



Testimony to the Senate Committee on Human Services and Public Housing

Senator Suzanne Chun Oakland, Chair

Senator Les Ihara, Jr., Vice Chair

Tuesday, February 5, 2008, 1:15 p.m.

State Capitol, Conference Room 016

By

Judge Frances Q.F. Wong
Deputy Chief Judge / Senior Judge
Family Court, First Circuit

WRITTEN TESTIMONY ONLY

Bill No. and Title: Senate Bill No. 3058, Relating to Child Welfare Services.

Purpose: Amends HRS Chapter 587 to include provisions under which DHS may permit a child to remain with caregivers who are not the child's legal/physical custodian but with whom the child has been residing for at least 6 months with consent from the child's legal/physical custodian. Deletes existing provisions regarding a police officer's discretionary assumption of protective custody of a child.

Judiciary's Position:

The Judiciary takes no position on this measure. However, we have the following specific concerns:

1. (p.4) subsection (v): If the caregiver and child are entitled to the same benefits and services available to a foster parent and a child, then they should receive these benefits and should be provided assistance to secure these benefits, if requested by the caregiver.
2. Who will monitor the notification of the return of the child to parents who are deemed harmful?
3. If the legal parents/guardian cannot be located, then there will be a need for the Department of Human Services or these caregivers to be authorized to sign necessary



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consents for medical, education, etc. services, including the minor's obtaining a driver's permit/license, etc.

4. If there is a need for services, the caregiver should be able to receive these services. Otherwise, problems will become more entrenched and more difficult to deal with when the State subsequently becomes formally involved in the case.

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