

DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 12, 2019

TO: The Honorable Representative Chris Lee, Chair
House Committee on Judiciary

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 130 SD 1 – RELATING TO CIVIL LEGAL SERVICES**

Hearing: March 14, 2019, 2:00 p.m.
Conference Room 325, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure.

PURPOSE: The purpose of the bill is to appropriate funds to the Judiciary to purchase civil legal services for low and moderate income persons. The Senate Committee on Ways and Means defected the effective date (SD1).

In addition to financial assistance, food assistance, medical insurance coverage, and other services and benefits, recipients and applicants of DHS services often require civil legal services to meet or obtain fundamental needs. Assisting families in addressing their complex legal issues will remove barriers that hamper residents' ability to gain employment, permanent housing, a violence free family home, as well as to uphold consumer protection and fair housing laws. Attending to the civil legal needs of low income families, will allow families to concentrate on the day to day care and needs of their children, disabled or elderly family members to improve overall health and well-being.

DHS was a participating member of the HCR 12 HD1 (2015) and SR 6 SD1 (2015) working groups that recommended increased funding for civil legal services for Hawaii's low-income residents.

Thank you for the opportunity to provide comments on this measure.

AN EQUAL OPPORTUNITY AGENCY



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Judiciary

Representative Chris Lee, Chair

Representative Joy A. San Buenaventura, Vice Chair

Thursday, March 14, 2019, 2:00 p.m.
State Capitol, Conference Room 325

by

Rodney A. Maile

Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 130, S.D. 1, Relating to Civil Legal Services.

Purpose: Senate Bill No. 130, S.D.1 appropriates funds for the judiciary to purchase civil legal services for low- and moderate-income persons. Effective 7/1/2050.

Judiciary's Position:

The Judiciary strongly supports Senate Bill No. 130, S.D. 1, to appropriate funds for civil legal services providers to deliver civil legal services to low- and moderate-income persons. Civil legal services providers extend a lifeline to the most vulnerable persons in our community.

For Fiscal Year 2018 – 2019, the Judiciary received an appropriation of \$450,000.00 pursuant to Act 26, 2018 Haw. Sess. Laws, to purchase civil legal services for indigent residents of the State of Hawai‘i. As a result of this appropriation, the Judiciary awarded civil legal services contracts to the Legal Aid Society of Hawai‘i (LASH) and Volunteer Legal Services Hawai‘i (VLSH).

In the first three months of its contract, LASH reported that it closed 1,113 cases, which affected the lives of 2,229 low-income persons in priority areas, such as support for families, keeping children safe and secure, preserving the home, foreclosure prevention, maintaining economic stability, and protecting consumers. Services included providing legal advice, preparing legal documents, and providing representation in court and administrative actions.



Senate Bill No. 130, S.D. 1, Relating to Civil Legal Services
House Committee on Judiciary
Thursday, March 14, 2019
Page 2

Since the commencement of its contract, VLSH reported that it completed over 495 intakes for residents seeking legal assistance in areas such as family law, collections and bankruptcy, probate matters, and landlord-tenant disputes. VLSH also conducted 44 pro se divorce workshops and 33 re-employment and community service project workshops. Additionally, VLSH held a pop-up legal clinic in Waianae that served 25 individuals.

The Judiciary supports the increased funding for civil legal services in the amount of \$800,000.00 for fiscal years 2020 and 2021. We note, however, that this amount is still well below the funding amount of \$2.1 million that was recommended by the working group assembled pursuant to House Resolution No. 12, H.D.1 and Senate Resolution No. 6, S.D. 1 (2015) in the "Plan for the Administration of Funding for Civil Legal Services," which was submitted to the legislature on December 30, 2015.

The Judiciary respectfully requests that the effective date be amended to July 1, 2019 to enable legal service providers to offer civil legal services low- and moderate-income persons.

Thank you for the opportunity to testify on Senate Bill No. 130, S.D.1.

Trever Asam
Board President

Angela Kuo Min
Executive Director



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**TESTIMONY IN SUPPORT OF S.B. 130
RELATING TO CIVIL LEGAL SERVICES
Committee on Judiciary – March 14, 2019 2:00 PM - Conference Room 325**

CHAIR LEE, VICE CHAIR SAN BUENAVENTURA, AND MEMBERS OF THE
COMMITTEE ON JUDICIARY:

Volunteer Legal Services Hawaii strongly supports the passage of S.B. No. 130 and the recommendation to appropriate funding for civil legal services to low- and moderate- income individuals in Hawaii.

In the last thirty-seven years, Volunteer Legal Services Hawaii has partnered with volunteer attorneys in the provision of civil legal assistance to individuals and families of Hawaii. While Volunteer Legal Services Hawaii's only office is on Oahu, we service residents of Hawaii statewide. In 2018, with only a staff of 7, Volunteer Legal Services Hawaii qualified over 2,000 individuals. Volunteer Legal Services provided over 1,800 services in legal checkups, educational presentations, clinics, brief services and/or full representations. Twenty-Nine percent (29%) of those helped are homeless or at the risk of being homeless, 19% of those helped suffer from domestic violence, 9% of those helped were veterans, 25% of those helped are disabled, and 20% of those helped are seniors. If not for Volunteer Legal Services, these individuals would have otherwise gone without legal help.

Additionally, 61% of Volunteer Legal Services Hawaii's clients fall below the 125% federal poverty line, making just enough money to get by in Hawaii and definitely not enough money to hire a private attorney. Volunteer Legal Services Hawaii is honored that its pool of pro bono attorneys ranges from large law firm partners, associates, solo practitioners, public and private agency attorneys who are leaders in their areas of practice. With the 200+ attorneys we have volunteering their time through Volunteer Legal Services Hawaii, we were able to provide legal assistance to Hawaii residents in family law (divorce, child custody, child visitation, adoption, guardianship), estate planning (will, power of attorney, health care directive), Chapter 7 bankruptcy, collections, landlord-tenant, district court matters and veteran benefits issues.

In 2018, over 2,800 hours were donated by our pro bono attorneys, with services valued at over \$667,000.00 to our seniors, veterans, the homeless, children, and the community. Volunteer Legal Services Hawaii plays a critical role in facilitating the administrative support for volunteers to engage in meaningful pro bono service to meet community needs. Funding would restore and support general revenue funding for civil legal services in Hawaii statewide. Civil legal assistance, when used effectively can help reduce dependency on costly social services. Funding for civil legal aid services is an investment that not only provides our community with an important resource but makes fiscal sense.

We respectfully request your passage of S.B. No. 130 in support of civil legal assistance for Hawaii residents. Thank you for this opportunity to provide testimony.

Sincerely,
Angela Kuo Min, Executive Director



Rep. Chris Lee, Chair
Rep. Joy A. San Buenaventura, Vice Chair

Rep. Tom Brower	Rep. Calvin K.Y. Say
Rep. Richard P. Creagan	Rep. Gregg Takayama
Rep. Nicole E. Lowen	Rep. Ryan I. Yamane
Rep. Angus L.K. McKelvey	Rep. Cynthia Thielen
Rep. Dee Morikawa	

I am submitting testimony as treasurer of Volunteer Legal Services Hawaii. I have been working with VLSH for over 10 years. VLSH provided services to the indigent population that is underserved. I am in support of SB 130 to fund the civil services need of the State of Hawaii.

Thank you very much for your support.

Joanne Hoe
Treasurer of Volunteer Legal Services Hawaii



LEGAL AID
SOCIETY OF HAWAII

Telephone: (808) 536-4302 • Fax: (808) 527-8088
Mailing Address: P.O. Box 37375 • Honolulu, Hawaii 96837-0375
924 Bethel Street • Honolulu, Hawaii 96813

Joanne Lo Grimes, Esq.
President, Board of Directors

M. Nalani Fujimori Kaina, Esq.
Executive Director

TESTIMONY IN SUPPORT OF SB130 SD1 – RELATING TO CIVIL LEGAL SERVICES

Committee on Judiciary – Room 325

Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice-Chair

March 14, 2019 at 2:00 p.m.

The Legal Aid Society of Hawaii submits testimony in strong support of SB130 SD1 – Relating to Civil Legal Services. We apologize that we are unable to attend the hearing in person.

This funding would go to ensure that general revenue funding for civil legal services is available. Civil legal services are critical in that they can provide real world solutions to help families in crisis find stability and hope.

Over the years, the Legal Aid Society of Hawai'i has received general funds from the state which has enabled us to provide key civil legal services across the state. The Legal Aid Society of Hawai'i has provided civil legal services to the community for almost 70 years and we are the only legal services organization in the state to have offices on each of the major Hawaiian islands, including four offices on Oahu (Bethel Street, Chinatown, Waianae and Kaneohe) and two on Hawai'i Island (Kona and Hilo). Our staff regularly assist residents of Hawai'i to navigate and solve basic issues which require legal interventions. In 2018, our staff closed over 6,500 cases in legal areas ranging from family, housing, consumer, foreclosure, public benefits, elder law, homelessness, immigration, language access, and child welfare.

Thank you for this opportunity to provide testimony.

Sincerely,

M. Nalani Fujimori Kaina
Executive Director

Sergio Alcubilla
Director of External Relations



Hon. Simeon R. Acoba
Associate Justice (Ret.)
Hawai'i Supreme Court
Chair

Derek R. Kobayashi
Vice Chair

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March 13, 2019

The Honorable Chris Lee, Chair
The Honorable Joy A. San Buenaventura, Vice Chair
House Committee on Judiciary
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: SB 130, SD 1

**Hearing: Thursday, March 14, 2019 at 2:00 p.m.
Testimony IN SUPPORT (written testimony only)**

Dear Representative Lee and Members of the House Committee on Judiciary:

The Hawai'i Access to Justice Commission strongly supports Senate Bill 130, which would provide an appropriation to civil legal service providers. These organizations, which include the Legal Aid Society, Volunteer Legal Services Hawaii, and others, provide critical legal services to residents who cannot afford a lawyer.

These organizations have served thousands of our residents over a long period of time, but their financial support varies from year-to-year, and there are many residents that they are not able to serve because of financial constraints. These organizations and the Hawai'i Access to Justice Commission appreciate the support the Legislature has provided over many years, and we hope that support can be continued. We appreciate the committee bringing this legislation forward as a vehicle to provide financial support.

Very truly yours,

SIMEON R. ACOBA, JR.
Associate Justice (ret.)
Hawai'i Supreme Court
Chair, Hawai'i Access to Justice Commission

LATE

SB-130-SD-1

Submitted on: 3/14/2019 12:26:41 PM
Testimony for JUD on 3/14/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tred Eyerly	Board Member, Volunteer Legal Services Hawaii	Support	No

Comments:

Please support SB 130 to provide funds to allow less fortunate citizens to have access to lawyers and courts for resolution of legal problems.

Testimony in Support of SB130 Relating to Civil Legal Services

Chair Chris Lee, Vice Chair Joy A. San Buenaventura and Committee on Judiciary

March 14, 2019 2pm, Room 325
30th Hawaii State Legislature
415 South Beretania Street
Honolulu, Hawaii 96813

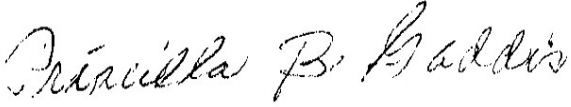
Aloha Members of the 30th Hawaii State Legislature,

My name is Priscilla Gaddis, a client of the non-profit 501(c)3 Volunteer Legal Services Hawaii (VLSH). Thank you for your recent funding and support of VLSH, an organization that provides much needed *pro bono* legal services for community members in situations like mine. I am writing you to request funding and support for VLSH so they may continue their mission of *pro bono* legal services to more residents and communities around the State of Hawaii.

I recently received assistance from VLSH in order to petition the Family Court to grant me guardianship over my two grandsons. I have found it difficult to raise my two grandsons without the legal ability to make decisions for them. When I take them to the hospital, register them for school or other activities that requires a parent/guardian's consent I find there are many challenges in getting things done. These challenges make my grandson's lives much harder than it needs to be so I decided to take action and seek assistance.

When I reached out to VLSH I was paired up with a volunteer attorney, Mr. Juan Montalbano, who reviewed the facts of my case and listened to my story. After providing initial assistance, Mr. Montalbano elected to fully represent me during my guardianship hearings free of charge. I could not be more grateful for his assistance. VLSH provided administrative support and drafted the motions required to initiate the guardianship hearings. Once completed, a staff member drove out to Kapolei courthouse to assist me in filing the motions.

Obtaining guardianship over my two grandsons is important so I can make the legal decisions required to raise them in the State of Hawaii. I ask for the Hawaii State Legislature's continued funding and support of VLSH so others who need *pro bono* legal assistance in Hawaii may receive it!

Sincerely, 

Priscilla B. Gaddis

HOUSE COMMITTEE ON JUDICIARY

March 14, 2019, 2:00 P.M.

Room 325

TESTIMONY IN SUPPORT OF SB 130

(written testimony only)

Aloha Chair Lee, Vice Chair San Buenaventura, and Committee members:

I'm writing in **support of SB 130**, which appropriates funds for the judiciary to purchase civil legal services for low and moderate income residents.

As a board member for Volunteer Legal Services Hawaii, efforts to increase access to justice in Hawaii are near and dear to my heart. Not everyone can afford an attorney, but they may be able to find help to resolve legal issues if given the right information, professional support, and assistance.

Funding under SB 130 is important to help increase access to justice in civil legal matters for Hawaii's low and moderate income residents.

Mahalo for your consideration and the opportunity to testify in support of SB 130.

Sincerely,

Melissa Miyashiro

SB-130-SD-1

Submitted on: 3/12/2019 3:20:34 PM

Testimony for JUD on 3/14/2019 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Trever Asam	Individual	Support	No

Comments:

Chair Lee, Vice Chair Buenaventura, and Members of the Committee,

I am writing in support of this bill and its funding for civil legal services through a purchase of service contract by the Judiciary.

I am the President of the Board of Volunteer Legal Services Hawaii, which is one of the organizations that provide civil legal services to Hawaii's low and moderate income residents. These services assist families in caring for their relatives, helping kupuna in drafting wills and trusts, and assisting veterans in accessing benefits from the federal government. We ensure that Hawaii's justice system is accessible to all who need it.

You should also be aware that every dollar that the State spends on these services is matched several times over through private contributions and in-kind donations of time.

Thank you for your recognition of the importance of these services and this funding.