



The Judiciary, State of Hawaii

Testimony to the House Committee on Judiciary

The Honorable Karl Rhoads, Chair
The Honorable Sharon E. Har, Vice Chair

Tuesday, March 19, 2013, 2:00 p.m.
State Capitol, Conference Room 325

WRITTEN TESTIMONY ONLY

by

R. Mark Browning
Deputy Chief Judge/ Senior Judge
Family Court of the First Circuit

Bill No. and Title: Senate Bill No. 815, S.D.2, Relating to Children.

Purpose: To appropriate monies to the Zero to Three Court.

Judiciary's Position:

The Judiciary supports this bill and Senate Draft 2. We wish to acknowledge the Legislature's foresight in the bill's introduction. We respectfully request that this appropriation 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.

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



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sustainability necessarily requires 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.

Thank you for the opportunity to testify on this bill.



HAWAII FAMILY SUPPORT INSTITUTE
Making Hawaii's Families Strong

March 19 , 20113

Representative Karl Rhoads, Chair House Judiciary Committee,
Hawaii State Capitol, Room 329
Honolulu, Hi 96813

Re: SB815, SD 1, Relating to Children

Dear Representative Rhoads and Members of the House Judiciary Committee

I am Gail Breakey, Director of the Hawaii Family Support Institute testifying in support of SB 815, DS 1, 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 collaboration with the national ZERO TO THREE organization in order to (1) improve outcomes for maltreated infants and toddlers and (2) reduce there-occurrence of substantiated abuse and neglect of infants and toddlers in the courts jurisdiction.

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 a achieving 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.

A handwritten signature in cursive script that reads "Gail Breakey".

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

LATE

SB815

Submitted on: 3/18/2013

Testimony for JUD on Mar 19, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
JoAnn Bishop Freed	Individual	Support	No

Comments: This is a very important program that can affect an individual from infancy through the entire rest of his or her life. The efficacy of this program has been proven over the past five years and now is the time to begin to integrate it into the Family Court system so that all islands will eventually have this capacity.

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