STAND. COM. REP. NO. 1278-12

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 3008 H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3008, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to allow family court plaintiffs and petitioners, who are unable to afford notice by publication, to serve notice on a defendant or respondent, after submitting to the family court an affidavit concerning impoverishment and the details of a diligent search, by means of a family court order that provides that service is to be made upon the defendant or respondent by certified mail, return receipt requested, by mailing a certified copy of the pleadings to the person's closest known relative, and by posting the pleadings and process at the courthouse.

The Legal Aid Society of Hawaii and the Domestic Violence Action Center supported the measure. The Judiciary offered comments on the measure.

Your Committee has amended this measure by changing its effective date to September 1, 2012, per the Family Court's request, to give the Hawaii Supreme Court the time that it needs to determine whether new court rules are needed to implement this legislation.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3008, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 3008, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

GILBERT KEITH-AGARAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

	tee Referral: <u>15, JUD, FI</u> 1	Date:	3/21	/12
☐ The committee is reconsidering its previous decisi			<u> </u>	
The recommendation is to: Pass, unamended Pass short form		ss, with amendments (· ·
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)				
2. RHOADS, Karl (VC)	~			
3. BROWER, Tom			****	
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele	_			
6. COFFMAN, Denny				
7. HERKES, Robert N.				
8. ITO, Ken	<u></u>			
9. LUKE, Sylvia				
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \			
12. TSUJI, Clift				
13. FONTAINE, George R.	7			
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia	/			
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TOTAL (15)	13	0	0	2_
The recommendation is: Adopted If joint referral,	□ Not Adopt	did not suppor	t recommendatio	n.
Vice Chair's or designee's signature:	althor	4		
Distribution: Original (White) – Committee I	Ouplicate (Yellow) -	Chief Clerk's Office	Duplicate (I	Pink) – HMSO