

**HCR116**

Submitted on: 3/20/2014

Testimony for JUD on Mar 21, 2014 14:00PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kat Brady	Community Alliance on Prisons	Comments Only	No

Comments: Support our UH Richardson law students who want to help underserved communities in Hawai'i nei. We need help! Mahalo!

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Testimony of Hawai'i Appleseed Center for Law and Economic Justice  
Supporting House Concurrent Resolution 116  
House Committee on Judiciary  
Scheduled for Hearing Friday, March 21, 2014, 2:00 PM, Room 325

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*Hawai'i Appleseed Center for Law and Economic Justice is a nonprofit, 501(c)(3) law firm created to advocate on behalf of low-income individuals and families in Hawai'i on civil legal issues of statewide importance. Our core mission is to help our clients gain access to the resources, services, and fair treatment that they need to realize their opportunities for self-achievement and economic security.*

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Thank you for the opportunity to testify in **support** of HCR 116, which would call for the Hawai'i Access to Justice Commission to convene a working group to develop a loan repayment program for William S. Richardson School of Law graduates who pursue legal work for underserved communities. As a nonprofit legal organization dedicated to promoting social justice for Hawai'i's low-income and other vulnerable residents, Hawai'i Appleseed strongly believes in the need to support attorneys seeking to serve their community in public interest law.

The creation of a meaningful Loan Repayment Assistance Program (LRAP) would replicate successful existing programs in a number of stated and law schools in the nation. The costs of loan repayment by graduates of law schools remains an almost insurmountable barrier to many who have a passion to provide public service through employment at a legal services program. That is a tragedy. The need has been recognized in numerous studies on the unavailability of critical legal assistance when low-income residents are confronted with a legal challenge that will impact on their ability to stop illegal eviction, inappropriate terminations from critical benefits, custody of their children and so many other barriers to survival and self-achievement.

The most recent study conducted by the Hawai'i Legal Services Hui indicated that the justice gap is so wide that less than one in four low-income residents in Hawaii were able to find assistance when confronted with a legal challenge. An effective LRAP program would provide a significant tool for legal aid programs and prospective employees to use in overcoming the economic barriers to public service that high loan repayment obligations impose.

We also support the working group's efforts to explore other means to encourage public interest legal careers, including apprenticeships.

Again, thank you for an opportunity to testify in strong support of HCR 116.



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Written Testimony Presented Before the  
House Committee on Judiciary  
March 21, 2014, 2:00 p.m.

by  
Aviam Soifer, Dean  
William S. Richardson School of Law  
University of Hawai'i at Mānoa

### HCR116: RELATING TO HAWAII ACCESS TO JUSTICE COMMISSION; LAW SCHOOL LOAN REPAYMENT

Chair Rhoads, Vice Chair Har, and Members of the Committee,

The William S. Richardson School of Law **strongly supports** HCR116, which would establish a working group to develop a loan repayment plan and other means to expand opportunities for our law graduates to pursue public interest careers that directly serve underserved communities in Hawai'i.

Over the past forty years, the Law School has contributed both direct legal services and leadership to provide access to justice for the most vulnerable members of our many communities in Hawai'i. We are proud of the *pro bono* and clinical work that our students do while in law school and of their recognition of an ongoing obligation to community service once they graduate.

With our first-rate faculty members as their teachers as well as role models for community service, many of our students are committed to doing public interest work and providing access to justice for all once they graduate. Although our tuition is low compared to most other law schools, a majority of our students nonetheless graduate with substantial debt from paying for law school. Approximately 80 percent of all Richardson students must borrow to attend law school and when they graduate, they owe an average of \$75,419 from law school debt alone.

Accordingly, the Law School applauds the effort of the Legislature to enhance access to justice and to assist our graduates in building on the founding vision of Chief Justice William S. Richardson and his allies that included training first-rate lawyers to provide excellent legal service to everyone in Hawai'i in need of legal assistance, regardless of ability to pay. The Law School is a member of, and has worked closely with, the Access to Justice Commission since the Commission's inception, and we look forward to assisting in the efforts of the working group provided for in House Concurrent Resolution 116.

Thank you for the opportunity to testify.



**LATE**

Hon. Daniel R. Foley  
Associate Judge  
Intermediate Court of Appeals  
Chair

Jill M. Hasegawa  
Vice Chair

## HAWAII ACCESS TO JUSTICE COMMISSION

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Hon. Simeon R. Acoba, Jr.  
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Dean Aviam Soifer

March 20, 2014

To: Representative Karl Rhoads  
Chair, House Committee on Judiciary

Re: House Committee on Judiciary  
Hearing Date: Friday, March 21, 2014  
Hearing Time: 2:00 p.m.

Testimony in **Strong Support** of HCR 116, to convene a working group to develop an educational loan repayment program for individuals pursuing public interest careers directly serving underserved communities

Dear Chair Rhoads and Members of the House Committee on Judiciary:

The Hawaii Access to Justice Commission (the "Commission"), **strongly supports** the convening of a working group to develop an educational loan repayment program for individuals pursuing public interest careers directly serving underserved communities, and more especially those who pursue public interest work through our non-profit legal service providers.

The Commission, which was created by Rule 21 of the Rules of the Supreme Court of Hawaii on May 1, 2008, was established with the purpose of substantially increasing access to justice in civil legal matters for low- and moderate-income residents of Hawaii ("low income Hawaii residents"), including developing initiatives designed to enhance recruitment and retention of attorneys who work for nonprofit civil legal services providers in Hawai'i and to encourage law students to consider, when licensed, the practice of poverty law in Hawai'i.

The Commission was created in response to the 2007 Assessment of Civil Legal needs and Barriers of Low- and Moderate-Income People of Hawaii (2007 Assessment), which found that four out of five low income Hawaii residents do

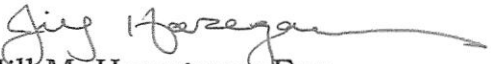
not have their legal needs met and that legal service providers are only able to assist one in three persons who contact them for assistance. The Commission recognizes that in order to increase delivery of legal services to low income Hawaii residents, more resources, including increasing the number of attorneys who practice public interest law is needed.

Many law students enter law school with the desire and passion to assist the public through public interest work. However, several barriers exist which deter those individuals from pursuing this aspiration. Among them is the financial reality of having to immediately payoff their student loans. One crucial step towards increasing the number of public interest attorneys is to lessen some of the financial burdens of those attorneys through a educational loan repayment assistance program. With such a program, those attorneys interested in practicing public interest law would have one less financial obstacle to overcome.

In order to create a successful sustainable educational loan repayment assistance program, the Commission realizes that many issues need to be addressed, which will require cooperation, discussion, and collaboration amongst a number of groups including, but not necessarily limited to: the William S. Richardson School of Law, law students, legal service providers, the Hawaii State Bar Association, and representatives from the legislative and judicial branches.

It is especially important for our legal service providers to have a voice in the creation of a successful educational loan repayment assistance program, as they are a critical piece of the discussion, and have legitimate concerns about any negative effect on their funding. The legal service providers, who provide valuable services to our underrepresented communities, are especially concerned that any funds to maintain an educational loan repayment assistance program, not supplant and/or be diverted from their programs.

The Commission strongly supports the passage HCR 116 and appreciates the opportunity that this resolution provides to further the discussion towards the creation of a successful educational loan repayment assistance program, that will truly benefit the underserved populations in Hawaii. Thank you for your attention to this matter.

  
Jill M. Hasegawa, Esq.  
Vice-Chair  
Hawaii Access to Justice Commission

Student Bar Association  
William S. Richardson School of Law  
University of Hawai'i at Mānoa

**LATE TESTIMONY**

**TESTIMONY IN SUPPORT OF HCR 116**

House Committee on Judiciary

Hon. Rep. Karl Rhoads, Chair  
Hon. Rep. Sharon E. Har, Vice-Chair

March 21, 2014  
2:00 p.m.

Aloha Chair and Honorable committee members,

My name is Keani Rawlins-Fernandez, and I am the Chair of the Student Bar Association's Working Group on Access to Justice. I testify on behalf of the Student Bar Association at the William S. Richardson School of Law (SBA), which supports this resolution.

The SBA represents over 300 students. It was established in 1985 and it is the only association of law school students organized within Hawai'i. The SBA's mission is to foster service-oriented legal professionals, who strive for justice through meaningful change.

The student delegates discussed what distinguishes us as Richardson lawyers, how to be accountable to community, and the importance of public interest law, at our 2013 Constitutional Convention. Our association then created the SBA Access to Justice Working Group, to clarify our role and focus our efforts.

We understand that we are newcomers to a long-standing conversation on Access to Justice. We acknowledge the work of those that have come before us, including: the Hawai'i Access to Justice Commission, the Hawai'i Innocence Project, the Native Hawaiian Legal Corporation, the Hawai'i Appleseed Center for Law and Economic Justice, the Community Alliance on Prisons, Legal Aid Society of Hawai'i, and the many others.

The SBA advocates for Article 1, Section 8, of the Hawai'i State Constitution's promise that "No citizen shall be disfranchised, or deprived of any of the rights or privileges secured to other citizens, unless by the law of the land." It's time to act upon the recommendation of the Hawai'i Access to Justice Commission, to create a Loan Repayment Assistance Program (2012 Annual Report). Let us step together toward a more pono Hawai'i.

We ask that you:

(1) Add the Office of Hawaiian Affairs; the Association of Hawaiian Civic Clubs; Hawaii Community Alliance on Prisons; the Hawaii Innocence Project; and recipients of the service of the Consortium of Legal Service Providers to pg. 3, l. 5;



## Association of Hawaiian Civic Clubs

P. O. Box 1135  
Honolulu, Hawai`i 96807

**LATE**

### HOUSE COMMITTEE ON JUDICIARY

**HCR 116 REQUESTING THE HAWAII ACCESS TO JUSTICE COMMISSION TO CONVENE A WORKING GROUP TO DEVELOP AN EDUCATIONAL LOAN REPAYMENT PROGRAM FOR WILLIAM S. RICHARDSON SCHOOL OF LAW GRADUATES TO EXPAND OPPORTUNITIES TO PURSUE PUBLIC INTEREST CAREERS IN HAWAII THAT DIRECTLY SERVE UNDERSERVED COMMUNITIES**

Friday, March 21, 2014; 2:00 pm; Room 325

Aloha Chairman Rhoads, vice chair Har and members of the House Judiciary Committee. I am Soulee Stroud, president of the Association of Hawaiian Civic Clubs(AHCC), here to speak in support of this measure. Each year at our annual convention delegates discuss and debate resolutions that are submitted by any of our clubs throughout Hawaii and sixteen states on the continent.

At our 2013 convention one of our young members in law school championed a resolution similar to HCR116 that brought to our attention the need for more public interest attorneys and the potential of a loan repayment plan. AHCC reso 13-19 supported: *“Creation of a State Task Force to Establish a State Program for Graduates of the University of Hawaii at Manoa William S. Richardson School of Law Who Pursue Public Interest Work in Hawaii In Order to Increase Access to Justice in Honor of William S. Richardson.”*

With this in mind, we support HCR 116 that also would encourage and benefit our Hawaii law school graduates to pursue public interest careers in the name of justice for underserved communities.

Thank you for the opportunity to testify. We urge passage of this measure.

Contact: [jalna.keala2@hawaiiantel.net](mailto:jalna.keala2@hawaiiantel.net)