

STAND. COM. REP. NO.

1038

Honolulu, Hawaii

March 20, 2013

RE: S.B. No. 1010
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1010, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure to authorize a deputy attorney general, except for the Attorney General's First Deputy, to provide pro bono legal services at the discretion of the Attorney General.

The Department of the Attorney General testified in support of this measure.

Your Committee has amended this measure by:

- (1) Deleting language that would have limited the Attorney General's discretion to allow deputy attorney generals to provide pro bono legal services where the pro bono activity created an actual or perceived conflict of interest or where services were conducted in a manner to indicate they are done as part of the deputy attorney general's official duties;



- (2) Clarifying that any deputy attorney general who provides pro bono legal services shall be subject to all applicable rules prescribed by the Hawaii Supreme Court pursuant to section 605-6, Hawaii Revised Statutes;
- (3) Removing language that would have limited the pro bono services a deputy could provide to certain persons or entities;
- (4) Requiring the Attorney General to defend a deputy attorney general who in good faith provides pro bono legal services under this section in an action or proceeding that arises from providing such services;
- (5) Making the measure effective upon its approval; and
- (6) 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 S.B. No. 1010, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1010, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

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



KARL RHOADS, Chair



