

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Matter of the Amendment
of the
HAWAII RULES OF PENAL PROCEDURE

ORDER

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

WHEREAS proposals to amend Rules 5 and 7 of the Hawaii Rules of Penal Procedure were forwarded by the Chair of the Permanent Committee on Rules of Penal Procedure and Circuit Court Criminal Rules (Committee), and

WHEREAS the Committee has not had an opportunity to review the proposals and make a recommendation, and

WHEREAS the Deputy Chief Judges have expressed concerns about implementation of our November 4, 2005 order eliminating the oral charging procedure theretofore authorized by the Hawaii Rules of Penal Procedure,

IT IS HEREBY ORDERED that:

(1) the proposals to amend Rules 5 and 7 of the Hawaii Rules of Penal Procedure are forwarded to the Committee for its consideration and recommendation; and

(2) the effective date of our November 4, 2005, order amending Rules 5(b)(1), 7(a), 7(d), 7(e), 7(h), and Form D of the Hawaii Rules of Penal Procedure is extended to January 1, 2008,

except that the amendment to Rule 7(e) therein shall be effective on January 1, 2007.

DATED: Honolulu, Hawaii, December 7, 2006.