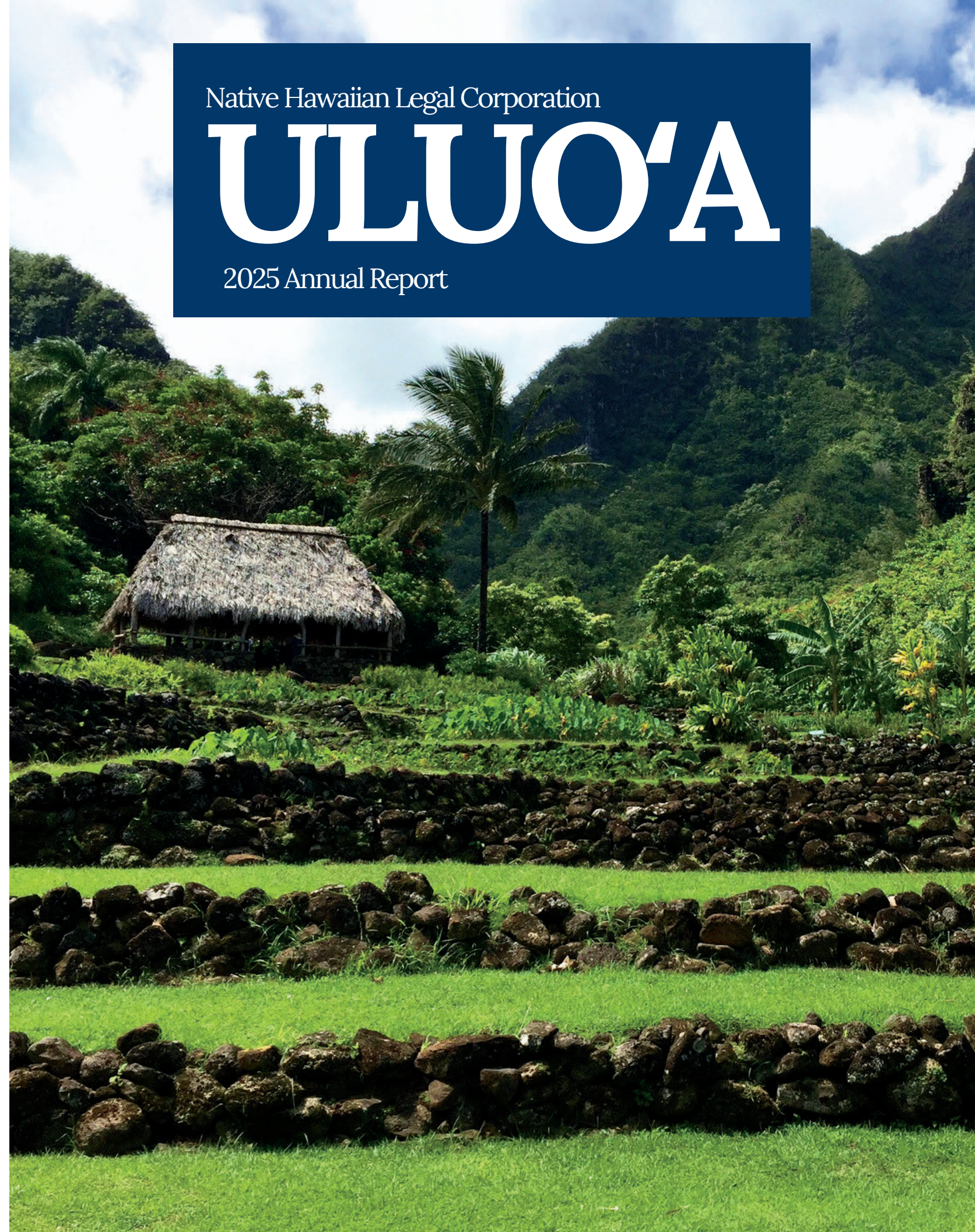


Native Hawaiian Legal Corporation

ULUO'A

2025 Annual Report



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Aloha Kākou

The year 2025 was one of substantial challenges for Hawai‘i and for our lāhui.

Military lease renewals across the state and persistent illegal commercial water permitting on Maui raised urgent questions about the future of lands and water held in trust for our people. The rebuilding of Lāhainā demanded advocacy so that recovery be guided by the values, voices, and vision of the community whose roots run deepest in that sacred place. The fight to protect traditional birthing practices from unjust criminalization continued, as did battles to ensure fair and constitutionally protected access to immersion education. At the federal level, threats emerged to Native Hawaiian education and healthcare with some questioning the future of all Native Hawaiian programs. These challenges, among many others, called upon the strength and unity of the lāhui.

In the face of such battles for justice, it is worth reflecting on what justice means.

Justice means that Native Hawaiians have the pathway to live in our ancestral home; to birth, raise, and educate our children according to our traditions; to speak our language freely; to protect the iwi kūpuna who rest in our ‘āina; and to steward the lands and waters that have sustained our people since time immemorial. Justice means that in Hawai‘i, Kānaka are able to perpetuate our identity, our culture, and our ways of knowing for generations to come.

NHLC is deeply grateful for the kuleana we carry to pursue Hawaiian justice. But justice is not the work of lawyers alone. Justice is a kākou endeavor. A dedicated effort of all of us. It is built in community and with community. It is strengthened by every hand that contributes to the collective work of protecting what is pono.

This report is a reflection of that shared effort. In these pages you will see the work NHLC has undertaken alongside families, practitioners, kia’i, and partners across the pae ‘āina to advance Hawaiian justice for the mutual benefit of the lāhui, for all the people of Hawai‘i, and for the ‘āina itself.

We are honored to paddle on this journey with you. Mahalo for your partnership and your support.



Mark Kawika Patterson
President



Makalika Nāholowa’a
Executive Director



Pictured from left to right:

Third Row: Devin Kamealoha Forrest (Title & Research Specialist and Staff Attorney), Ke'alohe M. Reppun (Board Director), Angela Correa-Pei (Of Counsel), Henderson Huihui (Staff Attorney), Roger McKeague (Board Director), Devon Haia (Staff Attorney, Equal Justice Works Disaster Resilience Fellow), Sam Murray (Volunteer)

Second Row: Terina Fa'agau (Staff Attorney), Ashley Obrey (Sr. Staff Attorney), Li'ulā Christensen (Sr. Staff Attorney), Sharla Manley (Of Counsel, Equal Justice Works Disaster Resilience Fellow), Keolamaikalani Dean (Board Director), Leanna Gandauli (Sr. Paralegal), Kawena Sukanuma-Beaupré (Board Secretary), Grace Lee (Sr. Intake Specialist), 'Ihilani Chu (Executive Administrator)

First Row: Makalika Nāholowa'a (Executive Director), Kirsha Durante (Litigation Director)

NHLC Staff & Board of Directors

Not pictured: Kawika Patterson (Board President), Malia Ka'aihue (Board Vice President), Robert Piper (Board Treasurer), Keali'i Lopez (Board Director), Keali'i Reichel (Board Director), David Soong (Board Director), Elmer Ka'ai (Board Director), Jamee Māhealani Miller (Board Director)

Ho'olauna

Mission

E mālama a e kahu i ka lōina me
ka mo'omeheu Hawai'i

Protecting and advancing Native
Hawaiian identity and culture

Vision

He Hawai'i pono i alaka'i 'ia
e ke aloha 'āina

A just Hawai'i guided by
Hawaiian values, customs, and
ways of knowing

Values

Pono actions and outcomes

'Onipa'a and **Wiwo'ole** service to our
Kuleana

Pilina with people, community, and
'āina



Ku'i ka Lono

In January, NHLC Senior Staff Attorney **Ashley Obrey** presented at the **American Bar Association** mid-year meeting alongside other Indigenous legal water advocates to raise awareness about the need to protect wai. NHLC attorneys frequently provide expertise at conferences and convenings to uplift the needs of the lāhui. NHLC spoke at more than **30 events** in 2025.

In January and September, NHLC served at **community clinics** that assisted hundreds of people with expungement and bench warrants, partnering with the **Hawai'i State Judiciary**, the **University of Hawai'i**, **ACLU Hawai'i**, and the **Office of the Public Defender**. These clinics bring critical legal services to community members, removing barriers that can impede access to housing, employment, and educational opportunities.

In October, NHLC recognized its pro bono partner **Javier Garcia** representing a team at **Perkins Coie LLP** at the **Hawaii Access to Justice Pro Bono of the Year Awards** at the **Hawai'i Supreme Court**. The award recognized Perkins Coie's partnership to protect Native Hawaiian traditional birthing practices. This collaboration has been instrumental in challenging state law that criminalized cultural practitioners who train through traditional and apprenticeship-based pathways.

Also in October, NHLC celebrated NHLC Treasurer **Robert Piper**'s recognition as an 'O'o Award honoree by the **Native Hawaiian Chamber of Commerce**.

Litigation Director **Kirsha Durante** and Staff Attorney **Devin Kamealoha Forrest** attended and spoke at the Hui-A-Tau conference in Aotearoa regarding the protection of traditional knowledge and cultural property.

In December, NHLC was honored to be selected by the **Office of Hawaiian Affairs** as its primary vendor for the Native Hawaiian Affairs program to provide legal services to beneficiaries with Native Hawaiian rights matters. OHA has long invested in ensuring Native Hawaiian cultural practitioners and communities have access to legal counsel to uphold trust duties and defend constitutional rights and other laws essential to a thriving lāhui. The FY26 and FY27 contract provides \$1.5 million each year to enable NHLC to serve beneficiaries across the state.

NHLC also received program-sustaining gifts from several foundations whose generosity helps ensure NHLC can meet the legal services needs necessary to protect Native Hawaiian justice, including the **Stupski Foundation**, **Robert Wood Johnson Foundation**, **Hawaiian Native Corporation**, **Christensen Fund**, the **MacArthur Foundation**, and **Frost Family Foundation**.

2025

By the numbers

NHLC serves statewide. Community members can contact NHLC for help via phone, email, or online.

Requests for help start as inquiries at NHLC. After clearing an attorney conflicts check, anyone seeking help with a Native Hawaiian rights matter is given the opportunity to speak with an NHLC attorney. Matters can resolve with brief counseling and advice. For those needing additional investigation, NHLC engages in assessments and may be retained for representation. These matters mature to cases.

The charts below shows the number of matters NHLC serviced in the 2025 calendar year by NHLC program.

560+

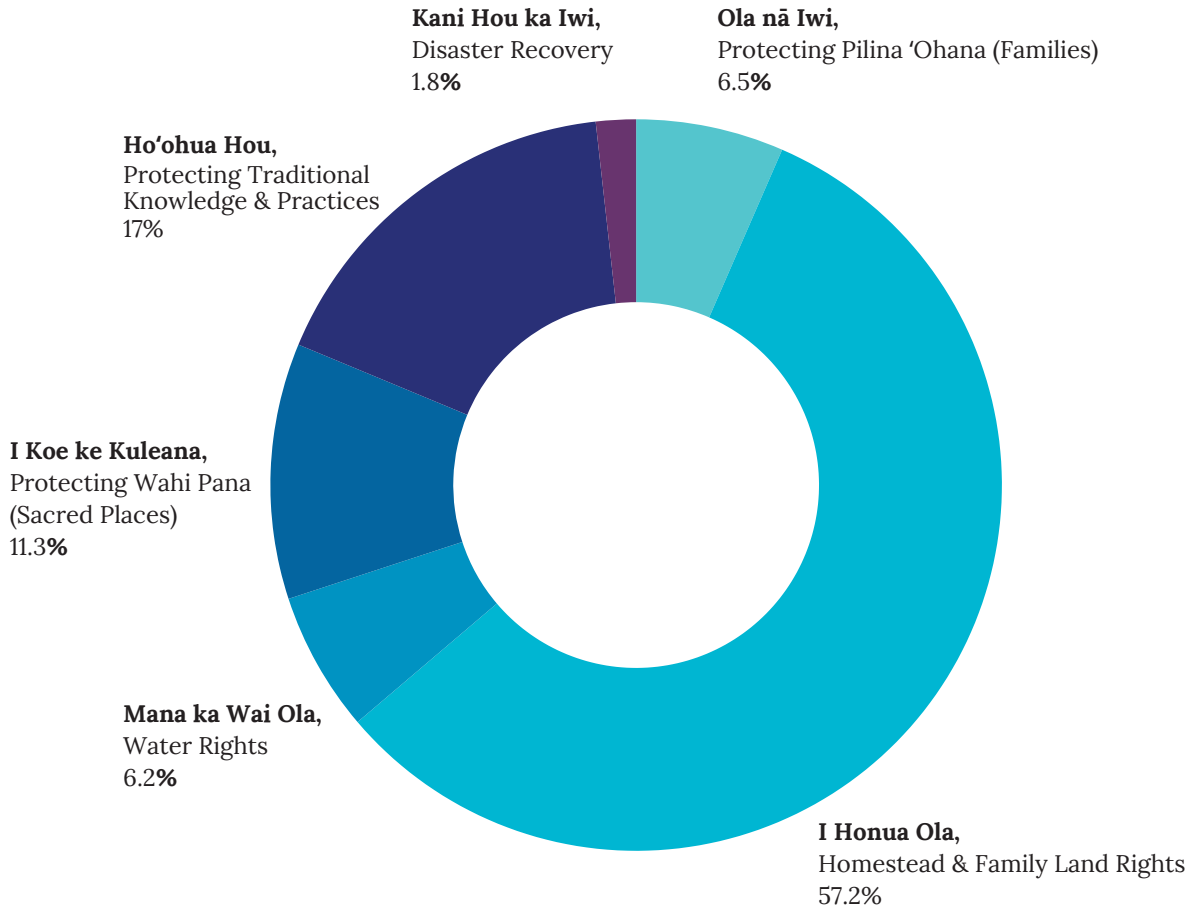
Matters Serviced

170+

Cases Managed

6,900+

Legal Service Hours
Provided



Case Highlights by Moku

Maui

- Fought against illegal water diversions in East Maui
- Advocated for equitable disaster recovery on West Maui
- Defended 'ohana from foreclosure of wildfire-destroyed property in Lāhainā
- Assisted families with organizing title into trusts for disaster resilience



Kaua'i

- Protection of traditional cultural practices at Nihokū against illegal development

Moloka'i

- Resolved dispute after 33-year long legal journey enabling 'ohana to maintain 20 acres of land

Hawai'i Island

- Advocacy to address water infrastructure needs for homesteaders at Honoka'ia
- Advocacy with community to hold the US Army accountable to Hawai'i environmental and cultural protection laws related to its use of state lands at Pōhakuloa
- Secured conservatorship to protect homestead lease for keiki in Kawaihae
- Protected 155 acres of ancestral 'ohana land in Kohanaiki, North Kona after 18-year partition case
- Reclaimed mauka-to-makai access for cultural practitioners at Māhukona, Kōhala



O'ahu

- Represented families in family courts to assist with Child Welfare Services matters to protect 'ohana
- Represented families in conservatorship and guardianship matters to enable caregiving and homestead retention
- Filed suit to protect access to Hawaiian language immersion education at Kula Kaiapuni 'o Waiau

Statewide Matters

- Successfully advocated against criminalization of traditional birthing practices
- Supported continued respect for religious practice rights for pa'ahao in Hawai'i and Arizona
- Advocated for DHHL homesteader rights in RWOTP program and lease cancellation matters
- Continued litigation to hold the State accountable for underfunding DHHL in *Nelson v. Hawaiian Homes Commission*



Ola nā Iwi

Protecting Pilina Within Healthy 'Ohana

NHLC's Ola nā Iwi program launched in February 2024 to kōkua with the legal services needed to protect familial relationships between mo'opuna, mākua, kūpuna, and iwi kūpuna. The 'ōlelo no'eau "ola nā iwi," the bones live on, recognizes the perpetuation of life through the strength of our 'ohana. Ola nā Iwi is guided by pilina to 'ohana, pilina to the lāhui, and pilina to 'āina.

The Ola nā Iwi program is a cradle-to-grave support for 'ohana whose pilina is at risk due to legal processes posing a barrier to their health and wellness. These matters include:

- Representation in Child Welfare Services ("CWS") matters for keiki, mākua, and kūpuna to ensure 'ohana have the representation needed to maintain and protect the 'ohana unit when that is in the best interest of the child.
- Adoption matters to assist 'ohana in ensuring permanent care for keiki is formalized legally.
- Legal guardianship for keiki, mākua, and kūpuna who need legal caretaking from a trusted and loving 'ohana member.
- Conservatorships to enable the protection of successorship rights to homesteads, 'āina and 'ohana homes.
- Expungement services to assist juveniles and adults that qualify, so they can access housing, educational opportunities, and employment necessary to care for their 'ohana.
- Defense of iwi kūpuna and mālama iwi kūpuna cultural practices protected under the Hawai'i Constitution and Hawai'i burial treatment law.



After Loss of a Father, 'Ohana Secures His Homestead for His Keiki Kāne

Ka'ili'ohe was just two years old when his father, Koa Pa'ahau Paulo, passed away. Koa had been a proud Department of Hawaiian Home Lands (DHHL) beneficiary who, together with his wife Sarah, built a home in Kawaihae. Their 'ohana built a place rooted in love, identity, and the promise of a Hawaiian future. Before he died, Koa named Ka'ili'ohe as his successor to the lease, determined to pass that legacy on. But after his death, honoring Koa's wishes required navigating a complex legal process. Because Ka'ili'ohe was a minor, DHHL required a court-appointed conservator before he could succeed to his father's lease.

Sarah turned to NHLC for help. NHLC attorneys filed a Petition for Appointment of Conservator in the Circuit Court of the Third Circuit on Sarah's behalf. In December 2024, the court granted the petition, appointing Sarah as Ka'ili'ohe's conservator. Eleven months later, in November 2025, Koa's lease was successfully transferred to his son. Ka'ili'ohe will grow up in the home his father built for him, a tangible expression of Koa's love and a foundation for his future as a Native Hawaiian beneficiary of the Hawaiian Homes Commission Act.

"Our 'ohana is eternally grateful for the assistance Angela and the team at NHLC provided to us during a time when we were swimming in the deep waters of grief and I was coming to grips with the challenging realities of single motherhood. The legal assistance we received has ensured that Koa's legacy and his wishes for our family's home have been secured for our son Ka'ili'ohe. Knowing that Ka'ili'ohe will always have a home in Hawai'i has brought such a deep sense of peace and security and we continue onward. Mahalo nui!"

Sarah Warren, NHLC Client

“Aloha, I would like to take this time to express my deepest and most heartfelt mahalo to you for giving me and Keali’i the opportunity for a fresh start by helping me with guardianship. This blessing has truly changed the course of our lives, and it is something I will forever be grateful for. Being entrusted with his care is not something I take lightly, and I carry this responsibility with love, humility, and commitment to his well-being. Keali’i has faced many challenges in his young life, including experiences and childhood trauma that no child should have to endure. But through it all, he continues to show strength, resilience, and a heart full of hope. He wakes up each day looking forward to what his future can become. He believes in himself more now, and that confidence is growing because he finally has the stability, support, and guidance he deserves. This fresh start has given him a sense of belonging, safety, and the chance to dream again.

As a family, we truly believe in the importance of culture, education, and surrounding our children with positive opportunities that will help them grow into strong, respectful, and proud individuals.

Albette & Keali’i

Empowering Tutu with the Legal Rights Needed to Mālama Her Mo’opuna

Albette Analani Wilkins had cared for her mo’opuna since birth and became his primary caregiver at age five. On a retiree’s fixed income, she gave him everything she could — soccer, tae kwon do, a private school on the North Shore of O’ahu for as long as she could afford, and a trip to Disneyland. But when the Power of Attorney previously granted by Keali’i’s father expired, Albette no longer had the legal authority to consent to important affairs, including his medical care or submitting his application to Kamehameha Schools. In the absence of his parents, Albette turned to NHLC for help.

NHLC filed a Petition for Appointment of a Legal Guardian of a Minor and, recognizing the urgency, successfully requested temporary guardianship, so Albette could complete Keali’i’s Kamehameha Schools application before the deadline passed. The court ultimately appointed Albette as Keali’i’s permanent legal guardian with unlimited authority. This ensures that Keali’i will remain in the care of his kupuna who has loved and provided for him every day of his life.

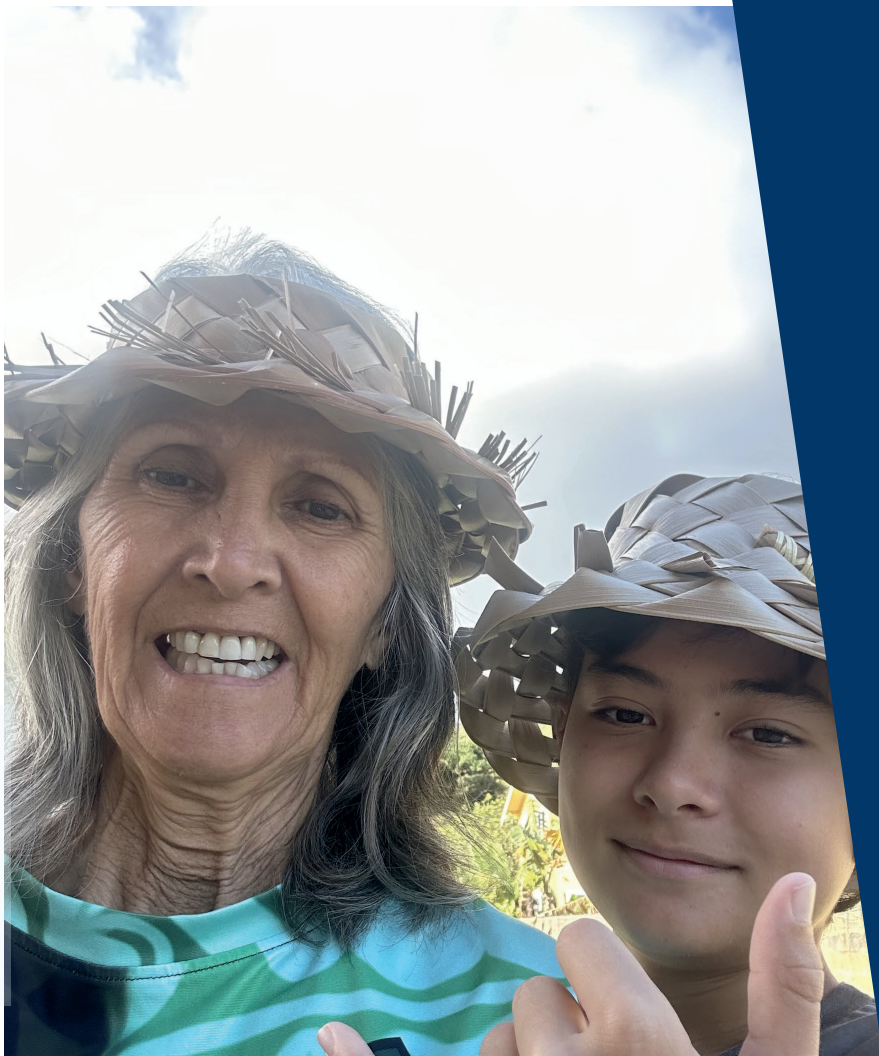
Reunifying an ‘Ohana After Successful Services Following Crises

Kim is a devoted mother of four and a contributing member of the Ko’olauloa community. Experiencing the foster care system as a child, she has worked hard to give her children, a grown son and three teenage daughters, a full life with the stability and love that she did not have. She supported them in school and sports, kept them rooted in culture and community, and shared with them a deep love of the ocean.

But one evening in the fall of 2024, one of Kim’s daughters didn’t come home after practice and went silent on her phone. Hours passed. The family was frantic. When her daughter finally walked through the door, Kim reacted in a way she immediately regretted. She struck her daughter on the back.

CWS removed all three daughters from the home. Kim was devastated. Her daughters were frightened and confused. Kim expressed her sincere remorse to CWS, vowed that it would never happen again, and that she would complete any services required.

NHLC worked with Kim through the court process with CWS to achieve reunification for her ‘ohana. Within a year, Kim and her ‘ohana successfully completed therapy and other services. All three daughters returned home, and the CWS case has closed. Kim’s ‘ohana is forever affected by this experience, but their commitment to healing and the support they received to navigate legal and social services have allowed them to move forward together.



Ola nā Iwi
Protecting Pilina Within Healthy ‘Ohana



I Honua Ola

Protecting 'Ohana Homestead and Land Rights Against Lease Cancellation, Adverse Possession, and Other Land Loss

Native Hawaiian identity is centered on familial connections to people and place. NHLC's I Honua Ola program offers essential services to protect housing and 'ohana land rights. Inspired by its meaning "to have a thriving foundation alluding to the necessities of a good life," the I Honua Ola program is dedicated to perpetuating Native Hawaiian wellbeing by protecting Native Hawaiian pilina to 'āina.

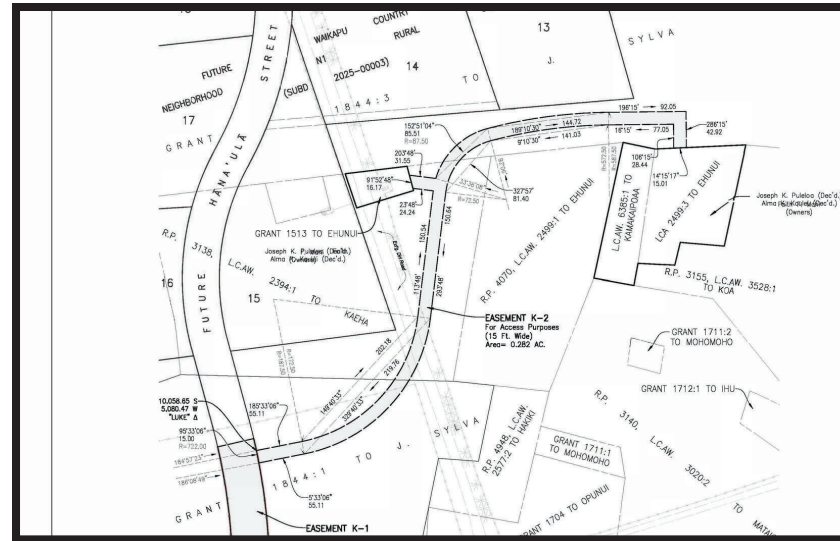
Legal Services

The I Honua Ola program advances the imperative to maintain pilina to 'ohana, lāhui, and 'āina by providing services encompassing:

- Protection of rights related to Hawaiian Home Lands
 - Successorship
 - Lease cancellation
 - Blood quantum certification
- Protection of family-owned lands
 - Quiet title and partition defense
 - Kuleana lands access & real property tax exemptions
- Defense of other state leases for family uses

"My family has known of our 'āina for years, passed down through the generations but inaccessible to us for various reasons. Li'ulā at NHLC helped us negotiate an important agreement with the current owner of the lands surrounding our 'āina. They took a process that was complex and overwhelming and walked us through it to resolution. My mom especially extends her mahalo - we're so grateful! We're one step closer to our 'āina kūpuna."

Dawn Mahi, NHLC client



Following 30 Years of Litigation, Moloka'i 'Ohana Secures 20 Acres of 'Ohana Land

For over three decades, one Molokai family held on and NHLC stood with them every step of the way.

Since 1994, NHLC has represented the Kailiwai/Kaeliwai 'ohana in their fight to protect their rightful ownership of land in Kahananui, Moloka'i. What began as a dispute over five parcels of family land in 1992 grew into one of the most complex land cases in NHLC's history.

The path forward was anything but simple. Multiple family groups and the State of Hawai'i all had ownership claims to the land, requiring a carefully negotiated plan to divide it fairly. That plan, which involved selling some properties to fund the division of others and transferring two parcels to the State, ran into obstacle after obstacle: easement disputes, the need for legislative approvals, tax complications, disagreements over how sale proceeds would be used, and even an appeal to the Intermediate Court of Appeals.

After years of persistence, a breakthrough came through appellate mediation led by Judge Riki May Amano, Ret.. Working closely with all parties, Judge Amano helped forge a creative, comprehensive settlement that resolved every outstanding issue.

On October 7, 2025, Final Judgment was entered in the case — more than 33 years after it began. The result: the Kailiwai/Kaeliwai 'ohana now holds ownership of a 20-acre agricultural property in Kahananui, Moloka'i. For a family that never gave up on their land, it is a victory generations in the making.



"We, the Kaeliwai 'ohana are blessed and so very grateful for representation of Native Hawaiian Legal Corporation. It took decades and about 5 attorneys well qualified. We can finally thank them for sticking it out with our 'ohana. Working along with them is the key for the best outcome. Mahalo nunui to everyone who has helped us receive our inheritance, our land!"

Charleen Tinao-Johnson
NHLC Client since February 1994



Protecting an ‘Ohana from Homestead Loss Without Due Process

Like many homesteaders, the Olepau ‘ohana pay a mortgage for the home on their homestead land. At one point the ‘ohana faced hardship paying the mortgage. Uncle Leland was eager to resume making payments and did so when they were able. But, his payment was rejected. When he investigated why, he was told that his homestead lease had been canceled by the Hawaiian Homes Commission. He had no idea. He’d never received notice of cancellation proceedings.

The Department of Hawaiian Home Lands (“DHHL”) had sent notice letters regarding the cancellation to the wrong address. As a result, the entire process occurred without his knowing, and his ‘ohana was not able to participate. When Uncle Leland asked the Commission for a chance to be heard, he was turned away.

For the Olepau ‘ohana, their Hawaiian homestead is more than property. It’s their family home, a place of belonging. They were devastated and felt the loss of the home was deeply unfair.

The Olepau ‘ohana sought NHLC’s support. Together they argued fairness and due process required the ‘ohana be given actual notice of the proceedings to cancel their homestead lease and an opportunity to respond before losing their home.

The court agreed. In January 2024, the Hawai’i Intermediate Court of Appeals sided with the family, affirming that deadlines for lease cancellation must run from the point of actual notice, not a failed attempt to deliver one. This decision creates clarity on this issue for all homesteaders.

Following this victory, in December 2025, DHHL and the ‘ohana reached a settlement to reinstate the Olepau lease. Uncle Leland’s home remains with the ‘ohana.



“There are no words to express our gratitude for the Service that was given to us. Henderson Huihui, you believed in us when we couldn’t see what hope looked like. You have worked diligently and patiently with us in our case, you stood by us at our lowest times in our lives, dealing with Bill’s health conditions. Your punctuality of meeting the goal to suit up and show up did not go unnoticed. Dealing with my husband’s COPD, Lung Cancer 4th Stage you were compassionate in our needs and addressing the task at hand. You have helped restore some sanity to take our stand with dignity and respect. We are grateful that you all continued to stay and trust the process of the outcome of today. Your work will not go in vain.

We will tell our community that they are not alone, that there is Native Hawaiian Legal Corporation who is willing to stand side by side to find a solution, and there is HOPE.”

Valila Kekawa. NHLC client



Protecting an ‘Ohana Home and Pathway to a Homestead for DHHL Rent-With-Option-to-Purchase Program Participants

Bill Kekawa (“Bill”) first applied for a residential homestead lease with DHHL in 1978. Like too many native Hawaiians on the homestead waitlist, Bill was passed over for lease offerings because he could not obtain the financing required for high-cost turn-key homesteads. When DHHL offered Bill one of its new Rent with Option to Purchase (RWOTP) leases at La’i ‘Ōpua Village 4, Bill took this opportunity as his chance to secure a home and a pathway to a homestead lease, benefiting him and his family for generations. Unfortunately, what started as a pathway of hope to finally receive a homestead lease promised to him by the Hawaiian Homes Commission Act turned into a situation fraught with stress, frustration, and turmoil. From the start of renting, Bill’s unit was plagued with issues. From electrical problems, high water bills due to the rental management’s control of the water sprinkler system in the yard, and a shower leak flooding the home.

Management instructed Bill to pay for the expenses out of pocket, and he would be reimbursed or credited for the rent. After spending thousands of dollars to make the necessary repairs, Bill was not reimbursed or credited. In response, Bill withheld payment of rent due to management’s breach of its warranty of habitability. Management responded by filing an eviction action. After lengthy court battles, including an appeal to the Intermediate Court of Appeals, NHLC secured a settlement agreement that would allow Bill and Valila the ability to remain in the home and be credited for the expenses incurred on repairs.

“From the very beginning of representation of our family and the uphill challenge we all faced, to the unexpected and exponential growth of challenges we all faced along the way, NHLC has surprisingly continued to support and surprise with solutions and options well suited for all the ridiculousness we received because of this suit. In the end, all was provided for and I have to admit I never expected such a complete closure to this 40-year nightmare. Mahalos.”

Collins Lee

“Without the help of NHLC the Kamakapua Hulikoa Family Land Trust would NOT have been able to settle a very big problem that began back in the 1970s. Mahalo for all of the time, effort and willingness to help us solve this problem.”

Mark Lee

Resolving 18-Year Legal Process to Secure 91 Acres of Ancestral Land for North Kona ‘Ohana

For over eighteen years, the Kamakapua Hulikoa ‘ohana fought to hold onto their ancestral land in Kohanaiki, North Kona. The ‘ohana was forced to defend against a quiet title and partition lawsuit that threatened to force the sale of their 155-acre property. Their ‘ohana held a 55.19% undivided interest alongside co-tenants. When the co-tenants resolved to sell, however, they needed help protecting their rights and their ‘āina. The ‘ohana sought NHLC’s assistance.

Working with family members committed to keeping the ‘āina, NHLC helped them consolidate their ownership interests into a unified trust, then represented the trust through years of contentious litigation with numerous legal issues, including subdivision of the land, the sale of a 53-acre agricultural portion of the property, handling of delinquent property taxes, and managing cost reimbursements among the owners. However, the ‘ohana was steadfast in the process, and after nearly two decades, in December 2025, a court-appointed commissioner signed deeds granting their ‘ohana land trust clear title to more than 91 acres of conservation land.

Holding the State Accountable to Funding Hawaiian Home Lands: Nelson v. Hawaiian Homes Commission

For nearly two decades, NHLC has stood alongside homestead beneficiaries in *Nelson v. Hawaiian Homes Commission* to hold the State of Hawai‘i accountable to its constitutional obligation to adequately fund the Department of Hawaiian Home Lands (DHHL).

Filed in 2007, *Nelson* is about breached trust duties and a history of inadequate State funding for DHHL’s administration and operations, contributing to a homestead waitlist that many Native Hawaiians have and continue to die on without ever realizing the promise of the Hawaiian Homes Commission Act.

Over nearly 20 years, the case has moved through the courts across multiple administrations. In February 2025, the Hawai‘i Intermediate Court of Appeals issued its most recent decision, affirming that the plaintiffs’ claims cannot be resolved by examining a single fiscal year in isolation. The court vacated portions of the lower court’s final judgment and remanded the case for further proceedings, keeping alive the broader argument that the State has failed, year after year, to meet its constitutional duty to the lāhui.

NHLC Litigation Director Kirsha Durante and former NHLC Staff Attorney David Kimo Frankel continue as co-counsel. In 2025, the team resolved one of the remaining counts in the case, with a hearing on the final count scheduled for 2026. NHLC remains committed to seeing this through to a final judgment and long-overdue justice for the plaintiffs and the Native Hawaiian families whose futures depend on the State keeping its word.





Mana ka Wai Ola

Protecting Water, including Streams, Groundwater, and Aquaculture

This program takes inspiration from the mele “Ka Wai a Kāne.” Mana means spiritual power, but it also means to split as a stream. Mana Ka Wai Ola was founded to ensure that the rights to wai for Kānaka are respected and upheld, with clean water in Hawaiʻi aquifers and streams, and the sea.

According to the Hawaiʻi Department of Land and Natural Resources, there are approximately 376 streams that continuously flow in the state. However, water is increasingly being diverted for private commercial use to the benefit of large land owners and developers, often to the detriment of the environment and traditional and customary practices.

NHLC is committed to holding the state accountable to its constitutional public trust duties and duties to protect Native Hawaiian traditional and customary practices associated with water.



Challenging Unlawful Stream Diversions in East Maui

For more than a century, the streams of East Maui have been diverted away from the land and people who depend on them. What was once a living network of water sustaining traditional farming, fishing, and gathering has been systematically redirected for commercial use. Since 1985, the state allowed Alexander & Baldwin, Inc. (“A&B”) to divert up to 450 million gallons of water daily from East Maui streams through a series of “temporary” permits renewed year after year, for decades, without environmental review.

With many streams rendered dry and traditional ways of life at risk of extinction, East Maui practitioners needed to take a stand. In 2015, cultural practitioners Healoha Carmichael, Lezley Jacintho, and Nā Moku Aupuni O Koʻolau Hui, represented by NHLC, sued the Board of Land and Natural Resources (“BLNR”), A&B, and East Maui Irrigation Co. (“EMI”). Their message was clear: these diversions are unlawful, and the land and water must be protected.

In 2022, the Hawaiʻi Supreme Court ruled that BLNR could not keep issuing permits without proper environmental review. In December 2023, the environmental court found that BLNR, A&B, and EMI violated the Hawaiʻi Environmental Policy Act, and that BLNR improperly renewed the permits it had been issuing since 2015. Building on that victory, NHLC worked with the plaintiffs to amend their case to seek restitution for the years A&B drained streams dry. In late 2025, the Hawaiʻi Supreme Court agreed to hear the case, recognizing it raises novel legal questions regarding damages for improperly permitted water leases that warrant the Court’s review.

Meanwhile, Nā Moku, with NHLC’s continued support, has challenged the permits being issued year after year, appealing BLNR’s decisions to grant new revocable permits for both 2025 and 2026, and the agency’s repeated denial of their requests for a contested case hearing. As of this publication, the 2025 appeal remains pending, and the 2026 challenge was filed in early January.



Holding DHHL Accountable for 20-Year Failure to Deliver Water to Honokaia Pastoral Homesteads

For nearly two decades, Diana Terukina has held a DHHL pastoral lot lease in Honoka'a on Hawai'i Island, awarded to her in 2006 with the promise of land to raise cattle, sustain her 'ohana, and perpetuate subsistence practices. All of that requires water. DHHL, however, has not delivered water infrastructure for these lots. As a result, Native Hawaiian homesteaders in Honoka'a are hauling water in just to drink, cook, bathe, and do laundry.

In 2004, the settlement of *Aged Hawaiians v. Hawaiian Homes Commission* required DHHL to develop pastoral leases in Honoka'a, including the planning and funding of a water system. The Hawaiian Homes Commission never submitted a budget. In 2013, Mrs. Terukina and fellow Honoka'a lessees — including plaintiffs from the original case and other 'ohana — filed *Honokaia 'Ohana, et al. v. Masagatani* to compel action. DHHL and the Commission made a new promise to build the water system if the homesteaders would dismiss their lawsuit. The homesteaders agreed. DHHL did not deliver. More than a decade later, construction has not begun.

In January 2025, NHLC secured a court order reopening *Honokaia 'Ohana, et al. v. Masagatani* and setting aside the previous dismissal. NHLC is now representing Mrs. Terukina in the First Circuit Court of Hawai'i to hold DHHL and the Commission accountable to their legal duties and to the people they are obligated to serve in Honoka'a.



I Koe ke Kuleana

Protecting Wahi Pana and Access Rights for Traditional and Customary Practices

The I Koe ke Kuleana program takes inspiration from the Mahele and Kuleana Act documents that reserved and preserved the rights of the makaʻāinana to access, gathering, and other purposes even after the adoption of fee simple land ownership in Hawaiʻi. This program is meant to ensure that these rights continue to be reserved and preserved for the people of Hawaiʻi.

Legal Services

This program seeks to defend and uphold the constitutional rights of cultural practitioners and sacred place stewards to enable access to, and provide culturally necessary protection of, sacred places. This program includes legal advocacy in courts and before administrative agencies, as well as engagement in Native Hawaiian consultation processes involving federal, state, and local government agencies.



Advocating with Three Generations of Kiaʻi to Protect Nihokū from Over Development

For more than four decades, the Kīlauea community on Kauaʻi has fought to protect Nihokū — a wahi pana (sacred place) central to Native Hawaiian traditional and customary practices. In the 1980s, plans for development on the mauna resulted in substantial advocacy for traditional and customary practices, and environmental impacts. The outcome was a setback line for development hard fought for and secured by community.

That line was respected for decades. In 2021, however, new landowners sought a permit to develop past the line to build a 30,000 square foot compound, relying on a higher setback line that a developer attempted, but failed, to secure in the 1990s.

NHLC represented Nā Kiaʻi o Nihokū, a group of cultural practitioners from Kīlauea, through years of contested case proceedings. In November 2024, the Kauaʻi County Planning Commission upheld the 1982 setback line, refusing the requested permit that would exceed it, and therefore protecting constitutionally-recognized Native Hawaiian traditional and customary practices at Nihokū.

The land owner appealed. NHLC successfully prevailed again before the Fifth Circuit Court in 2025. Unsatisfied, the landowner has appealed again to the Hawaiʻi Intermediate Court of Appeals. NHLC and Nā Kiaʻi o Nihokū continue to defend Nihokū, as this community has for generations.

Steadfast Advocacy to Mālama Pōhakuloa Against Military Destruction

The Pōhakuloa Training Area on Hawai'i Island spans more than 132,000 acres, making it the largest U.S. Department of War installation in Hawai'i. The area is a U.S. military training base located in the high plateau between Mauna Loa, Mauna Kea and Hualālai. The area includes 22,750 acres of state-owned land that the U.S. Army leases. The Army is engaged in the process to seek lease renewal. Under state law, to proceed the Army must prepare an environmental impact statement (EIS) deemed adequate and accepted by the state.

In May 2025, the state's Board of Land and Natural Resources (BLNR) voted to reject the U.S. Army's final EIS. The board's rejection disrupts the lease renewal process. Under Hawai'i law, to continue the Army must resubmit a revised statement that addresses the board's concerns by including necessary environmental and cultural reviews and satisfactorily responding to public and agency comments submitted on prior drafts, among other requirements.

Community advocacy to mālama 'āina at Pōhakuloa against state and military abuse is longstanding. In 1964, in its lease of the the state lands in the area, the Army agreed to make every reasonable effort to remove and deactivate all live or blank ammunition from the land. The Army failed to do so, and the state did not reasonably monitor or inspect the lands to hold the Army accountable, with military debris, blank ammunition, and other trash desecrating the 'āina. NHLC previously represented Clarence Kū Ching and Maxine Kahaulelio in *Ching v. Case*, a Hawai'i Supreme Court case decided in 2019 holding the state accountable for its trust duties in stewarding the land. NHLC currently represents Aunty Maxine and PIHA, a hui of Native Hawaiian practitioners, to mālama Pōhakuloa and continue to protect it from destruction.

Reclaiming Mauka to Makai Access for Traditional and Cultural Practices in Mahukona

Decades ago, Hui Māmalahoa, a community group of cultural practitioners and long-time residents of Kōhala, successfully advocated for public access to the ocean over land in Māhukona. In 1981, that victory was formalized through a court-approved stipulation in Civil Case No. 5469, securing a right-of-way from the Māhukona-Hāwī public road to the sea for the community, including lawai'a (fishermen) and other cultural practitioners.

Starting in 2025, NHLC began working alongside Hui Māmalahoa to reestablish that access and to ensure it is preserved for future generations. Despite the court-granted right-of-way never having been formally revoked, the access way has been physically obstructed over the years, and encumbrances referencing the original stipulation were omitted from more recent conveyance deeds. The land is now stewarded by the Hawai'i Land Trust (HILT). NHLC has engaged HILT directly to work collaboratively toward formalizing and restoring community access to the ocean.

The original members of Hui Māmalahoa who fought for this access in the 1980s are now kūpuna. Their kuleana is to see this pathway secured and passed down to the next generation of practitioners and community members.

I Koe ke Kuleana



Protecting Wahi Pana and Access Rights for Traditional and Customary Practices



Ho'ohua Hou

Protecting the Cultural Intellectual Property, and the Use of Traditional Knowledge

This program is meant to build on and protect the 'ike of Native Hawaiian kūpuna. The lāhui needs the ability to use and steward this knowledge as a guide for pono and distinctively Hawaiian ways of being. 'Ike kūpuna is essential foundation for Native Hawaiian identity and worldview.

This program is focused on protection of 'ike kūpuna and other intangible aspects of Native Hawaiian culture, including traditional knowledge, traditional cultural expressions, genetic resources, associated traditional and customary practices, and the intellectual property comprised of or developed from these cultural resources.

This work includes advocacy for advancement in the law that prevents cultural appropriation and abuse, including within the intellectual property system.

NHLC is dedicated to being at the forefront of advocacy with kumu and practitioners to protect 'ike kūpuna and Native Hawaiian traditional protocols for the stewardship of this ike.



Protecting Religious Practice Rights for Pa'ahao

Since the 1990s, the state has required some pa'ahao (incarcerated individuals) to serve prison sentences in out-of-state facilities. This creates severe collateral consequences for 'ohana who are separated by great distance without a practical means for visitation and for pa'ahao who experience a disruption in pilina (relationship) to 'āina. For years, this distance also came with barriers to Native Hawaiian traditional spiritual practices within prison on the continent.

In February 2011, NHLC filed a class-action lawsuit, *Davis v. Abercrombie*, on behalf of Native Hawaiian pa'ahao held at the Saguaro Correctional Center in Arizona. The lawsuit alleged that the facility violated their rights under the Religious Land Use and Institutionalized Persons Act (RLUIPA) and the U.S. Constitution by denying them the ability to practice their faith, including observance of the Makahiki season. The case ultimately resulted in a settlement securing lasting protections for pa'ahao to engage in Native Hawaiian religious and cultural ceremonies. These ceremonies and practices are deeply meaningful and critical to the health, wellness, and healing process for pa'ahao, who hope to re-enter society and return to their 'ohana in a pono manner.

More than a decade later, NHLC continues to monitor compliance with the settlement and support pa'ahao in exercising their spiritual practice rights. In January 2025, Litigation Director Kirsha Durante and Staff Attorney Terina Fa'agau traveled to Arizona to attend Makahiki closing ceremonies with pa'ahao at Saguaro Correctional Facility. In March 2025, Kirsha and Terina joined Makahiki closing ceremonies at Halawa Correctional Facility, organized by 'Ohana Ho'opakele.

Enabling Access to ‘Ōlelo Hawai‘i Immersion Education in Public Schools

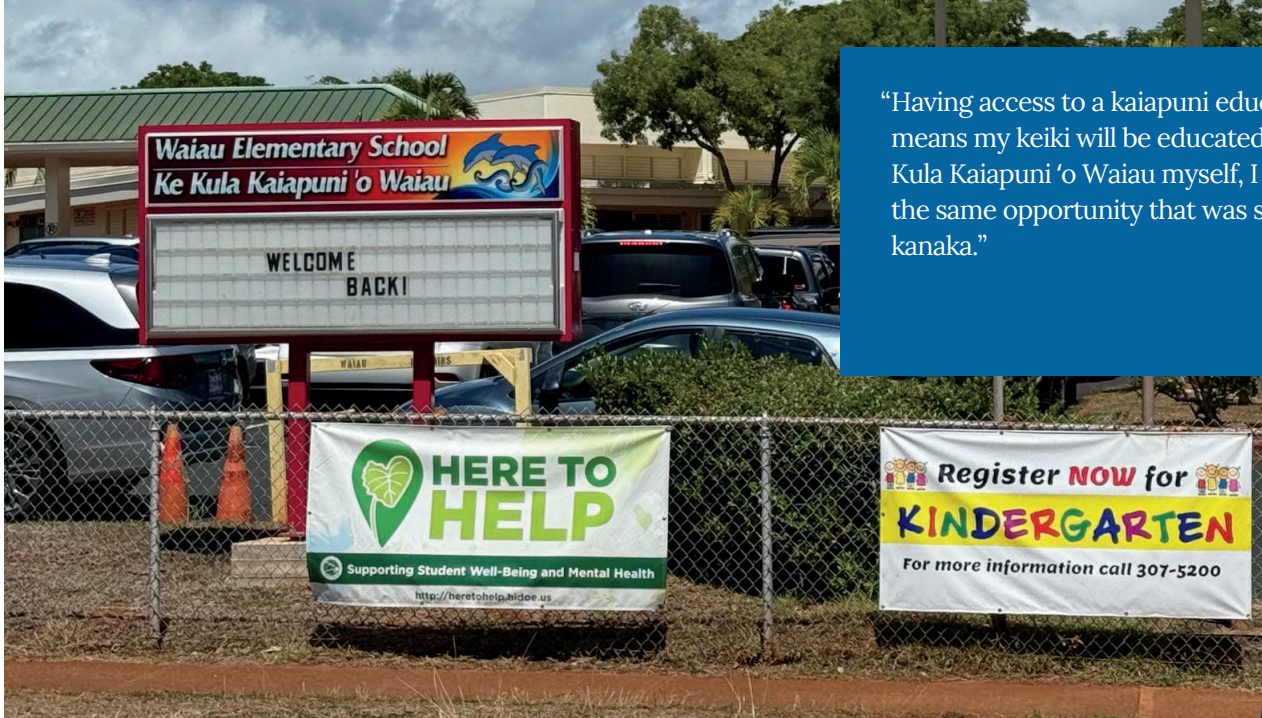
On September 26, 2025, NHLC filed suit in the First Circuit of Hawai‘i against the Hawai‘i Department of Education (“DOE”), to uphold families’ constitutionally protected rights to Hawaiian language immersion education in the Hawai‘i public school system.

NHLC represents the parents of Native Hawaiian keiki who were told that they could not register for papa mālaa’o (kindergarten) at Kula Kaiapuni ‘o Waiau (“Waiau”) for the 2025-2026 school year. Waiau was one of the first Hawaiian language immersion programs established by the DOE in 1987. In February 2025, mākua (parents) sought to register their keiki at Waiau. Waiau administrators placed some ‘ohana on the school’s waitlist. Prior to start of the school year in August, the Waiau administrators advised some mākua to find other programs or enroll in the English language program at Waiau.

Waiau is the only reasonably accessible immersion option for ‘ohana that reside in the Central District or the Leeward District of O’ahu. Waitlisted Central and Leeward District ‘ohana face unreasonable burdens to access other options, and for some it is practically impossible, because those options are much farther away. Further, the out-of-district programs are additionally hard to access due to space limitations that can bar registration even for those with the resources to physically reach them.

This case was one of three lawsuits filed by NHLC in 2025 arising from the registration process for papa mālaa’o (kindergarten) at Waiau on behalf of Central District immersion school families. After the first two lawsuits were filed, the DOE offered registration in the class at Waiau to the keiki of the parents who brought those cases, though the DOE had previously turned those families away. Spots were also offered to other makua on the waitlist. The current suit is on behalf of a third Native Hawaiian mānaleo (native ‘Ōlelo Hawai‘i speaking) ‘ohana whose child lost their position in the Waiau class following a challenging process to register for the program and afterschool care. With no reasonable alternative, this child is now enrolled in an English-instruction class.

In Hawai‘i, mānaleo ‘ohana are entitled to reasonable access to ‘Ōlelo Hawai‘i schooling. This lawsuit asks the Court to require that the DOE deliver on that constitutional promise.



“Having access to a kaiapuni education is more than learning ‘Ōlelo Hawai‘i, it also means my keiki will be educated through the lens of ‘ike Hawai‘i. As a graduate of Ke Kula Kaiapuni ‘o Waiau myself, I am so grateful my daughter will now be able to have the same opportunity that was so formative in my upbringing and my identity as a kanaka.”

Leimomi, NHLC client

Protecting Against the Criminalization of Traditional Birthing Practitioners

In 2023, a new state law exposed Native Hawaiian traditional birthing practitioners to the risk of criminalization. The law required midwifery practitioners to hold credentials based on Western medical training pathways, while the alternative pathway that was supposed to recognize traditional Native Hawaiian practitioners did not, in practice, exist. Practitioners who continued their work faced potential criminal penalties, and the apprenticeship-based training pathways that had existed since Hawai‘i was an independent nation were effectively eliminated.

In 2024, NHLC together with the Center for Reproductive Rights and Perkins Coie, filed suit on behalf of traditional birthing practitioners and student practitioners. The legal team successfully obtained a statewide preliminary injunction blocking enforcement of the law’s criminal penalties against traditional birthing practitioners while the case proceeded toward trial.

In 2025, NHLC continued to stand alongside practitioners as they advocated for legal fixes from the state legislature. Those efforts succeeded. The Hawai‘i state legislature repealed many of the 2023 law’s most harmful restrictions on traditional and customary practices, and the State agreed to a joint stipulation confirming that traditional birthing practitioners will not face criminal penalties for practicing without a midwifery license, and that students may once again train locally through traditional pathways.





Kani Hou ka Iwi

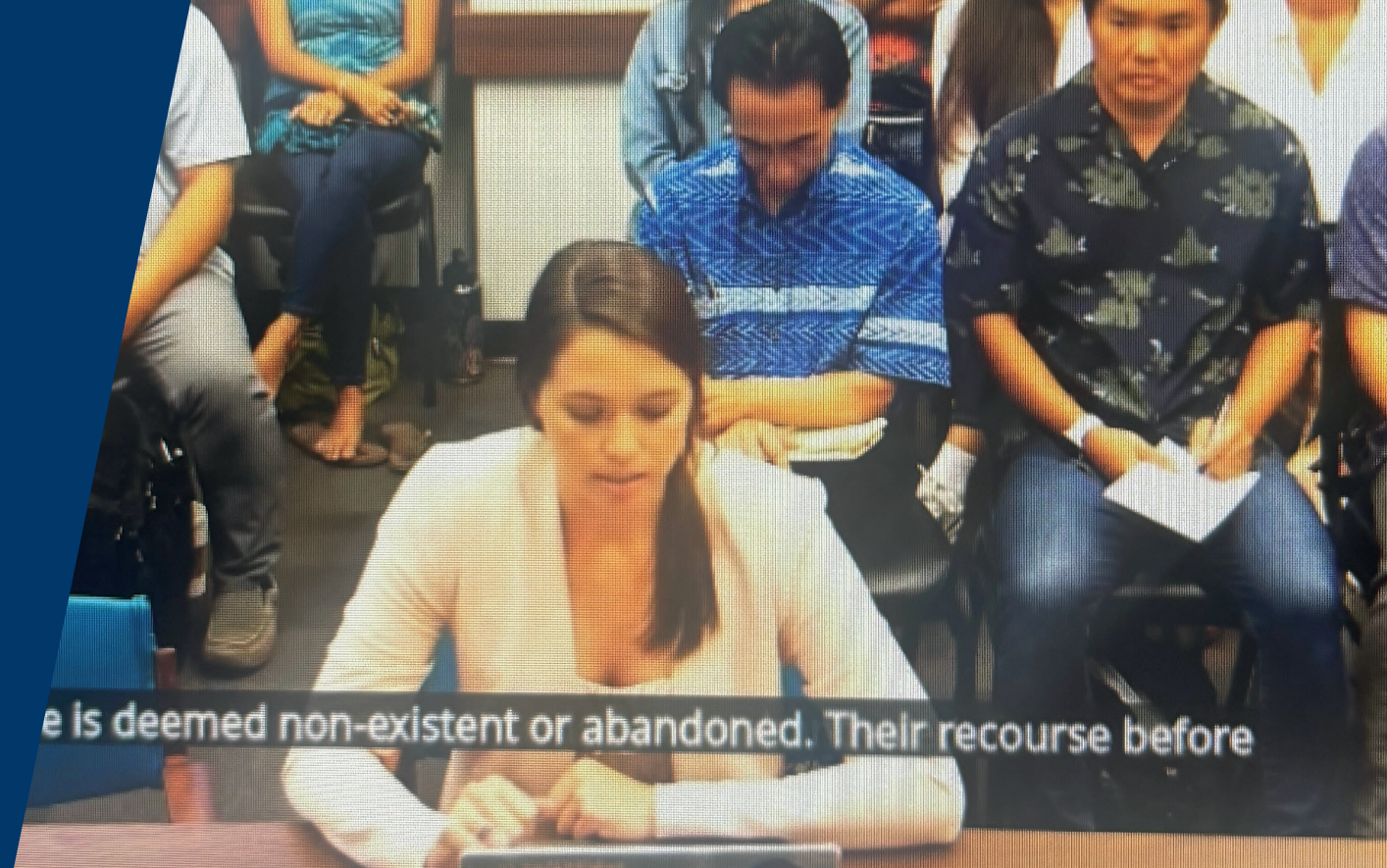
Helping communities to recover from and build resilience to disasters

Following the devastating wildfires that occurred in Lāhainā in August of 2023, the need for legal services in the realm of disaster relief and resilience became abundantly apparent. NHLHC founded Kani Hou ka Iwi, a program dedicated to disaster relief and resilience, soon after the Lāhainā wildfires to respond to this need.

Legal Services

The Kani Hou ka Iwi program provides legal and advocacy services in these areas specifically tailored to disaster recovery efforts:

- FEMA applications and appeals
- Access rights
- Burial protection
- Water rights
- Probate
- Debris clean-up
- Resolving clouds on title for family-owned land, e.g., heirs property



Clearing Barriers to Retaining 'Ohana Land and Home Rebuild After Fire Loss

When the August 2023 wildfires tore through Lāhainā, more than structures were destroyed. Family homes were taken that had sheltered families for generations representing deep pilina to 'ohana, community, and 'āina.

For Francis Hussey, his nephew, and his nephew's two children, the destruction of their multi-generational home set off a two-year struggle just to hold on to the land beneath it. Today, they have a path home.

In the aftermath of the fire, the family faced a foreclosure action that, if it had gone through, would have been the first foreclosure auction of a property destroyed in the 2023 disaster. At the same time, hazard insurance proceeds that should have helped the family had been mishandled, and the family's ownership history required untangling through two separate probate proceedings. The road home was complicated from every direction.

With NHLHC's support, the 'ohana fiercely sought to defend their land and find the path home. NHLHC successfully argued that insurance proceeds had to be applied to the foreclosure deficiency, secured the vacatur of the Foreclosure Decree and Judgment, and ultimately reached a dismissal of the foreclosure case entirely.

From there, the focus turned to finding a way forward. NHLHC negotiated the sale of the property to Lāhainā Community Land Trust, a solution designed not to displace the family, but to protect them. The agreement includes a provision giving Francis, his nephew, and their heirs the right to buy the land back or enter a long-term lease and rebuild on it. Their connection to the land is preserved.

The path to rebuilding is also taking shape. Lāhainā Community Land Trust is now partnered with Mennonite Disaster Services to help with construction — a collaboration that has facilitated cost and time efficient rebuilding for others in the community.



Watching the Water: Advocating for Equitable Recovery in West Maui

In the aftermath of the August 2023 wildfires, NHLC attorneys have maintained a careful watch over water management decisions affecting West Maui, recognizing that access to water is not merely a logistical matter, but one of cultural survival and ancestral rights.

As recovery efforts have accelerated, competition for limited freshwater resources on island has intensified. NHLC has been diligence since the early days of recovery to engage with state water authorities, county agencies, and emergency management bodies to ensure that Native Hawaiian families, communities, and traditional practices were not sidelined in the recovery. Where decisions threatened traditional practices, NHLC has been there to raise concerns, engage in agency processes, and support traditional cultural practitioners in proceedings before the Commission on Water Resource Management.

As Lāhainā rebuild continues, so does this work to ensure that the waters of West Maui flow in ways that honor the past and support a just, culturally grounded, more disaster resilient, future.

Building Disaster Resilience and Facilitating Recovery with Trusts for 'Ohana Land

In the aftermath of the Lāhainā wildfires, many families discovered that their land was held fractionally across relatives, sometimes spanning multiple generations. That disaggregated ownership made it difficult to access the programs and services families needed most: cleanup services, financial aid, and recovery loans.

This year, NHLC worked with families to bring legal clarity to their land by organizing title into trusts. When ownership is clear and consolidated, families are far better positioned to access relief when disaster strikes. A trust removes uncertainty about who owns a property, who can make decisions about it, and who is entitled to receive assistance in its name.

The result is greater disaster resilience and a faster, easier road to recovery, honoring families' connection to the land by helping them protect it for generations to come.



Hu'ea'o Student Experiential Learning

Part of the kuleana of all attorneys is to contribute to the development of rising lawyers, and developing the rising generation of indigenous rights advocates is one of NHLC's strategic priorities. Native Peoples represent one-half of 1% of the American legal profession, the most underrepresented racialized group in the country. Because of longstanding exclusion in the legal profession, Native communities face a critical shortage of legal expertise, limiting their access to justice.

Hu'ea'o is one of few indigenous rights legal internship programs in the country and uniquely allows students of all backgrounds to participate first-hand in serving Native people and the practice of Indigenous Peoples law. Over 25 students participated in the program in 2025, representing schools and communities from across the US, as well as New Zealand, Canada, and Australia.

The Hu'ea'o program at NHLC trains and inspires the rising generation of Indigenous Peoples' advocates. Excellence in Indigenous advocacy requires not only legal knowledge, but deep historical and cultural knowledge. Students in the program are offered meaningful opportunities to assist in delivering legal services and to learn about and engage in Native Hawaiian traditional practices. This year, participants accessed workshops for k hili making, niu p pale weaving, oli (chanting), mele (singing), m lama lo'i, and m lama  aina with NHLC staff.



Marcos Andrade
Harvard Law School



Ryan Bae
University of Pennsylvania Carey Law School



Keakini Cabaniero
Amherst College/
University of Auckland



Julia Castro
University of California, Berkeley



Mark Chung
Yale University



Chloe Devere
University of California, Santa Barbara



Chase Fong
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Ryan Foo
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University of Hawaii, Hilo



Loren Grandelli
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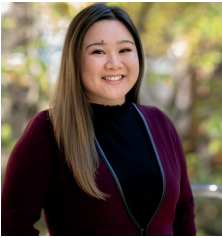
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Mitchell Hamline School of Law



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Maddie Van Der Ploeg
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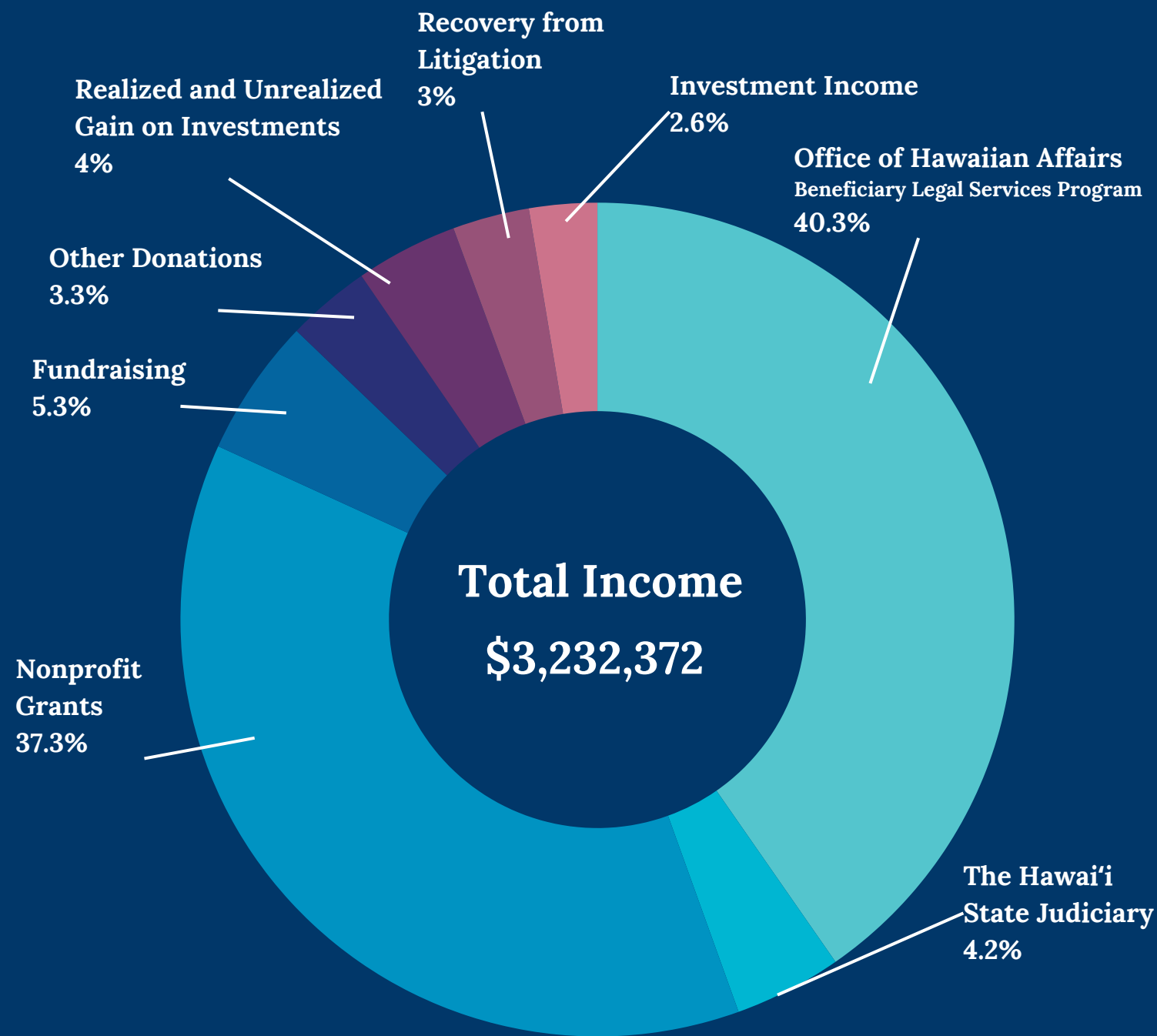


Joanie Wood
Dartmouth College

2025 Hu'ea'o Participants

2025 Financials

This financial information is provided based off of NHLC’s fiscal year beginning July 1, 2024 and ending June 30, 2025. For this fiscal year, NHLC’s financial statements were audited by Choo, Osada, & Lee, a firm of certified public accountants in Honolulu.

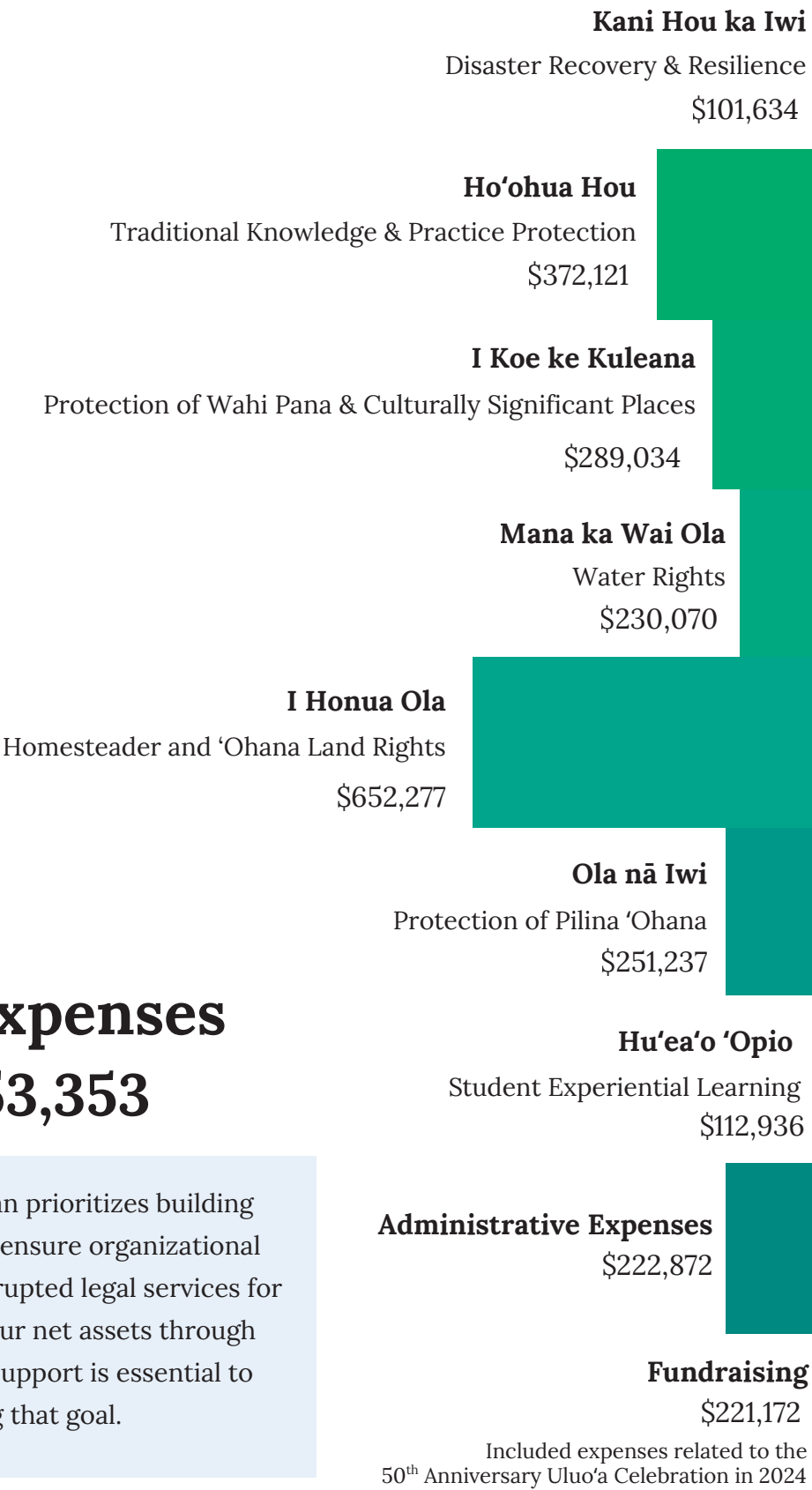


*Income is categorized above to highlight diversity of funding sources and ties to total income reflected in the audited financial statements and Form 990.

**Expenses by program take the program expenses as detailed on the audited financial statements and allocate them based on labor allocation from management’s estimates of time and effort by staff. The fundraising and management and general categories are directly from the statements.

Total Expenses \$2,453,353

NHLC's strategic plan prioritizes building financial reserves to ensure organizational resilience and uninterrupted legal services for the lāhui. Growing our net assets through sustained financial support is essential to achieving that goal.



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Raelynn Carpenter
Alan Murakami
Sunshine Topping
Meleana Shim
Linda Lyerly
Moani Russell



NHLC & the Stupski Foundation

Why Do You Give?

“I donate monthly to NHLC because, one, the work they do is extremely necessary and important for the Kanaka community. On a personal level, I donate every month as a way to express my gratitude for NHLC helping my Granddad decades ago. At the time, he was a retired military veteran trying to get his name on the kuleana deeds of lands in his mother’s and father’s families. He probably did not have the means to hire a private attorney. Without the help of NHLC, he and his descendants may never have had this enduring connection to our ancestral lands.”

Moani Russell, NHLC Monthly Donor

“We love Hawai‘i and we are not Native Hawaiians. What differentiates this place from Florida, California or anywhere else, is the presence of the people who created and have preserved the aloha culture. We give to NHLC because of the remarkably effective use they make of their talents and available resources to protect and advance that unique Hawaiian culture and the families who embody it.”

Richard and Margaret Norton
NHLC Donors



NHLC, PIDF, & the Christensen Fund

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Mahalo Nui

Ways to give

NHLC depends upon charitable giving. Gifts can be made electronically using the QR code below. You can also send gifts to NHLC at:

Native Hawaiian Legal Corporation
1164 Bishop Street, Suite 1205
Honolulu, HI 96813

or online at www.nhlchi.org.

To discuss options for major gifts, please call NHLC and ask for the Executive Director at 808-521-2302. NHLC is a 501(c)(3) nonprofit charity, EIN 99-0161861.

