

STAND. COM. REP. NO. **80**

Honolulu, Hawaii

Feb 9, 2009

RE: H.B. No. 625

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 625 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 expand access to the justice system by providing more adequate funding for legal services to indigent persons by:

- (1) Increasing from \$10 to \$35 the surcharge imposed on civil actions in the district court for which an initial filing fee is required to be paid;
- (2) Increasing from \$25 to \$65 the surcharge imposed on civil actions in the circuit court for which an initial filing fee is required to be paid;
- (3) Increasing from \$25 to \$65 the surcharge imposed on civil actions in the courts of appeal for which an initial filing fee is required to be paid; and
- (4) Adjusting the distribution formula of the funds for legal-services organizations for the indigent by:
 - (a) Allocating 70 percent of all funds to be distributed on a pro rata basis to qualifying organizations; and



- (b) Distributing equally the remaining 30 percent of the funds to qualifying organizations whose total budget in the prior year for civil legal services to indigent persons exceeded \$100,000.

Volunteer Legal Services Hawaii, the Access to Justice Commission, Legal Aid Society of Hawaii, Hawaii Immigrant Justice Center, Native Hawaiian Legal Corporation, Mediation Center of the Pacific, American Civil Liberties Union of Hawaii, Hawaii Disability Rights Center, Domestic Violence Action Center, and several concerned individuals testified in support of this bill.

The League of Women Voters of Hawaii, Credit Associates of Maui, Ltd., Collection Law Section of the Hawaii State Bar Association, and several concerned individuals opposed this measure.

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. 625 and recommends that it pass Second Reading and be referred to the Committee on Finance.

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



JON RIKI KARAMATSU, Chair



