

STAND. COM. REP. NO. 122

Honolulu, Hawaii

February 9, 2017

RE: H.B. No. 78

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. 78 entitled:

"A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES AND COSTS IN HAWAII FAMILY COURT,"

begs leave to report as follows:

The purpose of this measure is to establish a procedure to tender settlement offers in certain family court cases so that the party extending the offer may be entitled to its attorney's fees and costs if the offer is not accepted and the offeree does not obtain a judgment that, in its entirety, is patently more favorable than the offer.

The Family Law Section of the Hawaii State Bar Association and Farrell & Associates testified in support of this measure. The Hawaii State Commission on the Status of Women and Domestic Violence Action Center testified in opposition. The Department of the Attorney General provided comments.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to facilitate further discussion.

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. 78, as amended herein, and recommends that it pass Second Reading in

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the form attached hereto as H.B. No. 78, H.D. 1, and be referred to your Committee on Finance.

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


SCOTT Y. NISHIMOTO, Chair



