



The Judiciary, State of Hawai‘i

Testimony to the Senate Committee on Ways and Means

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

Tuesday, February 12, 2019, 10:00 a.m.

State Capitol, Conference Room 211

by

Rodney A. Maile

Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

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

Purpose: Senate Bill No. 130 appropriates moneys from the general fund for civil legal services for low- and moderate-income persons to be purchased by the Judiciary.

Judiciary's Position:

The Judiciary strongly supports Senate Bill No. 130 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, Relating to Civil Legal Services
Senate Committee Ways and Means
Friday, February 12, 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.

Thank you for the opportunity to testify on Senate Bill No. 130.

SB-130

Submitted on: 2/8/2019 11:18:17 AM

Testimony for WAM on 2/12/2019 10:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|--|---------------------------|---------------------------|
| Joanne Hoe | Testifying for Volunteer Legal Services Hawaii | Support | No |

Comments:

Senator Donovan M. Dela Cruz, Chair

Senator Gilbert S.C. Keith-Agaran, Vice Chair

I am submitting this testimony on behalf of Volunteer Legal Services Hawaii as it's treasurer. I am in support of this bill and there is a great need for legal services for the indigent people.

Thank you.

Joanne Hoe

Treasurer of VLSH

Trever Asam
Board President

Angela Kuo Min
Executive Director



545 Queen Street, Suite 100
Honolulu, Hawai'i 96813
Phone: (808) 528-7050
Fax: (808) 524-2147
www.vlsh.org

**TESTIMONY IN SUPPORT OF S.B. 130
RELATING TO CIVIL LEGAL SERVICES
Committee on Ways and Means - February 12, 2019 - Conference Room 211**

CHAIR DELA CRUZ, VICE CHAIR KEITH-AGARAN, AND MEMBERS OF THE COMMITTEE ON WAYS AND MEANS:

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



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 – RELATING TO CIVIL LEGAL SERVICES

Committee on Ways and Means – Room 211

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S. C. Keith-Agaran, Vice-Chair

February 12, 2019 at 10:00 a.m.

The Legal Aid Society of Hawaii submits testimony in strong support of SB130 – Relating to Civil Legal Services.

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

SB-130

Submitted on: 2/8/2019 12:08:05 PM

Testimony for WAM on 2/12/2019 10:00:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Tred Eyerly | Individual | Support | No |

Comments:

Senator Donovan M. Dela Cruz, Chair and Senator Gilbert S.C. Keith-Agaran, Vice Chair
I urge your support for SB 130. The need to fund legal services for our less fortunate is acute.
Thank you for your support.

Tred Eyerly

SB-130

Submitted on: 2/11/2019 7:32:49 AM

Testimony for WAM on 2/12/2019 10:00:00 AM

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

Comments:

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee,

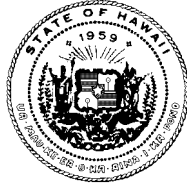
I am writing in support of this bill and its funding for civil legal services through a purchase of service contract by the Judiciary.

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.

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 96809-0339

February 11, 2019

TO: The Honorable, Chair Donovan M. Dela Cruz
Senate Committee on Ways and Means

FROM: Pankaj Bhanot, Director

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

Hearing: February 12, 2019, 10:00 a.m.
Conference Room 211, 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.

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.