
The purpose of this bill is to fund the development of a law school at the University of Hawai‘i which would provide educational opportunities in law here in Hawai‘i. In addition, it would bring social, educational, economic, and governmental betterment to the State of Hawai‘i, as well as to the Nation and the Pacific-Asian area.

Need for Law School
The needs of a law school are many, stretching from "an educational opportunity for all" to a deeper and broader understanding and appreciation for law in a democratic society.

The demand for legal training can be justified by the booming increase in law activity because of changing social attitudes and economic conditions. Shifts in judicial decisions have greatly increased the need for more legal services because individuals charged with an offense punishable by imprisonment are now given the right to counsel. With changing technology, greater complexity in economic development in areas of taxes, civil matters, trusts and estates, the need for more legal services is projected to heighten. A Committee of Congress concluded that a total of 1,400 lawyers funded by the Office of Economic Opportunity had not come close to satisfying the need for the poor for legal services in 1969. The U.S. Senate Committee in 1969 also projected that in 1970 and 1971 that 1,500 lawyers could be used to close this gap.

According to the Meller Report, in terms of absolute numbers, Hawai‘i ranks 45th among the states in relation to numbers of lawyers to population, followed by Delaware, Nevada, Vermont and Alaska in that order. A survey compiled by the U.S. Census Bureau in 1966 shows one lawyer to 1,083 persons for Hawai‘i—the fourth lowest ratio in the nation.

It is becoming alarmingly difficult for Hawai‘i’s students to obtain admission into mainland law schools. State schools like those in California are closing admittance to a minimum of out-of-state students thus allowing maximum capacity for their residents. Private schools, on the other hand, are limiting the expansion of facilities due to a lack of finance and/or a choice of educational philosophy resulting in the rejection of competent applicants. Travel, tuition, and living expenses being exorbitantly high have, do, and will discourage many of Hawai‘i’s students from obtaining a legal education.

In the completed questionnaires received by the Legislative Reference Bureau from 57 publicly supported law schools, 17 acknowledged applying screening procedures which resulted in out-of-state students not enjoying the same opportunity for acceptance as residents. Most schools imposed percentage limitations, the maximum non-resident component permitted ranging from 60% to 10% from the total student body.

Statistics from the Office of the Chief Justice of the State Supreme Court dramatically show that the number of local applicants registered for the Local Bar Examination is small in comparison to total applicant figures.

Dr. Norman Meller in the Legislative Reference Bureau Study cautions that: "Indeed, if a law school is not planned for Hawai‘i, in the not too distant future, the State faces a prospect of only
a small proportion of Island students capable of matriculating at law school being competently prepared for the professional practice of the law."

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**Law School Recommendation**

At the present time the State of Hawai‘i has no arrangements lor an institution of legal training. At present and in the past, financially endowed students have acquired their law degrees on the mainland. The Chief Justice of the Supreme Court, the University of Hawai‘i Administration, the Hawai‘i Bar Association, the Young Lawyers Association and the Governor have announced favorably to a legal educational program for the State of Hawai‘i.

Your Committee recommends that a law school starting with the lst year be open for students in September, 1973, or as soon thereafter as practical.

The dean or director of the law school would be appointed by the president of the University of Hawai‘i and approved by the Board of Regents to start with the specific and final plans in the summer of 1971.

Your Committee, therefore, recommends that Section I of the bill be amended to read as follows:

"SECTION 1. There shall be a school of law at the University of Hawai‘i, to be under the direction of a dean or director who shall be appointed by the President with the approval of the Board of Regents. Subject to the availability of funds, faculty, and facilities, the school shall offer such courses of study as may be deemed appropriate and confer such degrees as may be authorized by the Board of Regents.”

The operating cost of a law program once in full operation is estimated to cost about a million dollars annually. This will accommodate about 250 students. During the first year 1971-72, the operating cost is estimated at about $133,500. This will provide for the hiring of the administrative staff to begin implementing the program. The following year, 1972-73, the operating cost is estimated at about $425,000 This will provide for some faculty and beginning a library collection.

Your Committee, therefore, recommends that Section 2 of the bill be amended by deleting the figure of $425,064 and substituting the figure $558,500, deleting the figure of $40,810 and
substituting the figure $133,500, and deleting the figure $384,254 and substituting the figure $425,000.

Implementing the program of law beginning with the first year will enable students desirous of enrolling in a law school to begin in the fall of 1973. There will be no need for scholarship grants for them to attend mainland schools for the first two years. Therefore, your Committee recommends that Section 3 of the bill be deleted in its entirety. And, that Section 4 be designated as Section 3.

Although the initial expenditures for the 1st year program will be higher than that of the 3rd year interim plan, the law student will have the following advantages: (1) the opportunity for legal training can be obtained from the 1st year to the 3rd, at home; (2) anxiety and frustration on being accepted to a mainland law school will be extinguished; (3) costs for traveling and living away from home will be nil; (4) an academic atmosphere and spirit in a deeper and more involved understanding of the law, its purpose, its processes and its consequences will be elevated; (5) no need for a scholarship-loan assistance program.

Your Committee believes in keeping an open and objective mind by realizing that this program like most programs could and does have possible kinks in its smooth operational functions and they are listed below:

1. The success of the plan greatly depends on the quality of administrative leadership.

2. More money for a law school must be rendered initially for large student body, law library, larger faculty, etc.

3. A competent law librarian be found.

4 The possibility of recruiting high caliber faculty.

5. The output of Hawai‘i law graduates would be longer in coming than the 3rd year interim plan.

Your Committee recommends that the student body enrollment be kept small, not more than 250 students. Careful thought should also be given to examining the percentage of out-of-state applicants, admitting 40-50% with some provision to Asian and Pacific Basin students who will return to their homelands to practice the legal profession. This provision will keep Hawai‘i from becoming isolated in experiences and perspective and at the same time resolve the saturation dilemma. Keeping the enrollment at a minimum will also facilitate to a more flexible clinical-problem solution type of educational workshop.

Emphasis in curriculum should not only include specific Hawai‘i problems, but general, law background with a specialty in international law. The development of the satellite communications system will eventually necessitate the study of international law in all its complexity.
A Law School at the University of Hawai‘i will also provide a more rounded opportunity for the study of major economic, political, and social problems by members of the faculty as well as students in that education and research would work in an interdisciplinary manner with other related fields of social work, health care, government, business, police work and education. Having individuals involved with a legal training program on campuses will be stimulating in the total process of understanding and assisting in the solution of our major community problems.

Your Committee on Higher Education is in accord with the intent and purpose of H. B. No. 937 as amended in the form attached hereto as H. B. No.937, H. D. 1 and recommends that it pass second reading and its referral to the Committee on Finance for further consideration.

Signed by all members of the Committee.