

Honolulu, Hawaii

February 19, 2016

RE: H.B. No. 2121
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2121, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to appropriate funds to the Judiciary to purchase civil legal services for low- and moderate-income persons.

The Judiciary, Hawaii Disability Rights Center, Access to Justice Commission, Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Domestic Violence Action Center, and many concerned individuals supported this measure.

House Resolution No. 12, H.D. 1 (2015), requested the Hawaii Access to Justice Commission to assemble various state and community entities to develop a plan to determine how funding for civil legal services for low- and moderate-income individuals can be best administered. The result of the working group was to recommend funding in the amount of \$2,159,632 to restore civil legal services for low- and moderate-income individuals to prerecession levels. The working group also recommended that the funding be appropriated to the Judiciary to administer contracts with civil legal services providers.

Funding for civil legal services is critical to address the lack of meaningful access to the civil legal system that low- and moderate-income people face. As stated by Hawaii Supreme Court



Chief Justice Mark Recktenwald at the 2015 Access to Justice Conference,

One of the greatest challenges to equal justice today is the lack of effective access to our civil justice system. The reason is simple--people who have low or even moderate incomes cannot afford to hire an attorney to represent them in their civil legal cases. Although there are legal services providers like the Legal Aid Society of Hawaii who do an amazing job representing indigent clients, they have nowhere near enough resources to meet the need. As a result, every year in Hawaii, thousands of people must represent themselves in our civil courts, trying to navigate a system that is foreign to the average layperson. Many of them simply give up.

Ensuring that every person's voice is heard when their legal rights are threatened is not a luxury--rather it is at the very *foundation* of the legitimacy of our courts and, therefore, our democracy. We are talking about fundamental human needs--housing, health care, the ability to participate in raising one's child. When these decisions are made without hearing every side of the story, the promise of justice for all rings hollow.

This measure seeks to increase access to civil legal services.

Your Committee has amended this measure by inserting \$2,159,632 as the amount appropriated to the Judiciary to purchase civil legal services for low- and moderate-income persons.

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. 2121, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2121, H.D. 2.



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



KARL RHOADS, Chair



