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## A BILL FOR AN ACT

RELATING TO FAMILY COURT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 601-13, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3           "(c) Notwithstanding any law to the contrary, in all  
4 family court cases, if the plaintiff or petitioner, as a result  
5 of impoverishment, is unable to publish notice as required by  
6 subsection (a), the plaintiff or petitioner shall file an  
7 affidavit attesting to impoverishment and to the fact that,  
8 after due and diligent search, the whereabouts of the individual  
9 sought to be served are unknown. Upon such filings, the family  
10 court shall order that service be made [~~by~~]:

11           (1) By forwarding a certified copy of the pleadings and  
12 process to the individual at the last known address by  
13 registered or certified mail, with a return receipt  
14 requested and a directive to deliver to addressee  
15 only [~~by~~];

16           (2) By sending a certified copy of the pleadings and  
17 process to the defendant's or respondent's closest  
18 known relative, if any can be found [~~and by~~];



1        (3)    By posting a copy of the pleadings and process at the  
2                    courthouse in which the pleadings and process have  
3                    been filed[-]; and

4        (4)    By posting a copy of the pleadings and process on a  
5                    searchable internet website of general circulation,  
6                    unless doing so is cost-prohibitive for the plaintiff  
7                    or petitioner.

8    Service shall be completed thirty days after mailing.    The  
9    plaintiff or petitioner shall attest to the fact of the mailing  
10   and posting and the date thereof by affidavit, attaching the  
11   sender's receipt for that mail and, if available, the return  
12   receipt and envelope."

13        SECTION 2.    This Act does not affect rights and duties that  
14    matured, penalties that were incurred, and proceedings that were  
15    begun before its effective date.

16        SECTION 3.    Statutory material to be repealed is bracketed  
17    and stricken.    New statutory material is underscored.

18        SECTION 4.    This Act shall take effect on January 1, 2015.

19

INTRODUCED BY:  (AR)

JAN 23 2014



# H.B. NO. 2608

**Report Title:**

Publication of Notices and Process; Posting Online; Family Court

**Description:**

Upon order of the family court and in addition to existing mailing and posting requirements, requires indigent plaintiffs to post a copy of the pleadings and process on a searchable internet website of general circulation, unless doing so is cost-prohibitive. Takes effect 1/1/2015.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

