

STAND. COM. REP. NO.

37

Honolulu, Hawaii

Feb 4, 2011

RE: H.B. No. 726

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 726 entitled:

"A BILL FOR AN ACT RELATING TO FOSTER CHILDREN,"

begs leave to report as follows:

The purpose of this bill is to ensure the safety and health of children in the foster care system by:

- (1) Authorizing the family court upon motion by the child or former guardian ad litem to extend its jurisdiction over the child until the child is 21 years old or the child withdraws consent to the court's extended jurisdiction, subject to an automatic termination of jurisdiction at age 18, the age of majority; and
- (2) Requiring that the scope of the written findings of the court in the permanency hearings include:
 - (A) Services needed to assist a child, age 14 to 16, to transition from foster care to independent living, if deemed appropriate by the Department of Human Services (DHS); and
 - (B) A consultation with the child regarding the proposed plan for permanency or transition to

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independent living, which addresses the child's needs and goals for a successful transition.

The Hawaii Youth Services Network testified in support of this bill. The Department of the Attorney General, DHS, Judiciary, and Office of Hawaiian Affairs submitted comments.

Your Committee finds that many youth who age out of foster care are not fully prepared for the responsibilities of adult living. Accordingly, concerns have been expressed that the foster care system should be doing a better job with transition preparation of foster care individuals by the age of majority at age 18.

Your Committee has amended this bill by:

- (1) Deleting language relating to the authorization of the family court's extension of jurisdiction by motion and substituting provisions that extend the court's age jurisdiction to 21 from 19 years of age and terminating jurisdiction upon the earlier of:
 - (A) The child's 21st birthday; or
 - (B) The date the child withdraws consent to the extended jurisdiction.

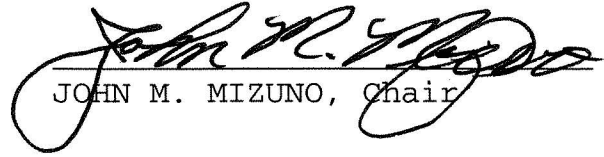
Also, providing that the age of majority remains 18 year of age during the extended jurisdictional period;

- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 726, H.D. 1, and be referred to the Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Human Services,



JOHN M. MIZUNO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

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Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB 726	Committee Referral: HUS, JUD, FIN	Date: 1/27/2011		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	✓			
2. JORDAN, Jo (VC)	✓			
3. BELATTI, Della Au	✓			
4. HANOHANO, Faye P.	✓			
5. LEE, Chris				✓
6. MORIKAWA, Dee	✓			
7. WOOLEY, Jessica	✓			
8. YAMANE, Ryan I.				✓
9. CHING, Corinne W.L.				✓
10. PINE, Kymberly Marcos		✓		
TOTAL (10)	6	1		3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				