STAND. COM. REP. NO. 2849

Honolulu, Hawaii FFR 2 9 2008

RE: S.B. No. 2730

S.D. 2

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

## Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2730, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD PROTECTION,"

begs leave to report as follows:

The purpose of this measure is to establish a preference for grandparents or family members, when making out of home placements for children needing child protective services.

Your Committee received testimony in support of this measure from the Department of Human Services, the Office of Hawaiian Affairs, EPIC Ohana Conferencing, a former foster child, and a set of grandparents of former foster children. Comments on the measure were submitted by the Legal Aid Society of Hawaii and the Judiciary.

Your Committee finds that preserving relationships with family members is crucial to a child's sense of safety, development, and well being. Accordingly, when children cannot be safely returned home to their parents, child welfare professionals should seek out and consider relatives who are willing and able to provide support and care. This includes seeking out blood relatives, such as grandparents, and hanai and lawe hanai parents.

Additionally, your Committee recognizes that relatives applying for foster custody need timely responses regarding their applications, and if their applications have been denied, the

specific reasons for the denial, as well as information about how to proceed from there.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the purpose section;
- (2) Defining "relative", "lawe hanai parent" and "hanai parent";
- (3) Requiring an out of home placement preference for appropriate "relatives", as defined;
- (4) Requiring that reasonable efforts be made to identify all appropriate relatives within six months of departmental assumption of foster custody of a child;
- (5) Requiring, in finding a safe family home, consideration of the child's extended family support system, including hanai and lawe hanai parents, and the attempts that have been made to find this support system;
- (6) Requiring written departmental response, within sixty days, to inquiries regarding a relative's foster placement application, and if a denial was rendered, the inclusion of the reasons for the denial and administrative appeal information; and
- (7) Making technical, nonsubstantive amendments for the purposes of consistency, clarity, and style.

Your Committee also finds that relatives should be identified early in the child welfare process and that interested relatives should be provided with timely information regarding the foster parent that is being involved in the child's life.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2730, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2730, S.D. 2.

STAND. COM. REP. NO. 2869

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

BRIAN T. TANIGUCHI, Chair

## The Senate Twenty-Fourth Legislature State of Hawaii

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:			Date:	
SB 2730 SD1	HSP,	JDL		2-27	1-08
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)		V			/
HEE, Clayton (VC)					
GABBARD, Mike		V			
KOKUBUN, Russell S.					
NISHIHARA, Clarence K.	nderest for black to take the forest of the				
SLOM, Sam					
	ivanna kiltelyälyinyintäy				
TOTAL		4	. 1994	***************************************	2_
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes