

STATE OF HAWAII FAMILY COURT FIRST CIRCUIT	CASE ID/NUMBER _____
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**PROPOSED [] AMENDED
SCHEDULING ORDER FOR MOTION AND
DECLARATION FOR PRE-DECREE RELIEF**

(Full Name) PLAINTIFF,	
v.	
(Full Name) DEFENDANT.	

This document is prepared by	
[] Self-Represented [] Plaintiff [] Defendant	
[] Attorney for [] Plaintiff [] Defendant	
_____ Name (and if applicable, Attorney No.)	
_____ Address	
_____ City, State, Zip Code	
_____ Telephone Number	_____ Fax Number
_____ E-Mail Address	

I request that I be provided with a filed copy of the attached document in the following manner:

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STATE OF HAWAI'I FAMILY COURT FIRST CIRCUIT	CASE ID/NUMBER _____
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] AMENDED
**SCHEDULING ORDER FOR MOTION AND
DECLARATION FOR PRE-DECREE RELIEF**

(Full Name) Plaintiff, v.	
(Full Name) Defendant.	

This document is prepared by:
] Self-Representing Plaintiff Defendant
] Attorney for Plaintiff Defendant

Name (and Attorney No. if applicable)

Address

City, State, Zip Code

Telephone No. Fax No.

E-Mail Address

A. IT IS HEREBY ORDERED as follows:

] 1. Both parties shall appear at the Family Court of the First Circuit, located at the **Ronald T.Y. Moon Kapolei Courthouse, 4675 Kapolei Parkway, Kapolei, Hawai'i**, for a hearing on the motion filed on _____. The hearing shall be held on Wednesday, _____ at 1:30 p.m.

] 2. The Motion and this Scheduling Order must be served on the responding party ("Respondent") by no later than noon of the Friday of the second week following the week in which this Scheduling Order is filed. If service is made other than by personal service within the Circuit, the Motion and this Scheduling Order must be served on the Respondent no later than twenty (20) calendar days (including weekends and holidays) prior to the first hearing on the Motion. If service is not timely made, the Movant shall appear before the Family Court on the date and time set forth above and state the reasons why. A new hearing shall then be set by the Family Court.

- [] 3. Any supplements to the Motion, including further supporting affidavits, must be filed and served on the Respondent by no later than noon on the Friday of the third week following the week in which the Motion is filed.
- [] 4. Any written response to be presented by the Respondent must be filed and served on the Movant by no later than the close of business on the Thursday prior to the hearing.
- [] 5. By no later than the close of business on the Thursday prior to the hearing, each party shall (a) provide the other party with a copy of their two most recent pay statements and most recent W-2 statement, or their most recent federal individual income tax return if no pay statement or W-2 statement is available, and (b) file with the Court and provide the other party with current *Income and Expense* and *Asset and Debt Statements*.
- [] 6. The parties shall exchange exhibits at least forty-eight (48) hours prior to the hearing.

B. FINANCIAL RESTRAINING ORDER: (Refers to Paragraph No. 8 in Motion and Declaration for Pre-Decree Relief). **DO NOT USE IF AUTOMATIC RESTRAINING ORDER IS IN EFFECT.**

- IT IS ALSO ORDERED** that until further order of the Court, each party shall be, and is hereby, enjoined and restrained from transferring, encumbering, wasting, or otherwise disposing of any of the party's real or personal property, over and above current income, except as necessary for the ordinary course of a business or for usual current living expenses, without the consent of the other party, or further order of the Court.

C. DOMESTIC ABUSE RESTRAINING ORDER: (Refers to Paragraph 10 in the Motion and Declaration for Pre-Decree Relief)

- IT IS HEREBY ORDERED** that the Respondent shall be, and is hereby, enjoined and restrained from threatening, abusing, or harassing the Movant and/or parties' child(ren) until further order of the Court. The Respondent shall be, and is hereby, prohibited from possessing, controlling, or transferring ownership of firearm, ammunition, firearm permit, or license. All permits and licenses are hereby revoked. The Respondent shall immediately surrender all firearms, ammunition, permits, and licenses to any police officer or the Firearms Unit, Main Station, Honolulu Police Department, 801 S. Beretania Street, Honolulu, Hawai'i, 96813.
- Presence of Firearms: The Court finds that the Respondent owns, intends to obtain or transfer ownership of, or possess firearm(s) or ammunition, and the firearm may be used to threaten, injure or abuse the Movant, the parties' child(ren), and/or some other person. (Refers to Paragraph 11 of the Motion and Declaration for Pre-Decree Relief)
- The Court finds that information on the Respondent is set forth in the attached Motion. (Refers to Paragraph 12 of the Motion and Declaration for Pre-Decree Relief)

- IT IS HEREBY ORDERED** that this Order and appended documents shall be served on the Respondent by a member of the Honolulu Police Department.
- The Movant shall mail or deliver a copy of this Order to the Firearms Unit, Main Station, Honolulu Police Department, 801 S. Beretania Street, Honolulu, Hawai'i, 96813.


ANY VIOLATION OF THIS ORDER IS A MISDEMEANOR AND MAY BE PUNISHABLE BY A JAIL SENTENCE. THE POLICE AND ANY OTHER LAW ENFORCEMENT OFFICER SHALL ENFORCE THIS ORDER PURSUANT TO HAWAI'I REVISED STATUTES CHAPTERS 134 AND 586, AND HAWAI'I REVISED STATUTES SECTIONS 571-8.5 AND/OR 580-10, AS APPLICABLE.

D. RESTRAINING ORDER REGARDING CHILD(REN): (Refers to Paragraph 9 of the Motion and Declaration for Pre-Decree Relief) **DO NOT USE IF AUTOMATIC RESTRAINING ORDER IS IN EFFECT.**

- IT IS ALSO ORDERED** that until further order of the Court, both parties shall be, and are hereby, enjoined and restrained from removing the minor child(ren) of the parties from the City and County of Honolulu.

THIS SCHEDULING ORDER shall be effective on the Movant immediately upon filing, and on the Respondent upon service, and shall remain in effect until further order of the Court, or entry of the Divorce Decree, or other dismissal of this case, whichever occurs first.

DATE	SIGNATURE OF CLERK OF THE ABOVE-ENTITLED COURT
	Print Clerk's Name:
DATE	SIGNATURE OF JUDGE OF THE ABOVE-ENTITLED COURT
Kapolei, Hawai'i	Print Judge's Name:

 If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation: Call the ADA Coordinator of the First Circuit Family Court Office at (808)954-8200, fax (808)954-8308, or send an e-mail to adarequest@courts.hawaii.gov. The ADA Coordinator will work to provide, but cannot guarantee your requested auxiliary aid, service, or accommodation.

Please call the Family Court Service Center at (808)954-8290 if you have any questions about forms or procedures.