
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 result of this work
14 was a powerful vision for transforming how the State supports
15 families and protects children. Among the many recommendations
16 to move toward this vision was to strengthen the family court
17 process for child welfare cases. This 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 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 they relate to the court process, including
21 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 child welfare services
19 branch of the department of human services;

20 (6) A representative who formerly served as a guardian ad
21 litem in child welfare cases;



- 1 (7) A representative from the William S. Richardson school
2 of law at the university of Hawaii at Manoa;
- 3 (8) Two representatives of the malama ohana working group,
4 who shall be designated by the co-chairs of the malama
5 ohana working group;
- 6 (9) A representative from the HI H.O.P.E.S. Youth
7 Leadership Boards of the HI H.O.P.E.S. Initiative
8 under EPIC 'Ohana, Inc.;
- 9 (10) Three or more individuals with lived experience in
10 navigating the state child welfare system while
11 minors;
- 12 (11) A parent with lived experience in the state child
13 welfare system; and
- 14 (12) Members with needed expertise to be invited by the
15 co-chairs.
- 16 (d) The working group shall submit a report of its
17 findings and recommendations, including any proposed
18 legislation, to the legislature no later than twenty days prior
19 to the convening of the regular session of 2028. The report
20 shall include plans for a pilot program to test a model for



1 delivering counsel services to youth of a selected age range in
2 a selected jurisdiction within the State.

3 (e) The working group shall cease to exist on June 30,
4 2028.

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2026-2027 for
8 the working group established pursuant to this Act, including
9 for the members of the working group to make site visits and to
10 assist with the report drafting, and to compensate members with
11 lived experience in navigating the state child welfare system.

12 The sum appropriated shall be expended by the judiciary for
13 the purposes of this Act.

14 SECTION 4. This Act shall take effect on July 1, 2026.



S.B. NO. 2678
S.D. 1

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.
(SD1)

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