

New Approaches to Civil Access to Justice

Panelists: Honorable Judge Thomas Haia, Dina Shek, UH William S. Richardson School of Law Medical Legal Partnerships, and Aphirak Bamrungruan, Hawaii Judiciary

Moderator Heather Lusk, Hawaii Health & Harm Reduction Center

The panel chose to focus on two Hawaii Supreme Court communications from March 2025 as the foundation for Hawaii's ongoing commitment to Access to Civil Justice, especially in the light of federal changes in policy and funding. With a foundation of these Judiciary statements, the panelists then explored how their focus on bringing the court to the community, increasing language access, and increasing medical-legal partnerships have been shown to be effective in increasing access to justice.

On March 6th, the court released a statement "Affirming Principles of Equal Justice for All" which detailed the Judiciary's efforts to provide fair and respectful consideration in courtrooms and the ongoing commitment to increase access to justice for all. On March 7, 2025 the court released "Hawaii Judiciary re-affirms Commitment to Providing Language Access to the Courts" which committed to continuing to honor both English and 'Ōlelo Hawai'i are the state's official languages and therefore available to all participants of the judicial process. The statement emphasizes the importance, especially in the islands, of enhancing language access with the provision of court interpreters for people with limited English proficiency, or speech or hearing impairments.

Judge Thomas Haia started the discussion with an overview of the Community Outreach Court (COC) which was founded in 2017 as a project funded through the legislature with the purpose of reaching into communities where people experiencing homelessness are frequently found to work with eligible individuals to clear non-violent non-felony offenses in exchange for community service hours. Additionally, the COC integrates services such as case management, legal aid, connection to benefits and housing support into the COC sessions that are done in the community. Currently, COC operates in four communities across Oahu once a month, and has conducted numerous service fairs to bring services to the unsheltered community. In the 2025 the Hawaii legislature made the COC a permanent court in the First Circuit (HB 280) which will allow the Judiciary, the Public Defenders Office and Office of the Prosecuting Attorney collaboration to continue to seek funding for this successful program.

Aphirak Bamrungruan (AP) spoke about the Judiciary's reaffirmation and commitment to language access following the Supreme Court memo, which was released just five days after Executive Order 14224 which designated English as the national language and rescinded prior federal language access requirements under the previous order (13166).

AP highlighted not only the Judiciary's continued commitment for language access since 11% of Hawaii residents have Limited English Proficiency (LEP) but also the unwavering commitment to 'Ōlelo Hawai'i. 'Ōlelo Hawai'i language interpreters were provided in 18 court cases in FY 2024, with over 8,400 proceedings statewide where an interpreter was utilized for people with LEP. The most common language service requested was for Chuukese with just over a third of all interpreters providing access for the Chuukese community. Recent increases in payment for interpreters, ensuring access to over thirty languages and increasing investment in interpreter recruitment and training will support expanding the pool of interpreters and therefore continuing to ensure access to this much needed resource.

Dina Shek shared about the Medical-Legal Partnership (MLP) which is a project of the William S. Richardson School of Law. Hundreds of the nation's leading health organizations integration patient-centered legal services into their care delivery to address their communities' health-related social needs such as housing, income supports, access to public benefits and family law. These direct legal services are offered on-site at health clinics such as federally qualified health centers and support the whole-person approach to health and well-being. A component of the program includes advocacy and "know your rights" education and training with non-profit organizations and their clients which allows communities to determine their own priorities and make their voices heard. This has been most apparent within the COFA communities where the COFA Community Action Network was established to connect, empower and uplift communities disproportionately impacted by social determinants of health. The concept of "community engagement through community lawyering" is at the core of MLP.

The panel then engaged in an interactive discussion with the audience which included the importance of connection within the different access to justice programs. Connection on the system level and how we all would benefit from coming out of our siloes and coordinating and collaborating. Connection on the individual level in that connection is where healing can occur, and whether it is taking more time in the COC for connection with court participants, or the importance of having interpreters available so the LEP community can better connect to the judicial process, or how communities coming together drives change – connection will continue to be a primary pathway for increasing access to justice.