

Honolulu, Hawaii

March 19, 2010

RE: S.B. No. 2716
S.D. 2
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2716, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to replace current child protective statutes with a new Child Protective Act to ensure conformity with federal Title IV-E provisions.

The Department of Human Services and Blue Print for Change testified in support of this bill. The Legal Aid Society of Hawaii; National Association of Social Workers, Hawaii Chapter; and a concerned individual supported this measure with amendments. The Judiciary and a concerned individual provided comments.

Your Committee has amended this bill, inter alia, to clarify that the purpose of this bill is to promote and ensure that the "best interest of the child" and the child's health, welfare, and safety, are protected. These amendments relate to, inter alia, the purpose clause, definitions, requiring that the court require order to be made after determining that the "best interest of the child" is met and included further oversight by the court in certain stages of the protection process.



Your Committee has also amended this bill, inter alia, by making technical, nonsubstantive amendments to comply with federal Title IV-E provisions to continue receipt of federal funding.

The amendments contained in the H.D. 2, are the result of a compilation of testimonies received during the hearing, including testimonies from the Department of Human Services, private attorneys, and child protective services.

Your Committee also understands that further work may be needed to refine the language of this bill and that these amendments may be made as this bill moves forward.

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. 2716, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2716, S.D. 2, H.D. 2.

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



JON RIKI KARAMATSU, Chair



