

Honolulu, Hawaii

Feb 14, 2008

RE: H.B. No. 2042
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Human Services & Housing, to which was referred H.B. No. 2042 entitled:

"A BILL FOR AN ACT RELATING TO FAMILY COURT,"

begs leave to report as follows:

The purpose of this bill is to guide the courts when awarding custody and visitation rights in disputes over a minor child. This bill clarifies the existing standards followed by the courts by providing 16 criteria to help determine what constitutes the best interest of the child.

Several individuals testified in support of this bill. Hawaii State Coalition Against Domestic Violence, VOICES, and an individual supported this bill with amendments.

Shared or joint custody and visitation can prove dangerous when there is a history of domestic violence in a relationship. Some believe that perpetrators of family violence often use visitation and custody to be violent to the victim. Accordingly, your Committee has amended this bill by specifying that the criteria regarding the cooperation of both parents in developing a plan to meet the child's interest may be excluded if the court determines that family violence has been committed by a parent. Technical, nonsubstantive amendments were also made for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2042, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2042, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Housing,



MAILE SHIMABUKURO, Chair



