

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

**Electronically Filed
Supreme Court
SCRU-10-000012
28-SEP-2010
09:22 AM**

In the Matter of the Amendment
of the

HAWAI'I RULES OF APPELLATE PROCEDURE

ORDER AMENDING FORM 9
OF THE HAWAI'I RULES OF APPELLATE PROCEDURE
(By: Recktenwald, C.J., for the court¹)

IT IS HEREBY ORDERED that Form 9 appended to the Hawai'i Rules of Appellate Procedure, as attached hereto is amended, effective September 28, 2010 (deleted material is bracketed and stricken).

DATED: Honolulu, Hawai'i, September 28, 2010.

FOR THE COURT:

Maui E. Recktenwald

Chief Justice

¹ Considered by: Recktenwald, C.J., Nakayama, Acoba, and Duffy, JJ., and Intermediate Court of Appeals Chief Judge Nakamura, assigned by reason of vacancy.

STATE OF HAWAI'I In the <u>INTERMEDIATE COURT OF APPEALS</u> or <u>SUPREME COURT</u>	REQUEST FOR TRANSCRIPT(S) OF PROCEEDINGS <input type="checkbox"/> Check here if request is for Record on Appeal	Trial Court/Agency Case Number:
		Appellate Case Number:

vs.	Requestor's Name: Firm (if applicable): Address: Phone No.: Fax No.: Email address: Attorney for: <input type="checkbox"/> Plaintiff/Petitioner <input type="checkbox"/> Defendant/Respond <input type="checkbox"/> Other (specify):
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PROCEEDINGS RECORDED BY: <input type="checkbox"/> Court Reporter <input type="checkbox"/> Check here if proceedings are confidential. (See below) <input type="checkbox"/> Electronic Recorder	Name of Court Reporter (if applicable): (Please complete a separate request for each court reporter)
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Date(s) of proceeding(s)	Type of proceeding (e.g. trial, motion, sentencing, etc.)	Portion of proceeding for which transcript is being requested	Name of Judge/Hearing Officer/Agency

Date notice of appeal filed:	Is a Court Reporter's Certificate of Prepayment or Waiver of Payment attached, or is a deposit of fees being made? <input type="checkbox"/> Yes <input type="checkbox"/> No [If a deposit of fees is made, I direct the clerk of the court to use the deposit to pay the court reporter's fees upon completion of the transcript.]
Date transcript(s) needed:	

Requestor's signature:	Date:
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ACKNOWLEDGMENT AND RECEIPT	
Date request received:	Estimated completion date:
Court reporter's signature:	

For official use only



In accordance with the Americans with Disabilities Act, and other applicable State and Federal laws, if you require an accommodation for a disability when working with a court program, service, or activity please contact the Chief Clerk, Supreme Court Clerk's Office at PHONE NO. 539-4919, FAX 539-4928, or TTY 539-4853 at least ten (10) working days before your proceeding, hearing, or appointment date.

**General Instructions for Requesting
Transcripts of Trial Court Proceedings for Appeal Purposes**

Note: Please refer to Rule 10 of the Hawai'i Rules of Appellate Procedure for the specific requirements for requesting transcripts for appeal purposes.

1. Use a separate request form for each court reporter being asked to transcribe proceedings. You may list on one form multiple dates of proceedings to be transcribed by the same court reporter.
2. Use a separate request form to request transcripts of electronically-recorded proceedings from the supervising court reporter for a court, or if there is none, the administrator of the court whose proceedings are to be transcribed. You may list multiple dates of proceedings to be transcribed on one form.
3. Within 10 days after filing a notice of appeal, you must file the request for transcripts with the appellate clerk. The request must be accompanied by one of the following (unless you are statutorily exempt from the transcript prepayment or deposit requirement by HRS § 606-13):
 - a. a certificate from each named court reporter that the fees for the reporter's services have been paid or waived;
 - b. a deposit with the court reporter of the approximate cost of the transcript fees, as computed by the court reporter in advance in writing at the rate established by the Hawai'i Rules Governing Court Reporting; or
 - c. a deposit with the court reporter of the approximate cost of the transcript fees, as computed in advance in writing at the rate of \$150 for each hour of proceedings to be transcribed.