



The Judiciary, State of Hawaii

Testimony to the Twenty -Fourth State Legislature, 2008 Session
Senate Committee on Human Services and Public Housing
The Honorable Suzanne Chun Oakland, Chair
The Honorable Les Ihara, Jr., Vice Chair

Thursday, March 13, 2008, 1:15 p.m.
State Capitol, Conference Room 016

by
Judge Karen M. Radius
Family Court, First Circuit

Bill No. and Title: House Bill No. 523, H.D. 2, Relating to Children

Purpose: Provides guiding principles re: foster children. Provides that the Family Court may issue necessary orders to the departments to ensure adherence to these principles.

Judiciary's Position:

The Judiciary takes no position on this measure but offers the following comments.

National research has shown that without adequate preparation, foster children who remain foster children at age 18 have a difficult time becoming productive adult citizens. The Legislature's recognition of these difficulties is heartening and will greatly benefit both the youths and the community. The percentage of homelessness and unemployment of these youths is shockingly high.

The Judiciary supports the language in subsection (b) which authorizes the Family Court to issue orders to ensure adherence with these guiding principles.

Thank you for the opportunity to submit testimony on this measure.

TESTIMONY IN SUPPORT OF
HB523 HD2 - RELATING TO CHILDREN

March 13, 2008 at 1:15 p.m.

The Legal Aid Society of Hawaii hereby provides testimony to the Senate Committee on Human Services and Public Housing on HB523 HD1 – Relating to Children, in strong support of the bill.

The Legal Aid Society of Hawaii is the largest non-profit provider for direct civil legal services in the State. Further, since 1996, we have assisted over 2,000 children as guardian ad litem on Oahu, Maui, Hawai'i, Moloka'i and Lāna'i, a significant number of whom have aged out in foster custody.

Since 2005, when the first Foster Children Bill of Rights was introduced, we have been concerned about the need to protect foster children and improve the quality of life for foster children. As wards of the state their well-being is in the hands of, not their parents, but a system of rules and regulations which at times balances the liability to the state over the interest of the child. This bill would establish guiding principles, in one place, by which the state would need to abide by in caring for children in the foster care system.

The bill helps promote the stability of placements and respects the dignity of children who have been removed from their parents' care by enabling them to maintain their important religious, school, and familial ties. Further, it promotes responsibility by giving children more voice in their cases and promoting the development of independent living skills.

We realize that the Department of Human Services, Department of Education and Department of Health may already provide many of the protections listed in this bill administratively, however we believe that the articulation of these principles in one statute is critical to assisting foster children understand the protections available to them when they enter foster custody.

Many children in care feel disempowered, uninformed, and lost. The protections in this bill, providing for greater stability of placement, increased information, increased participation in the decision-making process, greater independent living skills, and maintenance of important personal connections will improve their experiences.

For these reasons, we support HB523 HD2. Thank you for this opportunity to testify.

Sincerely,

Nalani Fujimori
Deputy Director
527-8014

testimony

From: Judith Clark [jfclark@hotmail.com]
Sent: Monday, March 10, 2008 6:04 AM
To: testimony
Subject: Testimony HB 523

Bill: HB 523 Relating to Children
Committees: Human Services and Public Housing; Public Safety
Chairs: Senator Chun Oakland; Senator Espero
Date/time: 3/13/08, 1:15 p.m.
Room: 016
Deliver 1 copy to room 226
Mahalo.

March 10, 2008

To: Senator Suzanne Chun Oakland, Chair
And members of the Committee on Human Services and Housing

Senator Will Espero, Chair
And members of the Committee on Public Safety

Testimony in Support of HB 523 HD2 Relating to Children

Hawaii Youth Services Network (HYSN), a statewide coalition of more than fifty youth-serving organizations, supports HB 523 HD2 Relating to Children.

The guiding principles lay out expectations for humane treatment of children in foster care. They give youth opportunities to participate in decisions about their lives by empowering them to participate in court hearings, communicate with their case workers, and participate in transition planning. The guiding principles assure young people the right to their own religious beliefs and practices.

We have heard from many youth in foster care about the importance of maintaining contact with siblings who are placed in different foster homes. When parents are abusive or failing to provide proper care for their children, the older children often take on the role of caregiver for the younger siblings and the children develop especially close bonds with each other. When the children are placed in care, it is often the separation from their brothers and sisters that generates the strongest feelings of grief and loss. HYSN believes it is important for children to have ongoing relationships with their siblings and applauds this provision of the guiding principles.

We urge your support of the guiding principles for foster care.

Sincerely,

Judith F. Clark, MPH
Executive Director
Hawaii Youth Services Network

3/10/2008