

STAND. COM. REP. NO. 1575

Honolulu, Hawaii

April 8, 2011

RE: S.B. No. 1073

S.D. 2

H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 1073, S.D. 2, H.D. 1, 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 help low- and moderate-income individuals obtain legal services by temporarily increasing the amount of the surcharges assessed on certain court filings. The surcharges are deposited into the Indigent Legal Assistance Fund (Fund).

This bill also requires the Hawaii Justice Foundation to review the Fund on a biennial basis to determine whether it is meeting the civil legal needs of indigent persons and to report its findings and recommendations to the Legislature in each even-numbered year, beginning with the Regular Session of 2014.

Hawaii State Bar Association (HSBA), Hawaii Access to Justice Commission, Volunteer Legal Services Hawaii, American Civil Liberties Union of Hawaii, Hawaii Disability Rights Center, University of Hawaii Center on Disability Studies, Delivery of Legal Services to the Public Committee of the HSBA, The Mediation Center of the Pacific, Inc., Hawaii Justice Foundation, and numerous concerned individuals supported this bill. The Collection Law Section of the HSBA and several concerned

SB1073 HD2 HSCR FIN HMS 2011-3490



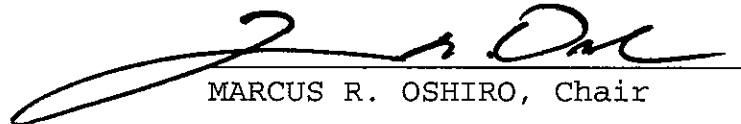
individuals opposed this measure. Hawaii Paralegal Association, Domestic Violence Action Center, Legal Aid Society of Hawaii, and numerous concerned individuals submitted comments.

Your Committee has amended this bill by:

- (1) Making the provisions of this bill permanent;
- (2) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1073, S.D. 2, H.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, H.D. 2.

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



MARCUS R. OSHIRO, Chair



