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Supreme Court
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IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the
RULES OF THE DISTRICT COURT OF THE STATE OF HAWAI'I

ORDER ADOPTING AND AMENDING RULES OF
THE DISTRICT COURT OF THE STATE OF HAWAI'I
(By: Recktenwald, C.J., Nakayama, Acoba, Duffy, and McKenna, JJ.)

IT IS HEREBY ORDERED that Rule 1.1(e) is adopted, and Rule 21 is amended, of the Rules of the District Court of the State of Hawai'i, effective June 18, 2012, as follows (new material is underscored):

Rule 1.1. INTERPRETATION; EFFECTS OF E-FILING AND AUTOMATION.

* * *

(e) Definitions. *See Rule 1 of the Hawai'i Electronic Filing and Service Rules for definitions.*

Rule 21. SUBMISSION OF PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW.

(a) Proposed findings and conclusions. The party who prevails after the presentation of evidence shall upon request submit to the court proposed findings of fact and conclusions of law pursuant to Rule 52, District Court Rules of Civil Procedure. The party required to prepare such proposed findings of fact and conclusions of law shall have 10 days, unless such time is extended by the court, to draft the same and secure the approval as to form of opposing counsel thereon. If the form of the proposed findings of fact and conclusions of law has not been approved, a party served with the proposed findings and conclusions may within 5 days thereafter serve and deliver to the court objections and a copy of the objecting party's proposed findings and conclusions. The court shall determine the findings of fact and conclusions of law to be entered.

If after the conclusion of all testimony, the court does not indicate which party has prevailed in the action, the respective parties involved may be requested to submit proposed findings of fact and conclusions of law.

(b) Cases maintained as paper records. The prevailing party shall deliver the original and 1 copy to the court, or, if not so approved, serve a copy thereof upon each party who has appeared in the action and deliver the original and 1 copy to the court.

(c) Cases maintained in the Judiciary Information Management System (JIMS). Proposed findings and conclusions shall be submitted in accordance with Rule 9 of the Hawai'i Electronic Filing and Service Rules.

IT IS FURTHER ORDERED that all Comments to the Rules of the District Court of the State of Hawai'i are deleted, effective June 18, 2012.

DATED: Honolulu, Hawai'i, May 2, 2012.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

