

SD1491

Testimony



Collection Law Section

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March 3, 2011

Senator Clayton Hee, Chair
Senate Judiciary Committee
State of Hawaii

TESTIMONY IN SUPPORT OF SB 1491

RE: SB 1491 / RELATING TO DISTRICT COURTS
HEARING 3/3/11 @ 3:00 PM

Dear Senator Hee and Committee Members:

The Collection Law Section of the Hawaii State Bar Association supports passage of SB 1491.¹ SB 1491 extends to parties in District Court cases, the ability to effect service of process on individuals or entities located outside the state, without first having to request permission of the court. For background, a party in a Circuit Court case can effect service on parties outside the state without having to take this extra step. In practice, District Court judges, when asked, routinely grant requests to serve process outside the state. If passed, this legislation would give authority to District Court parties that mirrors the authority currently given to Circuit Court parties. Not only would SB 1491 save time and attorney's fees for the parties wanting to serve process on out of state parties, it would also help to save scarce judicial resources. In short, this simplification of procedures in District Court would benefit everyone.

The Collection Law Section therefore urges that this bill be passed.
Thank you.

Respectfully,

/s/ Bill Plum

Bill Plum
Vice Chair

cc: Steve Guttman
Lyn Flanigan

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¹ The opinions of the Collection Law Section are not necessarily the opinions of the Hawaii State Bar Association proper.