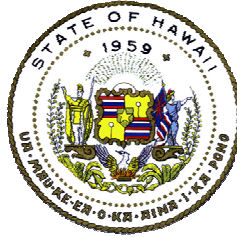


NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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No. _____

TESTIMONY ON SENATE BILL 2003 SD1
A BILL FOR AN ACT RELATING TO COURT FEES

by

Jodie F. Maesaka-Hirata, Director
Department of Public Safety

Senate Committee on Ways and Means
Senator David Y. Ige, Chair
Senator Michelle N. Kidani, Vice Chair

Tuesday, February 28, 2012; 9:00 a.m.
State Capitol, Conference Room 211

Chair Ige, Vice Chair Kidani, and Members of the Committees:

The Department of Public Safety (PSD) would like to comment on Senate Bill 2003 SD1 that increases fees for the service of civil process. The Department has concerns that the language on page 3, line 6 through 7 is ambiguous and unclear as to what “qualified by law” means.

In 2001, the Civil Section of the Sheriff Division was discontinued and the materialization of private civil process servers was born. The Department would like to make it clear that it does not train or supervise the private civil process servers, nor does the Department have the legal authority and control over these private process servers.

The Department did introduce Senate Bill 2863, relating to the Service of Process to update the statute to allow any person authorized by the rules of court as well as the sheriffs and the police to serve civil process.

The Department conducted a review of the statutes referencing the service of process and found that the language utilized throughout these statutes were inconsistent. Senate Bill 2863 attempts to amend these sections and permits persons authorized by the rules of the court to serve all process with the exception of service of process related to criminal matters.

Thank you for the opportunity to testify.