SCRU-10-0000115

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 25 OF THE
RULES OF THE DISTRICT COURT OF THE STATE OF HAWAI'I
(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.)

IT IS HEREBY ORDERED that Rule 25 of the Rules of the

District Court of the State of Hawai'i is amended, effective *nunc*

pro tunc September 27, 2010, as follows (deleted material is

bracketed and stricken; new material is underscored):

Rule 25.   ORDER FOR TRANSCRIPT OF EVIDENCE.
        (a) For purposes other than appeal. Upon the application of any
person for a direction to the official reporter to prepare a transcript of the
evidence or other court proceeding, the court shall direct the official reporter to
furnish such transcript in the regular order of cases tried or in such order as the
court directs. [~~Where an appeal is taken, the application shall be filed~~
~~concurrently with the notice of appeal.~~] The direction shall be in writing, signed
by the court and filed, and a copy served upon opposing counsel and the reporter.
It shall provide that the person so ordering such transcript shall within 5 days
following the date of the filing of such direction, deposit with the official
reporter, the amount of the estimated cost of the fees for the transcript, as
provided by statute. Upon completion and certification of the transcript by the

official reporter, the reporter shall retain the fees earned by the reporter to the extent that they have been deposited as aforesaid and shall return to the depositor any amount deposited in excess thereof.

      (b) For appeal. The Hawaiʻi Rules of Appellate Procedure relating to transcripts shall govern requests for transcripts for purposes of appeal.

DATED: Honolulu, Hawaiʻi, April 18, 2011.

                        /s/ Mark E. Recktenwald

                        /s/ Paula A. Nakayama

                        /s/ Simeon R. Acoba, Jr.

                        /s/ James E. Duffy, Jr.

                        /s/ Sabrina S. McKenna