

STAND. COM. REP. NO. 3751

Honolulu, Hawaii

JUL 02 2020

RE: H.B. No. 1978  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1978, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL IMMIGRANT JUVENILE STATUS,"

begs leave to report as follows:

The purpose and intent of this measure is to specify that the family court has jurisdiction in proceedings concerning the custody or guardianship of an immigrant child pursuant to a motion for Special Immigrant Juvenile factual findings requesting a determination that the child was abused, neglected, or abandoned before the age of eighteen for purposes of the federal Immigration and Nationality Act.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Filipina Advocacy Network, The Legal Clinic, Filipinos for Affirmative Action, and six individuals.

Your Committee finds that federal law provides protections to individuals classified as special immigrant juveniles. Your Committee further finds that, consistent with the practices of other states, the State may assist individuals in claiming special immigrant juvenile status by clarifying that family court has jurisdiction over unmarried individuals under twenty-one years of



age for purposes of awarding custody or guardianship pursuant to a motion for factual findings within the meaning of the Immigration and Nationality Act. This measure ensures that family court has jurisdiction concerning the custody or guardianship of an immigrant child pursuant to a motion for Special Immigrant Juvenile factual findings requesting a determination that the child was abused, neglected, or abandoned before the age of eighteen.

Your Committee has amended this measure by making it effective upon its approval.

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. 1978, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1978, H.D. 1, S.D. 1.

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



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KARL RHOADS, Chair



