STAND. COM. REP. NO. 124

Honolulu, Hawaii

Feb 8 , 2011

RE: H.B. No. 944 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 944 entitled:

"A BILL FOR AN ACT RELATING TO FAMILY COURTS,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Allow an alleged victim of domestic abuse who has already received an order of protection, temporary restraining order, or protective order against the accused party to file "Jane Doe"/"John Doe" petitions and other papers, if the filing is reasonably necessary to protect the privacy of the alleged victim and will not unduly prejudice the prosecution or defense; and
- (2) Require courts to seal certain court records associated with "Jane Doe"/"John Doe" cases under specified significant and compelling circumstances.

The Judiciary and a concerned individual provided comments on this bill.

Your Committee has amended this bill by:

(1) Prior to allowing the filing of "Jane Doe"/"John Doe" petitions and other papers by alleged victims of

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domestic abuse, requiring the court to find significant and compelling circumstances that would make public inspection inconsistent with the purpose of concealing the alleged victim's identity;

- (2) Clarifying that the court shall "make confidential" rather than "seal" "Jane Doe"/"John Doe" court records from the public that would identify the alleged victim; and
- (3) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 944, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 944, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Human Services,

JOHN M. MIZUNO, Chair

## State of Hawaii House of Representatives The Twenty-sixth Legislature

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## Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB 944	Committee Referral: HUS, JUD, FIN  2/3/2011				
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)					
HUS Members		Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)			'		
2. JORDAN, Jo (VC)			<u> </u>		
3. BELATTI, Della Au					1/
4. HANOHANO, Faye P.					· · · · · · · · · · · · · · · · · · ·
5. LEE, Chris					
6. MORIKAWA, Dee		/			
7. WOOLEY, Jessica					
8. YAMANE, Ryan I.					
9. CHING, Corinne W.L.					
10. PINE, Kymberly Marcos					-
TOTAL (10)		9			/
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO					