

STAND. COM. REP. NO. 649

Honolulu, Hawaii
March 4 2011

RE: H.B. No. 616
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 616, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD CUSTODY,"

begs leave to report as follows:

The purpose of this bill is to encourage the parent-child relationship by providing for parental visitation by electronic communication.

The Family Court Intervention Task Force, and several concerned individuals testified in support of this measure. Two concerned citizens opposed this bill. A concerned individual commented on this measure.

Your Committee has amended this bill by expanding the criteria by which the court shall determine whether awarding visitation by electronic communication is in the best interest of the child to include the standards, procedures, and considerations used to award custody.

Your Committee finds that allowing visitation by electronic communication raises some concerns in situations where domestic violence has been a problem, including the likelihood that an abuser could track and locate the abused party through electronic identifiers. Your Committee's amendments will allow courts to better assess and respond to such concerns. Meanwhile, the role



of this measure in encouraging the parent-child relationship warrants further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 616, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 616, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



GILBERT KEITH-AGAKAN, Chair



