

STAND. COM. REP. NO. **748**

Honolulu, Hawaii

March 1, 2013

RE: H.B. No. 418

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 418 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT,"

begs leave to report as follows:

The purpose of this measure is to help reduce unnecessary litigation in the State and encourage alternate means of dispute resolution by adopting the Uniform Mediation Act.

The Hawaii Association of REALTORS; Mediation Center of the Pacific, Inc.; Honolulu Board of REALTORS; Ku'ikahi Mediation Center; Mediation Services of Maui, Inc.; two of Hawaii's Uniform Law Commissioners; and several concerned individuals supported this measure. The Judiciary provided comments.

Your Committee has amended this measure by:

- (1) Specifying that mediation as defined in the measure does not include hooponopono, ifoga, or other similar, traditional or customary dispute resolution practices;
- (2) Setting forth the definition of "international commercial mediation" rather than referencing its meaning to Article 1 of the Model Law on International Commercial Conciliation; and

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- (3) Making technical, nonsubstantive amendments for clarity and consistency.

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. 418, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 418, H.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



