

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the House Committee on
JUDICIARY**

**Friday, March 27, 2009
2:00 PM
State Capitol, Conference Room 325**

**In consideration of
SENATE BILL 1130, SENATE DRAFT 2
RELATING TO THE BUREAU OF CONVEYANCES**

Senate Bill 1130, Senate Draft 2 proposes that a party seeking recordation of a judgment at the Bureau of Conveyances (Bureau) be required to redact the first five digits of any social security number by blocking the numbers out on the copy of the judgment prior to recordation. The Department of Land and Natural Resources (Department) supports this measure.

Currently, the Assistant Registrar of the Land Court and the Registrar of the Bureau do not accept for registration or recordation any document which indicates the full nine digits of a social security number. Many judgments include all nine digits of the social security number. These judgments are not accepted at the Bureau without redaction of the first five digits. As the Courts in Hawaii do not redact these numbers prior to certifying a copy of a judgment, it is necessary for the party attempting to record or register the document to do so.

LAURA H. THIELEN
CHAIRPERSON
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BUREAU OF CONVEYANCES
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
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KAHOOLAWE ISLAND RESERVE COMMISSION
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Collection Law Section

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Steven Guttman

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WilliamJ Plum

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Bill Plum
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March 26, 2009

Representative Jon Riki Karamatsu, Chair
and Members of the House Judiciary Committee
Hawaii State Capitol, Room 302
Honolulu, HI

RE: TESTIMONY IN SUPPORT OF SB 1130 (BUREAU OF CONVEYANCES)
HEARING: HOUSE JUDICIARY COMMITTEE - 3/27/09 @ 2:00 P.M.

Dear Representative Karamatsu:

The Collection Law Section ("CLS") of the Hawaii State Bar Association ("HSBA") asks that support SB 1130. SB 1130 amends H.R.S. Sections 501-151 and 636-3 to permit the redaction of social security numbers on Judgments, Decrees and Court Orders so that said documents may be recorded at the Bureau of Conveyances ("Bureau").¹ The bill has been supported to date by the Department of Natural Resources, Bureau of Conveyances.

Currently, H.R.S. Sections 501-151 and 636-3 precluded any document containing more than the last four digits of a social security number from being recorded. This creates a problem for any holder of these documents if the documents already have a full social security number within. The most common examples are Divorce Decrees and Child or Spousal Support Orders, although the situation could arise with almost any Judgment, Decree or Court Order, including ones issued by other states that do not have restrictions on social security numbers or were issued before there was a concern regarding release of social security numbers.

SB 1130 provides that the holders of said documents be allowed to redact the first five digits of a social security number for the purposes of recording at the Bureau.

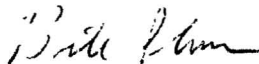
¹ The opinions of the Collection Law Section of the HSBA are not necessarily those of the HSBA.

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If a holder of a Judgment, Decree or Court Order cannot record the document, they lose the ability to effect a lien on real property. This can be a significant disadvantage, especially for a person trying to enforce a Child or Spousal Order for Support. A lien against real property is often the only way to get the noncompliant parent's, former's spouse's, or other person's attention and to enforce the court's decision.

Thank you for considering this legislation.

Sincerely,



Bill Plum
Vice Chair
Collection Law Section of the
Hawaii State Bar Association

cc: HSBA (w/ encls.)
Steve Guttman, CLS President (w/ encls.)