
A BILL FOR AN ACT

RELATING TO FAMILY JUSTICE CENTERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 346, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 **"PART . FAMILY JUSTICE CENTERS**

5 **§346- Family justice centers; establishment.** The
6 department may establish one or more multi-agency, multi-
7 disciplinary family justice centers on any island in the State
8 to assist victims of domestic violence, sexual assault, elder
9 abuse, or human trafficking, as well as to provide family-based
10 social services.

11 **§346- Requirements and components; funding.** (a) In
12 establishing a family justice center, the department shall
13 coordinate with relevant state and county agencies and local
14 nonprofit service providers to engage in a strategic planning
15 process to identify those services that are most needed and
16 develop a comprehensive funding strategy.

17 (b) The department may seek available federal, state,
18 county, or private funds to carry out the purpose of this part.



1 (c) A family justice center shall house required social
2 services in one location to facilitate access. A family justice
3 center may include:

- 4 (1) Social workers and case management services;
- 5 (2) Medical personnel;
- 6 (3) Law enforcement personnel;
- 7 (4) District attorneys;
- 8 (5) Legal counseling services;
- 9 (6) Community-based sexual assault, domestic violence, and
10 human trafficking advocates;
- 11 (7) Substance abuse treatment services;
- 12 (8) Child welfare and protective services staff;
- 13 (9) State public assistance workers; and
- 14 (10) Other professionals providing needed services.

15 **§346- Confidentiality and informed consent.** (a) Each
16 family justice center shall maintain an informed consent process
17 developed by the department to authorize the sharing of
18 confidential, privileged, or protected information between
19 individuals or agencies working in a center. The informed
20 consent policy shall:

- 21 (1) Conform to all applicable state and federal
22 confidentiality provisions;



1 (2) Inform the client of the implications of waiving the
2 confidentiality provisions; and

3 (3) Provide for a written process for the client to
4 authorize the sharing of information within a center.

5 (b) A client may authorize the disclosure and sharing of
6 information among partner agencies for the purposes of providing
7 effective and enhanced services. Authorization may be limited
8 with respect to individuals and agencies and the duration of
9 time the authorization remains in effect.

10 (c) Any oral or written communication or any document
11 authorized by the client to be shared for the purposes of this
12 section shall not be disclosed to any third party unless
13 disclosure is authorized by the client or otherwise required
14 under state or federal law, or by court order.

15 (d) No staff member, volunteer, or agency within a family
16 justice center that has information governed by this part shall
17 be required to disclose information unless authorized by the
18 client or otherwise required by state or federal law, or court
19 order.

20 (e) No authorization under this section shall be construed
21 as a universal waiver of any existing legal privilege that holds



1 communications or documents confidential between the client and
2 any service provider.

3 (f) No disclosure of information authorized by a client in
4 a family justice center for the purposes of clinical assessment,
5 risk assessment, safety planning, or service delivery shall
6 waive any privileges or confidentiality provisions otherwise
7 provided by state or federal law.

8 **§346- Authorized sharing of information for statistical**
9 **purposes.** (a) A family justice center shall be authorized to
10 provide non-identifying, aggregate data on all clients receiving
11 services and the outcomes of the services to the National Family
12 Justice Center Alliance; provided that each client shall
13 authorize the use of the data prior to inclusion.

14 (b) Confidential information shared under this section
15 shall not be subject to disclosure to any third party without
16 the individual, written authorization by the client who
17 originally provided the information to a family justice center.

18 (c) The National Family Justice Center Alliance shall not
19 disclose any identifying information or confidential personal
20 information about any client.

21 **§346- Immunity from liability.** (a) No family justice
22 center staff member, volunteer, or agency professional shall be



1 civilly liable for information shared with others in accordance
2 with the informed consent policy established by this part.

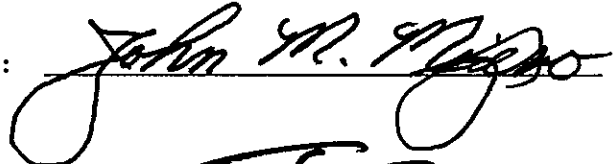
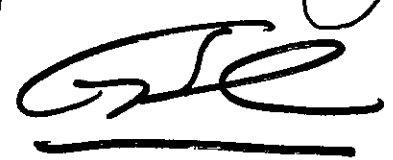
3 (b) No family justice center or participating agency or
4 organization shall be civilly liable for maintaining
5 confidential information for the purpose of collecting and
6 maintaining non-identifying aggregate information for
7 statistical purposes.

8 **§346- Rules.** The department may adopt rules pursuant to
9 chapter 91 to effectuate the purposes of this part."

10 SECTION 2. This Act shall take effect upon its approval.

11

INTRODUCED BY:

JAN 26 2011



Report Title:

Family Justice Center

Description:

Authorizes the Department of Human Services to establish one or more Family Justice Centers to assist victims of domestic violence, sexual assault, elder abuse, or human trafficking, as well as to provide family-based social services.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

