

---

# A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

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

3       "(b) The court shall determine the amount of reasonable  
4 compensation paid to appointed counsel and guardian ad litem,  
5 based on the following rates:

6       (1) [~~\$90~~] \$120 an hour for in-court services provided by  
7 an attorney licensed to practice law in the State; and

8       (2) [~~\$60~~] \$90 an hour for[+]

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

12       ~~[-(B)]~~ (3) [All] \$75 an hour for all services provided  
13 by a person who is not an attorney licensed to  
14 practice law in the State, whether performed in-  
15 court or out-of-court.

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



(1) Cases arising under chapters [†]587A[†] and 346, part

X:

(A) Predisposition . . . . .

~~[\$3,000-]~~ \$4,500;

(B) Postdisposition review hearing . . . . .

~~[\$1,000-]~~ \$1,500;

(2) Cases arising under chapters 560, 571, 580, and

584 . . . . .

~~[\$3,000-]~~ \$4,500.

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. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2,300,000 or so much thereof as may be necessary for fiscal year 2022-2023 for the purchase of service contracts, guardian ad litem contracts, and



1 court-appointed counsel contracts pursuant to chapter 571,  
2 Hawaii Revised Statutes.

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

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 Statutory material to be repealed is bracketed  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

7 SECTION 4. This Act shall take effect on July 1, 2022.

8



**Report Title:**

Judiciary; Court-appointed Counsel; Guardian Ad Litem Fees;  
Appropriation

**Description:**

Increases the rate of compensation and maximum allowable amounts  
per case for court-appointed counsel and guardian ad litem.  
Appropriates funds. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

