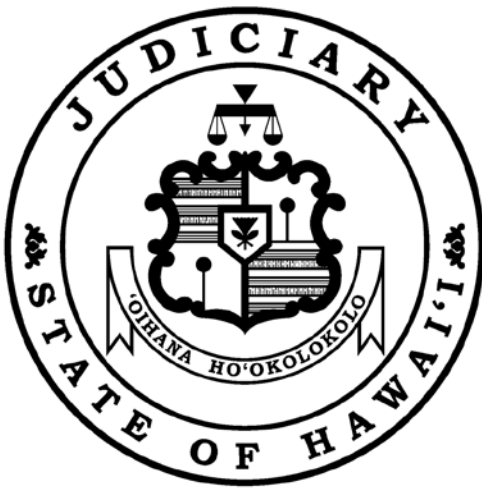


REPORTS TO THE TWENTY-SEVENTH LEGISLATURE
SUBMITTED BY THE
OFFICE OF THE ADMINISTRATIVE DIRECTOR OF THE COURTS
THE JUDICIARY, STATE OF HAWAII



DECEMBER 2012

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II. Act 162, Session Laws of Hawaii 2002, HRS § 577-7.513

Report on parental preferences in government contracts.

III. Act 274, Session Laws of Hawaii 1997, HRS § 607-5.615

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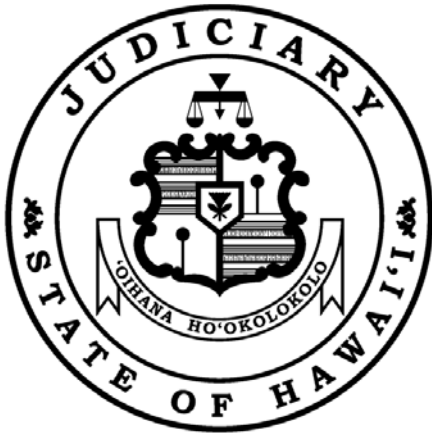
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ANNUAL REPORT TO THE TWENTY-SEVENTH LEGISLATURE

ON ACT 40, SESSION LAWS OF HAWAII 2004 HRS §601-21

A Report on Statewide Substance Abuse Treatment Monitoring Program



Prepared by:

Adult Client Services Branch, First Circuit

The Judiciary, State of Hawaii

December 2012

A Report on Act 162, Session Laws of Hawaii 2002

Act 162, SLH 2002 provides that Judiciary contracts, programs, and services shall not favor one parent over the other in terms of child rearing and that the Judiciary provides annual report to the Legislature.

We report that the Judiciary program administrators, program specialists and contracting officers are continuing to monitor their contracts to ensure compliance with this act. In addition to using standard contract boilerplates, our Judiciary staff attorney assures compliance with all applicable laws by reviewing these contracts prior to finalization. None of our policies and procedures in the contracting of individuals or groups providing contractual services to the Judiciary has ever reflected in the past, nor will they ever reflect in the future, any parental preference.

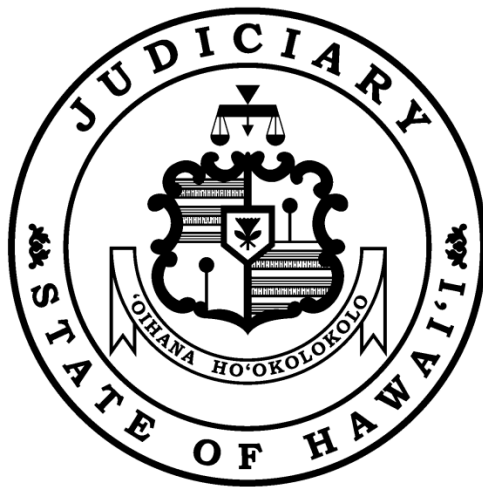
ANNUAL REPORT TO THE TWENTY-SEVENTH LEGISLATURE

ON

ACT 274, SESSION LAWS OF HAWAII 1997

HRS §607-5.6

A Report on the Parent Education Special



Fund

Prepared by:

Family Court, First Circuit

The Judiciary

December 2012

A Report on the Parent Education Special Fund

Act 274, Session Laws of Hawaii, 1997, requires the Judiciary to submit a report on the Parent Education Fund.

The Parent Education Special Fund was established by the 1997 Legislature, State of Hawaii, through Act 274. On May 2, 2003 H.R.S. 607-5.6 was amended to increase the Fund's surcharge to \$50 for family court matrimonial cases and to add the surcharge to paternity actions.

The Purpose of the Fund

Parents attending the Kids First parent education programs in Hawai'i are encouraged to refocus on their children's needs and to see how continued fighting negatively impacts their family. The families are given island-specific parent handbooks containing resources for counseling, domestic violence, parenting classes, and anger management classes. They watch the award winning Purple Family video, and are encouraged to mediate rather than litigate their custody conflicts. The program also assists minor children (ages 6 to 17) cope with their parents' separation. Children learn that they are not the cause of their parents' divorce, that parents do not divorce their children, and that their family is not the only one going through a separation. Through mock trials teens learn about the court system. They are given resource materials and encouraged to seek counseling if they are depressed or angry about the separation.

Current Programs

Each Circuit has a parent education program for separating and divorcing parents and their minor children (ages 6 – 17).

Table 1 Total Attending Parent Education for Separating and Divorcing Parents

Judicial Circuit	Adults Attending	Children Attending	2011 Total Attending
First (Oahu)	2,899	1,575	4,474
Second (Maui)	477	279	756
Third (Hilo)	198	146	344
Third (Kona)	152	115	267
Fifth (Kauai)	182	105	287
Total:	3,908	2,220	6,128

Never-married parties contesting custody or visitation are also included in the Kids First program to teach them co-parenting skills. In 2011 on Oahu 4,096 new marital actions (divorce) were filed, half of which included families with minor children. Additionally 1,343 paternity (unmarried parents) petitions were filed. Approximately 42% of Oahu's paternity cases involve contested custody or visitation issues. The remaining cases are filed by the Child Support Enforcement Agency (CSEA) seeking child support reimbursement. The Oahu program alternates the program weekly between the Honolulu First Circuit Court and the Ronald T.Y. Moon Kapolei Court Complex.

The percentage of divorce filings in each Circuit mirrors each island's population. The vast majority of the state's cases are on Oahu where 70% of the divorces and 65% of the paternity cases are filed. During 2011, the Oahu Kids First divorce program assisted 4,474 individuals (2,899 adults and 1,575 children).

The paternity calendar consisting of unmarried families with children continues to expand. Currently in Hawai'i, over 41% of children are born to unmarried parents; this is comparable to the national average. In Hawai'i 51% of mothers under age 30 are unmarried. Of the 1,343 paternity cases filed last year on O'ahu, 565 were private (non-CSEA cases). These cases involve child custody or visitation disputes.

Statewide, 100 parent education sessions were held, serving 3,908 adults and 2,220 children. Statewide revenue decreased \$4,600 (92 fewer families paid the surcharge) and interest decreased \$3,713 for a total of \$1,655.

On O'ahu, approximately 12% of families attending have active restraining orders and one-third of all divorces are filed by military personnel.

All parents are told:

- Children will thrive if they live in safe homes and are loved by both parents.
- Family violence is never appropriate and is extremely harmful to children.
- The court takes into account the safety of victims and children in making custody and visitation decisions.

Judicial Circuit 2011	Census Population	Population %	Divorces Filed #	Divorce %	Paternity Filed #	Paternity %
First (Oahu)	963,607	70	4,096	72	1,343	65
Second (Maui)	156,674	11	682	12	214	11
Third (Kona, Hilo)	186,738	14	642	11	415	20
Fifth (Kauai)	67,701	5	267	5	82	4
Total:	1,374,720	100%	5,687	100%	2,054	100%

Table 4

Financial Status of the Fund

The Parent Education Special Fund began collecting filing fee surcharges and donations on July 1, 1997. The attached financial report reflects the thirteenth year of collections. The Parent Education Fund continues to support all five of the Judiciary's parent education programs.

Table 2 Financial Status of Parent Education Special Fund

THE JUDICIARY						
PARENT EDUCATION SPECIAL FUND						
FY 2011-2012						
OBJECT						
CODE	DESCRIPTION	AMOUNTS				
		FIRST CIRCUIT	SECOND CIRCUIT	THIRD CIRCUIT	FIFTH CIRCUIT	TOTAL
	REVENUES					
0288	INTEREST	1,655				1,655
0763	SURCHARGE	106,750	14,250	12,350	5,800	139,150
	TOTAL REVENUES	108,405	14,250	12,350	5,800	140,805
	OTHER CURRENT EXPENSES & ENCUMBRANCES					
2902	SECURITY SERVICES	11,837	3,196		2,298	17,331
3204	DUPLICATING SUPPLIES	0				0

3206	DATA PROCESSING SUPPLIES	641				641
3209	OTHER STATIONERY AND OFFICE SUPPLIES	3,227				3,227
3301	FOOD SUPPLIES	5,906			814	6,720
3430	OTHER MATERIAL AND SUPPLIES	24				24
3501	DUES					218
3701	POSTAGE	617				617
3901	PRINTING AND BINDING	916				916
4201	TRANSPORTATION INTRA - EMPLOYEES	0				0
4301	SUBSISTENCE INTRA - EMPLOYEES	0				0
4401	TRANS OUT OF STATE - EMPLOYEES	808				808
4402	TRANS OUT OF STATE - OTHERS	0				0
4501	SUBSISTENCE OUT OF STATE - EMPLOYEES	6,636				6,636
4502	SUBSISTENCE OUT OF STATE - OTHERS	2,700				2,700
4601	HIRE OF PASSENGER CARS - EMPLOYEES	100				100
4602	HIRE OF PASSENGER CARS - OTHERS	0				0
5503	OTHER RENTALS (PARKING PASS)	300				300

6619	OTHER PUBLIC SUPPORT & ASSISTENCE	2,360				2,360
7131	INTERPRETER FEES	1,967				1,967
7198	OTHER SERVICES ON FEE BASIS	46,672	11,250	12,188	4,600	74,710
7204	SPECIAL FUND ASSESSMENT (ACT 34, SLH 1964)	7,423				
7205	TRAINING COSTS AND REGISTRATION FEES	2,575				2,575
7215	OTHER MISC CURRENT EXP	4,594				4,594
7711	CHAIRS	13,000				13,000
7300	INTEREST	0		6		6
	TOTAL OTHER CURRENT EXPENSES	112,521	14,446	12,194	7,712	146,873

ANNUAL REPORT TO THE TWENTY-SEVENTH LEGISLATURE

ON

ACT 232, SESSION LAWS OF HAWAII 1994

HRS §601-3.6

A Report on the Spouse and Child Abuse Special Account



Prepared by:

Circuit Court, First Circuit

The Judiciary, State of Hawaii

December 2012

A Report on the Spouse and Child Abuse Special Account

This report is prepared pursuant to Act 232, Sessions Laws of Hawaii 1994, HRS § 607-3.6, which requests a report on the Spouse and Child Abuse Special Account.

The Spouse and Child Abuse Special Account, placed in the Judiciary, was created by the Legislature, State of Hawaii, in 1994 for the purpose of developing and/or expanding new and existing programs. The scope of the Judiciary's Special Account may include, but is not limited to, grants or purchases of services which support or provide domestic violence or child abuse intervention or prevention, as authorized by law, and staff programs, as well.

The Judiciary's Special Account is financed through a portion of the monies collected by the Department of Health from the issuance of birth, death, and marriage certificates. In addition, any fines collected pursuant to Hawaii Revised Statutes Chapter 586-11 (Violation for an Order of Protection) and contributions from state tax refunds are deposited into the Judiciary's Special Account.

PROGRAMS AND ACTIVITIES FUNDED THROUGH THE SPOUSE AND CHILD ABUSE SPECIAL ACCOUNT

The Judiciary's Special Account continued to provide monies which funded a broad range of programs, projects and activities statewide that addressed the intervention and/or prevention of domestic violence and child abuse. The process of determining which services, programs and activities received funding involved a combination of internal planning within the Judiciary, and when appropriate, the input and collaboration from private and public stakeholders in the community.

During the Fiscal Year (FY) 2011-2012, a total of \$502,910 was expended.

The following programs, projects and activities were funded by the Judiciary's Special Account:

PURCHASE OF SERVICE PROGRAMS

The following nonprofit organizations received funding to provide or supplement their contracted services with the Judiciary:

Child and Family Services/Developing Options to Violence

- The Developing Options to Violence Program in the First Circuit (Oahu) provided specialized domestic violence intervention services to 15 juveniles adjudicated for the abuse of a family or household member, or involved in intimate partner violence. These services were often extended to family members of the juveniles, as well.

Child and Family Services/Turning Point for Families

- The Turning Point for Families Program in the Third Circuit (island of Hawaii) received funds to provide for partial restoration of core services impacted by budget reductions, for victims filing for temporary restraining orders. The specific services included assistance in preparation of petitions, accompaniment to court hearings, development of safety plans, and advocacy.

Domestic Violence Action Center

- Specialized advocacy services were provided to victims of intimate partner violence in the First Circuit (Oahu). The services were targeted to victims who were filing for temporary restraining orders, and included risk assessments, development of safety plans, information and referrals, accompaniment to court proceedings, and advocacy.

Island of Hawai'i YMCA

- The Family Visitation Center program in East Hawaii provided supervised child visitation and exchange services primarily for court-referred families involved in domestic violence and other high conflict situations. The funding from the Special Account combined with monies from a Federal grant was the sole funding for this program which is the only service of its kind on the island of Hawaii.

Parents and Children Together/Family Peace Center

- Funding for the Family Peace Center program in the First Circuit (Oahu) permitted the continuation of such core services to domestic violence victims and children, such as conducting risk assessments, development of safety plans, advocacy, counseling and support groups for adult victims, and counseling for children exposed to intimate partner violence.

Parents and Children Together/Family Visitation Centers

- Special Account funds were used in the First Circuit (Oahu) and Fifth Circuit (Kauai) to provide supervised child visitation and exchanges, primarily to court referred families involved in domestic violence and other high conflict situations. The majority of families had temporary restraining orders or permanent orders of protection, which prohibited contact between the child/ren and the non-custodial parent, except at the visitation center.

YWCA of Kauai

- Funds from the Special Account allowed the YWCA of Kauai to provide domestic violence interventions to juveniles who had been adjudicated for abuse of a family or household member, or who were involved in intimate partner violence.

During FY 12, a total of \$467,591 was used to purchase these domestic violence intervention services.

FEDERAL GRANT PROJECTS

Matching funds from the Judiciary Special Account were used for the federally funded Judiciary grant projects listed below:

- State Access and Visitation Program Grant was awarded to the Judiciary, State of Hawaii, by the U.S. Department of Health and Human Services, and was used to provide supervised child visitations and exchanges in a safe and neutral setting. Services were provided on the islands of Oahu and Hawai'i, with priority given to families referred by the courts for domestic violence, or other high conflict situations. Matching funds in excess of the required 10% match were provided in response to the high volume of referrals received by the contracted non-profit organizations. (The grant award was \$100,000 and the Judiciary allocated \$68,000 in matching funds.)
- STOP Violence Against Women Act (VAWA) Grant from the U.S. Department of Justice and administered by the state of Hawai'i, Department of the Attorney General, was awarded to the Judiciary. A 25% match was required for this grant, entitled "The Impact of Domestic Violence on Victims". While the majority of funds had been used in the previous fiscal year, a remaining amount during this reporting period allowed the Judiciary to send two judges to "Enhancing Judicial Skills in Domestic Violence Cases", a nationally acclaimed judicial institute sponsored by the National Council on Juvenile and Family Court Judges and the Family Violence Prevention Fund. Preference was given to new judges who had a specialized domestic violence docket, or whose calendar had a significant number of domestic violence cases. Of the two judges, one was from Oahu and the other from Kauai.

TRAINING/MEETINGS, ETC.

Each year, a portion of the Special Account is used to provide for training of judges, staff, and community partners, both public and private. During FY 2012, funds from the Special Account were used to sponsor, or supplemented other funds, to offer domestic violence training for per diem judges in the Family Court on Oahu, the annual Family Court Symposium, and training on a new Federal law, the

Prison Rape Elimination Act. In addition, Judiciary staff was able to participate in conferences on domestic violence or child abuse that were offered in Hawai'i.

Expenses for the grant coordinator of the State Access and Visitation Grant to attend the mandatory annual meeting in Washington, D.C. were supported by the Special Account.

Other expenditures for the Special Account included purchasing of publications on domestic violence and sexual assault, paying costs for monitoring the grant project on Hawaii Island, scanning of child welfare service cases, covering the maintenance costs for a domestic violence offender database, and purchasing video conferencing equipment for the Ronald T.Y. Moon Court Complex in Kapolei.

SPECIAL FUND ASSESSMENT

Costs to administer the Special Account, pursuant to Act 34, Session Laws of Hawaii 1994, amounted to \$20,986 for FY 2012.

SUMMARY

The Judiciary's Spouse and Child Abuse Special Account continues to enable the Judiciary to develop and maintain a proactive stance in responding to the areas of domestic violence and child abuse and neglect in the state of Hawaii. One of the major strengths in the establishment of the Special Account has been the discretion given to the Judiciary which has encouraged and allowed funding for a comprehensive range of services and activities, something that would not have been possible otherwise. As a result, services for victims of domestic abuse and child abuse have been maintained and improved, as well as the promotion of effective and appropriate interventions for batterers.

The Judiciary remains committed to using the monies from the Special Account to promote the safety and well-being of domestic violence victims and other family members, as well as abused and neglected children and the community at large.

SPOUSE & CHILD ABUSE SPECIAL FUND

EXPENDITURES & ENCUMBRANCES FOR THE FISCAL YEAR 2011-2012

AS OF 11/09/12

PERSONAL SERVICES

2003	ORDINARY OT – PERM	2,805
2004	ORDINARY OT– NON-PERM	57
2021	IMPOSED CONTRIBUTION	1,689
2023	PER DIEM JUDGES	1,387
	TOTAL PERSONAL SERVICES	<u>5,938</u>

OTHER CURRENT EXPENSES

3206	DATA PROCESSING SUPPLIES	45
3209	OTHER OFFICE SUPPLIES	252
3301	FOOD SUPPLIES	3,800
3430	OTHER MATERIALS AND SUPPLIES	2,980
3502	SUBSCRIPTIONS	527
4201	TRANSPORTATION, INTRA-STATE – EMPLOYEES	617
4202	TRANSPORTATION, INTRA-STATE – OTHERS	0
4301	SUBSIST ALLOWANCE, INTRA-STATE – EMP	265
4302	SUBSIST ALLOWANCE, INTRA-STATE – OTHERS	0
4401	TRANSPORT, OUT-OF-STATE – EMPLOYEES	1,850
4402	TRANSPORTATION, OUT-OF-STATE – OTHERS	0

4501	SUBSIST ALLOW, OUT-OF-STATE – EMPLOYEES	2,760
4502	SUBSIST ALLOW, OUT-OF-STATE – OTHERS	0
4601	HIRE OF PASSENGER CARS – EMPLOYEES	100
4602	HIRE OF PASSENGER CARS – OTHERS	0
5701	OTHER RENTALS	0
6609	PURCHASE OF SERVICES CONTRACTS	454,591
7198	OTHER SERVICES ON FEE BASIS	3,600
7204	SPECIAL FUND ASSESSMENT (ACT 34, SLH 1964)	20,986
7025	TRAINING COSTS AND REGISTRATION FEES	368
7215	OTHER MISC CURRENT EXP	794
7300	INTEREST	8
	TOTAL OTHER CURRENT EXPENSES	<u>493,543</u>

EQUIPMENT

7712	DESKS	0
7713	FILES AND CABINETS	0
7725	OTHER OPTICAL EQUIPMENT	2,225
7739	OTHER ACOUSTICAL EQUIPMENT	0
7751	DATA PROCESSING SOFTWARE	301
7752	DATA PROCESSING EQUIPMENT	903
	TOTAL EQUIPMENT	<u>3,429</u>

TOTAL EXPENDITURES 502,910

