



The Judiciary, State of Hawai'i

Testimony to the Thirty-Third State Legislature, 2025 Regular Session

House Committee on Human Services & Homelessness

Representative Lisa Marten, Chair
Representative Ikaika Olds, Vice Chair

Tuesday, February 11, 2025 at 10:00a.m.
Hawai'i State Capitol, Conference Room 329

by

Dyan M. Medeiros
Senior Judge, Deputy Chief Judge
Family Court of the First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1283, Relating to Family.

Purpose: Establishes an exemption from mediation in paternity proceedings where there are allegations of domestic abuse. Clarifies the exemption from mediation in divorce proceedings as it relates to domestic abuse.

Judiciary's Position:

The Judiciary supports House Bill No. 1283.

The Family Courts of Hawai'i have championed mediation in many of the case types under our jurisdiction, including divorce and paternity cases. We have decades of experience that support our continued policy to order mediation as an alternative to continued litigation. We have witnessed countless cases where parties, including parties who have alleged domestic abuse, have reached positive results through mediation and managed to avoid or minimize the harmful effects of conflict and litigation on children and families. In cases with domestic abuse allegations, safety concerns have prompted the application of different physical protections and legal process protections such as the judges' consideration of the allegations before accepting the mediation agreement.



House Bill No. 1283, Relating to Family
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Recognizing the possible advantages of mediation, House Bill No. 1283 balances 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.

Thank you for the opportunity to testify on this important bill.



February 11, 2025

Members of the House Committee on Human Services & Homelessness:

Chair Lisa Marten
Vice Chair Ikaika Olds
Rep. Terez Amato
Rep. Cory M. Chun
Rep. Sue L. Keohokapu-Lee Loy
Rep. Gregg Takayama
Rep. Jenna Takenouchi
Rep. David Alcos III
Rep. Diamond Garcia

Re: HB1283 Relating to Family

Dear Chair Marten, Vice Chair Olds, and Members of the House Committee on Human Services & Homelessness:

The Hawai'i State Coalition Against Domestic Violence (HSCADV) addresses the social, political, and economic impacts of domestic violence on individuals, families, and communities. We are a statewide partnership of domestic violence programs and shelters.

On behalf of HSCADV and our 25 member programs statewide, I respectfully submit testimony in **strong support of HB1283**. This bill would enable a survivor of domestic violence engaged in a contested custody proceeding with their abusive partner the option to engage in mediation instead of court litigation.

Survivors should not be required to face an abusive partner during paternity proceedings unless they have made an informed decision where they can prepare themselves physically, mentally, and emotionally. Paternity proceedings may be a way for a survivor of domestic violence to cut ties with their abusive partner. There should not be a way for an abuser to inflict additional harm or hurt.

Thank you for the opportunity to testify on this important matter.

Sincerely,
Angelina Mercado, Executive Director



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: House Committee on Human Services and Homelessness
Re: HB 1283 Relating to family

Hawai'i State Capitol, Conference Room 329 & Via Videoconference
Tuesday, February 11, 2025, 9:45 AM

Dear Chair Marten, Vice Chair Olds, and Committee Members,

On behalf of HCANSpeaks!, I am writing in support of HB 1283, relating to family.

This bill establishes an exemption from mediation in paternity proceedings where there are allegations of domestic abuse; and clarifies the exemption from mediation in divorce proceedings as it relates to domestic abuse.

This bill would give survivors of domestic violence involved in contested custody cases the choice to pursue mediation instead of going through court litigation. Survivors should not be forced to confront their abuser during paternity proceedings unless they have made a fully informed decision and feel prepared emotionally, mentally, and physically. For some survivors, paternity proceedings may be an opportunity to sever ties with their abuser, and the process should not be used as another means for the abuser to cause further harm.

Thank you for the opportunity to submit testimony in **support of HB 1283.**

Kind regards,
Noreen Kohl, Ph.D.
Policy Researcher and Advocate

HB-1283

Submitted on: 2/7/2025 10:22:40 PM

Testimony for HSH on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Deanna Espinas	Individual	Support	Written Testimony Only

Comments:

I am in strong support of HB1283

HB-1283

Submitted on: 2/8/2025 7:31:09 AM

Testimony for HSH on 2/11/2025 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Joan Ramona M Cuyno	Individual	Support	Written Testimony Only

Comments:

Try sitting in the same room with your abuser while trying to remain focused. I once had to sit across my abuser full of fear with no one to help me, he actually threw a fit. Try sitting there feeling their eyes pierce through you even without looking at them. It felt like I was going to explode, like my heart was going to stop. I was shaking so hard with fear that my abuser would ultimately use his narcissistic tactics to take our children after all the abuse he had placed on me. I sat there all alone, wishing that I had someone to help me. I didn't want to fight him, I was so tired that I just wanted to have that part of my life over with. It is so important that victims are allowed to have somethat that can help them overcome these scary parts in life. This is why victims don't usually go through these hard things, because as a "NOW" survivor, I was scared of the outcome, I didn't know what to say or to do, I had no help. In the beginning, I let things slide because I figured, he had money, he had it all and although i was a full-time working mother while going to college, he still was a very resourceful person that used his money to scare me with his high priced attorney. Luckily in the end, I had help from DVAC and my worker was able to sit with me in the custody courts. When a victim has a person that can help them get through something like this, it also helps the victims mental and emotional well-being. We see so much hurt from DV in the State of Hawaii, It is time for our state to create a safe space for victims and allow them to have help while going through medation. Thank you!

HB-1283

Submitted on: 2/10/2025 9:39:19 AM

Testimony for HSH on 2/11/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kalae	Individual	Support	Written Testimony Only

Comments:

This Bill protects victims please let this pass.

Mahalo