



TESTIMONY IN SUPPORT OF HOUSE BILL 1705
RELATING TO CHILD CUSTODY

Senate Committee on Human Services & Homelessness
Hawai'i State Capitol

February 3, 2026

9:00 AM

Room 329

Aloha e Chair Marten, Vice Chair Olds, and Members of the House Committee on Human Services and Homelessness:

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB1705** which authorizes licensed mental health counselors (LMHCs) to serve as court-appointed child custody evaluators. This measure expands the pool of qualified professionals available to conduct custody evaluations, helping to address evaluator shortages, reduce delays, and improve access to timely, trauma-informed assessments in family court proceedings.

Timely and accessible custody evaluations are especially important given that Native Hawaiian keiki are significantly overrepresented in the child welfare system relative to their share of the youth population.¹ This overrepresentation reflects the ongoing impacts of historical injustice, systemic poverty, housing insecurity, and intergenerational trauma. When custody evaluations are delayed due to workforce limitations, 'ohana remain in prolonged legal uncertainty, and the risk of extended separation from culture and community are heightened. LMHCs are trained to assess mental health, family dynamics, and trauma—competencies that are directly relevant to child custody evaluations. Authorizing LMHCs to serve in this role recognizes the realities of Hawai'i's behavioral health workforce and supports more timely, culturally responsive, and child-centered decision-making for families navigating complex circumstances.

HB1705 represents a practical and measured step toward strengthening family court processes and promoting more equitable outcomes for keiki and 'ohana across Hawai'i. For these reasons, the Office of Hawaiian Affairs respectfully urges this Committee to **PASS HB1705**.

Mahalo nui for the opportunity to provide testimony on this important measure.

¹ Seanna Pieper-Jordan. "Hidden data: the untold story of Native Hawaiian children in foster care." Hawai'i Appleseed Center for Law and Economic Justice. (April 7, 2024). <https://hiappleseed.org/blog/hidden-data-the-untold-story-of-native-hawaiian-children-in-foster-care>