

**2024 HAWAI‘I ACCESS TO JUSTICE CONFERENCES**  
**“MEETING THE CHALLENGES OF CIVIL ACCESS TO JUSTICE FOR ALL”**

Friday, June 21, 2024

William S. Richardson School of Law, University of Hawai‘i

12:45 – 2:00 p.m.

**“UPLIFTING THE VOICES OF FOSTER YOUTH”**

**Presenters: Laurie Tochiki, Dana Matsunami, Delia Ulima, Melissa Mayo**

Laurie Tochiki, former Executive Director of EPIC ‘Ohana, facilitated this afternoon session and emphasized the need for “voice and choice” in ensuring that parents and youth that are involved in the CWS system have access to justice. This involves families having a say and understanding in the court process so that they are empowered and can move forward with their lives in a positive direction.

Dr. Tochiki and Melissa Mayo, Pono Process Lead at EPIC ‘Ohana, gave an overview of EPIC and its impact in the community. EPIC was founded 26 years ago with ‘Ohana Conferencing as its flagship program with about 850-1,000 ‘Ohana Conferences taking place each year across the state. ‘Ohana Conferencing is a collaborative effort that brings together families, extended and hānai family, CWS, service providers, and the support system of children who are involved with CWS.

Other key EPIC ‘Ohana programs mentioned were Pilina Circles (conferencing with a youth while they are in care) and Youth Circles (conferencing with a youth’s support system as they transition out of care to adulthood). Both types of Circles allow youth to determine what they really want and need for assistance in their day-to-day lives. EPIC ‘Ohana also serves the community by providing a family finding department (to seek out and assist CWS with placing youth in care with kin and establish relations between family and the youth in care), Family Wrap Services (EPIC team members help to facilitate a family moving forward towards reunification), HI HOPES (youth voices for systemic reform), peer support with Parent Partners or Youth Partners (who can empathize and act as a support system for families and because they themselves have lived experience with the child welfare system).

Dana Matsunami, Skadden Fellow, discussed the issue of a youth in care’s right to counsel. Ms. Matsunami shared how having counsel improves outcomes for youth and explained the distinction between a client-directed counsel (who acts on the child’s wishes) versus a Guardian Ad Litem for youth (who advocates for the best interest of the child, even though the child may not want what the Guardian Ad Litem is advocating). Ms. Matsunami highlighted that Hawai‘i is 1 of only 12 states that do not explicitly allow for the right to counsel in CWS cases. As a result of this right for counsel existing in other states for some time, there are

many best practice models and studies that Hawai‘i can look towards in enacting laws to allow for youth in care to have the right to counsel.

Dr. Tochiki and current Executive Director of EPIC ‘Ohana, Delia Parker Ulima, concluded the session by giving an update on the Malama ‘Ohana Working Group. Malama ‘Ohana Working Group was established in the 2023 legislature and is currently housed in the Office of Wellness and Resilience. Malama ‘Ohana is working on outcomes for children and families in the child welfare system. Malama ‘Ohana is improving access to justice in our community by listening to voices in communities across the state and then developing recommendations to the 2025 legislature.

A key theme throughout all aspects of the presentation was the power of telling stories and having people care to listen—real change and societal impact can occur by listening to the community and bridging the gap between people who make decisions and people affected by those decisions.