**S.B. NO.** <sup>1054</sup> S.D. 1 H.D. 1

1

### A BILL FOR AN ACT

RELATING TO TEMPORARY RESTRAINING ORDERS.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1		PART I
2	SECTI	ON 1. (a) There is established within the judiciary,
3	for admini	strative purposes only, a temporary task force that
4	shall disc	uss, review, and seek input on policy for establishing
5	a process	to issue temporary restraining orders by the family
6	and distri	ct courts upon submission of sworn oral testimony or
7	complaint	communicated to the court by means of electronic voice
8	communicat	ion.
9	(b)	The task force shall consist of:
10	(1)	One representative chosen by the president of the
11		senate;
12	(2)	One representative chosen by the speaker of the house
13		of representatives;
14	(3)	One representative from the Honolulu police
15		department;
16	(4)	One representative from the city and county of
17		Honolulu department of the prosecuting attorney;

## SB1054 HD1 HMS 2011-3026

Page 2

#### S.B. NO. <sup>1054</sup> S.D. 1 H.D. 1

1	(5) One representative from the department of the attorney	•	
2	general; and		
3	(6) One representative from the judiciary.		
4	(c) Members of the task force shall serve without		
5	compensation and shall receive no reimbursement for expenses.		
6	(d) All proceedings and records of the task force shall be	:	
7	exempt from chapter 92, Hawaii Revised Statutes.		
8	(e) The task force shall submit a report of its findings		
9	and recommendations, including any proposed legislation, to the		
10	legislature no later than twenty days prior to the regular		
11	session of 2012.		
12	(f) The task force shall cease to exist on June 30, 2012.		
13	PART II		
14	SECTION 2. Chapter 586, Hawaii Revised Statutes, is		
15	amended by adding a new section to be appropriately designated		
16	and to read as follows:		
17	" <u>§586-</u> <u>Temporary restraining order and protective order</u>		
18	assistance program. The judiciary may establish a program to		
19	assist persons seeking temporary restraining orders and		
20	protective orders during state furlough days and other times		
21	when such essential protective services are needed. The program		
22	shall, if implemented:		
	SB1054 HD1 HMS 2011-3026	2	

#### Page 3

# S.B. NO. $B_{\text{ND. 1}}^{1054}$

3

1	(1)	Assist petitioners on a walk-in basis;
2	(2)	In special circumstances, conduct intake services in
3		an appropriate, secure location that will not
4		compromise the safety of the petitioner or program
5		service providers;
6	(3)	Work one-on-one with each petitioner to complete the
7		temporary restraining order petition ensuring that the
8		petitioner has a complete understanding of the process
9		and procedures;
10	<u>(4)</u>	Provide technical information to the petitioner for
11		completion of a temporary restraining order petition;
12	(5)	Transmit completed petitions to the family court; and
13	(6)	Prepare granted petitions for distribution to the
14		petitioner.
15	The judici	ary may contract with a third party to administer the
16	program an	nd provide program services."
17		PART III
18	SECTI	ON 3. New statutory material is underscored.
19	SECTI	ION 4. This Act shall take effect on July 1, 2050.

SB1054 HD1 HMS 2011-3026



#### Report Title:

Task Force; Temporary Restraining Orders; Electronic Application

#### Description:

Establishes a temporary task force to establish a process to issue temporary restraining orders by the family and district courts upon submission of sworn oral testimony or complaint communicated to the court by means of electronic voice communication. Allows the Judiciary to establish a program to assist persons seeking temporary restraining orders and protective orders. Effective July 1, 2050. (SB1054 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

