



GOV. MSG. NO. **989**

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

June 28, 2007

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 28, 2007, the following bill was signed into law:

HB1211 HD2 SD2 CD1

A BILL FOR AN ACT RELATING TO FAMILY
COURT.
(ACT 218)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on JUN 28 2007

HOUSE OF REPRESENTATIVES
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

ACT 218

H.B. NO. 1211
H.D. 2
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO FAMILY COURT.

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

1 SECTION 1. Section 571-87, Hawaii Revised Statutes, is
2 amended to read as follows:
3 **"§571-87 Appointment of counsel and guardian ad litem;**
4 **compensation.** (a) When it appears to a judge that a person
5 requesting the appointment of counsel satisfies the requirements
6 of chapter 802 for determination of indigency, or the court in
7 its discretion appoints counsel under chapters 587 and 346, part
8 X, or that a person requires appointment of a guardian ad litem,
9 the judge shall appoint counsel or a guardian ad litem to
10 represent the person at all stages of the proceedings, including
11 appeal, if any. Appointed counsel and the guardian ad litem
12 shall receive reasonable compensation for necessary expenses,
13 including travel, the amount of which shall be determined by the
14 court, and reasonable fees pursuant to subsection (b). All of
15 these expenses and fees shall be certified by the court and paid
16 upon vouchers approved by the judiciary and warrants drawn by
17 the comptroller.



1 (b) The court shall determine the amount of reasonable
2 compensation paid to appointed counsel and guardian ad litem,
3 based on the rate of [~~\$40~~] \$90 an hour for [~~out-of-court~~] legal
4 services, and \$60 an hour for [~~in-court~~] non-legal services
5 [~~with a maximum fee in accordance with~~]; provided that the
6 maximum allowable fee shall not exceed the following schedule:

- 7 (1) Cases arising under chapters 587 and 346, part X:
8 (A) Predisposition.....[~~\$1,500.~~] \$3,000;
9 (B) Postdisposition review hearing...[~~\$500.~~] \$1,000;
10 (2) Cases arising under chapters 560, 571, 580, and
11 584.....[~~\$1,500.~~] \$3,000.

12 Payments in excess of any maximum provided for under
13 paragraphs (1) and (2) may be made whenever the court in which
14 the representation was rendered certifies, based upon
15 representations of extraordinary circumstances, attested to by
16 the applicant, that the amount of the excess payment is
17 necessary to provide fair compensation in light of those
18 circumstances, and the payment is approved by the administrative
19 judge of [~~such~~] that court.

20 SECTION 2. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$880,000, or so much

1 thereof as may be necessary for fiscal year 2007-2008 for the
2 purposes of this Act.

3 The sums appropriated shall be expended by the judiciary
4 for the purposes of this Act.

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken. New statutory language is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2007.

APPROVED this 28 day of JUN , 2007



GOVERNOR OF THE STATE OF HAWAII

