



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 1565, H.D. 1, RELATING TO CHILD WELFARE SERVICES.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Friday, February 13, 2026 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Derek D. Peterson, Deputy Attorney General

Chair Tarnas and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

This bill establishes a working group within the Judiciary to examine legal services for youth in child welfare cases. The bill appropriates general funds to support the work of the group, which is tasked with examining how other jurisdictions provide legal services to foster youth and considering ways to implement the recommendations of the Malama Ohana Working Group that was established by Act 86, Session Laws of Hawaii 2023.

The bill provides that the working group shall be composed of specific members, detailed in section 2(c) of the bill (page 3, line 7, through page 4, line 12). In section 2(c)(8), page 4, lines 4-6, the bill refers to "[t]hree or more individuals with **lived expertise** in navigating the state child welfare system while minors[.]" The Department notes that the term "lived expertise" is undefined and may create confusion about eligibility. We further note that section 2(c)(9), page 4, lines 7-8, uses the phrase "[a] parent with **lived experience** in the state child welfare system[.]" To provide clarity and consistency, the Department recommends amending this provision to read: "Three or more individuals with lived experience in navigating the state child welfare system while minors[.]"

Thank you for the opportunity to provide comments.



STATE OF HAWAII
OFFICE OF WELLNESS AND RESILIENCE
OFFICE OF THE GOVERNOR
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Testimony on H.B. 1565 HD1
RELATING TO CHILD WELFARE SERVICES

Representative David Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
House Committee on Judiciary and Hawaiian Affairs

February 13, 2026, at 2:00 p.m.; Room Number: 325

The Office of Wellness and Resilience (OWR) **Supports** H.B. 1565 HD1, Relating to Child Welfare Services and respectfully defers to the Judiciary.

The mission of the Office of Wellness and Resilience is to strengthen state systems and services by advancing hope-centered principles and supporting Hawai'i's transition toward becoming a trauma-informed state. As the state agency that administered the Mālama 'Ohana Working Group, our office had the privilege of working closely with individuals with lived experience and expertise in the child welfare system, as well as with state departments and community partners. The recommendations in the Mālama 'Ohana Working Group Report center the voices and experiences of children and families most impacted by the system.

Positive outcomes for youth with legal representation. This measure aligns with Section VI of the Mālama 'Ohana Working Group Report, which recommends strengthening the family court

process for child welfare cases.¹ Throughout the Working Group’s discussions, individuals with lived experience in foster care shared that they often faced life-altering decisions without legal guidance or an advocate to ensure their needs -were heard.

Research shows that providing legal representation to young people in foster care not only empowers them to understand their rights and participate meaningfully in court proceedings, but also leads to improved outcomes. These include faster permanency—whether through reunification or adoption, greater placement stability, and better access to needed services.²

H.B. 1565 HD1 creates an opportunity for those with lived expertise to collaborate with the Judiciary, Child Welfare Services, and the Department of the Attorney General to advance this shared vision for Hawai’i’s keiki and ‘ohana.

Thank you for the opportunity to testify on this important measure.

Tia L.R. Hartsock, MSW, MSCJA
Director, Office of Wellness & Resilience

¹ Mālama ‘Ohana Working Group. (2024). *Mālama ‘ohana working group report to the legislature: Findings and recommendations of the Mālama ‘ohana working group*. State of Hawai’i. Retrieved from https://owr.hawaii.gov/wp-content/uploads/2025/01/OWR-MOWG_2024Report_Combined.pdf

² Orlebeke, B., Zhou, X., Skyles, A., & Zinn, A. (2016). *Evaluation of the QIC-ChildRepBest Practices Model Training for Attorneys Representing Children in the Child Welfare System*. Chicago, IL: Chapin Hall at the University of Chicago.



OFFICE OF HAWAIIAN AFFAIRS

TESTIMONY IN SUPPORT OF HOUSE BILL 1548

RELATING TO THE SENTENCING

Ke Kōmike Hale o ka Ho'okolokolo a me ke Kuleana

Hawai'i

Hawai'i State Capitol

Pepeluali 13, 2026

2:00 PM

Lumi 325

Aloha e Chair Tarnas, Vice Chair Poepoe, a me Members of Ke Kōmike Hale o ka Ho'okolokolo a me ke Kuleana Hawai'i:

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB1565** which establishes and funds a judiciary working group to improve family court processes in child welfare cases, including access to legal representation for youth.

OHA supports the ongoing transformation goals identified by the Mālama 'Ohana Working Group and the call for a child welfare system that is trauma-informed, community-centered, and responsive to the lived experiences of keiki and 'ohana. Strengthening court process and youth access to information and representation is a core part of that transformation. Youth with lived experience in the child welfare system have reported that they often feel unheard, under-informed, and excluded from decisions affecting their safety, placement, and future. A focused working group that examines court practice, youth counsel models, and successful approaches from other jurisdictions is a practical and accountable step toward correcting those gaps.

From a Native Hawaiian well-being perspective, child welfare decisions have multigenerational impact. Processes that elevate youth voice, ensure meaningful representation, and reduce delay better support family connection, stability, and long-term outcomes. Community-informed and youth-centered court practices align with culturally grounded approaches that emphasize relationships, dignity, and shared responsibility. The bill's structure, including judiciary leadership, cross-system participation, and required inclusion of youth and parent lived-experience voices, supports balanced and informed recommendations. Funding site visits and model review will help ensure Hawai'i builds from tested approaches rather than theory alone.

Improving how youth are represented and heard in court strengthens fairness, transparency, and trust in the child welfare system and supports better permanency and safety outcomes. For these reasons, the Office of Hawaiian Affairs respectfully urges this Committee to **PASS HB1548**.

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



The Judiciary, State of Hawai'i
Ka 'Oihana Ho'okolokolo, Moku'āina 'o Hawai'i

Testimony to the Thirty-Third State Legislature, 2026 Regular Session

House Committee on Judiciary & Hawaiian Affairs

Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

Friday, February 13, 2026 at 2:00 p.m.
Hawai'i State Capitol, Conference Room 325

by
Dyan M. Medeiros
Senior Judge, Deputy Chief Judge
Luna Kānāwai 'Ohana Nui
Family Court of the First Circuit
'Aha Ho'okolokolo 'Ohana o ke Ka'apuni 'Ekahi

WRITTEN TESTIMONY ONLY

Bill No. and Title: House Bill No. 1565, H.D. 1, Relating to Child Welfare Services

Purpose: 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.

Judiciary's Position:

The Judiciary supports House Bill No. 1565, H.D. 1, and the creation of a working group. The Judiciary appreciates and supports the amendments made by House Committee on Human Services and Homelessness which removed the requirement that the Working Group include a representative who serves as a guardian ad litem in child welfare cases and two representatives of the Malama Ohana Working Group.

The Judiciary requests that the appropriation include funding for a site visit, report writing, working group facilitator, and paid compensation for those working group members with lived experience as identified in Section 2(c)(10) and (11).



The Judiciary observes that House Bill No. 1565, H.D. 1 is substantially similar to House Bill No. 900, which was carried over from the 2025 legislative session. Prior testimony submitted with respect to House Bill No. 900 cited to a report available at <https://counselforkids.org/wp-content/uploads/2025/12/Version-2.9-Updated-Model-of-Rep-Chart-December-2025.pdf> for the proposition that Hawai'i is one of five states that does not currently guarantee the right to legal counsel for youth in child welfare cases. The Judiciary respectfully disagrees with the accuracy of that statement. As is shown in the linked chart, 16 states strictly provide what are referred to as "best interest" attorneys for children in child welfare cases. (In contrast, only 12 states provide "stated interest" attorneys and 10 states have other approaches to attorney representation.)

Under Hawai'i Revised Statutes (HRS) § 587A-16 the court is required to appoint a Guardian Ad Litem ("GAL") to represent the best interests of the child and they must serve throughout the duration of the case. In the First Circuit, approximately 75% of the GAL appointments currently go to licensed attorneys through service contracts. In other words, Hawai'i's current system is substantially similar to the appointment of a "best interest" attorney. These licensed attorneys are able to perform duties one would normally expect of attorneys such as conducting discovery, calling witnesses, cross examining other parties' witnesses, filing motions, proffering evidence, and making oral arguments in court. Approximately 25% of the remaining GAL appointments are covered by the Judiciary's Court Appointed Special Advocate ("CASA") program. CASAs are citizen volunteers that are supported by full-time staff, which when fully staffed includes eight social worker positions. The CASA program is able to, and does, retain counsel to represent them in court. Notwithstanding the requirement that GALs be appointed to represent the child's best interest in all child welfare cases, GALs generally also inform the Court of the child's wishes when they differ. Further, on a case-by-case basis, the Family Court can and has appointed counsel to represent a child's stated interest.

Thank you for the opportunity to provide testimony on this matter.



Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Patricia "Patty" Chin. I serve as the HI H.O.P.E.S. (Hawai'i Helping Our People Envision Success) Initiative Manager at EPIC 'Ohana. The initiative is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital.

I am submitting testimony in **strong support of HB1565**, which seeks to establish a working group to enhance legal representation for youth in foster care. As the bill moves forward, the HI H.O.P.E.S. Initiative respectfully requests an amendment to ensure that the working group includes a former Guardian Ad Litem (GAL). We understand the Judiciary's concerns about potential conflicts of interest for active GALs, particularly related to procurement. However, a former GAL would not face those limitations and can offer critical insight into how representation currently functions, where gaps exist, and how the system can better support youth's voice, rights, and well-being. Including a former GAL would strengthen the working group by ensuring that the expertise of those who have directly served youth in court is represented—without compromising neutrality or procurement rules.

Research from States that have already implemented Counsel for Youth shows clear, measurable benefits. Youth are 40% more likely to exit foster care within 6 months and 45% more likely to reunify with their biological parents. They also experience 30% fewer placement moves, along with 65% fewer unnecessary school moves, demonstrating the stability and improved outcomes that legal representation can provide. These outcomes represent more than numbers. They represent stability, healing, and hope.

In my work, I have the privilege of partnering with current and former foster youth across Hawai'i. I listen to their stories, their frustrations, and their dreams for a better system. One theme emerges again and again that youth are often left uninformed about their Child Welfare cases and excluded from decisions that profoundly shape their lives. Just as concerning, I frequently hear young people say that their future feels like they are left up to chance. Chance that someone happens to

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be in their corner, chance that an adult chooses to advocate for their needs and wants, chance that someone listens. No young person's future should depend on chance. As a former foster youth myself (2005 - 2013), these stories are painfully familiar. While I was grateful to have a Guardian Ad Litem, I now recognize how limited my interactions were and how little I understood her role. I did not understand the decisions being made about me. I did not have the support I needed to meaningfully participate in my own case. With the knowledge I have today, I firmly believe that legal representation would have allowed me to be more engaged, more informed, and more empowered and that it could have prevented some of the trauma my family and I experienced.

HB1565 is a meaningful step toward ensuring that no young person must navigate the system in the dark or rely on chance to be heard. It affirms that youth deserve to be seen, heard, and supported. It signals that they will not simply be talked about but truly listened to. They will not just be guided but empowered. That they will not only be present but represented. For these reasons, the HI H.O.P.E.S. Initiative stands in strong support of HB1565 and respectfully urges you to pass this bill. Mahalo, for your time, your attention, and your commitment to Hawai'i's youth.

Patricia "Patty" Chin

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EPIC 
'OHANA



Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Blakelee Estacio, and I'm a 21-year-old advocate with lived experience in Hawai'i's Child Welfare System. I currently serve as President of the Kaua'i HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai'i's Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in strong support of HB1565, which seeks to establish a working group to enhance legal representation for youth in foster care. I support this bill because it is important to ensure that youth's voices are being heard in the decisions that impact our lives. Being able to have legal representation would also allow youth to have access to different support systems.

Mahalo, for your time and consideration of these important issues. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai'i's Child Welfare System have the representation and voice they deserve. Mahalo, for listening.

Blakelee Estacio



Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Kanioloihouniamaikaainaloha “Aina” Torcato, and I’m a 22-year-old advocate with lived experience in Hawai‘i’s Child Welfare System. I currently serve as Historian of the Kaua‘i HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai‘i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who’ve experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai‘i’s Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB1565, which seeks to establish a working group to enhance legal representation for youth in foster care. I support this bill because youth should have a say in what their future holds for them.

Mahalo, for your time and consideration of these important issues. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai‘i’s Child Welfare System have the representation and voice they deserve. Mahalo, for listening.

Kanioloihouniamaikaainaloha “Aina” Torcato



Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Anastasia “Ana” Neumann, and I’m a 24-year-old advocate with lived experience in Hawai‘i’s Child Welfare System. I currently serve as President of the O‘ahu HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai‘i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who’ve experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai‘i’s Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB1565 I support this bill because it will give youth in the Child Welfare System access to legal representation, improve family court processes to be fairer and youth-friendly, and ensure that youth voices are heard in decisions that directly affect our lives. When I was in care, I often felt confused and powerless during court proceedings because no one was there solely to represent my interests or explain what was happening. Having legal counsel would have helped me better understand my rights, feel safer speaking up, and trust that my voice truly mattered.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai‘i. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai‘i’s Child Welfare System are guaranteed meaningful representation and the opportunity to have their voices heard in decisions that shape their futures.

Anastasia “Ana” Neumann

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Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Destiny-Jade Roberts-Wada, and I'm an 18-year-old advocate with lived experience in Hawai'i's Child Welfare System. I currently serve as a Board Member of the O'ahu HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai'i's Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB1565. I support this bill because it will give youth in the Child Welfare System access to legal representation and ensure that youth voices are heard in decisions that directly affect our lives. When I was in care, having legal counsel would have helped me feel like I was part of the decisions that impacted my life and not just simply hope that my Guardian Ad Litem (G.A.L.) has the same plans for my life that I did.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai'i. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai'i's Child Welfare System are guaranteed meaningful representation and the opportunity to have their voices heard in decisions that shape their futures.

Destiny-Jade Roberts-Wada

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Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Serenity Soto and I'm a 17-year-old advocate with lived experience in Hawai'i's Child Welfare System. I currently serve as a Board Member of the O'ahu HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai'i's Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB1565. This bill is important because it ensures that youth in the Child Welfare System have access to legal representation, which is something many of us currently lack. Having an attorney would help make family court processes more fair, transparent, and youth-friendly, while also ensuring that young people's voices are heard and respected in decisions that directly impact our lives. When I was in care, I often felt disconnected from my own case. Important decisions were made about my future without my full understanding or meaningful involvement. If I had legal counsel and was more involved in my case, I would have felt more connected, more informed, and more confident that my voice truly mattered. Youth deserve to understand what is happening in their cases and to have someone who can advocate for their rights and best interests.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai'i. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai'i's Child Welfare System are guaranteed meaningful representation and the opportunity to have their voices heard in decisions that shape their futures.

Serenity Soto

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Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Aponi Boyer and I'm a 25-year-old advocate with lived experience in Hawai'i's Child Welfare System. I currently serve as the President of the Maui HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

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I am submitting testimony in support of HB1565. I support this bill because it will give youth in the Child Welfare System access to legal representation. When I was in care, I wish I had an attorney who advocated for me in the best way possible. I often felt that I had no one on my side when it came to my wants and needs while in foster care of being reunited with my grandpa. If I had access to legal representation, I feel that I would have been reunified with my grandpa. Reunifying with my grandpa would have helped me feel like I belonged somewhere and have better support in connecting with my biological family as I navigated adulthood.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai'i. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai'i's Child Welfare System are guaranteed meaningful representation and the opportunity to have their voices heard in decisions that shape their futures.

Aponi Boyer

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Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Keira Arcangel, and I'm a 21-year-old advocate with lived experience in Hawai'i's Child Welfare System. I currently serve as the Vice-President of the Maui HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai'i's Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB1565. I support this bill because it will give youth in the Child Welfare System access to legal representation and ensure that youth voices are heard in decisions that directly affect our lives. When I was in care, I really wish I had an attorney who actually fought for what I wanted and needed. My GAL kept saying it was in my "best interest" to stay in a home that I knew wasn't good for me, even though I kept speaking up about the psychological harm I was going through. She was the only person who had the power to help me leave, but because she saw things like me having my own room and being involved in school, she decided that was enough – even after I tried over and over to explain what was really happening. If I had my own attorney, someone whose job was to listen to me and advocate for my voice, I honestly believe things would have been different. I wouldn't still be dealing with the impact of that experience now as an adult.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai'i. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai'i's Child Welfare System are guaranteed meaningful representation and the opportunity to have their voices heard in decisions that shape their futures.

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Keira Arcangel

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Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is James Lee. I am a youth with lived experience in Hawai'i's Child Welfare System. I currently serve as a Board Member of the East Hawai'i HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai'i's Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB1565. I am writing in support of this bill because I believe that it will help give youth in the Child Welfare System access to legal representation and make sure that youth voices are heard in discussions that will affect us. When I first got put in the foster care system, I felt lost and did not feel represented looking back. I wish I had an attorney to help support and represent me.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai'i. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai'i's Child Welfare System are guaranteed meaningful representation and the opportunity to have their voices heard in decisions that shape their futures.

James Lee

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Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Kaprice Kuhl and I'm a 21-year-old advocate with lived experience in Hawai'i's Child Welfare System. I currently serve as a Board Member of the West Hawai'i HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai'i's Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB1565. I support this bill because it will give youth in foster care, a legal voice, one that is often not heard or uplifted. I was 12 years old when I was taken into foster care and was 14 years old when the idea of going into guardianship was proposed to me. At the time, it was advertised as the perfect solution to all the instability and uncertainty of my Child Welfare case. With everyone, from my resource caregiver to my guardian ad litem telling me it was the best thing to do, I agreed with no hesitation. Shortly after gaining guardianship over me, my guardian began to show her true colors. Things only got more and more difficult until I turned 18 and left. This same situation also happened to two of my foster brothers who are still in that home today. Who knows how many kids in care have experienced similar, if not worse situations? I now realize guardianship was not the best thing for me as a child; it was only the best thing for the Child Welfare case. If I had a lawyer back then, they could explain the guardianship situation, help me realize exactly what that meant, and advocate for what I wanted in the court, which was not that. If I had a lawyer back then, I could have avoided the next four grueling years when I was stuck with

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my guardian. With this bill, making it mandatory for the youth to have legal representation within their case will create better, more child-focused, outcomes. That way, no kid is looked at as just another case number.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai'i. I respectfully ask that you pass HB1565 out of committee so that all youth in Hawai'i's Child Welfare System have the representation and a voice they deserve.

Kaprice Kuhl



Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Elena Barr, and I'm a 21-year-old advocate with lived experience in Hawai'i's Child Welfare System. I currently serve as a Board Member of the West Hawai'i HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai'i's Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB 1565. I support this bill because it will make sure that youth voice is valued and heard in decisions that affect us and them. When I was in foster care, it was very hard to make sure my voice was heard and it was difficult for me to have someone hear me out, listen to what I needed, and to be by my side. It was also so stressful to not have a say about decisions that had to do with me about things that would affect me and my life. Not being heard made me feel like I was like a rag doll in the system; the same system that is supposed to be there for kids and help them.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai'i. I respectfully ask that you pass HB 1565 out of committee so that all youth in Hawai'i's Child Welfare System are guaranteed meaningful representation and the opportunity to have their voices heard in decisions that shape their futures.

Elena Barr

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Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Kysha Rae Pacheco-Paglinawan, and I'm a 22-year-old advocate with lived experience in Hawai'i's Child Welfare System. I currently serve as a Board Member of the West Hawai'i HI H.O.P.E.S. Youth Leadership Board, where I work alongside other young leaders to uplift foster youth voices and drive meaningful change.

HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As Youth Leadership Board Members, we are committed to educating, advocating, and collaborating to transform the foster care system and improve outcomes for current and former foster youth. The HI H.O.P.E.S. Youth Boards also serve as the official youth advisory council to the Child Welfare Services Branch of Hawai'i's Department of Human Services—ensuring that youth perspectives help shape the very systems that impact our lives.

I am submitting testimony in support of HB1565. I support this bill because it will amplify youth's voices and meaningfully represent their position within the court, which will directly benefit them during their time in foster care. This bill will also improve access to services and resources being provided to the youth, which will allow youth in care to feel more equitable with their peers. I believe this bill is essential to ensuring that youth are not only present within these spaces but truly listened to and so that others take accountability over them. When I was in care, I rarely felt that my voice was rarely considered or taken seriously. Decisions were made on my behalf by the adults who believed that they knew what was best for me. However, through constant challenged, and countless conversations, I made the effort to ensure that the adults around me knew of my circumstances and best interests through my perspective. Our voices matter--especially as we are the ones most often overlooked.

Thank you for taking the time to consider this important issue and for your commitment to foster youth in Hawai'i. I respectfully ask that you pass HB1565 out of committee so that all youth in

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Hawai'i's Child Welfare System are guaranteed meaningful representation and the opportunity to have their voices heard in decisions that shape their futures.

Kysha Rae Pacheco-Paglinawan

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HB-1565-HD-1

Submitted on: 2/11/2026 4:51:31 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Precious Ahulau-Kaleo	HI H.O.P.E.S. Initiative, EPIC ?Ohana	Support	Written Testimony Only

Comments:

I support HB1565.

HB-1565-HD-1

Submitted on: 2/11/2026 4:52:13 PM

Testimony for JHA on 2/13/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sulinta Hemios	HI H.O.P.E.S. Initiative, EPIC ?Ohana	Support	Written Testimony Only

Comments:

I support HB1565.



Written Testimony in Support of House Bill 1565/HD1 Relating to Child Welfare Services

Natalece Washington, JD, Policy Counsel, National Association of Counsel for Children

House Committee on Judiciary and Hawaiian Affairs

February 13, 2026

Chair Tarnas and Members of the House Committee on Judiciary and Hawaiian Affairs:

The [National Association of Counsel for Children \(NACC\)](#)¹ strongly supports [HB 1565](#). [NACC endorses counsel for youth](#) and client-directed legal representation for all children and youth in foster care. Appointing counsel for youth promotes judicial consideration of their perspective, empowers youth, contributes their input to life-changing decisions, and improves their perception of [fairness](#) in court proceedings.

NACC is very pleased that legislators, guided by the recommendations of the Mālama ‘Ohana Working Group, are considering the establishment and appropriation of funds for a working group to study the impact of children’s legal representation. This is a positive step towards lasting change in Hawai‘i’s child welfare system *directly* inspired by community members with personal experience within foster care.

Currently, [state law requires](#) the appointment of a guardian *ad litem* (GAL) for all children and youth in child protection proceedings. (Haw. Rev. Stat. Ann. § 587A-16(c) (6)). Youth [may request](#) an attorney if they disagree with the recommendations of their GAL. But there is no right to have an attorney appointed. (Haw. Rev. Stat. Ann. § 587A-3.1(b) (4)). Without an attorney, a child’s specific wishes may go unchampioned in court. The GAL is distinctly different from counsel for youth. The GAL must develop an informed opinion about what is best for a child and then advance that best-interest determination in court. But what is “best” is a subjective assessment. It leaves the GAL at risk for assessing situations according to their own values and experiences, which may be starkly different than those of the child and family involved in the court proceedings. This can leave the judge without complete evidence on the child’s perspective.

By contrast, [counsel for youth](#) allow the child-client to set case objectives with the ongoing support and counseling of an attorney who helps them understand their legal rights and the court proceedings. Counsel for youth owe the child the same [duties of professional responsibility](#) (loyalty, confidentiality, competence, etc.) as would be due to an adult-client. Counsel for youth

¹ Founded in 1977, NACC led the evolution of children welfare law from a cause to a profession by establishing it as a specialty practice requiring distinctive training, skill, and support.

zealously pursue the client’s agenda—an agenda developed by the child’s lived experience and understanding of their own family.

Children appointed counsel for youth [experience better results](#) than those who are not, including less time in foster care or group settings, shorter time to adoption or guardianship, and more successful reunifications. Studies have found that children represented by counsel for youth are [45%](#) more likely to reunify with their biological parents, [30%](#) less likely to change placements while in care, and [65%](#) less likely to unnecessarily change schools. Faster permanency and better outcomes for children can mean [cost savings](#)² for the state.

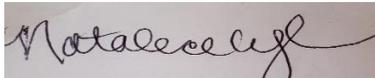
The federal government promotes and funds counsel for youth. In 2017, the U.S. Children’s Bureau (CB), the federal agency responsible for child protection, issued an [Information Memorandum](#) that encouraged the appointment of high-quality child attorney’s as “critical to a well-functioning child welfare system.” In 2018, CB changed longstanding policy to open Title IV-E federal entitlement funding to support legal representation of children. (This change was codified in [federal regulation](#) in 2024). In 2021, the CB issued another [Memorandum](#) again urging legal representation for children in all stages of child welfare proceedings and maximizing allowable Title IV-E funds. In Hawaii these funds [remain untapped](#) but are available to supplement state funds to support the appointment of counsel for youth.

Youth with lived experience in the child welfare system overwhelmingly indicate a desire to be [seen, heard, and represented](#). Those appointed counsel for youth can meaningfully contribute to the decision-making processes that have long-term impact on their lives. They can tell their attorney where they are safe and where they are not, who they hope to visit and who they do not, their concerns about their siblings and parents, and any issues they are experiencing in foster care. Their attorney, in turn, must zealously protect their legal rights, ensure their opportunity to participate fully in court, and increase youth access to justice and fairness.

The proposed work group is a practical step to select the best course of action to implement youth right to counsel in child protection proceedings. NACC applauds Hawai’i’s ongoing dedication to improving the experience and outcomes for children and youth in the child protection system. We welcome the opportunity to assist the workgroup in meeting its objectives of examining counsel for youth models in other jurisdictions and identifying best practices for statewide implementation. We urge you to support HB 1565.

² A study released in January 2026 found that “using conservative assumptions, the estimated annual federal cost of providing legal representation is \$1,009 per IV-E-eligible child, while the estimated annual savings from reduced time in care are between \$4,393 and \$8,238 per child, yielding a net federal benefit of \$3,384 to \$7,229 per represented IV-E-eligible child per year” and “estimated federal savings of between \$67.96 million and \$145.16 million per year.” Notably, the savings would be even more significant when accounting for other federal streams (IV-B, TANF, etc.) and parent representation as well.

Sincerely,

A rectangular image showing a handwritten signature in black ink on a light-colored background. The signature is cursive and appears to read "Natalece Washington".

Natalece Washington

Policy Counsel

National Association for Counsel for Children

Natalece.washington@NACCchildlaw.org

www.counselforkids.org

(404) 954-2427



TO: Chair Tarnas, Vice Chair Poepoe, members of the House Committee on Judiciary & Hawaiian Affairs

FROM: Dana Matsunami, Child Welfare Attorney at the National Center for Youth Law

RE: Testimony in support of HB 1565 Relating to Child Welfare Services

Aloha e Committee Members,

My name is Dana Matsunami, I am an attorney at the National Center for Youth Law where I focus on issues relating to foster care in our state. I am testifying in support of HB 1565, which creates a working group to explore and advance youth in foster care's access to meaningful legal representation in their child welfare case.

In my work, I have had the privilege of collaborating with current and former foster youth throughout Hawai'i to hear their stories, challenges, and visions for a better future. These conversations are not easy. Youth have shared harm they experienced during their child welfare case and the lasting impact on their lives. There are themes: many share that they were left in the dark about their case; experienced abuse while in foster care but feared retaliation if they sought help; and had vital decisions made about their lives without their knowledge or input, causing lasting trust issues and trauma. We know from the brave personal stories of youth, the tragedies that have occurred in our state, and the hard work of community partners that youth in Hawai'i's foster care system can experience terrible—sometimes tragic—outcomes. We also know that child welfare interventions overwhelmingly disrupt the lives of Native Hawaiian families. It is, as one former Hawai'i foster youth put it, “a system of luck,” where some get lucky and escape the worst outcomes, but many do not.

Children and youth have legal rights while in foster care, including a right to family integrity, community connection, and safety. However, under current state, youth in Hawai'i can be removed from their families, communities, and homes; separated from siblings; placed in state custody; prevented from attending extracurricular activities; forced to change schools; permanently legally severed from their parents; and more, all without a lawyer or an advocate who is required to advocate for what the youth wants and needs. Advancing effective, culturally-responsive, and well-trained legal representation to youth in child welfare cases is an essential step to ensuring youth voices are heard and that their rights are upheld. As one youth said, “how can you make decisions that change our lives forever without ever even hearing from us?”

The importance of youth representation in child welfare cases is backed up by research. Access to counsel makes a world of difference: children represented by specifically trained legal counsel are 40% more likely to leave the foster system within their first six months and experience a 45% higher reunification rate with their biological parents. They also experience a 30% reduction in the rate of placement moves, and 65% reduction in the rate of unnecessary school moves.

By creating a working group—guided by youth lived experts—to explore a model of representation that serves Hawai'i's unique legal and cultural needs, this bill works toward our shared goals of keeping youth safe and families and communities together.

To: House Committee on Judiciary & Hawaiian Affairs
RE: **HB1565 HD1 – Relating to Child Welfare Services**
Hawaii State Capitol & Via Videoconference
February 13, 2026; 2:00 PM

Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

On behalf of Hawai'i Children's Action Network (HCAN) Speaks!, I'm writing in **SUPPORT of HB1565 HD1**, which Establishes a working group within the Judiciary to improve family court processes, including access to legal representation for youth in the child welfare system.

This bill represents an important step towards establishing legal counsel for youth in the child welfare system in Hawai'i. Hawai'i is one of only 13 states that does not guarantee foster youth the right to legal representation in their court proceedings. This bill establishes a working group to advance access to legal representation for foster youth, ensuring they are included in decisions affecting their lives and that their rights are consistently protected throughout their cases. These cases involve decisions that profoundly impact a young person's safety, family connections, and future. Foster youth deserve a meaningful voice in these proceedings.

Youth with legal counsel have better outcomes, including 40% more likely to exit the foster system within 6 months, 45% more likely to reunify with biological parents, and 65% fewer unnecessary school moves.¹ This bill helps to ensure that youth have legal counsel to help them understand their rights, amplify their voice in court, and assist in supported decision making. These outcomes promote greater stability and safety for youth and contribute to their long-term well-being.

Firsthand accounts shared by youth lived experts² in Hawai'i as well as national research³ demonstrates legal counsel for children is necessary to improve the safety and well-being of children and youth involved in the child welfare system. Children and youth facing the challenges and trauma of navigating the child welfare system deserve to have their voices heard and to be listened to regarding the course of their lives. As such the efforts of the working group that would be established by this bill should be guided by and grounded in the experiences of youth-lived experts.

Mahalo for the opportunity to provide this testimony. Please pass this bill.

Sincerely,

Nicole Woo
Director of Research and Economic Policy

¹ National Association of Counsel for Children (URL: <https://improvechildrep.org/Home.aspx>)

² Mālama 'Ohana Working Group Final Report and Recommendations (URL: <https://www.malamaohana.net/>)

³ National Association of Counsel for Children (URL: <https://improvechildrep.org/Home.aspx>)

Aloha Chair Tarnas, Vice-Chair Poepoe, and Members of the Committee,

My name is Jheresa Sembrano. I serve as the HI H.O.P.E.S. Specialist for Kaua'i. HI H.O.P.E.S.—which stands for Hawai'i Helping Our People Envision Success—is a statewide initiative dedicated to ensuring that young people who've experienced foster care, especially those ages 14 to 26, have the relationships, resources, and opportunities they need to thrive. We partner with public and private organizations at both the state and local levels to improve policies and practices, promote youth voice and leadership, apply research and evaluation, and build strong community connections. Our work centers on creating pathways to success in areas like permanency, education, employment, housing, health, financial capability, and social capital. As the HI H.O.P.E.S. Specialist for Kaua'i part of my kuleana is to support the work of the Youth Leadership Board Members on Kaua'i whose mission is to educate, advocate, and collaborate for improvements to the foster care system and promote better outcomes for foster youth.

I am submitting testimony in strong support of HB 1565 and its intent to establish a working group to enhance legal representation for youth in foster care. I recently began working in my role supporting youth and families involved in the foster care system. While I do not have lived experience myself, I have grown up alongside family members and friends who have been in foster care, and their journeys have given me a deep commitment to step up and support those who need it. Through hearing their stories, one challenge consistently stands out: many youths are left uninformed about the child welfare and legal processes that directly affect their lives. Providing legal counsel would not only help young people understand their rights but also build their confidence. This bill creates a pathway for youth to find their own leo (voice) and feel empowered to share their mana'o (thoughts), encouraging them to make informed decisions about their futures.

Mahalo nui loa for your time and consideration of these important issues. I respectfully ask that you pass HB1565 so that all youth in Hawai'i's Child Welfare System have the representation and voice they deserve.

Jheresa K. Sembrano

February 12, 2026

To: Chair David A. Tarnas and Vice Chair Mahina Poepoe
House Committee on Judiciary and Hawaiian Affairs

From: Karen Worthington, Private Citizen

Re: **HB 1565 HD1: Relating to Child Welfare Services**
Hawai'i State Capitol, Room 325 and Videoconference, February 13, 2026, 2:00pm

Position: SUPPORT

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

Thank you for the opportunity to provide testimony in support of HB 1565 HD1 which establishes a working group for legal services for youth in the child welfare system within the judiciary.

My name is Karen Worthington, and I am a children's law and policy attorney with a consulting business on Maui, Karen Worthington Consulting. I have worked as a lawyer in and around state systems affecting children and families throughout my 30-year career. I am certified as a Child Welfare Law Specialist by the National Association of Counsel for Children. I have worked extensively with Hawai'i state departments and nonprofit organizations that support children and families who exist at the margins of our society.

Please pass HB 1565 HD1, which seeks to improve the lives of children involved with the state's child welfare system and addresses a critical gap in our child welfare system. In a child welfare case, the person whose life is most impacted by the process and outcomes is the child, yet children's perspectives are often not shared with the courts. In fact, across the state, our children and youth are often not seen or heard during the legal proceedings about their lives.

Youth with lived experience in Hawai'i's child welfare system report being left uninformed about their cases, having decisions made without their input, and facing retaliation when reporting unsafe conditions. As one youth powerfully stated, "How can you make decisions that change our lives forever without ever even hearing from us?"

The [Mālama 'Ohana Working Group report](#) includes input from youth who shared their insights and experiences by participating in the 11 community meetings, serving on or informing the Permitted Interaction Groups, or submitting written testimony. These youth consistently expressed two fundamental needs: they want to have a say in decisions about their lives and they want their rights and well-being protected.

While Hawai'i law requires children to have a Guardian ad Litem (GAL) in these proceedings, GALs are not bound by attorney-client confidentiality—they advocate for what they believe is in the child's best interest rather than representing the child's expressed wishes. This means that that children's experiences, wishes, and insights are filtered through an adult who may never have experienced being placed in foster care, being forcibly separated from family members and close friends, or other traumatic events. Furthermore, if a GAL is not an attorney, the child's representative is not able to

Karen Worthington, Kula, HI 96790

protect the child's essential legal rights or appropriately support the youth through complex decision-making in a legal context. In my experience as a lawyer, I have seen that non-lawyer advocates are at a disadvantage in legal proceedings when all other parties have a lawyer because a non-lawyer does not have the legal tools needed to protect a person's rights.

Young people who are represented by a lawyer are more likely to experience stability while in foster care—they experience fewer placement moves, fewer school changes, and are more likely to be reunified with a parent than youth who do not have legal counsel.

Research shows that providing children with legal counsel is not only the right thing to do, it is a smart financial move because over time, it reduces costs within the child welfare system, with studies showing a 40% faster exit from foster care when children have legal representation. And, federal funds through Title IV-E are available to offset some of the costs of providing lawyers for youth.

Creating this working group is an important step in the direction of properly caring for youth who are involved with the child welfare system and protecting their rights, especially those provided through the Hawai'i Foster Youth Bill of Rights.

Children should not have to wait to have their rights protected and their voices heard. Please add an effective date of 2026 for this working group to begin improving the court process for children and youth.

If you would like additional information related to my testimony, please do not hesitate to contact me at karen@karenworthington.com.

Best regards,

A handwritten signature in black ink that reads "Karen Worthington". The signature is written in a cursive, slightly slanted style.

Karen Worthington

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Melissa Mayo, and I am submitting testimony in strong support of **HB1565**, which establishes a working group to improve family court processes, including access to legal representation for youth involved in the child welfare system.

I am a former foster youth and a proud former member of the Mālama ‘Ohana Working Group, which was tasked with seeking, designing, and recommending transformative changes to Hawai‘i’s existing child welfare system. I am also the former chair of the Keiki and ‘Opio Permitted Interaction Group. In addition, I bring over eight years of experience in youth advocacy work, supporting and uplifting the voices of young people navigating systems that make life-altering decisions on their behalf.

Through both my lived experience and my advocacy work, I have often shared my belief that Hawai‘i’s child welfare system operates as a system of luck. While I consider myself fortunate to have had a guardian ad litem and social worker who valued my voice and supported me during my time in foster care, I know many others have not been as lucky. This disparity fuels my passion for ensuring that every young person in Hawai‘i’s foster care system has access to the resources and support they need—not just to survive, but to thrive and live meaningful lives.

Throughout my time as a member of the Mālama ‘Ohana Working Group and the Keiki and ‘Opio Permitted Interaction Group, I listened to many stories from youth whose experiences in the foster care system were marked by a lack of resources, support, and connection to family. Many of the young people I spoke with urged those working with youth in foster care to “*stop making decisions about our lives without even hearing from us.*” They shared that having a supportive adult who listened, advocated for their needs, and valued their input could have significantly improved their experience in care.

HB1565 is a vital step toward ensuring that no young person’s future is left to chance. By establishing this working group, the State can build on prior recommendations and focus on improving access to legal representation for youth—advocates who will prioritize their voices, rights, and well-being. This is especially critical in a system where major decisions about a young person’s life, including family separation, placement changes, and school moves, are often made without their meaningful participation.

Through my continued work advocating for improved outcomes for youth in foster care, I have seen how centering youth voice leads to more just, effective, and humane systems. In listening sessions and conversations with current and former foster youth, the need for trusted advocates—particularly legal advocates—has been consistently clear.

Research confirms what lived experiences already tell us:

- Children with access to trained legal counsel are 40% more likely to achieve permanency within six months and experience a 45% higher rate of reunification with their families.
- Legal representation reduces unnecessary placements, school moves, and the trauma associated with instability.

Thank you for your time, dedication, and commitment to improving the lives of Hawai'i's foster youth. I respectfully urge your support of HB1565.

Mahalo nui loa,

Melissa Mayo
Former Foster Youth

HB-1565-HD-1

Submitted on: 2/12/2026 8:13:27 AM

Testimony for JHA on 2/13/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Fulton	Individual	Support	Written Testimony Only

Comments:

In light of increased immigration enforcement and the reliance on visas and other protections, documentation is the key to everything in court so improving any part of the system improves the whole system.

IE: U visas (for victims of qualifying crimes like domestic violence, sexual assault, trafficking) require:

- Proof that the person was a victim of a qualifying crime
- Proof they were helpful or are likely to be helpful to law enforcement
- A certification from a qualifying authority

A stronger family court system can help by:

- Issuing clear protective orders
- Making documented findings of abuse
- Ensuring timely hearings
- Creating detailed court records

Those records can support credibility and strengthen a victim’s immigration application.

Family court doesn’t issue the visa itself — but its **documentation is ALWAYS the critical evidence.**

Subject

Testimony in Strong Support of House Bill 1565 – Appointment of Attorneys for Youth in Foster Care Proceedings
Testimony in Strong Support of House Bill 1565 – Appointment of Attorneys for Youth in Foster Care Proceedings

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Elizabeth Pelanca, and I am writing in strong support of House Bill 1565. I offer this testimony as an individual who has worked closely as a direct service provider with youth and young adults who have lived experience in foster care.

Throughout the years of working alongside young people in the foster care system, I have heard a consistent and deeply concerning message: many felt that no one truly listened to them, no one consistently advocated for their wishes, and no one clearly explained what was happening in their case. While there are many dedicated professionals involved in child welfare proceedings, youth often describe feeling invisible in a system that is making life-altering decisions on their behalf.

Court hearings determine where a child will live, whether siblings will remain together, what services they will receive, and ultimately their permanency outcomes. Yet many youth report that they did not understand what was happening in court, were not meaningfully consulted about decisions, or did not feel empowered to speak. Some have shared that they wanted to express concerns about placements, visitation, school stability, or maintaining connections with important adults in their lives—but did not feel they had a safe or consistent advocate to ensure their voice was heard.

Appointing attorneys for youth in foster care proceedings helps ensure that their legal rights are protected and that their voices are meaningfully included in decisions that shape their futures. An attorney's role is not simply procedural; it is protective and empowering. A youth's attorney can meet with them regularly, explain court processes in developmentally appropriate ways, advocate for their expressed wishes, and ensure that their perspectives are clearly presented before the court.

Youth in foster care are among the most vulnerable members of our community. They deserve the same level of legal protection and advocacy that we would want for any child facing significant legal decisions. Providing consistent legal representation promotes fairness, transparency, and accountability within the system, and strengthens trust in a process that can otherwise feel overwhelming and disempowering.

In my professional experience, when youth feel heard and supported, they are more engaged in services, more stable in placements, and more hopeful about their future. House Bill 1565 represents an important step toward ensuring that foster youth are not only protected—but respected.

I respectfully urge this committee to pass House Bill 1565.

Mahalo for the opportunity to provide testimony.

Sincerely,
Elizabeth Pelanca

TO: Committee on Judiciary & Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair
Committee Members

HEARING: Friday, February 13, 2026 at 2:00 PM
Conference Room 325

FROM: Sharla-Ann Houlding

RE: Testimony in SUPPORT of HB1565, HD1 – Relating to Child Welfare Services

My name is Sharla-Ann Houlding. I am a Supervisor for the HI H.O.P.E.S. Initiative, whose mission is to educate, advocate and collaborate for improvements to the foster care system and promote better outcomes for youth in foster care. I am submitting testimony in strong support of HB 1565, HD1 and its intent to appropriate funds to establish a working group to improve family court processes, including access to legal representation for youth in the child welfare system.

Children and youth in the child welfare system are among the most vulnerable members of our society. Many have experienced significant trauma, instability, and uncertainty due to circumstances entirely beyond their control. Yet, despite being the central focus of child welfare cases, foster youth are often provided with little to no information about their own case, the legal process, or the timeline regarding decisions being made on their behalf. This lack of transparency leaves young people feeling confused, frustrated, powerless, and it frequently results in disengagement from social workers, Guardians ad Litem (GALs), and other professionals who are making life-altering decisions about their future.

Research supports the notion that providing skilled legal representation to children and youth in foster care leads to significantly better outcomes including:

- **Improved court participation and satisfaction:** although every child in foster care is appointed a GAL or Court-Appointed Special Advocate (CASA), neither of these entities directly represent the child's voice; they advocate what *they* feel is in the child's best interests. Additionally, these entities are **not** bound by attorney-client privilege as they do not legally represent the child in court, so they may be called to testify and disclose information the child did not want disclosed openly in court. However, when a young person has their own state-licensed attorney that they can express their wishes, views, and needs to, who they know will advocate for what they want, the young person is more likely to engage in court proceedings.
- **Increased rates of family reunification:** children who had legal representation were more than 40% successful in exiting foster care to permanency (i.e., reunification, legal guardianship, or adoption) and did not have to "age out" of foster care (Chapin Hall, 2008).
- **Reduced time in foster care:** children who were represented by an experienced attorney who completed their specialized training were 40% more likely to exit the system by

achieving permanency within six months as compared to children whose attorneys did not receive the same training. This has been demonstrated to save state systems time, money, and valuable resources.

- **Better educational and well-being outcomes:** youth in foster care with attorneys were 65% less likely to experience an unnecessary change in their school and 30% less likely to experience a change in foster homes as compared to their peers who did not have legal representation in court.

We have hit a critical point for children who have been impacted by the child welfare system. We know the names of the children in cases where legal advocacy could have saved their lives. We must not let their suffering be wasted lessons. We have the responsibility to change policies for children and youth who will be forced to enter foster care in the future by drawing upon the lessons we have learned from the children we have failed.

I respectfully ask that the Committee pass HB 1565, HD1 to ensure that our children in the child welfare system are equipped with the proper tools and resources to navigate a very complex system. Additionally, I would like to respectfully address the amendment that removed a GAL from serving on the working group. I understand the reasons for this amendment; however, I believe it is critical that the working group include the perspective of all who are currently tasked to represent the child's voice to the courts. If the Committee's intent is to avoid any conflicts of interest or ensure neutrality in shaping the next model being adopted of attorney representation for youth, I respectfully ask for a balanced approach to include a former GAL. This will also bring this bill in alignment with the language included in the companion bill SD 2678, SD 1, who made amendments to the bill to include a former GAL instead of striking the GAL from the working group.

Including a former GAL that is no longer appointed in cases in the working group will invite them to draw upon their experiences to provide the much-needed insight into strengths and gaps of the current GAL model. Including a former GAL will strengthen the working group and provide recommendations from a perspective that is not adequately represented by any other member of the current proposed working group composition.

By passing this bill, Hawai'i has the opportunity to focus on providing the necessary support and resources to protect the rights, safety, and well-being of children in foster care. Passing this bill will ensure youth voices are uplifted and their rights are honored and upheld. Providing legal counsel to youth goes beyond advocacy—it is about social justice, fairness, equality, and the recognition that every child deserves to have a voice and direct input regarding the decisions that will profoundly impact their lives and their future.

Mahalo for your time, consideration, and for the opportunity to testify.

With my deepest gratitude and aloha,
Sharla-Ann Houlding, LCSW

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To: Representative David Tarnas, Chair,
And members of the Committee on Judiciary and Hawaiian Affairs

Testimony in Support of HB 1565 HD 1 Relating to Child Welfare Services

As a community advocate and the former Executive Director of Hawaii Youth Services Network, I strongly support HB 1565 HD 1.

The Malama Ohana Work Group's report contains recommendations to strengthen the Family Court process in child welfare cases. This includes reducing delays in legal proceedings and ensuring access to legal representation for youth.

Hawai'i is 1 of 13 states where foster youth do not have the right to an attorney in their court cases. Our youth deserve more. They deserve to be heard in decisions about their lives, their families, and their futures. This bill creates a working group to advance foster youths' access to legal representation, to ensure youth are included in decisions and that their rights are upheld in their cases.

Youth with lawyers have better outcomes, including 40% more likely to exit the foster system within 6 months, 45% more likely to reunify with biological parents, and 65% fewer unnecessary school moves.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH