



The Judiciary, State of Hawai‘i

Testimony to the House Committee on Agriculture

Representative Richard P. Creagan, Chair

Representative Lynn DeCoite, Vice Chair

Friday, February 3, 2017 at 8:30 a.m.

State Capitol, Conference Room 312

WRITTEN TESTIMONY ONLY

By

Judge R. Mark Browning
Senior Judge, Deputy Chief Judge
Family Court of the First Circuit

Bill No. and Title: House Bill No. 155, Relating to Animals

Purpose: Provides for the support, maintenance and custody of pets during divorce, annulment, and separation proceedings.

Judiciary's Position:

The Judiciary takes no position on this bill but wishes to point out possible problem areas.

1. While we understand and appreciate the attachment people can develop for their pets, this bill gives dogs, cats, domesticated rabbits, guinea pigs, domesticated pigs, and caged birds (“pets” defined according to statute) a status equal to spouses and children (note that the bill lists pets before children in certain sections). This may result in unintended consequences, particularly when limited family resources must be allocated.

2. It may be necessary to include a clear definition of “ownership” of a pet. Additionally, that definition should be used consistently (*cf.* the various terms used for ownership at pages 2, 7, and 8).



House Bill No.155, Relating to Animals
House Committee on Agriculture
Friday, February 3, 2017 at 8:30 a.m.
Page 2

3. This bill (page 7) allows the parties to reserve jurisdiction to deal with pet issues post-divorce. Post-divorce issues consume court resources disproportionately. Adding pets as a possible issue to reserve for continuing litigation will cut into those already scarce resources that often involve children

Thank you for the opportunity to testify on this measure.