
SENATE CONCURRENT RESOLUTION

REQUESTING THE COMMITTEES ON HUMAN SERVICES OF THE SENATE AND HOUSE OF REPRESENTATIVES TO CONVENE INTERIM HEARINGS ON THE USE OF LEGAL INTERVENTIONS AVAILABLE TO THE FAMILY COURT.

WHEREAS, in the 2004 Regular Session, the Senate adopted Senate Resolution No. 40 authorizing the Senate Committee on Human Services to convene interim hearings on the Hawaii Family Court; and

WHEREAS, the interim hearings were designed to explore ways to make the Hawaii Family Court more accessible and family oriented and focused on important issues relating to reduction in caseload, limiting the long-term use of interventions such as temporary restraining orders and protective orders, ensuring greater accountability of court-appointed personnel such as custody evaluators and guardians ad litem, and examining ways to reduce needless expenditures of time and money in counterproductive litigation relating to child custody determinations; and

WHEREAS, during the course of the interim hearings four task force groups were formed on four important issues relating to joint custody, temporary restraining orders and protective orders, standards for guardians ad litem and other court-appointed personnel, and alternative dispute resolution; and

WHEREAS, after countless hours of hard work and meetings, these four task force groups submitted findings and recommendations to the Senate Committee on Human Services, which adopted these recommendations; and

WHEREAS, some of the recommendations adopted have received legislative attention, but others have not, and other issues remain unresolved; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006, the



House of Representatives concurring, that the Committees on Human Services of the Senate and House of Representatives are requested to convene interim hearings on the use of legal interventions available to the Family Court, including an assessment of the caseload, the long-term use of such interventions such as temporary restraining orders, the selection, use, and accountability of custody guardians ad litem, factfinders, parenting coordinators, and other court-appointed personnel, an evaluation of definitions of the best interests of the child, an examination of other issues that may have an impact on the timely and fair resolution of cases, and identification of practices that meet an acceptable national standard of care for the children and families before the Family Court; and

BE IT FURTHER RESOLVED that the Committees on Human Services of the Senate and House of Representatives are requested to establish one or more task forces to facilitate their work, with representation from the Department of Human Services; the Department of Health; the Hawaii Association of Marriage and Family Therapists; the Family Law Section of the Hawaii State Bar Association; the National Association of Social Workers, Hawaii Chapter; the Children's Rights Council; the Hawaii Coalition for Dads; Legal Aid Society of Hawaii; Volunteer Legal Services Hawaii; the Hawaii State Coalition Against Domestic Violence; the Domestic Violence Clearinghouse and Legal Hotline; the Mediation Center of the Pacific; EPIC Ohana Conferencing; and the American Psychological Association; and

BE IT FURTHER RESOLVED that the Committees on Human Services are requested to report their findings, along with any proposed legislation, no later than twenty days prior to the convening of the Regular Session of 2007; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the President of the Senate; the Speaker of the House of Representatives; the Chair of the Senate Committee on Human Services; the Chair of the House Committee on Human Services; the Administrative Director of the Courts; the Chief Justice; the Director of Human Services; the Director of Health; the Hawaii Association of Marriage and Family Therapists; the Family Law Section of the Hawaii State Bar Association; the National Association of Social



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Workers, Hawaii Chapter; the Children's Rights Council; the Hawaii Coalition for Dads; Legal Aid Society of Hawaii; Volunteer Legal Services Hawaii; the Hawaii State Coalition Against Domestic Violence; the Domestic Violence Clearinghouse and Legal Hotline; the Mediation Center of the Pacific; EPIC Ohana Conferencing; and the American Psychological Association.

OFFERED BY: _____

