
SENATE CONCURRENT RESOLUTION

REQUESTING THE JUDICIARY CONDUCT A STUDY ON THE NECESSITY OF
MANDATORY REFERRALS TO THE DEPARTMENT OF HUMAN SERVICES FOR
INVESTIGATION OR INTERVENTION IN ALL CASES OF ALLEGED
DOMESTIC ABUSE INVOLVING A FAMILY OR HOUSEHOLD MEMBER WHO
IS A MINOR OR INCAPACITATED PERSON.

1 WHEREAS, when domestic abuse occurs in a household in which
2 a child resides, a parent may seek a restraining order against
3 the abusive parent or household member; and
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5 WHEREAS, in such cases, existing law requires the court-
6 appointed entity assisting the parent with filing the petition
7 to refer the matter to the Department of Human Services for
8 intervention or investigation by the Child Welfare Services
9 Branch; and
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11 WHEREAS, judges have the discretionary authority to refer a
12 case to the Department of Human Services where an investigation
13 is warranted to ensure the family's safety and provide services
14 to support their safety and well-being; and
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16 WHEREAS, given this authority, mandating a referral to the
17 Department of Human Services for investigation or intervention
18 in all cases of alleged domestic abuse involving a family or
19 household member who is a minor or incapacitated person may be
20 unnecessary; now, therefore,
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22 BE IT RESOLVED by the Senate of the Thirty-first
23 Legislature of the State of Hawaii, Regular Session of 2022, the
24 House of Representatives concurring, that the Judiciary is
25 requested to conduct a study on the necessity of mandatory
26 referrals to the Department of Human Services for investigation
27 or intervention in all cases of alleged domestic abuse involving



1 a family or household who is a minor or incapacitated person;
2 and

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4 BE IT FURTHER RESOLVED that the Judiciary is requested to
5 submit a report of its findings and recommendations, including
6 any proposed legislation, to the Legislature no later than
7 twenty days prior to the convening of the Regular Session of
8 2023; and

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10 BE IT FURTHER RESOLVED that certified copies of this
11 Concurrent Resolution be transmitted to the Chief Justice of the
12 Hawaii Supreme Court and Director of Human Services.

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15 OFFERED BY: 

