

JAN 20 2017

A BILL FOR AN ACT

RELATING TO THE ZERO TO THREE COURT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that children under the
2 age of one have historically comprised the largest age cohort in
3 child protective services and children under the age of three
4 comprised nearly twenty-five per cent of all children in
5 Hawaii's foster care system in fiscal year 2016. Abuse and
6 neglect have been linked with serious developmental consequences
7 for infants and toddlers, including attachment disorders, post-
8 traumatic stress disorder, and developmental delays. These
9 negative consequences can be further exacerbated in a foster
10 care system with infrequent visitation, multiple placement
11 changes, and delays in achieving permanence.

12 The legislature further finds that a child's first few
13 years are the most crucial period for brain growth and learning.
14 Developmental neuroscience demonstrates that appropriate early
15 intervention and child welfare policies can help infants and
16 toddlers overcome the negative consequences stemming from
17 maltreatment. Recognizing this, the national ZERO TO THREE



1 organization created safe babies court teams with initial sites
2 in Texas, Iowa, Mississippi, and Louisiana. The project is
3 rooted in developmental science and aims to improve outcomes for
4 maltreated infants and toddlers, reduce the reoccurrence of
5 substantiated abuse and neglect of infants and toddlers in the
6 court's jurisdiction, and change the court's culture to focus on
7 the needs of infants and toddlers. An evaluation of the ZERO TO
8 THREE safe babies court teams project found that the project was
9 experiencing success in reaching its goals.

10 A Hawaii zero to three court team, which began operating in
11 2009, seeks to achieve the national ZERO TO THREE goals by
12 working to increase awareness among those who work with
13 maltreated infants and toddlers about the negative effects of
14 abuse and neglect upon young children and to change local
15 systems to improve outcomes and court involvement in the lives
16 of very young children. Specifically, the Hawaii program trains
17 professionals, secures effective service resources, encourages
18 collaboration among existing community service providers, and
19 increases parent-child contact. Key features of this
20 specialized court include monthly case conferences for each
21 family, monthly court hearings, and a court team composed of a



1 lead family court judge, designated guardian ad litem, parents'
2 counsel, deputy attorneys general, and social workers from the
3 department of human services.

4 Initially, the Hawaii zero to three court was staffed with
5 one community coordinator position funded by the national ZERO
6 TO THREE program, which served over thirty infants and toddlers
7 along with their siblings and families. Infants and their
8 parents were linked with early intervention services such as
9 Attachment and Biobehavioral Catch-up and Women's Way. Trainers
10 from the national ZERO TO THREE program were brought in on
11 numerous occasions to train judges and the early childhood
12 community, establishing working relationships with early
13 intervention services on Oahu. For the twenty-six children
14 served by the Hawaii zero to three court between October 1,
15 2011, and September 30, 2012, the following outcomes are
16 noteworthy:

- 17 (1) One hundred per cent of the children served
18 experienced no more than two changes in placement;
- 19 (2) One hundred per cent of the children served have
20 received a developmental screen or been referred for a



1 developmental screen through enhanced early head start
2 services; and

3 (3) Seventy-seven per cent of the children served received
4 at least two parental visits a week, with several
5 children having daily parent-child contact.

6 In November 2012, the Hawaii zero to three court lost its
7 national funding. The judiciary, nonetheless, has continued to
8 provide services to infants and families, and the program was
9 transferred for administrative purposes to the first circuit
10 family drug court. The family drug court has since received
11 funding that includes some services for the zero to three court.
12 Currently, the zero to three court team is composed of a
13 presiding judge, case manager, court improvement program
14 coordinator, designated deputy attorney general, designated
15 child welfare services social workers, guardian ad litem,
16 parent's counsel, and family court staff. Staffing support has
17 been provided by the William S. Richardson school of law. The
18 program currently has a caseload of thirteen, serving a total of
19 twenty-three children with fifteen in the zero through three age
20 range and eight older siblings. Since May 2015, eighteen cases



1 have closed involving twenty-one children in the zero through
2 three age range and eleven of their siblings.

3 An evaluation of the Hawaii zero to three court was
4 conducted by the University of Hawaii's center on disabilities
5 from August 2013 to July 2016. The study concluded that the
6 program is successful in meeting the objectives of reducing
7 parental alcohol or drug use, improving reunification outcomes
8 for families, decreasing the length of stay in foster care and
9 number of placements, increasing visitation frequency, ensuring
10 timeliness of service availability, and increasing access to
11 services.

12 The legislature concludes that stable funding is critically
13 needed to ensure continued and enhanced services and resources
14 and to further develop the capacity of the Hawaii zero to three
15 court team.

16 The purpose of this Act is to support the Hawaii zero to
17 three court through program manager and case manager positions,
18 transportation for parents to visit children, emergency housing
19 assistance, parent coaching, visitation enhancement, continued
20 implementation of an incentive program similar to the successful
21 model utilized in family drug court, and continued training and



1 professional development of court team members and community
2 partners. It is not the legislature's intent that the requested
3 funds supplant the judiciary's existing funding or budget
4 requests.

5 SECTION 2. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$278,430 or so much
7 thereof as may be necessary for fiscal year 2017-2018 and the
8 same sum or so much thereof as may be necessary for fiscal year
9 2018-2019 to support the efforts of the Hawaii zero to three
10 court as follows:

- 11 (1) \$80,930 for a program manager position;
- 12 (2) \$77,000 for a case manager position;
- 13 (3) \$7,000 for transportation costs for parents to visit
14 children;
- 15 (4) \$35,000 for housing assistance;
- 16 (5) \$3,500 for a parent incentive program;
- 17 (6) \$21,000 for an evaluation of the program;
- 18 (7) \$18,000 for training and professional development; and
- 19 (8) \$36,000 for service contracts for visitation and
20 parent coaching.



S.B. NO. 499

1 The sums appropriated shall be expended by the judiciary
2 for the purposes of this Act.

3 SECTION 3. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

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S.B. NO. 499

Report Title:

Zero to Three Court; Appropriation

Description:

Appropriates funds for staff positions and various services to support the Hawaii zero to three court.

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