

Hawaii Association for Marriage and Family Therapy



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Honolulu, HI 96805-2120

hamft.admin@gmail.com  
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HAMFT networks, educates, and advocates for the enrichment of our members, the advancement of our profession, and the health of our community.

**Testimony by:**

**Paul D. Kai Swigart, Ph.D., M.F.T**

**HR149 / HCR220 regarding working group to continue addressing family court issues**

**House Committee on Judiciary**

**March 25, 2010; 2:45 p.m.; Room 325**

**Position: Support**

Honorable Chair Karamatsu and Judiciary Committee Members:

My name is Paul D. Kai Swigart, Ph.D., M.F.T., and I am President of the Hawaii Association for Marriage and Family Therapy (HAMFT), a division of the American Association for Marriage and Family Therapy (AAMFT). HAMFT represents 208 licensed Marriage and Family Therapists (MFTs); and a total of 315 members in the State of Hawaii. MFTs work in a variety of agencies and settings within our state including, but not limited to: the Department of Education in the Individuals with Disabilities Education Act; the Department of Health; active duty military and their families; U.S. Department of Transportation; rural areas; families and communities; hospital and clinic systems; substance abuse treatment centers; and mental health practices.

A group to study family court legal interventions first came together in 2004, under the leadership of Senator Chun Oakland and Senator Fukunaga. This group has continued to meet, study issues, report, collaborate and propose legislation -- up to the present legislative session. Several of the groups proposals have been enacted into law, some of which include mandatory parenting plans, defined criteria for the best interests of the child and child custody evaluation initiatives.

The group's members include a broad cross-section of the community, from grassroots public citizens and academic institutions to government and non-profit agencies. Continuing these efforts is essential, as this group has successfully collaborated on family court-related legislation and fills a much-needed void in family court process improvements by bringing new ideas, fresh perspectives and solutions for problems to the table and to our elected or public officials.

Your continuing support of such initiatives, and this working group, is greatly appreciated.

Thank you for the opportunity to submit testimony.

Respectfully submitted,

A handwritten signature in black ink, consisting of a vertical line on the left and a horizontal line extending to the right with a slight upward curve at the end.

Paul D. Kai Swigart, Ph.D., M.F.T., C.E.A.P., S.A.P., C.A.I.,  
HAMFT President

Hawaii Association for Marriage and Family Therapy



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**Testimony by:**

**Ann S. Yabusaki, Ph.D., MFT**

**HR149 / HCR220 regarding working group to continue addressing family court issues**

**House Committee on Judiciary**

**March 25, 2010; 2:45 p.m.; Room 325**

**Position: Support**

Honorable Chair Karamatsu and Judiciary Committee Members:

My name is Ann S. Yabusaki and I am Treasurer of the Hawaii Association for Marriage and Family Therapy (HAMFT), a division of the American Association for Marriage and Family Therapy (AAMFT). HAMFT represents 208 licensed Marriage and Family Therapists (MFTs); and a total of 315 members in the State of Hawaii. MFTs work in a variety of agencies and settings within our state including, but not limited to: the Department of Education in the Individuals with Disabilities Education Act; the Department of Health; active duty military and their families; U.S. Department of Transportation; rural areas; families and communities; hospital and clinic systems; substance abuse treatment centers; and mental health practices.

I have been a part of the group to study family court legal interventions since 2004, under the leadership of Senator Chun Oakland and Senator Fukunaga. The group collaborated on a number of issues raised by families who were involved with Hawaii State's Family Court. We would like to engage a larger constituency and continue our work on family court-related legislation.

Your continuing support of this working group is greatly appreciated.

Thank you for the opportunity to submit testimony.

Respectfully submitted,  
Ann S. Yabusaki, Ph.D., MFT  
HAMFT Treasurer

# TalkDoctors



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180 Kinoole Street, #202  
Hilo, HI 96720

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**Testimony by:**

**Paul D. Kai Swigart, Ph.D., M.F.T**

**HR149 / HCR220 regarding working group to continue addressing family court issues**

**House Committee on Human Services**

**March 15, 2010; 10:00 a.m.; Room 329**

**Position: Support**

Honorable Chair Karamatsu and Judiciary Committee Members:

My name is Paul D. Kai Swigart, Ph.D., M.F.T. I am writing as a licensed Marriage and Family Therapist (MFT), member of the Hawaii Association for Marriage and Family Therapy (HAMFT), and owner of TalkDoctors, LLC.

A group to study family court legal interventions first came together in 2004, under the leadership of Senator Chun Oakland and Senator Fukunaga. This group has continued to meet, study issues, report, collaborate and propose legislation -- up to the present legislative session. Several of the groups proposals have been enacted into law, some of which include mandatory parenting plans, defined criteria for the best interests of the child and child custody evaluation initiatives.

The group's members include a broad cross-section of the community, from grassroots public citizens and academic institutions to government and non-profit agencies. Continuing these efforts is essential, as this group has successfully collaborated on family court-related legislation and fills a much-needed void in family court process improvements by bringing new ideas, fresh perspectives and solutions for problems to the table and to our elected or public officials.

Your continuing support of such initiatives, and this working group, is greatly appreciated.

Thank you for the opportunity to submit testimony.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'P. D. Kai Swigart', written in a cursive style.

P. D. Kai Swigart, PhD, MFT, CEAP, SAP, CAI

## Employee Assistance Resources-Hawaii, LLC



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**Testimony by:**  
**Paul D. Kai Swigart, Ph.D., M.F.T**  
**HR149 / HCR220 regarding working group to continue addressing family court issues**  
**House Committee on Judiciary**  
**March 25, 2010; 2:45 p.m.; Room 325**  
**Position: Support**

Honorable Chair Karamatsu and Judiciary Committee Members:

My name is Paul D. Kai Swigart, Ph.D., M.F.T. I am writing as a licensed Marriage and Family Therapist (MFT), member of the Hawaii Association for Marriage and Family Therapy (HAMFT), and owner of Employee Assistance Resources-Hawaii, LLC.

A group to study family court legal interventions first came together in 2004, under the leadership of Senator Chun Oakland and Senator Fukunaga. This group has continued to meet, study issues, report, collaborate and propose legislation -- up to the present legislative session. Several of the groups proposals have been enacted into law, some of which include mandatory parenting plans, defined criteria for the best interests of the child and child custody evaluation initiatives.

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Your continuing support of such initiatives, and this working group, is greatly appreciated.

Thank you for the opportunity to submit testimony.

Respectfully submitted,

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P. D. Kai Swigart, PhD, MFT, CEAP, SAP, CAI



**HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE**

TO: Chair Jon Riki Karamatsu  
Vice-Chair Ken Ito  
Members of the Committee

FR: Nanci Kreidman, M.A.  
Chief Executive Officer

Aloha. Please accept this testimony in opposition to HCR220 and HR149

A great deal of work has been done these last 6 years in this community, with far reaching effects, related to domestic violence. Regular meetings were held, debates took place, research was compiled and inquiries from experts were made. Many recommendations and several pieces of legislation have emerged from the discussions and efforts of the working group.

The Domestic Violence Action Center recognizes that ongoing dialogue can be advantageous, but certain of the issues raised and considered can have damaging consequences for victims facing life threatening violence. Continuing the group work could result in recommendations and legislation that are not in the best interests of victims of domestic violence. Cases that involve domestic violence face unique challenges in the family court system, and the working group may not be able to address these specific concerns.

Additionally, we do not want the working group to undermine the progress that has been made by the Hawaii Legislature and nationally by the Violence Against Women Act (VAWA) in protecting the rights of battered women and their children in family court.

For the above reasons, we respectfully request that you hold HCR220 and HR149. Thank you for the opportunity to testify.





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

FR: Jane Seymour, Hawaii State Coalition Against Domestic Violence

Hearing date and time: Thursday, March 25, 2010 at 2:45pm

RE: Opposition to HCR220/HR149: Family Court Legal Interventions Working Group

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 HCR220 and HR149

The group to study family court legal interventions has been in existence since 2004 and has regularly met over the years to study a variety of issues relating to family court. Many recommendations and several pieces of legislation have emerged from the discussions and efforts of the working group.

At this time, the Hawaii State Coalition Against Domestic Violence has some concerns that continuing this group could result in recommendations and legislation that are not in the best interests of victims of domestic violence. Cases that involve domestic violence face unique challenges in the family court system, and the working group may not be able to address these specific concerns. Additionally, we do not want the working group to undermine the progress that has been made by the Hawaii Legislature and nationally by the Violence Against Women Act (VAWA) in protecting the rights of battered women and their children in family court.

For the above reasons, we respectfully request that you hold HCR220 and HR149. Thank you for the opportunity to testify.



House JUD Committee  
Thurs, Mar 25, 2010  
2:45 pm  
Room 325

National Association of Social Workers

Hawaii Chapter

March 24, 2010

TO: Representative Jon Riki Karamatsu, Chair  
Members of the House Judiciary Committee

FROM: Debbie Shimizu, LSW  
National Association of Social Workers, Hawaii Chapter

RE: HCR 220/HR 149 Requesting the House Committee on Human Services to Convene a  
Working Group to Further Study Recommendations Made by the SR 10 Working Group  
Committees- **SUPPORT**

Chair Karamatsu and members of the House Judiciary Committee, I am Debbie Shimizu,  
Executive Director of the National Association of Social Workers, Hawaii Chapter (NASW). I  
am testifying in **SUPPORT of HCR 220/HR 149**.

NASW participated in the SR 10 Working Group during the last interim. We believe that all  
parties participated in productive discussions and good recommendations were developed.  
However, we found that the more we discussed, the more questions were raised. There are still  
many unresolved issues that would benefit from a continuation of the Working Group.

NASW is willing to continue to participate in the Working Group if convened during the interim  
and we respectfully urge your favorable support HCR 220/ HR 149. Thank you for the  
opportunity to testify.

**Donna Charron, MFT**

6395 Kawaihau Rd  
Kapaa, HI 96746  
donna@alohaimages.com

**Testimony for House Committee on Judiciary**  
**Hearing scheduled: Monday, March 25, 2010; 2:45 a.m.; Room 325**  
**Measure #: HR149 / HCR220**  
**Support**  
**Copies needed: 2**

March 24, 2010

Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair  
Committee on Judiciary  
State Capitol, Conference Room 329  
415 S. Beretania Street  
Honolulu, HI 96813

RE: **HR149 / HCR220** regarding working group to continue addressing family court issues

Honorable Chair Karamatsu and Judiciary Committee Members:

My name is Donna Charron. I am writing as a licensed Marriage and Family Therapist (MFT), member of the Hawaii Association for Marriage and Family Therapy (HAMFT), and as a concerned citizen.

A group to study family court legal interventions first came together in 2004, under the leadership of Senator Chun Oakland and Senator Fukunaga. This group has continued to meet, study issues, report, collaborate and propose legislation – up to the present legislative session. Several of the groups proposals have been enacted into law, some of which include mandatory parenting plans, defined criteria for the best interests of the child and child custody evaluation initiatives.

The group's members include a broad cross-section of the community, from grassroots public citizens and academic institutions to government and non-profit agencies. Continuing these efforts is essential, as this group has successfully collaborated on family court-related legislation and fills a much-needed void in family court process improvements by bringing new ideas, fresh perspectives and solutions for problems to the table and to our elected or public officials.

Your continuing support of such initiatives, and this working group, is greatly appreciated.

Thank you for the opportunity to submit testimony.

Respectfully submitted,

Donna Charron, MFT

## **karamatsu1-Kenji**

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**From:** Tom Marzec [adamtm@lava.net]  
**Sent:** Thursday, March 25, 2010 9:44 AM  
**To:** JUDtestimony  
**Subject:** Testimony in STRONG SUPPORT of HR149 family court working group

March 24, 2010

**To:** Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair  
Committee on Judiciary  
**Via email to:** [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)

**From:** Tom Marzec

**Subj:** Testimony in **STRONG SUPPORT** of **HR149** family court working group

**Hearing:** Thursday, March 25, 2010; 2:45 p.m.; Room 325, State Capitol

A group to study family court legal interventions first came together in 2004, under the leadership of Senator Chun Oakland and Senator Fukunaga. This group has continued to meet, study issues, report, collaborate and propose legislation -- up to the present legislative session. Several of the group's proposals have been enacted into law and addressed problems brought out in previous hearings: mandatory parenting plans, defined criteria for the best interests of the child and child custody evaluation initiatives.

The group's members include a broad cross-section of the community, from grassroots public citizens and academic institutions to government and non-profit agencies. Continuing these efforts is essential, as this group has successfully collaborated on family court-related legislation and fills a much-needed void in family court process improvements by bringing new ideas, fresh perspectives and solutions for problems to the table and to our elected or public officials.

The Chair of the House Committee on Human Services is interested in and committed to convening and continuing the working group, without compensation.

Because there is still unfinished work relating to child custody issues, continuing the working group through 2012 is desired (replace "2011" with "2012" on page 2, line 20). Additionally, because this work will entail exploring education, training and curriculum development for child custody evaluators, the following organizations have expressed an interest in participating and are requested to be added to the list on page 2, line 22:

University of Hawaii (School of Social Work, Department of Psychiatry, and Department of Psychology);  
Hawaii Psychiatric Medical Association;

Child Law Section of the Hawaii State Bar Association;  
Honolulu Family Court Professionals;  
Hawaii Nurses Association

The associated following titles apply for the notification section on page 3, line 12:

Dean of the University of Hawaii School of Social Work; Dean of the John A. Burns School of Medicine; Chair of the Department of Psychiatry of the John A. Burns School of Medicine; Dean of the University of Hawaii College of Social Sciences; Chair of the University of Hawaii Department of Psychology; Director of the College of Social Services, Public Policy Center;  
President of the Hawaii Psychiatric Medical Association;  
Chair of the Child Law Section;  
President of the Honolulu Family Court Professionals;  
Director of the Hawaii Nurses Association

Lastly, updating the Domestic Violence Clearinghouse and Legal Hotline name to its current name "Domestic Violence Action Center" is necessary (page 2, line 31 and page 3, line 26).

Your continuing support of these family court-related initiatives, and this working group, are very appreciated! Thank you for the opportunity to testify.

**Testimony for House Committee on Judiciary**  
**Hearing scheduled: Monday, March 25, 2010; 2:45 a.m.; Room 325**  
**Measure #: HR149 / HCR220**  
**Support**  
**Copies needed: 2**

March 24, 2010

Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair  
Committee on Judiciary  
State Capitol, Conference Room 329  
415 S. Beretania Street  
Honolulu, HI 96813

RE: **HR149 / HCR220** regarding working group to continue addressing family court issues

Honorable Chair Karamatsu and Judiciary Committee Members:

My name is (Mary Essig-Morrow). I am writing as a Marriage and Family Therapist (MFT), member of the Hawaii Association for Marriage and Family Therapy (HAMFT), and as a concerned citizen.

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Thank you for the opportunity to submit testimony.

Respectfully submitted,

Mary Essig-Morrow