

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the Amendment
of the
HAWAI'I RULES OF PENAL PROCEDURE

EM. RIMANDO
CLERK APPELLATE COURTS
STATE OF HAWAII

2006 DEC - 7 AM 9:45

FILED

ORDER

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

WHEREAS proposals to amend Rules 5 and 7 of the Hawai'i Rules of Penal Procedure were forwarded by the Chair of the Permanent Committee on Rules of Penal Procedure and Circuit Court Criminal Rules (Committee), and

WHEREAS the Committee has not had an opportunity to review the proposals and make a recommendation, and

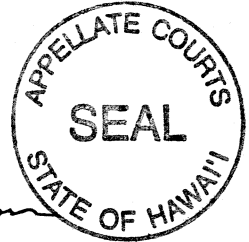
WHEREAS the Deputy Chief Judges have expressed concerns about implementation of our November 4, 2005 order eliminating the oral charging procedure theretofore authorized by the Hawai'i Rules of Penal Procedure,

IT IS HEREBY ORDERED that:

- (1) the proposals to amend Rules 5 and 7 of the Hawai'i Rules of Penal Procedure are forwarded to the Committee for its consideration and recommendation; and
- (2) the effective date of our November 4, 2005, order amending Rules 5(b)(1), 7(a), 7(d), 7(e), 7(h),

and Form D of the Hawai'i Rules of Penal Procedure is extended to January 1, 2008, except that the amendment to Rule 7(e) therein shall be effective on January 1, 2007.

DATED: Honolulu, Hawai'i, December 7, 2006.



[Handwritten signature]

Steven H. Levinson

Kumu A. Nakayama

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Kamoa E. Duggan Jr.