

STAND. COM. REP. NO.

2869

Honolulu, Hawaii

FEB 29 2008

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

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

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

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

begs leave to report as follows:

The purpose of this measure is to establish a preference for
grandparents or family members, when making out of home placements
for children needing child protective services.

Your Committee received testimony in support of this measure
from the Department of Human Services, the Office of Hawaiian
Affairs, EPIC Ohana Conferencing, a former foster child, and a set
of grandparents of former foster children. Comments on the
measure were submitted by the Legal Aid Society of Hawaii and the
Judiciary.

Your Committee finds that preserving relationships with
family members is crucial to a child's sense of safety,
development, and well being. Accordingly, when children cannot be
safely returned home to their parents, child welfare professionals
should seek out and consider relatives who are willing and able to
provide support and care. This includes seeking out blood
relatives, such as grandparents, and hanai and lawe hanai parents.

Additionally, your Committee recognizes that relatives
applying for foster custody need timely responses regarding their
applications, and if their applications have been denied, the



specific reasons for the denial, as well as information about how to proceed from there.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the purpose section;
- (2) Defining "relative", "lawe hanai parent" and "hanai parent";
- (3) Requiring an out of home placement preference for appropriate "relatives", as defined;
- (4) Requiring that reasonable efforts be made to identify all appropriate relatives within six months of departmental assumption of foster custody of a child;
- (5) Requiring, in finding a safe family home, consideration of the child's extended family support system, including hanai and lawe hanai parents, and the attempts that have been made to find this support system;
- (6) Requiring written departmental response, within sixty days, to inquiries regarding a relative's foster placement application, and if a denial was rendered, the inclusion of the reasons for the denial and administrative appeal information; and
- (7) Making technical, nonsubstantive amendments for the purposes of consistency, clarity, and style.

Your Committee also finds that relatives should be identified early in the child welfare process and that interested relatives should be provided with timely information regarding the foster parent that is being involved in the child's life.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2730, S.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.



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



BRIAN T. TANIGUCHI, Chair



