

III. COMMISSION MEETINGS

On June 20, 2008, Chief Justice Ronald Moon and the newly appointed Chair, Justice Simeon Acoba Jr. welcomed the Commissioners at an unofficial introductory meeting of the Commission. Chief Justice Moon made a brief presentation on the Commission. In addition, a presentation on the Hui Report was made by M. Nalani Fujimori Kaina, a Hui member.

Since its establishment, the Commission has held eight official meetings on the following dates:

Wednesday, July 23, 2008 at 10:00 a.m.
Wednesday, September 3, 2008 at 10:00 am.
Monday, November 3, 2008 at 10:00 a.m.
Monday, January 26, 2009 at 10:00 a.m.
Monday, March 23, 2009 at 10:00 a.m.
Wednesday, May 6, 2009 at 10:00 a.m.
Monday, July 20, 2009 at 10:00 a.m.
Monday, September 21, 2009 at 10:00 a.m.

Copies of the Commission agendas can be found in Appendices F to M, inclusive and respectively.

A Brief Summary of the Meetings

1. July 23, 2008

At this first meeting of the Commission, it was agreed that decisions would be made by consensus. Certain operational guidelines were discussed and approved.

2. September 3, 2008

The Commission approved the establishment of thirteen committees and a committee protocol. It was emphasized that the role of committees is advisory. Semi-annual reports of the committees would be sent to the Annual Report Committee. The Commission discussed a grant from the Hawaii Justice Foundation to the HSBA to aid the work of the Commission.

3. November 3, 2008

The Hawaii Justice Foundation approved a grant in the amount of \$58,650.00 to the HSBA for Commission expenses. This sum proposed monies for a part-time HSBA staff person to support the Commission and

inter-island travel for the neighbor island Commissioners. Updates of the various committee work were orally provided by the Chairs/Commissioners.

4. January 26, 2009

The Commission decided that the grant from the Hawaii Justice Foundation would need to cover the Commission's work for the future since it is unlikely that the Hawaii Justice Foundation will be able to replicate such funding. The Commission approved guidelines for speakers who may represent the Commission and speakers who would be presenters at the Commission meetings. Updates of committee work were provided, and further discussion was had of pending legislation.

5. March 23, 2009

The Commission discussed the legislative updates. It was reported that the grant-in-aid proposal did not receive much support during legislative meetings because of the state's budgetary problems and that it is anticipated that an estimated \$2,000,000.00 for legal services providers would be cut. Since there will not be any additional funding from the Hawaii Justice Foundation in the foreseeable future, it was agreed that the part-time HSBA position be deferred for the current period. The Commission discussed the proposed foreclosure mediation protocol and other committee work.

6. May 6, 2009

The Commission adopted the proposed Comment 5 to Rule 2.2 of the Hawai'i Revised Judicial Code. The Commission also approved the Foreclosure Mediation Protocol and the notice form that would accompany a complaint and summons requesting mediation. Legislative updates were discussed as well as committee work. It was reported that the small claims bill had died in legislative committee as well as the ILAF (Indigent Legal Assistance Fund) bill. The annual summit conference agenda was approved. It was reported that visits are being made to law firms and government agencies to obtain commitments to meet the goal embodied in Hawai'i Rules of Professional Conduct Rule 6.1 of providing 50 hours of pro bono service annually.

7. July 20, 2009

Family Court Judge Frances Wong made a presentation to the Commission about the status of the family courts and the challenges faced by them. The Commission discussed the annual summit conference on June 24, 2009. It appears that the overflow crowd that attended reacted favorably to the conference. The Commission approved the Judicial Pro

Bono Policy, Law Firm Pro Bono Policy, and Government Pro Bono Policy without objections. Several task forces were appointed: Task Force on Cy Pres (which would be attached to the Committee on Funding); Task Force on Public Meetings; and Task Force on Amending HRCP Rule 6.1.

8. September 21, 2009

The Chair announced that the Foreclosure Mediation Proposal was reviewed by the Supreme Court, and it will be implemented on an experimental basis in the Third Circuit Court only. The Commission discussed the Access to Justice website, which is currently a subpage to the HSBA website and is updated twice a month. It was reported that the Committee on Education, Communications, and Conference Planning (“Committee on Education”) researched the question of an independent website and the attendant costs. The Commission decided that the Committee on Education should further examine the different website proposals and recommend one proposal for the Commission’s consideration.

The Commission accepted the recommendations of the Committee on Education regarding the annual Access to Justice Conference. The Commission approved support for the funding request by the Hawaii Justice Foundation to the Cades Foundation for the future Summit and website expenses. The Commission supported the National Pro Bono Celebration to be held on October 28, 2009 at Tamarind Square. The Commission decided that funding for the legal service providers would be the Commission’s sole legislative priority.

