

KEEP SHOWING UP:

Parent to Parent Guide to Child Welfare Services

This educational resource is intended to enhance the State of Hawaii's Department of Human Services (DHS) "Guide to Child Welfare Services"



Mahalo to Hawai'i State Department of Health, Hawai'i State Department of Human Services, the Geist Foundation, Kim Chang, and Krystle Richman for their contributions to this project.

EPIC 
'OHANA, INC.



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- The information provided in this supportive document is not meant to provide legal advice.
- The materials are only intended for general information purposes.
- You can choose to read the whole thing, or you can look up the information you may need right now. Every case will be different.
- Please note that this may not be the most current legal or other information.
- Consult your attorney for advice with respect to any specific legal matter.
- Only your attorney can determine whether the information, as well as your interpretation of it, is relevant or appropriate in your case.

CONTENTS

Overview	3
The Most Important Things You Can Do.....	4
Important Notes.....	5
WHAT TO KNOW: The Law.....	6
LEGAL STATUS: Am I a voluntary case?.....	7
LEGAL STATUS: Investigation Process.....	8
LEGAL STATUS: Is my case petitioning family court?.....	9
LEGAL STATUS: What does permanent custody mean?.....	10
COURT INVOLVEMENT: Rights & Responsibilities.....	11
COURT INVOLVEMENT: Who is who?.....	12
COURT INVOLVEMENT: Who should attend?.....	13
COURT INVOLVEMENT: Common Questions	14–18
GLOSSARY.....	19–20

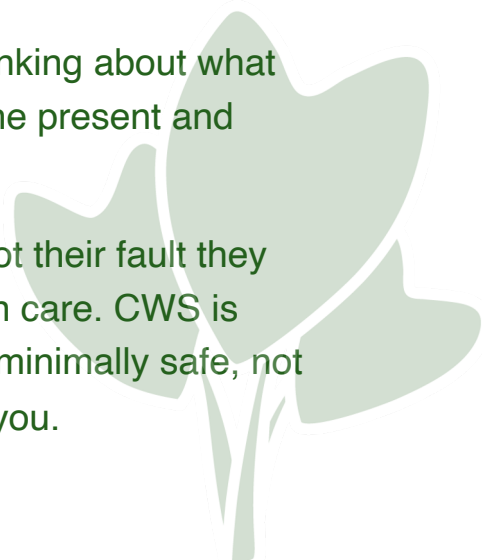




Parent to Parent Guide to Child Welfare Services

*Shared by those
with lived experience*

- You may feel scared because your child has been taken away from you. Neither you or your child knows when you'll see each other again or whether they are coming home. Everything is so confusing.
- The purpose of this guide is to meet you where you are and to help you understand what is happening by breaking it down as simply as possible.
- If you are facing criminal charges, either related or not related to this case, the Family Court and CWS do not determine the outcome.
- You may feel that others think you are a bad parent. CWS is not about this.
- If you feel angry at CWS, use your supports to vent those feelings. Don't be discouraged. Remain professional with CWS.
- We all have problems. Sometimes life is too much, and we need support to keep it together.
- Help is available if you're struggling with issues like addiction or violence. We encourage you to reach out for that help.
- Every day counts. Start thinking about what you can do and focus on the present and future.
- Focus on your child. It is not their fault they may be in care or remain in care. CWS is asking for your child to be minimally safe, not asking for perfection from you.





The Most Important Things You Can Do

- Make sure the case manager and your attorney know right away if there are any relatives or other people who might be able to take your children if they cannot stay with you. In this way, you may be able to keep your children in your family.
- Set up and attend all your visits with your children. This is important to maintain contact with your children.
- If possible, stay connected with your children and their resource caregivers. Strive to keep the relationship positive. This will help you and your children get through this difficult and emotional time.
- Keep your case manager and attorney updated about progress, challenges, and concerns as they come up.
- Enroll in the services you have been ordered to attend. Tell your attorney and case manager if it is not working or if there is a significant waitlist. Do not stop services because then you will not be addressing the safety concerns.
- You do not have all the time in the world.
- Communicate any barriers ahead of time so solutions can be brainstormed together.

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WHAT TO KNOW: The Law



To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

Knowing your legal rights is extremely important. These rights are foundational to help you understand your responsibilities and what negative consequences you might face if you disobey them.

Family Court is not Criminal Court

- Family court handles family matters.
- Family court abides by civil laws (not criminal laws).
- Family court aims to resolve issues and keep families whole rather than tearing them apart.
- Family court is not criminal court. Sometimes criminal charges are involved and heard in a different court that is not associated with CWS.
- The worst possible outcome is that your parental rights may be terminated, and you may not be reunified with your child.



Adequate protection from harm



Plans to ensure their safety to grow and develop to the best of their potential



Chance to reunify with their family if their family can provide a safe family home

Hawai'i Revised Statute - Chapter 587A: Child Protective Act*

The Purpose: To ensure children are safe (physically and emotionally)

1. Help you address the causes of abuse and neglect
2. Respect your strengths, resources, culture, and customs
3. Involve you in a meaningful way during the case planning process
4. Work on a plan to ensure your children remain connected to family
5. Engage your family and support system early and often
6. Consider the views and inputs of everyone involved
7. Understand there is a legal timeline of children in foster care

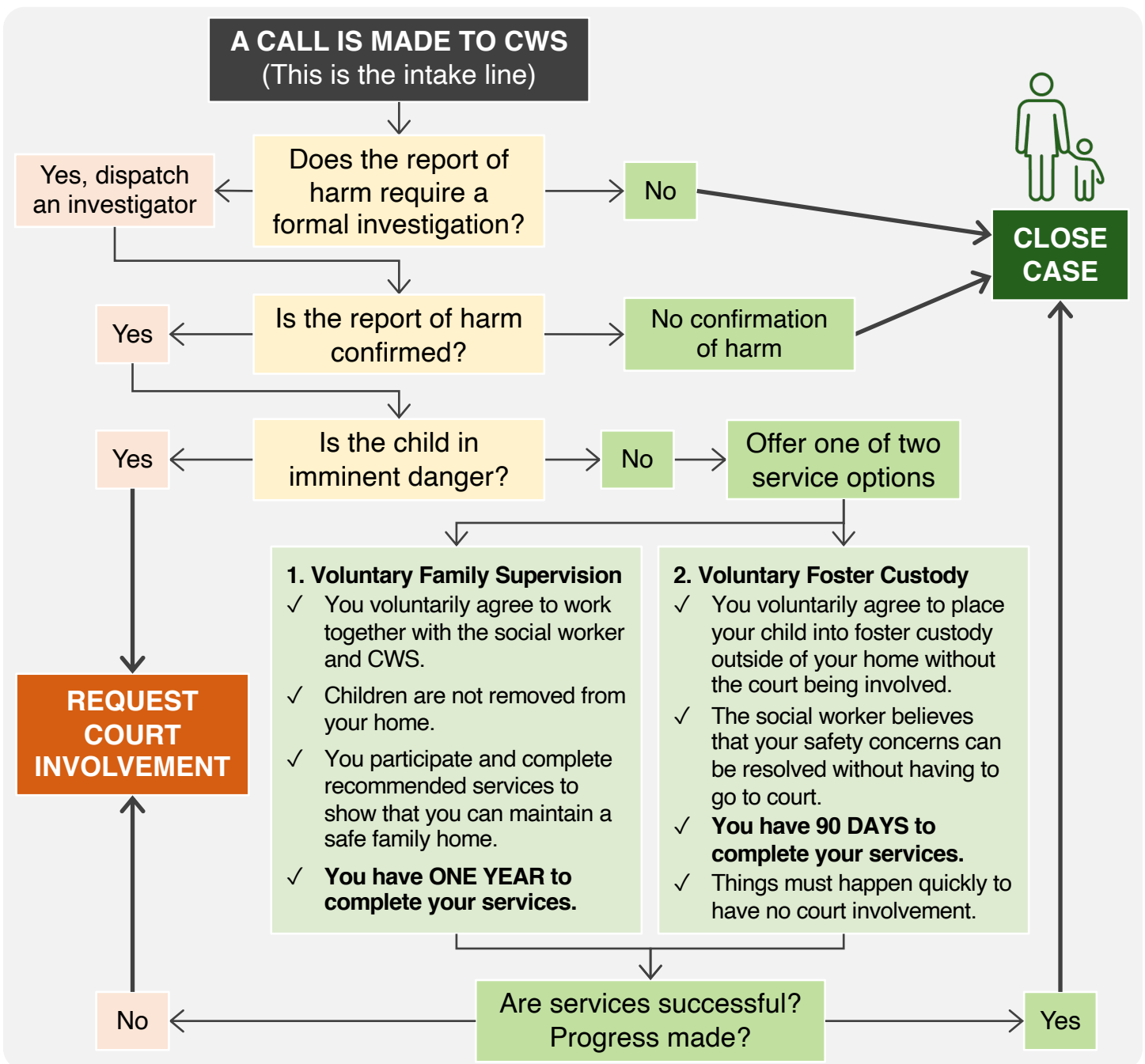
* This is where the child welfare laws are located for the State of Hawai'i

LEGAL STATUS:

Am I a voluntary case? (No court involvement)

To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

The Child Welfare System can be a confusing process. If you know your legal status, you will better understand your situation and where you fall in the whole scheme of things. You should freely ask questions like: Where am I? Is the court involved? Does the court have jurisdiction or not? Are my children removed from my home? Or are my children in my home with a safety support plan?



LEGAL STATUS: Investigation Process



To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

1. CWS INTAKE LINE RECEIVES A REPORT

Anyone can notify CWS about suspected abuse/neglect. Some people are mandated reporters (like teachers & doctors).

2. CWS INVESTIGATES

Anyone can notify CWS about suspected abuse/neglect. Some people are mandated reporters (like teachers & doctors).

3. TIMELINE

The report of harm is confirmed or denied within sixty (60) days after the CWS Intake Line received the report.

Your rights during an investigation

- **Know** the reported concern from the very beginning
- In order to prevent your child from being removed, **request** an In-Home Safety Plan
- **Request** an 'Ohana Conference (family meeting)
- **Find out** if the report has been confirmed or not
- **Know** the next steps of CWS
- You can **bring** your own hired attorney to your CWS interview
- **Request** an advocate to participate
- **Cancel** your voluntary foster care agreement at any time
- **Notify** CWS immediately of your preferred relatives/friends for your child's placement

How did I become involved with CWS?

- CWS must respond immediately to all reports of harm. To ensure that the investigator will be fair and thorough, they need to talk to you and your family. The investigator will share reported concerns (but not who reported). The investigator will do their best to understand your point of view. It is possible that they may need to talk to others.

Do I have to let the investigator inside my home?

- If you're uncomfortable with the investigator entering your home, you can refuse. Please tell them this and they will leave. They cannot enter your home without your permission.
- Refusing to talk to the investigator does not mean they go away. If there are still concerns about your child's safety, they may remove your child from your care because they do not have enough information.
- The investigator may return to your home with a police officer to check on your child.

Can CWS interview my child without my permission?

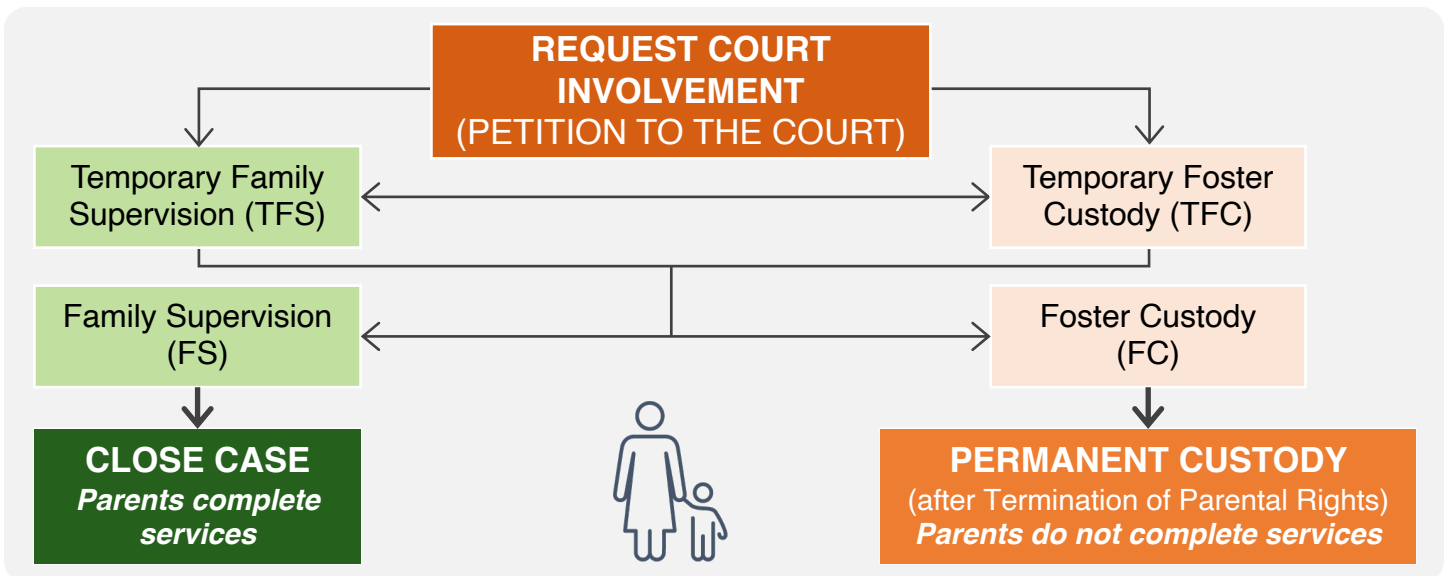
- Yes. The investigator can interview your child without you physically being there or without your permission (for example, at school).



LEGAL STATUS: Is my case petitioning family court?

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The Child Welfare System can be a confusing process. If you know your legal status, you will better understand your situation and where you fall in the whole scheme of things. You should freely ask questions like: Where am I? Is the court involved? Does the court have jurisdiction or not? Are my children removed from my home? Or are my children in my home with a safety support plan?



Legal statuses with court involvement (different petitions that the state can file)

Temporary Family Supervision (TFS)	Temporary Foster Custody (TFC)	Family Supervision (FS)	Foster Custody (FC)
<ul style="list-style-type: none"> Your child remains in your family home with some court oversight CWS will petition the court for family supervision One of the rarer legal statuses with court involvement 	<ul style="list-style-type: none"> Your child is placed into foster custody after being removed from your home Hearing is within 2 business days after petition is filed Goal = determine if TFC should continue while deciding adjudication 4 options after the hearing: 1) you need more time (~ 15 days), 2) you disagree and the court still finds your child should remain in TFC until adjudication, 3) court finds there is no imminent harm for your child and orders TFS, 4) or you agree or stipulate. Judge may order FC or FS with a service plan 	<ul style="list-style-type: none"> Your child remains in your family home with you Goal = case closure Requires a level of intervention and monitoring, in addition to continuing the service plan CWS and GAL will be involved and provide services to resolve safety concerns and work towards case closure Will need to return for court hearings There is no formal timeline because your child is not in foster custody 	<ul style="list-style-type: none"> You agree to foster custody at court, or the judge can grant foster custody based on safety concerns Goal = reunification A service plan is ordered, and CWS will help connect you to services You may request visits with your child You may identify family or kin placement for your child Be aware CWS is required to have a concurrent plan because there is a legal timeline when a child is under foster custody

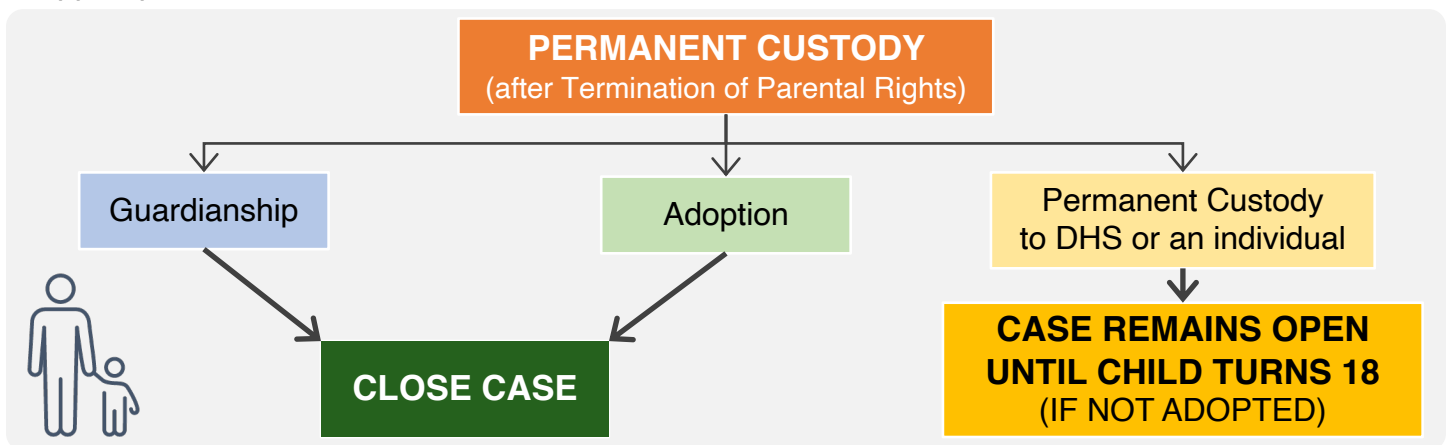


LEGAL STATUS:

What does permanent custody mean?

To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

The Child Welfare System can be a confusing process. If you know your legal status, you will better understand your situation and where you fall in the whole scheme of things. You should freely ask questions like: Where am I? Is the court involved? Does the court have jurisdiction or not? Are my children removed from my home? Or are my children in my home with a safety support plan?



What is legal guardianship?	What is adoption?	What is permanent custody?
<ul style="list-style-type: none"> • Legal guardians have all the rights and responsibilities that any parent would have when caring for a child • Your rights as a parent are not terminated but are on hold during the time of the guardianship • You are obligated to continue to pay child support • Any party can return to court and request to terminate guardianship before your child is 18 years old. The judge, as the final decision maker, will determine if it is appropriate or not for the child • Guardianship will automatically end when the child turns 18 years old 	<ul style="list-style-type: none"> • Adoptive parents have full legal parental rights • Your rights as a parent are terminated. This means that you are no longer legally your child's parent • You are not obligated to continue to pay child support • The child has the same rights as a biological child, including inheritance • A child's adoption status lasts a lifetime • The adoptive parents are listed as the parents on a new birth certificate • The family can choose to change the child's name and ethnicity 	<ul style="list-style-type: none"> • Permanent custodians will have parental rights and responsibilities • The Family Court will continue holding review hearings • Permanent custody remains until your child is adopted, legal guardianship happens, or your child turns 18 years old • This pathway is more like a default status. There is no adoptive home or legal guardian identified. Your rights are terminated, and your child remains with CWS until something is found or until your child turns 18 years old • CWS does their best to have concurrent plans, so your child does not remain in permanent custody

Permanency is not the same thing as permanent custody.

- Permanency is a legal definition in the law about child welfare: Hawai'i Revised Statute – Chapter 587A: Child Protective Act.
- Permanency is about what will happen to your child permanently (this includes reunification).
- Heard every 12 months. Review hearings are every 6 months. Focus is on where are you in the timeline? Is reunification happening? If not, what is the permanent plan? (legal guardianship, adoption, or permanent custody).

COURT INVOLVEMENT: Rights & Responsibilities



To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

As a parent, you have certain rights and responsibilities while your child welfare case is being investigated. Services may be available to support your family.

Your rights include:

- The right to representation (you may qualify financially for a court appointed attorney, or you can hire one, or you can represent yourself pro se)
- The right to notice (legal term saying that you have the right to be informed about the reason you are being investigated, the outcome of the investigation, and details regarding upcoming court hearings)
- The right to ask questions (like “Why am I being investigated?”)
- The right to a hearing
- The right to be active in your own case planning
- The right to identify a relative or other placement if your child cannot stay with you
- The right to appeal decisions within a certain timeframe

Your responsibilities include:

- Asking questions to help you understand your role and the court process
- Attending and being prepared for all your appointments and court hearings
- It is recommended that you bring records or documentation, keep a personal journal of your progress, etc.
- Cooperating with your service plan and communicating any challenges you may have
- Remember that while your CWS case is open, the department is assessing if you can provide a safe environment for your child to return to. Consider that your social media posts or new romantic relationships or being observed driving without a license, etc. may potentially be a barrier or negatively impact the outcome of your case (depending on the concerns that you are trying to resolve.)

If you have specific questions about your case or your process, you should ask your social worker or attorney. You may also ask for an ‘ohana conference. Remember that asking for help is a sign of strength.

COURT INVOLVEMENT: Who is who?



To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

Involvement with the Child Welfare System often includes the court system. The experience in court can be overwhelming and intimidating. This who's who is designed to help you identify key stakeholders that you may interact with.

Department of Human Services (DHS)	Department of Human Services is the larger department and Child Welfare Services (CWS) is a smaller branch. Used to be known as Child Protective Services (CPS).
Investigator	A CWS social worker assigned to investigate reports of child abuse or neglect. Involvement is limited to the investigation period, after which the case is transferred to a case manager.
Case Manager	A CWS social worker who will remain on your case after the investigation. Will monitor and service the whole family (child and parents). Generally, one social worker will be assigned per family.
Deputy Attorney General	The Deputy Attorney General (DAG) represents the state (agencies). DAG handles cases from start to finish
Your Attorney	You have the right to an attorney. If you qualify financially, the court may appoint an attorney. Otherwise, you can hire your own attorney or represent yourself pro se.
Guardian Ad Litem	A GAL is usually an attorney who only focuses on the child. Writes a report about how the child is doing, how to proceed in the best interest of the child, and communicates the child's best wishes.
CASA	A trained volunteer who only focuses on the child. Writes a report about how the child is doing, how to proceed in the best interest of the child, and communicates the child's best wishes.
EPIC	A non-profit that provides programs like 'ohana conferences. An 'ohana conference is a meeting for families involved with CWS that may include service providers and your family supporters to discuss what is going on in the case.
Family Court Judge	Main role is to protect children and help families provide a safe environment. Main goal is to make sure the child is safe. Other parties will make recommendations, but the judge is the final decision maker.
Resource Caregiver	Formerly known as foster parents. Could be relatives or non-relatives.

COURT INVOLVEMENT: Who should attend?



To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

Involvement with the Child Welfare System often includes the court system. The experience in court can be overwhelming and intimidating. Here are some recommendations for who should attend court hearings and reviews.

YOU

You are required to attend every hearing. You can be defaulted if you do not attend, and your case will move on without you.

Children 12 and older

Children 12 and older are encouraged to talk to the judge (typically at a separate time than the court hearing). Guardian Ad Litem (GAL) must attend with the child.

Children 12 and under

If children 12 and under ask or express interest in attending court, they are allowed to make a request to the judge. Judge has final discretion.

Legal parties

General public is not allowed to enter; only parties are allowed (parents, CWS, GALs, resource caregivers). Anyone else must be pre-agreed upon by all parties. Judge has final discretion.

The most important thing to know is that these cases are confidential.

COURT INVOLVEMENT: Common Questions



To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

How can I prepare for in-person court?

- At your first hearing, if you qualify for a court-appointed attorney, you will be assigned then. A GAL and/or CASA for your child will also be appointed.
- For future hearings, make sure to reach out to your attorney 3-4 business days before your hearing. Keep trying to reach them so you are prepared for what to expect. Go over the reports and recommendations together.
- Plan on taking several hours because multiple hearings are scheduled at the same times.
- Arrange for transportation and childcare, if needed.
 - If parking at the courthouse, bring enough quarters for the metered parking (no free parking). The machines only take quarters. Each quarter = 30 minutes. The meter will only go up to 4 hours maximum.
- Be on time, dressed appropriately, and wear a mask. You should aim to arrive at least 15 minutes early.
 - If you bring support people, they must wait outside the courthouse.
 - You will go through a metal detector and a temperature check.
 - Must check in with the bailiff on the 1st floor. They will allow you to go the the 2nd floor approximately 10-15 minutes before your hearing.
- After checking in, be prepared to wait.
- Bring any important documents and notes with you.
- Avoid inappropriate language.

How can I prepare for virtual court?

- For future hearings, make sure to reach out to your attorney 3-4 business days before your hearing. Keep trying to reach them so you are prepared for what to expect. Go over the reports and recommendations together.
- You will need email and good, reliable internet access.
- You will be sent a link with an instructional sheet (including information about when to sign on, what to expect, and how to troubleshoot technology problems).
- Expectation is that you will participate via video conference (you are expected to have your video on).
 - Treat this video conference as you were in the courtroom in person. Dress appropriately and avoid inappropriate language.
 - Because the hearing is confidential, use headphones or be in a place that you cannot be overheard.
 - Please give your full attention to the video and not multitask (including driving, shopping, working, caring for your children, etc.).
 - Be aware that you may have to wait a long time in the waiting room prior to your hearing.
- If you experience any technical problems, call the bailiff at (808)954-8087. Share your child's name, your name, and your relationship to the child.

COURT INVOLVEMENT: Common Questions



To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

Can I participate if I am incarcerated?

- You have a right to be included in your child's case management process.
- You should be notified about court hearings and conversations about your child's safety and potential placements with preferred family.
- Talk to your social worker or case manager and share that you want to be as involved in your family court case as possible.
- If you are unsure who your CWS social worker is, reach out to EPIC to help you identify where your case is and schedule an 'ohana conference (808)784-4560.
- Request visits with your child.
- If you are a party, the courts must accommodate your request to participate in court. If you're unable to physically be in court, your social worker can help coordinate your participation by telephone or videoconference.
- With COVID-19, your participation will likely be limited to only via phone.
- On the date of the hearing, contact the bailiff at (808)954-8087 and share your name and where you are. Make sure the bailiff has a call back number for you.

What is reunification?

- Your child can return to you when you can demonstrate that you have a safe home, even when you are still participating in services. This usually can happen either by court order or if CWS and GAL agree to reunify.
 - The time you have to complete your service plan is really short, so begin coordinating your services right away.
 - Also schedule and attend all your visitation sessions with your children.
- The usual transition is going from supervised visits to unsupervised visits to overnight visits and then eventually return home.

Involvement with the Child Welfare System often includes the court system. The experience in court can be overwhelming and intimidating. It is important to take care of you during this process. Don't forget that asking for help is a sign of strength.

COURT INVOLVEMENT: Common Questions



To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.

What can I expect at my initial hearing?

- The court will evaluate the child's safety and decide whether the child will be allowed to remain in your care (if the child has not already been removed from your home under an emergency removal).
- You will be given, if not already provided, a petition. The petition is a formal request for the court to open this case.
- You may be served with the safe family home report (the investigator's report regarding the report of harm about the care of your child and why your child is in harm's way and the court should get involved).
- You may agree or disagree with the petition.
 - If you agree, the court will review the recommended service plan (a service plan is to address the concerns shared). You may agree or disagree with each service. You may also consider looking at proposing other options.
 - If you disagree, you may ask for a trial.
- EPIC will be connecting with you to schedule an 'Ohana Conference.
- You may request visits with your child. You may also give the names of relatives or friends who can supervise the visits or act as a resource caregiver.

What happens after the hearing?

- The judge decides and issues court orders.
- Your attorney will receive copies of all court papers and court orders. You may ask your attorney for a copy.
 - If you are representing yourself, you should receive copies directly.
- Make sure to ask your attorney or social worker to explain next steps if you are not sure.
- Make sure you know the date of your next court hearing.
- Make sure that your social worker, attorney, and GAL/CASA have your current phone number, address, and email.
- Expect to return for a hearing at least every 6 months. But know that it may be more common to return every 3-4 months.

Involvement with the Child Welfare System often includes the court system. The experience in court can be overwhelming and intimidating. It is important to take care of you during this process. Don't forget that asking for help is a sign of strength.

COURT INVOLVEMENT: Common Questions

To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.



What happens if my child is removed from my home/my care?

- You have a right to know why your child was removed.
- You can request placement of your child with a close friend or relative.
- If you have more than one child, you can request that all your children be placed together.
- Your social worker will help you with your service plan. This plan will be your pathway to reunification with your child.
- Your social worker is required to develop concurrent plans. Although they are working with you towards reunification, they must plan for permanency at the same time.

What is Concurrent Planning?

- Concurrent plans are having two plans going at the same time:
 - Plan A = reunification and
 - Plan B = if reunification cannot happen, who do you want your children to be with?
- Your social worker is required to ask. There is no blame or belief that you will fail.
- As a parent, you should have a back-up plan for your children as a "just in case something happens to me..." This will help the social worker know your wish of what you would want for your children. If you do not know, you will be asked again later.
- You can change your mind and choose someone else later. Or you may choose your Top 3 choices, such as: "Please consider 1, 2, 3."

What happens at future hearings (after my initial hearing)?

- The judge will request updates since the last time in court.
- The purpose is for the judge to see that you have made progress in your service plan.
- The judge will decide whether your progress and efforts are enough to continue towards reunification with your child.
 - If so, the judge will decide when your child can return to you for reunification and may use this time to set a timeframe to help you anticipate.
 - But, if too much time has passed, be prepared that there may be questions of whether it is time to file a motion for termination of parental rights.

COURT INVOLVEMENT: Common Questions

To make informed decisions, you should have a clear understanding of the Child Welfare System and how that will impact your case and/or goal of reunification.



What is "Termination of Parental Rights"? (TPR)

- Termination of Parental Rights is a court order that legally and permanently ends your parental rights with your child. You may still have a relationship with your child, but your legal parent-child relationship will be terminated (for example, this may include rights such as custody, visitation, inheritance, and responsibilities for child support and liability for your child's misconduct).
- At any time, you may voluntarily give up your rights.
- Be aware that state law requires CWS to file a motion (request) to TPR when your child has spent 12 consecutive months OR 15 of the most recent 22 months in foster care
- There are two exceptions to filing the TPR motion (request) by the mandated timeframe:
 - CWS has documented a compelling reason of why it is not in the best interest of your child to follow the motion, OR
 - CWS did not provide your family with what was required in the service plan.
- But, know that at any time, CWS can file a motion earlier because they determine that reunification with your child is no longer suitable (CWS feels that you are not presently willing and able to provide a safe home even with the support of a service plan).
 - CWS does not have to wait the full amount of time and has the option to file sooner.
 - If this happens, know that this is just a motion. This means that this is not a guarantee that your rights will be terminated. You will still have the right to argue that your rights not be terminated.

Can I appeal?

- You may ask a higher level of judges (Intermediate Court of Appeals - ICA) to review the Family Court order.
 - If right, then the ICA judge will confirm the order.
 - If there was a legal error, then the ICA judge can send it back down to the Family Court to fix the order.
- There is a time limit of how much time you have to think about whether you want to appeal.
- Your attorney will be able to explain the process of appeal to you.

GLOSSARY

Please use this glossary of terms as a quick reference guide while you are working with the child welfare system. The definitions are meant to be understandable to those who are new or unfamiliar with the child welfare system.



Adoption – The process a person goes through to become a legal parent.

Advocate (for the child) – A person who forms a relationship with the child with the intent to share what is in the best interest of the child.

Attorney – You have the right to an attorney (or sometimes called a lawyer). This person can advise and represent you and your legal rights in a court case. If you qualify financially, the court may appoint an attorney. Otherwise, you can hire your own attorney or represent yourself pro se.

Case manager – A CWS social worker who will remain on your case after the investigation. Will monitor and service the whole family (child and parents). Generally, one social worker will be assigned per family.

Case plan – Can be voluntary or court-ordered; identifies services and a timeline to address caring for the health and safety of the children.

Child Welfare Services – A smaller program in the Department of Human Services. Used to be known as Child Protection Services (CPS).

Closed case – When all safety related concerns have been satisfactorily addressed and the state agency or court dismisses the case.

Concurrent planning – Planning at the same time for both reunification and a way to ensure that the children will be cared for should reunification not work out.

Continuance – If there is an unresolved matter in the case, the court may offer the ability to continue services or put off deciding until all information is gathered or the issue is resolved.

Court Appointed Special Advocate – A trained volunteer who only focuses on the child. Writes a report about how the child is doing, how to proceed in the best interest of the child, and communicates the child's best wishes.

Department of Human Services – A state agency that supports the well-being of individuals, families, and communities in Hawai'i.

Deputy Attorney General – DAG represents the state (agencies). DAG handles cases from start to finish.

EPIC 'Ohana – A non-profit that provides programs like 'ohana conferences.

Exception – There may be times when the court may exclude or not follow a rule, for example: a service is not currently available, so the timeline may be extended to accommodate the waitlist for a particular program or, an exception may be made for an alternative service to take the place of the original service. Exceptions are made on a case by case basis.

Family Court – Court of law that handles disputes in family matters like divorce or child custody.

Family Court Judge – Main role is to protect children and help families provide a safe environment. Main goal is to make sure the child is safe. Other parties will make recommendations, but the judge is the final decision maker.

Family Supervision – Services are provided to keep the children in the family home. The goal is case closure. This requires a level of intervention and monitoring, in addition to continuing the service plan. The CWS and GAL will be involved and provide services to resolve safety concerns and work towards case closure. Families will need to return for court hearings. There is no formal timeline because the child is not in foster custody.

Foster custody/care – The formal care and protection of children outside of their family home. The parents agrees to foster custody at court, or the judge can grant foster custody based on safety concerns. The goal is reunification. A service plan is ordered, and CWS will help connect the parents to services. The parents may request visits with the child. The family may also identify family or kin placement for the child. Be aware CWS is required to have a concurrent plan because there is a legal timeline when a child is under foster custody.

Guardian ad litem (GAL) - A GAL is usually an attorney who only focuses on the child. Writes a report about how the child is doing, how to proceed in the best interest of the child, and communicates the child's best wishes.

Hawai'i Revised Statute - Chapter 587A: Child Protective Act – This is where the child welfare laws are located for the State of Hawai'i.

Home visit – Visits that are made to the family home where the children reside.

Imminent danger – When a child is placed at risk of some harm or injury that could occur immediately.

In-Home Safety Plan – a documented set of actions or interventions that manage a child's safety when safety concerns are identified.

Intake line – The CWS hotline where people can call to make a report of suspected child abuse and/or neglect.

Investigator - a CWS social worker assigned to investigate reports of child abuse or neglect. Involvement is limited to the investigation period, after which the case is transferred to a case manager.

Legal guardianship – Legal guardians have all the rights and responsibilities that any parent would have when caring for a child. Biological parental rights are not terminated but are on hold during the time of the guardianship; biological parents are obligated to continue to pay child support. Any party can return to court and request to terminate guardianship before the child is 18 years old. The judge, as the final decision maker, will determine if it is appropriate or not for the child. Guardianship will automatically end when the child turns 18 years old.

Mandated reporter – a law that designates groups of professionals (like teachers and doctors) who are required to report cases of suspected child abuse and/or neglect.

'Ohana Conference – a collaborative process that brings together key stakeholders (like families, extended and hānai family, CWS, service providers, and the support system of the children who are involved with CWS). Families know their own strengths, issues, and resources, and this process provides families with a voice.

Permanency – the idea is to consider what will be in the best interest of the child should reunification not happen. When reunification is no longer an option, permanency planning becomes the goal.

Permanent Custody – process where permanent custodians will have parental rights and responsibilities. Permanent custody remains until the child is adopted, legal guardianship happens, or the child turns 18 years old. This pathway is more like a default status. There is no adoptive home or legal guardian identified. The parental rights are terminated, and the child remains with CWS until something is found or until the child turns 18 years old. CWS does their best to have concurrent plans, so the child does not remain in permanent custody.

Petition to the court – when CWS is requesting court involvement because they believe that the additional intervention is necessary.

Report of harm – when CWS investigates a report of suspected child abuse and/or neglect; when CWS identifies that a family is not meeting the minimum community standard of health and safety required by law, CWS will intervene.

Resource caregiver – formerly known as foster parents. Can be relatives or non-relatives to the children.

Reunification – children are returned to their parents.

Services – when there is an identified need, a service (such as a program or class) will be assigned to match that need, such as parenting skills, substance abuse treatment groups, counseling, etc.

Temporary Family Supervision – the child remains in the family home with some court oversight. CWS will petition the court for family supervision. This is one of the rarer legal statuses with court involvement

Temporary Foster Custody – the child is placed into foster custody after being removed from the family home. A hearing is held within 2 business days after petition is filed. The goal is to determine if TFC should continue while deciding judgment. There are 4 options after the hearing: 1) family needs more time (~ 15 days), 2) family disagrees and the court still finds the child should remain in TFC until adjudication, 3) court finds there is no imminent harm for the child and orders TFS, 4) or family agrees or stipulates. The judge may order FC or FS with a service plan.

Termination of Parental Rights – a court order that legally and permanently ends the parental rights with the child. Parents may still have a relationship with the child, but the legal parent-child relationship will be terminated (for example, this may include rights such as custody, visitation, inheritance, and responsibilities for child support and liability for the child's misconduct).

Timeline – the assigned amount of time for the court to assess whether progress has been made with the case plan, whether the children may return home, or if the case should remain open.

Visitation – an established time for parents and children to see each other; may be a supervised visitation (where there is a third-party present) or unsupervised visit (without the supervision of a third-party).

Voluntary case – state agency seeks to promote child safety in collaboration with the family home without court involvement.

Voluntary Family Supervision – parents voluntarily agree to work together with the social worker and CWS. The children are not removed from the family home. Parents must participate and recommended services to show that they can maintain a safe family home. There is a one-year timeline to complete the assigned services.

Voluntary Foster Custody – parents voluntarily agree to place the child into foster custody outside of the family home without the court being involved. The social worker believes that the safety concerns can be resolved without having to go to court. Things must happen quickly to have no court involvement; there is a 90-day timeline to complete the assigned services.