

Honolulu, Hawaii

**FEB 16**, 2024

RE: H.B. No. 2657  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2657 entitled:

"A BILL FOR AN ACT RELATING TO ABUSIVE LITIGATION,"

begs leave to report as follows:

The purpose of this measure is to establish judicial procedures to prevent and remedy abusive litigation.

Your Committee received testimony in support of this measure from the Parents and Children Together; Hawai'i State Coalition Against Domestic Violence; American Association of University Women, Hawai'i; and nine individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that individuals who commit violence against, or otherwise abuse, their intimate partners may also use the judicial system to continue the abuse after the relationship has ended by using court proceedings to control, harass, intimidate, coerce, or impoverish the former intimate partner. Your Committee further finds that even if a lawsuit is meritless, forcing an abuse survivor to spend time, money, and emotional resources responding to the action provides a means for the abuser to assert power and control over the survivor. This measure is intended to establish judicial procedures to limit or prevent the use of litigation by an abuser to further victimize a survivor.

2024-1537 HB2657 HD1 HSCR HMSO



Your Committee has amended this measure by:

- (1) Amending the definitions of "intimate partner", "litigation", and "abusive litigation";
- (2) Clarifying when litigation is considered harassing, intimidating, or maintaining contact with the other party;
- (3) Amending the situations where there is a rebuttable presumption that litigation is being filed, initiated, advanced, or continued primarily for the purpose of harassing, intimidating, or maintaining contact with the other party;
- (4) Amending the duration of prefiling restrictions imposed under an order restricting abusive litigation;
- (5) Amending the requirements for filing a new case or motion by a person subject to an order restricting abusive litigation;
- (6) Extending the deadline for the courts to create new forms for the motion for order restricting abusive litigation and develop relevant instructions;
- (7) Changing the effective date to January 1, 3000, to encourage further discussion; and
- (8) 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 H.B. No. 2657, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2657, H.D. 1, and be referred to your Committee on Finance.



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



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DAVID A. TARNAS, Chair



