

JAN 17 2025

A BILL FOR AN ACT

RELATING TO IMMIGRATION.

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

1 SECTION 1. The legislature finds that the State is home to
2 a diverse population, with a significant portion of its
3 residents being immigrants or individuals from mixed-status
4 families. According to the United States Census Bureau,
5 approximately eighteen per cent of the State's population is
6 foreign-born, and many residents face challenges navigating
7 complex immigration proceedings without legal representation.

8 As such, language barriers, financial constraints, and the lack
9 of accessible legal resources may prevent individuals from
10 achieving successful outcomes in immigration proceedings.

11 The legislature further finds that individuals facing
12 deportation or other immigration-related proceedings often lack
13 the right to government-funded legal representation, forcing
14 immigrant applicants to understand and navigate the complex
15 legal system without counsel. Studies have shown that
16 individuals with legal representation are significantly more
17 likely to achieve favorable outcomes in immigration proceedings,



1 including relief from deportation or the ability to remain with
2 their families.

3 Accordingly, the purpose of this Act is to establish a
4 universal representation in immigration proceedings program to
5 provide access to individuals undergoing immigration-related
6 proceedings.

7 SECTION 2. Chapter 371K, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§371K- Universal representation in immigration
11 proceedings program; established. (a) There is established the
12 universal representation in immigration proceedings program to
13 be administered by the office of community services. The
14 purpose of this program shall be to provide access to legal
15 representation for individuals residing in the State who are
16 facing immigration-related proceedings, regardless of their
17 ability to pay.

18 (b) The program shall:

19 (1) Provide legal representation to individuals in
20 immigration-related proceedings, including but not



- 1 limited to deportation defense, asylum applications,
2 and other immigration relief processes;
- 3 (2) Prioritize services for individuals who are detained,
4 at risk of deportation, or otherwise vulnerable due to
5 their immigration status;
- 6 (3) Partner with community-based organizations and legal
7 service providers to ensure culturally and
8 linguistically appropriate services;
- 9 (4) Conduct outreach and education to inform impacted
10 communities about the availability of legal
11 representation and related resources; and
- 12 (5) Collect and report data on the program's outcomes
13 including the number of individuals served, types of
14 cases handled, and success rates, while maintaining
15 confidentiality and protecting sensitive information.
- 16 (c) The office of community services shall establish
17 criteria to determine eligible applicants, including:
- 18 (1) Residency in the State; and
- 19 (2) Income at or below one hundred fifty per cent of the
20 federal poverty level; provided that exceptions may be



1 made for individuals on a case-by-case basis who are
2 facing extenuating circumstances.

3 (d) The office of community services may contract with
4 nonprofit organizations, legal service providers, and other
5 entities to implement the program.

6 (e) The office of community services shall submit an
7 annual report to the legislature no later than twenty days prior
8 to the convening of each regular session. The report shall
9 include:

10 (1) The number of individuals served by the program;

11 (2) The types of cases handled;

12 (3) The outcomes of cases; and

13 (4) Recommendations for improving access to legal
14 representation for individuals in immigration-related
15 proceedings."

16 SECTION 3. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so
18 much thereof as may be necessary for fiscal year 2025-2026 and
19 the same sum or so much thereof as may be necessary for fiscal
20 year 2026-2027 for the establishment of the universal



1 representation for immigration proceedings program established
2 pursuant to section 2 of this Act.

3 The sums appropriated shall be expended by the department
4 of labor and industrial relations for the purposes of this Act.

5 SECTION 4. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on July 1, 2025.

7

INTRODUCED BY: 



S.B. NO. 854

Report Title:

DLIR; Office of Community Services; Universal Representation in Immigration Proceedings Program; Immigration; Legal Representation; Reports; Appropriations

Description:

Establishes a Universal Representation in Immigration Proceedings Program within the Department of Labor and Industrial Relations Office of Community Services to provide access to legal representation, under certain conditions. Requires annual reports to the Legislature. Appropriates funds.

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

