

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the Amendment
of the
Hawaii Civil Traffic Rules

ORDER AMENDING

RULE 19(a) OF THE HAWAII CIVIL TRAFFIC RULES

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

IT IS HEREBY ORDERED that Rule 19(a) of the Hawaii Civil Traffic Rules is amended as follows, effective January 1, 2005 (new material is underlined):

RULE 19. TRIAL

(a) For Contested Hearings. A

defendant's request for trial must be made within thirty days after a contested hearing judgment is entered. If the request is made at the contested hearing, the court shall set a trial date forthwith. If the request is made within thirty (30) days after entry of judgment, the court shall set a trial date as soon as is practicable. If a trial is requested and the defendant appears at the scheduled trial, the court shall vacate the judgment entered as a result of the contested hearing. There is no right to a trial after a mitigation hearing. If the defendant fails to appear at the requested trial, the judgment shall stand.

DATED: Honolulu, Hawaii, October 4, 2004.