

In the Matter of the Amendment
of the
District Court Rules of Civil Procedure

ORDER AMENDING RULE 30(f)(1) OF THE
DISTRICT COURT RULES OF CIVIL PROCEDURE
(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

IT IS HEREBY ORDERED that Rule 30(f)(1) of the District Court Rules of Civil Procedure, is amended, effective July 1, 2009, as follows (deleted material is bracketed and stricken; new material is underscored):

Rule 30. DEPOSITIONS UPON ORAL EXAMINATION.

* * *

(f) Certification and retention by officer; exhibits; copies; filing and notice of filing.

(1) The officer shall certify on the deposition that the witness was duly sworn by the officer and that the deposition is a true record of the testimony given by the witness. The officer shall then securely seal the deposition in an envelope indorsed with the title of the action and marked "Deposition of [here insert name of witness]". The officer shall retain the deposition and shall be responsible for its safekeeping until the officer files it pursuant to subdivision (f)(3) of this rule, or if it is not filed, until 6 months after the final disposition of the case including any appeals; provided that an officer who has taken a deposition outside this state shall promptly file it with the court in which the action is pending or send it by registered or certified mail to the clerk thereof for filing; and further provided that if the officer discontinues the occupation of taking depositions by reason of death or otherwise, the officer or agent of the officer shall promptly file any depositions with the court. Unless the court

orders otherwise, depositions may be destroyed 6 months after the final disposition of the action, including appeal.

* * *

DATED: Honolulu, Hawai i, December 30, 2008.