



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809

February 5, 2013

TO: The Honorable Mele Carroll, Chair  
House Committee on Human Services

FROM: Patricia McManaman, Director

SUBJECT: **H.B. 1436 - RELATING TO CHILDREN**

Hearing: Tuesday, February 5, 2013; 9:30 a.m.  
Conference Room 329, State Capitol

**PURPOSE:** The purpose of H.B. 1436 is to appropriate funds for the Honolulu zero to three court to fund the coordinator's transportation to visit children and parents, emergency housing assistance, a secure opening at a residential drug and alcohol facility that will accommodate a mother and child, development and implementation of an incentive program, training and professional development of court team members and community partners, and creation and utilization of an enhanced visitation and parenting coaching site in Leeward Oahu.

**DEPARTMENT'S POSITION:** The Zero To Three Court program is a Judiciary program. The Department of Human Services (DHS) defers to the Judiciary on this bill. The DHS would recommend that since the Zero To Three Court program is a Judiciary program, the appropriation in this bill should be to the Judiciary.

Thank you for the opportunity to testify on this bill.



*The Judiciary, State of Hawaii*

**Testimony to the House Committee on Human Services**

The Hon. Mele Carroll, Chair

The Hon. Bertrand Kobayashi, Vice Chair

Tuesday, February 5, 2013

9:30 a.m.

State Capitol, Conference Room 329

**WRITTEN TESTIMONY ONLY**

By

R. Mark Browning

Deputy Chief Judge, Senior Judge

Family Court of the First Circuit

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**Bill No. and Title:** House Bill No. 1436, Relating to Children

**Purpose:** Appropriates monies for the Zero to Three Court

**Judiciary's Position:**

The Judiciary supports this bill and wishes to acknowledge the Legislature's foresight in the bill's introduction. The Judiciary does have a concern with this bill in that the monies are being appropriated to the Department of Human Services rather than the Judiciary. Since the Zero to Three Court is currently being operated under the auspices of the Family Court of the First Circuit and has been supported with Family Drug Court funds as a "stop gap" measure, we respectfully suggest that it may be more appropriate to allocate the funds to the Judiciary than to the Department of Human Services. Of course, this would be in addition to and not in lieu of any item in the current Judiciary budget request.

In 2008, the family court started its "Zero to Three Court" in response to increasing scientific evidence that (1) babies and toddlers are neurologically compromised by dysfunctional family dynamics even if they are not directly physically harmed; (2) their compromised brains results in long lasting compromised behaviors and learning disorders; (3) early intervention is effective in preventing or alleviating these problems; (4) there are proven techniques that can help many of these babies and toddlers.



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The Zero to Three Court began with federal “seed” funding and grants from the national non-profit Zero to Three organization. The court was then continued through private monies from the Kellogg Foundation and HMSA. As with all such “specialty courts,” long term sustainability necessarily requires that a dependable stream of state funding. This need came to the Zero to Three Court much earlier than expected due to consequences of the severe economic downturn. Adjustments were immediately made in order to continue the Court and its services. The Lead Judge, Judge Kuriyama, adjusted her assigned court calendars. The Family Drug Court (another specialty court begun by the family court) stepped up to the plate with much needed services to the babies and families in Zero to Three. Although greatly appreciated and much needed, the Family Drug Court cannot be expected to provide long term “stop gap” measures.

During the interim, this bill will enable the Zero to Three Court to continue providing essential services to babies and their families until more long term sustainable state funding can be secured. The services listed in this bill have already proven their effectiveness in healing traumatized brains, training better parents, and furthering family reunification.

Whether the monies are appropriated to the Judiciary or to the Department of Human Services, the Judiciary respectfully requests that this bill be approved and reported out of this Committee. If the Committee deems it more appropriate to grant the funds to the Judiciary, we respectfully suggest that the bill be amended with the last line to read: "The sums appropriated shall be expended by the JUDICIARY for the purposes of this Act."

Thank you for the opportunity to testify on this bill.



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Myron B. Thompson School of Social Work

HAWAII FAMILY SUPPORT INSTITUTE  
*Making Hawaii's Families Strong*

February 4, 2013

Representative Mele Carroll, Chair House Human Services Committee,  
Representative Dee Morikawa, Vice-Chair House Human Services Committee  
Hawaii State Capitol, Conference Room 329  
Honolulu, HI 96813

Re: HB 1436, Relating to Children

Dear Representatives Carroll, Morikawa and Members of the House Human Services Committee

I apologize that I will not be able to attend this hearing due to a schedule conflict. I am Gail Breakey, Executive Director of the Hawaii Family Support Institute at the Myron B. Thompson School of Social Work testifying in support of HB 1436, which would provide funding support for the Early Court within the Hawaii Family Court. The Hawaii Early Court was established by the Family Court several years ago in order to (1) improve outcomes for maltreated infants and toddlers and (2) to reduce the occurrence of substantiated abuse and neglect of infants and toddlers in the courts jurisdiction. The Hawaii Early Court was established by the

Infants under age one comprise the largest age cohort (224 infants) of child protective service cases in Hawaii, followed by children aged one, two and three (DHS report, 2011) Abuse and neglect has been linked with serious developmental consequences for infants and toddlers, including attachment disorders and developmental delays. These negative consequences can be further perpetrated in a foster care system with infrequent visitation, multiple placements changes and delays in achieving a permanent home.

However developmental neuroscience demonstrates that appropriate early intervention and child welfare policies can help infants and toddlers overcome the negative consequences stemming from maltreatment. Recognizing this, the national ZERO TO THREE organization created and piloted the Safe Babies Court Teams, or Early Court, a project rooted in developmental science. This project seeks to achieve these goals by working to:

1. Increase awareness among those who work with maltreated infants and toddlers about the negative effects of abuse and neglect upon young children, and
2. Change local systems to improve outcomes and present future court involvement in the lives of very young children.

The Safe Babies Court Team works towards these objectives by training professionals, providing resources, encouraging collaboration between existing community service providers in the court sites,

and by increasing parent child contact, mental health treatment capacity and placement stability in the Court Team sites. Thus far, three evaluations the Court Teams project is experiencing success in reaching its goals.” (Source: ZERO TO THREE Safe Babies Court Team Projects”,

Since its inception until recently, the Honolulu Zero to Three Court had been staffed with one community coordinator position provided by the national ZERO TO THREE and, working with one lead family court judge, the project served over 30 infants and toddlers, their siblings, and their families. Infants and their parents were linked with early intervention services such as Attachment-Bio-Behavioral- Catch-up and Women’s Way. Trainers from national ZERO TO THREE were brought in on numerous occasions to train judges and members of the early childhood community on early childhood development and the unique needs of infants and toddlers. Working relationships with substantially all of the early intervention services currently available on Oahu were established.

Key features of this specialty court include monthly case conferences for each family, monthly court hearings, and a court team composed of a lead family court judge and designated guardians ad litem, parents’ counsel, deputy attorneys general, and Department of Human Services social workers. Services and resources available in the community were utilized to support the families involved with the court, but no additional resources, e.g., emergency or transitional housing, tailored parenting services, and enhanced visitation in a family-like, nurturing setting, were created due to lack of funding.

Notwithstanding the lack of funding for services, of the 26 children served between October 1, 2011 and September 30, 2012, the following outcomes are noteworthy:

- 100% of the children served experienced no more than two changes in placement.
- 100% of the children served have received a developmental screen or been referred for a developmental screen through Enhanced Early Head Start services.
- 77% of the children served received at least two parental visits a week, with several
- children having parent-child contact daily.

Effective November 1, 2012, the Honolulu Zero to Three Court lost its funding through the national ZERO TO THREE. The Court, however, is committed to continuing its association with and technical support from the national ZERO TO THREE, and will continue to provide intensive services to its existing infants and families. New families will continue to be accepted. The current caseload of families has been transferred to the First Circuit Family Drug Court, with a dedicated court coordinator. Stable funding is needed to ensure continued and enhanced services and resources and to further develop the capacity of the Honolulu Zero to Three court team.

\$130,000 is requested to support the court coordinator's transportation to visit children and parents, emergency housing assistance, a secure opening at a residential drug and alcohol facility that will accommodate a mother and child, develop and implement an incentive program similar to the successful model utilized in Family Drug Court, training and professional development of court team members and community partners, and create and utilize an enhanced visitation and parenting coaching site in Leeward Oahu.

The requested funds should not supplant the Judiciary's existing funding or 2013 legislative budget request, and is intended to provide needed services to support families with infants and toddlers.

Thank you for the opportunity to testify on this bill.

Sincerely,

**S.**

Gail Breakey, RN, MPH, Executive Director,  
Hawaii Family Support Institute  
Myron B. Thomson School of Social Work, University of Hawaii at Manoa

