

STAND. COM. REP. NO. **3350**

Honolulu, Hawaii

MAR 23 2022

RE: H.B. No. 1841
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1841, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii Family Advocacy Team, Legal Aid Society of Hawai'i, and Hawaii State Bar Association.

Your Committee finds that guardians ad litem (GALs) perform a critical role in many family court cases, including, for example, child abuse and neglect cases, involuntary hospitalization proceedings, and assisted community treatment proceedings. The subjects of these proceedings are among the most vulnerable members of our community and they frequently are unable to advocate for themselves or meaningfully participate in court proceedings that may significantly impact their lives. It is in



the community's interest to attract and retain competent individuals to act as GALs to represent those persons requiring their services. One important way to help accomplish this goal is to ensure that GALs are adequately compensated for their services.

Your Committee has amended this measure by:

- (1) Re-inserting pay rates that increase the compensation for appointed counsel and guardians ad litem as follows:
 - (A) \$120 an hour for in-court services provided by an attorney licensed to practice law in the State;
 - (B) \$90 an hour for out-of-court services provided by an attorney licensed to practice law in the State; and
 - (C) \$75 an hour for all services provided by a person who is not an attorney licensed to practice law in the State, whether performed in-court or out-of-court; and
- (2) Re-inserting \$2,300,000 in general funds for fiscal year 2022-2023 for the purchase of service contracts, guardian ad litem contracts, and court-appointed counsel contracts.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1841, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1841, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1841, HD2	JDC, WAM	03-17-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
ACASIO, Laura	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
LEE, Chris	/			
FEVELLA, Kurt		/		
TOTAL	6	1	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes