regarding the allocation of filing space.

Objective 2: Continue to provide clarification to clients/departments regarding formation of the "new" Civil Rights Litigation Division.

Action Plan: Letters were sent to all department heads in May 2002 explaining that the Tort Litigation Division was reorganized into two divisions, and “announcing” the creation of the Civil Rights Litigation Division. Continued clarification of staff assignments, etc. will be provided to the clients on an as-needed basis.

COMMERCE AND ECONOMIC DEVELOPMENT DIVISION (CED) GOALS AND OBJECTIVES

The Commerce and Economic Development Division (CED) is somewhat unusual among legal services divisions in the Department of the Attorney General in that it has two separate missions.

1. Provide a full range of legal services including advise and counsel, document, rules, and legislation review, and advocacy in litigation in administrative and judicial fora for its client departments. (CED currently provides legal services to the Department of Commerce and Consumer Affairs, the Department of Business, Economic Development and Tourism, the Department of Agriculture, and their attached agencies. CED also advises agencies with tax deferring benefit programs including deferred compensation and tuition savings programs.)
2. Administer chapter 456, Hawaii Revised Statutes, which involves the commissioning and regulation of notaries public.

Given these distinct responsibilities, this report is organized into two parts, with the first addressing the duties of the division as legal counsel and the second discussing its operational role regarding the notary program.

PART I. LEGAL SERVICES TO CLIENT AGENCIES

OVERALL GOAL: To provide legal services that are timely, effective, efficient, and of high quality, to all client agencies.

GOAL 1. Continue to integrate the provision of legal services to the Department of Agriculture (DOA) into the division and address increase in workload of other agencies, especially the Department of Business, Economic Development and Tourism.

Objective 1. Meet with staff advising all departments to update information concerning assignments, staffing patterns, workload, ongoing projects, existing protocols, client relationships, current or anticipated problems, and other issues.

Objective 2. Meet regularly with key staff at all departments to obtain their views on their legal needs currently and in the future, any concerns regarding the provision of legal services.

Objective 3. Develop resources to handle anticipated increase in water-related cases as DOA takes on additional irrigation systems.

Action Timetable: Assessment of client needs will be done on an ongoing basis.

GOAL 2. Monitor distribution of workload and timeliness of output for each attorney in the division.

- Objective 1. Conduct case review meetings with each attorney in the division on a regular rotating basis.
- Objective 2. Review timesheets at least quarterly to assess workload distribution.
- Objective 3. Adjust assignments so that each major client has both a primary and a secondary attorney to ensure continuity of service during leaves or at times of excess workload.
- Objective 4. Develop system for tracking receipt of administrative rules for review and for monitoring timeliness of return of rules to client.
- Action Timetable: Objectives 1, 2, and 3 will be addressed on an ongoing basis throughout the year. Objective 4 will be addressed over the coming year.
- GOAL 3. Develop mechanisms to obtain feedback from directors of client departments and other key staff on routine basis. Develop working relationships with new department directors.
- Objective 1. Offer regular meetings with the directors of client departments to discuss pending matters, upcoming issues, and any areas of concern.
- Objective 2. Develop routinized procedures for feedback from client agencies.
- Action Timetable: Begin when new directors named and refine as needed.
- GOAL 4. Clarify the role of CED in antitrust enforcement, multistate initiatives such as those involving the National Association of Attorneys General, and in responding to consumer complaints.
- Objective 1. Develop a mutual understanding between CED and other agencies (such as the Office of Consumer Protection, the Regulated Industries Complaints Office, the Public Utilities Commission, the Insurance Division, the Securities Enforcement Unit, and other private and federal entities) so that consumer complaints are appropriately and quickly referred for handling.
- Objective 2. Establish guidelines for prioritizing use of resources in responding to requests for participation in NAAG multistate efforts and in-house antitrust efforts.
- Action Timetable: As to Objective 1, there has always been confusion arising from overlap in responsibilities in responding to complaints or inquiries from consumers or others particularly in areas such as charitable solicitations, health care and insurance, and other types of consumer protection issues. Great strides have been made in meeting this objective particularly in coordinating multistate initiatives between CED and OCP. Guidelines for prioritizing our resources are being applied and modified as necessary.

- GOAL 5: Improve technology support for staff and attorneys.
- Objective 1. Modernize and upgrade the division's computer systems, including e-mail and internet access, and networking capability. Provide access to training to allow staff to best utilize these resources.
- Action Timetable: This is an ongoing process throughout the department.

PART II. OPERATING THE NOTARY PROGRAM

- GOAL 1: To modernize and upgrade the regulation of notaries public.
- Objective 1. Adopt administrative rules implementing the current law governing the regulation of notaries.
- Objective 2. Develop a hearings process to adjudicate cases involving notary misconduct.
- Objective 3. Acquire the equipment and implement the computerization of the recordkeeping function of the notary program to replace the current manual filing system and to permit microfiche or other electronic storage of records.
- Objective 4. Develop a system for computerization of processing notary applications.
- Action Timetable: The rules required by Objective 1 have been drafted and are undergoing internal review. Objective 2 will be addressed following adoption of the rules. Objective 3 and Objective 4 will be addressed after successful completion of the other objectives and as funds allow.

PROCESS FOR MEASURING PERFORMANCE

The Division Supervisor for CED is charged with overseeing the implementation of these goals and objectives and will make a review of progress on a quarterly basis.

**CRIME PREVENTION AND JUSTICE ASSISTANCE DIVISION (CPJA)
FIVE YEAR PLAN
(1998-2003)**

Department Program Objective (as it relates to the division)

To assist or coordinate statewide programs or activities for the improvement of law enforcement and criminal justice.

VISION:

To be a pivotal unit within the Department & State government on issues relating to crime prevention and criminal justice issues.

GOALS:

- I. To inform and educate the community, policy-makers, and government agencies on issues & concerns to create a safer environment;
 - Obj. A. To collect, analyze, and disseminate information for better decision-making with respect to crime and crime prevention.
- II. To collaborate with and assist the criminal justice and related agencies to improve operations and services;
 - Obj. B. To bring into the state, additional resources and to maximize resources to address crime and crime prevention.
 - Obj. C. To coordinate and facilitate improvements to the criminal justice system response to communities, victims, and offenders.
 - Obj. D. To stimulate creative ideas in dealing with crime in Hawaii.
- III. To promote the involvement of communities in the prevention of crime; and
 - Obj. E. To educate and mobilize communities and agencies in collaborating to address crime and crime prevention issues.

Action Plan & Timetable

GOAL I: TO INFORM AND EDUCATE THE COMMUNITY, POLICY-MAKERS, GOVERNMENT AGENCIES ON ISSUES AND CONCERNS TO CREATE A SAFER ENVIRONMENT.

Objective:

Collect, analyze, and disseminate crime/crime prevention information

Year I (1998-99) and Year II (1999-00)

- A. 5 year summary report of Victimization Surveys published.

Performance measure:

- *Completed - published in 12/98.*

- B. *Data Briefs* to be published as an *ad hoc* publication and on Web site.

Performance measures:

- *FY 99 - No Data Briefs published.*
- *FY 99 - All division research reports available on division web site.*
- *FY 00 - "Weapons Used in Violent Crime" on website (11/99)*
- *FY 00 - "Drug Offense Arrests 1982-1999" (5/00).*

- C. Complete and implement a written plan for regular input on research on crime/crime prevention issues; to include input from criminal justice professionals, researchers, community, and legislature/county councils.

Performance measure:

- *Plan completed in FY 02.*
- *A Criminal Justice Roundtable was created in May 2002 and composed of criminal justice professionals and researchers to discuss possible research and evaluation areas. The Roundtable will meet semi-annually.*

- D. Implement plan of regular "brown bags" or other activities to share research findings with criminal justice professionals and community.

Performance measures:

- *FY 99 - 3 brown bags implemented for 3 findings of juvenile robberies, parole recidivism, & restraining orders studies.*
- *FY 99 - Staff were presenters to 3 groups (approx. 70 persons) on research findings).*
- *FY 00 - One information session on probation study completed for 15 participants.*
- *FY 00 - Research personnel spoke to 8 groups (approx. 145 persons) on studies completed.*

Year III (2000-2001) and Year IV (2001-2002)

- A. Research data bases to include Victim Information Management System, Offender-Based Tracking system, and Juvenile Justice Information System.

Performance measures:

- *FY 01 - Access to OBTS and JJIS were secured and utilized*
- *FY 01 - Two studies were completed that used the OBTS data, and 2 using the JJIS database. Note that in FY 01 federal funding for juvenile data analysis was terminated.*
- *FY02 - Determination made by private sector agencies to discontinue VIMS, so no data available for research.*

- B. Begin to evaluate one crime-related project or program annually.
Performance Measure:
- *FY 01 - Evaluation of "Project Bridge", a federally funded residential substance abuse project, was completed.*
 - *FY 02 – Initiated evaluation of the Career Criminal Program; analysis completed in summer of 2002.*
- C. Complete written assessment and recommendations for an incident-based reporting system (IBRS) for the state.
Performance measure:
- *FY 01 - Assessment and recommendation report was completed by the SEARCH Group through a technical assistance project in 2/00; Honolulu & Maui police departments concluded to have near compliance.*
 - *FY 01 - A grant application for IBRS was submitted to the Office of Justice Programs to fund Maui & Honolulu efforts.*
 - *FY 02 – Grant of \$500,620 was awarded to assist the two police departments and the Division to move toward IBRS.*
- D. Develop a directory of Hawaii crime data for publication and Web site access.
Performance measure:
- *FY 01 - Not completed due to a 2/3 reduction of research staff during the fiscal year.*
 - *FY 02 – Initiated links to other criminal justice web sites for crime data.*

Year V (2002-2003)

- A. Complete 3 program/project evaluations.
Performance measure:
- *Number of evaluations completed & published.*
 - *Satisfaction by users*
- B. Begin IBRS development for Hawaii.
Performance measure:
- *Number of phases completed in time frame*
 - *Support of criminal justice agencies*

GOAL II TO COLLABORATE WITH AND ASSIST THE CRIMINAL JUSTICE AND RELATED AGENCIES TO IMPROVE OPERATIONS AND SERVICES.

Objective:

To bring into the state additional resources and to maximize resources to address crime and crime prevention.

Year I (1998-1999) and Year II (1999-2000)

A. Increase crime grants by 1 more than the previous year

Performance measures:

- *FY 99 - Increased by 2. Awarded \$64,000 for Full Faith and Credit statewide training and \$87,000 for research on sex assault victims & impact of children in reporting incidents.*
- *FY 99 and 00 - Assisted PSD in application for sex offender grant application in FY 99; application not awarded.*
- *FY 00 - Applied for juvenile research grant but was not awarded.*
- *FY 00 - Awarded \$498,588 as a 2nd year discretionary grant for child visitation centers on Hawaii and Kauai; no increase.*
- *FY 99 and FY 00 - Assisted Judiciary & US Attorney with Weed & Seed grant application; awarded in FY 00 at \$175,000.*
- *FY 99 and 00 - Collaborated with Governor's Office in grant application for youth substance abuse prevention; awarded in 10/00 at \$8 million for 3 years).*
- *FY 02 – Applied for 3 discretionary grants; awarded 2. Assisted 4 agencies in applying for discretionary grants, 3 awarded.*

B. Collaborate and coordinate with other agencies to maximize resources

Performance measures:

- *FY 99 - 7 training workshops involving 847 criminal justice personnel (gangs, housing & policing, cognitive approaches to changing offender behaviors, domestic violence & children, victims in probation & parole, clandestine lab management and enforcement).*
- *FY 99 - Disseminated information to law enforcement agencies on federal Bulletproof Vest program.*
- *FY 99 - Provided consultation to counties for Local Law Enforcement Block grant applications.*
- *Fifteen (15) training workshops involving 708 criminal justice personnel were held on various topics, including LLEBG training.*
- *FY 00 - Completed & disseminated 10-minute police training video and resource guide on how to deal with out-of-state protective orders.*
- *FY 00 - Requested FBI Quality Assurance Review of UCR data; completed report indicates that Hawaii's program provides accurate data and is well managed.*

Year III (2000-2001) and Year IV (2001-2002)

A. Develop & implement annual plan for technical assistance and training for criminal justice agencies.

Performance measures:

- *FY 01 - Annual plan was completed*
- *FY 01 - 8 technical assistance requests were made to the federal Violence Against Women, National Institute of Corrections, Juvenile Justice & Delinquency offices, and the SEARCH Group. All but one was approved and implemented.*
- *FY 01 - Technical assistance workshops included: Stalking Investigation Training, Full Faith & Credit training for service providers, Restorative Justice briefings & workshops, VAW strategic planning workshop, VAW fatality review, Promoting Public Safety Using Effective Interventions with Offenders, Visitation*

Centers, and next generation for JJIS. Four basic grant writing workshops were developed by staff for criminal justice agency personnel.

- *FY 01 - There was a positive response by participants on the usefulness of the assistance & training workshops.*
- *FY 02 – A training video on stalking was produced, training workshops were conducted for 57 criminal justice personnel and service providers Other training workshops were on clandestine labs (270 participants statewide) and gangs (51 law enforcement participants)..*

B. Department's crime-related advisory groups to interface with other boards & task forces.
Performance measures:

- *Not completed.*

Year V (2002-2003)

A. Create a system within the division to coordinate grants with other agencies

Performance measure:

- *Tracking system for availability of federal grants completed*
- *Information system to track grants received by other agencies*
- *Updated listing and status of relevant grants from other agencies*

Objective:

To coordinate and facilitate improvements to the criminal justice system response to communities, victims, and offenders.

Year I (1998-99) and Year II (1999-2000)

A. Conduct Informational/training workshops

Performance measures:

- *FY 99 - 4 interagency and statewide meetings held on restorative justice planning activities.*
- *FY 99 - 2 restorative justice workshops held for probation, parole & intake; 244 participants statewide.*
- *FY 99 - 5 statewide, interagency workshops held on out-of-state protective orders (176 participants).*
- *FY 00 - 2 statewide workshops for police were held on information technology and Uniform Crime Report data entry; attended by 40 police personnel.*
- *FY 00 - 8 statewide workshops for criminal justice personnel were held on out-of-state protective orders (43), data & corrections (25), and grant administration/fiscal accountability (73); total of 141 participants.*

B. Collaborate with others on crime issues

Performance measure:

- *FY 99 - Began interagency assessment of gaps in approaches to domestic violence on Oahu (HCR 65-99) with 24 agencies.*
- *FY 99 - Review of sex offender registration law & procedures with HI Criminal Justice Data Center & Criminal Justice Division (FY99).*

- *FY 99 - Discussions with Crime Victim Compensation Commission (CVCC) and Victim Kokua Office on improving restitution payments.*
- *FY 99 - Assist with drafting of crime victim compensation bill with CVCC.*
- *FY 99 - Facilitated standardization of temporary protective orders for domestic violence victims by circuit courts; standardization completed (courts & police).*
- *FY 99 - HCR 65-99 report completed & submitted to 2000 Legislature.*
- *FY 00 - Gun registration data collection process (HRS 134-14) established & collected for the Department; data to be analyzed on annual basis.*

Year III (2000-01) and Year IV (2001-2002)

- A. Implement procedures for regular tracking of Congressional legislation.
Performance measure:
- *FY 01 - Procedures not documented. However, National organizations which the division has memberships, track crime-related federal legislation, and the division is kept abreast through these networks. Tracking of documents is also done through THOMAS as well as Hawaii's Congressional delegation for specific materials. This is thought to be sufficient.*
- B. Continue Restorative Justice assistance and publish accomplishments
Performance measure:
- *FY 01 - Thirteen statewide videoconferences were held to share information & plan county workshops. Briefings on RJ were held for criminal justice officials ON Kauai & Honolulu, and the Waianae Neighborhood board (20 people). Fifty-five criminal justice professionals attended a workshop on how to work with communities; community workshops were held on Maui, Kauai, & Honolulu (185 participants).*
 - *FY 02 – A web site to share Restorative Justice events and information was created in partnership with Maui Mediation Services.*
- C. Complete plan for Department's role in victim rights and services.
Performance measure:
- *FY 01 - Not completed. A proposal for establishing a separate victim program/unit was set aside as the current situation does not indicate such interest by the Department. The division continues its active roles in the State's Domestic Violence Working Group and the Full Faith & Credit Task Force.*

Year V (2002-2003)

- A. Restorative Justice practices commonly used.
Performance measure:
- *Identification & number of places in system where used*
 - *Survey of criminal justice personnel regarding practice*
- B. Department's expanded role in victim rights and services
Performance measures:
- *Number of services increased from 1998*
 - *Identification of new role since 1998*

- C. Underserved populations will have increased accessibility to services
Performance measures:
- *Number and types of services not accessible/available in 1998 and currently accessible.*
- D. Women will have increased safety due to improvements in domestic violence protective orders and implementation of guidelines in accepting out-of-state protective orders.
Performance measures:
- *Survey of agencies on safety of women as compared to 1998.*
- E. Crime-related advisory groups will be interfaced with other groups.
Performance measures:
- *Documentation of ways the groups interface*
 - *Number of joint efforts held*

Objective:

To stimulate creative ideas in dealing with crime in Hawaii.

Year I (1998-99) and Year II (1999-200)

- A. Continue restorative justice efforts.
Performance Measures:
- *FY 99 - Revised and compiled listing of restorative justice type programs in Hawaii.*
 - *FY – 99 Arranged for technical assistance for Hawaii county (other counties did not request assistance).*
- B. Increase issue-oriented technical assistance to criminal justice agencies.
Performance Measures:
- *FY 99 -Five technical assistance efforts included: cognitive behavior, domestic violence & children, probation/parole & victims, and clandestine labs; 594 criminal justice personnel participated.*
 - *FY 00 - A workshop of effective corrections programs was held for 18 key criminal justice personnel.*

Year III (2000 - 2001) and Year IV (2001-202)

- A. Arrange for follow-up meetings for criminal justice agencies on restorative justice, and assess and publish accomplishments.
Performance Measures
- *FY 01 - Thirteen statewide videoconferences were held to share information & plan county workshops. Briefings on RJ were held for criminal justice officials (Kauai & Honolulu; other counties were done in the previous year) and Waianae Neighborhood board (20 people). Fifty-five criminal justice professionals attended a workshop on how to work with communities; community workshops were held on Maui, Kauai, & Honolulu (185 participants).*
 - *FY 01 – A Restorative Justice web site was created to share accomplishments.*
- B. Assess new issues needing technical assistance

Performance Measures

- *FY 01 - New issues identified were: domestic violence fatality review, effective programs for offenders, and enhancement of the JJIS.*
- *FY 01 - Technical assistance was received from Violence Against Women Office for fatality review consultation; National Institute of Corrections for a workshop on effective offender program; and SEARCH Group for a review of the JJIS.*
- *FY 02 - Other new issues identified were elderly crime victims, domestic violence and its impact on children, and mental health needs of criminal justice clients. The Division staff meets with interagency groups to pursue these issues.*
- *FY 02 – Intermediate Sanctions is a new area that the Department/Division committed itself to. It is a partnership of the Judiciary, the Departments of Public Safety, Health, and the Attorney General. The intent is to reduce recidivism of offenders in the program by 305 in 5 years.*

Year V (2002-2003)

- A. Restorative justice practices will be commonly used in the criminal justice system.

Performance Measures:

- *Number and types of practices available*
- *Survey of criminal justice personnel*

GOAL III: TO PROMOTE THE INVOLVEMENT OF COMMUNITIES IN THE PREVENTION OF CRIME.

Objective:

To educate & mobilize communities and agencies in collaborating to address crime and crime prevention issues.

Year I (1998-99) and Year II (1999-2000)

- A. Support the McGruff Crime Prevention Campaign in schools.

Performance measures: (loss on staff during period)

- *FY 99 - Six teacher training workshops - not completed.*
- *FY 99 - Developed & implemented 89 “Choices” visits to schools (target was 40).*
- *FY 99 - Resource to teachers - not accomplished.*
- *FY 00 - Three (3) “Choices” program taken to 5th, 2nd, and 1st graders; 9,000 students reached through 25 performances.*
- *FY 00 - McGruff Truck Program taken to the Leeward school District (13 schools and 4,184 students participated).*

- B. Disseminate crime prevention information utilizing the McGruff character to the community.

Performance measures:

- *FY 99 - Participated in 30 community events.*
- *FY 99 - Conducted McGruff character training workshop for 22 volunteers.*

- *FY 99 - Conducted McGruff Truck training workshops for 8 utility companies and 450 employees.*
 - *FY00 - Completed two 30-minute videos on crystal methamphetamine and bullying for broadcast on Olelo, community television.*
 - *FY 00 - Participated in 20 community events and reaching 19,680 persons.*
 - *FY 00 - Conducted McGruff character training workshops for 55 volunteers.*
- C. Provide skills training to those who work with youth and families
Performance measures:
- *FY 99 - Conducted Community Action Seminar on community mobilization; 40 community teams and 417 participants.*
 - *F 99 - Conducted 4 Training Institute Workshops statewide; 750 participants.*
 - *FY 00 - Two Community Action Seminars (Oahu & Hawaii) were held on community mobilization; 38 community teams & 641 attendees.*
 - *FY 00 - A Training Institute workshop on motivating people drew 420 participants.*
- D. Develop partnerships and collaborate with others to maximize existing resources.
Performance measures:
- *FY 99 - Partnered with 44 agencies in various efforts/activities.*
 - *FY 99 - Solicited assistance from the Optimist Club of Honolulu (OCH) for volunteers and equipment for McGruff community events.*
 - *FY 99 - Participated in 14 community and agency committees.*
 - *FY 00 - Partnered with 64 agencies in various efforts & activities.*
 - *FY 00 - Actively participated in 34 (13 CCP, 18 GP, 1 RS, 2 JJIS) community and agency committees.*
- E. Complete assessment of the feasibility of implementing a data base program to monitor Community Action Seminar team efforts in the state.
- *FY 02 - Not completed.*

Year III (2000-2001) and Year IV (2001-2002)

- A. Develop crime prevention education programs for parents, general public, and businesses.
Performance measures:
- *FY 02 – Completed a Workplace Violence Manual for Hawaii. Disseminated 1,000 manuals, 1,500 CDs and made the Manual available on the division web site. Received the Department’s Team Award for this effort.*
 - *FY 02 – Sponsored an evening workshop on “What Kids Need to Succeed” to parents & general public; 70 individuals participated.*
 - *FY 02 – Partnered with the State Volunteer Services in a 4 day workshop for community volunteers; hosted a panel on volunteers in crime prevention.*
- B. Conduct 2 “train-the-trainers” workshops on each island to develop company trainers for new McGruff Truck drivers.
Performance measures

- *FY 01 - Two workshops were held for Oahu, Maui, and Kauai companies. Seventeen company trainers attended.*
- *FY 02 – 6 workshops were held on Oahu and Lanai to train McGruff Characters & Truck Drivers; a total of 88 volunteers participated.*

NOTE: The 3rd Year goals below were not met as the focus was shifted to working with larger groups. Staff time was shifted to planning the Crime Prevention Conference and the Workplace Violence Manual. It was determined that resources did not allow for their completion.

- C. Design of McGruff preschool and elementary school crime prevention curriculums.
Performance Measures:
- *Curriculums not completed.*
- D. Develop new McGruff messages on Tel-Med in coordination with HMSA staff.
Performance measures:
- *Not completed.*
- E. Begin design and coordination of a computerized statewide information & resource system for community mobilization and youth efforts.
Performance measures:
- *Not completed.*
- F. Assess need and feasibility of a community mobilization “cookbook”.
Performance measure:
- *Not completed.*

Year V (2002-2003)

- A. Pre-school and elementary crime prevention curriculum pilots in schools.
Performance measures:
- *Completion of curriculums*
 - *Number of schools to pilot curriculum*
 - *Assessment by schools of curriculum*
- B. Conduct semi-annual comprehensive crime prevention presentations to communities with the Coalition for a Drug-Free Hawaii
Performance measure:
- *Number of presentations completed*
 - *Number of participants*
 - *Evaluation by participants*
- C. Apply for a federal grant for computerized statewide information/resource system for community mobilization and youth efforts.
Performance Measures:
- *Submission of application to federal funding agency*
 - *Receipt of grant award*
- D. Publish and disseminate a community mobilization handbook.

Performance Measures:

- *Number of publication printed & disseminated*
- *Assessment of usefulness by individuals*

E. Implement a Community Action Seminar on each island.

Performance Measures:

- *Number of seminars conducted*
- *Number of participants and teams*
- *Evaluation by participants*
- *Team projects completed*

JUVENILE JUSTICE INFORMATION SYSTEM (JJIS)
5-YEAR PLAN

JJIS VISION:

The JJIS should be a valuable tool that the users can't imagine working without. The JJIS will be a model for other states and jurisdictions.

MISSION

To assist agencies to improve service delivery by providing leading edge information technology to integrate resources and information.

Goal

Provide valued assistance to user agencies by delivering state-of-the-art technology solutions in a cost-effective and timely manner.

Year I (1998-1999) and Year II (1999-00)

- A. Additional agencies added to JJIS and personnel from those agencies are trained in JJIS operation.

Performance measures:

- *FY 99 - Hawaii County and Kauai Police Departments completed & staff trained in August, 1998*
- *Maui Police Department (March 1999; however MPD has booking system problem which their contractor must resolve) and Family Courts (completed FY00).*
- *FY 00 - Family Court on JJIS and personnel trained (6/00).*

- B. Definitions of policy and procedural issues will be completed. This will include: (1) the responsibility of JJIS, (2) the responsibility of the data in JJIS, (3) the responsibility for changing JJIS data e.g. unmatched birth dates, (4) what happens when the data differs from one agency to another agency.

Performance measure:

- *In process; not completed.*

- C. Technical issues will be resolved.

1. Develop a way to verify the data in JJIS

Performance measure:

- *Non-general fund monies acquired to hire staff for quality control.*

2. Automate JJIS testing

Performance measure:

- *This will be an on-going effort for the life of the system.*

3. Determine the direction of the Maui and Kauai prosecutors

Performance measure:

- *Completed, 12/00.*
- 4. Finalize "suspension" and "error" processing
Performance measure:
 - *Completed, 2/00.*
- 5. Develop a standard definition of data elements
Performance measure:
 - *In process, scheduled for completion 6/02.*
- 6. Finalize "combine" procedures
Performance measure:
 - *Finalized 2/99.*
- 7. Mitigate the Y2K ripples
Performance measure:
 - *Finalized in 10/99.*
- 8. Solve the WANG/AAI connection issue
Performance measure:
 - *Completed 6/00*
- 9. Establish formal error correction procedures
Performance measure:
 - *Completed in 2/00.*
- 10. Complete and implement the design for the interface section of the database
Performance measure:
 - *Completed 12/00*
- 11. Complete requirements, design, and implementation of "security"
Performance measures:
 - *To be addressed in next generation of JJIS.*
- D. Build a bond/need for JJIS within agencies
 - 1. Training agencies in the possible uses of JJIS
Performance measure:
 - *On-going*
 - 2. Agencies will "own the system"
Performance measure:
 - *On-going; agencies training each other in innovative uses of JJIS.*

Year III (2000-2001) and Year IV (2001-2002)

- A. All 14 agencies up and running
Performance measure:

- *FY 01 - Eleven juvenile justice agencies interfaced and connected to JJIS.*
 - *FY 02 – Hawaii County Prosecutors and the Department’s Criminal Justice and Family Law Divisions were completed. Maui Police Department was not completed due to their reassessment of their current system.*
- B. Technical enhancements and maintenance efforts will be completed
- FY 00 - System to verify data and to inform someone responsible to correct it ; in place as of 11/99
 - GUI – deferred to Year V
 - FY 02 - Fingerprints and mug shots - Not completed (applied for NIJ grant with Kauai Police Department for development of mug shot system; not awarded)
 - Make a connection to AFIS – deferred to Year V
 - Develop remote printing capabilities - deferred to Year V
 - Revisions necessary to implement functionality related to UCR - may not be possible due to manual intervention required
 - Scars, Marks, And Tattoos subsystem – no longer deemed viable
 - FY 02 - Provide for referral and transmittal tracking impacts – Not completed as Honolulu Prosecutor’s system not ready.
 - FY 02 - Enhance "combine" – Completed in Release 14.
 - Redesign "associated person" – deferred to Year V due to dependency on JUSTIC re-design.
 - FY 02 - Design and implement audit portion of JJIS – Partial completion in Release 14.
 - Design and implement uncombine, purge, delete, control analysis - “delete” was implemented in 1/01; “uncombined” & “control analysis” are no longer deemed viable; “purge” not completed in FY 02.
 - Restart and recovery processes – deferred to Year V.
 - FY 02 - Design and implement data control portion of JJIS – Initial phase implemented in Release 14.
- C. Reporting programs will be enhanced
1. Establish standardized statewide police reporting requirements
Performance measure:
 - FY 02 – Initiated documentation of standardized statewide police reporting requirements.
 2. Implement statewide recidivism reporting
Performance measures:
 - *FY 01- Completed.*
- D. The JJIS ID will be the statewide ID for juvenile justice system
Performance measure:
- FY 02 - JJIS ID accepted by all agencies but not completed due to dependency on implementation of Maui Police Department.
- E. Documentation of JJIS completed.

Performance measure:

- FY 01 - Completed; Release 13 User Manual (3/01)
- FY 02 - SES revision not completed; technical documentation completed.

- F. A statewide/standardized Juvenile Information Report (JIR) used by all police departments

Performance measure:

- FY 02 – Statewide & standardized JIR printed & used by all police departments; not completed.

- G. Agency training for new functionalities will be completed

Performance measures:

- FY 01 - 13 agencies trained.
- FY 02 – 9 agencies trained.
- FY 02 - Assessment of training by agency personnel was included in Branch's customer survey.

- H. UCR interface design completed.

Performance measure:

- UCR interface design reviewed & approved.
- FY 02 - Due to manual intervention required by UCR, interface is no longer deemed advisable.
- Investigation of NIBRS interface to be included in Year V activities.

Year V (2002-2003)

- A. The scope of JJIS will be expanded

1. Connect to DOE and DOH systems
2. Expand program information
3. Connect to incident information
4. Investigate possibility of connecting to other states
5. OBTS interface

Performance measure:

- *Status and completion of above expansion.*

- B. Application software will be on the ICSD mainframe (24 hour, 7 days a week)
“A PERMANENT HOME FOR THE JJIS DATABASE!!”

Performance measure:

- *JJIS resides on the ICSD mainframe.*

- C. JJIS to be enhanced to meet users needs

1. Provide screens or data collection of additional probation officer information
2. Respond to additional enhancements requested by user agencies
3. Conduct user training for new functionality

Performance measures:

- *Number of screens and types of data collection developed for probation officers*
- *Number and types of enhancements requested by designated agencies*

- *Number of training workshops held; number & types of participants trained; assessment of training by participants*

D. Complete addressing of technical issues

1. Evaluate a WEB or GUI interface
2. Implement phase 2 connectivity to statewide juvenile system
3. Determine future platform (Web site, minicomputer, workstation)
4. Evaluate a NIBRS interface

Performance measures:

- *Documented evaluation of WEB/GUI interface*
- *Determination of Phase 2 connectivity*
- *Decision on future platform*
- *Evaluation report on NIBRS interface*

E. Administrative Rules promulgated.

Performance measure:

- *Administrative rules finalized and published.*

**CRIMINAL JUSTICE DIVISION (CJD)
GOALS AND OBJECTIVES
(2003-2004)**

GOAL 1: Effective investigation and prosecution of money laundering and other financial crimes

Objective 1: Operation of a successful and capable FinCEN (Financial Crimes Enforcement Network) and Financial Investigations Unit that will provide FinCEN database services to all state and local law enforcement, encourage the use of this financial crimes investigatory tool, provide training to law enforcement, conduct proactive money laundering and financial crimes investigations, coordinate investigations with other agencies, and prosecute money laundering and other financial crimes. (Accomplished as a joint effort with the Investigations Division.)

Action Plan: 1 YEAR

- 1) Continue to promote and provide the FinCEN Gateway database services.
- 2) Continue to provide training on FinCEN to state and local law enforcement.
- 3) Continue to conduct investigations and prosecutions of money laundering and other financial crimes.
- 4) Develop coordination of investigations with federal, state and local law enforcement agencies, through the development of a task force.
- 5) Assess success and value of unit.
- 6) Seek alternate funding for unit as federal funds become unavailable in October 2003.

Performance Indicators:

- 1) The number of state and county law enforcement personnel who are provided presentations and training by the unit.
- 2) The number of different agencies making requests for services and the number of requests for services being made.
- 3) The turnaround time for the unit to respond to the requests.
- 4) The number of investigations the unit has participated in.

GOAL 2: Efficient and effective operation of the Criminal Justice Division.

Objective 1: Set up and implement improved case tracking system that will accomplish the following: (1) track the Division's many different cases and assignments; and (2)

quickly producing a wide variety of reports on schedules, caseloads, case status, and dispositions.

Action Plan: 1 YEAR

- 1) Work closely with IST to customize and refine the Prolaw case management system for criminal prosecution cases and to develop division reports.
- 2) Work with Division personnel to establish Division policies and procedures for the use of the system.
- 3) Train personnel and monitor the implementation of the system.

Objective 2: Proper and effective use of iManage, the department's new documents management system.

Action Plan: 1 YEAR

- 1) Work closely with Division personnel to establish Division policies and procedures for the use of the system.
- 2) Train personnel and monitor the use of the system.

Objective 3: Division access to the Juvenile Justice Information System (JJIS).

Action Plan: 1 YEAR

- 1) Work with the Department IT team and the Juvenile Justice Information System team to establish connections and access.

Objective 4: Improved system for Division records and files.

Action Plan: 1-2 YEARS

- 1) Analysis of issues and requirements for the retention of Division files and records.
- 2) Legislative initiatives to address issues, if necessary.
- 3)
- 4) Draft proposal and obtain approval for new policies and procedures for the retention, storage and destruction of criminal and asset forfeiture files and records.
- 5) Implement new system.

Performance Indicators:

- 1) Availability of file storage space.
- 2) Accessibility of records and files.

- 3) An effective records maintenance system.

GOAL 3: Improved operations of the State Asset Forfeiture Unit.

Objective 1: Completion of an operations manual for the asset forfeiture program.

Action Plan: 1 YEAR

- 1) Edit and revise drafts of subsections by asset forfeiture program staff.
- 2) Compilation and completion of manual.

GOAL 4: State and local law enforcement being more aware of computer crime and having adequate resources and capability to respond to computer crimes, computer-related crimes, and computer evidence.

Objective 1: Develop and make operational the Hawaii Internet Crimes Against Children Task Force that will assist in coordinating the efforts of federal, state and local law enforcement agencies to combat Internet crimes against children and that will create a statewide awareness program for children, parents and teachers.
(Accomplished as a joint effort with the Investigations Division.)

Action Plan: 1 YEAR

- 1) Develop task force relationships with other law enforcement agencies and enter memorandums of understanding with them to facilitate coordinated operations.
- 2) Provide training and equipment for task force members to improve project operations.
- 3) Improve task force operations center.
- 4) Investigate and prosecute cases involving Internet crimes against children, such as child pornography, electronic enticement of a child, promoting child abuse, and sexual assault.

2 YEAR

- 1) Apply for and obtain federal grants for additional project years.

Objective 2: Develop a statewide high technology crime unit that will be able to provide investigation assistance and computer evidence training to state and local agencies, and that will assist in coordinating law enforcement efforts and resources.
(Accomplished as a joint effort with the Investigations Division.)

Action Plan: 1-2 YEARS

- 1) Develop task force relationships with other law enforcement agencies and enter memorandums of understanding with them to facilitate coordinated operations.
- 2) Provide training and equipment for task force members to improve project operations.
- 3) Improve task force operations center.
- 4) Investigate computer and computer-related crime.
- 5) Prosecute computer crime offenses.

GOAL 5: Efficient and effective operation of the Missing Child Center-Hawaii (MCCH).

Objective 1: Establish MCCH connectivity with necessary databases.

Action Plan: 1 YEAR

- 1) Establish connection with National Crime Information Center (NCIC) system with new NCIC 2000 parameters.
- 2) Establish connection with the State Offender Based Tracking System (CJIS) with its new parameters.
- 3) Establish connection with the NLETS system.

Objective 2: Update and complete Hawaii Missing Child Data Base and the database manual.

Action Plan: 1-2 YEAR

- 1) Incorporate photos into database.
- 2) Develop automatic generation of posters, Interpol alerts, and pertinent information sheets from database.
- 3) Develop automated fax capability from database.
- 4) Develop database manual.

Objective 3: Develop a Strategic Plan and Procedures Manual.

Action Plan: 1 YEAR

- 1) Review Mission.
- 2) Analyze internal and external data.
- 3) Develop goals and objectives.
- 4) Identify direction of the Center in the next 3 to 5 years.
- 5) Identify Advisory Board's responsibilities and develop protocols and guidelines.
- 6) Identify growth strategies.

- 7) Select participating components.
- 8) Produce a comprehensive manual including the strategic plan, policies, procedures and standards of operations for the Center.

Objective 4: Supply law enforcement liaisons with Lost Child Alert Technology Resource (LOCATER) communications connectivity.

Action Plan: 1 YEAR

- 1) Submit applications to the NCMEC for Law Enforcement Technology grants to provide computer technology for at least each liaison office to be connected through the LOCATOR system.
- 2) Coordinate site setup and training.

Objective 5: Implement a training curriculum for law enforcement, prosecutors, the judiciary, and the public.

Action Plan: 1-2 YEAR

- 1) Develop a curriculum and training schedule for law enforcement, prosecutors and the judiciary.

Objective 6: Implementation of a statewide Maile (Amber Alert) Plan through the coordinated partnership between law enforcement agencies and broadcasters to activate urgent emergency broadcast bulletins in case of serious child-abduction cases.

Action Plan: 1 YEAR

- 1) Identify the appropriate agencies, organizations and contacts.
- 2) Establish a task force consisting of law enforcement, media representatives and community liaisons.
- 3) Implementation of statewide plan.

**EDUCATION DIVISION (EDU)
GOALS AND OBJECTIVES**

GOAL 1: Provide the timely delivery of legal advice and representation to clients.

Objective 1: Training of attorneys within the division regarding the mission of the clients and their organizational structure to be able to better understand the clients needs.

Objective 2: Provide training and retraining of clients regarding the laws that affect them in order to build technical competence and confidence in the clients to better perform their duties and reduce the potential for mistakes and liabilities.

Objective 3: Establish and refine client training initiative by utilizing technological tools such as power-point presentations.

Objective 4: Monitor performance of hearing officers retained by clients and help clients address poor performing hearing officers.

GOAL 2: Improve the quality of legal services to clients.

Objective 1: Build capacity within the division to have every attorney competent to advise any client serviced by the division.

Objective 2: Develop paralegal capacity to assist attorneys and maximize efficiency.

Objective 3: Train and orient clerical staff as to the legal tasks and client's mission to efficiently deliver legal service.

Objective 4: Develop division legal memo bank on issues that are handled by division.

GOAL 3: Increase capacity to handle legislative matters.

Objective 1: Build expertise in the review of legislation involving clients.

Objective 2: Coordinate with clients as to important legislation to propose or support.

GOAL 4: Increase capacity to handle election matters.

Objective 1: Build capacity prior to the election cycle in order to be prepared to handle election questions and litigation.

Objective 2: Update legal research on election issues in anticipation of election controversies.

GOAL 5: **Increase clients' capacity to perform function.**

Objective 1: Assist clients in updating administrative rules to clarify ambiguous areas in the rules.

Objective 2: Train clients in the application of the administrative rules.

Objective 3: Clarify clients' policies so that there is uniform application of clients' rules and understanding of the legal requirements under the law.

Action Plan: **FIRST YEAR**

Continued training of staff and clients need to be expanded in new areas of the law such as the federal No Child Left Behind initiative. Feedback from the clients through the client evaluation program has validated the need for such training. The evaluations should be used to determine the quality and relevance of the client training initiatives and to expand them. The feedback has identified other areas where training is believed needed and we will plan for future training initiatives. Attorney training has commenced as part of division meetings and will address topics relevant to clients. Allowing client participation at division meetings will be arranged. Meetings with clients have occurred to discuss clients' needs and concerns.

SECOND YEAR

Continued training and retraining of clients will be used as the vehicle to improve clients' performance of duties and instill confidence in clients. During this year, focus will be on refining election training based upon lessons learned from the 2002 election. Implementing training of staff and clients on the No Child Left Behind initiative needs to be commenced.

FIFTH YEAR

There will always be a need to train new employees of the client departments as well as a need to retrain existing employees on changes in the law. Continued training will occur.

PROCESS: Service testing through surveys and consultation with clients will be used to determine the success of the initiatives as well as determine what other services are needed by the clients.

**EMPLOYMENT LAW DIVISION (ELD)
GOALS AND OBJECTIVES**

GOAL 1: Provide quality legal representation to all State clientele in all areas of Employment Law

Objective 1: Improve the working knowledge of the attorneys, legal assistants and support staff through training seminars, videotapes, brown bag lunches and in-house training (department and division wide)

ELD continued to participate in department-sponsored training including computer iManage and ProLaw training for deputies, legal assistants and support staff; the division supervisor served as vice chair of the employment law section of the Hawaii State Bar which sponsored a 2 and ½ day program at the State Bar Convention in October in which deputies from this division attended. Additionally, ELD continues to incorporate into its semi-monthly division meetings morale building training for all staff as well as training on security measures. ELD continues to make good use of the videotape monitor that it purchased last year and is continuing to build its library of training videotapes with the allocation of training funds that it received from the department.

Objective 2: Provide cross training within the division utilizing attorneys and legal assistants with specialties in certain areas

Of necessity, ELD continues to practice its mentoring style of training for the newer deputies in all areas of employment law. The hiring away of four deputies in the last year and only being allowed to replace three of them has required all deputies to participate in all aspects of employment law.

Objective 3: Establish a uniform procedure for addressing employment law claims

The ELD supervisor assigns lawsuits and claims. With the introduction of iManage for document tracking and ProLaw for case management this is a work in progress, but clearly one that should resolve this issue within the next few months.

Objective 4: Establish a mini-LRC within the division to assist lead counsel

As needed, mini-LRC's are held at ELD's conference room. The lead attorney assigned to a case has the discretion to call on selected deputies and the supervisor to participate in strategizing and planning the defense. This continues to be a worthwhile practice in ELD.

Objective 5: Improve communications with clientele by timely responding to requests for assistance or by providing a time frame for a response

In addition to complying with the OAG imposed 30-day time frame for opinion requests, the ELD Supervisor meets with the affected deputy and/or legal assistant on a timely basis to address complaints or concerns regarding overdue projects or responses.

Objective 6: Encourage clientele to confer with Employment Law staff prior to making questionable or unprecedented management and personnel decisions

Training sessions continue with various departments including PSD, HCDCH, DOE, DHRD and DOT in an effort to provide proactive and preventive advice. Training has been provided on an ongoing basis with the DOE while DOE has provided funding for a deputy in ELD. DOE, however, terminated this funding, on November 26, 2002. ELD will continue to work with DHRD personnel to provide training to labor relations staff, especially since two ELD deputies transferred to DHRD in November 2002.

Objective 7: Establish regular meetings with clientele to discuss concerns in general

Under current reduced staffing and increased workload constraints this objective is only capable of being performed on an as-needed basis.

GOAL 2: Provide proactive training to all State clientele to reduce employment law claims

Objective 1: Identify State clientele that demands the most time and attention

DHRD and DOE have been identified as the clients requiring the most time and attention. As a result, ELD previously secured funding for two and one-half deputy positions from these departments. However, funding for one position was recently deleted. This will have to be resolved through further discussions with the two departments.

Objective 2: Provide preventive training to State clientele in subject areas that dominate litigation and administrative hearings

In the past year, many hours have been spent working with various departments including the DOE, PSD, DOT, DBEDT, DCCA, DHRD, DHS, DOH, DAGS, and the AG in an effort to reduce the number of claims and/or lawsuits.

Objective 3: Coordinate training for clientele with other divisions within the Department as well as with other State agencies

Recent comprehensive leadership training curriculum developed by DHRD poses possibility of incorporating employment law related training with DHRD's leadership training program. In addition, resources were

identified in the Judiciary and training on investigations was provided by Judiciary staff to numerous executive branch personnel.

- Objective 4: Develop a system of categorizing and inventorying court and administrative decisions for use by legal staff and clientele

Written court decisions and administrative hearings decisions are distributed throughout the division upon receipt by the supervisor. Additionally, deputies at bi-monthly division meetings discuss results of hearings.

- Objective 5: Develop a system to consistently inform clientele of major court and administrative decisions and trends in employment law

Deputies are advised to timely inform clients of court and administrative hearing decisions and to set up briefings with clients to discuss the orders as well as assist in the implementation of the orders. Sample post hearing correspondence has been provided to all deputies to insure client follow-up and compliance.

- GOAL 3: Create a healthier and more positive working environment for Employment Law staff

- Objective 1: Establish additional positions for legal assistant and legal clerk

ELD has had filled the temporary legal clerk position transferred from the Tort Litigation Division; and ELD secured the services of a volunteer student legal clerk intern until his return to law school. ELD continues to hire student helpers to assist the support staff.

- Objective 2: Upgrade computers to provide uniformity for interfacing within the division

With the complete interfacing within the division of identical computers, ELD has managed to successfully convert from WordPerfect to Word with several exemptions due to court and arbitrator requirements. In November 2002, the entire division received training in iManage and ProLaw and ELD is in the process of converting all of our data, case management and time keeping to these new programs.

- Objective 3: Provide a division retreat at least annually to evaluate and update goals and objectives

ELD held its annual retreat at Bellows Air Force Station on May 28, 2002. Team building as well as setting of goals and objectives was addressed. The Deputy Director of DHRD was guest speaker. ELD will continue to hold its annual retreats.

Objective 4: Create mini-units within the division for a team-like approach to handling claims

ELD is generally comprised of two units - the litigation unit and the labor relations unit. Additionally, it has a workers compensation deputy and a DOE deputy, both supported by a secretary and both having access to the legal assistants. However, ELD is also emphasizing cross training, with the goal of having each deputy experienced in all areas of employment law.

Objective 5: Continue to encourage active participation by all staff in division meetings

All deputies, legal assistants and support staff attend ELD division meetings. Meetings are held bi-monthly and everyone is encouraged to actively participate in the discussions. In addition, guest participants are periodically invited to discuss current topics of mutual interest.

Objective 6: Encourage ongoing and continuous input from all staff to improve division

To the extent possible and practical, ELD is run in a democratic fashion, i.e., all staff members are encouraged to make suggestions for improvement and to voice concerns. The ELD supervisor has an "open door" policy and strongly encourages staff members to meet with the Supervisor when concerns arise.

Objective 7: Support direct interaction between OAG and staff (e.g. Communications Group)

ELD fully supports the Attorney General's policy of having direct interaction with deputies. Deputies keep the ELD supervisor informed as to settlement proposals but deputies are encouraged to set up meetings with the Attorney General without accompaniment by the ELD supervisor. Additionally, ELD has invited OAG to division meetings and office celebrations to encourage direct interaction between OAG and the ELD staff. ELD is also proud to state that one of the ELD deputies is a regular member of the Appellate Opinion Review Committee (AOR).

*The Employment Law Division proposes to accomplish each of the above-stated goals and objectives within the next year and at a minimum effect on the department's budget.

For the most part, all objectives were met or at least, progress was made. ELD will need to continue to work to maintain each of the above.

**FAMILY LAW DIVISION (FLD)
2002 Goals and Objectives
Progress Report**

Goal: Provide high quality legal representation in Family Court to our various Clients.

Objective 1: Improve the basic legal knowledge of the attorneys and legal assistants.

Action Plan 1: We have continued to have out-of office training provided at client expense. These have included a seminar on reviewing Child Sex Abuse videotapes made by the police and social workers and a review of the Federal audit to be done on Child Welfare cases. The replacement of several deputies required basic training that is ongoing.

Action Plan 2: The office manual is an ongoing project.

Action Plan 3: A law student intern working with one of our senior deputies compiled the memo bank into useful folders. Additionally, we put many of the pertinent memos onto the computer network so that our deputies statewide have access.

Action Plan 4: We continue to meet with the court on an as needed basis. We are still part of a group called the “Big Five” which includes the various parties in Child Protective Cases and the court itself.

Action Plan 5: Our pilot project for handling trials on Oahu has evolved to become part of our system. Three senior deputies have been assigned to do most of the trials. This amounts to approximately 25 trials each month. In addition, we have begun a program of rotating one of the newer deputies onto a “simple” trial training calendar. The other deputies have taken on a larger caseload and do the regular review hearings. This is working out well so far. It avoids the chaos that existed when the same deputy was doing hearings several days a week and then had to switch gears to do a trial. The “trial deputies” have been effective at streamlining the trials, and settling many of them. Because of our recent turnover, the mentoring program has had to be adjusted. We simply did not have enough senior people doing regular reviews to be mentors. The lead deputies and supervisor have taken over this function for the most part. However, we still do it on a more informal basis.

Action Plan 6: We continue to have twice a month staff meetings with the deputies rotating the responsibility of minute taking.

Action Plan 7: Post-court briefing takes place on a regular basis, both informally and at staff meetings.

Action Plan 8: We continue to maintain statistics to support requests for assistance and to keep this office and our clients informed of our workloads.

Objective 2: Foster effective communication and understanding with clients.

Action Plan 1: Client training is still happening on a regular basis.

Action Plan 2: We continue to meet with clients on an approximately monthly basis.

Action Plan 3: Good communication for emergency issues is easier to achieve because most of our clients now have e-mail and this has improved our ability to reach them. DHS is the most recent recipient of e-mail. All of the workers are now on-line.

Objective 3: Ensure that effective coordination is maintained with other legal services divisions that provide legal advice and counsel to the clients we represent in Family Court.

Action Plan: This is an ongoing process.

Objective 4: Ensure that appropriate legislation is introduced to address issues encountered at Family Court.

Action Plan 1: We continue to assess whether issues at Family Court raise the need to make legislative changes. We are in touch with clients to discuss possible legislation.

2003 Goals and Objectives

Goal: **Provide high quality legal representation in Family Court to our various clients.**

Objective 1: Improve the basic legal knowledge of the attorneys and legal assistants.

Action Plan 1: Continue to have monthly trainings on substantive and procedural issues. These trainings will be statewide using the State's videoconferencing capabilities.

Action Plan 2: Continue to update and keep current the office manuals.

Action Plan 3: Continue to update the memo bank.

Action Plan 4: Continue to meet regularly with the court to deal with problems and improve practice.

Action Plan 5: Continue our organization plan of having senior deputies assigned to do all the trials to eliminate the chaos of doing trials part of the time and regular reviews as well. Continue to train a junior deputy to do simple trials. Work on modeling good practice for new deputies.

Action Plan 6: Continue twice a month staff meetings.

Action Plan 7: Continue regular post-court briefings to discuss current problems and anticipate future issues.

Action Plan 8: Continue to monitor the work we do so that we can be sure the work is being done efficiently, and that we have an adequate number of people doing it

Objective 2: Foster effective communication and understanding with clients.

Action Plan 1: Continue client training for all the agencies we represent.

Action Plan 2: Continue to meet with clients on a monthly basis.

Action Plan 3: Maintain good communication with the client so emergencies can be handled expeditiously.

Objective 3: Ensure that effective coordination is maintained with other legal services divisions who provide legal advice and counsel to the clients we represent in Family Court.

Action Plan 1: Meet with appropriate deputies to discuss the issues.

Action Plan 2: Maintain rapport with the advice and counsel deputies so that issues that need to be litigated will be clearly understood by the deputy doing the litigation.

Objective 4: Ensure that appropriate legislation is introduced to address issues encountered at Family Court.

Action Plan 1: Be sensitive to issues that arise in Family Court that may require changes in legislation.

Process: Continue to monitor through evaluation of attorneys, through meetings with clients and the court, and through our statistics whether we are meeting our goals and objectives.

**HAWAII CRIMINAL JUSTICE DATA CENTER (HCJDC)
GOALS AND OBJECTIVES
2003 LEGISLATURE**

GOAL: CJIS-HAWAII.

To fully implement the redesigned statewide criminal history record information system, which is renamed CJIS-Hawaii, by replacing the existing mainframe-based Offender-Based Transaction Statistics/Computerized Criminal History (OBTS/CCH) system during this fiscal year. Upon successful production implementation of this central piece of the system, additional strategic phases will commence including “lights-out” real-time identification for arrested offenders, statewide firearms registration, and wants/warrants information.

OBJECTIVES:

This project has been the top priority for the Hawaii Criminal Justice Data Center (HCJDC) in the last two biennium periods, and is a significant milestone for the program. The objectives related to such an undertaking are in themselves major achievements during this fiscal year.

- 1) Establish the technical environment for CJIS-Hawaii operations.
 - a) Install support and infrastructure system components at the Information Communication Systems Division, the State’s computing center.
 - b) Complete performance stress testing and monitoring.
- 2) Establish the operational environment for CJIS-Hawaii operations.
 - a) Train statewide technical and agency liaisons on new applications.
 - b) Implement Help Desk support system and staffing.
- 3) Implement in production for statewide users.
- 4) Post-Implementation.
 - a) Monitor for performance, data quality, and problem follow-up.
 - b) Implement system and application modifications to address any problems that surface.
- 5) Establish ongoing change control management.
- 6) Startup planning phases for:
 - a) “Lights Out” real-time identification.
 - b) Statewide firearms registration.
 - c) Additional Wants/Warrants components.

GOAL: Accurate and Timely Identification through the State’s AFIS.

The goal of the Criminal Identification Section of the HCJDC is to provide the statewide law enforcement agencies with the ability to make accurate and timely identification of arrested individuals, latent (crime scene) fingerprints, and applicants who require fingerprinting pursuant to local, state, and federal laws.

OBJECTIVES:

In order to accomplish this goal, a “phased” approach is being used to achieve the level of technical and operational integration required. The following objectives describes these major phases:

- 1) Integration of the Hawaii Automated Fingerprint Identification System (AFIS) and the redesigned OBTS/CCH, now named CJIS-Hawaii, which would provide the technical platform for “lights out” identification.
 - a) Fully implement CJIS-Hawaii and stabilize the operational environment.
 - b) Commence plans for upgrading AFIS to MetaMorpho to support “lights out” processing.
 - c) Develop the interface that will allow CJIS-Hawaii and AFIS to directly exchange information for “lights out” identification.
- 2) Electronic exchange of fingerprint and arrest data between the law enforcement agencies, the Hawaii AFIS and CJIS-Hawaii.
 - a) Continue to explore all revenue sources, including federal grants, local law enforcement resources, and legislation for funding of more LiveScan equipment. Statewide deployment of this technology is necessary to achieve this objective.
 - b) Purchase and install LiveScan equipment to other counties, as funding becomes available.
- 3) Electronic exchange of identification and arrest/application information between the Federal Bureau of Investigation (FBI) and the statewide law enforcement agencies.
 - a) Obtain technical assistance from the FBI.
 - b) Complete the development of an automated interface for arrest information to the FBI’s Integrated AFIS (IAFIS).
 - c) Deploy and implement the technical mechanism to transfer information to IAFIS, including the return of the FBI response directly to the submitting agency.

GOAL: **The goal of the Criminal History Record Checks Unit of the HCJDC is to provide criminal history record checks and current sex offender registration information to criminal justice agencies, agencies mandated by state statutes, and the public, in a timely and user-friendly manner.**

OBJECTIVES:

- 1) Improve the accessibility of criminal history record information to authorized entities, and non-conviction information to the public.
 - a) Fully implement CJIS-Hawaii and stabilize the operational environment.
 - b) Provide more touch screen public access terminals to the public.
 - c) Assist more non-criminal justice agencies to deploy LiveScan technology to capture and transmit applicant fingerprints to the State’s AFIS and to the FBI’s IAFIS with 24-hour turnaround responses.
- 2) Fully implement the sex offender registry statute (Chapter 846E, Hawaii Revised Statutes (HRS)). This program suffered a major setback with the shutdown of the State’s sex offender website in August 2000 as a result of a

Hawaii Supreme Court ruling requiring a civil due process hearing on each individual convicted sex offender before the offender's public sex offender information can be disseminated. Now, it is even more imperative that all convicted sex offenders are registered and compliant with all requirements of Chapter 846E, HRS.

- a) Proactively research and file complaints on sex offenders who fail to comply with Chapter 846E, HRS, including those who fail to register and those who fail to respond timely and accurately to the 90-day verification notices.
 - b) Work with law enforcement agencies to file complaints on non-compliant offenders.
 - c) Monitor any civil due process hearings to ensure public dissemination is implemented on all qualifying sex offenders on a timely basis.
- 3) Explore the availability of Criminal History Record Information via the Internet.
- a) Contact other states.
 - b) Review Fees Statute.
 - c) Contact Access-Hawaii.

GOAL: **The goal of this program in the upcoming year is to continue outreach initiatives for the State ID program to improve the accessibility of this program by the general public.**

OBJECTIVES:

- 1) Fully implement the vendor software changes for the State ID's Photo ID System to identify and generate renewal by mail notices for those qualifying, pursuant to Act 169, Session Laws of Hawaii 2000.
- 2) Provide services to communities with limited access to the program.
 - a) Schedule quarterly visits to Molokai and Lanai.
 - b) Explore a more permanent arrangement for providing on-site services at Windward Mall.
 - c) Explore an on-site event at a Leeward community location.

HEALTH & HUMAN SERVICES DIVISION (HHSD)
Goals and Objectives
Progress Report

Goal 1: Expand division's capacity to represent clients in complex litigation.

Progress:

- We are gaining more experience with large cases, both in court and in administrative enforcement proceedings. In several of the court actions we work with specialized outside counsel, an opportunity that provides excellent learning experiences for our deputies.
- The department recently implemented department-wide case management and document management systems. They will enhance our ability to calendar court-related dates, store and retrieve documents, and gain ready access to case information. We are still learning how to use these systems effectively.
- The development of our litigation coordination system has been slowed by our litigation caseload and by the switch to new information technology systems. We expect to get back on track in the next year.

Goal 2: Improve division's ability to provide timely, effective legal advice

Progress

- Two new DHS-funded deputy positions allow us to provide more services to BESSD and the MedQUEST division.
- We have presented training seminars for DHS staff on administrative hearings and contract preparation, and for DOH staff on involuntary treatment orders.
- Deputies have taken advantage of specialized training opportunities in environmental law, the new federal rules governing the privacy of health information (HIPAA), Medicaid law, and mental health law.
- All deputies are now members of substantive-area teams that discuss topics of mutual concern. The division also coordinates department-wide training and advice on HIPAA.
- We have begun a division-wide writing project, which focuses both on effective use of language and on specialized writing skills in the legal area.
- E-mail has substantially improved our ability to stay abreast of legal developments nationwide that are relevant to our clients.
- Training for new deputies continues.

INVESTIGATION DIVISION (INV)
Goals and Objectives

GENERAL GOALS AND OBJECTIVES

- To provide specialized, technical and skilled investigative services in criminal, civil, and administrative matters for the legal services divisions and as directed by the Attorney General.
- To keep the Attorney General informed of criminal intelligence information affecting the State.
- To coordinate and ensure that investigative requests are reviewed and assigned in a timely manner.
- To ensure the accurate and timely completion of investigative reports.
- To ensure that the Investigation Division keeps abreast with the rapidly changing technology being used by criminals to hide and launder illegal monies.
- To ensure that the Investigation Division has the necessary equipment and supplies to handle computer crimes, telemarketing fraud, and money laundering through electronic transfers.
- To facilitate housing for additional personnel on the newly created positions.
- To train our staff on the voice stress analyzer to take the place of a polygraph
 - examiner.
- Convert the temporary Investigator IV to permanent status.
- To aggressively enforce Tobacco Tax violations.
- To aggressively investigate allegations of Internet Crimes Against Children.
- To develop procedures and work in conjunction with Civil Defense in dealing with natural and manmade disasters.
- To upgrade clerical positions and hire additional support staff.
- Increase investigator personnel due to increased caseload.

ACTION PLAN

- Continue to upgrade obsolete computer equipment, which has hindered our pursuit of computer crimes, telemarketing fraud, money laundering and child pornography on the Internet.
-
- Increase computer awareness by sending Investigators to advanced computer classes.
-
- Plan to train two (2) Investigators in Computer Data Recovery and Analysis.
-
- Purchase new equipment and training.
-
- Improve/add communication equipment.

PERFORMANCE

Since January 2001, the Investigations Division has handled approximately 3,860 requests for services.

The division will maintain records of performance of the division in meetings and successfully complete investigations of money laundering, computer crimes, telemarketing fraud, tobacco tax, death cases at the prison, child pornography, internet crimes against children, and Interpol; to include indictments and convictions of these types of cases.

LABOR DIVISION (LBR)
Goals and Objectives

GOAL 1: PROVIDE QUALITY AND TIMELY LEGAL SERVICES TO CLIENT DEPARTMENT AND AGENCIES.

Objective 1: Continue to improve the skills and efficiency of each member of the division.

Action Plan: Provide and make available current and relevant training to deputies and staff. Review and update all division training manuals as necessary. Review standard forms and update as necessary. Annually review department legal services manual on legislation. Continue in-house division training for all deputies and staff, utilizing discussions on current cases. Identify training programs outside of department and seek funding to attend such programs.
This is an ongoing and continuous process.

GOAL 2: UTILIZE THE NEW TECHNOLOGY IN THE DEPARTMENT (PROLAW, IMANAGE, LOTUS NOTES) TO ITS FULLEST POTENTIAL.

Objective 1: Make each member of the division proficient in the use of the new technology to increase efficiency and sharing of information.

Objective 2: Identify the best ways to use the new technology to ensure deadlines are met.

Objective 3: Make more efficient the calendaring and reminder systems.

Action Plan: Train each member of the division on an ongoing basis, taking advantage of training offered in-house, as well as by sharing knowledge on an informal basis.

GOAL 3: MAINTAIN POSITIVE CLIENT RELATIONSHIPS AND IMPROVE THOSE RELATIONSHIPS AS NECESSARY.

Objective 1: To encourage early consultation by the clients to avoid or minimize future problems and to allow the clients to understand our role.

Action Plan: Meet as needed with clients to identify clients' priorities and legal needs, both short and long term; look for ways to improve the flow of information between clients and deputies; inform clients of staffing assignments and

changes, absences, etc., when they may affect delivery of legal services.

Objective 2: To heighten clients' awareness of legal issues that confronts them on a regular basis.

Action Plan: Identify areas of training in legal issues to facilitate the clients' ability to deal with daily legal issues. Provide legal training as the need arises. Inform clients of existing training programs in legal and non-legal areas.

LAND/TRANSPORTATION DIVISION (L/T)
Goals and Objectives

These goals and objectives for the Land/Transportation Division have been prepared in response to section 7 of Act 100 of the 1999 Session Laws of Hawaii. It is the fourth annual report prepared by the division in response to Act 100.

The 1999 annual report set forth the following goal and five objectives for the division:

GOAL: To Provide High Quality, Timely Legal Services on a Sustained Basis.

FIVE OBJECTIVES: We listed in the 1999 report five objectives that needed to be met in order to achieve the division's goal. The five objectives were as follows:

1. Improve the quality of written work
2. Improve litigation skills
3. Attain and sustain optimum efficiency in the provision of legal services
4. Sustain good relations with clients
5. Eliminate backlog of assignments

ACCOMPLISHMENTS IN FY 2001-2002:

Advances have been made with respect to all five objectives.

During FY 2001-02 there were staff turnovers and in a few instances positions remained vacant for several months. This affected the overall productivity of the division but all essential service was maintained.

In hiring new employees, we looked for litigation experience. The division has been able to employ several experienced attorneys from private practice with recognized skill in litigation. Some of the new deputies are good writers. Experienced litigators in the division are being used to teach litigation practice to other deputies as well as handling cases themselves. All of the deputies in the division now have computers. E-mail is used extensively to communicate with clients and other deputies. It simplifies and facilitates communication and speeds up the provision of routine legal advice.

During FY 2002, there were 19 new cases filed concerning the DOT of which 11 were actions in eminent domain brought by the State. Also, there were 44 new cases filed which involved the DLNR. Altogether, there were 63 new actions added to the division's work load during the relevant period. The division is handling all these cases. As often happens the glut of litigation interfered with the completion of less time-sensitive chores such as reviewing documents and writing letters of legal advice. Still 54 sets of administrative rules and 290 contracts were reviewed in FY 2001-02 and legal written legal advice was issued in 150

instances for the same period. Additionally, a total of 1,282 documents other than contracts and administrative rules were reviewed.

We do not believe it is necessary to change the division goal or the five objectives set forth above. They will continue to be the division's goal and objectives for the future.

In 1999 along with the goal and objectives we submitted in our annual report, we presented an action plan to show how we planned to implement each objective in one, two, and five years. We have satisfactorily completed our one year action plans for all of the objectives except the fifth objective (Eliminate Backlog). Our plan was to complete ten eminent domain cases and we fell short of achieving this.

We do not believe it is necessary at this time to change our action plans for objective 1 (improve the quality of written work), objective 2 (improve litigation skills), or objective 3 (attain and sustain optimum efficiency in the provision of legal services).

New Action Plan For Objective No. 4:

Our Objective No. 4 was to Sustain Good Relationships with Clients. Because there will be new directors of the Department of Land and Natural Resources and Department of Transportation this year as well as four new deputy directors and a new airports administrator, we have drawn up the following action plan to help attain this objective.

FIRST YEAR (2003)

- a. Meet with all new managers of client agencies and establish good communications with them.
- b. Continue to attend, as appropriate, staff meetings of client departments to share views, needs, problems.
- c. Invite new members of client agencies to deputy attorney general meetings, litigation review committee meetings, and special meetings as needed or requested.
- d. Plan and conduct helpful training for client agencies.

SECOND YEAR (2004)

- a. Continue all of the above.
- b. Hold joint training with clients in which we exchange information in areas such as Hawaiian land titles, shoreline boundaries, environmental impacts of development, Native Hawaiian rights in land, and transportation issues.
- c. Assign teams of deputies to subject areas.

FIFTH YEAR (2008)

- a. Continue all of the above.

New Action Plan for Objective No. 5:

Objective 5 was Eliminate Backlog of Assignments. We have had some success in this area but need to do more. Our revised action plan for this objective is as follows:

FIRST YEAR (2003)

- a. Complete 10 eminent domain cases in backlog.
- b. Complete or otherwise close our 25 opinion requests from backlog category.

SECOND YEAR (2003-2004)

- a. Complete additional eminent domain cases in backlog.
- b. Complete or close out additional opinion requests in backlog.

FIFTH YEAR (2008)

- a. Complete remaining eminent domain cases in backlog.
- b. Complete or close out remaining opinion requests in backlog.

Process for Measurements:

Our 1999 report included a statement of the process we would use to evaluate the effectiveness of our program plan. We indicated that we would use the following measures of effectiveness:

- a. annual written evaluation of deputies by supervisor,
- b. client's evaluations, and
- c. departmental variance reports.

We plan to continue to use these measures. New computer programs recently installed may make producing more sophisticated statistics on workload and accomplishments easier. We will evaluate their use during 2003.

LEGISLATIVE DIVISION (LEG)
Goals and Objectives

GOAL 1: **Coordinate the legal services review of legislative proposals of the Executive Branch.**

Objective 1: Ensure the timely review of legislative proposals by divisions possessing pertinent subject matter expertise.

Objective 2: Ensure the accurate and effective review of legislative proposals by the divisions to which the proposals were referred.

Action Plan: **Years One and Two:** Continue to refer legislative proposals to divisions possessing pertinent subject matter expertise; continue to set internal staggered deadlines for the review of legislative proposals by the divisions and maintain the manual and computerized logging methods that have been used to keep track of hard copies of legislative proposals sent to divisions for review; continue to attach to legislative proposals checklists to assist divisions in the review of legislative proposals; and continue to review and double-check the legislative proposals reviewed by the divisions.

Year Five: Seek sufficient funding and data processing staff support to implement procedures to provide for the distribution, review, and editing of legislative proposals in electronic form through a local area network instead of through the use of hard copies.

Process: Maintain records of performance of the divisions in meeting internal and Governor's Office deadlines and report the information to the Attorney General.

GOAL 2: **Coordinate the legal services review of legislative bills pending before the Legislature.**

Objective 1: Ensure the effective review of pending legislative bills by divisions possessing pertinent subject matter expertise.

Objective 2: Assist in the reporting of problems discovered during the review of legislative bills by preparing a list of bills to be tracked, determining whether hearings have been scheduled for the bills with problems, ensuring that appropriate testimony is prepared, and reviewing testimony and legal advice letters on those bills.

Action Plan: **Years One and Two:** Continue to obtain, copy, and distribute bills and legislative committee reports in hard copy form to divisions possessing pertinent subject matter expertise needed to effectively review specific bills; continue to maintain the Legislative Bill Tracking System on the ProLaw Information Management System to provide information on the referrals of bills and to provide necessary reports; and continue to maintain manually prepared problem bill lists.

Year Five: Seek sufficient funding and data processing staff support to be able to refer to divisions for review legislative bills and legislative committee reports in electronic form through a local area computer network and to incorporate into the new legislative bill tracking system problem bill indicators that will allow computer-generated lists of problem bills.

GOAL 3: **Coordinate the legal services review of passed legislative bills referred by the Governor for review.**

Objective 1: Ensure the timely review of passed legislative bills by divisions possessing pertinent subject matter expertise.

Objective 2: Assist in ensuring the accurate and effective review of passed legislative bills by the divisions to which the proposals were referred.

Objective 3: Ensure the timely and accurate preparation of suggested veto documents for the Governor.

Action Plan: **Years One and Two:** Continue to coordinate the review of passed bills with the Legislative Coordinator of the Office of the Governor to attempt to have a reasonable bill review schedule; continue to set internal staggered deadlines for the review of passed bills by the divisions before the deadlines set by the Office of the Governor and distribute hard copies of the passed bills to divisions possessing the pertinent subject matter expertise to effectively review the bills; continue to review and double-check the bills and the reports prepared by the divisions before the reports to the Governor are sent to the Office of the Attorney General for approval; and continue to review, edit, and transmit suggested veto documents to the Governor.

Year Five: Refer to divisions for review passed legislative bills with pertinent legislative committee reports

in electronic form through the department's local area computer network instead of hard copies; maintain computerized records of referrals and deadlines; and review, edit, and transmit reports on passed bills and suggested veto documents to the Governor in electronic form instead of hard copies.

Process: Maintain records of the performance of the divisions in meeting the internal and Governor's Office deadlines and in preparing accurate and complete reports to the Governor on passed bills; and prepare a report to the Attorney General listing the performance information.

GOAL 4: Provide to government officials of the Executive, Legislative, and Judicial Branches appropriate legal services on legislative matters and matters pertaining to administrative rules.

Objective 1: As specifically assigned by the Attorney General or the First Deputy Attorney General, continue to provide timely and accurate legal advice on legislative matters and matters pertaining to administrative rules.

Objective 2: Ensure that the administrative rules of the Department of the Attorney General are prepared and adopted in accordance with the administrative rules format and the Hawaii Administrative Procedure Act.

Action Plan: **Years One and Two:** Continue to maintain access to computerized legal research services and to maintain a complete set of bills and pertinent committee reports for immediate reference twenty-four hours a day and prepare legal advice in hard copy form; and continue to review hard copies of proposed administrative rules of the Department of the Attorney General.

Year Five: Perform legal research, review documents and rules, and prepare and deliver legal advice in electronic form to expedite research, preparation, and delivery.

GOAL 5: Assist in the promotion of uniform state laws.

Objective 1: Provide staff support and assistance to the Commission to Promote Uniform Legislation.

Objective 2: Participate in and monitor the activities of the National Conference of Commissioners on Uniform State Laws.

Action Plan: **Years One, Two, and Five:** Continue to prepare meeting notices, agendas, and minutes for the Commission to Promote Uniform Legislation in compliance with the Sunshine Law; assist in seeking legislative appropriations of funds for the payment of Hawaii's dues for the National Conference of Commissioners on Uniform State Laws and for the payment of the registration and travel expenses for Hawaii's commissioners to attend the National Conference's annual meetings; continue to prepare bills to enact uniform laws for introduction by legislators; and continue to annually prepare for the Commission to Promote Uniform Legislation reports to the Legislature on the activities of the National Conference and the Commission to Promote Uniform Legislation.

MEDICAID INVESTIGATIONS DIVISION (MID)
Goals and Objectives

Goal #1: To investigate and prosecute provider health care fraud

- Objective 1: Extend the level of cooperation and collaboration with the single state agency (Med Quest) in charge of the administration of Medicaid Program.
- Objective 2: Increase follow up and investigation of private citizen and qui tam complaints alleging provider health care fraud.
- Objective 3: Expand working relationships and networking with other state Medicaid fraud control units in combating interstate and multi-state provider health care fraud.
- Objective 4: Increase working relationship and networking with federal law enforcement agencies including but not limited to the Office of Inspector General, Federal Bureau of Investigations and United States Attorney's Office in all aspects of provider health care fraud and financial exploitation of the elderly and dependent adults.

Goal #2: To investigate and prosecute the abuse and neglect of patients of health care facilities that receive payment under the federal health care programs and the elderly dependent adults.

- Objective 1: Further develop and refine the receipt and review of Adult Protective Service, Department of Human Service complaints and intake matters.
- Objective 2: Increase the cooperation and collaboration with local county police and prosecutors in the area of investigations and prosecution of abuse and neglect of the elderly dependent adults. Assist these law enforcement agencies in all aspects of the criminal prosecution.
- Objective 3: Continue to investigate and prosecute statewide cases of elderly dependent adult abuse and neglect.
- Objective 4: Continue to develop ways to increase public awareness of this severely under-reported crime by participating and, or sponsoring training seminars and conferences on this topic.

Goal #3: To recover Medicaid and Medicare program monies unlawfully or improperly obtained by providers of health care programs.

- Objective 1: Secure recovery of Medicaid funds from local billing organization presently involved in schemes that resulted in overpayment of substantial sums of funds. Secure possible punitive sanctions and

criminal sanctions against employees and, or officer's of the organization.

Objective 2: Further prosecute officers of local pharmaceutical company. Obtain further sanctions against the company.

Objective 3 Assist federal investigators and prosecutors in the ongoing cases of provider health care fraud.

Objective 4: To utilize the recently enacted Hawaii False Claims Act. Prosecute cases against health care providers under the Hawaii False Claims Act.

Objective 5: Improve communication and coordination with MedQuest and the state fiscal intermediary. Improve and implement information technology between the division and state fiscal intermediary.

Objective 6: To justly and efficiently resolve and settle disputes without excessive expenditure of the Division's personnel and financial resources.

Goal #4: Strengthen law enforcement in all aspects of fraud and abuse against patients of health care facilities who receive payment of program funds and elderly dependent adults.

Objective 1: Participate in multi-jurisdictional case-driven task forces and information exchange work groups such as Governor's Committee on Elder Abuse, Executive Office on Aging, Office of Inspector General and United Government Services, Crime Prevention and Justice Assistance Division of the Department of Attorney General.

Objective 2: Participate and support legislation and policy-making efforts by various agencies and governmental committees.

Goal #5: To deter individuals and organizations from committing fraud or patient or elderly dependent adult abuse and neglect.

Objective 1: Aggressive investigation and prosecution of all cases of fraud and abuse and neglect.

Objective 2: To secure just punishment and other sanctions, including imprisonment in those cases that warrant such punishment.

Objective 3: Seek treble damages against corporations and individuals who are found liable under the Hawaii False Claims Act. Increase orders of restitution, fines, and reimbursement for cost of investigations.

ACTION PLAN OF THE MEDICAID INVESTIGATIONS DIVISION

The short-term plans include acting on the objectives listed above and specifically, the continued work to improve the relationships between our Federal, State and local county organizations that deal in this area. The Division will foster stronger working relationships with local county police departments and state departmental agencies involved in this area by conducting and, or sponsoring training and seminars. The Division will also foster stronger working relationships with independent organizations like the United Government Services and the State's new Medicaid fiscal intermediary.

The Division will also improve upon its implementation of the receipt and review of all Adult Protective Services complaints and intake matters. The Division will further improve upon recently implemented case management system in order to promote more interoffice and intra-office efficiency. As a division, we will attempt to be more goal and objective oriented in our prosecution of fraud and abuse cases. We will implement policies that foster timely case (objective) closures and greater casework efficiency utilizing teams that consist a deputy attorney general, investigator and auditor in each case.

The short-term plans also include the continued prosecution of statewide cases of abuse and neglect. The Division will also continue prosecution of Medicaid fraud against providers of health care.

The long-term plans also include the objectives listed above. The Division will attempt to organize a multi-disciplinary task force responsible for enforcing regulations, rules and statutes in an effort to prevent severe patient-neglect abuse type cases. The Division will also assist and become more involved (provided it is within our jurisdiction) in the all areas of the financial exploitation of the elderly dependent adults.

The Division will also continue to participate and support legislative and policymaking efforts by various governmental agencies and committees; especially those whose goals and objectives are to protect the vulnerable elderly and dependent adults.

STATUS REPORT

The Medicaid Investigations Division has executed and attained many of its objectives and goals as put forth in its 2000 report. In April 2001, the Medicaid Investigations Division successfully hosted a symposium and training that involved law enforcement, medical, and social services personnel. The conference focused on elder abuse and financial exploitation, and did not require expenditure of any state funds. The current Federal/State criminal and civil prosecution of a local physician is further indication of our vigorous prosecution of medical fraud cases. The Division has successfully prosecuted several care home operators for neglect in cases that until recently have gone un-prosecuted. The Division has also made great strides in securing a recovery of Medicaid funds from a local HMO involved in billing fraud for services and pharmaceuticals. Lastly, the Division is on the brink of a substantial criminal and civil prosecution of long-term care facilities who altered records and illegally billed the State Medicaid program.

**OFFICE OF CHILD SUPPORT HEARINGS (OCSH)
GOALS AND OBJECTIVES
2003**

I. MISSION STATEMENT

The mission of the Office of Child Support Hearings is to provide a fair and impartial administrative forum for the expeditious resolution of child support disputes in accordance with the law.

II. GOALS, OBJECTIVES, AND ACTION PLANS

GOAL 1: Conduct fair and impartial administrative child support hearings

- Objective 1:** Apply the most current and applicable laws, rules, and regulations to the facts of each case when issuing administrative orders.
- Objective 2:** Maintain and improve hearings officer skills through continuing education and training.
- Action Plan 1:** Keep hearings officers abreast of current developments in the law by providing Internet access to on-line research resources by December 2002.
- Action Plan 2:** Participate in interstate federal conferences and intrastate agency training and meetings.
- Action Plan 3:** Continue to provide fiscally responsible training via national tele-talk seminars, interdepartmental training and in-house expertise.

GOAL 2: Adjudicate cases in an expeditious manner

- Objective 1:** Continue disposing of 88% of all uncontested cases within 7 days of receipt of the cases. Continue disposing of 93% of all contested cases within 30 days of the hearings.
- Objective 2:** Continue processing all cases within federally mandated time frames.
- Action Plan 1:** Update and expand database of cases to monitor case status, dispositions, and recurring legal issues or procedural matters.
- Action Plan 2:** Maintain current support staffing level of two clerk-typists, one legal clerk, and one legal assistant to process all OCSH cases.

Action Plan 3: Maintain and expand current tools for hearings officers to increase their efficiency, including the Administrative Decision Bank (OCSH decisions digested by issue) and the Appellate Decision Digest (Family Court treatment of OCSH appeals digested by issue.)

GOAL 3: **Maintain a low rate of appeals (Of the 5,691 orders and decisions issued by OCSH this fiscal year only 24, or .4%, were appealed.)**

Objective 1: Continue to apply the law accurately to the facts of each individual case to avoid legally erroneous decisions.

Action Plan 1: Keep hearings officers abreast of current developments in the law by providing Internet access to on-line research resources by December 2002.

Action Plan 2: Research, analyze and discuss current developments in family and administrative law.

Action Plan 3: Provide information to the parties regarding their appeal rights.

GOAL 4: **Increase the confidence of hearing participants in the fairness of hearings officers and the administrative child support hearing process**

Objective 1: Educate hearing participants about the hearing process and procedures.

Action Plan 1: Continue OCSH hearings officers' volunteer activities at various legal forums, including the Volunteer Legal Services Hawaii, the Richardson School of Law, the Family Court of the First Circuit, the Hawaii Women Lawyers, the Kapiolani Community College, and Ask A Lawyer Clinic to educate the public regarding OCSH proceedings.

Action Plan 2: Continue to research and implement technology to enhance parties' access to the hearings process, including teleconferencing and digital recording.

Action Plan 3: Expand the information available on the OCSH website to include answers to commonly asked procedural questions.

GOAL 5: **Improve Office of Child Support Hearings practice and procedures**

Objective 1: Maintain and enhance interagency communications with federal, state, and county agencies, the judiciary and the Hawaii State Bar Association.

Action Plan 1: Continue participating on committees and in meetings with the judiciary and other administrative law programs to receive feedback and learn new or improved practices and procedures.

Action Plan 2: Continue working with the Child Support Enforcement Agency and the Federal Office of Child Support Enforcement to improve case processing and the administration of child support programs between states.

Action Plan 3: Expand information available on the OCSH website to include answers to commonly asked procedural questions.

GOAL 6: **Ensure the safety of OCSH Personnel and Hearing Participants**

Objective 1: Maintain and update security strategies and emergency plans and procedures.

Action Plan 1: Continue evacuation drills and safety training; maintain first aid and CPR certification; update safety equipment.

Action Plan 2: Coordinate emergency plans and procedures with other building tenants; maintain updated telephone trees and floor captain directories.

Action Plan 3: Continue to monitor physical security aspects of hearings rooms, such as ensuring that the hearing room furniture is bolted to the ground and office supplies that may be used as weapons are removed.

Action Plan 4: Utilize the CSEA metal detector and state law enforcement officers to minimize security risks for hearing participants and hearings officers.

Action Plan 5: Continue to seek and receive training on hearings management and control and prevention of workplace violence.

Action Plan 6: Continue open-door policy for personnel to discuss matters with supervisor.

Action Plan 7: Maintain and practice office policies and procedures on workplace violence prevention, intervention and recovery.

Action Plan 8: Continue to offer and provide parties the option of appearing at OCSH hearings by telephone from a safe

location when they have concerns for their personal safety in the presence of the other party.

GOAL 7: Maintain Fiscally Responsible Operations

Objective 1: Keep operational costs low.

Action Plan 1: Conduct neighbor island hearings via telephone conferences.

Action Plan 2: Attend interstate conferences and meetings via telephone.

Action Plan 3: Utilize low or no cost training and seek federal funding or contribution to attend National Child Support conferences or appropriate National Judicial College training.

PUBLIC SAFETY, HAWAIIAN HOME LANDS AND HOUSING DIVISION (PSHHD)

FY 02-03 ACCOMPLISHMENTS

We met with unexpected difficulties in achieving the goals set last year for the Year 2002.

GOAL 1: Establish a Strong Communication Network With the Client.

We established two objectives: 1) schedule a retreat with the division and the client; and 2) schedule regular meetings between the unit supervisors and agency heads. Although regular meetings were held between the unit supervisors and agency heads, a retreat was never held because some agencies had unexpected scheduling conflicts for various reasons. Given the new administration, however, a retreat with the new agency heads will be appropriate for the coming year.

GOAL 2: Maintain the Quality Level of Legal Services to the Agency Clients.

We have received input from the clients about the perceived challenges in obtaining legal services. We also initiated a method to keep information to evaluate legal service performance. This method, however, has been superceded by department-wide changes in the method of data collection. The challenge for next year will be to utilize the new department computer system to generate the necessary data.

GOAL 3: Expand the Current Training Schedule and Communication Network for the Division and Agency Clients.

We have trained our employees on the new information technology available to this department. As matters have progressed this year, however, client training has not been a priority. More immediate concerns and issues have developed, and resources have been dedicated to these other immediate concerns.

PSHHD GOALS AND OBJECTIVES FY 03-04

GOAL 1: Establish Strong Attorney-Client Relations

Objective 1. Establish a good relationship with the new agency heads.

Objective 2. Establish clear and open lines of communication

ACTION PLAN: Timetable

- 1) Meet with the new agency heads within seven days after they start.
- 2) Invite the new agency heads to a unit meeting within 30 days after they start.
- 3) Schedule a retreat with the division and the new agency heads after the legislative session is over.
- 4) Maintain regularly scheduled meetings between unit supervisors and agency heads.

PERFORMANCE MEASUREMENT:

Annual client evaluations will provide one method of evaluating the success of the efforts to establish a strong attorney-client relationship.

GOAL 2: Maintain the Quality Level of Client Services.

Objective 1: Review legal services with the clients, thereby obtaining input from the clients about the perceived challenges in obtaining legal services.

Objective 2: Review and revise the method by which we keep information to evaluate legal service performance.

ACTION PLAN: Timetable

- 1) Review legal services with the clients in the first quarter of the next fiscal year, and work with the department's IST group to review the method by which we keep information to evaluate legal service performance by the end of the current fiscal year.

PERFORMANCE MEASUREMENT:

- 1) The supervisor evaluations and the client evaluation will provide us with a method to gauge whether the quality of legal services is being maintained.

**TAX DIVISION (TAX)
GOALS AND OBJECTIVES**

I. TAX ADMINISTRATION

GOAL 1: **Advise and represent the DOTAX in creating a tax system which stimulates and promotes business activities and investments in Hawaii and permits law-abiding taxpayers the opportunity to succeed and prosper.**

Objective 1: Assist the DOTAX in proposing tax legislation which promotes and encourages business activity and investment in Hawaii with appropriate consideration for revenue impact and competing initiatives.

Action Plan: Advise and counsel the DOTAX on proposed tax legislation as well as suggesting additional tax legislation with appropriate consideration for revenue impact.

Process: Review annually how the Tax Division has met this objective.

Objective 2: Work with the private sector including the Chamber of Commerce, HSCPA, and HSBA in promoting tax legislation which will encourage and stimulate business activity and investment in Hawaii with appropriate consideration for revenue impact.

Action Plan: Be accessible to and communicate with representatives of the private sector including the Chamber of Commerce, Tax Executives Institute, HSCPA, and HSBA to discuss tax issues which encourage and stimulate business activity and investment in Hawaii.

Process: Review annually how the Tax Division has met this objective.

Objective 3: To the extent feasible, work with the private sector and other government agencies, state, federal and city, towards improving the business environment and stream-lining the regulation of starting, operating and growing a business in Hawaii.

Action Plan: Attend meetings with and explore the possibility for formal and informal discussion groups with representatives of the private sector and governmental agencies, federal, state and city, to improve the business environment and stream-lining the regulation of starting, operating, and growing a business in Hawaii.

Process: Review annually how the Tax Division has met this objective.

Objective 4: Advise and counsel the DOTAX on the legal aspects of tax regulations and rules to advance fairness and flexibility.

Action Plan: Supervise and review DOTAX tax regulations.

Process: Review annually how the Tax Division has met this objective.

Objective 5: Continue to create a tax system which is fair, efficient and productive for all taxpayers yet protects the government's interests.

Action Plan: Supervise and administer the tax laws in a legal manner which protects the government's interest but is also fair, efficient and productive for all taxpayers.

Process: Review annually how the Tax Division has met this objective.

GOAL 2: Advise and represent the Department of Taxation (ADOTAX) in promoting a tax system which assures the public that the tax laws are administered and enforced fairly, efficiently, and with integrity for all taxpayers.

Objective 1: Diligently litigate claims against taxpayers who fail to pay their fair share of taxes with appropriate consideration for the issue, amount and circumstances.

Action Plan: Supervise and monitor litigation of Deputy Attorneys General including periodic case audits to discuss strategy, development, and resolution.

- Process:** Educate the public and affected taxpayers of major decisions or policies which could affect their tax liability and assures them that other taxpayers are paying their fair share of taxes, including, as appropriate, press releases through the Department of Attorney General (DAG). Continue the annual report card from the DOTAX.
- Objective 2:** Protect the government's tax claims in the U.S. Bankruptcy Court, foreclosure suits, and interpleaders.
- Action Plan:** Supervise and monitor litigation of Deputy Attorneys General (DAGs) including periodic cases audits to discuss strategy, development, and resolution.
- Process:** Continue the report card from the DOTAX. Review annually how the Tax Division has met this objective.
- Objective 3:** Advise and counsel the DOTAX on the legality of proposed legislation, regulations, and interpretations.
- Action Plan:** Supervise and review each legislation, regulation, and case.
- Process:** Review annually how the Tax Division has met its objectives.
- Objective 4:** Be sensitive to and aware of abusive or less than quality service to the public and take appropriate measures to avoid what happened to the IRS in recent Congressional hearings and the IRS Restructuring and Reformation Act of 1998.
- Action Plan:** Encourage and foster frank communications with the DOTAX, professionals (attorneys, accountants, and tax professionals), the business community and the public regarding how the tax system can be improved and specific instances of alleged abuse or less than quality service to the public.
- Process:** Review annually how the Tax Division has met this objective.
- Objective 5:** Provide Hawaii's taxpayers top quality service by helping them understand and meet their tax responsibilities.
- Action Plan:** Educate the public and affected taxpayers of major decisions and AG and DOTAX positions which could affect their tax liability, including, as appropriate, press releases through the Department of Attorney General. Assist the DOTAX in its workshops and practitioner

forums, as appropriate, in educating such professionals and the public.

Process: Review annually how the Tax Division has met this objective.

GOAL 3: Improve the quality and timeliness of legal services provided to or on behalf of the DOTAX.

Objective 1: Provide quality and timely representation for the DOTAX including diligent representation of the DOTAX in major cases and against taxpayers who fail to pay their fair share of taxes.

Action Plan: Supervise and monitor litigation of Deputy attorneys General (DAGs) including periodic cases audits to discuss strategy, development, and resolution.

Process: Educate the public and affected taxpayers of major decisions or policies which could affect their tax liability and assures them that other taxpayers are paying their fair share of taxes, including, as appropriate, press releases through the Department of Attorney General.

Objective 2: Improve the quality and timeliness of advice and counsel to the DOTAX on the legal aspects of proposed legislation, regulations, and cases.

Action Plan: Supervise and review each legislation, regulation, and case.

Process: Review annually how the Tax Division has met his objective.

Objective 3: Improve communication with DOTAX at all levels.

Action Plan: Encourage and foster open and timely communication with DOTAX.

- i. Meet frequently, formally and informally, with the Director, Compliance Coordinator and Division Chiefs.
- ii. Encourage all Tax Division DAGs to openly and consistently communicate with the DOTAX at all levels while keeping the Director, Division Chief, and supervisors apprised of developments in major cases or issues affecting other taxpayers.

Process: Continue to have an annual report card from the DOTAX. Review annually to how the Tax Division has met this objective.

Objective 4: Improve the working relationship with DOTAX at all levels.

Action Plan: Encourage formal and informal interaction with DOTAX.

- i. Encourage joint participation in in-house seminars and meetings.
- ii. Encourage the sharing of resources to the extent possible.
- iii. Encourage cross-training by AG and DOTAX professionals.

Process: Review annually how the Tax Division has met this objective.

GOAL 4: Earn the respect of the public including the legal community---judiciary, private and public---for competence, integrity, diligence, and fairness.

Objective 1: Encourage all Tax Division DAGs to improve and continue to grow professionally by continuously upgrading their education and professional skills and interfacing with the professional community and the public.

Action Plan: Efficiently allocate resources to Tax Division DAGs cases and encourage them to expand their practices and train and teach the less experienced Tax Division DAGs; provide the less experienced Tax Division DAGs the opportunity to work on increasingly challenging cases; and encourage all DAGs to develop and grow professionally.

Process: Review annually how the Tax Division has met this objective.

Objective 2: Encourage and foster education and training by third-parties and among each other.

Action Plan: Promote education and training by outsourcing, for example, attending seminars, and by in-house training sessions, for example, brown bags.

Process: Review annually how the Tax Division has met this objective.

Objective 3: The supervisor and senior DAGs should strive to set good examples of integrity, diligence, and fairness for the less experienced DAGs.

- Action Plan:** Be prepared, professional, timely, courteous, accessible, and prepared. Meet deadlines. Strive to continuously improve the quality of legal services and representation. Timely return calls and written communication.
- Process:** Review annually how the Tax Division has met this objective.
- GOAL 5:** **Integrate and Maximize the new technology in the Tax Division.**
- Objective 1:** Maximize the new technology in the Tax Division .
- Action Plan:** Learn and maximize the benefits of the new network system for all attorneys and staff in the Tax Division, where we can communicate within the Department and Tax Division.
- Process:** Review annually how the Tax Division can improve and integrate technology within the Tax Division, DAG and with the DOTAX.

II. CHARITABLE TRUSTS AND NONPROFITS

- GOAL 1:** **Vigilantly supervise charitable trusts and nonprofit entities, including private foundations, to assure the public that such tax-exempt trusts and nonprofit entities, are properly fulfilling their charitable purposes.**

TOBACCO ENFORCEMENT UNIT **GOALS AND OBJECTIVES**

The Unit will continue to respond in a professional, timely, and responsible manner in all matters related to Tobacco Enforcement. The following is a summary of the Units GOALS and OBJECTIVES.

I. Enforcement of Chapter 675, HRS and the Tobacco Master Settlement Agreement.

- GOAL:** **To vigorously enforce the MSA, Chapter 675, HRS (Tobacco Liability Act, TLA), and related statutes.**

- OBJECTIVE #1:** Investigate and /or litigate suspected violations of the MSA and TLA.
- 1) **ACTION PLAN**--Seek out NPMs who have a presence in the State of Hawaii.
 - 2) **ACTION PLAN**--Monitor NPM compliance with TLA.
 - 3) **ACTION PLAN**--Vigorously police the tobacco industry on the local level

for compliance with the MSA, Haw. Rev. Stat, Chapter 675, and related statutes.

- 4) **ACTION PLAN**--Monitor the tobacco industry's sales numbers and other factors that may adversely affect payment amounts under the MSA.
- 5) **ACTION PLAN**--Evaluate and respond to attacks on the MSA.
- 6) **ACTION PLAN**--Track and assess all amendments to the MSA.
- 7) **ACTION PLAN**--Enforce NPM obligations under TLA including payment of funds into escrow accounts.
- 8) **ACTION PLAN**--Ensure continued compliance by the tobacco industry with advertising restrictions.
- 9) **ACTION PLAN**--Investigate and monitor Gray Market activities (including military and Internet sales).

OBJECTIVE #2: Develop reporting requirements and gather information from tobacco product manufacturers in order to enforce the terms of the MSA and TLA.

- 1) **ACTION PLAN**--Seek out NPMs who have a presence in the State of Hawaii and send out notices to NPMs to establish escrow accounts.
- 2) **ACTION PLAN**--Police tobacco industry on the local level for compliance with the MSA, Haw. Rev. Stat, Chapter 675, and related statutes.
- 3) **ACTION PLAN**--Monitor the tobacco industry's sales numbers and other factors that may adversely affect payment amounts under the MSA.
- 4) **ACTION PLAN**--Educate tobacco product manufacturers of reporting requirements (i.e., filing of Jenkins Act Reports with the Attorney General).
- 5) **ACTION PLAN**--Monitor compliance with Jenkins Act reporting requirements.
- 6) **ACTION PLAN**--Keep abreast of reporting requirements in other states.

OBJECTIVE #3: Identify nonparticipating tobacco manufacturers selling in the State, notifying nonparticipating manufacturers of the requirements of the TLA, and establish protocol for noncompliance with TLA.

- 1) **ACTION PLAN**--Seek out NPMs who have a presence in the State of Hawaii send out notices to NPMs to establish escrow accounts.
- 2) **ACTION PLAN**--Police tobacco industry on the local level for compliance with the MSA, Haw. Rev. Stat, Chapter 675, and related statutes.
- 3) **ACTION PLAN**--Monitor the tobacco industry's sales numbers and other factors that may adversely affect payment amounts under the MSA.

OBJECTIVE #4: Review Statements from the Independent Auditor with regard to initial and annual payments. Where appropriate challenge the findings of the Independent Auditor with regard to the calculation of initial and annual payments.

- 1) **ACTION PLAN**--Monitor the payment amounts under the MSA.
- 2) **ACTION PLAN**--Review information received from NAAG and the Independent Auditor.
- 3) **ACTION PLAN**--As appropriate, pass the information on to Budget and Finance and the Department of Health.

OBJECTIVE #5: Assist, advise, and cooperate with federal, state, local agencies, and NAAG to protect and promote the interests of the State with regard to the MSA.

- 1) **ACTION PLAN**--Receive information and updates.
- 2) **ACTION PLAN**--Evaluate and respond to the attacks on the MSA.
- 3) **ACTION PLAN**--Track and assess all amendments to the MSA.
- 4) **ACTION PLAN**--Track tobacco related issues occurring in other states.
- 5) **ACTION PLAN**--Develop a close working relationship with the Dept. of Health, and other federal, state, and local agencies.

OBJECTIVE #6: Study the operation of laws in other jurisdictions affecting the implementation and enforcement of the MSA and recommend to the governor and the legislature new laws and amendments of laws in order to protect the State's interests with regard to its portion of the Tobacco Settlement Funds.

- 1) **ACTION PLAN**--Track legislation in other states.
- 2) **ACTION PLAN**--Track tobacco related issues in other states.
- 3) **ACTION PLAN**--Track reporting requirements in other states.

OBJECTIVE #7: Respond to MSA related lawsuits.

- 1) **ACTION PLAN**--Vigorously protect the State's interests.
- 2) **ACTION PLAN**--Receive information and updates from NAAG and other states.

OBJECTIVE #8: Act as liaison to the Legislature and local interest groups.

- 1) **ACTION PLAN**--Provide reports to the legislature in a timely manner.
- 2) **ACTION PLAN**--Answer questions of why, when, and how much.
- 3) **ACTION PLAN**--Coordinate local actions with national program
- 4) **ACTION PLAN**--Provide information as to how other states are allocating their proceeds.
- 5) **ACTION PLAN**--Insure that correct information with regard to the MSA is disseminated to the public.
- 6) **ACTION PLAN**--Answer questions regarding the MSA.
- 7) **ACTION PLAN**--Act as liaison with the news media.

II. Enforcement of the Tax Stamp Law.

GOAL: The Tax Stamp Law is intended to increase State tax revenues by providing a more effective means to assess, collect, and enforce the cigarette and tobacco tax. In order to meet its enforcement objectives the Unit will vigorously seek out and prosecute violators of Chapter 245, HRS:

OBJECTIVE #1: Work closely with the Department of Taxation.

- 1) **ACTION PLAN**--Regarding compliance develop a close working relationship with the Department of Taxation.
- 2) **ACTION PLAN**--Advise in areas of Tax Stamp enforcement.

- 3) **ACTION PLAN**--Vigorously enforce the Tax Stamp law.
- 4) **ACTION PLAN**--Review rules and regulations.
- 5) **ACTION PLAN**--Implement Chapter 245, HRS.

OBJECTIVE #2: Educate the community and businesses about the requirements of the Tax Stamp Law.

- 1) **ACTION PLAN**--Answer questions concerning the Tax Stamp Law.
- 2) **ACTION PLAN**--Insure that correct information is disseminated to the public.
- 3) **ACTION PLAN**--Act as liaison with the news media.
- 4) **ACTION PLAN**--Work with the Dept. of Taxation in educating the business community of the requirements and timing of the Stamp Tax law (i.e., disseminate information by way of press release, tax information release, and letters to major distributors and wholesalers notifying those businesses of the Tax Stamp law and its requirements.)

OBJECTIVE #3: Investigate and as necessary prosecute violations of the State Tax Stamp Law.

- 1) **ACTION PLAN**--Vigorously enforce the Tax Stamp laws.
- 2) **ACTION PLAN**--Identify violators of the Stamp Tax Law.
- 3) **ACTION PLAN**--Identify and define the extent of black market cigarette activity.
- 4) **ACTION PLAN**--Identify and define the extent of gray market cigarette activity.
- 5) **ACTION PLAN**--Identify and define the extent of counterfeit cigarette stamp tax activity.
- 6) **ACTION PLAN**--Assist in educating the business community of the laws requirements.
- 7) **ACTION PLAN**--As necessary inspect and examine all records, including tax returns and reports as permitted by law of any person engaged in the business of wholesaling or dealing cigarettes and cigarette products to ensure compliance with the Tax Stamp laws.
- 8) **ACTION PLAN**--Develop a close working relationship with the county prosecutor's offices and other law enforcement agencies to investigate and prosecute violations of the law.
- 9) **ACTION PLAN**--Work closely with the Criminal Justice Division of the Department in enforcing the HRS Chapter 245.
- 10) **ACTION PLAN**--Work with investigators and expert witnesses in developing cases.
- 11) **ACTION PLAN**--As necessary review search warrants and requests for administrative subpoenas.
- 12) **ACTION PLAN**--Appear and represent the State of Hawaii in all hearings and any other proceedings related to enforcement of the Tobacco Stamp Laws.
- 13) **ACTION PLAN**--Determine the relevance and suitability of witnesses and prepare such witnesses or testimony as required in the interest of the State.
- 14) **ACTION PLAN**--Prepare and submit the necessary pleadings and motions on behalf of the State.
- 15) **ACTION PLAN**--Conduct grand jury inquiries and preliminary hearings as

warranted.

16) **ACTION PLAN**--Strive to do justice in any criminal prosecution.

OBJECTIVE #4: Assist, advise, and cooperate with federal, state, local agencies, and NAAG to address the problems associated with gray and black market tobacco sales.

- 1) **ACTION PLAN**--Receive information and updates.
- 2) **ACTION PLAN**--Track tobacco related issues occurring in other states.
- 3) **ACTION PLAN**--Identify and define the resale market for tax-exempt cigarettes that are purchased from military or federal outlets and sold to the general public.

OBJECTIVE #5: Prepare reports to the legislature prior to the convening of the legislature in 2002 and 2003.

- 1) **ACTION PLAN**--Detail the units activities including expenses, fines, and penalties collected, and forfeitures.
- 2) **ACTION PLAN**--Respond to inquiries from the Legislature.

OBJECTIVE #6: Study the operation of laws in other jurisdictions pertaining to gray and black market sales of cigarettes and recommend to the governor and the legislature new laws and amendments of laws pertaining to gray and black market cigarette sales.

- 1) **ACTION PLAN**--Track legislation in other states.
- 2) **ACTION PLAN**--Track tobacco related issues in other states.
- 3) **ACTION PLAN**--Track reporting requirements in other states.

OBJECTIVE #7: As necessary provide client training; attend training programs and division meetings; and be involved in programs of the Department of the Attorney General, as may be assigned.

- 1) **ACTION PLAN** -- To respond in an appropriate manner as required.

OBJECTIVE #8: Provide assistance in the area MSA enforcement.

- 1) **ACTION PLAN** -- To respond in an appropriate manner as required.

**TORT LITIGATION DIVISION (TLD)
GOALS AND OBJECTIVES PROGRESS REPORT**

TORT LITIGATION DIVISION'S FUNCTIONAL PURPOSE:

The Tort Litigation Division (TLD) provides legal services to all State departments and agencies and their officers and employees who are sued in personal injury/tort cases. TLD's main area of concentration is civil defense litigation.

DIVISION GOALS:

GOAL #1: Resolve Legal Claims Efficiently and Economically by Developing and Maintaining a Cost-Effective Litigation Capability.

Objective 1: Develop a litigation information management system that contains case summaries, due dates, and other key information necessary to manage cases.

Action Plan Year 1:

- Continue to require quarterly case status reports from individual deputies.
- In addition to quarterly reports, meet with individual deputies every six months to review case statuses.
- Seek and identify better sources for capturing litigation case management data. acquiring, including funding, of computer-based systems that supply TLD division supervisor with data, information, and reports that can be used to support litigation management functions.

Progress Year 1:

- Quarterly reporting system in place and operational - deputies have been submitting these reports as required.
- Meetings with deputies to review cases have taken place.
- Litigation software committee formed and studying software options for department-wide usage. Currently this Division has installed the summation software as a pilot program on 9 of its computers and training for use of the summation software is on-going.

Action Plan Year 2:

- Installation of litigation management information software.
- Input and integrate information obtained from case status reports and bi-annual meetings with deputies into the management information database.
- Develop additional office information and database capabilities that can be used by both deputies and support staff.
- Seek and identify funding to develop a local area network (LAN) to link all TLD computers.

Progress Year 2:

- "SUMMATION," a litigation management information software continues to be in place on nine desktop computers.

- Case information captured from deputies' case status reports and bi-annual meetings continue to be imputed into SUMMATION case management database.
- Internet access has been made available on all desktop computers.

Progress Year 3:

- "SUMMATION" is still currently in place, but on a temporary basis due to the Department's installation of a new replacement software, "Prolaw."
- Since the installation of the department's new litigation management software, "Prolaw" a month ago, case information and status reports are now being captured by and integrated into Prolaw's case management fields.
- Internet access continues to be available on all desktop computers.

Action Plan Year 5:

- All TLD computers have networking capability.
- Previously hand-written quarterly case status reports are directly inputted by the deputies into the computer database.
- TLD supervisor will continue bi-annual case assessment meetings with individual deputies.

Objective 2: Develop an effective telecommunications system which is a key aspect of law office management.

Action Plan Year 1:

- Examine methods of upgrading the existing telephone system to one which provides options that increase flexibility and decrease waiting time when using the telephone.
- Install a more efficient facsimile machine.
- Have a division laptop computer.

Progress Year 1:

- Voice mail installed for Division.
- Facsimile machine upgraded to more efficient model.
- The Division has access to a laptop as needed.

Action Plan Year 2:

- TLD's telephone system will incorporate the following features:
 - a. Call forwarding;
 - b. Conferencing features;
 - c. Hold features;
 - d. Paging, which enables the receptionist to use the telephone system to page people;
 - e. Speaker options, which enable to use the telephone hands-free;
 - f. Queuing, which automatically places you on a waiting list when outgoing lines are busy so you do not have to redial numbers;

- g. Voice mail, which enables you to send and to receive messages at your office or remotely;
- h. Speed calling, which enables you to save time by entering frequently called numbers into your phone's memory, then accessing those numbers by pressing a single button or entering a code.
- i. Obtain a division cellular phone.
- j. Every TLD computer will have Internet.

Progress Year 2:

- TLD's telephone system has the following updated features:
 - Call forwarding;
 - Conferencing capability;
 - Call holding feature;
 - Speaker option available via hands-free feature;
 - Voice mail which was installed last year is still in place;
 - Division Supervisor has cellular phone.
 - Every TLD computer now has Internet access.

Progress Year 3:

- No change from Year 2.
- Continue and monitor system for improvement depending on available budget.

Action Plan Year 5:

- The use of electronic mail (e-mail) will be mandated for interoffice communications.
- Conduct a telecommunications audit to continually assess the effectiveness of the telephone system. This audit should be conducted every two years and would involve a thorough examination and analysis of the telephone equipment and the trunking and long-distance network, as well as the cost of these services and equipment.
- Included in the comprehensive telecommunications audit are data communications and local area networking . Networking standards should be established and observed to ensure the division's ability to handle future networking needs.

Objective 3:

Develop policy for early case consultation with assigned deputies to develop best strategies for prompt disposition of appropriate cases.

Action Plan Year 1:

- Continue established practice of initial case evaluation at weekly division meetings.
- All TLD deputies should attend seminars regarding motions practice to fine-tune their skills, and be encouraged to use motions practice as an effective means of disposing a case.
- Develop training on the use of Alternative Dispute Resolution in appropriate cases and as a means of early resolution of a case.

- Consider feasibility and methods for early settlement, particularly within the fabric of the “individual calendaring system” shortly to be implemented within the State Circuit Courts. (Date set for implementing individual calendaring system is February 14, 2000.)
- Attend state judicial or bench/bar conferences to assist judges in current developments on recurring and problematic legal issues, including settlement issues.

Progress Year 1:

- Weekly case evaluations at Division meeting is on-going.
- Deputies are periodically sent to attend seminars on rule changes and motions practice. Deputies are more aggressive in filing dispositive motions.
- A training program is currently in the process of being developed and implemented for ADR training.
- Cases are being evaluated as early as practicable, i.e. after appropriate/adequate amount of discovery. Early settlement conferences are often requested of the court.
- This division supervisor attended the 1999 bench/bar conference and gave significant input on the government’s role in case settlements.

Action Plan Year 2:

- Continue and reassess what was implemented in first year.

Progress Year 2:

- Policies and vehicles established in the first year are currently in place and on-going: periodic case evaluations and case audits continue to be conducted .
- Deputies continue to periodically attend seminars and training: more in-house training have been provided by the department including legal writing and ethics seminars, work place harassment workshops, and briefing on the aftermath of September 11, 2001.
- This division has been allocated a budget of \$600 for deputy training.

Progress Year 3:

- Case evaluations at Division meetings and on *ad hoc* basis are on-going.
- Deputies continue to attend seminars and training within the allotted budget.
- Ninety percent [90%] of the deputies attended the 2002 bench/bar conference.

Action Plan Year 5:

- Continue and reassess what was implemented in preceding years.

Objective 4: Continual review and update of existing division memorandum and litigation form banks.

Action Plan Year 1:

- Secure or identify funding for an additional legal assistant position dedicated to the maintenance and update of the division's form bank, as well as the division's centralized memo bank currently comprised of 600+ legal briefs.

Progress Year 1:

- Two additional legal assistant positions have been sought and secured: 1 temporary and 1 permanent position. The temporary legal assistant is charged with the task of centralizing forms and memos for the division.

Action Plan Year 2:

- That a legal assistant tasked for the duties identified in Year 1 be employed and on staff at TLD.
- TLD's memo bank should be indexed and made accessible to deputies within the entire department.

Progress Year 2:

- The legal assistant who has been tasked for the duties identified in Year 1 is now permanently employed on TLD's staff.
- TLD's memo bank has been indexed and made accessible to deputies within the entire department.

Progress Year 3:

- Continued use of dedicating a legal assistant to be responsible for the tasks identified in Year 1.
- TLD's memo bank has been integrated into the Department's new document management software, Imanage, and is currently accessible to the entire department.

Action Plan Year 5:

- Continue and reassess what was implemented in preceding years.
- By this time, TLD's memorandum and form banks should be accessible by computer.

Objective 5: Provide on-going training to deputies.

Action Plan Year 1:

- Continue the requirement of taking appropriate cases to AOR and LRC.
- Have deputies attend Continuing Legal Education Classes/seminars.
- Have deputies attend Hawaii State Bar Association brown bag seminars.

- Send appropriate deputies to NITTA training.
- Develop structured, abbreviated in-house training for deputies, to include TLD legal assistants who routinely assist in litigation.
- Maintain and update the division library.

Progress Year 1:

- Deputies routinely take appropriate cases to AOR and LRC.
- Deputies have attended continuing legal education classes/seminars on various subjects of importance to their work and the division.
- Deputies have attended HSBA sponsored brown bag seminars as their schedules permit.
- All deputies in this division were required and did attend NITA training which was offered in June 2000.
- Structured settlement presentations were conducted by Ringler and Associates twice in the last fiscal year.
- Division library is continually maintained and updated.

Action Plan Year 2:

- Continue and reassess what was implemented in Year 1.

Progress Year 2:

- Deputies continue to attend continuing legal education classes/seminars on various subjects of importance to their work and the division.
- Deputies have attended HSBA sponsored brown bag seminars as their schedules permit.
- Deputies in this division were required and did attend in-house legal writing and ethics workshops, workplace harassment workshops, and briefing on the aftermath of September 11, 2001.
- This division has been allocated a budget of \$600 for deputy training.
- Division library continues to be maintained and updated.

Progress Year 3:

- Deputies and support staff continue to pursue and attend continuing legal education seminars and training, as permitted by the allotted division training budget of \$600.
- Division library continues to be maintained and updated.

Action Plan Year 5:

- Continue and reassess what was implemented in preceding years.

GOAL #2: Risk Management.

Objective 1: Nip it at the bud! - Don't wait for the accident to happen.

Action Plan Year 1:

- Establish and promote preventive law objectives.
- Provide pro-active advice and training to client agencies on how to reduce their potential for risk.
- *Establish a procedure for client agencies to report liability risks as soon as the risk is perceived.*
- Continued compliance with Act 111, SLH 1999, which requires the Attorney General to advise client agencies how to avoid future claims by requesting corrective action that will eliminate or mitigate factors that contributed to the State's negligence.
- Draft legislation which would minimize the risk of legal challenges.
- Collaborate liability risk investigation efforts with DAGS- Risk Management.

Progress Year 1:

- The Supervisor and designated deputies routinely meet with client agencies and Director of Risk Management to discuss both preventive and remedial measures.
- Individual deputies from this division routinely meet with client agencies to provide advise on reducing that particular agency's potential for risk.
- Individual deputies have consulted with client agencies to request that they report any on-going or perceived liability risks, and have also provided client agencies with names and phone numbers of AG personnel to contact in that regard.
- Deputies continue to comply with Act 111 in all cases.
- This division continues to draft appropriate legislation which is addressed to reducing the State's liability risks.
- This effort with DAGS is in place and on-going.

Action Plan Year 2:

- Continue and reassess what was implemented in Year 1.

Progress Year 2:

- Continuation of what was implemented in Year 1 and continued in Year 2.
- TLD's supervisor has been designated the risk manager for the department and works closely in conjunction with the State risk manager.

Progress Year 3:

- Continuation of what was implemented in Year 1 and continued in Years 2 and 3.
- TLD, in conjunction with L/T, has been aggressively involved with advising clients DOT and DLNR concerning signage issues.

- TLD's supervisor remains the designated the risk manager for the department and works closely in conjunction with the State risk manager.
- Each division supervisor has now been given settlement authority of up to \$10,000, without Attorney General approval.

Action Plan Year 5:

- Continue and reassess what was implemented in preceding years.

GOAL #3: Promote Effective Relationship with Client Agencies in Order to Maximize Litigation Success, to Achieve Risk Prevention Objectives, and to Enhance Client Satisfaction

Objective 1: Enhance client relationships by working closely with agency officials to gain greater participation in the decision-making and handling of legal matters.

Action Plan Year 1:

- Identify opportunities to work with client agencies to achieve preventive law objectives via recurring dialogue, seminars and other written communications.
- Engage the client agency's effective participation in the litigation by routinely reporting the status of the litigation to the client.
- Canvass client expectations and requirements concerning their information needs during on-going litigation, as well as information required to support budget motivated decisions.

Progress Year 1:

- Deputies are engaged with their client agencies early in the litigation process to obtain information needed to defend cases and have also conducted seminars in preventative measures and techniques in dealing with the litigation process such as preparing state employees for depositions, court testimonies, and responding to discovery requests.
- Deputies are required to provide on-going reports to clients and are currently doing so.
- Deputies consult with client agencies to obtain their input for settlements and alternative dispute resolution.

Action Plan Year 2:

- Continue and reassess what was implemented in Year 1.

Progress Year 2:

- Continuation of what was implemented in Year 1 and continued in Year 2.

Progress Year 3:

- Continuation of what was implemented in Year 1 and continued in Years 2 and 3.

Action Plan Year 5:

- Continue and reassess what was implemented in preceding years.