



*The Judiciary, State of Hawai‘i*

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

Representative John M. Mizuno, Chair  
Representative Bertrand Kobayashi, Vice Chair

Wednesday, February 7, 2018 10:30 AM  
State Capitol, Conference Room 329

By  
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Senior Judge, Deputy Chief Judge  
Family Court of the First Circuit

**WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** House Bill No. 2242, Relating to a Senior Advocate Program

**Purpose:** Requires the judiciary to study the feasibility of establishing a volunteer-based senior advocate program in the family courts of the State that would complement existing efforts to assist persons involved in adult protective proceedings pursuant to chapter 346, Hawaii Revised Statutes. Requires a report to the 2020 Legislature.

**Judiciary's Position:**

The Judiciary supports the intent of this bill. However, such a program is better suited to be studied and implemented by the Department of Human Services.

The Department of Human Services (“Department” or “DHS”) is already tasked with, and doing a good job of, applying the Adult Protective Services Act to vulnerable adults. DHS receives oral and written reports identifying vulnerable adults and their situations. DHS has access to records and the authority to conduct investigations. In discharging their duties, the department works very closely with the vulnerable person, his/her relatives and friends, and other state and non-profit helping agencies.

The Department’s social workers try to apply least intrusive alternatives and the fewest possible restrictions as a first solution. In fact, the Department has the authority to resolve these matters “in an informal fashion as is appropriate under the circumstances.” HRS § 346-228(1).



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These cases only appear in Family Court if the Department seeks an order for immediate protection or files a Petition.

The Judiciary does not have sufficient staff or resources to effectively conduct such a study. In that regard, we defer to the Department of Human Services to examine and evaluate the merits of establishing a volunteer-based senior advocate program to assist them in their work with vulnerable adults.

Thank you for the opportunity to testify on this measure.