

JAN 21 2022

A BILL FOR AN ACT

RELATING TO COURT APPOINTED ATTORNEYS.

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

1 SECTION 1. Section 587A-17, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~{}~~ §587A-17 ~~}~~ Court-appointed attorneys. (a) The court
4 may appoint an attorney to represent a legal parent who is
5 indigent based on court-established guidelines. The court may
6 also appoint an attorney to represent another indigent party
7 based on court-established guidelines, if it is deemed to be in
8 the child's best interest. Attorneys who are appointed by the
9 court to represent indigent legal parents and other indigent
10 qualifying parties may be paid by the court, unless the legal
11 parent or party for whom counsel is appointed has an independent
12 estate sufficient to pay ~~such~~ the legal fees and costs. The
13 court may order the appropriate legal parent or party to pay or
14 reimburse the fees and costs of an attorney appointed for the
15 child or incapacitated adult.

16 (b) The court appointed attorney for the legal parent or
17 party in child welfare cases shall practice in compliance with



1 the American Bar Association Standards of Practice for Attorneys
2 Representing Parents in Abuse and Neglect Cases and shall
3 provide a copy of the standards to the legal parent or party no
4 later than at the time that an attorney client relationship is
5 created.

6 [~~b~~] (c) Unless otherwise ordered by the court, the
7 attorney for an incapacitated adult shall take instructions from
8 the incapacitated adult's guardian ad litem."

9 SECTION 2. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

12

INTRODUCED BY:





S.B. NO. 2968

Report Title:

American Bar Association; Standards; Court Appointed Attorney;
Child Welfare

Description:

Requires the court appointed attorney for the legal parent or party in child welfare cases to practice pursuant to the American Bar Association Standards of Practice for Attorneys Representing Parents in Abuse and Neglect Cases and to provide a copy of the standards to the legal parent or party.

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