

JAN 19 2007

S.B. NO. 1163

A BILL FOR AN ACT

RELATING TO FOSTER CHILDREN'S TRANSITION TO ADULTHOOD.

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

1 SECTION 1. The legislature finds that former foster youth
2 are at greater risk than the general population of becoming
3 homeless or suffering other deprivations as adults. Independent
4 living skills are essential to enable children to become
5 productive and safe adults. The purpose of this Act is to
6 ensure that foster youth are provided, beginning at age twelve,
7 with appropriate opportunities to learn basic life skills that
8 will be needed when they become adults.

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

12 "§587- Independent living. (a) Beginning at age
13 fourteen, all foster youth who are in permanent custody or
14 foster custody shall participate in an age appropriate
15 independent living program.

16 (b) The independent living program shall teach basic
17 skills necessary to transition to adulthood. The program shall
18 include, but not be limited to, the provision of training and



1 information on: community services available to transitioning
2 youth and adults; money management; job application process;
3 access to higher education or alternative primary education;
4 student loans and scholarship application process; access to the
5 welfare system; access to public and private medical care and
6 mental health systems; obtaining public and private housing; and
7 other important life skills."

8 SECTION 3. Section 587-27, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) Permanent plan is a specific written plan, prepared
11 by an appropriate authorized agency, which [~~should~~] shall set
12 forth:

13 (1) A position as to whether the court should order an
14 adoption, guardianship, or permanent custody of the
15 child and specify:

16 (A) A reasonable period of time during which the
17 adoption or guardianship may be finalized;
18 provided that the identity of the proposed
19 adoptive parent or parents shall be provided to
20 the court in a separate report which shall be
21 sealed and shall not be released to the parties



1 unless the court deems such release to be in the
2 best interests of the child;

3 (B) If adoption is not the plan, a clear and
4 convincing explanation why guardianship is
5 preferable to adoption; or

6 (C) If adoption or guardianship is not the plan, a
7 clear and convincing explanation why permanent
8 custody is preferable to guardianship;

9 (2) A specific written plan including:

10 (A) The goal, as being: adoption, guardianship, or
11 permanent custody;

12 (B) The objectives concerning the child, including,
13 but not limited to, stable placement, education,
14 health, therapy, counseling, birth family
15 (including visitation, if any), culture, [and]
16 adoption, and guardianship[, ~~or preparation for~~
17 ~~independent living~~]; and

18 (C) The method or methods for achieving the goal and
19 objectives set forth in subparagraphs (A) and
20 (B);

21 (3) All supporting exhibits and written consents or an
22 explanation as to why the exhibits or consents are not



1 available. Upon good cause shown, the court may waive
2 submission of any supporting exhibit or written
3 consent; [and]

4 (4) For all children over fourteen years of age, a
5 description of the steps taken to prepare the child
6 for transition to adulthood, steps taken to refer and
7 enroll the child in an independent living program, and
8 other referrals made. If the child is not enrolled in
9 an independent living program, an explanation shall be
10 provided, including steps that the department will
11 take to ensure a child will participate in an
12 independent living program; and

13 [+4+] (5) Any other information or materials which are
14 necessary to the expeditious facilitation of the
15 permanent plan."

16 SECTION 4. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$, or so much
18 thereof as may be necessary for fiscal year 2007-2008, and the
19 same sum, or so much thereof as may be necessary for fiscal year
20 2008-2009, for the independent living program.

21 The sum appropriated shall be expended by the department of
22 human services for the purposes of this Act.



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1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect on July 1, 2007.

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INTRODUCED BY: Anzanne Chun Cleveland

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Report Title:

Foster Children; Mandatory Independent Living Programs

Description:

Mandates State to provide independent living programs to foster children at age 14.

