
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."


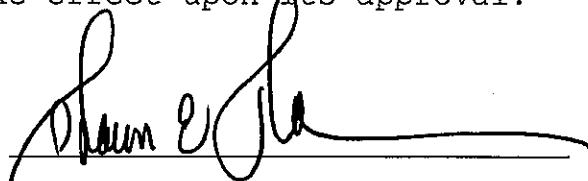
4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

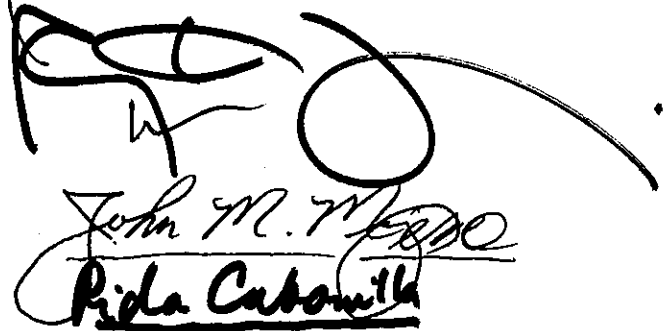
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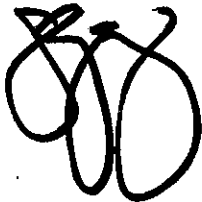
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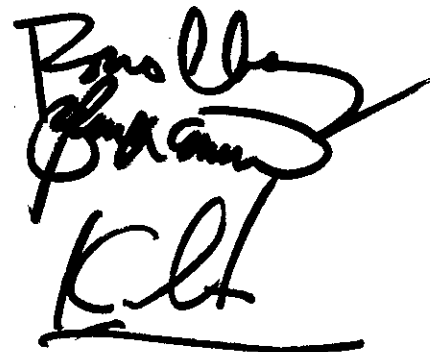
By
Mike Carroll



John M. ...
Rida Cabanilla



Memorandum



Paul ...
Kelt



John ...
Blair

JAN 22 2010



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.

