

Access to Justice Commission  
c/o Hawaii State Bar Association  
1132 Bishop Street, Suite 906  
Honolulu, Hawaii 96813

February 4, 2009

Attn: Senate Committee on Judiciary and Government Operations  
Hearing Date: Friday, February 6, 2009  
Time: 9:00 a.m.

**SB 1192 – Relating to District Court**

Dear Chair Taniguchi, Vice-Chair Takamine, and Members of the Senate Committee on Judiciary and Government Operations:

I am writing on behalf of the Access to Justice Commission (the “Commission”), which was created by Rule 21 of the Rules of the Supreme Court of Hawaii on May 1, 2008. The Commission was established with the purpose to substantially increase access to justice in civil legal matters for low- and moderate-income residents of Hawaii (“low income Hawaii residents”), including working to reduce barriers to the civil justice system for low-income Hawaii residents through laws or court rules, regulations, procedures, and policies, and increasing support for self-represented litigants.

The Commission was created in response to the 2007 Assessment of Civil Legal needs and Barriers of Low- and Moderate-Income People of Hawaii, which found that four out of five low-income Hawaii residents do not have their legal needs met and that legal service providers are only able to assist one in three persons who contact them for assistance.

As the economy worsens during this difficult time, there is an increased demand for legal services for low-income Hawaii residents. However, the harsh reality is that there are insufficient resources to meet the increased demand.

The Commission supports SB 1192, which amends HRS Section 633-27 to increase the jurisdictional minimum for small claims court. SB 1192 would make it easier for self-represented litigants to proceed with their claims, both as Plaintiffs and as Defendants, and as such, would increase access to justice for Hawaii’s low-income Hawaii residents.

By increasing the jurisdictional maximum amount for cases in the small claims division of the district court, more self-represented litigants are allowed easier access to justice. The general rules and requirements for proceeding in small claims court are much easier and more simplistic than their district

court counterparts, which increases the accessibility and user-friendliness to self-represented litigants.

Attached is a copy of “Resolution of Support by the Hawaii Access to Justice Commission for the Proposed Amendment of the District Court Powers, H.R.S. Section 633-27, to Increase the Jurisdiction of the Small Claims Division”, which was adopted by the Commission at its meeting on January 26, 2009. I am also attaching a copy of Rule 21 of the Rules of the Supreme Court of Hawaii, which established the Commission and set for the Commission’s mission and composition, and a copy of the Commission’s roster.

On behalf of the Commission, I urge you to support the passage of SB 1192. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill M. Hasegawa", with a long horizontal flourish extending to the right.

Jill M. Hasegawa, Esq.

Vice-Chair

Access to Justice Commission

Enclosure(s)