

---

---

# A BILL FOR AN ACT

RELATING TO COMPENSATION FOR COURT-APPOINTED REPRESENTATION.

**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~~] guardians  
5 ad litem, based on the following rates:

6           (1) [~~\$90~~] \$150 an hour for in-court or out-of-court  
7 services provided by an attorney licensed to practice  
8 law in the State; and

9           (2) [~~\$60~~] \$100 an hour for[+]

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

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

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



1 (1) Cases arising under chapters [~~587A~~ and] 346,  
2 part X[+], and 587A:

3 (A) Predisposition . . . . .  
4 [~~\$3,000+~~] \$4,500; and

5 (B) Postdisposition review hearing . . . . .  
6 [~~\$1,000+~~] \$1,500; and

7 (2) Cases arising under chapters 560, 571, 580, and  
8 584 . . . . .  
9 [~~\$3,000.~~] \$4,500.

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

18 SECTION 2. In accordance with section 9 of article VII, of  
19 the Constitution of the State of Hawaii and sections 37-91 and  
20 37-93, Hawaii Revised Statutes, the legislature has determined  
21 that the appropriation contained in this Act will cause the  
22 state general fund expenditure ceiling for fiscal year 2024-2025



1 to be exceeded by \$ , or per cent. The reasons  
2 for exceeding the general fund expenditure ceiling are that the  
3 appropriation made in this Act is necessary to serve the public  
4 interest and to meet the needs provided for by this Act.

5 SECTION 3. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$ or so  
7 much thereof as may be necessary for fiscal year 2024-2025 for  
8 the purchase of service contracts, guardian ad litem contracts,  
9 and court-appointed counsel contracts pursuant to chapter 571,  
10 Hawaii Revised Statutes.

11 The sum appropriated shall be expended by the judiciary for  
12 the purposes of this Act.

13 SECTION 4. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 3000.



**Report Title:**

Judiciary Package; Family Courts; Court-appointed Counsel;  
Guardians Ad Litem; Fees; Appropriation; Expenditure Ceiling

**Description:**

Increases the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem in family court proceedings. Appropriates funds. Effective 7/1/3000. (HD1)

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

