

# HB909,HD2

Measure  
Title: RELATING TO FAMILY COURT.

Report  
Title: Family Court; Divorce

Description: Authorizes family court to issue financial restraining orders, and consider the unauthorized dissipation of marital assets in ordering payment of attorney fees and costs. Effective date July 1, 2050. (HB909 HD2)

Companion: SB1117

Package: None

Current  
Referral: HMS, JDL

Introducer(s): EVANS

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**TESTIMONY OF THE FAMILY LAW SECTION, HAWAII STATE  
BAR ASSOCIATION, IN SUPPORT OF HOUSE BILL NO. 909, HD2,  
RELATING TO FAMILY COURT**

Committee on Human Services  
Senator Suzanne Chun Oakland, Chair  
Senator Les Ihara, Jr., Vice Chair  
Conference Room 016, State Capitol  
March 17, 2011, 1:45 p.m.

Good morning Senators:

My name is Steven L. Hartley and I am the Vice Chair/Chair Elect of the Family Law Section of the Hawaii State Bar Association. I submit this written testimony on behalf of the Family Law Section.

The Family Law Section is comprised of over one hundred attorneys who practice law in the Family Court. The majority of us handle all types of family law matters, including divorce, paternity, domestic violence and guardianship cases. As a Section, our testimony represents the views of our members.

In this regard, we support HB 909, HD2, because the current draft directly and succinctly addresses the issue of improper dissipation of marital assets during the pendency of divorce cases. The Section believes that the automatic issuance of financial restraining orders in all divorce cases will deter many divorcing parties from misusing marital property and assets during the pendency of the case and provide for enforcement and relief for the innocent spouses in divorce cases involving such.

Thank you for allowing us to submit our written testimony.

## ChunOakland2 - Tyrell

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, March 15, 2011 3:28 PM  
**To:** HMS Testimony  
**Cc:** cheem@umich.edu  
**Subject:** Testimony for HB909 on 3/17/2011 1:45:00 PM

Testimony for HMS 3/17/2011 1:45:00 PM HB909

Conference room: 016  
Testifier position: support  
Testifier will be present: No  
Submitted by: Melinda Franklin (formerly Chee)  
Organization: Individual  
Address:  
Phone:  
E-mail: [cheem@umich.edu](mailto:cheem@umich.edu)  
Submitted on: 3/15/2011

**Comments:**

HB 909 provides a mechanism for fairness. It prevents over monopolizing assets as a means to prohibit the opposing party from mobilizing funds for daily needs or hiring legal counsel.