

A Bill for an Act Relating to Jurisdiction of the Family Court.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 571-11, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 571-11 Jurisdiction; children, minors.** Except as otherwise provided herein, the court shall have exclusive original jurisdiction in proceedings:

- (1) Concerning any child who is alleged to have violated or attempted to violate any federal, state, or local law or municipal ordinance, regardless of where the violation occurred; or any minor alleged to have violated or attempted to violate any federal, state, or local law or municipal ordinance prior to having become eighteen years of age. The minor shall be dealt with under the provisions of this chapter relating to children. Jurisdiction may be taken by the court of the circuit where the minor is living or found, or in which the offense is alleged to have occurred.
- (2) Concerning any child living or found within the circuit
  - (A) who is neglected as to proper or necessary support, or education as required by law, or as to medical or other care necessary for his well-being, or who is abandoned by his parent or other custodian; or
  - (B) whose environment is injurious to his welfare, or whose behavior is injurious to his own or others’ welfare; or
  - (C) who is beyond the control of his parent or other custodian.
- (3) To determine the custody of any minor or appoint a guardian of the person of any minor.
- (4) For the adoption of a person under chapter 578.
- (5) For the termination of parental rights under sections 571-61 to 571-63.
- (6) For judicial consent to the marriage, employment, or enlistment of a minor, when such consent is required by law.

- (7) For the treatment or commitment of a mentally defective, mentally retarded, or mentally ill minor.
- (8) Under the Interstate Compact on Juveniles under chapter 582.”

SECTION 2. Section 571-22(a) is hereby amended to read as follows:

“**Sec. 571-22 Waiver of jurisdiction; transfer to other courts.** (a) The court may waive jurisdiction and order a minor held for criminal proceedings after full investigation and hearing when:

- (1) A child sixteen years of age or over is alleged to have committed an act which would constitute a felony if committed by an adult, or,
- (2) A minor eighteen years of age or over is alleged to have committed an act prior to reaching the age of eighteen which act would be a crime if committed by an adult and the court finds there is no evidence the child or minor is committable to an institution for the mentally defective or retarded or the mentally ill, is not treatable in any available institution or facility within the State designed for the care and treatment of children, or that the safety of the community requires that the child or minor continue under restraint for a period extending beyond his minority.”

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

SECTION 4. This Act shall take effect upon its approval.  
(Approved June 13, 1970.)

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\* Edited accordingly