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EMERITUS
CLERK, APPELLATE COURTS
STATE OF HAWAII

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the Amendment
of the

Rules of the Intermediate Court of Appeals

ORDER AMENDING RULE 2 OF THE
RULES OF THE INTERMEDIATE COURT OF APPEALS

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

IT IS HEREBY ORDERED that Rule 2 of the Rules of the Intermediate Court of Appeals, is amended, effective July 1, 2008 as follows (deleted material is bracketed and stricken; new material is underscored):

Rule 2. RESERVED. [~~PUBLICATION OF OPINIONS OF INTERMEDIATE COURT OF APPEALS, CITATION OF OPINION.~~]

~~[(a) — **Publication of full opinions.** A full opinion of the intermediate court of appeals shall be published in a manner authorized by the supreme court. The supreme court, however, may order that a full opinion be changed to a memorandum opinion.~~

~~— [(b) — **Citation of opinions.** A memorandum opinion shall not be cited by a court or by a party in any other action or proceeding except when the opinion establishes the law of the pending case, res judicata or collateral estoppel, or in a criminal action or proceeding involving the same defendant or a disciplinary action or proceeding involving the same respondent.]~~

DATED: Honolulu, Hawai'i, June 2, 2008.

Kames E. Duffy, Jr.