

JAN 24 2007

SENATE CONCURRENT RESOLUTION

REQUESTING THE JUDICIARY TO IMPLEMENT A PILOT FAMILY COURT
PARENTING PLAN MODEL PROGRAM IN THE FIRST CIRCUIT FAMILY
COURT.

1 WHEREAS, in the 2006 Regular Session, the Senate and the
2 House of Representatives adopted Senate Concurrent Resolution
3 No. 52, S.D. 1, authorizing the Committees on Human Services of
4 the Senate and the House of Representatives to convene interim
5 hearings on the use of legal interventions available to the
6 Family Court; and

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8 WHEREAS, during the course of the interim hearings, four
9 committees were formed relating to Family Court Models, Family
10 Court Sunshine and Accountability, Temporary Restraining Orders,
11 and the Best Interests of the Child; and

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13 WHEREAS, after hours of hard work and meetings, the Family
14 Court Models Committee submitted its findings and
15 recommendations to the Committees on Human Services of the
16 Senate and the House of Representatives, which adopted its
17 recommendation regarding the implementation of a pilot program
18 based on its Family Court Parenting Plan Model; and

19
20 WHEREAS, the Family Court Models Committee found that:

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22 (1) A process, known as the Family Court Parenting Plan
23 Model, should exist to assist parents to develop a
24 parenting plan without and prior to family court
25 intervention;

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27 (2) Child custody matters involving domestic violence
28 should be exempt from the process and should be
29 screened out at any time in addition to an initial
30 screening before participation in the process;

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- 1 (3) After the initial screening for domestic violence,
2 parents should participate in an expanded version of
3 Kids First that includes:
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5 (A) Education about parenting after divorce;
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7 (B) Parenting roles within one home and across homes;
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9 (C) Optional advanced parenting education;
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11 (D) An opportunity for children to provide their
12 activities schedules;
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14 (E) An introduction to the concept of a parenting
15 plan; and
16
17 (F) An overview of divorce and paternity procedures;
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19 (4) If the parents are unable to develop a parenting plan
20 after participation in the expanded version of Kids
21 First, the parents should meet with a Trained
22 Parenting Plan Facilitator for a series of
23 facilitations, if necessary, to assist with their
24 development of a parenting plan;
25
26 (5) The Trained Parenting Plan Facilitator should be able
27 to make confidential recommendations for services to
28 either parent at any time in the process;
29
30 (6) The process should be confidential, non-adversarial,
31 without the presence of attorneys, and the parents
32 should have the same Trained Parenting Plan
33 Facilitator throughout the process;
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35 (7) If after participating in the process the parents
36 still cannot develop a parenting plan, they should
37 proceed to family court with any agreed upon issues
38 standing and for resolution of the outstanding issues;
39 and
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41 (8) The parents should have the same judge throughout the
42 child custody proceedings; and
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1 WHEREAS, a pilot program based on the Family Court
2 Parenting Plan Model should be implemented on Oahu; and

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4 WHEREAS, parents' participation in the pilot program should
5 be voluntary and the pilot program should limit the number of
6 participants; and

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8 WHEREAS, the pilot program should be evaluated and modified
9 if necessary before considering implementation on a mandatory
10 basis; now, therefore,

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12 BE IT RESOLVED by the Senate of the Twenty-fourth
13 Legislature of the State of Hawaii, Regular Session of 2007, the
14 House of Representatives concurring, that the Judiciary is
15 requested to implement a pilot program in the First Circuit
16 Family Court based on the Family Court Parenting Plan Model; and

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18 BE IT FURTHER RESOLVED that the Judiciary is requested to
19 contract with an external agency to establish the pilot program
20 through a request for proposal in accordance with chapter 103F,
21 Hawaii Revised Statutes; and

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23 BE IT FURTHER RESOLVED that the Judiciary is requested to
24 submit its findings, including any recommendations for
25 legislation, to the Legislature no later than twenty days prior
26 to the convening of the Regular Session of 2008; and

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28 BE IT FURTHER RESOLVED that a certified copy of this
29 Concurrent Resolution be transmitted to the Chief Justice.

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32 OFFERED BY: *Theranne Chun Oakland*
Carol Fukunaga

