

JAN 21 2011

A BILL FOR AN ACT

RELATING TO DOMESTIC ABUSE ORDERS.

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

1 SECTION 1. Section 586-5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) A temporary restraining order granted pursuant to
4 this chapter shall remain in effect at the discretion of the
5 court, for a period not to exceed ninety days from the date the
6 order is granted~~[-]~~ or until the service of a protective order
7 issued by the court, whichever occurs first."

8 SECTION 2. Section 586-5.6, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§586-5.6 Effective date.** The temporary restraining order
11 shall be effective as of the date of signing and filing;
12 provided that if a temporary restraining order is granted orally
13 in the presence of all the parties and the court determines that
14 each of the parties understands the order and its conditions, if
15 any, then the order shall be effective as of the date it is
16 orally stated on the record by the court until further order of
17 the court. Protective orders orally stated by the court on the
18 record shall be effective ~~[as of the date of the hearing]~~ upon



1 service of the protective order upon the respondent until
 2 further order of the court; provided that all oral protective
 3 orders shall be reduced to writing and issued forthwith. The
 4 judiciary shall provide forms which will enable the court to
 5 issue all temporary restraining orders forthwith."

6 SECTION 3. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.
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Report Title:

Domestic Abuse Orders

Description:

Allows a temporary restraining order to remain in effect for 90 days or until service of a protective order, whichever occurs first. Also amends law to provide that protective orders orally stated by the court on the record shall be effective upon service on the respondent.

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