

STAND. COM. REP. NO. **2158**

Honolulu, Hawaii

**FEB 09 2018**

RE: S.B. No. 2344  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2344 entitled:

"A BILL FOR AN ACT RELATING TO AUTOMATIC RESTRAINING ORDERS,"

begs leave to report as follows:

The purpose and intent of this measure is to automatically impose a restraining order upon parties filing for annulment, divorce, or separation to preserve the financial assets of the parties and their dependents.

Your Committee received testimony in support of this measure from Maui County Councilmember Yuki Lei Sugimura. Your Committee received testimony in opposition to this measure from the Domestic Violence Action Center and one individual.

Your Committee finds that family court congestion can be reduced by providing for orders that automatically take effect when parties file for annulment, divorce, or separation. Automatically imposed restraining orders to preserve the financial assets of parties and their dependents will help to create a more level playing field for unrepresented parties, parties who are unfamiliar with the court system and unaware of their legal rights and obligations, and parties who have a significant disparity in finances and resources. Your Committee has heard testimony expressing diverse concerns with this measure, and encourages



further discussion and consensus among stakeholders as this measure proceeds through the legislative process.

Your Committee has amended this measure by inserting an effective date of July 1, 2035, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2344, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2344, S.D. 1, and be placed on the calendar for Third Reading.

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

  
BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 2344</b>	Committee Referral: <b>JDC</b>	Date: <b>2/6/18</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				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<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