

SCR113

Testimony

**TESTIMONY OF THE
COMMISSION TO PROMOTE UNIFORM LEGISLATION**

ON S.C.R. No. 113

**REQUESTING THE HAWAII SUPREME COURT STANDING
COMMITTEE ON THE RULES OF EVIDENCE TO STUDY AND
REPORT ON THE IMPLEMENTATION OF THE
HAWAII UNIFORM COLLABORATIVE LAW ACT.**

BEFORE THE SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Thursday, April 14, 2011, at 10:00 a.m.
Conference Room 016, State Capitol

PERSON(S) TESTIFYING: Ken Takayama,
Commission to Promote Uniform Legislation

WEB Address: <http://www.capitol.hawaii.gov/emailtestimony>

Chair Hee and Members of the Committee:

I am Ken H. Takayama, and I am a member of the state Commission to Promote Uniform Legislation (CPUL). The CPUL appreciates this opportunity to testify in strong support of S.C.R. No. 113.

(1) S.C.R. No. 113 requests the Hawaii Supreme Court Standing Committee on the Rules of Evidence to conduct a study on the implementation of the Hawaii Uniform Collaborative Law Act;

(2) House Bill No. 626 (2011) proposed the enactment of the Uniform Collaborative Law Act, which would have established a framework for the practice of collaborative law in Hawaii;

Collaborative law is a form of alternative dispute resolution, and is a voluntary process in which the lawyers and clients agree that the lawyers will represent the clients solely for purposes of settlement, and that the clients will hire new counsel if the case does not settle;

H.B. No. 626 was heard by the House Committee on Judiciary on February 10, 2011. The Committee held the bill in response to communication from the Judiciary

requesting that the bill be held so that it could be reviewed by the Supreme Court's Committee on the Rules of Evidence.

Consequently, S.C.R. No. 113 formalizes the House Judiciary Committee's decision to give the Judiciary the opportunity it requested to conduct a review of the Uniform Collaborative Law Act.

Thank you again for this opportunity to testify.