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Supreme Court
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SCRU-11-0000051

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the Amendment

of the

HAWAI‘I RULES OF CIVIL PROCEDURE

ORDER AMENDING FORMS OF THE
HAWAI‘I RULES OF CIVIL PROCEDURE

(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.)

IT IS HEREBY ORDERED that Forms 1 and 22-A, attached hereto, are amended and shall be appended to the Hawai‘i Rules of Civil Procedure, effective July 1, 2011.

DATED: Honolulu, Hawai‘i, March 17, 2011.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna



Form 1. Summons.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

A.B., Plaintiff,)	Civil No. _____
)	
v.)	
)	SUMMONS
C.D., Defendant.)	
_____)	

SUMMONS

STATE OF HAWAI'I

To the above-named Defendant:

You are hereby summoned and required to file with the court and serve upon _____, plaintiff's attorney, whose address is _____, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Dated: Honolulu, Hawai'i, _____

Clerk of Court

(Seal of the Circuit Court)

(This summons is issued pursuant to Rule 4 of the Hawai'i Rules of Civil Procedure).

For provisional and final remedies, including attachment, garnishment, etc., see Chapter VIII of these rules.

Form 22-A. Summons and Complaint Against Third-Party Defendant.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

A.B., Plaintiff,)	Civil No. _____
)	
v.)	
)	SUMMONS
C.D., Defendant and Third-Party Plaintiff,)	
)	
v.)	
)	
E.F., Third-Party Defendant.)	
_____)	

SUMMONS

STATE OF HAWAI'I

To the above-named Third-Party Defendant:

You are hereby summoned and required to file with the court and serve upon _____, plaintiff's attorney whose address is _____, and upon _____, who is attorney for C. D., defendant and third-party plaintiff, and whose address is _____, an answer to the third-party complaint which is herewith served upon you within 20 days after the service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff which you may but are not required to answer.

Dated: Honolulu, Hawai'i, _____

(Seal of Circuit Court)

Clerk of Court

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI‘I

A.B., Plaintiff,) Civil No. _____
)
 v.)
) THIRD PARTY COMPLAINT
C.D., Defendant and Third-Party Plaintiff,)
)
 v.)
)
E.F., Third-Party Defendant.)
_____)

THIRD-PARTY COMPLAINT

1. Plaintiff A. B. has filed against Defendant C. D. a complaint, a copy of which is hereto attached as Exhibit A.

2. (Here state the grounds upon which C. D. is entitled to recover from E. F., all or part of what A. B. may recover from C. D., or upon which A. B. is entitled to recover from E. F. and not from C. D. The statement should be framed as in an original complaint.)

Wherefore C. D. demands judgment against third-party defendant E.F. for all sums¹ that may be adjudged against defendant C.D. in favor of plaintiff A. B.

¹Make appropriate change where C.D. is entitled to only partial recovery-over against E. F.

Dated: Honolulu, Hawai'i, _____

Signed: _____
Attorney for C. D., Third-Party Plaintiff

Address: _____