

Honolulu, Hawaii

Feb 29, 2008

RE: H.B. No. 2699
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 Judiciary, to which was referred H.B. No. 2699 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE,"

begs leave to report as follows:

The purpose of this bill is to improve the Uniform Probate Code by:

- (1) Eliminating statutory inconsistencies regarding payment of payable-on-death bank accounts by removing provisions that allow distribution to the account beneficiary's descendants, and retaining provisions that allow distribution to the personal representative or heirs of the original account owner;
- (2) Limiting the requirement that revised probate asset inventories or appraisements be served on interested parties, to those parties who request the information;
- (3) Allowing the court, for good cause, to waive the personal interview with the respondent performed by the kokua kanawai in a guardianship or conservatorship proceeding;



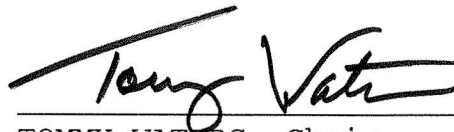
- (4) Allowing nominated guardians, nominated conservators, and their lawyers to make better decisions in the best interests of respondents by giving them access to a kokua kanawai's report and court-ordered professional evaluations; and
- (5) Allowing the court, for good cause, to extend the time for serving the ward or protected person a copy of the order granting the request for guardianship or conservatorship, or to waive service.

The Standing Committee on the Uniform Probate Code and Probate Court Practices of the Judiciary of the State of Hawaii supported this bill.

Your Committee has amended this bill to encourage further discussion by changing its effective date to January 1, 2112.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2699, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2699, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



