

TO: The Honorable Jon Riki Karamatsu , (Chair)
The Honorable Ken Ito , (Vice Chair)
and Members of the Judiciary Committee

DATE: Thursday, February 25, 2010
2:00 PM Room 325

RE: HB 2265, HD1 RELATING TO FAMILY COURTS

POSITION: STRONG SUPPORT

My name is Fetu Kolio, I am testifying today in strong support of HB-2265,HD1 because there's no reason why, custody a visitation should not be problem, but if it is not in the best of the child , then the COURTS can consider in determining the best interest of child.

Safety of child should always be first that's why school's can be helpful, and other agencies in the State Of Hawaii.

Thank you for hearing this bill and my testimony please pass HB 2265,SD1 .

**Fetu Kolio,
Community Resident**



TO: Chair Karamatsu, Vice-Chair Ito, and Committee Members

FR: Jane Seymour, Hawaii State Coalition Against Domestic Violence

Hearing date and time: Thursday, February 25, 2010 at 2:00pm

RE: Opposition to HB 2265 HD1: Relating to Family Courts

Aloha, my name is Jane Seymour and I am representing the HSCADV, a private non-profit agency which serves as a touchstone agency for the majority of domestic violence programs throughout the state. For many years HSCADV has worked with the Hawaii Legislature by serving as an educational resource and representing the many voices of domestic violence programs and survivors of domestic violence.

HSCADV opposes HB 2265 HD1.

The current law governing what the courts will consider in determining the best interests of the child was developed after a great deal of research and discussion by community members and experts.

The proposed changes in HB 2265 HD1, which add additional factors for the court to consider, may create an unfair disadvantage for victims of domestic violence who are seeking custody of their children in order to keep themselves and their children safe. For example, lines 3-5 on page 3 read "Preservation of assets so a parent can financially provide for the child following the issuance of a divorce decree." Victims of domestic violence often face financial challenges when they leave an abusive situation. The victim may not have been allowed to work by her batterer, or she may have had to change or leave jobs due to the abuse.

The HSCADV feels that these added considerations would give the batterer an advantage in custody proceedings, allowing him to utilize the court system as a tool to continue the abuse. Because much time and effort went into establishing the current law, we do not feel that modifications are warranted at this time.

We respectfully ask that you hold HB 2265 HD1. Thank you for the opportunity to testify.