

**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2018**

ON THE FOLLOWING MEASURE:

H.C.R. NO. 141, H.R. NO. 126 URGING THE STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONVENE AND PARTICIPATE IN THE HAWAII LEGAL AID INTERAGENCY ROUNDTABLE TO BETTER SERVE LOW-INCOME, VULNERABLE, AND AT-RISK POPULATIONS AND INCREASE THE AVAILABILITY OF MEANINGFUL ACCESS TO JUSTICE FOR FAMILIES AND INDIVIDUALS IN THE STATE.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Wednesday, April 4, 2018

TIME: 2:30 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Russell A. Suzuki, Attorney General, or
Andrea J. Armitage, Deputy Attorney General

Chair Nishimoto and Members of the Committee:

The Department of the Attorney General supports the intent of this House concurrent resolution and this House resolution.

The purpose of this concurrent resolution is to urge the State of Hawaii to convene a Hawaii Legal Aid Interagency Roundtable, made up of the administrators of a number of state agencies and co-chaired by the Director of Human Services and the Attorney General, to facilitate cooperation between state agencies in order to provide legal services and access to justice for Hawaii's most underserved and vulnerable people. The roundtable is requested to report to the Governor and the Legislature annually with respect to the progress made towards accomplishing its mission. The roundtable is also requested to report to the Governor and the Legislature on the economic impact of funding access to civil legal services by January 1, 2020.

The Department looks forward to working with the Legislature, the Director of Human Services, and the stakeholders to create a Legal Aid Interagency Roundtable that will benefit Hawaii's people by providing access to justice in government programs.



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Judiciary

Representative Scott Y. Nishimoto, Chair

Representative Joy San Buenaventura, Vice Chair

Wednesday, April 4, 2018, 2:30 PM
State Capitol, Conference Room 325

by

Rodney A. Maile

Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Resolution No. and Title: House Concurrent Resolution No. 141 & House Resolution No. 126, Urging the Department of Human Services and the Department of the Attorney General to Convene and Participate in the Hawai‘i Legal Aid Interagency Roundtable to Better Serve Low-Income, Vulnerable, and At-Risk Populations and Increase the Availability of Meaningful Access to Justice for Families and Individuals in the State

Judiciary's Position:

The Hawai‘i State Judiciary strongly supports HCR 141 and HR 126, which will improve collaboration among state programs and increase access to justice in Hawai‘i.

The Judiciary appreciates the Legislature’s interest in creating a legal aid interagency roundtable. The interagency roundtable suggested in these resolutions is similar to the White House Legal Aid Interagency Roundtable (LAIR) created by President Barack Obama in 2015 and is consistent with recent recommendations from Hawaii’s Justice for All Committee. The federal LAIR program was established to “increase the availability of meaningful access to justice for individuals and families and thereby improve the outcomes of an array of Federal programs[.]”

Inspired by the federal LAIR program and based on feedback received during statewide network partner meetings, Hawaii’s Justice for All Committee recommended the creation of a local interagency roundtable in its December 2017 Final Report. The envisioned roundtable



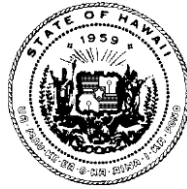
House Concurrent Resolution No. 141 &/ House Resolution No. 126
Hawai'i Legal Aid Interagency Roundtable.
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would bring together government agencies to coordinate ways to streamline government services and improve meaningful access to civil legal services in Hawai'i.

The Judiciary has representation on the Justice for All Committee and would welcome the opportunity to participate with the Hawai'i legal aid interagency roundtable once established.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR



LATE

PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96808

April 3, 2018

TO: The Honorable Representative Scott Y. Nishimoto, Chair
House Committee on Judiciary

FROM: Pankaj Bhanot, Director

SUBJECT: **HCR 141 / HR 126 – REQUESTING THE DEPARTMENT OF HUMAN SERVICES
AND THE DEPARTMENT OF THE ATTORNEY GENERAL TO CONVENE A
HAWAII LEGAL AID INTERAGENCY ROUNDTABLE**

Hearing: Wednesday, April 4, 2018, 2:30 p.m.
Conference Room 325, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this resolution and requests clarification.

PURPOSE: The purpose of this resolution is to request the Department of Human Services and the Department of the Attorney General to convene and participate in the Hawaii legal aid interagency roundtable to better service low-income, vulnerable, and at-risk populations and increase the availability of meaningful access to justice for families and individuals in the state. The specific task requested of the Roundtable is "to submit a report to the Governor and the Legislature on the economic impact of funding access to civil legal services no later than January 1, 2020[.]"

DHS understands the ramifications on families and individuals who have legal issues involving one or more of their basic needs such as housing, earnings, and health care, but do not have the resources to obtain legal assistance. According to the Legal Services Corporation, 71% of low-income households in the United States experienced at least one civil legal issue in

2017.¹ For survivors of domestic violence, families with children under the age of 18, and disabled individuals, the percentage is even higher.

With a mixture of state and federal funds, DHS is already one of the largest funders of civil legal services for the low to no-income residents in the state. Contracted civil legal services include legal assistance with: obtaining benefits issued by the Social Security Administration, representation and assistance with family matters including matters involving domestic violence; civil legal services to for homeless individuals to obtain government identification and to remove barriers to homelessness and employment; consumer law matters including housing concerns such as eviction defense and negotiations; consumer law including debt collection, credit matters, and bankruptcy; employment issues and domestic violence accommodation by employers; and immigration issues.

In addition, DHS provides TANF and Title XX funds, through a Memorandum of Agreement with the Office of Community Services of the Department of Labor & Industrial Relations, to support outreach and referral services, advocacy, and legal representation of eligible children and their families in order to protect their rights to housing and education, and to live free from violence, abuse and neglect.

DHS Homeless Programs Office also uses state funds to provide civil legal services to homeless individuals to address barriers to obtain employment and permanent housing. DHS has a supplemental budget request to replace federal funds that previously provided civil legal services in cases involving violations of the Fair Housing Act.

DHS requests clarification as to what the legislature means by reporting on the "economic impact of funding access to civil legal services," and asks for specific metrics to measure. At this time, as a clear economic measure of the economic impact of funding access to civil legal services, DHS is able to report the amount of federal dollars returned to the State from the Social Security Administration as reimbursement for state funds paid to general assistance recipients pending their Social Security Administration case. For example, in state fiscal year 2017, the State received reimbursement of \$1,205,757 from the Social Security Administration for state funded interim assistance; this is a tangible and positive economic impact of funding civil legal services for our disabled recipients.

¹ <https://www.lsc.gov/sites/default/files/images/TheJusticeGap-ExecutiveSummary.pdf>

With regard to other indicators of economic impact, our ability to measure metrics will likely require some consultation with experts to identify other appropriate measures that result from civil legal services representation, have discussions with civil legal services providers regarding collecting and reporting those measures, and have the resulting collected information analyzed.

Thank you for the opportunity to testify.

LATE

HCR-141

Submitted on: 4/3/2018 3:24:02 PM

Testimony for JUD on 4/4/2018 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	the Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments: