

STAND. COM. REP. NO. 1586

Honolulu, Hawaii

APR 09 2021

RE: H.B. No. 1237
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1237, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that the effective period of a temporary restraining order, protective order, or injunction for a minor may extend to a reasonable date after the minor has reached the age of eighteen.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawai'i Youth Services Network, Domestic Violence Action Center, and one individual.

Your Committee finds that temporary restraining orders, protective orders, and injunctions against harassment for a minor typically expire when the minor reaches the age of majority because there is ambiguity regarding whether the courts have the authority to issue these orders for a period that extends beyond the date when a minor turns eighteen years of age. Your Committee further finds that the formerly protected individual is then forced to return to court and refile the order or injunction, which places an additional burden on the individual requiring protection, could cause a gap in the legal protection, and increases the workload of the Judiciary. This measure eliminates



the automatic termination of the order or injunction and permits the extension of the order's or injunction's effective period, thereby ensuring the protection of individuals in the State.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes 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. 1237, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1237, H.D. 1, S.D. 2.

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



KARL RHOADS, Chair



