

STAND. COM. REP. NO.

956

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 1138
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 1138 entitled:

"A BILL FOR AN ACT RELATING TO ATTORNEY'S LIENS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow an attorney's lien to attach to an arbitration proceeding.

Prior to holding a hearing on this measure, a proposed S.D. 1 was prepared and made available for public review. The proposed S.D. 1 establishes by statute a debt obligation on the part of the attorney or the attorney's firm for the billing of a certified court reporter.

Your Committee received testimony in support of the proposed S.D. 1 from the Carnazzo Court Reporting Company, Ltd.

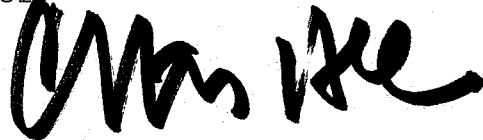
Your Committee finds that the billings of court reporters for transcripts of depositions, statements, arbitrations, and hearings often take up to six months to be paid. When the court reporter follows up with the attorney on payment, the attorney commonly tells the reporter to seek payment from the attorney's client. The reporter is not usually told of this in advance of the recorded proceeding; otherwise, the reporter may have required payment to be made up front. The lapse of several months is usually too late to be of any help in collecting the bill.



Your Committee has amended this measure by adopting the proposed S.D. 1 and making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1138, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1138, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor.



CLAYTON HEE, Chair



