

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

TO: Chief Procurement Officer

FROM: Karen Takahashi, Leg Coordinating/Special Projects Office  
*Name of Requesting Division/Program*

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

<p>1. Describe the goods, services or construction:</p> <p>Pursuant to HRS Sect. 607-5.7, the Judiciary may contract a nonprofit organization with at least one year's experience to serve as the Indigent Legal Assistance Fund (ILAF) administrator responsible for administering grants to providers of civil legal services for indigents. The Hawaii Justice Foundation (HJF) has been contracted to serve as fund administrator since FY1999. HJF will assist the Judiciary in administering the application process; evaluating grant applications and making recommendations to the Judiciary; assisting in the preparation of contracts for organizations selected to receive funds; coordinating the payment process; monitoring performance of legal service providers; coordinating performance reports from providers; preparing required reports to the Hawaii State Legislature; and enforcing contractual obligations.</p>	
<p>2. Vendor/Contractor/Service Provider:</p> <p>Hawaii Justice Foundation</p>	<p>3. Amount of Request:</p> <p>Estimated \$50,000</p>
<p>4. Term of Contract From: 07/01/2019 To: 06/30/2020</p>	<p>5. Prior Judiciary Procurement Exemption No. (if applicable):</p> <p>JE19-05</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>HJF is an independent, non-profit grant-making organization which has been involved in law-related projects aimed at achieving justice for Hawaii's people. HJF has served as the ILAF administrator since 1998, and has also administered other law-related grants to organizations. By allowing HJF to serve as the ILAF fund administrator, the Judiciary is buffered from dealing directly with civil legal service providers that come to the courts for adjudication. The Judiciary has benefited from HJF's expertise in the development of an overall grant application process which distributes ILAF surcharge funds collected by the Judiciary to eligible providers of civil legal services to indigents.</p>	
<p>7. Explain in detail, the process that will be or was utilized in selecting the vendor/contractor/service provider:</p> <p>Upon enactment of Act 305, SLH 1996 and Act 121, SLH 1998, the Judiciary determined the need to contract with a nonprofit organization who could serve as the ILAF Administrator. HRS Section 607-5.7 requires the Fund Administrator to have at least one year's experience in administering grants to providers of civil legal services for indigents. Due to the HJF's specific experience and the absence of other suitable providers, the Judiciary selected HJF as the Fund Administrator for ILAF.</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	email address
*Karen Takahashi	Leg. Coordinating/Spec.Projects	539.4896	Karen.T.Takahashi@courts.hawaii.gov
Wendell Mick	Policy and Planning Department	539.4224	Tom.W.Mick@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/ Wendell Mick

Department/Division/Program Head Signature

5/23/2019

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 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, 6<sup>th</sup> Floor  
Honolulu, Hawaii 96813---2807

Chief Procurement Officer (CPO) Comments:

Approved

Disapproved

No Action Required

Chief Procurement Officer Signature

Date