

Honolulu, Hawaii

A-02 , 2008

RE: S.B. No. 2730  
S.D. 2  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2730, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD PROTECTION,"

begs leave to report as follows:

The purpose of this bill is to establish a preference for certain relatives, including hanai relatives, for out-of-home placement of children involved in child protective proceedings.

The Department of Human Services (DHS), Catholic Charities Hawaii, Kokua Council, Legal Aid Society of Hawaii, Partners in Development Foundation, and many concerned individuals supported this bill. Na Tutu, Grandparents Raising Grandchildren supported the intent of this measure.

Your Committee understands that temporary placement of a child with a relative or other person who is familiar with the child's family and circumstances may be better for the child than placement in foster care with persons unfamiliar to the child. However, there are concerns that while foster parents are licensed and have undergone extensive pre-screening, relatives and other persons close to the child may need to undergo a similar level of in-depth screening prior to receiving placement.



Your Committee has amended this bill by:

- (1) Clarifying the definition of "relative" to include a determination by the court or DHS that the person is willing and able to safely provide support to the child;
- (2) Clarifying the definition of "hanai relative" to mean a person who performs or has performed a substantial role in the child's upbringing or material support, and that the court or DHS has deemed credible, a written or oral attestation to these circumstances;
- (3) Changing the effective date to January 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2730, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2730, S.D. 2, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
TOMMY WATERS, Chair



