

Honolulu, Hawaii

APR 06 2023

RE: H.B. No. 581
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 581, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD CUSTODY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require certain individuals attempting to serve as child custody evaluators to complete a training course on the dynamics of domestic violence every three years; and
- (2) Require individuals to submit a letter or certificate of completion to the family court.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i State Coalition Against Domestic Violence, Democratic Party of Hawai'i Women's Caucus, and nine individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the lack of domestic violence training for custody evaluators and fact-finders too often results in inconsistent outcomes for survivors of domestic violence and their children. Survivors report feeling re-victimized by their



interactions with custody evaluators and fact-finders and some choose not to proceed with the custody process at all. Survivors and their children are not justly served when custody evaluators and fact-finders are not trained to recognize the dynamics of domestic violence and how the abusive parent could be using tactics of power and control in a custody case. This measure will ensure that custody and fact-finders have the training and knowledge about the dynamics of domestic violence and its impact on children.

Your Committee has amended this measure by making it effective upon its approval.

Your Committee notes that although this measure is effective upon its approval, the statutory language in the measure specifies that the new requirements shall be effective beginning July 1, 2024.

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. 581, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 581, H.D. 2, S.D. 2.

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



KARL RHOADS, Chair



