



The Judiciary, State of Hawaii

Testimony to the Senate Committee on Human Services

Senator Suzanne Chun Oakland, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

Tuesday, February 2, 2016, 1:15 p.m.
State Capitol, Conference Room 016

By

WRITTEN TESTIMONY ONLY

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

Bill No. and Title: Senate Bill No. 2160, Relating to Child Protective Act

Purpose: More specifically defines “aggravated circumstances,” as used in HRS Chapter 587A, the Child Protective Act, in certain situations, and other amendments.

Judiciary's Position:

The Judiciary takes no position on this bill. We offer comments on two sections.

This bill more specifically defines “aggravated circumstances” as follows from page 4, line 5:

- “(8) The parent has been incarcerated more than once, resulting in the child's repeated placement in foster care;
- (9) The parent has repeatedly placed the child or a sibling of the child in foster care more than once;”.

In our experience, while we endeavor to minimize the number of foster placements for each child, we have many parents who have worked hard and succeeded in making changes that



Senate Bill No. 2160, Relating to the Child Protective Act
Senate Committee on Human Services
Tuesday, February 2, 2015, 1:15 p.m.
Page 2

then allow them to provide their child/ren with a safe family home and reunification occurs. Perhaps these suggested changes may be sufficient:

- “(8) The parent’s incarcerations have resulted in the child's repeated placement in foster care;
- (9) The parent has repeatedly placed the child or a sibling of the child in foster care;”.

At page 7, from line 16, the bill adds “provided that the child shall not be reunified with the child's parents until the child's parents have completed the service plan;”. This phrase is redundant. Successful completion of the service plan is the standard for reunification in all cases, including those with “aggravated circumstances.”

Thank you for the opportunity to provide testimony on this matter.