

JAN 22 2016

A BILL FOR AN ACT

RELATING TO DOMESTIC ABUSE PROTECTIVE ORDERS.

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

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

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

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



S.B. NO. 2310

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

4 "§586- Mutual protective orders. No protective order
 5 shall be entered against the plaintiff in the same petition
 6 unless:

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

10 SECTION 3. New statutory material is underscored.

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

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S.B. NO. 2310

Report Title:

Domestic Abuse; Mutual Protective Orders

Description:

Prohibits the court from granting mutual protective orders unless separate petitions are filed.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

