

Honolulu, Hawaii

APR 27 2012

S.B. No. 3008 RE:

> H.D. 3 C.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3008, H.D. 3, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to allow impoverished family court litigants an alternative to serving notice by publication, by allowing the posting of pleadings at the courthouse. Specifically, this measure allows family court plaintiffs or petitioners who are unable to afford to serve notice by publication to serve notice to a defendant or respondent by, after a due and diligent search for the defendant or respondent, mailing pleadings and process to the defendant or respondent and to the defendant's or respondent's closest known relative, and posting pleadings and process at the courthouse with the permission of the family court.

Your Committee on Conference finds that the rates to serve notice by publication in a daily newspaper of general circulation

2012-2407 SCCR SMA.doc

have increased dramatically over the past several years. This rate increase has made it difficult for impoverished litigants to find the funds necessary to cover the publication costs for legal notices. This measure will alleviate this financial burden on impoverished litigants and increase access to family court processes.

Your Committee on Conference has amended this measure by:

- Changing the effective date to September 1, 2012; and (1)
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3008, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3008, H.D. 3, C.D. 1.

> Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

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Co-Chair

JO JORDAN, Co-Chair

MICHELLE KIDANI, Co-Chair

Hawaii State Legislature



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 3008, HD 3				Date/Time: 4/26/2012 11:00am			
The recommendation of the House	and Senate	mana	gers i	is to pass with amendments (CD).			
The Committee is reconsidering its	previous d	ecisio	n.				
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure			The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A WR	N	Е	House Managers	A WR	N	Е
HEE, Clayton, Chr.				MIZUNO, John M., Co-Chr.	1		
KIDANI, Michelle N., Co-Chr.				KEITH-AGARAN, Gilbert S.C., Co-Chr.			
SLOM, Sam				JORDAN, Jo, Co-Chr.	1		
				ITO, Ken			
				PINE, Kymberly Marcos			
	 	 					
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TOTAL	3			TOTAL	5		
A = Aye WI	$\mathbf{R} = \mathbf{A}\mathbf{y}\mathbf{e}$ with	Reser	vation		= Excused		
Senate Recommendation is: Adopted Not Adopted				House Recommendation is: Adopted Not Adopted			
Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:			
Distribution: Original Yellow Pink Goldenrod File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agence							