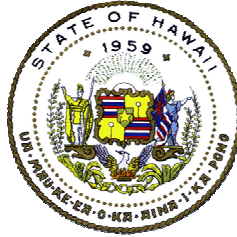


SB2003
TESTIMONY

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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No. _____

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

by

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

Senate Committee on Judiciary and Labor
Senator Clayton Hee, Chair
Senator Maile S. L. Shimabukuro, Vice Chair

Tuesday, February 7, 2012, 10:15AM
State Capitol, Conference Room 016

Chair Hee, Vice Chair Shimabukuro and Members of the Committee:

The Department of Public Safety (PSD) would like to comment on Senate Bill 2003 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.