



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

July 10, 2026

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on July 10, 2026, the following bill was signed into law:

H.B. NO. 1705, H.D. 1, S.D. 2 RELATING TO CHILD CUSTODY.
ACT 231

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D.".

Josh Green, M.D.
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO CHILD CUSTODY.

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

1 SECTION 1. The legislature finds that the State faces
2 significant challenges in providing timely and equitable child
3 custody evaluations for families engaged in family court
4 proceedings. Existing law authorizes certain mental health
5 professionals with master's degree-level training to serve as
6 child custody evaluators but does not extend this opportunity to
7 licensed mental health counselors. Licensed mental health
8 counselors possess equivalent graduate-level education,
9 training, and clinical expertise as their peers who are already
10 eligible to serve as child custody evaluators.

11 The legislature further finds that there is a high demand
12 for child custody evaluations across the State, resulting in
13 backlogs and extended wait times that delay critical decisions
14 impacting children's health, safety, and well-being. The
15 State's limited pool of qualified child custody evaluators
16 exacerbates these delays, as courts frequently struggle to



1 secure professionals who are available to take on new cases
2 promptly.

3 The legislature recognizes that child custody evaluations
4 are highly complex and require specialized mental health
5 training, clinical experience, and the ability to conduct
6 thorough investigations and provide accurate, unbiased reports
7 to the court. Licensed mental health counselors meet these
8 professional standards and are well-equipped to provide these
9 evaluations.

10 The legislature additionally finds that the State faces a
11 severe shortage of mental health professionals overall. By
12 excluding licensed mental health counselors from serving as
13 child custody evaluators, existing law unnecessarily restricts a
14 significant portion of the State's qualified workforce from
15 contributing to this critical area of need. This artificial
16 limitation on supply has also driven up the costs of child
17 custody evaluations, making them prohibitively expensive for
18 many families. These high costs can perpetuate inequities in
19 family court proceedings, including situations where one parent
20 may be unable to afford an evaluation, thereby placing them at a



1 disadvantage and potentially enabling patterns of financial or
2 coercive abuse.

3 Accordingly, the purpose of this Act is to allow licensed
4 mental health counselors to be appointed as child custody
5 evaluators in the State, thereby expanding the pool of qualified
6 professionals, reducing costs, alleviating delays, and ensuring
7 families have greater access to timely and equitable child
8 custody determinations.

9 SECTION 2. Section 571-46.4, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) Subject to subsection (c), a person may be appointed
12 as a child custody evaluator for purposes of section 571-46 if
13 the person is actively licensed as a:

14 (1) Marriage and family therapist under chapter 451J;

15 (2) Physician under chapter 453 and is a board certified
16 psychiatrist or has completed a residency in
17 psychiatry;

18 (3) Mental health counselor under chapter 453D;

19 [~~4~~] (4) Psychologist under chapter 465; or

20 [~~4~~] (5) Clinical social worker under section

21 467E-7(a)(3)."



- 1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 4. This Act shall take effect upon its approval.



H.B. NO. 1705
H.D. 1
S.D. 2

APPROVED this 10th day of July, 2026

A handwritten signature in black ink, appearing to read "Josh Green", written in a cursive style.

GOVERNOR OF THE STATE OF HAWAII

HB No. 1705, HD 1, SD 2

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 23, 2026
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2026.



Nadine K. Nakamura
Speaker
House of Representatives

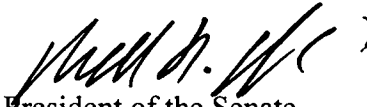


Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 14, 2026
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate
of the Thirty-Third Legislature of the State of Hawai'i, Regular Session of 2026.


President of the Senate


Clerk of the Senate