

JAN 21 2010

S.B. NO. 2259

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# A BILL FOR AN ACT

RELATING TO ARBITRATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the use of judicial  
2 arbitration is an alternative and reasonable means of settling  
3 legal disputes in an expeditious and cost-effective manner. The  
4 legislature supports and encourages the use of arbitration,  
5 especially in light of the present economic downturn.

6           The legislature also finds that the restriction of  
7 attorney's fees under this Act already applies to cases in civil  
8 litigation.

9           The purpose of this Act is to extend the policy of  
10 restricting attorney's fees in civil litigation to judicial  
11 arbitration cases.

12           SECTION 2. Section 658A-21, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14           "(b) An arbitrator may award reasonable attorney's fees  
15 and other reasonable expenses of arbitration if such an award is  
16 authorized by law in a civil action involving the same claim or  
17 by the agreement of the parties to the arbitration

18 proceeding[-]; provided that if the limitations on attorneys'



1 fees under section 607-14 is applicable to the civil action, the  
2 amount of the attorneys' fees awarded shall conform to these  
3 limitations."

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

*[Handwritten Signature]*  
by request



**Report Title:**

Arbitration; Attorneys' Fees

**Description:**

Requires the amount of attorneys' fees awarded in arbitration cases to conform to comparable restrictions for civil litigation cases.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

