

CH. RIMANDO
CLERK APPELLATE COURTS
STATE OF HAWAII

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the Amendment
of the

RULES OF THE DISTRICT COURT OF THE STATE OF HAWAI'I

ORDER AMENDING RULE 2 OF THE
RULES OF THE DISTRICT COURT OF THE STATE OF HAWAI'I

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

IT IS HEREBY ORDERED that Rule 2 of the Rules of the District Court of the State of Hawai'i is amended, effective immediately upon filing of this order, as follows (new material is underscored):

Rule 2. FILING PROCEDURE.

(a) **Case number.** Upon the filing of the initial pleading or other papers, and before the issuance of process, the clerk shall assign a number to such proceeding. All subsequent pleadings and papers to be filed shall bear the number assigned to the initial papers, which shall appear on the first page.

(b) **Stamp by clerk.** The clerk shall promptly stamp the time and date upon all papers filed.

(c) **Docket entry and filing.** Upon the filing of any civil papers, an appropriate entry shall be made in a docket sheet kept for each case. A "docket sheet" may be an electronic record within a court maintained computer.

(d) Service of pleadings and other papers.

(1) **FILING: ORIGINAL KEPT ON FILE; COPIES FOR SERVICE.** Subject to subsection (2) of this subsection (d), pertaining to questions and other discovery papers, when a pleading or other paper requiring service is presented for filing, the original shall be accompanied with a sufficient number of copies for service. The original shall be kept on file by the clerk. Service may be made with the certified copy or copies of the papers together with the certified copy or copies of the summons, and the serving officer shall make proof of service to the court promptly by returning the original summons to the clerk.

(2) **SERVICE AND FILING OF QUESTIONS AND OTHER DISCOVERY PAPERS.** The filing of questions and other discovery papers shall be governed by Rule 5 of the District Court Rules of Civil Procedure. A party seeking admissions or answers to questions shall serve two copies of the request for admissions or questions upon the party from whom the admission of answers are sought.

(e) **Signatures.** Any order or judgment that is filed electronically bearing a facsimile signature in lieu of an original signature of a judge or clerk has the same force and effect as if the judge or clerk had affixed the judge's or clerk's signature to a paper copy of the order or judgment and it had been entered on the docket in a conventional manner. For purposes of this rule and any rules of court, the facsimile signature may be either an image of a handwritten signature or the software printed name of the judge preceded by /s/.

(f) **Place of Filing; Assignment to Division.** Pleadings and papers for filing shall be presented to the office of the clerk, except as otherwise directed by the court. The clerk shall furnish certified copies of all papers filed if so requested at the time of filing. The administrative judge may designate the division to which a case or class of cases may be assigned.

DATED: Honolulu, Hawai'i, February 22, 2010.



Fuma O. Nakayama



James E. Sullivan

Mimi Becklund