STAND. COM. REP. NO. XO9

Honolulu, Hawaii Narch 2 , 2017 RE: H.B. No. 1235 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1235 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM FAMILY LAW ARBITRATION ACT, "

begs leave to report as follows:

The purpose of this measure is to adopt the Uniform Family Law Arbitration Act to create a statutory framework for the arbitration of family law disputes.

Arbitration is a private, contract-based process that parties may use to resolve a dispute rather than going to court. This measure authorizes the use of arbitration to resolve certain family law disputes and establishes procedures and protocols for initiating and conducting the arbitration and for judicial review and confirmation of arbitration decisions.

The Commission to Promote Uniform Legislation testified in support of the measure. One individual testified in opposition.

Your Committee has amended this measure by:

(1) Authorizing arbitration to consider certain childrelated disputes, including matters of custody, visitation, or financial support regarding a child, and



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inserting relevant authorizing and procedural language from the Uniform Family Law Arbitration Act;

- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

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 H.B. No. 1235, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1235, H.D. 1, and be placed on the calendar for Third Reading.

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

SCOTT Y. NISHIMOTO, Chair



State of Hawaii House of Representatives The Twenty-ninth Legislature

HSCR 809

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	Date:	Date: $\frac{13}{17}$		
HB1235		 	<u> </u>	/	
θ The committee is reconsidering its previ					
	inamended (as is) Pas hort form bill with HD to recor	s, with amendments (mmit for future public			
JUD Members	Ayes	Ayes (WR)	Nays	Excused	
1. NISHIMOTO, Scott Y. (C)					
2. SAN BUENAVENTURA, Joy A.	(VC)				
3. BELATTI, Della Au	and the second sec				
4. BROWER, Tom					
5. JOHANSON, Aaron Ling					
6. LEE, Chris					
7. MORIKAWA, Dee					
8. NAKASHIMA, Mark M.					
9. OSHIRO, Marcus R.			na la Série de Contra de Contra Maria de Contra de Con		
10. McDERMOTT, Bob					
11. THIELEN, Cynthia					
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TOTAL (11)	10			1	
The recommendation is: $\boldsymbol{\theta}$ Not Adopted If joint referral,					
Vice Chair's or designee's signature:					
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO					