SENATE CONCURRENT RESOLUTION

REQUESTING THE HAWAII ACCESS TO JUSTICE COMMISSION TO CONVENE A WORKING GROUP TO DEVELOP AN EDUCATIONAL LOAN REPAYMENT PROGRAM FOR WILLIAM S. RICHARDSON SCHOOL OF LAW GRADUATES TO EXPAND OPPORTUNITIES TO PURSUE PUBLIC INTEREST CAREERS IN HAWAII THAT DIRECTLY SERVE UNDERSERVED COMMUNITIES.

WHEREAS, the Legislature finds that there is a significant, and income-based disparity in the ability of Hawaii residents to meaningfully achieve justice in both the civil and criminal courts of the State; and

WHEREAS, the Hawaii Supreme Court's Access to Justice Commission, established in 2008 to increase access to justice in civil legal matters for low- and moderate-income residents, found that one of the reasons for the severe disparity among citizens' abilities to access the judicial system is the insufficient number of attorneys choosing to practice public interest law in Hawaii; and

WHEREAS, the Legislature finds that there are not enough new lawyers that are able to practice public interest law due to accumulated educational debt incurred, the high cost of living in Hawaii, and the low compensation for public interest work compared to other practice areas; and

WHEREAS, the legislature further finds that the federal government and 26 other jurisdictions nationwide have loan repayment assistance programs to encourage lawyers to pursue public interest work within their jurisdictions; and

WHEREAS, there are several available options that could achieve an effective Hawaii-focused loan repayment program, and such a program is necessary to bring similar benefits to the State's underserved communities; and
WHEREAS, the William S. Richardson School of Law has served as Hawaii’s law school since 1973 and provides an excellent legal education for attorneys pursuing all sectors of law, with an emphasis on public service and public interest law that, compared to law school education elsewhere in the United States, provides a relatively low cost and high value legal education that allows Hawaii residents the opportunity to pursue a rewarding legal career in-State; and

WHEREAS, many students of the William S. Richardson School of Law express a high level of interest in pursuing public service careers in Hawaii, including in the State’s rural communities, and a loan repayment program would be a substantial factor in enabling Richardson graduates to pursue these careers; and

WHEREAS, many underserved communities in Hawaii would benefit directly from a loan repayment program that supports graduates of the William S. Richardson School of Law pursuing public interest careers; and

WHEREAS, a successful loan repayment program needs to be crafted carefully to:

1. Ensure maximum compatibility with the federal repayment program;
2. Ensure broad support from law students and graduates, the Judiciary, the Hawaii State Bar Association, and the State’s public service providers;
3. Be financially sustainable; and
4. Include a collection program that provides for appropriate administrative support through the William S. Richardson School of Law, but avoids conflicts of interest with respect to its graduates; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2014, the House of Representatives concurring, that the Hawaii Access to Justice Commission is requested to convene a working group to develop an educational loan repayment program for William S.
Richardson School of Law graduates to expand opportunities to pursue public interest careers in Hawaii for the benefit of underserved communities; and

BE IT FURTHER RESOLVED that the working group be composed of members of the Hawaii Access to Justice Commission, faculty and staff of the William S. Richardson School of Law, the Student Bar Association of the William S. Richardson School of Law, the Alumni Association of the William S. Richardson School of Law, the Hawaii State Bar Association, a retired member of the Hawaii Supreme Court, Hawaii Consortium of Legal Service Providers, Hawaii Justice Foundation, a member of the House of Representatives, a member of the Senate, and a representative of the Governor’s Office; and

BE IT FURTHER RESOLVED that the working group is requested to:

1. Explore alternative methods of encouraging law graduates to pursue public interest careers that provide legal services directly to underserved communities and nonprofit organizations;

2. Consider the compatibility of the federal law graduate loan repayment programs with a Hawaii program;

3. Consider the establishment of an incubator program for post-graduate apprenticeship to afford practice-ready training for graduates of the William S. Richardson School of Law and to encourage multidisciplinary training of graduates; and

4. Draft proposed legislation or alternative measures, if needed, to implement such programs; and

BE IT FURTHER RESOLVED that the members of the working group should not be considered state employees based solely upon their participation in the working group; and

BE IT FURTHER RESOLVED that the working group is requested to submit a final report of the working group’s findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2015; and

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BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor, the Chief Justice of the Hawaii Supreme Court, members of the Hawaii Access to Justice Commission, the Dean of the William S. Richardson School of Law, the President of the Student Bar Association of the William S. Richardson School of Law, the President of the Alumni Association of the William S. Richardson School of Law, the Executive Director of the Hawaii State Bar Association, members of the Hawaii Consortium of Legal Service Providers, and the Commissioners of the Hawaii Justice Foundation.

OFFERED BY: [Signature]