
A BILL FOR AN ACT

RELATING TO COMPENSATION FOR COURT-APPOINTED REPRESENTATION.

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

SECTION 1. Section 571-87, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) to read as follows:

"(b) The court shall determine the amount of reasonable compensation paid to appointed counsel and ~~[guardian]~~ guardians ad litem, based on the following rates:

(1) ~~[\$90]~~ \$150 an hour for in-court or out-of-court services provided by an attorney licensed to practice law in the State; and

(2) ~~[\$60]~~ \$122 an hour for[+]

~~(A) Out-of-court services provided by an attorney licensed to practice law in the State; and~~

~~(B) All]~~ 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.

(c) The maximum allowable fee shall not exceed the following schedule:



(1) Cases arising under chapters [~~587A~~ and] 346,
part X~~[+]~~, and 587A:

(A) Predisposition

~~[\$3,000+]~~ \$5,500; and

(B) Postdisposition review hearing

~~[\$1,000+]~~ \$2,000; and

(2) Cases arising under chapters 560, 571, 580, and
584
~~[\$3,000+]~~ \$5,500.

Payments in excess of any maximum provided for under
paragraphs (1) and (2) may be made whenever the court in which
the representation was rendered certifies, based upon
representations of extraordinary circumstances, attested to by
the applicant, that the amount of the excess payment is
necessary to provide fair compensation in light of those
circumstances, and the payment is approved by the administrative
judge of that court."

SECTION 2. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval.



Report Title:

Judiciary Package; Family Courts; Court-Appointed Counsel;
Guardians Ad Litem; Fees

Description:

Increases the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem in family court proceedings. (SD1)

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