

STAND. COM. REP. NO.

3422

Honolulu, Hawaii

APR 04 2008

RE: H.B. No. 3422  
H.D. 2  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 3422, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES,"

begs leave to report as follows:

The purpose of this measure is to expand the availability of civil legal services to indigent persons in Hawaii.

Specifically, this measure generates additional funding for the delivery of indigent legal services by amending the surcharge to the initial filing fee in circuit court and district court to an unspecified amount. This measure also amends the maximum allowable income level for an indigent person to an unspecified amount.

Testimony in support of this measure was submitted by the Office of Hawaiian Affairs; Legal Aid Society of Hawaii; Native Hawaiian Legal Corporation; Hawaii Justice Foundation; Hawaii Disability Rights Center; eight attorneys and law firms; and one individual. Testimony opposed to this measure was submitted by MEDCAH, Inc., Maui Collection Service, and one attorney.

Your Committee finds that it is necessary to increase the availability of civil legal services to indigent persons and that it is appropriate to fund this increase in services with the

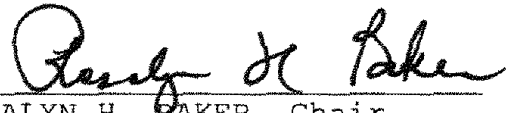


increase in the initial filing fee surcharge in Circuit Court and District Court provided by this measure.

Accordingly, your Committee has amended this measure by changing the amount of the initial filing fee surcharges to \$1 to encourage further discussion on the issue.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3422, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 3422, H.D. 2, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,



ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <i>HB 3422, HD 2</i>	Committee Referral: <i>JDL, NAM</i>	Date: <i>4/1/07</i>		
<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
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
INOUYE, Lorraine R.	/			
KIM, Donna Mercado	/			
MENOR, Ron	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
WHALEN, Paul				/
<b>TOTAL</b>	<i>10</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes