
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 developed 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 result of this work was a powerful vision for transforming
14 how Hawaii supports families and protects children.

15 Among the many recommendations to move toward this vision
16 was to strengthen the family court process for child welfare
17 cases. This would include reducing delays in court proceedings,



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

9 Accordingly, the purpose of this Act is to establish and
10 appropriate funds for a working group to improve family court
11 processes, including access to legal representation for youth in
12 the child welfare 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 the recommendations relate to the court
21 process, including counsel for youth; and



1 (2) Examine practices in other jurisdictions that provide
2 different forms of legal services for foster youth and
3 have one or more members conduct at least one site
4 visit to selected jurisdictions in one or more states
5 to identify possible practices to implement in the
6 State.

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

- 9 (1) One district family court judge of the first circuit
10 and one district family court judge from any other
11 circuit, who shall serve as co-chairs and invite the
12 additional members to participate in the working group;
- 13 (2) A supreme court justice or the justice's designee;
- 14 (3) Members of the judiciary who served or currently serve
15 on the child welfare court calendar;
- 16 (4) A representative from the family law division of the
17 department of the attorney general;
- 18 (5) A representative from the department of human services
19 child welfare services branch;
- 20 (6) A representative from the William S. Richardson school
21 of law at the university of Hawaii at Manoa;



- 1 (7) A representative from the HI H.O.P.E.S. Youth
2 Leadership Boards of the HI H.O.P.E.S. Initiative
3 under EPIC 'Ohana, Inc.;
- 4 (8) Three or more individuals with lived experience in
5 navigating the state child welfare system while
6 minors;
- 7 (9) A parent with lived experience in the state child
8 welfare system; and
- 9 (10) Other persons invited by the co-chairs of the working
10 group who the co-chairs believe will effectively
11 assist in fulfilling the working group's duties
12 pursuant to subsection (b).
- 13 (d) The working group shall submit a report of its
14 findings and recommendations, including any proposed
15 legislation, to the legislature no later than twenty days prior
16 to the convening of the regular session of 2028. The report
17 shall include plans for a pilot program to test a model for
18 delivering counsel services to youth of a selected age range in
19 a selected jurisdiction within the State.
- 20 (e) The working group shall cease to exist on June 30,
21 2028.



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 2026-2027 for
4 the working group established pursuant to this Act, including
5 for a site visit, report drafting, a working group facilitator,
6 and paid compensation for working group members with lived
7 experience invited pursuant to subsection (c)(8) and (9) of
8 section 2.

9 The sum appropriated shall be expended by the judiciary for
10 the purposes of this Act.

11 SECTION 4. This Act shall take effect on March 22, 2025.



Report Title:

Keiki Caucus; Judiciary; Child Welfare System; Legal Services for Youth; Working Group; Appropriation

Description:

Establishes a working group within the Judiciary to improve family court processes, including access to legal representation for youth in the child welfare system. Appropriates funds for the working group. Effective 3/22/2075. (SD1)

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