STAND. COM. REP. NO.

Honolulu, Hawaii

March 24

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. 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:

- (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

State of Hawaii House of Representatives The Twenty-ninth Legislature

HSCR 1391

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: JB 335 , SD i	Committee Referral: Date		3/15/17	
θ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: θ Pass, unamended (as is) θ Pass, with amendments (HD) θ Hold θ Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)			Air L	
2. SAN BUENAVENTURA, Joy A.	(VC)			
3. BELATTI, Della Au		-		
4. BROWER, Tom				
5. JOHANSON, Aaron Ling				
6. LEE, Chris				
7. MORIKAWA, Dee				
8. NAKASHIMA, Mark M.				
9. OSHIRO, Marcus R.				
10. McDERMOTT, Bob				
11. THIELEN, Cynthia				-
TOTAL (11)	8			_3
The recommendation is: Adopted B Not Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature.				
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