

The Judiciary, State of Hawai‘i

**Testimony to the Thirty-Second Legislature
2023 Regular Session**

Senate Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

Friday, January 27, 2023, 10:00 a.m.
State Capitol, Conference Room 016, Via Videoconference

by

Rodney A. Maile

Administrative Director of the Courts

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 35, Relating to Civil Legal Services.

Purpose: Senate Bill No. 35 appropriates moneys from the general fund for the Judiciary to purchase civil legal services for low- and moderate- income persons. Effective 7/1/2023.

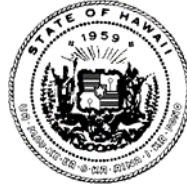
Judiciary's Position:

The Judiciary strongly supports Senate Bill No. 35 which would appropriate funds from the general fund to contract non-profit organizations to deliver civil legal services to low and moderate income persons. Civil legal services providers provide critical and essential legal services to the most vulnerable persons in our community.

The Judiciary respectfully requests that any appropriations for this bill not supplant the Judiciary's existing funding and current budget requests.

Thank you for the opportunity to testify on Senate Bill No. 35.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

January 24, 2023

TO: The Honorable Senator Karl Rhoads, Chair
Senate Committee on Judiciary

FROM: Cathy Betts, Director

SUBJECT: **SB 35 – RELATING TO CIVIL LEGAL SERVICES.**

Hearing: January 27, 2023, 10:00 a.m.
Conference Room 016 & Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure, defers to the Judiciary, and provides comments.

PURPOSE: The bill's purpose is to appropriate funds for the Judiciary to purchase civil legal services for low- and moderate-income persons.

Access to civil legal services helps low to moderate-income individuals access necessities and assistance, ensure safety, and help to support economic stability. Conversely, unresolved civil legal issues can compound individuals' difficulty accessing government services, housing, employment, and credit. Additionally, individuals impacted by emergency management events, such as hurricanes or mass casualty events, need access to legal services to navigate different recovery systems.

In addition to direct legal representation, outreach and education programs provided by legal services organizations are important community resources. For example, during the pandemic, civil legal service organizations provided continuous updates to the community on

COVID-19 available programs and partnered with County and nonprofit agencies to provide pro bono attorneys at food distribution and other events for those families experiencing severe economic consequences. Civil legal services organizations also worked with DHS and other nonprofit organizations to address access and other issues as programs and application processes changed.

The department works closely with the Judiciary and other community stakeholders to increase and improve access to civil legal services. However, more resources are needed to increase the capacity of local nonprofit legal services organizations to continue to serve the civil legal service needs of Hawaii's low-income to moderate-income individuals and families.

Thank you for the opportunity to testify on this bill.



TO: COMMITTEE ON JUDICIARY
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
FR: Nanci Kreidman, M.A.
Chief Executive Officer

RE: SB 35

Aloha!

With enormous gratitude to the Committee on Judiciary we submit this testimony in support of SB 35. The funding in this Bill supports essential services provided by Hawaii's legal service providers.

The Domestic Violence Action Center is one of the agency's that received funding support through a similar appropriation for FY 2023 (Bill passed in 2022).

There is a steady demand for the specialized services provided to marginalized communities in rural and metropolitan areas in the state.

We urge the Committee to take favorable action on SB 35.
Thank you.

To: Committee on Judiciary

Hearing Date/Time: Friday February 27th, 2023 10:00 AM

Re: Testimony in Strong Support of SB 35

From: Heather Lusk, Hawaii Health and Harm Reduction Center

Dear Chair Rhoads, Vice Chair Gabbard and Members of the Committee

The Hawaii Health & Harm Reduction Center (HHRC) strongly supports SB 35 which would appropriate 1.2 million for the judiciary to purchase civil legal services for low-income services. In fact, HHRC would support a larger allocation for the non-profit legal providers because of the increased need due to COVID and related evictions.

As an appointed member to the Access to Justice Commission, I am very aware of the huge need for pro-bono and state-supported civil legal support for our community - especially because many lawyers can make much more in private sector, and the non-profits that provide free civil legal services need more funds to attract and retain legal staff.

HHRC's mission is to *reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific*. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBTQ and the Native Hawaiian communities.

Thank you for the opportunity to testify.

Heather Lusk, Executive Director, Hawaii Health and Harm Reduction Center

SB-35

Submitted on: 1/26/2023 8:11:13 AM

Testimony for JDC on 1/27/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Joseph E Cardoza	Testifying for Hawai`i Access to Justice Commission	Support	Written Testimony Only

Comments:

Chair: Hon. Karl Rhoads, Chair

Vice Chair: Hon. Mike Gabbard, Vice Chair

Committee: Senate Committee on Judiciary

Testimony of: Joseph E. Cardoza, Chair

Organization: Hawai`i Access To Justice Commission

Hearing Date: Friday, January 27, 2023

Hearing Time: 10:00 a.m.

Place: Via Videoconference

Conference Room 016

Hawai`i State Capitol

415 South Beretania Street

Honolulu, Hawai`i

Senate Bill: SB No. 35

Position: Testimony in Support of Bill Relating to Civil Legal Services

Dear Chair Rhoads and Members of the Senate Committee on
Judiciary:

The Hawai'i Access to Justice Commission supports Senate Bill No. 35 which would provide an appropriation through the Judiciary for the purchase of civil legal services for low- and moderate-income persons.

Several non-profit organizations provide critical civil legal services to persons who cannot afford a lawyer. The inability to access essential civil legal services can often lead to long-term consequences. Undoing the damage done by the inaccessibility to civil legal services is costly, both for the individual and society in general. The impact on the community is both social and economic. Non-profit organizations have served thousands of our residents for years, but their financial support varies each year. Unfortunately, there are many persons who cannot be served because of the financial constraints these organizations face. The Hawai'i Access to Justice Commission appreciates the support the Legislature has provided in the past, and is hopeful that the funding provided through SB No. 35 will help low- and moderate-income persons have access to essential civil legal services. In turn, this will serve the best interests of society.

The Commission appreciates the Committee on Judiciary hearing this Bill. Thank you for the opportunity to present this written testimony.

I do not plan to testify during the videoconference hearing on this Bill.



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SOCIETY OF HAWAII

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J. Blaine Rogers, Esq.,
President, Board of Directors

M. Nalani Fujimori Kaina, Esq.
Executive Director

TESTIMONY ON SB35

Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice-Chair

January 27, 2023 at 10:00 a.m.

The Legal Aid Society of Hawaii submits testimony in strong support of SB35 – Relating to Civil Legal Services. This funding would ensure that \$1.2 million in general revenue funding for civil legal services continues to be available for civil legal services. Civil legal services are critical in that they can provide real world solutions to help families in crisis find stability and hope.

In 2022, we received over 15,000 requests for assistance and were able to provide legal help in a little over 7,200 cases in legal areas ranging from family, housing, consumer, foreclosure, public benefits, elder law, homelessness, immigration, language access, and child welfare. Of those served last year, over 2,000 of our clients were homeless or at risk for homelessness, over 1,800 are Native Hawaiian, over 1,200 experienced domestic violence and about 550 spoke a language other than English.

These general funds from the state have enabled us to provide key civil legal services and allowed us to respond to changing and emerging needs. In partnering with the community for over 70 years, we are the only legal services organization in the state to have offices on each of the major Hawaiian islands, including four offices on Oahu (Bethel Street, Chinatown, Waianae and Kaneohe) and two on Hawai'i Island (Kona and Hilo). Our staff regularly assist residents of Hawai'i to navigate and solve basic issues which require legal interventions.

We are grateful for the support of the legislature over the years.

Thank you for this opportunity to provide testimony.

Sincerely,

M. Nalani Fujimori Kaina
Executive Director

Angela Lovitt
Deputy Director

Trever Asam
Board President

Rachel Figueroa
Executive Director



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**TESTIMONY IN SUPPORT OF S.B. 35
RELATING TO THE JUDICIARY
Committee on Judiciary – January 27, 2023 10:00 a.m.**

CHAIR RHOADS, VICE CHAIR GABBARD AND MEMBERS OF THE COMMITTEE ON JUDICIARY:

Volunteer Legal Services Hawaii supports the passage of S.B. 35.

This critical funding would go to funding civil legal services, including but not limited to the delivery of civil legal services to low- and moderate- income individuals in Hawaii. In the last forty-two years, Volunteer Legal Services Hawaii has partnered with volunteer attorneys in the provision of civil legal assistance to individuals and families of Hawaii. While Volunteer Legal Services Hawaii's only office is on Oahu, we service residents of Hawaii statewide. In 2022, with only a staff of 8, Volunteer Legal Services Hawaii qualified over 900 individuals. Volunteer Legal Services provides legal checkups, educational presentations, clinics, brief services and/or full representations. Nineteen percent (19%) of those helped are homeless or at the risk of being homeless, 21% of those helped suffer from domestic violence, 1% of those helped were veterans, 26% of those helped are disabled, and 15% of those helped were aged 60 and over. If not for Volunteer Legal Services Hawaii, these individuals would have otherwise gone without legal help.

We support this funding mechanism which would allow Volunteer Legal Services Hawaii, and other organizations, to deliver critical safety net services to Hawaii's most vulnerable residents.

We respectfully request your passage of S.B. 35. Thank you for this opportunity to provide testimony.

Sincerely,
Rachel Figueroa, Executive Director

SB-35

Submitted on: 1/23/2023 5:00:56 PM

Testimony for JDC on 1/27/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas D. Farrell	Individual	Support	Written Testimony Only

Comments:

Thank you for the Legislature's continued financial support for legal services to the indigent. I'm a non-paid volunteer attorney with VLSH. While VLSH and other legal services organizations engage in fund-raising and other ways to keep the doors open, a continuing legislative subsidy is absolutely essential. We deal with people who are homeless, who are indigent and victims of domestic violence, and many others who simply would not have access to justice without programs like ours. I stand in strong support of SB35. Mahalo!

SB-35

Submitted on: 1/25/2023 3:48:56 PM

Testimony for JDC on 1/27/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
aimee chung	Individual	Support	Written Testimony Only

Comments:

Thank you in advance for your endorsement of this bill which would support the services of Domestic Violence Action Center. DVAC's presence in the community is vital for Hawai'i's victims of interpersonal family violence and their children. Mahalo.

SB-35

Submitted on: 1/25/2023 4:05:47 PM

Testimony for JDC on 1/27/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kyle Shelly	Individual	Support	Written Testimony Only

Comments:

I am writing in support of SB35 relating to civil legal services. Certain nonprofits, such as the Domestic Violence Action Center, are the only means for individuals that either lack financial resources or need specialized legal services, that can provide just and better outcomes for the those who are served.

SB-35

Submitted on: 1/27/2023 10:00:15 AM

Testimony for JDC on 1/27/2023 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Zhizi Xiong	Testifying for CARE Community Advocacy Research Education Services	Support	In Person

Comments: