



TESTIMONY IN SUPPORT OF
SB516 – Relating to Paternity; Removes Time Bar on Actions

Senators Shimabukuro, Chun-Oakland

March 15, 2013 at 10:30 a.m.

The Legal Aid Society of Hawaii submits testimony in support of SB516 – Relating to Paternity; Removes Time Bar to Actions to declare the existence or non existence of father and child relationship for certain proceedings. This bill would permit people to establish a father and child relationship at any time, for good cause shown. Many people in Hawaii seek to establish paternity for Hawaiian ancestry purposes to take advantage of programs and public benefits for themselves and for their children.

The Legal Aid Society of Hawaii is the largest non profit law firm in the State. We have offices Statewide serving Hawaii's low income population. Over the years we have helped many people establish paternity and many of those are seeking to establish paternity for the purpose of obtaining benefits available to native Hawaiians. Kamehameha Schools is one such organization that requires beneficiaries of their services to prove 2 generations of Hawaiian ancestry. HRS 584-6 in its current form would not permit a litigant to establish paternity for many of those people except that the Family Court has always taken the position that even if the litigant did not meet the strict letter of the law, that for "good cause shown" a litigant would be permitted to file a paternity action long after such an action would have been time barred. The current proposal legitimizes this unofficial practice. We ask for your support in passing SB516 and removing the time bar on paternity actions for good cause shown.

Thank you for this opportunity to provide testimony.

Sincerely,

Daniel E. Pollard, Esq.
Co-Managing Attorney

The Legal Aid Society of Hawaii (Legal Aid) is the only legal service provider with offices on every island in the state, and in 2011 provided legal assistance to over 10,000 Hawai'i residents in the areas of consumer fraud, public assistance, family law, the prevention of homelessness, employment, protection from domestic violence, and immigration. Our mission is to achieve fairness and justice through legal advocacy, outreach and education for those in need.