

JAN 23 2025

A BILL FOR AN ACT

RELATING TO CHILD WELFARE SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the malama ohana
2 working group established by Act 86, Session Laws of Hawaii
3 2023, was tasked with recommending transformative changes to the
4 State's existing child welfare system. For fifteen months, the
5 seventeen working group members, who represented those serving
6 youth, as well as youth and families throughout the State,
7 together with hundreds of community members, opened their hearts
8 and listened deeply to the stories of lived experience in the
9 child welfare system. They worked to develop recommendations to
10 establish a child welfare system that is trauma-informed,
11 sustains a community-based partnership, and responds to the
12 needs of children and families in the system and the community.

13 The legislature further finds that the results of this work
14 was a powerful vision for transforming how Hawaii supports
15 families and protects children. Among the many recommendations
16 to move towards this vision was to strengthen the family court
17 process for child welfare cases. These would include reducing



1 delays in court proceedings, using specialty courts where
2 applicable, and ensuring access to excellent legal
3 representation for relatives of youth in the system as well as
4 for the youth themselves. Some youth reported feeling they were
5 given no information about their case and their family, and that
6 they were left out of the decision making process. They claimed
7 they were disregarded when they reported that they were unsafe,
8 and did not feel their rights were protected.

9 Accordingly, the purpose of this Act is to establish a
10 working group to improve family court processes, including
11 access to legal representation for youth in the child welfare
12 system.

13 SECTION 2. (a) There is established within the judiciary
14 for administrative purposes a working group for legal services
15 for youth in the child welfare system.

16 (b) The working group shall:

17 (1) Review and consider pathways for implementation of
18 recommendations of the malama ohana working group,
19 established pursuant to Act 86, Session Laws of Hawaii
20 2023, as they relate to the court process, including
21 counsel for youth;



1 (2) Examine practices in other jurisdictions that provide
2 different forms of legal services for foster youth and
3 conduct site visits to selected jurisdictions in other
4 States to identify possible practices to implement in
5 the State.

6 (c) The working group shall be comprised of the following
7 members:

8 (1) One district family court judge of the first circuit
9 and one district family court judge from any other
10 circuit, who shall serve as co-chairs and invite the
11 additional members to participate in the working group;

12 (2) A supreme court justice or the justice's designee;

13 (3) Members of the judiciary who served or currently serve
14 on the child welfare court calendar;

15 (4) A representative from the family law division of the
16 department of the attorney general;

17 (5) A representative who serves as a guardian ad litem in
18 child welfare cases;

19 (6) A representative from the William S. Richardson School
20 of Law at the university of Hawaii at Manoa;



1 (7) Two representatives of the malama ohana working group,
2 who shall be designated by the former co-chairs of the
3 working group;

4 (8) A representative from the HI H.O.P.E.S. Youth
5 Leadership Boards of the HI H.O.P.E.S. Initiative
6 under EPIC 'Ohana, Inc.;

7 (9) Three or more experts with lived expertise in
8 navigating the state child welfare system while
9 minors; and

10 (10) A parent with lived experience in the state child
11 welfare system.

12 (d) The working group shall submit a report of its
13 findings and recommendations, including any proposed
14 legislation, to the legislature no later than twenty days prior
15 to the convening of the regular session of 2026. The report
16 shall include plans for a pilot program to test a model for
17 delivering counsel services to youth of a selected age range in
18 a selected jurisdiction within the State.

19 (e) The working group shall cease to exist on June 30,
20 2026.



1 SECTION 3. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2025-2026 for
4 the working group established pursuant to this Act.

5 The sum appropriated shall be expended by the judiciary for
6 the purposes of this Act.

7 SECTION 4. This Act shall take effect on July 1, 2025.

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INTRODUCED BY: _____

Karl Rhoads



S.B. NO. 1228

Report Title:

Judiciary; Child Welfare System; Working Group; Appropriation

Description:

Establishes a working group for legal services for youth in the child welfare system within the judiciary. Appropriates funds for the working group.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

