

ROBERT BRIAN BLACK 7659
BENJAMIN M. CREPS 9959
Civil Beat Law Center for the Public Interest
700 Bishop Street, Suite 1701
Honolulu, Hawai'i 96813
brian@civilbeatlawcenter.org
ben@civilbeatlawcenter.org
Telephone: (808) 531-4000
Facsimile: (808) 380-3580

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

2023 AUG 29 PM 1:03

J. BASILIO
CLERK

Attorneys for Movant
Civil Beat Law Center for the Public Interest

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

DAVID ALAN LOPEZ,

Plaintiff,

v.

DIANE R. CORN, HEARING OFFICER,
et al.

Defendant.

CIVIL NO. 1CCV-20-0000762

REPLY MEMORANDUM IN SUPPORT
OF MOTION TO UNSEAL;
DECLARATION OF BENJAMIN M.
CREPS; EXHIBITS "1" - "5"

REPLY MEMORANDUM IN SUPPORT OF MOTION TO UNSEAL

This case is so thoroughly hidden from public view that non-party Movant Civil Beat Law Center for the Public Interest (Law Center) only knew the information in the Notice of Denied Access [Dkt. 70] when it filed the present motion (and that Notice is not even publicly accessible in the Court's record). This motion only seeks to unseal the initial pleading that started this action and the docket. Dkt. 72 at 2.¹

¹ Because of the extreme secrecy surrounding this civil action, until the deputy attorney general provided a copy of the docket, as discussed below, the Law Center did not know that the action is an administrative appeal started by a "notice of appeal" rather than a "complaint".

After the Law Center filed the motion to unseal, counsel for Appellee State of Hawai'i Department of Human Services (DHS) provided the Law Center with a copy of the initial pleading (without attachments) and the docket. Declaration of Benjamin M. Creps, dated August 29, 2023 (Creps Decl.), ¶¶ 19 – 21; Ex. 4 (docket); Ex. 5 (notice of appeal). Based on a review of those documents, there is no “privacy” basis for continued sealing of the documents requested in the Law Center’s motion. To the extent that attachments to the notice of appeal raise legitimate privacy concerns, the Law Center defers to the Court’s review.²

The Law Center respectfully requests that the Court unseal, at a minimum, the notice of appeal without attachments and make the docket publicly accessible.³

I. Responsive Facts

The Law Center filed its motion to unseal in this *civil* action because nothing was publicly accessible regarding this case. The judiciary’s website for public access to court records, eCourt Kokua, indicates that this entire case is sealed; only the civil number is accessible. Ex. 2 (screenshots). That is how it appeared the day the Law Center requested access to the subject records, the day the Law Center filed its motion to unseal, and presently. Creps Decl., ¶¶ 10 – 11.

On June 20, the Law Center requested and was denied access to the court docket and complaint in this matter. Ex. 1 (clerk’s denial). The clerk’s denial identified “David

² DHS mischaracterizes discussions with the Law Center regarding this motion in an effort to claim that the Law Center conceded that the requested documents are confidential. The Law Center has never conceded that documents that it has not seen are confidential and has been clear that the documents already provided by DHS to the Law Center do not seem justifiably sealed. Because DHS focused on those conversations, the Law Center provides more complete context in its accompanying declaration. Nevertheless, for purposes of this motion, the Law Center’s statements in those conversations are irrelevant to whether compelling interests exist by law to support the continued sealing of the requested records.

³ Although the Law Center is not seeking to unseal other documents within the record, unsealing the docket will allow other members of the public to assert a right of access if warranted for other documents. *Hartford Courant Co. v. Pellegrino*, 380 F.3d 83, 93 (2d Cir. 2004) (constitutional access “would be merely theoretical if the information provided by docket sheets were inaccessible”); *accord* Dkt. 72 at 7 (citing cases).

Alan Lopez” as the Plaintiff and “Diane R. Corn, Hearing Officer et al.” as the Defendant. *Id.* The clerk’s denial also provided, “Under HCCR Rule 10.10, the requestor may make a motion to the court for access no later than ten (10) days after the denial of the request.” *Id.* On July 27, the Law Center did just that.

The motion to unseal, filed pursuant to HCCR Rule 10.10, asked to unseal the complaint and court docket in this civil action. As noted in the motion, the Law Center filed its motion as an over-the-counter paper copy, not an electronic filing, so that it would not gain undue access to electronic case files, in compliance with HCCR Rule 10.4. Creps Decl., ¶¶ 8 – 9.

On June 29 the court set the motion for hearing and directed the Law Center to file a notice of hearing. The Law Center did so that same day.

On several occasions *following* the filing of the motion to unseal, counsel for DHS contacted the Law Center regarding resolving the motion. Creps Decl., ¶¶ 12 - 28. On August 1, DHS informed the Law Center that it believed that Hawaii Revised Statutes chapters 350 and 587 justified closure. *Id.* at ¶ 14. That day, DHS and the Law Center discussed the potential of resolving the motion by way of stipulation. *Id.*; Ex. 3 (emails). Two days later, the Law Center identified to DHS several concerns regarding a stipulated resolution. Creps Decl., ¶ 16; Ex. 3 at 2. DHS replied on August 15, attaching a copy the petition (without exhibits) and court docket (a non-public screenshot). Creps Decl., ¶¶ 19 - 21; Ex. 4; Ex. 5.

II. DHS fails to meet its burden to justify continued sealing of the initiating pleading (without exhibits) and case docket.

A. There is no public record that the procedural and substantive standard for sealing have been met in this case.

To justify keeping a court record sealed, a court must “make specific findings demonstrating a compelling interest, a substantial probability that the compelling interest would be harmed, and there is no alternative to [sealing the record] that would adequately protect the compelling interest.” *Oahu Public’ns, Inc. v. Ahn*, 133 Hawai’i 482, 507, 331 P.3d 460, 485 (2014). “Requiring specific findings *on the record* enables the trial court to address each element necessary for closure and allows an appellate court

to review the reasoning of the trial judge to ensure that protection of the public right was adequately considered." *Id.* at 498, 331 P.3d at 476 (emphasis added); accord *Grube v. Trader*, 142 Hawai'i 412, 427, 420 P.3d 343, 358 (2018) (trial court's findings must be made with adequate specificity and "the trial court may not base its decision on conclusory assertions alone.").

While DHS alludes to the "existence of a carefully reviewed and argued motion on the issue of sealing the Circuit Court record," neither are available to the public and neither been provided to the Law Center. Thus, there is nothing in the public record to show that the procedural and substantive requirements under *Ahn* and its progeny were met when this case was initially sealed.

Additionally, the mere existence of a sealing order does not end the Court's analysis. The decision to continue sealing, when challenged, is a judicial act that must meet the relevant standards. See generally *Roy v. Gov't Emples. Ins. Co.*, 152 Hawai'i 225, 230, 524 P.3d 1249, 1254 (App. 2023) (granting motion to unseal years after entire court case was sealed); *Grube*, 142 Hawai'i at 427 n.20, 420 P.3d at 358 ("And, even assuming that procedural and substantive requirements to seal any of the documents had been met, the court should have scheduled periodic review hearings to determine whether the reasons justifying the sealing continued to apply."); *United States v. Antar*, 38 F.3d 1348, 1363 (3d Cir. 1994) ("From the record before us, the district judge appears not to have recognized that maintaining the transcripts under seal, though a passive act, was an active decision requiring justification under the First Amendment.").⁴

If there are sufficient facts and legal authority to seal the entire case, then at least that justification or some non-confidential portion of it should be public. That is the

⁴ Moreover, the court rules contemplate revisiting orders sealing documents or entire cases. E.g., HCCR Rule 10.4 (identifying parties permitted to access confidential records "except as otherwise provided by statute or court rule or as ordered by" a court of competent jurisdiction); Hawai'i Electronic Filing and Service Rules (HEFSR) Rule 8.1 ("Documents in confidential cases and documents submitted under seal or sealed by court order shall be maintained in JIMS under electronic security and made accessible to only the parties, the court, the appellate courts, and court staff until a court of competent jurisdiction orders otherwise.").

only way to ensure they are available for future scrutiny, since many bases for closure shift or fade over time.

B. As DHS apparently conceded in sharing the requested documents unsolicited with the Law Center, the constitutional right of privacy does not justify sealing the notice of appeal and the docket in the entirety.

The motion to unseal asks this Court to unseal two things: the complaint and case docket. These are records that DHS, through its counsel, has already disclosed to the Law Center – a disclosure that is plainly at odds with the position taken by DHS’s written opposition.

The constitutional right of privacy is limited in its scope. The Hawai`i Supreme Court uses a two-prong constitutional inquiry to determine whether “the matter publicized is of a kind that (a) would be regarded as highly offensive to a reasonable person, and (b) is not of legitimate concern to the public.” *Pac. Radiation Oncology*, 138 Hawai`i at 19, 375 P.3d at 1257 (referencing Restatement (Second) of Torts § 652D); *SHOPO v. SPJ*, 83 Hawai`i at 398, 927 P.2d at 406. Even if disclosure of certain information might be “highly offensive to a reasonable person”, that information is not “highly personal and intimate” under the Hawai`i Constitution if it is “of legitimate concern to the public.” *Pac. Radiation Oncology*, 138 Hawai`i at 19, 375 P.3d at 1257. And in assessing whether a person has a reasonable expectation of privacy, courts consider whether the information is already in the public domain. *Civil Beat Law Ctr. for the Public Interest v. City & County of Honolulu*, 144 Hawai`i 466, 482, 445 P.3d 47, 63 (2019) (applying constitutional right of privacy) (“a person cannot claim a legitimate privacy interest in information that has already been made public.”); accord *In re Copley Press*, 518 F.2d 1022, 1025 (9th Cir. 2008) (“Once information is published, it cannot be made secret again.”).

Exhibits 4 and 5 confirm that the minimal requested unsealing – even for a sophisticated audience – will at most reveal that the plaintiff, a non-minor individual, filed an agency appeal involving a decision of an employee or agent of DHS. The subject matter of the appeal is not revealed. DHS cites no authority authorizing the sealing of an entire civil case based on these facts. The requested unsealing simply does

not present the privacy concerns alleged by DHS, given the actual contents of the court docket and notice of appeal.

Additionally, existing matters in the public record significantly diminish any privacy concerns relative to the limited unsealing requested by the motion. DHS fails to disclose that two family court TRO actions, and related appeal, involving petitioner Lopez are open, and extensive substantive portions of the court record in those matters are public. FC-DA No. 18-1-0235; FC-DA No. 18-1-0195; CAAP-18-0000451. This Court may take judicial notice of those records. HRE 201; *Uyeda v. Shermer*, 144 Hawai'i 163, 172, 439 P.3d 115, 124 (2019) ("The most frequent use of judicial notice of ascertainable facts is in noticing the contents of court records.").

The constitutional right of privacy does not justify sealing this case, the notice of appeal, or the docket in their entirety.

C. DHS's claim of improper notice lacks merit.

DHS claims that the Law Center did not follow applicable rules regarding service of the Motion: "Movants are aware that their efforts to unseal this case are being done without proper notice to Mr. Lopez[.]" Opposition at 2. That is not true.

The Law Center filed the motion conventionally, as is required by the rules, and thus had no knowledge of all the parties or the identities of their counsel. Creps Decl., ¶¶ 3 - 11. HCCR Rule 10.10 expressly provides: "The Clerk shall notify all parties of the motion."

Further, because this case docket is electronic, all counsel of record consented to electronic service of filings in this case, including the present motion. *E.g.*, HEFSR Rule 4.2 ("Where the registrant is an attorney, the registration shall include . . . acknowledgments that (a) the registrant consents to electronic notice in lieu of physical service of documents[.]"); Rule 6.1 ("The Notice of Electronic Filing automatically generated by JEFS and JIMS constitutes service of the electronically filed document to JEFS Users."); and Rule 6.3 ("The Notice of Electronic Filing automatically generated by JEFS is sufficient to show service on all JEFS Users and parties who have consented to receive service by electronic means."). As apparent from the docket provided by DHS

(Ex. 4), after the Law Center conventionally filed, the Clerk electronically filed the Law Center's motion to unseal, which provided notice to all parties.

D. DHS identifies no statute requiring this entire case to be sealed.

DHS does not at all address the test required by the Hawaii Supreme Court for sealing matters. DHS claims merely that "this case would be sealed in all other Courts in the State of Hawai'i including the Family Courts, the Intermediate Court of Appeals, and the Supreme Court." Opposition at 2 - 3. DHS, however, provides zero authority for this assertion.

In discussions with the Law Center (but not its opposition), DHS relied on Hawaii Revised Statutes (HRS) chapter 587A to support its position that the entire case must be sealed. But that chapter applies by its express terms to family court. HRS § 587A-5 (providing family court exclusive jurisdiction); *see also* HRS § 587A-4 (defining "court" as "one of the family courts established pursuant to chapter 571."). DHS cites no authority that makes HRS chapter 587A applicable to this Court.⁵

Additionally, while certain DHS reports and related records are confidential by law under HRS §§ 346-10, 350-1.4, 350-1.6, and Hawaii Administrative Rules (HAR) chapter 17-601 – none of these authorities support sealing *this entire case*, an agency appeal filed in the circuit court.

Although DHS claims that this Court thoroughly addressed sealing in a prior order, DHS did not provide a copy of that order to the Law Center. To the extent that this Court's initial sealing order in this case [Dkt. 25] provides further justification for the sealing, the Law Center would ask that the Court unseal that order so that the public can better understand the basis for sealing and permit the Law Center an opportunity to provide supplemental briefing, as appropriate, if the Court is inclined to deny the present motion.

⁵ If HRS ch. 587A applied to this proceeding, presumably the Court would have dismissed for lack of jurisdiction or otherwise explored transferring the matter to family court because family court has exclusive original jurisdiction over 587A proceedings. HRS § 571-11(9).

E. Alternatives to sealing the entire case must be considered.

If there is a compelling interest that would be irreparably harmed by disclosure, redaction is an adequate alternative to concealing an entire document from the public. *E.g., Ahn*, 133 Hawai`i at 507-08, 331 P.3d at 485-86 (“redacting personal identifiers or replacing any identifying information with a juror-number generally strikes the quintessential balance between preserving juror privacy and allowing public access to review trial proceedings for fairness and impartiality”); *accord Oahu Public’ns Inc. v. Takase*, 139 Hawai`i 236, 246-47, 386 P.3d 873, 883-84 (2016). Any denial of public access must be narrowly tailored so that it is “no greater than necessary to protect the interest justifying it.” *Grube*, 142 Hawai`i at 427, 420 P.3d at 358.

In *Grube*, *Ahn*, and *Takase*, the Hawai`i Supreme Court emphasized that sealing court proceedings from public view must be “narrowly tailored to serve [a compelling government interest].” *Ahn*, 133 Hawai`i at 497, 331 P.3d at 475; *accord Grube*, 142 Hawai`i at 427, 420 P.3d at 358 (“The court should therefore make findings regarding specific alternatives and set forth its reasons for rejecting each.”); *Takase*, 139 Hawai`i at 246-47, 386 P.3d at 883-84. In each case, the Hawai`i Supreme Court emphasized redactions as an appropriate alternative to sealing an entire document.

Here, everything is sealed, even the court docket. If legitimate privacy concerns persist, then there are lesser alternatives to protect privacy interests than sealing the entire case, such as redaction and sealing of sensitive information. DHS has failed to address any alternatives to complete closure.

III. Conclusion

The Law Center respectfully requests that the Court unseal the initial pleading filed in this case and the case docket.

DATED: Honolulu, Hawai`i, August 29, 2023



ROBERT BRIAN BLACK
BENJAMIN M. CREPS

Attorneys for Movant Civil Beat Law Center
for the Public Interest

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

DAVID ALAN LOPEZ,

Plaintiff,

v.

DIANE R. CORN, HEARING OFFICER,
et al.

Defendant.

CIVIL NO. 1CCV-20-0000762

DECLARATION OF BENJAMIN M.
CREPS

DECLARATION OF BENJAMIN M. CREPS

1. I, Benjamin M. Creps, am a staff attorney for Movant Civil Beat Law Center for the Public Interest (Law Center). I make this declaration in support of the Law Center's Motion to Unseal Court Records filed June 27, 2023 (Motion) and do so based on personal knowledge, the Law Center's business records, and public records.

2. I have reviewed the Department of Human Services (DHS) memorandum in opposition to the Motion and the supporting declaration of deputy attorney general Lynne M. Youmans, filed August 24, 2023 as Dkt. 77 (opposition).

The Law Center's Request for Access to Court Records and Motion to Unseal

3. On June 20, 2023 I submitted a Request to Access Court Records (Request) that requested access to the complaint and case docket in this civil action.

4. Because nothing at that time was publicly available about the case, and because the Law Center had no idea what parties were involved, the Request indicated that the names of the parties were "unknown" to the Law Center.

5. On June 20, the same day I submitted the Request, the clerk of court denied the Request pursuant to Rules 10.4 and 10.10 of the Hawaii Court Records Rule (HCRR). A true and correct copy of the clerk's denial is attached as **Exhibit 1**.

6. The clerk's denial identified "David Alan Lopez" as the Plaintiff and "Diane R. Corn, Hearing Officer et al." as the Defendant. *Id.*

7. The denial also provided, "Under HCRR Rule 10.10, the requestor *may make a motion to the court for access* no later than ten (10) days after the denial of the request." *Id.* (emphasis added).

8. Less than ten days later, on June 27, 2023, I filed the Motion pursuant to HCRR Rule 10.10. As noted in the Motion, the Law Center filed it as an over-the-counter paper copy, not an electronic filing, in compliance with HCRR Rule 10.4. Motion at 2, fn. 1.

9. Electronic filing provides JEFS users with access to court records and information that may not be public, *e.g.*, "sealed" records. The Law Center did not have special JEFS access to any information in this case.

10. Attached as **Exhibit 2** are true and correct screenshots of the judiciary's website for public access to court records, eCourt Kokua, indicating that this entire case is sealed; only the civil number is accessible.

11. **Exhibit 2** accurately represents how the judiciary's public record of the above-captioned case appeared the day the Law Center requested access to the subject records, the day the Law Center filed the Motion, and presently.

The Law Center's communications with the attorney general's office.

12. After the Law Center filed the Motion, it was contacted by the attorney general's office about the Motion.

13. Attached as **Exhibit 3** is a true and accurate copy of email correspondence between myself and deputies attorney general James W. Walther and Lynne M. Youmans from August 1 to August 15.

14. As memorialized by **Exhibit 3**, deputy Walther and I spoke by telephone on August 1. In that phone call:

- a. I asked deputy Walther to identify the legal authority that would make the above-captioned case confidential, and he generally identified Hawaii Revised Statutes (HRS) chapters 350 and 587A;
- b. I informed deputy Walther that the Law Center's priorities were unsealing the docket and a public explanation for sealing the case;

- c. We discussed the potential of a stipulation as an alternative approach to resolve the Motion; and
- d. We concluded the call with me informing deputy Walther that I would confer with my colleague and further consider the idea of resolving the Motion by way of a stipulation.

15. Deputy Walther and I exchanged confirmation emails after the above-described call, and deputy Walther informed me that deputy Youmans would be working on this case. **Exhibit 3** at 4.

16. After considering the practicalities of a stipulation further, I wrote to deputies Walther and Youmans on August 3 to identify concerns with a stipulated resolution and reiterated that “our primary objective is [to] ensure that the public has access to information that at the least explains why this case is sealed-off from the public in its entirety” and provided the Law Center’s position that “[o]ur motion, related briefings, and the court’s disposition is likely the best and most simple way to do that. We are not trying to unseal anything that is confidential by law.” *Id.* at 2.

17. Within minutes of sending the above-described email, I sent a follow-up email further clarifying that “by docket, we do not mean all records within the docket. Just the docket itself – the index of the case.” *Id.* at 1.

18. I received no response to my August 3 emails until two weeks later, on August 15.

19. On August 15, deputy Youmans emailed me – unsolicited – a copy of the docket and the notice of appeal that initiated this civil action. **Exhibit 3** at 1.

20. A true and correct copy of the docket sent to me by deputy Youmans is attached here as **Exhibit 4**.

21. A true and correct copy of the notice of appeal sent to me by deputy Youmans is attached here as **Exhibit 5**.

22. Upon receiving the email, I reviewed the attachments and noted that while the docket sheet identified some docket entries as “sealed”, the vast majority were not so identified, and responded to the above email in substance as follows:

Thank you Lynne. That is helpful. Is there anything sensitive in the files that are not already marked as sealed? If not, why not just lift the confidential flag? The "sealed" files will remain sealed. I presume the attachments to the notice of appeal would be covered by the court's order sealing the circuit court record.

Exhibit 3 at 1.

23. I did not receive any written response to my email.

24. Deputy Youmans and I spoke by phone late on August 16. Deputy Youmans seemed to be angry with me for filing the Motion—given my prior experience and communications with her office, I was very caught off guard by this.

25. After listening to Ms. Youmans speak for several minutes uninterrupted, I expressed my belief that she misunderstood the relief sought by the Motion and explained that I took exception to the assertion that the Law Center had done anything untoward in filing a motion that is permitted by court rules and founded on a constitutional right.

26. I am willing to answer any questions of the court or submit a more detailed recollection of that conversation should this Court deem it relevant.

27. In these post-motion communications with the attorney general's office, the Law Center attempted to explore solutions that might satisfy DHS's concerns while still comporting with the legal standards set forth by the Law Center's Motion—both as a matter of professional civility and also out of a desire to reduce any administrative burden that the Motion might place on this Court.

28. The Law Center has repeatedly explained to the attorney general's office that the objective is to ensure that, at minimum, an explanation for sealing this entire case is available to the public.

I, Benjamin M. Creps, declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawai'i, August 29, 2023


BENJAMIN M. CREPS

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAII

DAVID ALAN LOPEZ) Plaintiff,) 1CCV-20-0000762
vs)) NOTICE OF DENIED ACCESS
))
))
DIANE R. CORN, HEARING OFFICER ET AL.,) Defendant.)

NOTICE OF DENIED ACCESS

TO: BENJAMIN M. CREPS
EMAIL: ben@civilbeatlawcenter.org

N. ANAYA
CLERK
2023 JUN 20 PM 2:05
FIRST CIRCUIT COURT
STATE OF HAWAII
FILED

Pursuant to Rules 10.4 and 10.10 of the Hawai'i Court Records Rule (HCRR) and/or any prevailing statutes governing access, your request for access to the above entitled case record and/or document(s) is being denied as you are not of the class of persons allowed* to have access to records and/or documents designated as "sealed, protected, restricted or confidential" without an order by the court allowing you access.

**Class of persons allowed : ". . . the court and court personnel in the performance of their duties, the Administrative Director and his or her subordinates in the performance of their duties, the hearing officer, attorneys of record, parties to the court or ADLRO case, and duly authorized service providers." (Exception may be related to designations made prior to September 27, 2010 and/or prevailing statutory provisions cited.)*

Under HCRR Rule 10.10, the requestor may make a motion to the court for access no later than ten (10) days after the denial of the request.

DATED: Honolulu, Hawaii, June 20, 2023

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

M. Domingo
Clerk, Circuit Court, First Circuit

/s/ M DOMINGO (seal)
CLERK OF THE ABOVE ENTITLED COURT

Copy of Notice of Denied Access provided to Requestor:

X In Person _____ Mail _____ E-Mail

EXHIBIT "1"

Judiciary Internet



eCourt Kōkua

JUDICIARY INFORMATION MANAGEMENT SYSTEM

- Home
- Party Search
- Vehicle Search
- Case Search
- Upcoming Court Hearings Search
- View / Purchase Documents

Case Search • Filing Date Search

Case Search

Search Criteria

Please enter as much information as possible (*denotes required field).

Case ID or Citation Number:	<input type="text" value="1CCV-20-0000762"/>	Application Number:	<input type="text"/>	Beginning Case Filing Date:	<input type="text"/>	
Arrest Number:	<input type="text"/>	TCT Number:	<input type="text"/>	Ending Case Filing Date:	<input type="text"/>	
OTN:	<input type="text"/>					
SJD:	<input type="text"/>					

Search results for criteria: Case ID or Citation Number: 1CCV-20-0000762

Case ID	Court	Location	Case Type	Case Title	Filing Date	Status
1CCV-20-0000762	1C	HP	CV	Case Title Redacted	20-MAY-2020	REOPENED

1 cases found, displaying 1 cases(s), from 1 to 1. Page 1 / 1

Judiciary Internet



eCourt Kōkua

JUDICIARY INFORMATION MANAGEMENT SYSTEM

[Home](#) |
 [Party Search](#) |
 [Vehicle Search](#) |
 [Case Search](#) |
 [Upcoming Court Hearings Search](#)

[View / Purchase Documents](#)


Case Search • Filing Date Search

Case Search

Search Criteria

Please enter as much information as possible (*denotes required field).

Case ID or Citation Number:	<input type="text" value="1CCV-20-0000762"/>	Application Number:	<input type="text"/>	Beginning Case Filing Date:	<input type="text"/>
Arrest Number:	<input type="text"/>	TCT Number:	<input type="text"/>	Ending Case Filing Date:	<input type="text"/>
OTN:	<input type="text"/>				
SID:	<input type="text"/>				

 • The case you are attempting to view is confidential and not public record at this time.

From: Ben Creps ben@civilbeatlawcenter.org
Subject: Re: [EXTERNAL] 1CCV-20-0000762
Date: August 15, 2023 at 5:08 PM
To: Youmans, Lynne M lynne.m.youmans@hawaii.gov
Cc: Walther, James W james.w.walther@hawaii.gov, R. Brian Black brian@civilbeatlawcenter.org

Thank you Lynne. That is helpful. Is there anything sensitive in the files that are not already marked as sealed? If not, why not just lift the confidential flag? The "sealed" files will remain sealed. I presume the attachments to the notice of appeal would be covered by the court's order sealing the circuit court record. Often a case is sealed in its entirety based on a "confidential flag" that is designated by a party. In other words, it is a result of the case-initiator clicking a box, rather than a court order or statute requiring the entire case be sealed. I'm happy to discuss anything further at 808.352.6712.

Ben

On Aug 15, 2023, at 3:39 PM, Youmans, Lynne M <lynne.m.youmans@hawaii.gov> wrote:

Mr. Creps,

I apologize for the delayed response. Attached please find the docket in the case. As you can see, the case was not initiated by a Complaint, as suggested in your email below. The case was initiated by a Notice of Appeal. The Notice of Appeal had two very fact specific, and therefore very confidential, attachments which I removed so I could attach a copy here. Please note that I have removed the Statement of the Case and the Administrative Hearing Decision.

You mention below a stipulation from the other parties to the case. To my knowledge, both of the attorneys listed in the docket attached no longer reside in Hawaii. Both attorneys have office addresses out of state. I have no information on the current residence of their client.

Thank you,
Lynne

Lynne M. Youmans

Deputy Attorney General

Department of the Attorney General, State of Hawai'i

Ka 'Oihana O Ka Loio Kuhina

Phone: (808) 587-3064 Fax: (808) 587-3077

Confidentiality Notice: This e-mail message (and any attachments) is for the sole use of the intended recipient(s). It may contain confidential and/or privileged information. It might also be protected from disclosure under the Hawai'i Uniform Information Practices Act (UIPA) or other laws or regulations. Any review, use, disclosure, or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender immediately in a separate e-mail and destroy the original message and any copies.

From: Ben Creps <ben@civilbeatlawcenter.org>
Sent: Thursday, August 3, 2023 11:19 AM
To: Walther, James W <james.w.walther@hawaii.gov>
Cc: Youmans, Lynne M <lynne.m.youmans@hawaii.gov>
Subject: Re: [EXTERNAL] 1CCV-20-0000762

Oh -- and by docket, we do not mean all records within the docket. Just the docket itself — the index of the case.

On Aug 3, 2023, at 11:10 AM, Ben Creps <ben@civilbeatlawcenter.org> wrote:

Hi again. Without ruling out the idea completely, we've spotted a few concerns with trying to resolve our motion by stipulation:

- We don't know if and what the other parties will stipulate to.
- From our perspective, we'd also need to assure against somehow bargaining away or frustrating any rights of the public. (I understand that parties can't simply stipulate to what the law is in a manner that is binding on others, but am still wary of potential consequences I just don't see.)
- We obviously don't know anything really about this case or what's been filed with the court, so we'd be in the dark about the subject matter of any stipulation. (Whereas the court is not in the dark when deciding our motion.)

When you have a moment, take another look at what we request in the motion. It's pretty narrow - just asking to unseal the complaint and docket. I'd imagine the complaint could be redacted in a manner to satisfy confidentiality concerns (?), and then we'd need to discuss with the court the mechanics of how the docket might be unsealed while similarly addressing confidentiality concerns.

At bottom, our primary objective is ensure that the public has access to information that at the least explains why this case is sealed-off from the public in its entirety. Our motion, related briefings, and the court's disposition is likely the best and most simple way to do that. We are not trying to unseal anything that is confidential by law.

I'm available to discuss. Today and tomorrow I can be reached on my cell, 808.352.6712.

Ben

On Aug 1, 2023, at 3:31 PM, Ben Creps <ben@civilbeatlawcenter.org> wrote:

Likewise, thank you James. I'll be in touch soon.

Ben

On Aug 1, 2023, at 3:29 PM, Walther, James W <james.w.walther@hawaii.gov> wrote:

Hi Ben - thank you for talking with me today. I'm copying Lynne who will be working on this case. Please contact her after you have a chance to talk with Brian.

You can also copy me on anything, but I will be leaving for the mainland on 8/17 for two weeks.

Thanks,
-James

James W. Walther
Deputy Attorney General
Supervisor-Human Services Division
Department of the Attorney General
Ka 'Oihana O Ka Loio Kuhina
465 S. King St., Rm. 200
Honolulu, HI 96813
ph. 808 587-3050

Confidentiality Notice: This e-mail message (and any attachments) is for the sole use of the intended recipient(s). It may contain confidential and/or privileged information. It might also be protected from disclosure under the Hawai'i Uniform Information Practices Act (UIPA) or other laws or regulations. Any review, use, disclosure, or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender immediately in a separate e-mail and destroy the original message and any copies.

-----Original Message-----

From: Ben Creps <ben@civilbeatlawcenter.org>
Sent: Tuesday, August 1, 2023 12:26 PM
To: Walther, James W
<james.w.walther@hawaii.gov>
Subject: [EXTERNAL] 1CCV-20-0000762

Hi James, Brian let me know you'd be reaching out to me about our motion to unseal in the above captioned case. I can be reached at 808.380.3576.

Thanks,
Ben

Benjamin M. Creps
Staff Attorney
Civil Beat Law Center for the Public Interest
700 Bishop Street, Suite 1701
Honolulu, HI 96813
(808) 380-3576

Docket.pdf

Notice of
Appeal...nt).pdf



My Case View
JUDICIARY INFORMATION MANAGEMENT SYSTEM

Active and Inactive Cases

My Cases My Documents All Firm Cases All Firm Documents

Search Criteria: Case ID: 1CCV-20-0000762

[Search Again](#)

Search Criteria:

Case ID:

Filing Date (Start): Case Type:

Filing Date (End): Case Status:

Please select a case.

Case ID	Court	Location	Type	Status	Description	Initiation Date
1CCV-20-0000762	FIRST CIRCUIT	PUNCHBOWL	CV	REOPENED	Lopez v. Corn	20-MAY-2020

1 cases found, displaying 1 case(s), from 1 to 1. Page 1 / 1

Case Summary for 1CCV-20-0000762

David Alan Lopez, Appellant, vs. Diane R. Corn, Hearing Officer, Administrative Appeals Office, State of Hawaii Department of Human Services and State of Hawaii Department of Human Services, Appellees

Parties for 1CCV-20-0000762

#	PartyID	Role	Name	Start Date	End Date	Associated Party	Juv
1	@4624322	Appellant	David A. Lopez	20-MAY-2020			
2	A4790	Attorney	Steven J. Kim	20-MAY-2020		1	<input type="checkbox"/>
3	D1C10	Other	First Circuit Court 10th Division	21-MAY-2020			<input type="checkbox"/>
5	@4625716	Appellee	State of Hawaii Department of Human Services	22-MAY-2020			<input type="checkbox"/>
6	@4625722	Appellee	Diane R. Corn	22-MAY-2020			<input type="checkbox"/>
7	A6097	Attorney	James W. Walther	27-MAY-2020		5	<input type="checkbox"/>
8	A7174	Attorney	Lynne M. Youmans	27-MAY-2020		5	<input type="checkbox"/>
9	A9893	Attorney	Candra S. Rivers	06-JUL-2020		1	<input type="checkbox"/>
10	@4473707	Other	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	08-JUL-2020			<input type="checkbox"/>
11	@4611015	Other	Mona Asato	23-JUL-2020			<input type="checkbox"/>

Events for 1CCV-20-0000762

#	Event	Event For	Date	Time	Room/Division	Location	Associated Dockets
1	Non-Hearing Motion	Steven J. Kim James W. Walther Lynne M. Youmans	01-JUL-2020	00:01:00	First Circuit 10th Division	PUNCHBOWL	
2	Oral Arguments	Lynne M. Youmans Candra S. Rivers Steven J. Kim James W. Walther	03-DEC-2020	10:00:00	First Circuit 10th Division	PUNCHBOWL	
3	Hearing on Motion	Steven J. Kim James W. Walther Lynne M. Youmans Candra S. Rivers	01-SEP-2023	08:30:00	First Circuit 10th Division	PUNCHBOWL	

Dockets for 1CCV-20-0000762

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
--------	-----------	-------------	---------------	------------	-------------	-------------	--------------	--------	-----------

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
1	NAG	Notice of Appeal-Agency EFile Document upload of type Notice of Appeal-Agency	Notice of Appeal to the Circuit Court; Statement of the Case; Exhibit "A"; Designation of Record on Appeal; Order for Certification and Transmission of Record; Certificate of Service	David A. Lopez	20-MAY-2020	12:03:58	Kim, Steven (A4790)	Y	N
2	NEF	Notice of Electronic Filing		David A. Lopez	20-MAY-2020	12:03:58		N	N
3	PYD	Payment Due To Court		Steven J. Kim	20-MAY-2020	12:12:35		N	N
4	NEF	Notice of Electronic Filing		Steven J. Kim	20-MAY-2020	12:12:35		N	N
5	PY	Payment by Credit Card-Civil in the amount of \$215.00 by Kim, Steven J.		Steven J. Kim	20-MAY-2020	12:13:24		N	N
6	NCAS	New Case Assignment CASE ASSIGNED TO THE 10TH DIVISION, HONORABLE JAMES H ASHFORD, JUDGE PRESIDING		David A. Lopez First Circuit Court 10th Division	21-MAY-2020	17:57:04		N	N
7	NEF	Notice of Electronic Filing		David A. Lopez First Circuit Court 10th Division	21-MAY-2020	17:57:04		N	N
8	OT	Other	ORDER FOR CERTIFICATION & TRANSMISSION OF RECORD	David A. Lopez	21-MAY-2020	17:58:09		Y	N
9	NEF	Notice of Electronic Filing		David A. Lopez	21-MAY-2020	17:58:09		N	N
10	NTCE	Notice	NOTICE OF INCOMPLETE ELECTRONIC RECORD—IMMEDIATE CORRECTIVE ACTION REQUIRED FROM PLAINTIFF	David A. Lopez	21-MAY-2020	18:05:31		N	N
11	NEF	Notice of Electronic Filing		David A. Lopez	21-MAY-2020	18:05:31		N	N
12	CIS	Civil Information Sheet EFile Document upload of type Civil Information Sheet	Civil Information Sheet	David A. Lopez	22-MAY-2020	11:32:44	Kim, Steven (A4790)	N	N
13	NEF	Notice of Electronic Filing		David A. Lopez	22-MAY-2020	11:32:44		N	N
14	WSUB	Withdrawal & Substl of Counsel EFile	Appearance of Counsel for Appellee State of Hawaii,	State of Hawaii Department of Human Services	27-MAY-2020	15:09:56	Walther, James (A6097), State of Hawaii Department of	N	N

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
		Document upload of type Withdrawal & Substl of Counsel	Department of Human Services; Certificate of Service				Human Se...		
15	NEF	Notice of Electronic Filing		State of Hawaii Department of Human Services	27-MAY-2020	15:09:56		N	N
16	MOT	Motion for EFile Document upload of type Motion for	Appellee Department of Human Services' Motion to Seal the Circuit Court Record	State of Hawaii Department of Human Services	05-JUN-2020	14:20:04	Walther, James (A6097), State of Hawaii Department of Human Se...	Y	N
17	NEF	Notice of Electronic Filing		State of Hawaii Department of Human Services	05-JUN-2020	14:20:04		N	N
18	CS	Certificate of Service EFile Document upload of type Certificate of Service	CERTIFICATE OF SERVICE [Appellee Department of Human Services Motion to Seal the Circuit Court Record; Memorandum in Support of Motion; Notice of Non-Hearing Motion; and Certificate of Service]	State of Hawaii Department of Human Services	08-JUN-2020	09:37:33	Youmans, Lynne (A7174)	N	N
19	NEF	Notice of Electronic Filing		State of Hawaii Department of Human Services	08-JUN-2020	09:37:33		N	N
20	*MINH	*MINH ** APPELLEE DEPARTMENT OF HUMAN SERVICES' MOTION TO SEAL THE CIRCUIT COURT RECORD (L. Youmans) (filed 06/05/2020) ** 06/30/2020 MINUTE ORDER: The Court granted the motion. Appellee to prepare the order. /s/ James H. Ashford ** A copy of the minute order sent to the following via JIMS electronic filing or U.S. Postal Mail, postage prepaid: - Steven J. Kim, Esq. ** - Diane R. Corn, Esq. Hearing Officer Administrative Appeals Office Department of Human Services Queen Liliuokalani Building P.O. Box 339 Honolulu, Hawaii 96809		Steven J. Kim James W. Walther Lynne M. Youmans	01-JUL-2020	00:01:00		N	N

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
21	MORD	<p>** - James W. Walther, Esq. - Lynne M. Youmans, Esq. *****</p> <p>Minute Order ** APPELLEE DEPARTMENT OF HUMAN SERVICES' MOTION TO SEAL THE CIRCUIT COURT RECORD (L. Youmans) (filed 06/05/2020) ** 06/30/2020 MINUTE ORDER: The Court granted the motion. Appellee to prepare the order. /s/ James H. Ashford ** A copy of the minute order sent to the following via JIMS electronic filing or U.S. Postal Mail, postage prepaid: - Steven J. Kim, Esq. ** - Diane R. Corn, Esq. Hearing Officer Administrative Appeals Office Department of Human Services Queen Liliuokalani Building P.O. Box 339 Honolulu, Hawaii 96809 ** - James W. Walther, Esq. - Lynne M. Youmans, Esq. *****</p>		<p>David A. Lopez</p> <p>First Circuit Court 10th Division</p> <p>State of Hawaii Department of Human Services</p> <p>Diane R. Corn</p>	30-JUN-2020	13:23:05	First Circuit Court 10th Division (D1C10)	N	N
22	NEF	Notice of Electronic Filing		<p>David A. Lopez</p> <p>First Circuit Court 10th Division</p> <p>State of Hawaii Department of Human Services</p> <p>Diane R. Corn</p>	30-JUN-2020	13:23:05		N	N
23	PORD	Proposed Order EFile Document upload of type Proposed Order	Order Granting Appellee Department of Human Services' Motion to Seal the Circuit Court Record	State of Hawaii Department of Human Services	01-JUL-2020	13:32:55	Walther, James (A6097), State of Hawaii Department of Human Se...	N	N
24	NEF	Notice of Electronic Filing		<p>State of Hawaii Department of Human Services</p> <p>David A. Lopez</p>	01-JUL-2020	13:32:55		N	N
25	ORDG	Order Granted	ORDER GRANTING APPELLEE DEPARTMENT OF HUMAN SERVICES' MOTION TO	First Circuit Court 10th Division	03-JUL-2020	07:49:00	Walther, James (A6097)...	N	N

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
			SEAL THE CIRCUIT COURT RECORD	State of Hawaii Department of Human Services Diane R. Corn					
				David A. Lopez					
				First Circuit Court 10th Division					
26	NEF	Notice of Electronic Filing		State of Hawaii Department of Human Services Diane R. Corn	03-JUL-2020	07:49:00		N	N
27	RAS	Service-Return/Acknowledgement EFile Document upload of type Service-Return/Acknowledgement	Return and Acknowledgment of Service - State of Hawaii DHS	David A. Lopez	06-JUL-2020	12:30:57	Kim, Steven (A4790)	N	N
28	RAS	Service-Return/Acknowledgement EFile Document upload of type Service-Return/Acknowledgement	Return and Acknowledgment of Service - Dept of Atty General	David A. Lopez	06-JUL-2020	12:30:57	Kim, Steven (A4790)	N	N
29	RAS	Service-Return/Acknowledgement EFile Document upload of type Service-Return/Acknowledgement	Return and Acknowledgment of Service - DHS AAO	David A. Lopez	06-JUL-2020	12:30:57	Kim, Steven (A4790)	N	N
30	NEF	Notice of Electronic Filing		David A. Lopez	06-JUL-2020	12:30:57		N	N
31	EXPM	Ex Parte Motion EFile Document upload of type Ex Parte Motion	ADMINISTRATIVE APPEALS OFFICE S EX PARTE MOTION TO EXTEND TIME TO FILE AND DOCKET RECORD ON APPEAL; DECLARATION OF LILI A. YOUNG; DECLARATION OF MONA ASATO; ORDER GRANTING ADMINISTRATIVE APPEALS OFFICE S EX PARTE MOTION TO EXTEND TIME TO FILE AND DOCKET RECORD ON APPEAL; CERTIFICATE OF SERVICE	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	08-JUL-2020	10:13:26	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE (@4473707)	N	N
32	NEF	Notice of Electronic Filing		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	08-JUL-2020	10:13:26		N	N

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
33	ORDG	Order Granted	ORDER GRANTING ADMINISTRATIVE APPEALS OFFICE'S EX PARTE MOTION TO EXTEND TIME TO FILE AND DOCKET RECORD ON APPEAL	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	10-JUL-2020	12:39:26	Walther, James (A6097)...	N	N
34	NEF	Notice of Electronic Filing		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	10-JUL-2020	12:39:26		N	N
35	DEC	Declaration This Declaration supplements the Declaration of Mona Asato dated July 8, 2020, attached to the Administrative Appeals Offices Ex Parte Motion to Extend Time to File and Docket Record on Appeal filed on July 8, 2020.	Supplemental Declaration of Mona Asato; Certificate of Service	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	10-JUL-2020	14:28:55	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE (@4473707)	N	N
36	NEF	Notice of Electronic Filing		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	10-JUL-2020	14:28:55		N	N
37	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 Record of Appeal	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11	Asato, Mona (@4611015)	Y	N
38	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 1	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11	Asato, Mona (@4611015)	Y	N
39	9INFC	Info Confidential Doc - HCCR9 EFile Document	Info Confidential Doc - HCCR9 Efile Document upload of type	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11	Asato, Mona (@4611015)	Y	N

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
40	9INFC	upload of type Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9	Info Confidential Doc - HCCR9 CROA Part 2 Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 3	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11	Asato, Mona (@4611015)	Y	N
41	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 4	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11	Asato, Mona (@4611015)	Y	N
42	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 5	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11	Asato, Mona (@4611015)	Y	N
43	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 6	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11	Asato, Mona (@4611015)	Y	N
44	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 7	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11	Asato, Mona (@4611015)	Y	N
45	NEF	Notice of Electronic Filing		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	08:20:11		N	N
46	CROA	Certified Record on Appeal CERTIFIED RECORD ON APPEAL; INDEX TO CROA; CERTIFICATION OF RECORD; C/S NOTE: (VOL 401) DOCUMENT IN CUSTODY OF LDB1- PHYSICAL EXHIBIT DVD (1FM201762C CV)(CALL LDB)		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	17-AUG-2020	16:29:00	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE (@4473707)	Y	N
47	NEF	Notice of Electronic Filing		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	17-AUG-2020	16:29:00		N	N
48	OB	Opening Brief EFile Document upload of type Opening Brief	Opening Brief	David A. Lopez	28-SEP-2020	20:57:27	Kim, Steven (A4790)	N	N

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
49	NEF	Notice of Electronic Filing		David A. Lopez	28-SEP-2020	20:57:27		N	N
50	AB	Answering Brief EFile Document upload of type Answering Brief	Department of Human Services' Answering Brief	State of Hawaii Department of Human Services	06-NOV-2020	17:31:49	State of Hawaii Department of Human Services (@4625716)	N	N
51	NEF	Notice of Electronic Filing		State of Hawaii Department of Human Services	06-NOV-2020	17:31:49		N	N
52	NOCD	NOCD	Oral Argument ***JUDGE ASHFORD REQUIRES TWO(2) COURTESY COPIES OF THE OPENING BRIEF/ANSWERING BRIEF/REPLY BE SUBMITTED TO CHAMBERS***	All Case Parties	09-NOV-2020	13:51:01		N	N
53	ORD	Order	ORDER SETTING ORAL ARGUMENT FOR VIDEO CONFERENCE HEARING	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	27-NOV-2020	10:28:56	First Circuit Court 10th Division (D1C10)	N	N
54	NEF	Notice of Electronic Filing		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	27-NOV-2020	10:28:56		N	N
55	*MINH	*MINH ** ORAL ARGUMENT (via Webex) ** *** FTR - COURTROOM 12 *** LAW CLERK: I. Tapu. CLERK: B. Fukuda. PRESENT (via Webex): - Steven Kim appearing for		Lynne M. Youmans Candra S. Rivers Steven J. Kim James W. Walther	03-DEC-2020	10:00:00		N	N

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
		<p>Appellant David Alan Lopez; - Deputy Attorney General James Walther for Department of Human Services; - Lynne Youmans, Deputy Attorney General, on behalf of Department of Human Services, Child Welfare Services Branch.</p> <p>10:07-11:07 a.m. Case called and appearances made. The Court addressed Mr. Kim. Discussion had between the Court and Mr. Kim. Response and arguments by Mr. Kim. Discussion had between the Court and Mr. Kim. The Court noted audio issues. OFF RECORD, 10:25-26 a.m. The Court noted that it went off record due to audio issues. The Court further noted that all three (3) attorneys are present. The Court addressed Mr. Kim. Further response and arguments by Mr. Kim. Response and arguments by Ms. Youmans. Discussion had between the Court and Ms. Youmans. Rebuttal by Mr. Kim. Response by the Court. The Court affirms the Administrative Appeals Office 04/20/2020 decision and order and placed its reasons on the record. Ms. Youmans to prepare the order and judgment. Concluded.</p> <p>*****</p>							
56	NSUB	<p>Notice-Submission EFile Document upload of type Notice-Submission</p>	<p>Notice of Submission of Order Affirming Notice of Administrative Hearing Decision Dated</p>	<p>State of Hawaii Department of Human Services</p>	<p>14-DEC-2020</p>	<p>16:17:19</p>	<p>Youmans, Lynne (A7174), State of Hawaii Department of Human Se...</p>	<p>N</p>	<p>N</p>




Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
57	NEF	Notice of Electronic Filing	April 20, 2020; Exhibit "A"; Certificate of Service	State of Hawaii Department of Human Services	14-DEC-2020	16:17:19		N	N
58	NSUB	Notice-Submission EFile Document upload of type Notice-Submission	Notice of Submission of Judgment; Exhibit "A"; Certificate of Service	State of Hawaii Department of Human Services	14-DEC-2020	16:19:41	Youmans, Lynne (A7174), State of Hawaii Department of Human Se...	N	N
59	NEF	Notice of Electronic Filing		State of Hawaii Department of Human Services	14-DEC-2020	16:19:41		N	N
60	NEJ	Notice of Entry of Judgment EFile Document upload of type Notice of Entry of Judgment	Notice of Entry of Judgment; Certificate of Service	State of Hawaii Department of Human Services	14-DEC-2020	16:29:03	Youmans, Lynne (A7174), State of Hawaii Department of Human Se...	N	N
61	NEF	Notice of Electronic Filing		State of Hawaii Department of Human Services	14-DEC-2020	16:29:03		N	N
62	ORDG	Order Granted	ORDER AFFIRMING NOTICE OF ADMINISTRATIVE HEARING DECISION DATED APRIL 20, 2020	Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	22-DEC-2020	14:31:38	Walther, James (A6097)...	N	N
63	NEF	Notice of Electronic Filing		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	22-DEC-2020	14:31:38		N	N
64	JDG	Judgment	JUDGMENT	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human	22-DEC-2020	14:33:42	Walther, James (A6097)...	N	N
















Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
				Services					
				Diane R. Corn					
				STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE					
				Mona Asato					
65	NEF	Notice of Electronic Filing		David A. Lopez	22-DEC-2020	14:33:42		N	N
				First Circuit Court 10th Division					
				State of Hawaii Department of Human Services					
				Diane R. Corn					
				STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE					
				Mona Asato					
66	NEJ	Notice of Entry of Judgment	NOTICE OF ENTRY OF JUDGMENT	David A. Lopez	22-DEC-2020	14:36:05	Walther, James (A6097)...	N	N
				First Circuit Court 10th Division					
				State of Hawaii Department of Human Services					
				Diane R. Corn					
				STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE					
				Mona Asato					
67	NEF	Notice of Electronic Filing		David A. Lopez	22-DEC-2020	14:36:05		N	N
				First Circuit Court 10th Division					
				State of Hawaii Department of Human Services					
				Diane R. Corn					
				STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE					
				Mona Asato					
68	ORDG	Order Granted	AMENDED ORDER AFFIRMING NOTICE OF ADMINISTRATIVE HEARING DECISION DATED APRIL 20, 2020	David A. Lopez	24-DEC-2020	09:51:22	Walther, James (A6097)...	N	N
				First Circuit Court 10th Division					
				State of Hawaii Department of Human					

Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
				Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato					
				David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services					
69	NEF	Notice of Electronic Filing		Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	24-DEC-2020	09:51:22		N	N
				David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services					
70	NTCE	Notice	NOTICE OF DENIED ACCESS	Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	20-JUN-2023	14:05:47		N	N
				David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services					
71	NEF	Notice of Electronic Filing		Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	20-JUN-2023	14:05:47		N	N
				David A. Lopez State of Hawaii Department of Human Services Diane R. Corn					
72	MOT	Motion for	MOTION TO UNSEAL AND MEMORANDUM OF LAW IN SUPPORT OF MOTION TO UNSEAL	State of Hawaii Department of Human Services Diane R. Corn	27-JUN-2023	14:45:00		N	N



















Dkt. #	Dkt. Code	Description	Document Name	Docket For	Filing Date	Filing Time	Filing Party	Sealed	In Camera
				STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE					
				Mona Asato					
				David A. Lopez					
73	NEF	Notice of Electronic Filing		State of Hawaii Department of Human Services	27-JUN-2023	14:45:00		N	N
				Diane R. Corn					
				STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE					
				Mona Asato					
74	NOCD	NOCD	09/01/2023 at 8:30am - Motion to Unseal (B. Creps for Civil Beat Law Center for the Public Interest)	All Case Parties	29-JUN-2023	12:02:37		N	N
				David A. Lopez					
				State of Hawaii Department of Human Services					
75	NOH	Notice of Hearing		Diane R. Corn	29-JUN-2023	14:12:00		N	N
				STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE					
				Mona Asato					
				David A. Lopez					
				State of Hawaii Department of Human Services					
76	NEF	Notice of Electronic Filing		Diane R. Corn	29-JUN-2023	14:12:00		N	N
				STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE					
				Mona Asato					

Documents for 1CCV-20-0000762

Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
 1	Notice	NAG	Notice of Appeal-Agency EFile Document upload of type Notice of Appeal-Agency	Notice of Appeal to the Circuit Court; Statement of the Case; Exhibit "A"; Designation of Record on Appeal; Order	David A. Lopez	20-MAY-2020		

Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
 2	Other Documents	NEF	Other		David A. Lopez	20-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 3	Other Documents	PYD	Payment Due To Court		Steven J. Kim	20-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 4	Other Documents	NEF	Other		Steven J. Kim	20-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 5	Fiscal Status	PY	Payment Payment by Credit Card-Civil in the amount of \$215.00 by Kim, Steven J.		Steven J. Kim	20-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 7	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division	21-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 8	Other Documents	OT	Other	ORDER FOR CERTIFICATION & TRANSMISSION OF RECORD	David A. Lopez	21-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 9	Other Documents	NEF	Other		David A. Lopez	21-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 10	Notice	NTCE	Notice	NOTICE OF INCOMPLETE ELECTRONIC RECORD--IMMEDIATE CORRECTIVE ACTION REQUIRED FROM PLAINTFF	David A. Lopez	21-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 11	Other Documents	NEF	Other		David A. Lopez	21-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 12	Supporting Documents	CIS	Civil Information Sheet EFile Document upload of type Civil Information Sheet	Civil Information Sheet	David A. Lopez	22-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 13	Other Documents	NEF	Other		David A. Lopez	22-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 14	Counsel	WSUB	Withdrawal & Substl of Counsel EFile Document upload of type Withdrawal & Substl of Counsel	Appearance of Counsel for Appellee State of Hawaii, Department of Human Services: Certificate of Service	State of Hawaii Department of Human Services	27-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 15	Other Documents	NEF	Other		State of Hawaii Department of Human Services	27-MAY-2020	<input type="checkbox"/>	<input type="checkbox"/>
 16	Motion	MOT	Motion for EFile Document upload of type Motion for	Appellee Department of Human Services' Motion to Seal the Circuit Court Record	State of Hawaii Department of Human Services	05-JUN-2020	<input type="checkbox"/>	<input type="checkbox"/>
 17	Other Documents	NEF	Other		State of Hawaii Department of Human Services	05-JUN-2020	<input type="checkbox"/>	<input type="checkbox"/>
















Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
18	Service	CS	Certificate of Service EFile Document upload of type Certificate of Service	CERTIFICATE OF SERVICE [Appellee Department of Human Services Motion to Seal the Circuit Court Record; Memorandum in Support of Motion; Notice of Non-Hearing Motion; and Certificate of Service]	State of Hawaii Department of Human Services	08-JUN-2020	<input type="checkbox"/>	<input type="checkbox"/>
19	Other Documents	NEF	Other		State of Hawaii Department of Human Services	08-JUN-2020	<input type="checkbox"/>	<input type="checkbox"/>
22	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Com	30-JUN-2020	<input type="checkbox"/>	<input type="checkbox"/>
23	Document	PORD	Proposed Order EFile Document upload of type Proposed Order	Order Granting Appellee Department of Human Services' Motion to Seal the Circuit Court Record	State of Hawaii Department of Human Services	01-JUL-2020	<input type="checkbox"/>	<input type="checkbox"/>
24	Other Documents	NEF	Other		State of Hawaii Department of Human Services	01-JUL-2020	<input type="checkbox"/>	<input type="checkbox"/>
25	Order	ORDG	Order Granted	ORDER GRANTING APPELLEE DEPARTMENT OF HUMAN SERVICES' MOTION TO SEAL THE CIRCUIT COURT RECORD	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Com	03-JUL-2020	<input type="checkbox"/>	<input type="checkbox"/>
26	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Com	03-JUL-2020	<input type="checkbox"/>	<input type="checkbox"/>
27	Service	RAS	Service-Return/Acknowledgement EFile Document upload of type Service-Return/Acknowledgement	Return and Acknowledgment of Service - State of Hawaii DHS	David A. Lopez	06-JUL-2020	<input type="checkbox"/>	<input type="checkbox"/>
28	Service	RAS	Service-Return/Acknowledgement EFile Document upload of type Service-Return/Acknowledgement	Return and Acknowledgment of Service - Dept of Atty General	David A. Lopez	06-JUL-2020	<input type="checkbox"/>	<input type="checkbox"/>
29	Service	RAS	Service-Return/Acknowledgement EFile	Return and Acknowledgment of Service - DHS AAO	David A. Lopez	06-JUL-2020	<input type="checkbox"/>	<input type="checkbox"/>








Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
 30	Other Documents	NEF	Document upload of type Service-Return/Acknowledgement Other		David A. Lopez	06-JUL-2020		
 31	Motion	EXPM	Ex Parte Motion EFile Document upload of type Ex Parte Motion	ADMINISTRATIVE APPEALS OFFICE'S EX PARTE MOTION TO EXTEND TIME TO FILE AND DOCKET RECORD ON APPEAL; DECLARATION OF LILI A. YOUNG; DECLARATION OF MONA ASATO; ORDER GRANTING ADMINISTRATIVE APPEALS OFFICE'S EX PARTE MOTION TO EXTEND TIME TO FILE AND DOCKET RECORD ON APPEAL; CERTIFICATE OF SERVICE	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	08-JUL-2020		
 32	Other Documents	NEF	Other		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	08-JUL-2020		
 33	Order	ORDG	Order Granted	ORDER GRANTING ADMINISTRATIVE APPEALS OFFICE'S EX PARTE MOTION TO EXTEND TIME TO FILE AND DOCKET RECORD ON APPEAL	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	10-JUL-2020		
 34	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	10-JUL-2020		
 35	Supporting Documents	DEC	Declaration This Declaration supplements the Declaration of Mona Asato dated July 8, 2020, attached to the Administrative Appeals Offices Ex Parte Motion to Extend Time to File and Docket Record on Appeal filed on	Supplemental Declaration of Mona Asato; Certificate of Service	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	10-JUL-2020		

Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
			July 8, 2020.					
36	Other Documents	NEF	Other		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	10-JUL-2020		
37	Confidential Documents	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9 Record of Appeal	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 Record of Appeal	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020		
38	Confidential Documents	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9 CROA Part 1	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 1	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020		
39	Confidential Documents	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9 CROA Part 2	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 2	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020		
40	Confidential Documents	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9 CROA Part 3	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 3	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020		
41	Confidential Documents	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9 CROA Part 4	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 4	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020		
42	Confidential Documents	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9 CROA Part 5	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 5	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020		
43	Confidential Documents	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9 CROA Part 6	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 6	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020		
44	Confidential Documents	9INFC	Info Confidential Doc - HCCR9 EFile Document upload of type Info Confidential Doc - HCCR9 CROA Part 7	Info Confidential Doc - HCCR9 Efile Document upload of type Info Confidential Doc - HCCR9 CROA Part 7	STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020		

Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
45	Other Documents	NEF	Other		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	11-AUG-2020	<input type="checkbox"/>	<input type="checkbox"/>
46	Supporting Documents	CROA	Certified Record on Appeal CERTIFIED RECORD ON APPEAL; INDEX TO CROA; CERTIFICATION OF RECORD; C/S NOTE: (VOL 401) DOCUMENT IN CUSTODY OF LDB1-PHYSICAL EXHIBIT DVD (1FM201762CV)(CALL LDB)		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	17-AUG-2020	<input checked="" type="checkbox"/>	<input type="checkbox"/>
47	Other Documents	NEF	Other		STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE	17-AUG-2020	<input type="checkbox"/>	<input type="checkbox"/>
48	Brief	OB	Opening Brief EFile Document upload of type Opening Brief	Opening Brief	David A. Lopez	28-SEP-2020	<input type="checkbox"/>	<input type="checkbox"/>
49	Other Documents	NEF	Other		David A. Lopez	28-SEP-2020	<input type="checkbox"/>	<input type="checkbox"/>
50	Brief	AB	Answering Brief EFile Document upload of type Answering Brief	Department of Human Services' Answering Brief	State of Hawaii Department of Human Services	06-NOV-2020	<input type="checkbox"/>	<input type="checkbox"/>
51	Other Documents	NEF	Other		State of Hawaii Department of Human Services	06-NOV-2020	<input type="checkbox"/>	<input type="checkbox"/>
52	Other Documents	NOCD	Other	Oral Argument ***JUDGE ASHFORD REQUIRES TWO(2) COURTESY COPIES OF THE OPENING BRIEF/ANSWERING BRIEF/REPLY BE SUBMITTED TO CHAMBERS***	All Case Parties	09-NOV-2020	<input type="checkbox"/>	<input type="checkbox"/>
53	Order	ORD	Order	ORDER SETTING ORAL ARGUMENT FOR VIDEO CONFERENCE HEARING	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	27-NOV-2020	<input type="checkbox"/>	<input type="checkbox"/>
54	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii	27-NOV-2020	<input type="checkbox"/>	<input type="checkbox"/>

Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
					Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato			
56	Notice	NSUB	Notice-Submission EFile Document upload of type Notice-Submission	Notice of Submission of Order Affirming Notice of Administrative Hearing Decision Dated April 20, 2020; Exhibit "A"; Certificate of Service	State of Hawaii Department of Human Services	14-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>
57	Other Documents	NEF	Other		State of Hawaii Department of Human Services	14-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>
58	Notice	NSUB	Notice-Submission EFile Document upload of type Notice-Submission	Notice of Submission of Judgment; Exhibit "A"; Certificate of Service	State of Hawaii Department of Human Services	14-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>
59	Other Documents	NEF	Other		State of Hawaii Department of Human Services	14-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>
60	Notice	NEJ	Notice of Entry of Judgment EFile Document upload of type Notice of Entry of Judgment	Notice of Entry of Judgment; Certificate of Service	State of Hawaii Department of Human Services	14-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>
61	Other Documents	NEF	Other		State of Hawaii Department of Human Services	14-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>
62	Order	ORDG	Order Granted	ORDER AFFIRMING NOTICE OF ADMINISTRATIVE HEARING DECISION DATED APRIL 20, 2020	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	22-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>
63	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	22-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>
64	Judgment	JDG	Judgment	JUDGMENT	David A. Lopez First Circuit Court 10th Division State of Hawaii	22-DEC-2020	<input type="checkbox"/>	<input type="checkbox"/>

Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
					Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato			
 65	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	22-DEC-2020		
 66	Notice	NEJ	Notice of Entry of Judgment	NOTICE OF ENTRY OF JUDGMENT	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	22-DEC-2020		
 67	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	22-DEC-2020		
 68	Order	ORDG	Order Granted	AMENDED ORDER AFFIRMING NOTICE OF ADMINISTRATIVE HEARING DECISION DATED APRIL 20, 2020	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	24-DEC-2020		
 69	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	24-DEC-2020		

Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
 70	Notice	NTCE	Notice	NOTICE OF DENIED ACCESS	David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	20-JUN-2023	<input type="checkbox"/>	<input type="checkbox"/>
 71	Other Documents	NEF	Other		David A. Lopez First Circuit Court 10th Division State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	20-JUN-2023	<input type="checkbox"/>	<input type="checkbox"/>
 72	Motion	MOT	Motion for	MOTION TO UNSEAL AND MEMORANDUM OF LAW IN SUPPORT OF MOTION TO UNSEAL	David A. Lopez State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	27-JUN-2023	<input type="checkbox"/>	<input type="checkbox"/>
 73	Other Documents	NEF	Other		David A. Lopez State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	27-JUN-2023	<input type="checkbox"/>	<input type="checkbox"/>
 74	Other Documents	NOCD	Other	09/01/2023 at 8:30am - Motion to Unseal (B. Creps for Civil Beat Law Center for the Public Interest)	All Case Parties	29-JUN-2023	<input type="checkbox"/>	<input type="checkbox"/>
 75	Notice	NOH	Notice of Hearing		David A. Lopez State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	29-JUN-2023	<input type="checkbox"/>	<input type="checkbox"/>
 76	Other Documents	NEF	Other		David A. Lopez State of Hawaii Department of Human Services Diane R. Corn STATE OF HAWAII, DHS ADMINISTRATIVE APPEALS OFFICE Mona Asato	29-JUN-2023	<input type="checkbox"/>	<input type="checkbox"/>

Dkt. #	Category	Dkt. Code	Description	Document Name	Docket For	Date Filed	Sealed	In Camera
				E APPEALS OFFICE Mona Asato				

2/11

LAW OFFICE OF STEVEN J. KIM

STEVEN J. KIM #4790
COURTNEY N. NASO #8595
CANDRA S. RIVERS #9893
1188 Bishop Street, Suite 2710
Honolulu, Hawai'i 96813
Tel. No. (808) 525-5222
Fax No. (808) 525-5223

**Electronically Filed
FIRST CIRCUIT
1CCV-20-0000762
20-MAY-2020
12:03 PM**

Attorneys for DAVID ALAN LOPEZ

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

DAVID ALAN LOPEZ,	)	Civil No. _____
)	
Appellant,	)	Agency Docket/Case No. [None]
)	
vs.	)	NOTICE OF APPEAL TO THE
	)	CIRCUIT COURT; STATEMENT OF
DIANE R. CORN, Hearing Officer,	)	THE CASE; EXHIBIT "A";
Administrative Appeals Office, State of	)	DESIGNATION OF RECORD ON
Hawaii Department of Human Services; and	)	APPEAL; ORDER FOR
STATE OF HAWAII DEPARTMENT OF	)	CERTIFICATION AND
HUMAN SERVICES,	)	TRANSMISSION OF RECORD;
	)	CERTIFICATE OF SERVICE
Appellees.)	
_____)	

NOTICE OF APPEAL TO THE CIRCUIT COURT

NOTICE IS HEREBY GIVEN that Appellant DAVID ALAN LOPEZ, pursuant to Hawaii Revised Statutes § 91-14 and Rule 72 of the Hawaii Rules of Civil Procedure, hereby appeals to the Circuit Court of the First Circuit, State of Hawaii, from the Notice of Administrative Hearing Decision and Order issued by DIANE R. CORN, Hearing Officer, Administrative Appeals Office, State of Hawaii Department of Human Services, entered on April 20, 2020. A copy of the April 20, 2020 Administrative Hearing Decision and Order appealed from is attached hereto as Exhibit "A".

EXHIBIT "5"

DATED: Santa Clarita, California, May 20, 2020.

/s/ Steven J. Kim

STEVEN J. KIM
COURTNEY N. NASO
CANDRA S. RIVERS
Attorneys for Appellant
DAVID ALAN LOPEZ

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

DAVID ALAN LOPEZ,	)	Civil No. _____
)	
Appellant,	)	Agency Docket/Case No. [None]
)	
vs.	)	DESIGNATION OF RECORD ON
	)	APPEAL
DIANE R. CORN, Hearing Officer,)	
Administrative Appeals Office, State of)	
Hawaii Department of Human Services; and)	
STATE OF HAWAII DEPARTMENT OF)	
HUMAN SERVICES,)	
)	
Appellees.)	
_____)	

DESIGNATION OF RECORD ON APPEAL

Pursuant to Rule 72(d) of the Hawaii Rules of Civil Procedure, Appellant hereby designates as the Record on Appeal the entire file of (1) the Administrative Appeals Office, State of Hawaii Department of Human Services, (2) transcripts of the proceedings before the Hearing Officer in this matter, all as defined in section 91-9(e), Hawaii Revised Statutes, including all pleadings, transcripts, and exhibits.

DATED: Santa Clarita, California, May 20, 2020.

/s/ Steven J. Kim

STEVEN J. KIM
COURTNEY N. NASO
CANDRA S. RIVERS
Attorneys for Appellant
DAVID ALAN LOPEZ

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

DAVID ALAN LOPEZ,	)	Civil No. _____
)	
Appellant,	)	Agency Docket/Case No. [None]
)	
vs.	)	ORDER FOR CERTIFICATION AND
	)	TRANSMISSION OF RECORD
DIANE R. CORN, Hearing Officer,)	
Administrative Appeals Office, State of)	
Hawaii Department of Human Services; and)	
STATE OF HAWAII DEPARTMENT OF)	
HUMAN SERVICES,)	
)	
Appellees.)	
_____)	

ORDER FOR CERTIFICATION AND TRANSMISSION OF RECORD

TO: STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
Administrative Appeals Office
P. O. Box 339
Honolulu, Hawaii 96809-0339

In accordance with section 91-14(d), Hawaii Revised Statutes, and Rule 72(d) of the Hawaii Rules of Civil Procedure, you are hereby ordered to certify and transmit to this Court, within twenty (20) calendar days of this Order, or within such further time as may be allowed by this Court, the entire record as defined by section 91-9(e), Hawaii Revised Statutes, and as set forth in the Designation of Record on Appeal. Any request to enlarge time shall be submitted to the Court prior to the expiration of the above 20-day period.

DATED: Honolulu, Hawaii, _____.

CLERK OF THE ABOVE-ENTITLED COURT

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

DAVID ALAN LOPEZ,	)	Civil No. _____
)	
Appellant,	)	Agency Docket/Case No. [None]
)	
vs.	)	CERTIFICATE OF SERVICE
)	
DIANE R. CORN, Hearing Officer,)	
Administrative Appeals Office, State of)	
Hawaii Department of Human Services; and)	
STATE OF HAWAII DEPARTMENT OF)	
HUMAN SERVICES,)	
)	
Appellees.)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on this date, a copy of the document within was served by depositing the same in the U.S. Mail, postage prepaid to the following:

DIANE R. CORN, Hearing Officer
State of Hawaii Department of Human Services
Administrative Appeals Office
P. O. Box 339
Honolulu, Hawaii 96809-0339

JAMES W. WALTHER, ESQ.
LYNN M. YOUMANS, ESQ.
Department of the Attorney General
State of Hawaii
465 South King Street, Rm. 200
Honolulu, Hawaii 96813

Attorneys for Appellee
STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

DATED: Santa Clarita, California, May 20, 2020.

/s/ Steven J. Kim

STEVEN J. KIM
COURTNEY N. NASO
CANDRA S. RIVERS
Attorneys for Appellant
DAVID ALAN LOPEZ