
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 [~~\$3,000;~~] \$4,500;
- 4 and
- 5 (B) Postdisposition review hearing . ~~\$1,000;~~ \$1,500;
- 6 and
- 7 (2) Cases arising under chapters 560,
- 8 571, 580, and 584 [~~\$3,000.~~] \$4,500.

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

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



1 for exceeding the general fund expenditure ceiling are that the
2 appropriation made in this Act is necessary to serve the public
3 interest and to meet the needs provided for by this Act.

4 SECTION 3. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$1,500,000 or so much
6 thereof as may be necessary for fiscal year 2024-2025 for the
7 purchase of service contracts, guardian ad litem contracts, and
8 court-appointed counsel contracts pursuant to chapter 571,
9 Hawaii Revised Statutes.

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

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 Statutory material to be repealed is bracketed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

14 SECTION 5. This Act shall take effect on July 1, 2024.



Report Title:

Judiciary Package; Family Courts; Court-Appointed Counsel;
Guardians Ad Litem; Fees; Expenditure Ceiling; Appropriations

Description:

Increases the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem in family court proceedings. Declares that the general fund expenditure ceiling is exceeded. Appropriates funds. (SD1)

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