



LATE

The Judiciary, State of Hawai'i

Testimony to the Senate Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Jarrett Keohokalole, Vice Chair

Tuesday, February 4, 2020, 10:01 a.m.
Hawai'i State Capitol, Conference Room 016

by

Tom Mick

Policy and Planning Department Director

Bill No. and Title: Senate Bill No. 3080, Relating to the Judiciary.

Purpose: To provide supplemental operating and capital improvement appropriations for FY 2021.

Judiciary's Position:

We greatly appreciate the support for our Capital Improvement Project (CIP) requests that this bill provides, and believe that our budget package bills that have already been heard in the Senate (Senate Bill No. 2116) and House (House Bill No. 1785) adequately represent our operating and CIP needs. We also greatly appreciate this Committee for passage, unamended, of S.B. No. 2116, as reflected in Standing Committee Report Number 2310. Accordingly, this bill may not be necessary. Nevertheless, if this bill is intended to capture the Judiciary's CIP needs, alone, we respectfully request technical and substantive amendments to this bill, S.B. No. 3080, to more closely mirror certain parts of S.B. No. 2116, specifically:

- (1) Section 3, on page 3, at line 4: Delete sum of \$9,355,000, and insert sum of \$37,055,000:

“SECTION 8. The sum of [~~\$9,355,000.~~] \$37,055,000....”



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- (2) Add a section to SB3080 that amends Act 38 (SLH2019), part V. Such an amendment is consistent with the Judiciary's request in SB 2116, section 4:

“PART V. ISSUANCE OF BONDS

SECTION 9. General obligation bonds may be issued, as provided by law, to yield the amount that may be necessary to finance projects authorized in part II and listed in part V of this Act; provided that the sum of the general obligation bonds so issued shall not exceed [~~\$9,355,000.~~] \$37,055,000.”

Thank you for the opportunity to testify on this measure.



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President, Board of Directors

M. Nalani Fujimori Kaina, Esq.
Executive Director

TESTIMONY ON SB3080

Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice-Chair

February 4, 2020 at 10:01 a.m.

The Legal Aid Society of Hawaii submits testimony in support of SB3080 – Relating to the Judiciary, specifically to the funding of \$500,000 for general civil legal services to low- and moderate-income residents.

We are extremely grateful for the inclusion of this amount in the Judiciary's Supplemental budget. However, we respectfully request that this amount be increased to at least \$750,000 which is the current amount being provided for general civil legal services through a grant-in-aid to our organization in the amount of \$250,000 and through a purchase of service amount of \$500,000.

We believe that having a purchase of service amount for general legal services as part of the Judiciary base budget is critical to the on-going stability for the provision of general civil legal services for low- and moderate-income people. We also believe that this amount should reflect the FY19 amount that is being provided for general civil legal services.

Because this amount is currently being provided by the state, we ask that in increasing this amount that the Judiciary not receive any other decreases to their budget.

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 Hawaii 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 Hawaii has provided civil legal services to the community for 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 Hawaii Island (Kona and Hilo). Our staff regularly assist residents of Hawaii to navigate and solve basic issues which require legal interventions. In 2019, our staff closed over 6,800 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



www.legalaidhawaii.org
A UNITED WAY AGENCY



Hon. Joseph E. Cardoza (Ret.)
Chair

Derek R. Kobayashi
Vice Chair

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February 3, 2020

Testimony of Derek Kobayashi, Vice Chair of the Access to Justice Commission, in support of Senate Bill 3080, Relating to the Judiciary

Dear Senator Rhoads and Members of the Senate Committee on Judiciary,

The Hawai'i Access to Justice Commission submits this testimony in support of Senate Bill 3080 relating to the FY2021 supplemental appropriation to the Judiciary and respectfully recommends that SB3080 be amended to be consistent with SB2116, which was recently passed by the Senate Judiciary Committee, to include \$500,000 in funding for civil legal services and to provide that such funding become part of the Judiciary's base budget.

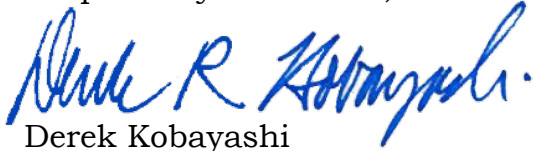
As the Judiciary noted in testimony submitted in support of SB2116, "With regard to civil legal services funding, the Legislature has provided the Judiciary with one time funding for four of the last 5 years - \$500K in FY 2020, \$450K in FY 2019, \$750K in FY 2017, and \$600K in FY 2016. In FY 2020, this funding was designated as general civil legal services funding for indigent residents, that is, clients whose income levels did not exceed 250% of the applicable federal poverty level for Hawai'i. With the funding, the Judiciary contracted with two providers in FY 2020 – one closed 3,258 cases affecting the lives of over 5,800 individuals while the other opened over 2,800 intakes for Hawai'i residents, received over 700 referrals for pro bono advice and counsel services, and provided numerous pro se workshops."

Amending SB 3080 to provide for \$500,000 in funding of civil legal services as part of the Judiciary's base budget, as SB 2116 provides, would serve to facilitate continued capacity of the Judiciary to contract with legal service providers including the Legal Aid Society, Volunteer Legal Services Hawai'i, and others, to provide critical legal services to residents who cannot afford a lawyer.

These organizations continue to provide civil legal services to thousands of our residents and have done so for a long period of time. But their financial support varies from year-to-year, and the civil legal needs of many residents cannot be serviced in large part because of financial constraints.

The Hawai'i Access to Justice Commission appreciates the support the Legislature has provided these provider organizations and to the Judiciary for the provision of civil legal service over many years, and we hope that support can be continued.

Respectfully submitted,



Derek Kobayashi
Vice Chair
Hawai'i Access to Justice Commission

Cc: Hon. Joseph E. Cardoza (Ret.)
Chair
Hawai'i Access to Justice Commission

SB-3080

Submitted on: 2/3/2020 3:39:25 AM

Testimony for JDC on 2/4/2020 10:01:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|-----------------------------|---------------------|---------------------------|---------------------------|
| Jennifer Azuma Chrupalyk | Individual | Oppose | No |

Comments:

Trever Asam
Board President

Angela Kuo Min
Executive Director



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**TESTIMONY IN SUPPORT OF S.B. No. 3080 –
RELATING TO THE JUDICIARY
Committee on Judiciary – Room 016
February 4, 2020 10:01a.m.
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair**

LATE

CHAIR RHOADS, VICE CHAIR KEOHOKALOOLE, AND MEMBERS OF THE JUDICIARY COMMITTEE:

Volunteer Legal Services Hawaii (“Volunteer Legal”) submits its testimony in support of S.B. No. 3080 – Relating to the Judiciary, for the continuous funding for purchase of service contract for general civil legal services of \$500,000. We request an amendment to \$750,000 in general revenue funding for general civil legal services, which was the funding level in FY17. We ask that in increasing this amount that the Judiciary budget not receive any decreases. Volunteer Legal is thankful and very appreciative to the Judiciary and the Committee on Judiciary for including funding for civil legal services through the Judiciary.

Said funding would go to funding civil legal services including but not limited to the delivery of civil legal services to low- and moderate- income individuals in Hawaii. In the last 38 years, Volunteer Legal has partnered with volunteer attorneys in the provision of civil legal assistance to individuals and families of Hawaii. In 2019, with Volunteer Legal’s 7 full time staff members, Volunteer Legal Services Hawaii conducted over 3,000 intakes. Volunteer Legal staff helped coordinate with our pro bono attorneys that resulted in over 1,500 services in legal advice and counsel, clinics, brief services and/or full representations and hundreds more received legal information at our education seminars and outreaches.

Volunteer Legal matches individuals with attorneys from the community that they would not otherwise would have been able to retain, assisting them in their family law, estate planning, bankruptcy, and/or various district court matters. If not for Volunteer Legal Services, these individuals would have gone without legal help. Volunteer Legal’s pool of attorneys logged over 3,200 pro bono hours and donated over \$800,000 value in legal services in 2019 alone. Volunteer Legal looks forward to continuing and expanding our programs to more residents of Hawaii.

Thank you for this opportunity to provide this testimony. We respectfully request your passage of \$750,000 in funding for purchase of civil legal services in S.B. No. 3080 – Relating to the Judiciary.

Sincerely,
Angela Kuo Min
Executive Director