

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 1520
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 1520 entitled:

"A BILL FOR AN ACT RELATING TO FAMILY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish an exemption from mediation in paternity proceedings where there are allegations of domestic abuse; and
- (2) Clarify the exemption from mediation in divorce proceedings as it relates to domestic abuse.

Your Committee received testimony in support of this measure from the Judiciary, Kalihi Palama Neighborhood Board No. 15, Hawai'i State Coalition Against Domestic Violence, Hawai'i Children's Action Network Speaks!, and one individual.

Your Committee received comments on this measure from one individual.

Your Committee finds that the State's family courts have championed mediation in numerous types of cases, including divorce and paternity cases. In cases with domestic abuse allegations, safety concerns have prompted the application of different



physical protections and legal process protections, such as the judge's consideration of the allegations before accepting the mediation agreement. This measure recognizes the possible advantages of mediation while balancing the autonomy of a party to exercise mediation opportunities in paternity cases and applies to these cases the many protections afforded to parties in divorce cases that involve allegations of domestic abuse.

Your Committee has amended this measure by:

- (1) Clarifying that for mediation in paternity or divorce proceedings where there are allegations of domestic abuse, the alleged victim or other party may have in attendance at mediation a supporting person of the person's choice, including but not limited to an attorney or individual designated by the person pursuant to section 658H-10, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1520, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1520, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

| | | | | |
|--|--|-------------------------|-----|----------|
| Bill / Resolution No.:* SB 1520 | Committee Referral: HHS, JDC | Date: 2/20/25 | | |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div><input type="checkbox"/> Pass, unamended 2312</div><div><input checked="" type="checkbox"/> Pass, with amendments 2311</div><div><input type="checkbox"/> Hold 2310</div><div><input type="checkbox"/> Recommit 2313</div></div> | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | ✓ | | | |
| GABBARD, Mike (VC) | | | | ✓ |
| CHANG, Stanley | ✓ | | | |
| SAN BUENAVENTURA, Joy A. | ✓ | | | |
| AWA, Brenton | ✓ | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL | 4 | | | 1 |
| Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"><div><input checked="" type="checkbox"/> Adopted</div><div><input type="checkbox"/> Not Adopted</div></div> | | | | |
| Chair's or Designee's Signature: <div style="text-align: center; font-size: 1.5em; margin-top: 10px;">✍</div> | | | | |
| Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"><div>Original File with Committee Report</div><div>Yellow Clerk's Office</div><div>Pink Drafting Agency</div><div>Goldenrod Committee File Copy</div></div> | | | | |

*Only one measure per Record of Votes