

JAN 23 2008

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# A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

1 SECTION 1. Section 571-14, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 **"§571-14 Jurisdiction; adults.** (a) Except as provided in  
4 sections 603-21.5 and 604-8, the court shall have exclusive  
5 original jurisdiction:

6 ~~[(1) To try any offense committed against a child by the~~  
7 ~~child's parent or guardian or by any other person~~  
8 ~~having the child's legal or physical custody, and any~~  
9 ~~violation of section 707-726, 707-727, 709-902, 709-~~  
10 ~~903, 709-903.5, 709-904, 709-905, 709-906, or 302A-~~  
11 ~~1135, whether or not included in other provisions of~~  
12 ~~this paragraph or paragraph (2);~~

13 ~~(2)]~~ (1) To try any adult charged with:

14 (A) Deserting, abandoning, or failing to provide  
15 support for any person in violation of law; or

16 ~~[(B) An offense, other than a felony, against the~~  
17 ~~person of the defendant's husband or wife;~~



1           ~~(C)~~ Any violation of an order issued pursuant to  
2           ~~chapter 586; or~~  
3           ~~(D)]~~ (B) Any violation of an order issued by a family  
4           court judge.  
5           ~~[In any case within paragraph (1) or (2), the court, in its~~  
6           ~~discretion, may waive its jurisdiction over the offense~~  
7           ~~charged;~~  
8           ~~(3)]~~ (2) In all proceedings under chapter 580, and in all  
9           proceedings under chapter 584;  
10          ~~[(4)]~~ (3) In proceedings under chapter 575, the Uniform  
11          Desertion and Nonsupport Act, and under chapter 576B,  
12          the Uniform Interstate Family Support Act;  
13          ~~[(5)]~~ (4) For commitment of an adult alleged to be mentally  
14          defective or mentally ill;  
15          ~~[(6)]~~ (5) In all proceedings for support between parent and  
16          child or between husband and wife;  
17          ~~[(7)]~~ (6) In all proceedings for pre-trial detention or  
18          waiver of jurisdiction over an adult who was a child  
19          at the time of an alleged criminal act as provided in  
20          section 571-13 or 571-22;  
21          ~~[(8)]~~ (7) In all proceedings under chapter 586, Domestic  
22          Abuse Protective Orders; and



1       ~~[(9)]~~ (8) For the protection of dependent adults under  
2                   chapter 346, part X.

3       In any case within paragraph (2), (3), ~~[(4), or (6)]~~ or  
4       (5), the attorney general, through the child support  
5       enforcement agency, may exercise concurrent jurisdiction as  
6       provided in chapter 576E.

7       ~~[(b) The court shall have concurrent jurisdiction with the  
8       district court over violations of sections 707 712, 707 717,  
9       707 722, 708 822, 708 823, 710 1010.5, 711 1106, and 711 1106.5  
10       when multiple offenses are charged through complaint or  
11       indictment and at least one offense is a violation of an order  
12       issued pursuant to chapter 586 or a violation of section  
13       709 906.~~

14       ~~(c) The court shall have concurrent jurisdiction with the  
15       circuit court over violations of section 711 1106.4.~~

16       ~~(d)]~~ (b) The court shall have concurrent jurisdiction with  
17       the circuit court in all proceedings to appoint a guardian of an  
18       adult."

19       SECTION 2. This Act does not affect rights and duties that  
20       matured, penalties that were incurred, and proceedings that were  
21       begun, before its effective date.



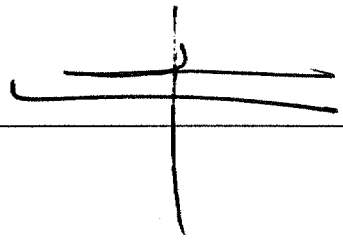
# S.B. NO. 3148

1           SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 4. This Act shall take effect upon approval.

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INTRODUCED BY: \_\_\_\_\_

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By Request



**Report Title:**

Judiciary; Jurisdiction

**Description:**

Removes family court jurisdiction over various offenses.

