

## ACT 4

S.B. NO. 2310

A Bill for an Act Relating to Domestic Abuse Protective Orders.

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

SECTION 1. The legislature finds that mutual orders of protection are protective orders issued against both parties to a dispute. Usually mutual protective orders are issued after one of the parties petitions for a protective order. While protective orders are intended to protect a victim of abuse from imminent threat of abuse or further domestic abuse, mutual protective orders can present a variety of problems that may be contrary to the purpose of a protective order.

Mutual protective orders may trivialize the domestic abuse and may place blame on the victim rather than hold the abuser accountable. Instead, the victim may be stigmatized by the mutual protective order.

The purpose of this Act is to prohibit the court from granting mutual protective orders unless separate petitions are filed.

SECTION 2. Chapter 586, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§586- Mutual protective orders.** No protective order shall be entered against the plaintiff in the same petition unless:

- (1) The respondent properly files a separate petition; and
- (2) The plaintiff has reasonable notice of the filing of the separate petition.”

SECTION 3. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Approved April 11, 2016.)

**Note**

1. Edited pursuant to HRS §23G-16.5.