
A BILL FOR AN ACT

RELATING TO TEMPORARY RESTRAINING ORDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. (a) There is established within the judiciary,
3 for administrative purposes, a temporary task force that shall
4 discuss, review, and seek input on policy for establishing a
5 process to issue temporary restraining orders by the family and
6 district courts upon submission of sworn oral testimony or
7 complaint communicated to the court by means of electronic voice
8 communication.

9 (b) The task force shall consist of:

10 (1) One representative chosen by the president of the
11 senate;

12 (2) One representative chosen by the speaker of the house
13 of representatives;

14 (3) One representative from the Honolulu police
15 department;

16 (4) One representative from the city and county of
17 Honolulu department of the prosecuting attorney;



1 (5) One representative from the department of the attorney
2 general;

3 (6) One representative from the judiciary;

4 (7) One representative from the office of the public
5 defender; and

6 (8) One representative from a community organization
7 serving victims of domestic violence.

8 (c) Members of the task force shall serve without
9 compensation and shall receive no reimbursement for expenses.

10 (d) All proceedings and records of the task force shall be
11 exempt from chapter 92, Hawaii Revised Statutes.

12 (e) The task force shall submit a report of its findings
13 and recommendations, including any proposed legislation, to the
14 legislature no later than twenty days prior to the regular
15 session of 2012.

16 (f) The task force shall cease to exist on June 30, 2012.

17 PART II

18 SECTION 2. Chapter 586, Hawaii Revised Statutes, is
19 amended by adding a new section to be appropriately designated
20 and to read as follows:

21 "§586- Temporary restraining order and protective order
22 assistance program. The judiciary may establish a program to



1 assist persons seeking temporary restraining orders and
2 protective orders during state furlough days and other times
3 when such essential protective services are needed. The program
4 shall, if implemented:

- 5 (1) Assist petitioners on a walk-in basis;
6 (2) In special circumstances, conduct intake services in
7 an appropriate, secure location that will not
8 compromise the safety of the petitioner or program
9 service providers;
10 (3) Work one-on-one with each petitioner to complete the
11 temporary restraining order petition ensuring that the
12 petitioner has a complete understanding of the process
13 and procedures;
14 (4) Provide technical information to the petitioner for
15 completion of a temporary restraining order petition;
16 (5) Transmit completed petitions to the family court; and
17 (6) Prepare granted petitions for distribution to the
18 petitioner.

19 The judiciary may contract with a third party to administer the
20 program and provide program services."

21



- 1 PART III
- 2 SECTION 3. New statutory material is underscored.
- 3 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Task Force; Temporary Restraining Orders; Electronic Application

Description:

Establishes a temporary task force to establish a process to issue temporary restraining orders by the family and district courts upon submission of sworn oral testimony or complaint communicated to the court by means of electronic voice communication. Allows the Judiciary to establish a program to assist persons seeking temporary restraining orders and protective orders. Effective July 1, 2050. (SB1054 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

