



GOV. MSG. NO. 1239

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 20, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

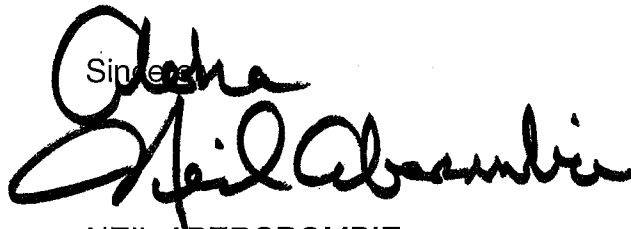
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 20, 2011, the following bill was signed into law:

SB1489 SD1 HD1

RELATING TO ATTORNEY'S LIENS
Act 136 (11)

Signed


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor
on JUN 20 2011

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

ACT 136
S.B. NO. 1489
S.D. 1
H.D. 1

A BILL FOR AN ACT

RELATING TO ATTORNEY'S LIENS.

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

SECTION 1. Section 507-81, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) An attorney has a lien upon:

(1) Actions, suits, and proceedings after commencement of the action[+] or arbitration proceeding;

(2) Judgments, decrees, orders, settlements, and awards entered by the court or an arbitrator in favor of the client; and

(3) Any proceeds paid in satisfaction of the judgment, decree, order, settlement, or award."

2. By amending subsection (d) to read:

"(d) When the attorney's lien attaches to a judgment, decree, order, settlement, or [decree] award allowing or enforcing a client's lien, the attorney's lien has the same priority as the client's lien with regard to personal or real property subject to the client's lien."

3. By amending subsection (f) to read:

SB1489 HD1 HMS 2011-3067



1 "(f) To be enforceable under this section, a notice of
2 claim of the attorney's lien shall be filed[+]

3 ~~(1) Before the complaint is dismissed by stipulation;~~

4 ~~(2) Before the complaint is dismissed by order of the~~
5 ~~court; or~~

6 ~~(3) Not later than one year after entry of final judgment~~
7 ~~is filed and disposition of any appeal thereof.] with~~
8 the court or arbitrator, as the case may be."

9 4. By amending subsections (h) and (i) to read:

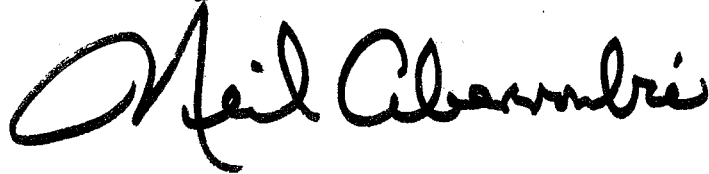
10 "(h) Except as provided by subsections (i) and (j), a
11 party to the action, suit, or proceeding or any other person
12 shall not have the right to discharge or dismiss any judgment,
13 decree, order, settlement, or award entered in the action, suit,
14 or proceeding until the lien and claim of the attorney for fees
15 based thereon is satisfied in full.

16 (i) A [~~judgment debtor~~] party may pay the full amount of a
17 judgment [~~or~~], decree, order, settlement, or award into court,
18 and the clerk of the court shall thereupon fully satisfy the
19 judgment [~~or~~], decree, order, settlement, or award on the
20 record, and the [~~judgment debtor~~] party shall be thereby
21 released from any further claims thereunder."



- 1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 20 day of JUN, 2011

A handwritten signature in black ink, reading "Neil Abernethy". The signature is written in a cursive style with a large, stylized "N" and "A".

GOVERNOR OF THE STATE OF HAWAII