STAND. COM. REP. NO. 1586

Honolulu, Hawaii

## APR 0 9 2021

RE: H.B. No. 1237 H.D. 1 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1237, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that the effective period of a temporary restraining order, protective order, or injunction for a minor may extend to a reasonable date after the minor has reached the age of eighteen.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawai'i Youth Services Network, Domestic Violence Action Center, and one individual.

Your Committee finds that temporary restraining orders, protective orders, and injunctions against harassment for a minor typically expire when the minor reaches the age of majority because there is ambiguity regarding whether the courts have the authority to issue these orders for a period that extends beyond the date when a minor turns eighteen years of age. Your Committee further finds that the formerly protected individual is then forced to return to court and refile the order or injunction, which places an additional burden on the individual requiring protection, could cause a gap in the legal protection, and increases the workload of the Judiciary. This measure eliminates



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the automatic termination of the order or injunction and permits the extension of the order's or injunction's effective period, thereby ensuring the protection of individuals in the State.

Your Committee has amended this measure by making a technical, nonsubstantive amendment 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 H.B. No. 1237, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1237, H.D. 1, S.D. 2.

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

KARL RHOADS, Chair



## The Senate Thirty-First Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee	Committee Referral:		Date:	
HB-1234, HD1, SD1	HMS, JOC		1	411/2021	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended A Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Ауе	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		$\sim$			
KEOHOKALOLE, Jarrett (VC)		<b>v</b>			
ACASIO, Laura		V			
GABBARD, Mike		<b>v</b>			
KIM, Donna Mercado		ν			
LEE, Chris		V			
FEVELLA, Kurt		ν			
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TOTAL		1	0	0	Ø
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
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\*Only <u>one</u> measure per Record of Votes