

Honolulu, Hawaii

JAN 31, 2020

RE: H.B. No. 1978
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 Human Services & Homelessness, to which was referred H.B. No. 1978 entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL IMMIGRANT JUVENILE STATUS,"

begs leave to report as follows:

The purpose of this measure is to empower the Family Court, as required under the federal Immigration and Nationality Act (Act), to hear motions for awarding custody or guardianship of immigrant children under the age of twenty-one who have been abused, neglected, or abandoned before the age of eighteen, for purposes of granting them Special Immigrant Juvenile Status under the Act.

Your Committee received testimony in support of this measure from The Judiciary, Department of Human Services, Filipina Advocacy Network, Filipinos for Affirmative Action, The Legal Clinic Hawaii, Volunteer Legal Services Hawaii, and several individuals.

Your Committee finds that Special Immigrant Juvenile Status is a designation under federal law that protects immigrant children who have been abused, neglected, or abandoned. In order for an immigrant child to gain the Special Immigrant Juvenile Status, a juvenile court must make findings of fact, including:




that it is not in the best interests of the immigrant child to be returned to the immigrant child's previous country of nationality; that reunification with a parent is not viable due to abuse, neglect, or abandonment; and that the immigrant child is a dependent. Once a juvenile court has completed these findings, the immigrant juvenile may apply for permanent legal residence in the United States. This measure clarifies that the Family Courts of the State have jurisdiction to make such critical determinations.

Your Committee has amended this measure by changing the effective date to December 31, 2059, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1978, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1978, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Homelessness,


JOY A. SAN BUENAVENTURA, Chair



