

## REMARKS AT THE 2019 HAWAI‘I ACCESS TO JUSTICE CONFERENCE

Friday, June 7, 2019

by Associate Justice Simeon R. Acoba, Jr. (ret.)  
Chair, Hawai‘i Access to Justice Commission

Good morning everyone, and welcome to the 11th annual Access to Justice Conference.

We are privileged to have Daniel Greenberg lead us into the day’s events. Mr. Greenberg has spent his career advancing pro bono advocacy in both civil and criminal law and taking part in ground-breaking litigation, and has served as President and Attorney-in-Chief for the Legal Aid Society in New York City-- the country's oldest and largest provider of legal services for underserved persons.

Aloha and welcome, Mr. Greenberg.

We also are appreciative that members of the legislature have joined us today. Extending access to legal services and aid requires the concerted effort of all three branches of government if we are to overcome barriers to equal justice.

I would like to update you on the Commission’s activities. Among the initiatives the Commission launched last year was a pilot “court navigator” program in the district court in the First and Second Circuit—Oahu and Maui—in which volunteers at the courthouse provide information and guidance on court protocol to unrepresented litigants. The supreme court has made the Maui pilot permanent and continued the project on Oahu on a pilot status. The Commission also recommended to the Court and supported an electronic “court-date” reminder system for litigants in civil cases.

We have also finished work on our “unbundling” representation proposal to the supreme court that would enable attorneys to perform limited legal representation, for example, to respond to or to file a motion in court—for otherwise unrepresented litigants.

We anticipate the proposal will be adopted in a couple of months.

Last week, the Commission sent to the Supreme Court a recommendation and proposed procedure for the disposition of stale traffic arrest warrants (those more than two years old)--in order to curb the adverse effects--from unexpected arrests on arrestees’ employment and family obligations. Significantly we are also close to completion of the \$100,000 implementation grant on the Justice for All project awarded by the National Center for State Courts--that the Commission has coordinated in conjunction with the Hawaii Justice Foundation.

Thanks to Bob for his help.

You may recall that there are two parts to the grant that we had proposed—the Community Navigator Program and the Interagency Roundtable projects. The Community Navigator system enlists trusted persons to provide assistance to members of their own communities in obtaining legal help and human services from appropriate agencies. A curriculum has been developed to educate the navigators, navigator training has been held on the major islands, students at Georgetown University law school have helped to create an electronic measuring tool to track referrals made by the navigators, and it is anticipated that 120 navigators will be ready to embark on the project.

The second program—the Interagency Roundtable project-- seeks to align and to assist coordination of public and private agency services through a roundtable structure headed by a coordinator--with the capability of convening agencies needed to facilitate the efficient and necessary delivery of services to clients. This project is also nearing completion.

Individual meetings with directors and deputy directors of government agencies and a one-day conference preceded the first roundtable--with the assistance of a consultant who administered a similar roundtable approach in the Obama White House.

With the help of the Department of Human Services three roundtables meetings have been held in the past five months. Participants have included the support enforcement center, the attorney general's office, the public safety intake service, the American Job Center on Oahu, the department of labor, and the department of health. The roundtables have fostered partnerships, increased exchanges of information, encouraged agencies to share information and collaborate on projects, and identified sources of federal funding. A toolkit of resources has been assembled, and the Department of Human services is committed to continuing the roundtable meetings into the future.

The Commission marked its ten-year anniversary in 2018. As was the case at its inception, the Commission's assets are the volunteerism, commitment, and support of the members of the Commission and those on its committees—all volunteers—and the collaboration of the legal service providers and of the bar and of the judiciary, thanks to Chief Justice Recktenwald in that regard.

As the Commission begins its second decade there are several principles, briefly stated, that may warrant consideration. First, the role of the Commission has been to propose, initiate, and evaluate. The Commission does not provide legal services, but plays a supportive role in expanding civil justice statewide. Second, having been established under judicial rule, the Commission must act fairly and equitably and be mindful of the different constituencies in our community and in our legal system that provide the energy, initiative, and assistance that power access to justice efforts. And finally, the Commission has a shared but mandated duty to

promote access to justice in the legal system, in our government, and in our communities. The Commission must always do what is best in remaining true to that commitment.

In closing, we thank Avi and Carol Muranaka, the chairs of the conference committee, Bob and the Hawaii Justice Foundation, Gunner Schull and The Cades Foundation, and Larry Takumi, a trustee for The Cades Foundation who is here today, the bar and its executive director Pat Mau-Shimizu, and the William S. Richardson School of Law for their support of this conference.

Thank you.