

Honolulu, Hawaii

Feb. 17, 2006

RE: S.B. No. 2591

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2591 entitled:

"A BILL FOR AN ACT RELATING TO APPEALS,"

begs leave to report as follows:

The purpose of this measure is to eliminate the requirement for a motion for reconsideration in the appellate process for child protective cases.

The Judiciary, Department of Human Services, and the Attorney General all testified in support of this measure.

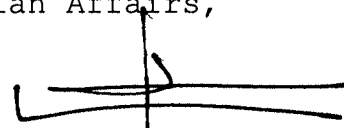
Under the current law, a party must first file a motion for reconsideration with the family court judge who issues a child protective order before the party may appeal the order. This requirement means that the party must file the motion for reconsideration, give notice of the motion to the other parties, have a hearing, and obtain a decision from the same judge who issued the order. Often, parties may miss the deadline for filing the motion for reconsideration and are thereafter estopped from challenging the order on appeal.

Your Committee finds that this requirement builds unnecessary delay into the appellate review system. To speed the resolution of child protective services cases, this measure will remove the motion for reconsideration as a prerequisite to the appellate process.



As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2591 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Hawaiian Affairs,




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COLLEEN HANABUSA, Chair



The Senate  
Twenty-Third Legislature  
State of Hawaii

Record of Votes of the  
Committee on Judiciary and Hawaiian Affairs  
(Bills and Resolutions)

Measure:*	Committee Referral:	Date:
SB 2591	JHW	2/9/04
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is to:		
<input checked="" type="checkbox"/> Pass, unamended (2312)	<input type="checkbox"/> Pass, with amendments (2311)	<input type="checkbox"/> Hold (2310)
<input type="checkbox"/> Recommit (2313)		
Members	Ayes	Ayes(WR)
	Nays	Excused
HANABUSA, Colleen (C)	/ /	
HEE, Clayton (VC)	/ /	
CHUN OAKLAND, Suzanne	/ /	
ENGLISH, J. Kalani		/
IHARA, Jr., Les	/ /	
WHALEN, Paul	/ /	
TOTAL	5	0
	0	1
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
		Goldenrod Committee File Copy

\*Do not list more than one measure per Record of Votes.