

Honolulu, Hawaii

, 2020

FEB 14

RE: H.B. No. 2550

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2550 entitled:

"A BILL FOR AN ACT RELATING TO THE FAMILY COURT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expedite the appeals from the Hawaii family court orders by making the orders appealable directly to the Hawaii Supreme Court instead of the Hawaii Intermediate Court of Appeals;
- (2) Require the Supreme Court to render a final decision on appeals from the family court orders within one hundred eighty days; and
- (3) Encourage a reduction in the number of remands from the Supreme Court to the family courts.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from the Judiciary.

Your Committee finds that the delays experienced by parents and children while awaiting the disposition of appeals from family



court decisions arguably violate the Due Process Clauses of the state and federal constitutions. Indeed, delays conflict with the stated mission of the family court "to provide a fair, speedy, economical, and accessible forum for the resolution of matters involving families and children".

Your Committee further finds that delays can result in unacceptable incongruities if the matter to be decided becomes moot while the appeal is pending, such as when a child reaches the age of majority before the child custody decision is finally made.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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 H.B. No. 2550, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2550, H.D. 1, and be referred to your Committee on Finance.

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



CHRIS LEE, Chair



