

STAND. COM. REP. NO.

1391

Honolulu, Hawaii

MARCH 24, 2017

RE: S.B. No. 335
S.D. 1
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 S.B. No. 335, S.D. 1, 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 and child-related 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 and child-related 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 and suggested amendments.

Your Committee amended this measure by replacing its contents with H.B. No. 1235 H.D. 1, which was heard by your Committee on February 3, 2017, and the purpose of which is similar to this measure, except that it:

SB335 HD1 HSCR JUD HMS 2017-3032



- (1) Replaced the provision relating to agreements to arbitrate subsequent child-related disputes with language that is consistent with the provision in the Uniform Family Law Arbitration Act;
- (2) Changed the effective date to July 1, 2050, to encourage further discussion; and
- (3) Made 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 S.B. No. 335, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 335, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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



SCOTT Y. NISHIMOTO, Chair



