



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2013**

ON THE FOLLOWING MEASURE:
S.B. NO. 1010, RELATING TO LEGAL SERVICES.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Tuesday, January 29, 2013 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): David M. Louie, Attorney General, or
Caron M. Inagaki, Deputy Attorney General

Chair Hee and Members of the Committee:

The Department of the Attorney General strongly supports this bill.

Access to justice is an important goal of our Judiciary. The Hawaii Rules of Professional Conduct comment that every attorney has the responsibility to provide legal services to those unable to pay. It is only when attorneys contribute their time through pro bono service that the community is assured that all people are indeed afforded access to justice.

Deputy attorneys general currently are not allowed by statute to engage in any type of pro bono services to the community. The reason for the current statute is that deputy attorneys general are required first and foremost to ensure that the legal matters of the State are properly and promptly addressed. The purpose of this bill is to modify the statute to allow deputy attorneys general, in certain circumstances, to be able to provide pro bono services to the community in the Attorney General's discretion.

Any concerns over conflicts of interest or protecting taxpayers from the use of tax moneys in the event of claims of legal malpractice on the part of deputy attorneys general in the provision of pro bono services are fully addressed in this bill.

Rule 6.1 of the Hawaii Rules of Professional Conduct urges all lawyers to aspire to provide at least 50 hours of pro bono services per year. While this bill does not mandate that deputy attorneys general provide pro bono services, it amends the current statute to allow those deputies who are able to fulfill their individual professional responsibility.

We respectfully request that this bill be passed.