Honolulu, Hawaii

FEB 28 ' 2020

RE: H.B. No. 1978 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1978, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL IMMIGRANT JUVENILE STATUS,"

begs leave to report as follows:

The purpose of this measure is to provide the Family Court with jurisdiction, as required under the federal Immigration and Nationality Act (Act), to hear a motion for factual findings that an immigrant child under the age of twenty-one has been abused, neglected, or abandoned before the age of eighteen, for purposes of granting the child Special Immigrant Juvenile Status and awarding custody or quardianship of the child under the Act.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, The Legal Clinic, Filipina Advocacy Network, Japanese American Citizens League Honolulu Chapter, Pono Hawaii Initiative, and nine individuals.

Your Committee finds that Special Immigrant Juvenile Status is a designation under federal law that protects immigrant children who have been abused, neglected, or abandoned. For an immigrant child to gain the Special Immigrant Juvenile Status, a juvenile court must make findings of fact, including: that it is

not in the best interests of the immigrant child to be returned to the immigrant child's previous country of nationality; that reunification with a parent is not viable due to abuse, neglect, or abandonment; and that the immigrant child is a dependent. Once a juvenile court has completed these findings, the immigrant juvenile may apply for permanent legal residence in the United States. This measure clarifies that the Family Courts of the State have jurisdiction to make such critical determinations.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1978, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

CHRIS LEE, Chair

## State of Hawaii House of Representatives The THIRTIETH Legislature

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1978 HD1	Committee Referral:	Date:	2/24/	20
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)			. ,	
2. SAN BUENAVENTURA, Joy A.	. (VC)		a wateriori	
2 DROWER T				
3. BROWER, Tom				
4. CREAGAN, Richard P.			iliania de la compansión d	
T. CAPAOAN, MUMALUI.				
5. LOWEN, Nicole E.				
6. McKELVEY, Angus L.K.				
			Kariba da karaban san	
7. NAKASHIMA, Mark M.				
8. PERRUSO, Amy A.				
9. SAY, Calvin K.Y.				<u> </u>
10. TAKAYAMA, Gregg				and the second s
IV. IMMAIAMA, GIEgg				
11. YAMANE, Ryan I.	The second secon	the formal state of the state o		
12. THIELEN, Cynthia			emandid ti terri i ini sa se e tita e i i i i	
TOTAL (12)	9			
The recommendation is:    Dadopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				
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