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IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the
DOCUMENT WAIVER PROJECT IN THE
FIRST CIRCUIT COURT, STATE OF
HAWAII.

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CIRCUIT COURT
Honolulu

ORDER REGARDING WAIVER OF COMPLIANCE IN
FILING OF LEGAL DOCUMENTS IN THE FIRST CIRCUIT COURT

In conjunction with the Document Waiver Project in the
Circuit Court of the First Circuit, State of Hawaii,

IT IS HEREBY ORDERED, effective September 1, 1993 and
until further notice, legal documents submitted for filing in the
First Circuit Court that do not conform with select rules,
administrative memoranda, and practices as outlined and attached
hereto as Exhibit "A," may be waived when presented for filing.

IT IS FURTHER ORDERED that all other rules contained in
the Hawaii Rules of the Circuit Courts, Hawaii Rules of Civil
Procedure, and policy as adopted by administrative memoranda or
action, remain in effect, particularly with respect to those
special items outlined and attached hereto as Exhibit "B."

DATED: Honolulu, Hawaii, August 18, 1993.

FOR THE COURT:

[Signature]
Chief Justice

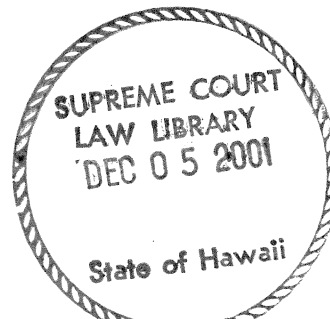
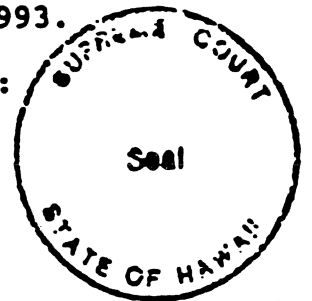


Exhibit "A"

1. HAWAII RULES OF THE CIRCUIT COURTS -- RULE 3

A. FORMAT

1. Compliance will be waived on wrong size type.
2. Compliance will be waived on documents typed single-spaced.
3. Compliance will be waived on documents signed in other than black ink.
4. Compliance will be waived when the court form ^{SUMMONS} is not appropriate when used for amended complaint, cross-claims, etc.

B. TITLES

1. Compliance will be waived on documents with inconsistent titles. If titles of subsequent pages are not consistent with the first page, the document will be filed.
2. The Nature of Suit will be required only on the initial complaint. It is not required on all supplemental documents after the originating document for the case.

II. LOCAL RULES AND PROCEDURES

A. FORMS/COPIES/PROCESS

1. Compliance will be waived for documents which are thick. Attorneys will only be reminded to perforate and fasten.
2. Compliance will be waived when there is no Return of Service attached to subpoenas (typewritten from scratch) -- a Return of Service need only be attached to the original.
3. Complaint will be waived when Garnishee Summons form is attached to a motion without a current federal garnishment schedule attached. This will be reviewed by the law clerk.

4. Compliance will be waived when Summons are directed to attorneys instead of parties.
5. Compliance will be waived when a court printed form is used for Return of Acknowledgement of Service reflecting a third party caption or extended caption.
6. Compliance will be waived for certification of copies of documents that are reasonably reduced.
7. Compliance will be waived for Demand for Jury Trial in Family Court criminal cases even if not by motion.
8. Compliance will be waived for foreclosure actions missing identification of the commissioner.
9. Compliance will be waived for certification request with no Return of Service presented.

B. DIFFERENT AND MISSING INFORMATION

1. Compliance will be waived for Notices of Taking Depositions and Subpoenas with different dates and times.

C. OTHER

1. Compliance will be waived where no letters of testamentary are submitted with an Order of Probate. However, the filing party will be informed to follow-up with letters and return for filing with "filed" copy of the Order.

III. ADMINISTRATIVE MEMORANDA

A. TITLE PROBLEM

1. Compliance will be waived for motions that state Notice of Motion instead of Notice of Hearing.
2. Compliance will be waived for a lack of description of real property indicated in a summons for Ex Parte Motion for Service by Publication.

B. OTHER

1. Compliance will be waived when the civil publication caption is typed on the summons where no caption was allowed.

IV. HAWAII RULES OF CIVIL PROCEDURE

A. DIFFERING INFORMATION

1. Compliance will be waived when party name differs on the Complaint and Summons.

B. MISSING INFORMATION

1. Compliance will be waived when deposition subpoena missing "To appear before a Notary Public or a person authorized to administer oath."

C. MISSING DOCUMENTS/FILING

1. Compliance will be waived for Summons not attached to the Complaint for new Civil cases. The filing party will follow-up with the filing of the summons.

Exhibit "B"

ENFORCEMENT OF COMPLIANCE

I. HAWAII RULES OF THE CIRCUIT COURTS -- RULE 3

A. FORMAT

1. Enforce margin requirements as follows on the first page of the document:
 - a) TOP MARGIN at least two and one-half inches to the Title of Court to allow space for clerk's file stamp.
 - b) BOTTOM MARGIN at least one inch to allow for certification.

B. TITLES

→ exhibits

1. Pleadings which are not reflected in the title but are attached will still be rejected.
2. ALL pleadings which are attached must be reflected in the Title on the first page as it affects the docketing/compliance process and the civil motions process.

II. ADMINISTRATIVE MEMORANDA

A. MOTIONS

1. Motions must indicate date, time, and judge on the first page. This is required by the civil judges to determine which judge will hear the motion.
2. Civil motions must cite a rule or authority. This information is required to determine the type of motion as well as which judge to schedule the motion before. The citing of rule(s) or authority is required by civil judges for proper adjudication on the motion.

B. CERTIFICATES OF SERVICE

1. Certificates of service must be attached to civil motions for scheduling purposes to ensure proper "notice" requirement to opposing counsel.

C. WITHDRAWAL OF COUNSEL

1. On withdrawal of counsel, RULE 10 will be cited as well as verification of client information.

This ensures that the court is informed of the last known address of the client so that required notices may be given to parties who are pro se.