



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

Testimony to the Thirty-Third Legislature, 2026 Regular Session

House Committee on Human Services & Homelessness
Representative Lisa Marten, Chair
Representative Ikaika Olds, Vice Chair

Tuesday, February 10, 2026 at 9:30 a.m.
State Capitol, Conference Room 329 & Videoconference

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

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

Purpose: Establishes an exemption from mediation in parentage 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. The Judiciary notes that there are several substantially similar bills regarding exemptions from mediation in cases where there are allegations of domestic abuse: House Bill No. 1283 (companion Senate Bill No. 1520), House Bill No. 1962 (companion Senate Bill No. 2842), Senate Bill No. 2149, and Senate Bill No. 2513.

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



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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.

The Judiciary notes that Section 1 of the bill should refer to the recently passed 2025 Haw. Sess. Laws Act 298 (July 7, 2025), which repeals Hawai'i Revised Statutes ("HRS") Chapter 584 and is codified as HRS Chapter 584A. Also, any reference to Chapter 584 in the bill should be replaced with reference to Chapter 584A.

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



February 8, 2026

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

To: Representative Lisa Marten, Chair
Representative Ikaika Olds, Vice Chair
Members of the House Committee on Human Services & Homelessness

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

Re: Testimony in SUPPORT of HB1962, Relating to Family

Hearing: Tuesday, February 10, 2026, 9:30 a.m.
Conference Room 329, State Capitol

The Commission on the Status of Women is dedicated to advancing the rights, safety, and wellbeing of women and girls in Hawaii. Thank you for hearing this important bill. We stand in **support of HB1962**, 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 abuse. Survivors may feel unsafe or coerced into agreements that do not reflect their true interests or those of their children. HB1962 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 the exemption process is clear and accessible, so survivors are not burdened with unnecessary procedural hurdles while engaging with the legal system. The Commission also encourages continued training for court personnel to recognize and respond appropriately to allegations of domestic abuse in family law contexts. **HB1962 represents an important step toward a safer, healthier, and more just and equitable legal system for all families in Hawaii.**

I respectfully urge this Committee to **pass HB1962** and protect survivors of domestic violence from being compelled into mediation in family court proceedings.

Thank you for this opportunity to submit testimony.

Hawaii Women's Coalition

February 8, 2026

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

To: Representative Lisa Marten, Chair
Representative Ikaika Olds, Vice Chair
Members of the House Committee on Human Services & Homelessness

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

Re: Testimony in SUPPORT of HB1962, Relating to Family

Hearing: Tuesday, February 10, 2026, 9:30 a.m.
Conference Room 329, 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 bill and express our strong support of HB1962. 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;
- 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 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 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.

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



February 10, 2026

Members of the House Committee on Human Services & Homelessness:

Chair Lisa Marten
Vice Chair Ikaika Olds
Rep. Terez Amato
Rep. Daisy Hartsfield
Rep. Sue L. Keohokapu-Lee Loy
Rep. Gregg Takayama
Rep. Jenna Takenouchi
Rep. David Alcos III
Rep. Diamond Garcia

Re: HB1962 Relating to Family

Dear Chair Marten, Vice Chair Olds, and Members of the House Committee on Human Services & Homelessness:

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.**

We commend 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 also addresses concerns raised during the 2025 legislative session that inconsistent statutory language might lead to the inequitable application of HRS §658H-10. This measure references HRS §658H-10 and includes matching the language from 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

LATE

HB-1962

Submitted on: 2/9/2026 2:44:23 PM

Testimony for HSH on 2/10/2026 9:30:00 AM

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

Comments:

Aloha,

Thank you for the opportunity to testify in strong support of HB 1962. I serve as one of the commissioners appointed from Hawaii to serve on the Uniform Law Commission and my testimony is about the sections of HB 1962 that intersect with the Uniform Mediation Act, codified at Chapter 658H, Hawaii 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 1962 has corrected the potential problem.

I urge Committee members to pass HB 1962.

Elizabeth Kent

LATE

To: House Committee on Human Services & Homelessness
Re: **HB1962 – Relating to Family**
Hawai'i State Capitol & Via Videoconference
February 10, 2026, 9:30 AM

Dear Chair Marten, Vice Chair Olds, and Committee Members,

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

HB-1962

Submitted on: 2/9/2026 9:44:55 AM

Testimony for HSH on 2/10/2026 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn Costales Matsuoka	Individual	Support	Written Testimony Only

Comments:

The Sex Abuse Treatment Center supports HB1962 in an effort to afford additional protection and support to domestic abuse survivors during mediation divorce proceedings.