



March 17, 2026

Position: **SUPPORT** of **HB1962 HD2**, Relating to Family

To: Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair
Members of the Senate Committee on Health and Human Services

From: Llasmin Chaine, LSW, Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in **SUPPORT** of **HB1962 HD2**, Relating to Family

Hearing: Wednesday, March 18, 2026, 1:00 p.m.
Conference Room 225, State Capitol

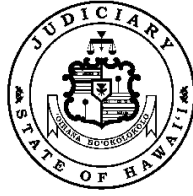
The Commission on the Status of Women is dedicated to advancing the rights, safety, and well-being of women and girls in Hawaii. Thank you for hearing this important bill. We stand in **support of HB1962 HD2**, as it aligns with our [mission](#) and establishes clear exemptions from mandatory mediation, ensures survivors consent, and recognizes the need for mediators to be trained in the dynamics of domestic abuse.

Mandatory mediation, while often a valuable tool for resolving family disputes, can be inappropriate and even harmful in cases involving domestic violence. Power imbalances and the potential for coercion can undermine the safety and autonomy of survivors, making voluntary and equitable agreement difficult to achieve. HB1962 HD2 prioritizes the **safety and autonomy of survivors, aligning with established best practices** in trauma-informed and survivor-centered legal processes.

We respectfully recommend that the Legislature ensure robust implementation of these exemptions, including clear procedures for identifying qualifying cases and providing appropriate support services for survivors. **HB1962 HD2 represents an important step toward a safer, healthier, and more just and equitable legal system for all families in Hawaii.**

We respectfully urge this Committee to **pass HB1962 HD2**, protecting survivors of domestic violence from being compelled into mediation in family court proceedings.

Thank you for this opportunity to submit testimony.



The Judiciary, State of Hawai‘i
Ka ‘Oihana Ho‘okolokolo, Moku‘āina ‘o Hawai‘i

Testimony to the Thirty-Third Legislature, 2026 Regular Session

Senate Committee on Health and Human Services
Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair

Wednesday, March 18, 2026, 1:00 p.m.
State Capitol, Conference Room 225

By

Dyan M. Medeiros
Senior Judge, Deputy Chief Judge
Luna Kānāwai ‘Ohana Nui
Family Court of the First Circuit
‘Aha Ho‘okolokolo ‘Ohana o ke Ka‘apuni ‘Ekahi

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1962, H.D. 2, Relating to Family

Purpose: Establishes an exemption from mediation in paternity proceedings where there are allegations of domestic abuse. Clarifies the exemption from mediation in divorce proceedings as it relates to domestic abuse.

Judiciary's Position:

The Judiciary supports House Bill No. 1962, H.D.2. The Judiciary notes that Senate Bill 2149, S.D. 1 is a substantially similar bill regarding exemptions from mediation in cases where there are allegations of domestic abuse.

The family courts of Hawai‘i have championed mediation in many of the case types under our jurisdiction, including divorce and parentage cases. We have decades of experience that support our continued policy to order mediation as an alternative to continued litigation. We have witnessed countless cases where parties, including parties who have alleged domestic



House Bill No. 1962, H.D. 2, Relating to Family
Senate Committee on Health and Human Services
Wednesday, March 18, 2026 at 1:00 p.m.
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abuse, have reached positive results through mediation and managed to avoid or minimize the harmful effects of conflict and litigation on children and families.

Thank you for the opportunity to provide testimony on this matter.

Hawaii Women's Coalition

March 17, 2026

Position: **SUPPORT** of **HB1962 HD2**, Relating to Family

To: Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair
Members of the Senate Committee on Health and Human Services

From: Llasmin Chaine, Co-Chair, Hawaii Women's Coalition

Re: Testimony in SUPPORT of HB1962 HD2, Relating to Family

Hearing: Wednesday, March 18, 2026, 1:00 p.m.
Conference Room 225, State Capitol

On behalf of the Hawaii Women's Coalition, a catalyst coalition for progressive, social, economic, and political change regarding critical issues facing Hawaii's women and girls, I would like to thank the Committee for hearing this important bill and express our **strong support of HB1962 HD2**. The Coalition thanks the Legislature for taking these important steps to protect survivors of domestic violence from being compelled into mediation in family court proceedings.

This bill appropriately recognizes the risks mediation can pose when domestic abuse is present by:

- Ensuring survivors consent to engaging in mediation;
- Ensuring mediators who work with survivors have been trained in the dynamics of domestic abuse; and
- Provisioning consistent statutory language, in alignment with HRS §658H-10, that a person may bring a lawyer or someone else they choose to mediation, and that person may participate in the mediation. Additionally, a waiver of participation, made before the mediation, may be rescinded.

These changes reflect the [Revised Hawaii Guidelines for Mediators](#), endorsed by the Hawaii Supreme Court on May 6, 2025, which emphasize participant self-determination, mediators' competence, and mediation safety.

HB1962 HD2 also addresses concerns raised during the 2025 legislative session, references HRS §658H-10 and includes matching language from the statute to promote clarity, consistency, and fairness in how courts apply these protections.

The Coalition appreciates the Legislature's commitment to trauma-informed practices and survivor protections and urges the Committee to **pass HB1962 HD2**. Thank you for the opportunity to testify on this important matter.

HB-1962-HD-2

Submitted on: 3/15/2026 11:54:03 AM

Testimony for HHS on 3/18/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Kent	Testifying for Commission to Promote Uniform Laws	Support	Written Testimony Only

Comments:

Aloha,

Thank you for the opportunity to testify in strong support of HB 1962, HD 2. I serve as one of the commissioners appointed from Hawai‘i to serve on the Uniform Law Commission and my testimony is about the sections of HB 1962, HD 2 that intersect with the Uniform Mediation Act, codified at Chapter 658H, Hawai‘i Revised Statutes.

Concerns were raised during the 2025 legislative session that inconsistent statutory language might lead to the inequitable application of HRS §658H-10. HB 1692, HD 2 has corrected the potential problem.

I urge Committee members to pass HB 1962, HD 2.

Elizabeth Kent



Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Senate Committee on Health and Human Services
Re: **HB1962 HD2 – Relating to Family**
Hawai'i State Capitol & Via Videoconference
March 18, 2026, 1:00 PM

Aloha Chair San Buenaventura, Vice Chair McKelvey, and members of the committee,

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **SUPPORT of HB1962 HD2**. This bill establishes an exemption from mediation in parentage proceedings where there are allegations of domestic abuse and clarifies the exemption from mediation in divorce proceedings as it relates to domestic abuse.

This bill reflects best practices encouraged by advocates and professionals working with survivors of domestic violence, who emphasize that legal processes must adapt to the realities of lived experience. It affirms that domestic violence survivors should not be compelled to engage in a process that could retraumatize them or compromise their and their children's safety.

Mandatory mediation can place a survivor in close contact with their alleged abuser, which can hinder fair outcomes regarding custody, parenting time, or child support. Allowing survivors to opt out of mediation protects them from potentially dangerous face-to-face encounters with their abuser and prioritizes the physical and emotional well-being of children who may also be at risk.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Thank you,

Nicole Woo
Director of Research and Economic Policy



March 3, 2026

Senator Joy A. San Buenaventura, Chair
Senato Angus L.K. McKelvey, Vice Chair
Committee on Health and Human Services

Re: H.B. 1962, H.D. 2, Relating to Family

Hearing: Wednesday, March 18, 2026, 2:00 PM, Conference Room 225 & Videoconference

Dear Chair San Buenaventura, Vice Chair McKelvey, and the Members of the Committee:

Hawaii Women Lawyers is a lawyer's trade organization that aims to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

Hawaii Women Lawyers submits testimony in support of H.B. 1962, H.D. 2, which advances vital protections for survivors of domestic abuse involved in family court proceedings. This measure ensures that mediation is never imposed on a party who alleges domestic abuse without their consent and safeguards that, when mediation does occur, it is conducted by trained professionals in a trauma-informed, survivor-centered manner.

Mandatory mediation in family court cases can re-traumatize survivors and perpetuate coercive dynamics when abuse has occurred. H.B. 1962, H.D. 2 recognizes this risk and codifies clear, safety-focused procedures: survivors must affirmatively authorize mediation, mediators must be trained to recognize abuse, and an attorney or support person may accompany the survivor. These provisions help ensure that survivors are not forced into potentially harmful processes and that they retain control over how to participate in legal proceedings affecting their families.

Women experience domestic abuse at disproportionately high rates and often face systemic barriers to safety and justice. This bill affirms their right to be heard in court without being compelled into unsafe or inappropriate mediation. It reflects a careful balance: protecting vulnerable individuals while preserving mediation as a valuable tool when appropriate.

For the above reasons, we support H.B. 1962, H.D. 2 and respectfully request that the Committee pass this measure.

Thank you for the opportunity to testify in support of this measure.



LATE

March 18, 2026

Members of the Senate Committee on Health & Human Services:

Chair Joy A. San Buenaventura
Vice Chair Angus L.K. McKelvey
Rep. Dru Mamo Kanuha
Rep. Jarrett Keohokalole
Rep. Kurt Fevella

Re: HB1962 HD2 Relating to Family

Dear Chair San Buenaventura, Vice Chair McKelvey, and Members of the Senate Committee on Health & Human Services:

The Hawai'i State Coalition Against Domestic Violence (HSCADV) mission is to unite Hawai'i to end all forms of domestic violence. We are a statewide partnership of domestic violence programs and shelters.

On behalf of HSCADV and our 20 member programs, I respectfully submit testimony in strong support of HB1962 HD2. We're grateful to the Legislature for taking important steps to protect survivors of domestic violence from being compelled into mediation in family court proceedings.

This bill appropriately recognizes the risks mediation can pose when domestic abuse is present by:

- ensuring survivors consent to engaging in mediation;
- mediators who work with survivors have been trained in the dynamics of domestic abuse; and
- reiterates that, under HRS §658H-10, a person may bring a lawyer or someone else they choose to mediation, and that person may participate in the mediation. Additionally, a waiver of participation, made before the mediation, may be rescinded.

These changes reflect the [Revised Hawai'i Guidelines for Mediators](#), endorsed by the Hawaii Supreme Court on May 6, 2025, which emphasize participant self-determination, mediators' competence, and mediation safety.

HB1962 HD2 also addresses concerns raised during the 2025 legislative session that inconsistent statutory language might lead to the inequitable application of

HSCADV Testimony HB1962 HD2

March 18, 2026

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HRS §658H-10. This measure references HRS §658H-10 and includes aligning its language with the statute to promote clarity, consistency, and fairness in how courts apply these protections.

Thank you for the opportunity to testify on this important matter.

Sincerely,

Angelina Mercado, Executive Director