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# A BILL FOR AN ACT

RELATING TO MINORS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that adolescence can be a  
2 challenging time for young people. During this stage of life,  
3 adolescents are navigating new experiences while encountering  
4 potential changes in their social spheres, including their  
5 relationships with peers and family members. Adolescents'  
6 romantic relationships can cause tension between family members,  
7 such as when parents do not want their child to date, advise  
8 their child against entering into a relationship with a  
9 particular person, or express disapproval of their child's  
10 dating relationship. It is not uncommon for some adolescents to  
11 keep private the details, in particular any problems or  
12 challenges, of their romantic relationships.

13           The legislature also finds that adolescents in abusive  
14 romantic relationships that were entered into without parental  
15 approval may be reluctant to approach their parents for  
16 assistance. Some adolescents have the option of seeking the  
17 help of another trusted adult who is not their parent, such as a



1 school counselor or domestic violence victim advocate. This  
2 other person may be able to help obtain a protective order when  
3 it is necessary for the adolescent's safety and protection.

4 The purpose of this Act is to provide an additional means  
5 for minors to petition the court for an order for protection.

6 SECTION 2. Section 586-3, Hawaii Revised Statutes, is  
7 amended by amending subsection (b) to read as follows:

8 "(b) A petition for relief under this chapter may be made  
9 by:

- 10 (1) Any family or household member on the member's own  
11 behalf or on behalf of a family or household member  
12 who is a minor or who is an incapacitated person as  
13 defined in section 560:5-102 or who is physically  
14 unable to go to the appropriate place to complete or  
15 file the petition; [~~or~~]
- 16 (2) Any state agency on behalf of a person who is a minor  
17 or who is an incapacitated person as defined in  
18 section 560:5-102 or a person who is physically unable  
19 to go to the appropriate place to complete or file the  
20 petition on behalf of that person[ ~~or~~]; or



1       (3) A school counselor, domestic violence victim advocate,  
2       or other mental health professional licensed by the  
3       State, in the case of a minor, as defined in section  
4       560:5-102, whose parent or legal guardian is unable to  
5       petition on the minor's behalf; provided that the  
6       petition is accompanied by a declaration stating that:  
7       (A) The petition is necessary for the minor's safety  
8       and is in the minor's best interest;  
9       (B) The minor's parent or legal guardian is unable to  
10      petition on the minor's behalf; and  
11      (C) The minor is otherwise able to meet the  
12      requirements of this chapter for issuance of a  
13      protective order;  
14      provided further that the person may include in the  
15      declaration or petition any additional information in  
16      support of the foregoing statements."

17       SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19       SECTION 4. This Act shall take effect on December 31,  
20 2050.

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**Report Title:**

Domestic Abuse; Protective Orders; Petition; Minors

**Description:**

Allows a school counselor, domestic violence victim advocate, or other mental health professional licensed by the State to petition for a protective order on a minor's behalf when the minor's parent or guardian is unable to submit a petition. Effective 12/31/2050. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

