

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the Amendment
of the
Hawai'i Arbitration Rules

E.M. RINANDO
CLERK, APPELLATE COURTS
STATE OF HAWAII

2005 MAY 12 AM 9:40

FILED

AMENDED¹
ORDER ADDING RULE 30 TO
THE HAWAI'I ARBITRATION RULES

(By: Moon, C.J.; Levinson, Nakayama, Acoba, and Duffy, JJ.)

IT IS HEREBY ORDERED that Rule 30 is added to the
Hawai'i Arbitration Rules as follows, effective September 1,
2005:

**Rule 30. Pilot Project For Arbitration of
Contract Cases.**

(A) Effective Date. Effective
September 1, 2005, the Pilot Project for
Arbitration of Contract Cases (hereinafter
"PPACC") is established in the First Circuit
Court, for a two year period. Under the
PPACC, civil actions in contract (hereinafter
"contract cases") having a probable
judge/jury award value of \$150,000 or less,
exclusive of interest and costs, except cases
in which declaratory or injunctive relief is
sought, may be admitted to the Court Annexed
Arbitration Program (hereinafter "CAAP") in
accordance with section B of this rule.

(B) Admission to the CAAP. Every tenth
contract case filed in the First Circuit
Court shall be eligible for inclusion in the
PPACC. Such cases shall be admitted to the
CAAP upon the written agreement of all
parties to the case, provided that no more
than twenty (20) of such cases may be
admitted to the CAAP in any twelve (12) month

¹ Amended to correct the phrase "exclusive of interests and costs"
in section (A) to "exclusive of interest and costs."

The arbitration administrator shall provide written notice to the plaintiff of each tenth contract case of the case's eligibility for admission to the CAAP and the plaintiff shall serve all parties with a copy of such notice.

If the parties agree to submit the case to the CAAP, the parties shall file their written agreement with the arbitration administrator no later than ninety (90) days after service of the complaint on all parties.

The cases admitted to the CAAP pursuant to this rule shall be subject to the Hawai'i Arbitration Rules.

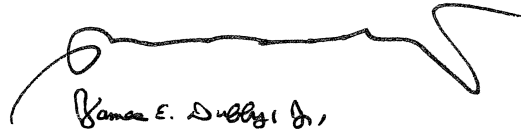
(C) Applicability of Rule 30. This Rule 30 shall not apply to cases admitted to the CAAP pursuant to Rule 6 of the Hawai'i Arbitration Rules.

(D) Expiration Date. The PPACC shall expire on September 1, 2007, unless extended by order of the Supreme Court of Hawai'i. Cases in which the parties' written agreement has been filed with the arbitration administrator by August 31, 2007 (one day before expiration date), shall be completed in accordance with this Rule 30 and the Hawai'i Arbitration Rules, unless removed from the CAAP by the Court.

DATED: Honolulu, Hawai'i, May 12, 2005.



Steven H. Levinson



James E. Duggan, Jr.

