

STAND. COM. REP. NO.

351

Honolulu, Hawaii

FEB 14 , 2023

RE: H.B. No. 618

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. 618 entitled:

"A BILL FOR AN ACT RELATING TO FAMILY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish an exemption from mediation in paternity proceedings where there are allegations of domestic abuse and the party alleging the domestic abuse does not wish to participate;
- (2) Prohibit a mediator from engaging in mediation where there are allegations of domestic abuse, unless certain requirements are met;
- (3) Prohibit the Family Court from requiring mediation in paternity proceedings if there is a temporary restraining order or protective order in effect and the party alleging domestic abuse does not wish to participate; and
- (4) Allow the Family Court to order mediation in paternity proceedings where there is no temporary restraining order or protective order in effect, under certain circumstances.

2023-1519 HB618 HSCR HMSO



Your Committee received testimony in support of this measure from the Judiciary, Domestic Violence Action Center, Hawai'i State Coalition Against Domestic Violence, Midwives Alliance of Hawaii, Save Medicaid Hawaii, and seven individuals.

Your Committee finds that the Judiciary indicated in its testimony to your Committee in support of this measure that it supports the utilization of mediation as a valuable tool for the settlement of disputes that do not require court hearings. Your Committee further finds that there is a need to ensure the safety of an individual in cases where domestic violence has been alleged in paternity proceedings where mediation is warranted. Your Committee concurs with the Judiciary's testimony, that the protections established by this measure are intended to balance the autonomy of the individual with the recognized possible benefits of mediation.

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. 618 and recommends that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



JOHN M. MIZUNO Chair



