

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 626

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 626 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII UNIFORM
COLLABORATIVE LAW ACT,"

begs leave to report as follows:

The purpose of this measure is to enact the Uniform Collaborative Law Act, which authorizes a potential litigant to enter into an agreement to attempt to resolve the dispute without using the courts.

The Commission to Promote Uniform Legislation supported the measure. The Supreme Court Standing Committee on the Rules of Evidence offered comments on the measure.

Your Committee acknowledges the comments of one testifier who noted that the lynchpin for this Act is the broad privilege prohibiting the disclosure of communications developed during the collaborative process in a subsequent legal proceeding. As a result, the parties to the process can be more forthcoming in communications to one another.

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. 626 and recommends that it pass Second Reading and be referred to the Committee on Finance.



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



GILBERT KEITH-AGARAN, Chair



