

STAND. COM. REP. NO.

929

Honolulu, Hawaii

MAR 02 , 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 Judiciary & Hawaiian Affairs, 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.

2023-1876 HB618 HSCR HMSO

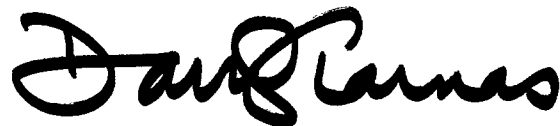


Your Committee received testimony in support of this measure from the Judiciary, Hawai'i State Coalition Against Domestic Violence, Hawai'i Women's Coalition, Hawai'i Children's Action Network Speaks!, and ten individuals.

Your Committee finds that this measure seeks to protect an alleged victim of domestic abuse from being required to participate in contested paternity proceedings against the person's wishes and provides safeguards for an alleged victim of domestic abuse who authorizes mediation to proceed. Your Committee concurs with the Judiciary's position that this measure balances the autonomy of parties who allege domestic abuse in paternity cases to choose to exercise mediation opportunities and applies to these cases the many protections afforded to parties in divorce cases that involve allegations of domestic abuse.

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. 618 and recommends that it pass Third Reading.

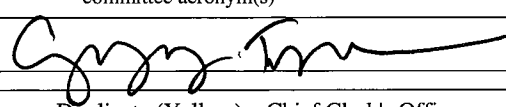
Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 618	Committee Referral: HUS, JHA	Date: 2/16/2023		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	/			
3. GANADEN, Sonny	/			
4. HOLT, Daniel	/			
5. HASHIMOTO, Troy N.	/			
6. ICHIYAMA, Linda	/			
7. ILAGAN, Greggor	/			
8. KONG, Sam Satoru	/			
9. MIZUNO, John M.	/			
10. SOUZA, Kanani	/			
TOTAL (10)	10	-	-	-
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				