

Honolulu, Hawaii
Feb 13, 2008

RE: H.B. No. 3422
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3422 entitled:

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

begs leave to report as follows:

The purpose of this bill is to improve civil legal services to indigents by increasing the revenues that help fund such programs. This bill increases the surcharges on initial court filing fees in civil actions from:

- (1) \$25 to \$50 in the circuit courts; and
- (2) \$10 to \$25 in the district courts.

Moneys collected from the surcharges are deposited into the Indigent Legal Assistance Fund and distributed to qualified organizations or programs that provide civil legal services to indigents.

This bill also expands eligibility for legal services by increasing the income qualifications of an indigent person from 125 percent to 250 percent of the official poverty line established by the United States Secretary of Health and Human Services.



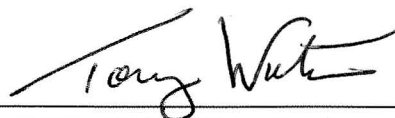
Hawaii Disability Rights Center, Hawaii Justice Foundation, Na Loio - Immigrant Rights and Public Interest Legal Center, Domestic Violence Action Center, Native Hawaiian Legal Corporation, and Legal Aid Society of Hawaii testified in support of this bill. An individual offered comments.

Your Committee has amended this bill by:

- (1) Inserting a savings clause; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3422, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3422, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 389-08

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 3422	Committee Referral: JUD , FIN	Date: 2/5/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. WATERS, Tommy (C)	/			
2. OSHIRO, Blake K. (VC)	/			
3. EVANS, Cindy				/
4. GREEN, Josh, M.D.	/			
5. ITO, Ken	/			
6. LUKE, Sylvia	/			
7. McKELVEY, Angus L.K.				/
8. MORITA, Hermina M.				/
9. SONSON, Alex M.		/		
10. SOUKI, Joseph M.	/			
11. TSUJI, Clift	/			
12. YAMANE, Ryan I.	/			
13. YAMASHITA, Kyle T.	/			
14. MARUMOTO, Barbara C.		/		
15. PINE, Kimberly Marcos		/		
16. THIELEN, Cynthia	/			
TOTAL (16)	10	3		3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center;">_____ committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align: center; font-size: 24pt;">Tony W...</div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				