
A BILL FOR AN ACT

RELATING TO THE CHILD PROTECTIVE ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 587, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§587- Guardianship as a result of a permanent plan;
5 dissolution. A child's parent, or the person legally
6 responsible for the child, may petition the court for an order
7 dissolving a guardianship created pursuant to section 560:5-201
8 as a result of a permanent plan pursuant to section 587-27;
9 provided that the court shall dissolve a guardianship only if it
10 finds by a preponderance of the evidence that:

11 (1) There has been a substantial change of circumstances
12 with respect to the parent's ability to provide a safe
13 home for the child;

14 (2) The parent's home conforms to the safe family and home
15 guidelines under section 587-25 and written reports or
16 a written explanation have been submitted pursuant to
17 section 587-40;



- 1 (3) The child's parent is willing and able to provide the
2 child with a safe family home without the assistance
3 of a service plan; and
- 4 (4) It is in the child's best interests to dissolve the
5 guardianship."

6 SECTION 2. New statutory material is underscored.

7 SECTION 3. This Act shall take effect upon its approval.

Report Title:

Child Protective Act; Guardianship after Permanent Plan

Description:

Protects a child from being removed from a guardianship if the child's parent cannot show a substantial change in circumstances. Allows a parent the opportunity to file for dissolution of a guardianship if the parent shows that a safe home can be provided for the child. (SD1)

