
A BILL FOR AN ACT

RELATING TO TEMPORARY RESTRAINING ORDERS.

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

1 SECTION 1. (a) The office of the governor shall conduct a
2 study on the feasibility of allowing a court to issue a
3 temporary restraining order based on sworn oral testimony
4 communicated to the court by telephone, radio, or other means of
5 electronic voice communication when exigent circumstances exist
6 that prevent the applicant from appearing in person. The
7 feasibility study shall include but not be limited to the
8 following:

9 (1) A review of the existing temporary restraining order
10 process and how this process can be improved with
11 sworn oral testimony communicated to a court by
12 telephone, radio, or other means of electronic voice
13 communication;

14 (2) A financial and manpower analysis of allowing a court
15 to issue a temporary restraining order based on sworn
16 oral testimony communicated to the court by electronic
17 measures when exigent circumstances exist that prevent
18 the applicant from appearing in person;



1 (3) An identification and evaluation of desired, intended,
2 and unintended effects of allowing a court to issue a
3 temporary restraining order based on sworn oral
4 testimony communicated to the court by electronic
5 measures when exigent circumstances exist that prevent
6 the applicant from appearing in person;

7 (4) A timetable for the implementation of the process for
8 allowing a court to issue a temporary restraining
9 order based on sworn oral testimony communicated to
10 the court by electronic measures when exigent
11 circumstances exist that prevent the applicant from
12 appearing in person; and

13 (5) Any other issues deemed necessary or relevant by the
14 office of the governor, or other stakeholders.

15 (b) The office of the governor shall submit a report of
16 its findings and recommendations, including any proposed
17 legislation, to the legislature no later than twenty days prior
18 to the convening of the regular session of 2013.

19 SECTION 2. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2012-2013 for a
22 study on the feasibility of allowing a court to issue a

1 temporary restraining order based on sworn oral testimony
2 communicated to the court by telephone, radio, or other means of
3 electronic voice communication when exigent circumstances exist
4 that prevent the applicant from appearing in person.

5 The sum appropriated shall be expended by the office of the
6 governor for the purposes of this Act.

7 SECTION 3. This Act shall take effect on July 1, 2012.



Report Title:

Feasibility Study; Temporary Restraining Orders; Electronic Application

Description:

Requires the Office of the Governor to conduct a study on the feasibility of allowing a court to issue a temporary restraining order based on sworn oral testimony communicated to the court by electronic measures when exigent circumstances exist that prevent the applicant from appearing in person. Appropriates funds for the study. Effective July 1, 2012. (SB2505 HD1)

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

