

STAND. COM. REP. NO.

2954

Honolulu, Hawaii

FEB 27 2020

RE: S.B. No. 2305  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2305 entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit a court from granting more than two continuances of an order to show cause hearing in domestic abuse cases, absent a finding of exigent circumstances.

Your Committee received testimony in support of this measure from AAUW-Hawaii, Domestic Violence Action Center, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, and six individuals. Your Committee received comments on this measure from the Judiciary and Department of the Attorney General.

Your Committee finds that seeking a temporary restraining order and order of protection can be emotionally and financially taxing for already vulnerable domestic abuse victims. Such strains can be exacerbated when a court grants numerous continuances, sometimes delaying a victim's escape from their abuser and forcing the victim to be absent from work in order to attend multiple court appearances. Your Committee further finds that continuances should be discouraged in these types of cases and therefore this measure prohibits a court from granting a continuance in these cases, absent good cause.



Accordingly, your Committee has amended this measure by:

- (1) Prohibiting a court from granting a continuance of a show of cause hearing absent a showing of good cause;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes 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 S.B. No. 2305, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2305, S.D. 1, and be placed on the calendar for Third Reading.

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




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KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2305	JDC	2/6/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado				/
FEVELLA, Kurt	/			
<b>TOTAL</b>	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes