
A BILL FOR AN ACT

RELATING TO FAMILY COURTS.

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

1 SECTION 1. Chapter 571, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§571- Jane and john doe filings; domestic abuse. (a)
5 A court, upon petition by an alleged victim, after finding
6 significant and compelling circumstances that would make public
7 inspection inconsistent with the purpose of this section, shall
8 make confidential from the public all subsequent documents or
9 portions of documents that would identify the alleged victim or
10 contain sufficient information from which the alleged victim's
11 identity could be discerned or inferred; shall allow a petition,
12 complaint, motion, or other papers to be filed identifying the
13 alleged victim as "jane doe" or "john doe" in cases of alleged
14 domestic abuse where the alleged victim has already received an
15 order of protection, temporary restraining order, or protective
16 order against the accused party to the petition or complaint
17 pursuant to section 586-3, 586-4, or 586-5.5, respectively;
18 provided that the court finds the "jane doe" or "john doe"



1 filing is reasonably necessary to protect the privacy of the
2 alleged victim and will not unduly prejudice the prosecution or
3 the defense.

4 (b) In considering a petition requesting a "jane doe" or
5 "john doe" filing, the court shall weigh the alleged victim's
6 interest in privacy against the public's interest in disclosure.

7 (c) In the event of a jury trial, the court shall instruct
8 the jury that the victim is being identified as "jane doe" or
9 "john doe" only for the purpose of protecting the alleged
10 victim's privacy pursuant to this section.

11 (d) The court only after finding significant and
12 compelling circumstances that would make public inspection
13 inconsistent with the purpose of this section, shall make
14 confidential from the public all documents or portions of
15 documents that would identify the alleged victim or contain
16 sufficient information from which the alleged victim's identity
17 could be discerned or inferred."

18 SECTION 2. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Domestic Abuse; "Jane Doe" and "John Doe" Filings; Privacy

Description:

Allows qualifying "Jane Doe"/"John Doe" documents and confidential court records in domestic abuse cases. Effective July 1, 2050. (HB944 HD1)

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

