



HAWAII COURT REPORTERS & CAPTIONERS ASSOCIATION

HOUSE BILL 1138 is now ACT 233!

ANOTHER SUCCESS FOR HCRC A!

The following is the text for Act 233, Section 1, Chapter 507, Hawaii Revised Statutes, regarding liens on attorneys; certified shorthand reporter services, as copied from the Hawaii State Legislature website:

A BILL FOR AN ACT

RELATING TO ATTORNEYS LIENS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 507, Hawaii Revised Statutes, is
2 amended by adding a new section to part IV to be appropriately
3 designated and to read as follows:
4 “~507- Liens on attorneys; certified shorthand reporter
5 services. (a) Subject to the notice requirements in
6 subsection (b) and the exemptions described in subsection (d), a
7 certified shorthand reporter furnishing a stenographic record of
8 any judicial proceeding, deposition, statement, or interview of
9 a party in a proceeding or a copy of the stenographic record to
10 an attorney at the attorney’s request shall create a debt owing
11 to the certified shorthand reporter by the attorney’s firm,
12 partnership, corporation, company, or other legal entity
13 pursuant to which the attorney practices law, which may be
14 enforced by the certified shorthand reporter in circuit or
15 district court, as applicable. The amount of the debt shall not
16 exceed the payment agreed to between the attorney and the
17 certified shorthand reporter at the time the stenographic
18 services are requested.

1 (b) Concurrently with the delivery to the requesting
2 attorney of the completed stenographic record or the final
3 component or part thereof, or as soon as a tally of recoverable
4 costs can be calculated, the certified shorthand reporter shall
5 deliver an invoice listing the amount due for the stenographic
6 services. If the requesting attorney does not pay for the
7 stenographic record within sixty days of the receipt of the
8 completed stenographic record and the invoice, the certified
9 shorthand reporter may send a notice to the attorney that a lien
10 in the amount described in subsection (a) shall be imposed on
11 the assets of the attorney's firm, partnership, corporation,
12 company, or other legal entity pursuant to which the attorney
13 practices law, within fifteen calendar days. Thereafter, if
14 payment is not made to the certified shorthand reporter, the
15 lien may be enforced by the certified shorthand reporter as
16 allowed by law.

17 (c) The requesting attorney, or the attorney's firm,
18 partnership, corporation, company, or other legal entity
19 pursuant to which the attorney practices law, may dispute the
20 amount due to the stenographic services listed in the invoice or
21 the completeness or accuracy of the stenographic record at any
22 time, and may seek declaratory relief from the circuit court