

JAN 31 2025

SENATE RESOLUTION

REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO REFORM OR
ELIMINATE THE LAND COURT.

1 WHEREAS, the Land Court has exclusive jurisdiction over all
2 applications for the registration of title to land easements or
3 rights in land held and possessed in fee simple within the
4 State, with the power to hear and determine all questions
5 arising upon the applications; and

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7 WHEREAS, the Land Court is based on the premise that the
8 State guarantees title to the latest holder of the transfer
9 certificate of title; and

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11 WHEREAS, people sometimes lose the transfer certificates of
12 title, and the Land Court and Bureau of Conveyances do not
13 provide the current land owner with the physical transfer
14 certificate of title; and

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16 WHEREAS, the Land Court is archaic and causes significant
17 delays for simple conveyances of real property; and

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19 WHEREAS, the Judiciary is increasingly behind in day-to-day
20 operations, including approving simple name changes in title
21 certificates; and

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23 WHEREAS, the Bureau of Conveyances has a large backlog for
24 Land Court even if sent through recordation; now, therefore,

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26 BE IT RESOLVED by the Senate of the Thirty-third
27 Legislature of the State of Hawaii, Regular Session of 2025,
28 that the Chief Justice of the Hawaii Supreme Court is requested
29 to establish a working group to reform or eliminate the Land
30 Court; and

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32 BE IT FURTHER RESOLVED that the working group consist of
33 the following members:
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- (1) A member of the Judiciary, to be designated by the Chief Justice, and who is requested to serve as Chair of the working group;
- (2) A member of the Senate, to be designated by the Senate President;
- (3) A member of the House of Representatives, to be designated by the House Speaker;
- (4) The Chairperson of the Board of Land and Natural Resources, or the Chairperson's designee;
- (5) A member of the Hawaii State Bar Association, to be designated by its President, whom the Chair shall invite to participate; and
- (6) A representative from a title company doing business in the State, whom the Chair shall invite to participate; and

BE IT FURTHER RESOLVED that the Judiciary is requested to provide administrative support to the working group; and

BE IT FURTHER RESOLVED that the working group is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2026; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Chief Justice, Chairperson of the Board of Land and Natural Resources, Registrar of the Bureau of Conveyances, Registrar of the Land Court, and President of the Hawaii State Bar Association.

OFFERED BY: 

