

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the Amendment  
of the  
HAWAII RULES OF CIVIL PROCEDURE

CM. RIMANDO  
CLERK, APPELLATE COURTS  
STATE OF HAWAII

2006 APR 17 PM 2:53

FILED

**AMENDED**

**ORDER AMENDING RULE 24 OF THE  
HAWAII RULES OF CIVIL PROCEDURE**

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

Upon review of the March 3, 2006 "Order Amending Rule 24 of the Hawaii Rules of Civil Procedure," it appears the Rule 24(d) subtitle inadvertently included the phrase "and Intervention of the State." Therefore,

IT IS HEREBY ORDERED that Rule 24 of the Hawaii Rules of Civil Procedure is amended, effective July 1, 2006, by adding new subparagraph (d) as follows:

**(d) Notice of Claim of Unconstitutionality.** A party who draws into question the constitutionality of a Hawaii statute, in any proceeding to which the State of Hawaii, or any agency thereof, or any officer or employee thereof in an official capacity is not a party, shall provide immediate written notice of the constitutional issue to the Attorney General of the State of Hawaii.

DATED: Honolulu, Hawaii, April 17, 2006.

*[Signature]*

*Steven H. Levinson*

*Fumua C. Nakayama*

*[Signature]*

*Samuel E. Duffy, Jr.*

