

FAX 586-6189

Michael J. Y. Wong <michaelwongesq@gmail.com>

Support of H.B. No. 3321, Relating to Chapter 580, Hawaii Revised Statutes

1 message

Michael J. Y. Wong <michaelwongesq@gmail.com>
To: HSHRestimony@capitol.hawaii.gov
Cc: "Michael J. Y. Wong" <michaelwongesq@gmail.com>

Thu, Jan 31, 2008 at 8:39 AM

January 31, 2008

COMMITTEE ON HUMAN SERVICES & HOUSING
Rep. Maile S. L. Shimabukuro, Chair
Rep. Karl Rhoads, Vice Chair

Rep. Karen Lohani Awana,
Rep. Josh Green, M.D.,
Rep. Delta Au Belatti,
Rep. John Mizuno,
Rep. Joe Bertram, III,
Rep. James Kunene Tokloka,
Rep. Rida T.R. Cabanilla,
Rep. Gene Ward, Ph.D.

LATE TESTIMONY

Support of H.B. No. 3321, Relating to Chapter 580, Hawaii Revised Statutes

DATE: January 31, 2008
TIME: 8:40am
PLACE: Conference Room 329
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Chair Shimabukuro, Vice-Chair Rhoads, and Committee Members:

My name is Michael J. Y. Wong. I am an attorney, and have been licensed to practice in all courts of the State of Hawaii since 1976. My office is in downtown Honolulu.

I testify in strong support of the purpose of H. B. No. 3321, relating to Chapter 580, Hawaii Revised Statutes (Annulment, divorce, and separation).

When the Family Court of the First Circuit (which is the island of Oahu) relocates most of its services to Kapolei, Hawaii, as is currently planned, the law should allow people to have their divorce cases heard at Ka'ahumanu Hale, the Judiciary building, which is located at 777 Punchbowl Street, Honolulu, HI.

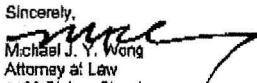
Many divorce cases have multiple conferences and/or hearings. Some of these are relatively short and some may be continued to another date for good cause after the parties and/or counsel appear at the courthouse. If a court conference or hearing is short, counsel and the parties can easily return to their offices or work places if nearby. This ability will be severely curtailed if the parties or counsel must travel to and from Kapolei. Currently, more people and counsel work closer to Ka'ahumanu Hale than to where the courthouse will be located in Kapolei. These people will be severely inconvenienced if divorce conferences or hearings are required to be held in Kapolei. Many of their families who have transportation or supervision needs in the mornings or afternoons will also be adversely impacted.

Most lawyers and many people who might be called as witnesses in a divorce on Oahu, such as business appraisers, accountants, real estate appraisers, psychologists, etc., have their offices in urban Honolulu, where the bulk of business is transacted. Requiring counsel and witnesses, especially expert witnesses, to drive to Kapolei and back for court hearings will greatly add to the cost of a divorce and have an adverse impact on access to justice. A party having greater resources than the other could have an unfair advantage in litigating the case. The party with less resources may not be able to properly litigate the case because of the substantial additional fees and costs of litigating in Kapolei.

I understand that the Chief Justice of the Hawaii Supreme Court has indicated that although the Family Court of the First Circuit will relocate to Kapolei, some family court hearings will be held at Ka'ahumanu Hale. Allowing parties to have their divorce cases held in Honolulu makes great sense.

I like the concept of a Second City. However, I believe it would be a mistake and unfair to stop or curtail essential services in urban Honolulu, Family Court, and the ability to fairly and reasonably obtain a divorce, is an essential service. I believe that there would be a substantial adverse impact on a large portion of the population of Oahu if Oahu divorces are required to be held in Kapolei. People in urban Honolulu, East Honolulu, and Windward Oahu should not be required to litigate divorce cases in Kapolei. HB 3321, perhaps with some changes to its language, will allow people to have their divorce hearings in Honolulu.

Thank you for the opportunity to testify.

Sincerely,

Michael J. Y. Wong
Attorney at Law
1188 Bishop Street
Honolulu, HI 96813

Telephone (808) 536-1855