

JAN 21 2022

A BILL FOR AN ACT

RELATING TO GUARDIANS AD LITEM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that guardians ad litem
2 have an important role in supporting persons who are being
3 considered for involuntary hospitalization or assisted community
4 treatment. Persons subject to involuntary hospitalization and
5 assisted community treatment positions are often in a vulnerable
6 state and a guardian ad litem is there to represent their best
7 interests. A guardian ad litem, by attending with or on behalf
8 of the person who is the subject of a mental health petition,
9 will be able to decrease delays in the court's review of the
10 petition and ensure that the person, who might be absent or
11 otherwise unable to meaningfully participate in the proceedings,
12 has a representative available who will act in their best
13 interest.

14 The legislature further finds that the judiciary will need
15 to increase the number of people willing to serve as guardians
16 ad litem and that the compensation guidelines for guardians ad
17 litem generally may not be adequate to compensate those handling



1 mental health petitions. It is not the legislature's intent
2 that the requested funds supplant the judiciary's existing
3 funding or budget requests.

4 The purpose of this Act is to:

5 (1) Ensure sufficient numbers of guardians ad litem are
6 available for appointment in petitions concerning a
7 person's mental health by appropriating funds to the
8 judiciary; and

9 (2) Allow the judiciary to compensate guardians ad litem
10 for involuntary hospitalization and assisted community
11 treatment petitions at a rate higher than existing
12 statutory guidelines.

13 SECTION 2. For any guardian ad litem appointed to a person
14 who is the subject of a petition for involuntary hospitalization
15 pursuant to section 334-60.3, Hawaii Revised Statutes, or
16 assisted community treatment pursuant to section 334-123, Hawaii
17 Revised Statutes, the judiciary may provide compensation greater
18 than the guidelines specified in section 571-87, Hawaii Revised
19 Statutes.

20 SECTION 3. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$100,000 or so much



1 thereof as may be necessary for fiscal year 2022-2023 for
2 compensation of guardians ad litem appointed to individuals who
3 are the subject of a petition for involuntary hospitalization
4 pursuant to section 334-60.3, Hawaii Revised Statutes, or
5 assisted community treatment pursuant to section 334-123, Hawaii
6 Revised Statutes, and related program costs.

7 The sum appropriated shall be expended by the judiciary for
8 the purposes of this Act.

9 SECTION 4. This Act shall take effect on July 1, 2022.

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INTRODUCED BY: _____



S.B. NO. 2740

Report Title:

Guardian Ad Litem Program; Judiciary; Appropriation

Description:

Allows the judiciary to compensate guardians ad litem for involuntary hospitalization and assisted community treatment petitions at a rate higher than existing statutory guidelines. Makes an appropriation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

