

Pro Bono Celebration

THE ACCESS TO JUSTICE COMMISSION

by Hon. Simeon R. Acoba

*Each of us in Hawai'i has a stake in ensuring that all residents have equal access to justice. When access to justice is denied, justice becomes a mere illusion perceived as available only to those who can pay for it. Such a situation undermines a rule of law that is premised on the principle that all individuals stand equally before the law.**

This premise is set forth in the 2007 report of the Access to Justice Hui (the Hui), a group of legal service providers formed to address the legal needs of low- and moderate-income residents. Using secondary data collection and a variety of other information gathering techniques, the Hui generated a Community Wide Action Plan containing ten "Action Steps" to increase access to justice in Hawai'i by 2010. Action Step one was to form an Access to Justice Commission (the Commission) that would "provide ongoing leadership and oversee efforts to increase funding and improve delivery of legal services to low-income residents." In drafting a proposed rule to establish the Commission, various examples of Access to Justice rules in other states were considered. After a review in which George Zweibel, David Reber, and Chief Justice Ronald Moon participated, a draft of the proposal to create the Commission was submitted to the Hawai'i Supreme Court for its consideration.

On April 24, the Hawai'i Supreme Court formally adopted the proposal as Rule 21 of the Rules of the Supreme Court of the State of Hawai'i, effective May 1, 2008, and the Committee officially came into being. The Commission consists of

22 members who are appointed by different entities. The Chief Justice appoints five members, consisting of the Chief Justice or an Associate Justice of the Supreme Court and four other judges from different judicial circuits,¹ including at least one circuit court judge, one family court judge, and one district court judge. The Hawai'i State Bar Association (HSBA) appoints four members, including two representatives of the HSBA, and two active HSBA members.² The Hawai'i Consortium of Legal Services Providers (HCLSP) appoints six members to the Commission, including four representatives of Hawai'i nonprofit legal services providers, and, in consultation with the Chief Justice, two non-attorney public representatives.³ The Hawai'i Justice Foundation (HJF) appoints one member to the commission,⁴ as does the University of Hawai'i

William S. Richardson School of Law⁵ and the Hawai'i Paralegal Association (HPA).⁶ Finally, the Governor of Hawai'i,⁷ the Attorney General of Hawai'i,⁸ the President of the Hawai'i Senate,⁹ and the Speaker of the Hawai'i House of Representatives¹⁰ are each entitled to serve on the Commission or to appoint one member from each of their respective branches of government.

Rule 21 sets out fourteen Commission objectives. Those objectives are to (1) provide ongoing leadership in expanding and improving delivery of civil legal services to low-income people in Hawai'i, (2) develop initiatives to expand access to justice, (3) develop a strategic plan for delivery of civil legal services, (4) increase long-term funding for delivery of civil legal services, (5) facilitate



efforts to improve collaboration among civil legal services providers, (6) increase pro bono contributions by Hawai'i attorneys, (7) reduce barriers to the civil justice system, (8) encourage community leaders to take a leadership role in expanding access to civil justice, (9) educate governmental leaders and the public about the importance of equal access to justice, (10) increase effective utilization of paralegals, (11) increase support for self-represented litigants, (12) develop initiatives to enhance recruitment of attorneys who work for nonprofit civil legal services providers, (13) encourage the formation of broad coalition of groups to address ways of alleviating poverty, (14) conduct a statewide assessment of unmet civil legal needs five years after the Commission's first progress meeting. Rule 21 also sets forth guidelines on membership and voting, and requires the commission to produce an Annual Report describing its activities and to conduct an Annual Summit to evaluate the efforts to increase access to justice.

Additionally, Rule 21 authorizes the Commission to create committees it deems necessary to facilitate the

Commission's work. On June 30, 2008, the Commission held an orientation meeting to review the Hui Report and Rule 21, and to begin determining a structure for the committees authorized in the rule.

On July 23, 2008, the Commission held its first official meeting. As the Commission Chair noted at the meeting, "The Access to Justice Commission is an effort to institutionalize a commitment to equal justice under the law," and that the Commission was committed "to working together [with others] toward that common goal in an objective, constructive, and positive way." Chief Justice Moon followed, saying that "[t]he dim forecast of the state's economic future underscores the importance of the work done by the Access to Justice Hui and the work that will be done by the Access to Justice Commission."

During the meeting, a structure for committees was recommended. Operational committees, including the Administrative Committee, were established. The operational committees address primarily organizational or administrative functions. Also at the first meeting, the Commission objectives established in Rule 21 and the Hui's Community Wide Action Plan steps were grouped and assigned to the appropriate subject matter committees. The Commission approved of ten subject matter committees. The subject matter committees are: (1) Committee on Funding of Civil Legal Services, (2) Committee on Increasing Pro Bono Legal Services, (3) Committee on Right to Counsel in Certain Civil Proceedings, (4) Committee on Self Representation and Unbundling, (5) Committee on Maximizing Use of Available Resources, (6) Committee on Overcoming Barriers to Access to Justice, (7) Committee on Initiatives to Enhance Civil Justice, (8) Committee on Education, Communications and Conference Planning, (9) Committee on Alleviating Poverty in Hawai'i, (10) and Law School Liaison Committee. In addition, the

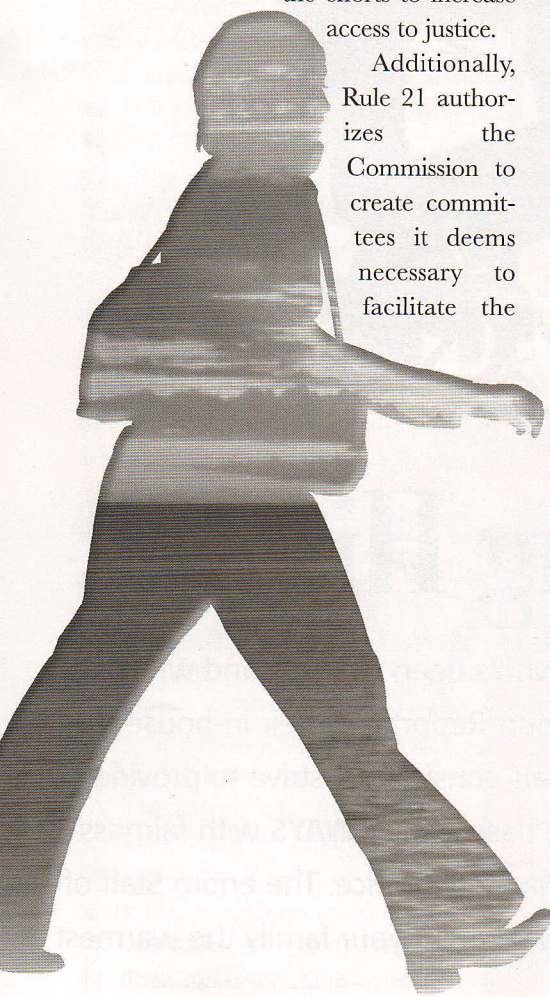
Commission, after addressing the question of whether to prioritize and phase in the committees or to activate all

of the committees simultaneously, decided upon the latter course.

The Commission held its second meeting, on September 3, 2008, where a proposed committee protocol was presented to provide guidance to the Commission's committees. The protocol, largely drafted by Tracey Wiltgen, establishes guidelines for facilitating a cooperative work environment, for dealing with input and information from third parties, and for operating procedures including information gathering and distribution and interim reporting by committees. The Commission has approved all ten subject matter committee chairs.

The Commission also endorsed a request by the HSBA for funding from the HJF for support of the Commission's operation. The HJF has approved the funding request of approximately \$60,000 that will help pay for a HSBA half-time staff person position to assist the Commission, for the Commission's Annual Report, for the Annual Summit, and for travel expenses of neighbor island Commission members.

In the coming months, the Commission will define its role in the pursuit of equal justice under the law for Hawai'i's low- and moderate-income residents. As noted at a Volunteer Legal Services Hawai'i meeting on June 13, 2008, the Commission can make contributions in several ways: First, develop a state plan for the delivery of legal services; second, determine the most appropriate way to match resources to needs; third, encourage collaboration among legal service providers to meet such needs; fourth, initiate steps for changes in the legal system where necessary; and fifth, make recommendations to appropriate bodies, such as the Governor, the Legislature, different agencies, and the Judiciary. As conveyed in Rule 21, the role of the Commission is not to control provider services, but to consult about, to collaborate with, and to help coordinate civil justice efforts statewide. The Commission should propose, initiate, and evaluate. It is hoped that the Commission will have a positive impact on bringing equal justice to all.



*From the 2007 Report of the Access to Justice Hui.

1 Chief Justice Moon appointed Associate Justice Simeon Acoba of the Hawai'i Supreme Court as the Chair of the Commission, as well as Judge Daniel Foley of the Intermediate Court of Appeals (ICA), Judge Greg Nakamura of the Third Circuit Court, Judge Simone Polak of the District Court of the Second Circuit, and Judge Calvin Murashige of the District Family Court of the Fifth Circuit.

2 The HSBA appointed Jill Hasegawa, currently serving as the Vice-Chair of the Commission, Rai Saint Chu, B. Martin Luna, and Shannon Wack.

3 The HCLSP appointed Moya Gray, Charles Greenfield, Mahealani Wendt, and Nancy Kreidman. In consultation with the Chief Justice, the HCLSP also appointed Puanani Burgess and Patti Lyons.

4 The HJF appointed the Hon. Richard Guy (Ret.).

5 The William S. Richardson School of Law appointed Dean Aviam Soifer.

6 The HPA appointed R. Elton Johnson, III.

7 Governor Linda Lingle appointed Lillian Koller.

8 Attorney General Mark Bennett appointed MaryAnne Magnier.

9 Senate President Colleen Hanabusa appointed Senator Mike Gabbard.

10 Speaker of the House of Representatives Calvin Say appointed Representative Blake Oshiro.

The Honorable Simeon R. Acoba is an Associate Justice on the Hawai'i Supreme Court. He is Chair of the Access to Justice Commission.

FUNDING OUTLOOK IN 2009 FOR ACCESS TO JUSTICE

by James A. Kawachika and Robert J. LeClair

In 2007 and 2008, Hawai'i made significant advances in the area of access to justice, many of which are described in this *Hawai'i Bar Journal* December, 2008 issue. It is clear that legal service providers and the Access to Justice Commission need sufficient funding if they are to continue with the progress being made. Predictions for funding in 2009 are stark, with only one primary piece of "good news."

The "Good News." The best funding news in 2008 was the adoption

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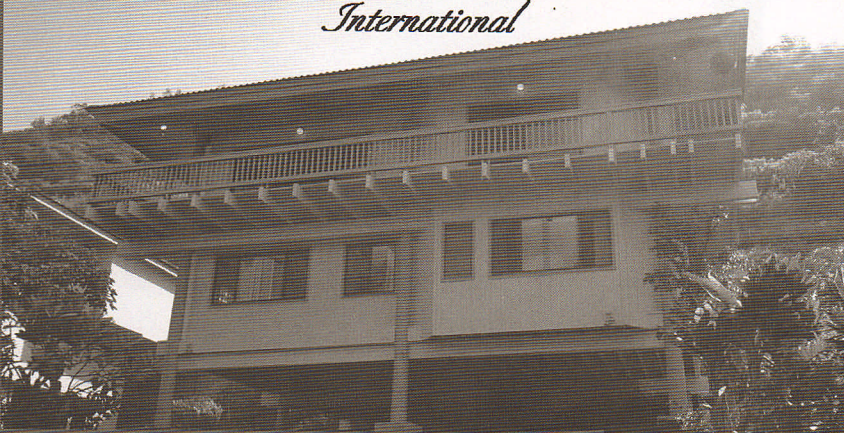
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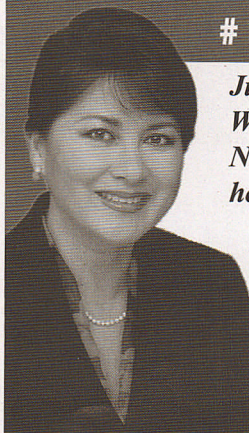
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by the Hawai'i Supreme Court of the rate comparability amendment that requires all banks participating in the Interest on Lawyer Trust Accounts (IOLTA) program to pay the highest interest rate generally available at their institutions to their non-IOLTA accounts when IOLTA accounts meet the same minimum balance or other account qualifications. It is anticipated that rate comparability will more than double the income received by the Hawai'i Justice Foundation (HJF). Income received by HJF is then distributed to Hawai'i's legal service providers and other access to justice projects. HJF's interest income fluctuates with prevailing interest rates, which have dropped to very low levels. However, rate comparability has cushioned the loss of income that otherwise would be experienced, and HJF plans to maintain its level of funding for its 2009 IOLTA grants. The HSBA Board and the Hawai'i Supreme Court are to be complimented for their willingness to support the rate comparability amendment. Hawai'i has nine IOLTA partici-

pating banks, and these banks have been extremely cooperative throughout the process of implementing rate comparability in the Islands.

The "Bad News." We are all painfully aware of the extreme economic difficulties we face in Hawai'i and throughout the mainland. Legal service providers rely heavily on federal and state funding, as well as private contributions. Economic conditions will make it extremely difficult to maintain current levels of federal and state funding. Additionally, most experts predict that private donations to non-profits will shrink in 2009. No one knows for certain what will happen with the economy, but the prospects are that Hawai'i's low-income legal service providers and other social service organizations will face very difficult financial times in 2009.

How Can Hawai'i Attorneys Help? Hawai'i's attorneys are strongly encouraged to help maintain the strong momentum in the area of access to justice. Attorneys can help through increasing their pro bono participation, by mak-

ing financial donations to legal service providers, and by encouraging the Hawai'i State Legislature to maintain funding for the legal service providers.

James A. Kawachika is President of the Hawai'i Justice Foundation and Robert J. LeClair is the Executive Director of the Hawai'i Justice Foundation.

UPDATE ON THE COMMUNITY WIDE ACTION PLAN

by Nalani Fujimori

"The Community Wide Action Plan: Ten Action Steps to Increase Access to Justice in Hawai'i by 2010" (the "Plan") was released by the Access to Justice Hui in November 2007. These ten steps provided tangible action steps to increase Access to Justice in Hawai'i:

1. Create an Access to Justice Commission.
2. Increase funding to support the deliv-



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ery of legal services to ensure access to justice.

3. Develop a culture that values providing pro bono services.
4. Establish the recognition of the right to a lawyer in civil cases where basic human needs are at stake.
5. Enable individuals to represent themselves effectively when necessary.
6. Maximize the use of available resources.
7. Overcome barriers to access to justice.
8. Expand the role of the William S. Richardson School of Law in promoting access to justice.
9. Increase access to justice in other ways.
10. Form a broad coalition to address ways to alleviate poverty in Hawai'i.

A year after its release, the legal community is already making this Plan a reality.

One of the first achievements of the Plan was the creation of the Access to Justice Commission to provide ongoing leadership and oversee efforts to increase funding and improve delivery of legal services to low-income residents. Through the support of the Supreme Court, the Access to Justice Commission was created by court rule 21 of the Rules of the Supreme Court of Hawai (RSCH) on May 1, 2008 and is chaired by Justice Simeon Acoba.

Over the last year, the legal community also joined together to request the Supreme Court to require the payment of comparable interest rates on IOLTA accounts (which the Court did by amending RSCH Rule 11 effective July 1, 2008), launch a self-help center at the courthouse on Kauai, report 97.38% more pro bono hours, and take steps to review rules to make limited scope representation or unbundling more available.

In the 2008 legislative session, bills to raise fees to increase funding for legal services in the Indigent Legal Assistance Fund and to revise the statute to allow

deputy attorney generals to provide pro bono assistance were introduced. While neither of these bills became law, they both raised awareness of the need for increased access to justice.

Yet, despite these remarkable achievements in the last year, there is still much to be done. Economic challenges that face Hawai'i residents in the upcoming year will increase the need for civil legal services, however potential cutbacks to legal service funding will affect the legal service providers' ability to deliver.

In the next year, the legal community needs to pull together to improve access to justice by taking on pro bono cases, donating to legal service agencies, volunteering on committees to find ways to address access to justice and be supportive of rule and statutory changes that increase access to justice.

The on-going support of the Judiciary is needed to make courts more accessible for self-represented litigants, to effectuate rule changes to increase access and to continue its strong support of access to justice.

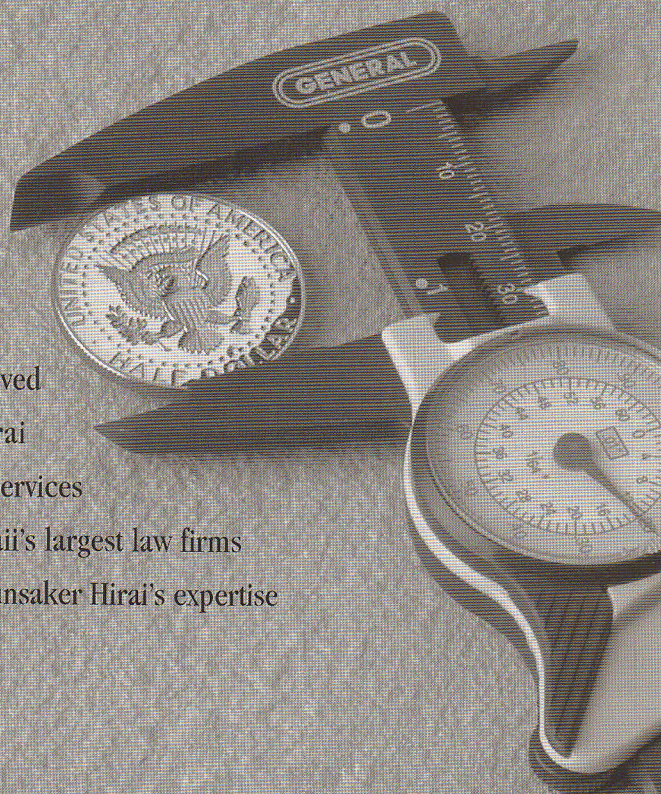
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The legal service providers need to work more closely together, to find ways to best deliver services to the community, to reach those most in need, and to ensure access to justice is not just a mantra, but a reality.

The 2007 Community Wide Action Plan provided a starting place for the legal community to improve access to justice for the low- and moderate-income people in Hawai'i. A lot has been accomplished in this first year, but there is still work ahead to make justice a reality for all.

Nalani Fujimori is the Deputy Director at Legal Aid Society of Hawai'i.

THE NEEDS OF NATIVE HAWAIIANS IN ACHIEVING ACCESS TO JUSTICE

by Mahealani Wendt

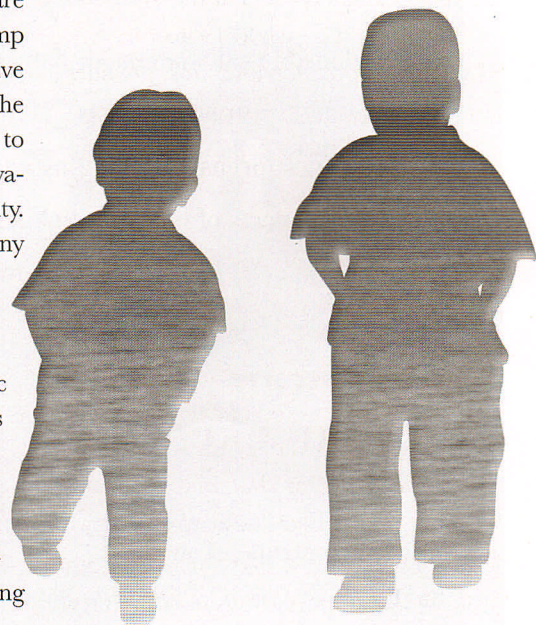
Native Hawaiians continue to be chronically overrepresented on many indicia of social, political and economic well-being. Based on the last available census figures, there are approximately 239,655 Native Hawaiians living in Hawai'i, 14%, or approximately 33,552 of whom live below the federal poverty level. In addition, 28% of all recipients of financial assistance (cash benefits) in Hawai'i are Native Hawaiians. They are also 19% of Medicaid and food stamp recipients. In addition, Native Hawaiians have not kept pace with the rest of the Hawai'i population relative to overall academic achievement, employability, housing, health, and mortality. The reasons are complex, but for many native families, an important factor has been loss of traditional sources of cultural and spiritual sustenance, as well as economic self-sufficiency -- land to grow food, as well as access to streams, mountains, and ocean areas to gather this food.

Ancestral lands and access to natural resources are increasingly threatened by development and competing

claims to ownership. Sadly, loss of lands have typically occurred using legal mechanisms such as quiet title lawsuits, while the removal of access to traditional gathering places has been carried out by large commercial interests.

The effective advocate for Native Hawaiians must be mindful of the overarching framework of colonization and loss of political sovereignty, a larger context which should not be relegated to mere historical footnote. Political, social, and economic dislocations are extant, and it is critical that a strong legal services program in which advocates are prepared to address barriers such as distrust of the legal system, cultural, language, and geographic remoteness continue to exist.

Mahealani Perez-Wendt is Executive Director of the Native Hawaiian Legal Corporation, a public interest law firm whose exclusive focus is Native Hawaiian land, natural resources and traditional practices. She has been with the corporation thirty years. The corporation provides full legal representation, from counsel and advice to representation at contested case hearings, trial proceedings and post-trial appeals as warranted. Perez-Wendt served as a member of the State of Hawai'i Judiciary's Alternative Dispute Resolution Advisory Board, appointed by two successive State Supreme Court Chief Justices and is a current member of the Access to Justice Commission.



ACCESS TO JUSTICE: PARENTS' RIGHT TO COUNSEL IN TERMINATION OF PARENTAL RIGHTS CASES

by Iokona Baker and Faye Kimura

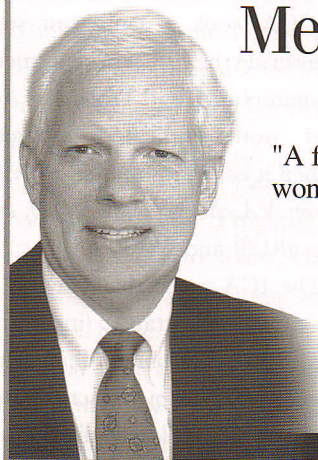
National child welfare experts generally consider Hawai'i to be at the forefront of most states in the provision of services to families and litigants in child abuse and neglect, aka "dependency" cases. For instance, Hawai'i was one of the first states to: (1) include its unique form of family group conferencing, called 'Ohana Conferencing, as a key component in many court-ordered service plans; and (2) require mandatory training of all legal advocates as a condition of becoming a court-appointed counsel or child's guardian ad litem. Hawai'i's child welfare court system has challenges, however, not the least of which is ensuring access to timely and quality legal counsel for parents in cases that have a reasonable probability of resulting in a termination of those parents' rights.

Parents' rights are at stake whenever a child welfare case is opened in Family Court, yet the appointment of parents' counsel is discretionary and leaves alleged natural fathers especially vulnerable as they often have not qualified for court-appointed counsel at the inception of the case. The Child Protective Act, HAW. REV. STAT... Chapter 587, provides for the award of "permanent custody" upon a finding that a child's "legal mother, legal father, adjudicated, presumed, or concerned natural father ... are not presently willing and able to provide the child with a safe family home..." (HAW. REV. STAT. § 587-73(a)). The Court must appoint a guardian ad litem for the child "to serve throughout the pendency of the ... proceedings," but is not required to appoint counsel for the child or "independent counsel for any other party." (HAW. REV. STAT. § 587-34(a)). In practice, the Hawai'i Family Courts appoint

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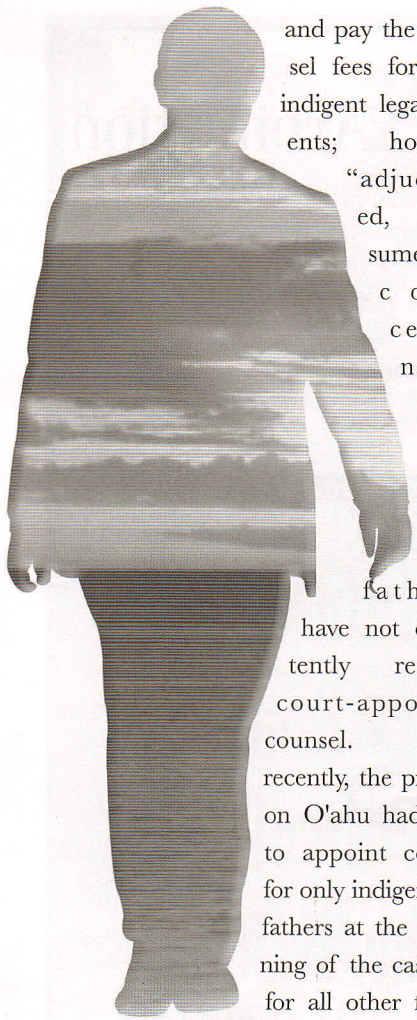
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and pay the counsel fees for most indigent legal parents; however, “adjudicated, presumed, or concerned natural

fathers” have not consistently received court-appointed counsel. Until recently, the practice on O’ahu had been to appoint counsel for only indigent *legal* fathers at the beginning of the case and for all other fathers

only when they established paternity of the subject child; this sometimes precluded or created delays in the latter category of fathers receiving satisfactory legal assistance prior to permanent custody. Neighbor island judicial circuits have different policies for the appointment of court appointed counsel.

From November 2004 through August 13, 2008, O’ahu’s Family Court provided “consulting counsel” to qualifying parents in Child Protective Act cases. Consulting counsel assisted parents only on hearing dates. At other times, parents were pro se litigants. Incarcerated legal parents, however, received “full service” counsel. Volunteers and court staff assisted, but did not advocate for, parents between hearings. As of August 2008, the O’ahu Family Court returned to providing full service counsel to qualifying parents through a group contract with a small number of attorneys who specialize in dependency litigation.

The Hawai’i Intermediate Court of Appeals (ICA) took a significant step towards ensuring the earlier appointment of legal counsel in Child Protective Act cases for non-adjudicated indigent fathers when it issued its opinion in *In Re “A” Children: N.A., M.A. (1), M.A. (2), and L.A.*, Nos. 28129 and 28130 on July 31, 2008. The ICA noted that Hawai’i is one of only five states (including Delaware, South Carolina, Tennessee, and Wyoming) that allows discretionary appointment of counsel for indigent parents in termination-of-parental-rights (TPR) cases. The ICA held that the trial court erred in conditioning the alleged, but undisputed, indigent father’s right to counsel on a formal establishment of paternity and that the father was deprived of due process when he was not provided legal counsel until 16 days before trial. The Court refused to decide whether counsel must be appointed for all indigent parents in TPR cases, but urged an executive and legislative reexamination of the discretionary nature of HAW. REV. STAT. § 587-34.

Since children of Native Hawaiian descent represent the largest ethnic group in Hawai’i’s foster care system, barriers to obtaining timely quality legal counsel in child welfare cases has had and will continue to have a profound effect on the character of the statewide community as more and more Native Hawaiian parents lose the right to have their children return home. It is unreasonable, of course, to believe that improving access to legal representation alone is the solution for reducing the frequency of terminations of parental rights and ensuring safe homes for children. Certainly, for those cases that are before the court, legal representation is necessary to reduce the inherent advantage given to the State, but for those families who have not yet become “cases,” it would be wiser, instead, for the community to provide meaningful access to legal and social services that ameliorate child safety issues before the problem is

brought to the courthouse door—when it may be simply too late.

Iokona Baker is a Law Fellow in the Hawai’i Child Welfare Program at the William S. Richardson School of Law. Faye Kimura is a Faculty Specialist at the William S. Richardson School of Law.

AN EXEMPLARY LAW SCHOOL COMMITMENT TO PUBLIC INTEREST WORK

by Aviam Soifer and Hazel Beh

Broad access to legal education and an abiding commitment to the pursuit of justice for those most vulnerable have been at the core of the William S. Richardson School of Law (“Law School”) since its first class entered 35 years ago. From the start of the PreAdmission (now Lehua) Program in 1974 to the launch of a new Part-Time Program last August, the Law School has emphasized opportunity for an extremely diverse group of students otherwise not able to obtain a legal education. Indeed what is considered one of the most noteworthy moments in its 35-year history occurred when law students in the early 1990s took the unheard of step of requesting an additional requirement for graduation—each student must do 60 hours of pro bono work in order to graduate. This tradition of dedication to public interest work continues and reflects the core values of the entire Law School community.

In addition to the meaningful pro bono performed by faculty and students here and around the world, the educational program also reaches beyond the school and responds to pressing access to justice needs throughout the community. Through a rich and diverse program live-client clinics, and externships the students are responding to the community’s unmet legal needs. Indeed, a typical graduate has spent nearly a semester of

her or his legal education engaged in clinics, externships, and pro bono service.

The Law School's live-client clinics offer students opportunities to represent clients and to work on real legal cases, as authorized under Hawai'i Supreme Court Rule 7. With supervision, students practice criminal, family, and elder law as well as in other legal realms in which they serve some of Hawaii's most vulnerable citizens. Recently the Refugee and Immigration Law Clinic team prevailed in a hard-fought asylum case in Immigration Court. The clinic's client, a 55-year-old Laotian woman, had experienced extra-judicial detention, forced labor, and abuse in Khmer Rouge "re-education" camps. When she realized that her fifteen-year immigration struggle was finally over, she broke into tears and threw her arms around the student who represented her with a big embrace full of relief and joy.

Another recent Law School initiative involves a comprehensive multi-disciplinary plan to improve the child welfare system in Hawai'i. Partnering with faculty and students from Law, Education, Nursing and Social Work, the Law School is searching for better methods to respond to the needs of abused and neglected children caught in the complex child welfare system and to assist students in the public schools.

The Law School has established a Center for Excellence in Native Hawaiian Law to provide education, research, and community outreach, and to preserve invaluable historical, legal, and traditional and customary materials. It offers new courses and supports Native Hawaiian law students as they pursue legal careers and leadership roles. Students may earn a Certificate in Pacific-Asian Legal Studies with a Specialty in Native Hawaiian Law. The Center recognizes the importance of discourse between the legal community and the Native Hawaiian community. Through workshops, symposia, and community meetings, law students and facul-

ty inform and educate, and are educated and informed by, the Native Hawaiian community about significant legal issues stemming from Native Hawaiian history and law.

The vibrant and diverse Environmental Law Program (ELP) is training lawyers to assist Hawai'i to achieve an environmentally sustainable economy. Since its inception in 1988, ELP has been a leading specialty program at the Law School and has repeatedly ranked among the top 25 schools in the nation for environmental law study. In addition to coursework, students develop real world legal skills through moot court teams, externships, pro bono projects, and the Environmental Law Clinic, and many job placements and community connections.

Improving access to justice remains central to the Law School's mission and its educational program. It is manifested directly through activities such as its participation in the Access to Justice Hui, as well as through its clinics, Street Law programs in the public schools, the countless thousands of pro bono hours students and faculty perform, and academic program.

It is not too much to say that the ethos of the William S. Richardson School of Law has as its core direct involvement in the struggle to improve access to justice for members of underserved groups across Hawai'i.

Aviam Soifer is the Dean, and Hazel Beh is the Associate Dean for Academic Affairs at the William S. Richardson School of Law, University of Hawai'i, Manoa.

CRITICAL NEED FOR PRO BONO SERVICES

by Derek Kobayashi

During this holiday season, as we reflect upon that which we are thankful for, let us contemplate also the common

privilege conferred upon us as licensed members of the Hawai'i State Bar Association - the privilege to practice law in the State of Hawai'i. In so doing, recall that civil rights advocate Edison Haines pronounced in simple eloquence, "With every civil right there has to be a corresponding civil obligation."

Perhaps the obligation corresponding to the privilege of practicing law includes the provision of legal services in pro bono publico - for the public good. Consider that on May 1st recognized annually as "Law Day," the Hawai'i Supreme Court established the Hawai'i Access To Justice Commission ("ATJ Commission") by court rule. The purpose of the ATJ Commission "shall be to substantially increase access to justice in civil legal matters for low and moderate income . . . residents of Hawai'i,"¹ by endeavoring, among other things, to "increase pro bono contributions by Hawai'i attorneys through such things as rule changes, recruitment campaigns, increased judicial involvement and increased recognition for contributors."² Indeed, the need for the provision of pro bono services throughout Hawai'i is critical.

In 2008, Volunteer Legal Services Hawai'i ("VLSH") experienced an unprecedented number of client calls requesting legal services. Volunteer Legal Services Hawai'i strongly encourages each member of the HSBA to volunteer time in 2009 for representation *pro bono publico* to help meet the critical need.

1 Rules of the Supreme Court of the State of Hawai'i, Rule 21(b).

2 Rules of the Supreme Court of the State of Hawai'i, Rule 21(b)(6).

Derek Kobayashi is a board member of Volunteer Legal Services Hawai'i, member of the Access to Justice Hui and member of several Access To Justice Commission committees.