

LATE

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

February 27, 2013

TO: The Honorable Sylvia Luke, Chair
House Committee on Finance

FROM: Patricia McManaman, Director

SUBJECT: **H.B. 873 H.D. 1 - RELATING TO THE YOUNG ADULT
VOLUNTARY FOSTER CARE ACT**

Hearing: Thursday, February 27, 2013; 11:30 a.m.
Conference Room 308, State Capitol

PURPOSE: The purpose of H.B. 873 is to add a new part to chapter 346, Hawaii Revised Statutes, to care for and supervise eligible foster youth until their twenty-first birthday. Chapter 346-A will establish a new program called the young adult voluntary foster care program. The young adult voluntary foster care program will support former foster youth in achieving permanency in the transition to adulthood and in becoming independent and self-sufficient by extending voluntary foster care to age twenty-one.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) strongly supports this Administration bill. This bill would statutorily extend services such as independent living services, case planning, permanency planning, and placement for former foster youth up to age twenty-one. Young adults eligible for the program are those who aged out of foster care or were adopted or placed in guardianship after age 16. This bill will provide safe and stable housing

opportunities, reduce homelessness for those young adults who voluntarily agree to participate in the program, and will incentivize eligible young adults to maintain employment at a minimum of 80 hours per month, enroll in college, or participate in employment training programs.

The original bill was the product of extensive community collaboration between foster youth, former foster youth, non-profits that work with foster youth, the Family Court of the First Circuit, and other community partners. The Casey Family Program also provided technical assistance, facilitators, and experts who assisted with the development of the plan and the fiscal models.

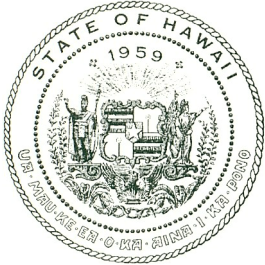
As amended, HB 873 H.D. 1 modifies aspects of the proposal that were not contemplated during the development of the original proposal. The DHS has particular concerns and does not support the changes found on page 9, lines 6-11, which would require program participants to appear at an initial court hearing to determine whether extending foster care is in the young adult's best interests. Similarly, the DHS does not support the changes found on page 12, lines 7-9, which would also require participating young adults to appear at periodic reviews. As originally conceived, community participants wanted to allow these proceedings to move forward either by way of court hearing or court review. The court review process would allow participants the right to waive their appearance before the Family Court and would authorize the court to review initial eligibility for the program, and ongoing eligibility by way of a "paper review." Over the course of many meetings to develop the original proposal, community participants supported the court review process, particularly the youth and young adults who did not want to disrupt their employment and risk job loss or to otherwise jeopardize class attendance requirements to appear at Family Court hearings. They were

comfortable with a process that allowed them the right to review all documents that were to be submitted to Family Court and to waive their right to appear. Youth who wish to attend court proceedings, remain free to do so. The DHS would also note that required court appearances may also contribute to court congestion and increased Judiciary costs.

The DHS has reservations regarding the appointment of attorneys to represent young adults in these proceedings. As designed, the program allows young adults unlimited opportunities to exit and reenter the program. Some jurisdictions, like Michigan, which have adopted similar programs allow young adults only one entry. If the young adult exits the Michigan program voluntarily or is terminated, they are unable to reapply. Because the DHS took a less restrictive approach, we did not believe appointed counsel was necessary. We would also note that program participants, like other adults involved with civil legal matters, are entitled to apply to the Legal Aid Society of Hawai'i, Hawai'i Lawyers Care or other programs for assistance. Should the legislature deem it appropriate to provide counsel, the DHS requests that any appropriation to Family Court for attorney costs not diminish proposed DHS funding for this program or otherwise displace priorities in the Executive Budget request.

Thank you for the opportunity to present our testimony.

HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



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February 27, 2013

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Testimony in Support of HB 873, Relating to the Young Adult Voluntary Foster Care Act

To: Representative Sylvia Luke, Chair
Representative Scott Nishimoto, Vice Chair
Members of House Committee on Finance

From: Annie Hollis, MSW Candidate (2013), practicum student, Hawai'i State Commission on the Status of Women

Re: Testimony in Support of HB 873

The Hawai'i State Commission on the Status of Women is in strong support of HB 873. The extension of voluntary foster custody for young adults is necessary for several reasons. First, an extension of voluntary foster custody allows young adults the time to successfully transition from being in "the system" to being self-sufficient contributing community members. These are young adults who have found themselves in our foster care system due to child abuse, neglect, or the lack of any legal caregiver who wanted to provide for them. Many young adults within the system have not had the opportunity to learn basic life skills—whether it means balancing a checkbook, ensuring that they have adequate health care, accessing transportation to and from work, finding a clean and safe apartment—the list could go on and on. To compound these issues even more, many of these individuals transitioning out of foster care are still suffering from the trauma of abuse, neglect, and eventual removal from their home. Many of the costs associated with this program are reimbursable from the federal government through the Federal Fostering Connections to Success and Increasing Adoption Act of 2008.

It is important to note that any decision to continue foster custody would be made voluntarily by the young adult, allowing these individuals to have a sense of ownership over their case plan and path to adulthood. HB 873 creates a transitioning mechanism for them to ensure they receive the services and help that they need to become successful adults.

Thank you for this opportunity to testify.

Cathy Betts
Executive Director
Hawaii State Commission on the Status of Women

LATE



HB873 HD1
RELATING TO THE YOUNG ADULT VOLUNTARY FOSTER CARE ACT
House Committee on Finance

February 27, 2013

11:30 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB873 HD1, which would set the requirements for extending the age of foster care to age 21.

OHA supports this measure as it will significantly impact our beneficiaries who age out of the foster care system. According to a 2012 Department of Human Services (DHS) report, approximately 46 percent of the children placed in foster care in Hawai'i are of Native Hawaiian ancestry. When foster youth exit the system at the age of 18, they no longer have a safety net to ensure a successful transition to adulthood. Permitting former foster youth to stay in the system until the age of 21 would provide these youth with a mechanism to develop a foundation for independent living, and give them equal footing amongst their peers.

OHA urges this committee to **PASS** HB873 HD1. Mahalo nui loa for the opportunity to testify.

LATE

02/27/2013

RE: House Bill 873

RELATING TO THE YOUNG ADULT VOLUNTARY FOSTER CARE ACT

Aloha,

Mahalo for this opportunity to submit my testimony in **strong support of House Bill 873 HD1** to extend the age for foster care from 18 to 21 years old.

I am a parent of three adult children. I have fostered teens for many years. I have taught in the DOE system at the high school level and have also had the experience of working with foster youth in the classroom setting. I have seen the struggle that these children experience after high school as they stumble along without any safety nets to support them in the form of a loving family. I have received the telephone calls requesting help from my former students that have no family to back them up or be there for them in their times of need. I have had former students that were foster children come to stay with our family as they have no home to call their own upon aging out.

I strongly support House Bill 873 to help to continue the support to our foster youth to help them get a stronger start on their road to independence as adults. The transition from teen life to adult life is a difficult time for most youth that have had the stability and support from their families. Foster youth face a more difficult transition having the added trauma of their past family life and the likelihood of no family support as they make the transition to independency. Adult life becomes a day to day survival mode for them.

Extending the age for foster care to 21 through House Bill 873 would give the foster youth additional time to adjust to adult responsibilities, choices and life in general as they work to become independent, contributing members of our community and society. The additional support will give them a better chance at the successful futures they all dream of and deserve.

Again, I strongly support House Bill 873 HD1 to extend the age of foster care to support our keiki to become the leaders of our future and our community.

Mahalo,

Kau'i Keola