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TESTIMONY IN SUPPORT OF HOUSE BILL 1705 HD1
RELATING TO CHILD CUSTODY

Ke Kōmike 'Aha Kenekoa o ke Olakino a me ka Lawelawe Kanaka
(Senate Committee on Health and Human Services)

Ke Kapitala 'o Hawai'i
(Hawai'i State Capitol)

Malaki 16, 2026

1:10 PM

Lumi 225

Aloha e Chair San Buenaventura, Vice Chair McKelvey, a me Members of Ke Kōmike 'Aha Kenekoa o ke Olakino a me ka Lawelawe Kanaka:

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB1705 HD1** 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.

Child custody evaluations play a critical role in assisting the court in determining the best interests of the child. Expanding eligibility to include LMHCs increases the pool of qualified professionals available to conduct these evaluations, helping to reduce backlogs, shorten wait times, and improve access to timely, trauma-informed assessments for families navigating custody disputes. While this measure applies to custody matters within the family court context, not to proceedings under the Child Protective Act, timely custody evaluations remain deeply consequential for keiki and 'ohana. Prolonged delays can intensify family conflict, extend instability, and increase stress on children during already difficult transitions. Ensuring adequate evaluator capacity promotes more efficient court processes and supports child-centered decision-making grounded in professional mental health expertise.

LMHC's possess graduate-level education, clinical training, and experience in assessing trauma, family dynamics, and child development. Authorizing LMHCs to serve as custody evaluators recognizes their qualifications and reflects the realities of Hawai'i's broader mental health workforce shortage. It also has the potential to reduce costs associated with evaluations, which can otherwise create inequities in family court proceedings when one party cannot afford the process. This bill represents a practical and measured step toward strengthening family court operations and ensuring that families have timely access to qualified evaluators. For these reasons, the Office of Hawaiian Affairs respectfully urges this Committee to **PASS HB1705 HD1**.

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