

STAND. COM. REP. NO.

809

Honolulu, Hawaii

March 2, 2017

RE: H.B. No. 1235  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1235 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM FAMILY LAW  
ARBITRATION ACT,"

begs leave to report as follows:

The purpose of this measure is to adopt the Uniform Family Law Arbitration Act to create a statutory framework for the arbitration of family law disputes.

Arbitration is a private, contract-based process that parties may use to resolve a dispute rather than going to court. This measure authorizes the use of arbitration to resolve certain family law disputes and establishes procedures and protocols for initiating and conducting the arbitration and for judicial review and confirmation of arbitration decisions.

The Commission to Promote Uniform Legislation testified in support of the measure. One individual testified in opposition.

Your Committee has amended this measure by:

- (1) Authorizing arbitration to consider certain child-related disputes, including matters of custody, visitation, or financial support regarding a child, and

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inserting relevant authorizing and procedural language from the Uniform Family Law Arbitration Act;

- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of 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. 1235, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1235, H.D. 1, and be placed on the calendar for Third Reading.

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



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SCOTT Y. NISHIMOTO, Chair



