

STAND. COM. REP. NO.

703

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 1073
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 1073, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the delivery of legal services to low- and moderate-income residents by increasing the amount of the surcharges for indigent legal fees.

Your Committee received written comments in support of this measure from Aviam Soifer, Dean and Professor, William S. Richardson School of Law; N. Kaliki Siu, President, Hawaii Paralegal Association; Tracey S. Wiltgen, Executive Director, The Mediation Center of the Pacific, Inc.; L. Dew Kaneshiro, Interim Director, Volunteer Legal Services Hawaii; American Civil Liberties Union of Hawaii; Shannon L. Wack, Delivery of Legal Services to the Public Committee, Hawaii State Bar Association; Nanci Kreidman, M.A., Domestic Violence Action Center; Robert J. LeClair, Executive Director, Hawaii Justice Foundation; Louis Erteschik, Staff Attorney, Hawaii Disability Rights Center; Jill M. Hasegawa, Esq., Access to Justice Commission; George Zweibel, Law Office of George J. Zweibel; James H. Pietsch; Dee Dee Letts, Board Member, Mediation Center of the Pacific; and two private individuals.



Your Committee received written comments in opposition to the measure from Allan Y. Okubo, Esq.

Your Committee received comments on this measure from Gary M. Slovin, Goodsill Anderson Quinn and Stifel; and M. Nalani Fujimori Kaina, Executive Director, Legal Aid Society of Hawaii.

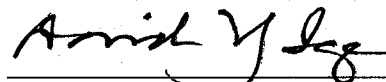
Your Committee finds that four out of five low- and moderate-income residents in Hawaii do not have their legal needs met and that legal service providers are only able to assist one of every three people who contact them for assistance.

Your Committee notes that the surcharge that helps fund indigent legal services has not been increased since 1996. By increasing the surcharges for indigent legal services, this measure will help reduce the portion of low- and moderate-income residents whose legal needs are not being addressed.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for style and clarity.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1073, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1073, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1073, SD1	JOL, WAM	2-25-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	/			
KIDANI, Michelle N. (VC)	/			
CHUN OAKLAND, Suzanne	/			
DELA CRUZ, Donovan M.	/			
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
KIM, Donna Mercado	/			
KAHELE, Gilbert	/			
KOUCHI, Ronald D.				✓
RYAN, Pohai		✓		
TOKUDA, Jill N.	/			
WAKAI, Glenn	/			
SLOM, Sam			✓	
TOTAL	11	1	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes