

STAND. COM. REP. NO.

512

Honolulu, Hawaii

**FEB 16**, 2023

RE: H.B. No. 581  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 581 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require certain individuals who wish to act as child custody evaluators to complete a training course on domestic violence issues every three years and to submit a letter or certificate of completion of the training course to the family court.

Your Committee received testimony in support of this measure from the Judiciary, Domestic Violence Action Center, Hawai'i State Coalition Against Domestic Violence, Hawai'i Children's Action Network Speaks!, Midwives Alliance of Hawaii, Lokahi Treatment Centers, Save Medicaid Hawaii, NuWayve Unlimited, and eight individuals. Your Committee received testimony in opposition to this measure from the Hawaii Coalition for Child Protective Reform and three individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that although existing law prefers licensed psychologists, marriage and family therapists, psychiatrists, and social workers to serve as court appointed evaluators in child custody cases, under certain conditions

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individuals who are not a member of these professions may still be authorized to serve as evaluators or as fact-finding investigators. Your Committee further finds that it is in the best interests of children who are the subject of child custody proceedings if all custody evaluators and fact-finding investigators are knowledgeable about the dynamics of domestic violence and its impact on children.

Your Committee notes concerns raised during testimony regarding whether a minimum of five hours of training would be sufficient to educate child custody evaluators on the dynamics of domestic violence and its impact on children and whether all child evaluators possess the knowledge and experience necessary to make child custody evaluations. Your Committee further notes that the Judiciary is willing to work with the Hawai'i State Coalition Against Domestic Violence, Domestic Violence Action Center, and other stakeholders to craft language to address these issues.

Your Committee has amended this measure by:

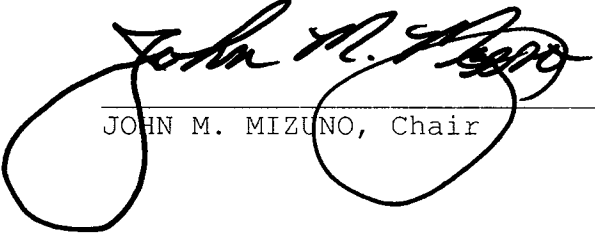
- (1) Inserting language establishing standards for evaluations and reports by child custody evaluators;
- (2) Changing the effective date to July 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 581, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 581, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



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Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
\_\_\_\_\_  
JOHN M. MIZUNO, Chair



State of Hawaii  
House of Representatives  
The Thirty-second Legislature

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**Record of Votes of the Committee on Human Services**

<b>Bill/Resolution No.:</b> <i>HB 581</i>	<b>Committee Referral:</b> <i>HUS, JHA</i>	<b>Date:</b> <i>02.09.2023</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	<i>✓</i>			
2. AMATO, Terez (VC)	<i>✓</i>			
3. BELATTI, Della Au	<i>✓</i>			
4. ILAGAN, Greggor	<i>✓</i>			
5. KOBAYASHI, Bertrand	<i>✓</i>			
6. TAKENOUCI, Jenna	<i>✓</i>			
7. NISHIMOTO, Scott Y.	<i>✓</i>			
8. GARCIA, Diamond	<i>✓</i>			
<b>TOTAL (8)</b>	<i>8</i>			
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
<b>Vice Chair's or designee's signature:</b> <i>Jerry Amato</i>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				