

STAND. COM. REP. NO.

1298

Honolulu, Hawaii

APR 15 2011

RE: S.C.R. No. 113  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.C.R. No. 113 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII SUPREME  
COURT STANDING COMMITTEE ON THE RULES OF EVIDENCE TO STUDY  
AND REPORT ON THE IMPLEMENTATION OF THE HAWAII UNIFORM  
COLLABORATIVE LAW ACT,"

begs leave to report as follows:

The purpose and intent of this measure is to request that the  
Hawaii Supreme Court Standing Committee on the Rules of Evidence  
conduct a study on the implementation of the Hawaii Uniform  
Collaborative Law Act.

Your Committee received testimony in support of this measure  
from the Commission to Promote Uniform Legislation. Your  
Committee received comments on this measure from the Judiciary.

Your Committee finds that collaborative law is a form of  
alternative dispute resolution. Specifically, collaborative law  
is a voluntary process in which the lawyers and their clients  
agree that the lawyers will represent their clients solely for the  
purposes of settlements and that the clients will hire new counsel  
if the dispute is not settled. Your Committee understands that  
House Bill No. 626 (2011) was heard by the House Committee on  
Judiciary, which deferred the bill in response to a request from  
the Judiciary so that the measure could be reviewed by the Hawaii  
Supreme Court Standing Committee on the Rules of Evidence. This

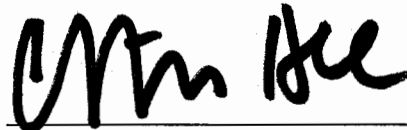


measure represents the Legislature's request for this review to occur.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 113, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 113, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



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CLAYTON HEE, Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SCR 113</b>	Committee Referral: <b>JDL</b>	Date: <b>4/14/11</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes