

In the Matter of the Amendment  
of the  
Hawaii Arbitration Rules

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AMENDED<sup>1</sup>  
ORDER ADDING RULE 30 TO  
THE HAWAII ARBITRATION RULES  
(By: Moon, C.J.; Levinson, Nakayama, Acoba, and Duffy, JJ.)

IT IS HEREBY ORDERED that Rule 30 is added to the Hawaii 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 period.

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 Hawaii 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 Hawaii Arbitration Rules.

**(D) Expiration Date.** The PPACC shall expire on September 1, 2007, unless extended by order of the Supreme Court of Hawaii. 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 Hawaii Arbitration Rules, unless removed from the CAAP by the Court.

DATED: Honolulu, Hawaii, May 12, 2005

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