

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

Table of Contents

General.....	2
Definition of Terms and Acronyms in this FAQ.....	2
Availability	2
Buttons	3
Cases.....	3
Types of Cases Required to be Efiled	3
Closed Cases.....	3
Confidential / Sealed / In Camera definitions	4
Conventional Filing.....	4
Cost and Payment	5
Documents	5
Accepted Formats	5
Viewing.....	6
Lead vs. Supporting Documents.....	6
Signature	7
Errors and Corrections	8
Notice of Electronic Filing and Online Confirmation.....	10
Parties.....	11
Registration and Who Must Efile	13
Training.....	14
Appellate Cases	14
Authorizing Statute	14
Filing Fees on Appeal.....	14
Help	15
Record on Appeal	15
Service and Notice of Appeal	15
Title.....	16

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

Where to File.....	16
District Court Criminal Cases	18
Converted Cases.....	18
Court Appointed Attorney.....	18
Help	18
Traffic Infraction cases	19

GENERAL

DEFINITION of TERMS and ACRONYMS in this FAQ

Efile/Efiling/efile/efiling - electronic filing
FAQ- Frequently asked questions
JIMS - Judiciary Information Management System
JEFS - Judiciary Electronic and Service System
HEFSR - [Hawai'i Electronic Filing & Service Rules](#)
HCRR - [Hawai'i Court Record Rules](#)
HRAP - [Hawai'i Rules of Appellate Procedure](#)
RDCH - [Rules of the District Courts of the State of Hawai'i](#)
HRS - Hawaii Revised Statutes
NEF - Notice of Electronic Filing
NOC - Notice of Correction

AVAILABILITY

Q1. When is the efileing system available?

A1. The efileing system is available every day, including holidays and weekends. The system is shut down for maintenance each night from Monday through Saturday between midnight and 4:00 a.m. System maintenance is longer on Sundays from 12:00 a.m. to noon.

Q2. What happens if the efileing system is unexpectedly unavailable and I cannot efile a document?

A2. If the efileing system is unavailable due to technical problems, you should submit a paper document to the appropriate court clerk. If the efileing system is unavailable due to a natural or unforeseen circumstance that closes the courts, the Supreme Court may extend the filing

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

deadlines, as it has in the past.

Q3. Is there an auto-logoff timer for efilings?

A3. Yes, after 60 minutes of inactivity, the system will automatically log you off.

BUTTONS

Q4. What are “add” buttons?

A4. The add buttons may be labeled “Add” or may appear as a plus (“+”) sign. These buttons allow the JEFS user to add, as needed, an additional attorney, party, or document.

CASES

Types of cases required to be efiled

Q5. What types of cases are filed electronically?

A5. Since 2010, all case types that may be heard by the Hawai‘i Supreme Court and the Hawai‘i Intermediate Court of Appeals are initiated electronically. District Court criminal and traffic crime cases are also initiated electronically since August 2012.

Closed Cases

Q6. I can’t find my closed case under JEFS Manage Cases anymore. How can I view the case documents and access the case information?

A6. Closed cases are no longer accessible from JEFS Manage Cases 90 days after the “closed” date. JEFS Manage Cases is not a repository of all cases and is designed to assist in efilings for active cases and for additional efilings of motions, appeals, requests for attorney’s fees, etc., for a short period after the case has been closed. If you need to efile a document on a closed case, please contact the appropriate court clerk. If you need to access the documents in a closed case, eCourt Kokua displays public cases and non-confidential documents may be purchased for a nominal fee. The public also has the option to purchase a subscription for unlimited document downloads during the subscription period. Case data and documents are also available at the courthouse over the counter or via the eCourt Kokua Kiosk. For costs related to subscription or

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

document purchase, refer to the Hawai'i Rules of Appellate Procedure (HRAP), Appendices B and C.

CONFIDENTIAL / SEALED / IN CAMERA cases and documents

Q7. When should I check the "confidential" box for a case?

A7. When the case is designated "confidential," "restricted," "sealed," or "protected" by a statute or court rule.

Q8. When should I check the "sealed" box for a document?

A8. When the document being filed should not be available for public inspection and copying, but should be available to the parties and the court. See Rules 2 and 10 of Hawai'i Court Records Rule (HCRR).

Q9. When should I check the "in camera" box for a document?

A9. When the document is intended for only the court's review. See HCRR Rules 2 and 10.

CONVENTIONAL FILING

Q10. If I initiated a case electronically, may I later conventionally file documents?

A10. No, unless court permission is granted. Attorneys must efile unless excused by court order. Self-represented parties may elect to efile after the initiating document is efiled by the clerk, but once the self-represented party elects to efile, he or she must seek permission from the court to return to conventional filing.

Q11. For appellate cases, HRAP Rule 32(a) says "conventionally filed documents . . . shall not be bound, stapled, or tabbed." Why?

A11. All paper documents which are submitted to the appellate courts and were not already efiled will be imaged. Staples and other bindings must be removed by the appellate clerk and that delays documents being available in the JEFS and the Judiciary Information Management System (JIMS).

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS

Last Update: 05/31/2016

Q12. Must conventionally filed documents submitted to District Court be bound?

A12. Yes. Rule 3 of the Rules of the District Courts of the State of Hawai'i (RDCH) requires conventionally filed documents to be "firmly bound together at the top."

COST and PAYMENT

Q13. Is there an additional charge for efilings?

A13. No, but a non-refundable 2.6% fee is added by the Hawaii Information Consortium if you pay filing fees on-line by credit card.

Q14. What forms of payment are accepted?

A14. If the payment is for a case in the Hawai'i Supreme Court or the Hawai'i Intermediate Court of Appeals, cash or checks in the exact amount are accepted. Make a check payable to: Clerk, Supreme Court of Hawai'i. If the payment is to a District Court, make the check payable to District Court. If payment is made on-line in either court, the Hawaii Information Consortium will accept VISA and MasterCard.

DOCUMENTS

Accepted Formats

Q15. May I efile a Word or WordPerfect document?

A15. No. Only PDF documents may be efiled by JEFS users.

Q16. How do I create a PDF document?

A16. PDF documents may be created in several ways. Please review the "help" portion of the word processing or other system you are using. Examples for the creation of PDF include, but are not limited to:

- In some versions of Microsoft Word (Word) you may "save as" and select "PDF." In other versions of Word, you may select "Adobe PDF" on the toolbar and then select "Convert to PDF."

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS

Last Update: 05/31/2016

- In recent versions of WordPerfect you may select “publish to PDF” from the File menu.
- Most copy machines now include software that lets you scan the document to create a PDF document. Follow the instructions for your machine.

Viewing

Q17. I received a notice of electronic filing. The efile is shown on the docket, but I can’t view the PDF since the icon is not shown.

A17. The clerk may not yet have imaged the documents or the document may not yet have been uploaded by the document management system. When parties efile through JEFS, the parties upload the documents and the image of the documents are usually accessible within 20 to 30 minutes. If the documents are submitted over-the-counter, the clerk must image the documents and then upload them to the docket. Depending on the clerk’s workload, it may take the clerk a few days to image and upload the documents.

Q18. I’m having trouble viewing a document with a PDF icon. I have a PDF viewer, but cannot view some images.

A18. The Judiciary uses 2 different image file formats, PDF and TIF (or TIFF). For documents which are efiled in JEFS, Hawai‘i Electronic Filing and Service Rules (HEFSR) Rule 2 requires PDF. Many imaged documents in the traffic cases (i.e. all traffic citations) are in TIF/TIFF format. If a document is in TIF/TIFF format, the icon displayed in JEFS is also a pdf icon. To view JEFS document in the TIF/TIFF format, the user must either have a viewer that can open TIF/TIFFs, or should follow the instructions in the “Configuring Windows for TIF and TIFF Files” document posted on the Judiciary efile page.

Lead vs. Supporting Documents

Q19. The system asks for my “lead” document and “supporting” documents. What does this mean?

A19. A lead document is the main document being filed. A supporting document is an attachment. Examples:

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS

Last Update: 05/31/2016

- If you file a notice of appeal, the "notice of appeal" is the lead document, the required copy of the judgment is a supporting document.
- If you file a motion, the motion is the "lead" document. Supporting documents may include a memorandum in support of the motion, a declaration, or an exhibit.

Q20. May I have a lead document without a supporting document?

A20. Yes.

Q21. May I have a supporting document without a lead document?

A22. No.

Q23. May I have more than one lead document checked when I click Submit?

A23. Yes.

Q24. What is the advantage of identifying "lead" and "supporting" documents?

A24. The documents are less likely to be rejected because they exceed the maximum 10 MB size. Also, the separate docket entries make the documents easier to find.

Q25. How are lead and supporting documents "easier to find"?

A25. Each document is given a different document sequence number. Thus, in a brief, memorandum, or other document, a party can cite a sequence number and the court or opposing parties can easily find the document. For example: Exhibit at docket 42, Motion to Dismiss at docket 55, Declaration of Counsel at docket 78, or Opening Brief at docket 99.

Signature

Reminder: Some JEFS attorneys efile *ex parte* motions or other motions without a wet signature (pen signed document scanned to PDF) or electronic signature (/s/ Name of Attorney on word processing document converted to PDF) on the document. Attorneys need to sign documents when filing electronically. See HEFSR Rules 1.6 and 5. A self-represented party who is a non-JEFS user cannot sign documents by utilizing an electronic signature, and must sign with a wet signature.

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

ERRORS AND CORRECTIONS

Contact information for the appropriate courts is listed on pages 15 and 18 of these FAQs as well as the Judiciary efilings web page, see [JEFS Login Page](#).

Q26. If I efiled a document in the wrong case or efiled the wrong version of a document in a case, how do I correct the efilings?

A26. Call the Help Line of the appropriate court for assistance. Be prepared to provide your Case ID, the docket number, the description of the erroneous efilings, and the efilings date and time. In some instances the clerk is not allowed to change the entry without a court order. In such cases, you will need to efile a motion to correct the record. The clerk's corrective action, if allowed, will generate a NOC for that case that will be emailed to JEFS users and sent by U.S. mail to non-JEFS users. See HCRR Rule 3.3 & HRAP Rule 10(e).

Q27. I selected the wrong document description when efilings, how do I correct it?

A27. Call the Help Line of the appropriate court for assistance. Be prepared to provide your Case ID, the docket number, the description of the erroneous efilings, and the efilings date and time. In some instances the clerk is not allowed to change the entry without a court order. In such cases, you will need to efile a motion to correct the record. The clerk's corrective action, if allowed, will generate a NOC for that case that will be emailed to JEFS users and sent by U.S. mail to non-JEFS users. See HCRR Rule 3.3 & HRAP Rule 10(e).

Q28. If the wrong party is added to a case, will there be any time to retract the email notification?

A28. No. If you erroneously added a party in JEFS, you will need to call the clerk of the appropriate court immediately. Depending on the correction the party is seeking, the party may need to correct the record. This requires a formal motion to the court. See HCRR Rule 3.3 & HRAP Rule 10(e).

Q29. If the wrong party is assigned to the case at efilings case initiation, how is the incorrect party removed?

A29. You will need to call the clerk of the appropriate court immediately. Depending on the

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

correction the party is seeking, the party may need to correct the record. This requires a formal motion to the court. *See* HCRR Rule 3.3 & HRAP Rule 10(e).

Q30. If I forgot to indicate a case is confidential, how will access be prevented?

A30. The case will be accessible to the public, including eCourt Kokua until someone brings the matter to the attention of the appropriate court clerk and the clerk applies proper security. If the case type is confidential, the clerk can make the case confidential without a court order or anyone's permission. *See* HCRR Rule 3.3.

Q31. If I forgot to indicate the case or document is confidential, and email notification is sent, is there a concern about allowing the recipients of that notification to see the case or document?

A31. No. Only parties to the case will get the email notification. Parties to the case are entitled to see the case/document. *See* HCRR Rule 10.4.

Q32. If I forgot to designate a document as "in camera," is there a concern the document will be reviewed by the public or opposing parties?

A33. Yes, you should immediately inform the clerk of the appropriate court so the clerk can assign proper security to the document. *See* HCRR Rule 3.3 & HEFSR Rule 8. Until the document is designated "in camera," it will be viewable by all parties, in all cases, and the public in non-confidential cases. However, if a party believes that the clerk of the court mistakenly filed documents (e.g., the record on appeal) without security although certain documents should have been designated as "sealed" or "in camera," the clerk may not be authorized to assign a different security, and the party may be required to file a motion in the court where the documents were filed without security.

Q34. Who is notified when an e filing error is corrected?

A34. The NOC notification will be emailed to the JEFS users and sent via U.S. mail to the non-JEFS users. The NOC will be docketed on the case and viewable in JEFS Manage Cases. For public cases, the docket entry can be viewed in eCourt Kokua.

Q35. I received an email referencing an NOC. What do I do?

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

A35. The NOC is merely a notice. In most instances you will not need to do anything. If you think the correction was wrong, you may move the court to correct the record. You may view the NOC in JEFS Manage Cases. An NOC will be listed in the Dockets section. The corrected docket will be listed where the incorrect docket was listed. If the correction was a deletion, DEL will be displayed where the erroneous entry was located.

Q36. What information is provided on the NOC?

A36. The NOC includes:

- the Case ID
- the date the correction was performed
- the docket entry number that was corrected
- the type of action taken on the docket entry (e.g. changed or deleted)
- the description of the correction and the reason for the correction
- the case title
- the parties that are electronically notified or conventionally served

NOTICE OF ELECTRONIC FILING (NEF) and ONLINE CONFIRMATION

Q37. Does the efilng confirmation screen mean that everything was submitted properly?

A37. The efilng confirmation screen means the document(s) was/were efiled. The efilng system makes no judgment about the merit or content of the efiled document(s).

Q38. What is an NEF and when is it sent?

A38. An NEF is a Notice of Electronic Filing that is generated in JEFS/JIMS and is emailed to the parties on the case who are registered JEFS users. The NEF is sent as follows:

- When attorneys and firm staff initiate a case in JEFS (appellate, district court criminal and district court traffic crime cases). The initiator will receive the NEF even if s/he has not been added as a party on the case. If the initiator is not a party on the case, this is the only time s/he will receive the NEF for that case.
- When a JEFS user efiles a document in JEFS.

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

- When the court staff efile a document and/or makes a docket entry in an appellate, district court criminal, and district court traffic crime cases.

Note: A separate NEF will not be sent when a party is added to a case.

PARTIES

Q39. Must I add all parties, judges, and attorneys when I initiate a case in JEFS?

A39. No. You may initiate the case without adding all of the parties, judges, and attorneys. However, the benefits of adding the appropriate parties include, without limitation that

- the NEF will allow you to demonstrate electronic service on JEFS users;
- you will be able to take advantage of the NEF (in lieu of conventional service). See HEFSR Rule 6 & HRAP Rule 25; and
- you will be able to search by party, judge, and attorney.

Q40. If I do not add all of the parties, will the clerk of the appropriate court do it for me?

A40. The clerk of the appropriate court may add a party as needed. However, the filing party is responsible for service of efiled documents. See HEFSR Rules 6.2(a) & 6.3.

Q41. Must attorneys be a party on a case to efile on it?

A41. No, except on confidential cases. For confidential cases, you may need to submit an appearance of counsel to the appropriate court before you can be added to the case. Active attorneys are authorized to practice before any court. Attorneys may enter an appearance in accordance with the rules of that court. If court permission is required by the rules of court, the attorney's first document should be a motion for leave to appear, but the attorney will be able to efile the motion on the case. See, e.g., HRAP Rule 50 for withdrawal, discharge, or substitution of appellate counsel where sections (a) and (c) require a motion and order, section (b) does not. In short, JEFS allows an attorney to efile on any case, but the propriety of such a filing is governed by court rules.

Q42. If an attorney can efile an appearance on any case, may the attorney add himself or herself or other parties to the case?

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

A42. Yes, unless the case is confidential.

Q43. What if an attorney intentionally and wrongly adds himself or herself or others to a case?

A43. Opposing counsel, a party, or court staff, may bring the matter to the court's attention. A judge or justice may take appropriate action, including without limitations, issuing orders to show cause, sanctions, removal from the case, and/or referral to the Office of Disciplinary Counsel.

Q44. How will court reporters be notified when a request for transcript is efiled?

A44. You must select the appropriate document category ("Document"), and document type ("Request for Transcript") for the court reporter(s) to receive email notification that a request for transcript has been efiled. The names of court reporters will appear in the drop-down menu for Court Reporter, which allows you to select the appropriate court reporter(s) and/or recorded proceeding(s) for the appropriate court (e.g., select Recorded Proceeding 1st Circuit, if the audio recording was at First Circuit Court). If you do not select the appropriate document category and type, the reporter(s) will not get the email notification, and you would need to conventionally serve the court reporter(s) with the request for transcript. See HRAP Rule 10(b)(1)(A).

Q45. I do not see the case that I efiled under Manage My Cases or Firm Cases? Why?

A45. You may not have added yourself as a party to the case, or you may have been added incorrectly. It is possible to efile without adding yourself or another party on the case, so this is a common problem.

Tip: When adding a Prosecutor's Office division on a case, select role of "Deputy Prosecuting Attorney."

Q46. I am having trouble adding the filing party when I submit my electronic document at the bottom of the JEFS page. I added all the appropriate parties, but still get an error message after clicking on "Submit."

A46. After selecting the filing party from the drop-down menu, you must click the green "+" button to add the filing party. At least one filing party must be added prior to clicking "Submit."

Q47. I am having trouble adding myself or my attorney to the case in JEFS. I added the attorney, selected the party the attorney represents and clicked "assign." I see the message that the

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

attorney was successfully added, but the case is not listed under JEFS Manage Cases when I look it up later.

A47. When adding a party such as an attorney in JEFS, if you are doing so without submitting a PDF document to efile, you still must click the "Submit" button at the bottom of the page for the system to save the attorney or agency division you added. The assign and update button alone will not save the added party.

Q48. The case I need to access is confidential. Is that the reason why I can't add myself?

A48. Yes, attorneys cannot add themselves to confidential cases in JEFS. Contact the appropriate court clerk. You may need to submit an appearance of counsel to the appropriate court before you can be added to the case.

Q49. I represent a bond company on a traffic crime case and I cannot find the bond party listed in JEFS so that I efile my motion.

A49. The Surety party type was corrected in 2012 and can now be selected in JEFS. If an attorney representing a bond company still cannot assign himself/herself to the bond company s/he represents because the company does not appear in the list of parties, please call the Helpline of the appropriate court.

REGISTRATION AND WHO MUST EFILE

Q50. I am having trouble registering with my new firm.

A50. The JEFS user must select and add their organization/firm when registering. If the organization/firm does not exist, contact the appropriate court to create the organization code.

Q51. Are self-represented (*pro se*) parties required to efile?

A51. Self-represented parties may elect to efile in their cases, but they are not required to efile. See HEFSR Rule 4.1. They can only efile on an existing case.

Note: Self-represented parties and attorneys who do not belong to a firm with a JEFS administrator will need to call the JEFS Helpline during business hours to activate their JEFS account after registering. Contact information for the appropriate courts is listed on pages 15 and 18 of these FAQs as well as the Judiciary efilings web page, see [JEFS Login Page](#).

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS

Last Update: 05/31/2016

Q52. Must attorneys with cases in the Hawai'i Supreme Court and the Hawai'i Intermediate Court of Appeals and with criminal cases in a District Court efile through JEFS?

A52. Yes. HEFSR Rule 4.1 requires each attorney representing a party to a case maintained in JIMS to register as a JEFS user. Rule 2.2 of those rules requires each registered JEFS user to file through JEFS.

Q53. May attorneys be sanctioned if they do not efile?

A53. Yes. See HRAP Rules 25(a) and 51, and Rule 3 of the RDCH.

TRAINING

Q54. Are training classes offered?

A54. Periodically, as the need arises. Check the efilings web page on the Judiciary website for updates and links to on-line training videos. Many attorneys and parties find the video training sufficient.

APPELLATE CASES

AUTHORIZING STATUTES

Q55. What is an authorizing statute?

A55. An authorizing statute is a statute that allows a party to file a particular kind of case (e.g. an appeal) or empowers a court to hear the kind of case. An authorizing statute may also be called a "jurisdictional" statute.

FILING FEES ON APPEAL

Q56. The appellant filed a notice of appeal from the judgment and a separate notice of appeal from a post-judgment order. Is the appellant charged a filing fee for each notice of appeal?

A56. Yes. Each notice of appeal or notice of cross-appeal incurs a filing fee unless the party is proceeding *in forma pauperis* or is a government attorney.

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

HELP

Q57. Who should I call if I have questions or issues when trying to efile in an appellate case?

A57. For questions on appellate cases, please call the appellate helpline (Supreme Court and Intermediate Court of Appeals) at 539-4789. (District Court helpline numbers are listed on page 18 of these FAQs as well as the Judiciary efilng web page, see [JEFS Login Page.](#))

Q58. Should I call the appellate helpline or the Office of the Supreme Court Clerk to confirm they have received my document(s) for efilng?

A58. No. You may log in and access “manage cases” to see if your documents were efiled.

RECORD ON APPEAL

Q59. HRAP Rule 11 says “it is the responsibility of each appellant to provide a record...that is sufficient to review the points asserted” The record is in the custody of the clerk of the court or agency, so how can it be the appellant’s responsibility to provide the record?

A59. The appellant is responsible for taking affirmative steps to see that the record is sufficient to determine the matters that the appellant raises on appeal. For example:

- Oral evidence is not transcribed unless someone requests it. If oral evidence is necessary to decide issues, the appellant must order transcripts or, if the transcript cannot be made, take other steps (such as those reflected in HRAP Rule 10 or, if not addressed in HRAP Rule 10, by motion to the court) to provide a record of the oral evidence that was heard by the trial court or agency.
- The appellant must review the documentary record to make sure all the documents needed for the appeal are in the record. If the clerk of the court or agency omitted a document or included an erroneous document, the appellant must take appropriate action to supplement or correct the record. See HRAP Rule 10(e).

SERVICE AND NOTICE OF APPEAL

Q60. Must I file proof of service of the filed notice of appeal with the appellate court even if my notice of appeal was filed in the tax appeal court or another court or agency?

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS

Last Update: 05/31/2016

A60. Yes. HRAP Rule 3(e)(1) requires proof of service of a filed copy of the notice of appeal on all other parties and requires that the proof be filed in the appellate court.

Q61. The amendments to HRAP Rules 3(e), 10(b), and 30 delete provisions for service on counsel of record. Does this mean I serve the party directly and need not serve counsel?

A61. No. The provisions were redundant of HRAP Rule 25(b). HRAP Rule 25(b) says “service on a party represented by counsel shall be made on counsel.” Thus, if a party is represented by counsel, always serve counsel; if a party represents him- or herself, serve the party.

Q62. You have deleted from HRAP Rule 12(b) the requirement that the clerk give notice when the record on appeal is efiled with the appellate court. Will the clerk no longer give notice?

A62. The appellate clerk will provide notice, consistent with HRAP Rule 11(c)(1). JEFS users will be notified electronically.

Q63. How will service be effectuated when I efile a document?

A63. An NEF will be emailed to parties who are JEFS users. You must conventionally serve parties who are not JEFS users. If the appellant entered all the parties and their attorneys, the NEF will list which parties received the NEF and which must be conventionally served.

TITLE

Q64. Must I type the full case title in the extended case title box?

A64. No. You can initiate the case without typing the full case title in the extended case title box. We recommend that you copy and paste the whole case title from the caption on your initiating document. What you type in the extended case title box often will print on some court generated documents, including orders and judgments.

WHERE TO FILE AN APPEAL

Q65. The rules require that I file the notice of appeal in the court or agency from which the appeal is taken. I efiled my notice of appeal with the Hawai`i Supreme Court and the Hawai`i Intermediate Court of Appeals. Is that allowed?

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

A65. Yes, the Supreme Court amended the rules so a notice of appeal filed through JEFS is deemed filed in the court or agency appealed from. Also, all clerks are *ex officio* clerks of the other courts and may file any document for another court. See HRS § 606-1(b). Additionally, a notice of appeal **to the Hawai>i Intermediate Court of Appeals or to the Hawai>i Supreme Court** must ultimately be filed in Appellate JEFS. In other words, consistent with Q&A 66, attorneys must electronically file the notice of appeal in Appellate JEFS and **not** in the court or agency appealed from (e.g., attorneys should **not** efile in District Court Criminal JEFS a notice of appeal intended for appeal to the Hawai>i Intermediate Court of Appeal or Hawai>i Supreme Court from a district court criminal judgment). However, self-represented parties must conventionally file (i.e., submit for filing in paper form) the notice of appeal to the clerk of: (1) the agency appealed from or (2) the court appealed from, and the said clerk will then electronically file the notice of appeal in Appellate JEFS, although if the self-represented party mistakenly submits the notice of appeal to the appellate court, the appellate clerk will file it in JEFS consistent with HRAP Rule 4(a)(1), and it shall be deemed filed with the clerk of the court or agency appealed from.

Q66. Some attorneys contend that HRAP Rules 3, 3.1, and 4 require them to conventionally file the notice of appeal and the CADS over-the-counter at the court appealed from. Are they correct?

A66. No. HRAP Rule 25(a) requires attorneys who represent parties in the appellate courts to register as JEFS users and to efile all documents. See *also* HRAP Rule 3(a) (an efiled notice of appeal is deemed filed with the clerk of the court appealed from) and HRAP Rule 1(e) (documents filed and served in accordance with the HEFSR deemed to comply with the HRAP's filing, mailing, certified mailing, notice, and service requirements).

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

DISTRICT COURT CRIMINAL CASES

Reminder: Efiling in JEFS is limited to appellate cases, and District Court criminal and traffic crime cases. Traffic infraction and other civil cases require conventional filing as of May 2016.

CONVERTED CASES

Q67. I am having trouble finding my case when I enter my Case ID in the "Submit Filing on Existing Case" field in JEFS. My old case ID is 1P112-123-45.

A67. Converted cases from the court's legacy system had a different case ID format and may not exactly match numbers typed on documents. The case ID can be found either by searching on the defendant's name/information in eCourt Kokua or by removing the dashes in the ID and adding zeros. The legacy case ID format is a 12 character ID starting with 3 characters for circuit and location, 2 digit year, and 7 digits which were sequentially assigned. The conversion process removed the dashes, so the converted case ID for that case would be the location+the year+7 digits; remove the dashes and add zeros to the beginning of the sequential digits to come up with the converted case ID in JIMS, 1P1120012345.

COURT APPOINTED ATTORNEY

Q68. I'm a court appointed attorney in a criminal case in the District Court. Do I file my fee request electronically in JEFS?

A68. Both conventionally filed and electronically filed requests will be accepted.

HELP

Q69. Who should I call if I have questions or issues when trying to efile in a **District Court** case?

A69. Please direct all **District Court** efiling questions to the **District Court** clerk's office of your judicial circuit, Monday through Friday, excluding holidays.

- First Circuit, Honolulu, 808-538-5888, or email DCCrim.1DC@courts.hawaii.gov
- Second Circuit, Maui, 808-244-2998, or email DCCrim.2DC@courts.hawaii.gov
- Third Circuit, Hilo, 808-961-7470, or email DCCrimH.3DC@courts.hawaii.gov
- Third Circuit, Kona, 808-322-8700, or email DCCrimK.3DC@courts.hawaii.gov
- Fifth Circuit, Kauai, 808-482-2673, or email DCCrim.5DC@courts.hawaii.gov

JUDICIARY ELECTRONIC FILING AND SERVICE SYSTEM (JEFS) FREQUENTLY ASKED QUESTIONS
Last Update: 05/31/2016

TRAFFIC INFRACTION CASES

Q70. Can I efile a motion for both a traffic infraction case and a traffic crime case when the same defendant is on both cases?

A70. No. For Public Defenders and private counsel, there may be situations where your client has a traffic crime case and a traffic infraction case arising from the same incident. You can efile on the traffic crime case in JEFS. The separate traffic infraction is a civil case, therefore, if you wish to file on the traffic infraction case, you will have to conventionally file the document; the two documents cannot be filed together electronically.