

JAN 17 2014

A BILL FOR AN ACT

RELATING TO FAMILY COURTS.

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

1 SECTION 1. Section 571-46.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~+~~§571-46.5~~+~~ **Parenting plans~~-~~ and facilitators.** (a)

4 For every action that includes a contested custody of children,
5 both parties or both parents shall develop either a mutually
6 agreed-upon general parenting plan or a separate individually-
7 desired parenting plan, and file the plan at the outset of the
8 action.

9 (b) A parenting plan may include a general outline
10 relating to parental responsibilities and parenting time. A
11 general parenting plan may also allow the parents to develop a
12 more detailed agreement on an informal basis.

13 (c) The parenting plan may be adjusted to reflect the
14 changing needs of the child throughout the child's minority.

15 [~~e~~—A] (d) The detailed parenting plan may include~~-~~
16 but is not limited to~~-~~ provisions relating to:

17 (1) Residential schedule;

18 (2) Holiday, birthday, and vacation planning;



- 1 (3) Parental decision-making and responsibility;
- 2 (4) Breastfeeding, if applicable;
- 3 (5) Information sharing and access;
- 4 (6) Relocation of parents;
- 5 (7) Telephone access and other means of communication;
- 6 (8) Right of first refusal procedures;
- 7 (9) Transportation; and
- 8 (10) Methods for changing or enforcing the parenting plan
- 9 and for resolving disputes.

10 (e) In connection with a parenting plan, the court may
11 assign a parenting plan facilitator to enhance communication and
12 cooperation between the parties or parents for the purpose of
13 effectively co-parenting their children and to assist in other
14 parenting plan matters.

15 For purposes of this subsection, "parenting plan
16 facilitator" means a person deemed qualified by the court and
17 mutually agreed to by the parties to provide assistance to
18 develop and implement a workable parenting plan.

19 ~~[(d)]~~ (f) If the parties cannot agree on a parenting plan,
20 the court may:

- 21 (1) Order the parties to participate in alternative
- 22 dispute resolution and in counseling with a person



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1 with professional experience in child custody or
2 parenting issues, or with other appropriate education,
3 unless there is a finding of family violence; and
4 (2) Develop and file a detailed parenting plan when
5 requested by either of the parties or parents.

6 [~~e~~] (g) The court or the parties may revise and amend
7 the parenting plan from time to time."

8 SECTION 2. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 3. This Act shall take effect upon its approval.

11

INTRODUCED BY: *Therese Chun Clarke*
[Signature]



S.B. NO. 2373

Report Title:

Family Courts; Parenting Facilitator

Description:

Authorizes the family court to assign a parenting facilitator in connection with a parenting plan to enhance communication and cooperation between the parties or parents for the purpose of effectively co-parenting their children and to assist in other parenting plan matters.

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

