

IN THE SUPREME COURT OF THE STATE OF HAWAII

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

ORDER AMENDING RULE 30(f)(1) OF THE
HAWAII 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 Hawaii 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 Delivery by Officer; Exhibits; Copies.

(1) The officer must certify that the witness was duly sworn by the officer and that the deposition is a true record of the testimony given by the witness. This certificate must be in writing and accompany the record of the deposition. Unless otherwise ordered by the court, the officer must securely seal the deposition in an envelope indorsed with the title of the action and marked "Deposition of [here insert name of witness]" and must promptly send it to the attorney who arranged for the transcript or recording, who must store it under conditions that will protect it against loss, destruction, tampering, or deterioration. Unless the court orders otherwise, depositions may be destroyed 6 months after the final disposition of the action, including appeal.

DATED: Honolulu, Hawaii, December 30, 2008.