

**THE JUDICIARY, STATE OF HAWAII
NOTICE OF REQUEST FOR EXEMPTION
FROM HRS CHAPTER 103D**

TO: Chief Procurement Officer

FROM: 2nd Circuit, Client Services Division/Special Services Branch
Name of Requesting Division/Program

Pursuant to HRS § 103D -102 (b)(4) and HAR Chapter 3-120, The Judiciary requests a procurement exemption for the following:

<p>1. Describe the goods, services or construction:</p> <p>Provide services to the Judiciary staff Guardian Ad Litem (GAL) and Court Appointed Special Advocates (CASAs) in preparation, analysis, argument and trial of all matters and proceedings related to cases filed under HRS Chapter 587 and assigned to Judiciary staff GALs and/or CASA for representation in the Family Court in addition to assisting in the training of CASAs.</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>Nicole Forelli, Esq. P.O. Box 1291 Wailuku, HI 96793</p>	<p>3. Amount of Request:</p> <p>\$3,000.00 for FY 2018 (Prorated amount for eight (8) months of service)</p>
<p>4. Term of Contract From: 11/01/2017 To: 06/30/2018</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable):</p>
<p>6. Explain in detail why it is not practicable or not advantageous for the Program/Division to procure by competitive means:</p> <p>Legal Aid Society of Hawaii (LASH) currently has a special counsel contract under J18004. Nicole Forelli, Esq. has been providing special counsel services under LASH since July 2000. Ms. Forelli left LASH and will be contracting with the Judiciary directly to provide Guardian Ad Litem (GAL) and Legal Counsel services. In July 2017, LASH lost an attorney, Allison Mileur, who was providing Legal Counsel services under the contract. Currently, there is only one (1) attorney at LASH that is able to provide GAL and Legal Counsel services under their contract. This attorney is now responsible for Ms. Mileur's caseload and a portion of Ms. Forelli's caseload. It will be difficult at this time for LASH to maintain the special counsel contract with only one (1) attorney available. Ms. Forelli's caseload is not full at this time and she is able to dedicate time to special counsel services. While serving as Special Counsel under the LASH contract since July 2000, Ms. Forelli has represented staff GALs and CASAs in their contested cases on various occasions and aided in training new CASAs. Her uniquely extensive experience and knowledge as HRS Chapter 587 GAL and Legal Counsel and as Special Counsel ensured that staff GALs, CASAs, and their cases were proficiently represented. It should be noted that the Second Circuit is limited in the amount of qualified attorneys that are experienced in Chapter 587 cases and it is not practical or advantageous to procure for this service by competitive means.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>The contractor has been providing Special Counsel services under LASH since July 2000 and is willing to contract to provide this service for the Second Circuit. Ms. Forelli has a broad knowledge of HRS Chapter 587 laws and issues as GAL, Legal Counsel for parents involved in these cases, and Special Counsel for staff GALs and CASAs. Her expertise and knowledge in this specialized field ensures that staff GALs and CASAs are provided with proper and adequate representation. She also conducts training for our CASA program. As previously stated, there is a limited amount of attorneys that are experienced in HRS Chapter 587 cases therefore it is not practical or advantageous to procure for this service by competitive means. It is for these reasons that contracting Ms. Forelli for this service is more practical and advantageous to the Judiciary.</p>	

8. Identify the primary responsible staff person(s) conducting and managing this procurement. (Appropriate delegated procurement authority and completion of mandatory training required).

*Point of contact (Place asterisk after name of person to contact for additional information).

Name	Division/Program	Phone Number	
Alysha Stephenson*	Client Services/SSB	244-2772	alysha.r.stephenson@courts.hawaii.gov
Kim Cuadro	Client Services/SSB	244-2779	kim.s.cuadro@courts.hawaii.gov
Sandy Kozaki	Second Circuit/CCA	244-2929	sandy.s.kozaki@courts.hawaii.gov

All requirements/approvals and internal controls for this expenditure is the responsibility of the Division/Program. I certify that the information provided above is, to the best of my knowledge, true and correct.

/s/ Sandy S. Kozaki
Department/Division/Program Head Signature

09/13/2017
Date

For Chief Procurement Officer Use Only

Date Notice Posted: _____

Inquiries about this request shall be directed to the contact named in Item 8. Submit written objection to this NOTICE OF REQUEST FOR EXEMPTION within seven (7) calendar days, or as otherwise allowed, from the Date Notice Posted to:

Chief Procurement Officer – The Judiciary
 Financial Services Department
 Contracts & Purchasing Office
 1111 Alakea Street, 6th Floor
 Honolulu, Hawaii 96813-2807

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature *Date*