

In the Matter of the Amendment
of the
HAWAII FAMILY COURT RULES

ORDER AMENDING HAWAII FAMILY COURT RULES
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

IT IS HEREBY ORDERED that Rules 60(a), 81(f), and 81(i), are amended, effective July 1, 2006, as follows (deleted material is bracketed and stricken; new material is underscored):

Rule 60. RELIEF FROM JUDGMENT OR ORDER.

(a) Clerical mistakes. Clerical mistakes in judgments, orders or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders. During the pendency of an appeal, such mistakes may be so corrected before the appeal is docketed [~~in the supreme court~~], and thereafter while the appeal is pending may be so corrected with leave of the [~~supreme~~] appellate court.

Rule 81. APPLICABILITY.

* * *

(f) Appeals [~~to Supreme Court and Intermediate Court of Appeals~~]. Rule 4 of the Hawaii Rules of Appellate Procedure shall apply to appeals from a family court [~~to the supreme court and the intermediate court of appeals~~] in proceedings listed in subdivision (a) of this Rule 81.

* * *

(i) Applicability in general. These rules shall apply to all actions and proceedings of a civil nature in any family court and to all appeals to the [~~supreme court and the intermediate court of appeals~~] appellate courts in all actions and proceedings of a civil nature in any family court; and for

that purpose every action or proceeding of a civil nature in the family court shall be a "civil action" within the meaning of Rule 2.

DATED: Honolulu, Hawaii, May 30, 2006.