

Honolulu, Hawaii

APR 27 2012

RE: S.B. No. 3008  
H.D. 3  
C.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3008, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY COURT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to allow impoverished family court litigants an alternative to serving notice by publication, by allowing the posting of pleadings at the courthouse. Specifically, this measure allows family court plaintiffs or petitioners who are unable to afford to serve notice by publication to serve notice to a defendant or respondent by, after a due and diligent search for the defendant or respondent, mailing pleadings and process to the defendant or respondent and to the defendant's or respondent's closest known relative, and posting pleadings and process at the courthouse with the permission of the family court.

Your Committee on Conference finds that the rates to serve notice by publication in a daily newspaper of general circulation



have increased dramatically over the past several years. This rate increase has made it difficult for impoverished litigants to find the funds necessary to cover the publication costs for legal notices. This measure will alleviate this financial burden on impoverished litigants and increase access to family court processes.

Your Committee on Conference has amended this measure by:

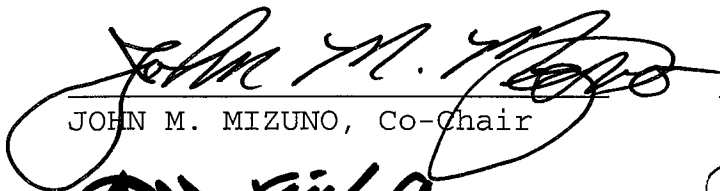
- (1) Changing the effective date to September 1, 2012; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3008, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3008, H.D. 3, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



JOHN M. MIZUNO, Co-Chair



CLAYTON LEE, Chair



GILBERT KEITH-AGARAN, Co-Chair



MICHELLE KIDANI, Co-Chair



JO JORDAN, Co-Chair



