



LATE TESTIMONY

Collection Law Section

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Steven Guttman

Vice Chair:
WilliamJ. Plum

Reply to:

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Bill Plum
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March 15, 2009

Representative Ken Ito, Chair
and Committee on Water, Land & Ocean Resources Members
Hawaii State Capital
Honolulu, HI

RE: SUPPORT FOR SB 1130 - PROPOSED AMENDMENT TO H.R.S. 501-151 AND
636-3 TO PERMIT REDACTION OF SOCIAL SECURITY NUMBERS ON
JUDGMENTS, ORDERS AND DECREES TO PERMIT RECORDING AT BUREAU OF
CONVEYANCES

Dear Representatives:

The Collection Law Section ("CLS") of the Hawaii State Bar Association ("HSBA") asks that support SB 1130 to amend 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 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 major 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.

The CLS proposes 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 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
Steve Guttman, CLS President