STAND. COM. REP. NO. 3163

Honolulu, Hawaii

RE:

H.B. No. 2391

H.D. 1

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

Madam:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 2391, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LEGAL SERVICE,"

begs leave to report as follows:

The purpose of this measure is to allow a deputy attorney general to provide pro bono legal services if the pro bono legal services do not create a conflict of interest with the duties of the deputy's office.

Your Committee received testimony in support of this measure from the Legal Aid Society of Hawaii. Testimony in opposition was received from the State Attorney General.

This measure conforms current law regarding private practice by deputy attorneys general to the requirement of the Hawaii Supreme Court in Rule 6.1, which states that providing pro bono service is the individual ethical commitment of each member of the Hawaii State Bar Association and encourages all members of the bar to aspire to perform at least fifty hours of pro bono services annually.

Because pro bono legal services may sometimes involve matters with the State, which is represented by the State Attorney General and which may therefore involve a conflict of interest for the deputy, this measure is necessary to allow deputies to fulfill their ethical legal obligations to the bar when such work does not conflict with their duties with the Attorney General's Office.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2391, H.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

BRIAN T. TANIGUCHI, Chalr

The Senate Twenty-Fourth Legislature State of Hawaii

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* HB 2391 HD1	Committee	Referral:	Da	te: 5/	12/08
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)		//			
HEE, Clayton (VC)					
GABBARD, Mike				The second secon	
KOKUBUN, Russell S.				000000000000000000000000000000000000000	
NISHIHARA, Clarence K.					
SLOM, Sam					

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TOTAL	,	3		1	2
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Ye ow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Only one measure per Record of Votes