

Honolulu, Hawaii

APR 13 2007

RE: S.C.R. No. 9

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred
S.C.R. No. 9 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE
AUDITOR TO ASSESS THE FAMILY COURT'S HANDLING OF DOMESTIC
VIOLENCE MATTERS IN THE FIRST CIRCUIT FAMILY COURT,"

begs leave to report as follows:

The purpose of this measure is to request the Office of the
Auditor to assess the handling of domestic violence matters in the
Family Court of the First Judicial Circuit (Family Court).

Specifically, the Office of the Auditor is requested to:

- (1) Examine the Family Court's current policies, procedures,
and operations for screening or assessing child custody
matters involving domestic violence;
- (2) Examine the Family Court's current policies, procedures,
and operations that address child custody matters
involving criminal and civil domestic violence cases;
and
- (3) Establish findings and develop recommendations on how
the Family Court may better serve litigants and children
involved in domestic violence related child custody
cases.

The Judiciary submitted comments on this measure.



Your Committee finds that domestic abuse protective orders are heard in the Family Court on a separate court docket, pursuant to chapter 586, Hawaii Revised Statutes. However, during interim hearings conducted by the Standing Committees of the Senate and House of Representatives having oversight over Human Services, the need for screening and assessing child custody matters involving domestic violence was identified. The possible establishment of a separate domestic violence court was also proposed.

This measure will help to determine whether Hawaii's state court system is following best practices in the area of child custody matters involving domestic violence and whether the establishment of a separate domestic violence court would better serve the needs of the community.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 9 and recommends its adoption.


Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


ROSALYN H. BAKER, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SCR 9</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HSP/JDL, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">4/11/07</div>		
<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 style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani				/
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
KIM, Donna Mercado				/
MENOR, Ron				/
TOKUDA, Jill N.				/
HEMMINGS, Fred	/			
WHALEN, Paul				/
TOTAL	6	0	0	5
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-family: cursive; font-size: 1.2em; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> </div>				

*Only one measure per Record of Votes