



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
House Committee on Higher Education  
Thursday, February 12, 2015 at 2:00pm

By

Robert Bley-Vroman, Chancellor

And

Aviam Soifer, Dean

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

### HB 549 – RELATING TO PUBLIC SERVICE LEGAL LOAN REPAYMENT ASSISTANCE

Chair Choy, Vice Chair Ichiyama, and members of the committee:

The University of Hawai'i is in strong support of HB 549, provided that its passage does not replace or adversely impact priorities as indicated in our BOR Approved Budget. The proposed law addresses an important issue facing our community: basic access to justice. The need for legal services for everyone is an ongoing issue in Hawai'i. In 2008, the Access to Justice Commission was by the Hawai'i Supreme Court to address the lack of sufficient legal service providers for those unable to afford legal representation. Our many law students often graduate owing an average of \$80,000 in student loans, for law school alone.

HB 549 proposes to assist law school graduates somewhat with their burdensome loans so that they can elect to work in public service and provide more legal services to those most vulnerable in our communities. The bill itself directly resulted from the work of a task force created as a result of Senate Concurrent Resolution 116, which called for the development of an educational loan repayment program. SCR 116 started with a bill introduced by law students of the William S. Richardson School of Law. Richardson students have strongly demonstrated their commitment to public service in many forms, such as their formation of Advocates for Public Interest Law (APIL) in 1985; creating and implementing a substantial pro bono requirement for graduation, participating in clinical outreach work, and post graduation employment in areas dedicated to serving those most needy in our community.

There is a clear need for greater access to justice, and addressing the serious burdensome debt that students face after graduation. HB 549 would be a vital supplement to current federal loan forgiveness programs for public service already in existence, and finally, would allow more of our graduates to do the kind of public service so many of them want to do.

Thank you for the opportunity to comment on this matter.

**LATE**

WRITTEN ONLY

TESTIMONY BY WESLEY K. MACHIDA  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
STATE OF HAWAII  
TO THE HOUSE COMMITTEE ON HIGHER EDUCATION  
ON  
HOUSE BILL NO. 549

February 12, 2015

RELATING TO PUBLIC SERVICE LEGAL LOAN REPAYMENT ASSISTANCE

House Bill No. 549 establishes the Public Service Legal Loan Repayment Assistance Program, under the Hawaii Justice Foundation and the University of Hawaii's William S. Richardson School of Law, to support eligible lawyers in pursuit of public interest work in Hawaii. House Bill No. 549 creates the Public Service Legal Loan Repayment Assistance Fund for the repayment program that would generate revenues through legislative appropriations, private contributions, and investment earnings. The bill appropriates an unspecified sum of general funds for FY 16 and FY 17 for deposit into the new fund.

The Department of Budget and Finance takes no position on the establishment of a loan repayment program to stimulate public interest legal work and servicing of indigent persons within Hawaii. However, the department does have concerns on the bill. It is unclear if the Public Service Legal Loan Repayment Assistance Fund is a special, revolving, or trust fund. As a matter of general policy, the department does not support the creation of any special or revolving fund which does not meet the requirements of Sections 37-52.3 and 37-52.4, HRS. Special or revolving funds should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the

benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining. In regards to House Bill No. 549, it is difficult to determine whether the proposed fund is in compliance with statutes.

**ichiyama2-Brandon**

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**Sent:** Wednesday, February 11, 2015 11:01 PM  
**To:** HEDtestimony  
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**Subject:** \*Submitted testimony for HB549 on Feb 12, 2015 14:00PM\*



**HB549**

Submitted on: 2/11/2015

Testimony for HED on Feb 12, 2015 14:00PM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Akao	Individual	Support	No

Comments:

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**ichiyama2-Brandon**

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**To:** HEDtestimony  
**Cc:** bjtcjtsoup@aol.com  
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**HB549**

Submitted on: 2/11/2015

Testimony for HED on Feb 12, 2015 14:00PM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bobby-John Campbell	Individual	Support	No

Comments:

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**LATE**

To the Honorable Chair, Vice Chairs and Members of the House Committee on Higher Education,

Thank you for this opportunity to express my emphatic support for **HB 549**, which would create a student loan repayment program (LRAP) for law students who take jobs in public interest in an effort to improve access to justice for indigent communities, here in Hawaii.

I am a 44 year old, third year law student, who has worked most of my adult life in non-profit, human services agencies. In Kona, my home district on the Big Island, I have been an advocate for impoverished individuals and families. I decided to come to law school because there is a problem of insufficient access to justice for many disadvantaged members of our community and I want to be a part of the solution. When I graduate, I am committed to go back to the Big Island to continue to serve the under-served people of Kona. However, I have had to borrow nearly \$140,000 for my education. I am anticipating monthly student loan payments upwards of \$1500 per month, but entry level positions for new lawyers at Legal Aid Society of Hawaii, for example, only make an annual gross income of around \$40,000 per year. I fear that my responsibility to repay my loans will force me to seek work in the private sector.

I hope you recognize that the LRAP is not about creating incentives for new lawyers to go into public interest law. The LRAP would show a commitment from our State to ensure that everyone in Hawaii has access to quality legal representation and to lawyers who would rather not be forced to choose higher paying employment over their commitment to serve the community.

Help me do the work I'm meant to do. Please support **HB 549**.

Sincerely,

Laura Cushman  
J.D. Candidate, Class of 2015  
William S. Richardson School of Law

**ichiyama2-Brandon**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 11, 2015 2:29 PM  
**To:** HEDtestimony  
**Cc:** jbmac1@hawaii.rr.com  
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**HB549**

Submitted on: 2/11/2015

Testimony for HED on Feb 12, 2015 14:00PM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Maguire	Individual	Support	No

Comments: I am writing to add my personal support for the retention of the HCCS Aviation program at the University of Hawaii. As a former Chief Pilot and Vice Pres. of Operations at Hawaiian Airlines, I was active in Pilot hiring for many years and I know the value of a strong educational start for pilots. The HCCS Aviation program is very vital to the State of Hawaii in providing a path to an aviation career for our young men and women. The aviation field is expanding rapidly in Hawaii both by increased inter island flying and with the fast expanding overseas routes. There will be an ever increasing need for new pilots for these routes as older pilots retire. For these reasons, it would be a shame to eliminate the HCCS Aviation program and deny our young men and women the advantage of this important first step to an aviation career.

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**ichiyama2-Brandon**

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**To:** HEDtestimony  
**Cc:** rawlinsk@hawaii.edu  
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**HB549**

Submitted on: 2/11/2015

Testimony for HED on Feb 12, 2015 14:00PM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
KEANI RAWLINS-FERNANDEZ	Individual	Support	No

Comments:

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**LATE**

**Testimony by  
Gary M. Slovin  
on behalf of the  
SCR 116 Task Force in support of H.B. 549**

Date: February 12, 2015

Re: H.B. 549 Relating to Public Service Legal Loan Repayment Assistance

Date of Hearing: February 12, 2015

*Submitted via* [HEDtestimony@capitol.hawaii.gov](mailto:HEDtestimony@capitol.hawaii.gov)

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To: Honorable Isaac W. Choy, Chair  
House Committee on Higher Education

Dear Chair Choy and Members of the Committee:

I am Gary Slovin testifying in support of H.B. 549. This bill is the product of the Task Force established by the Legislature during the 2014 Session through SCR 116. Legislation was considered during the 2014 Session that proposed a program to assist in the repayment of law school loans for those law school graduates who commit to working in certain non-for-profit agencies. Ultimately, the Legislature adopted SCR 116 which called for a task force to study this issue and a concept known as incubators. The task force submitted a report to the Legislature that supports the establishment of the program that is the subject of HB 549. The bill includes very specific criteria that would guide such a program.

If established, the program would meet two specific and important objectives. First, many law school students enter law school with substantial loans. Those students, a majority at the Richardson School of Law, then are faced with additional loans to complete their educations and to then take the bar examination. They face a significant financial burden after they graduate. Second, the agencies that provide legal assistance to the indigent are not able to offer competitive compensation to law school graduates which makes both hiring and retention difficult. Providing assistance in the repayment of their law school loans will provide an incentive for graduates to work for the agencies that serve the indigent.

The task force members believe this program will help to meet these two important goals. The bill seeks seed money from the Legislature. Such seed money will help to get the program underway and will lay a base for securing additional funding from grants and private sources. Thank you for your consideration.

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



**TESTIMONY IN SUPPORT OF HB549**

House Committee on Higher Education

Hon. Rep. Isaac Choy, Chair  
Hon. Rep. Linda Ichiyama, Vice-Chair

February 12, 2015

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 bill.

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.

Thank you for the opportunity to testify in support of HB549.

**ichiyama2-Brandon**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 12, 2015 9:30 AM  
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**HB549**

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Justine Chmielewski	Individual	Support	No

Comments:

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