

STAND. COM. REP. NO. 1334-22

Honolulu, Hawaii

MAR 24 , 2022

RE: S.B. No. 2397  
S.D. 2  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2397, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD CUSTODY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require certain individuals who wish to act or continue acting as a child custody evaluator to complete a training course on domestic violence issues every three years; and
- (2) Establish requirements for the training course and submitting or providing proof of completion.

Your Committee received testimony in support of this measure from the Hawai'i State Coalition Against Domestic Violence, Domestic Violence Action Center, Women's Caucus of the Democratic Party of Hawai'i, Parents and Children Together, and two individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the family court may appoint a child custody evaluator from a list of qualified individuals to

2022-2541 SB2397 HD2 HSCR HMSO



investigate a child custody dispute. Child custody evaluators typically provide written reports to the court, and sometimes testify at hearings or at trials. Your Committee further finds that child custody evaluators, who work before the family court, have an impact on the safety and well-being of children and families and therefore need to understand the dynamics of domestic violence. This measure requires child custody evaluators to complete a training course on domestic violence issues to equip them with relevant knowledge about domestic violence issues to serve in the best interests of the children.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the domestic violence program providing the training course be nationally accredited; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2397, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2397, S.D. 2, H.D. 2.

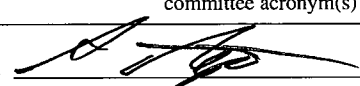
Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 2317, SD2, HD1	Committee Referral: HHH, JHA, FIN	Date: 3-22-22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.				✓
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TOKIOKA, James Kunane	✓			
11. WARD, Gene	✓			
TOTAL (11)	10	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted         If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				