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Supreme Court
SCRU-11-0000632
20-MAR-2014
11:27 AM

SCRU-11-0000632

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the
RULES OF THE CIRCUIT COURTS OF THE STATE OF HAWAI'I

ORDER AMENDING RULES 2.1 AND 7.2 OF THE RULES
OF THE CIRCUIT COURTS OF THE STATE OF HAWAI'I
(By: Recktenwald, C.J., Nakayama, McKenna, and Pollack, JJ., and
Intermediate Court of Appeals Chief Judge Nakamura,
assigned by reason of vacancy)

IT IS HEREBY ORDERED that Rules 2.1 and 7.2 of the
Rules of the Circuit Courts of the State of Hawai'i, are amended,
effective July 1, 2014, as follows (deleted material is bracketed
and stricken; new material is underscored):

Rule 2.1. EX OFFICIO FILING.

The respective clerks of the circuit courts shall be ex officio clerks of all the courts of record and as such may accept documents for filing [~~complaints, notices of appeal and appellate briefs~~] and may issue summons returnable in all such courts. The party filing the ex officio document, shall, on the day of filing, notify the trial court of the ex officio filing and provide the required copies to the trial judge's chambers in an expeditious manner consistent with Rule 7.2(g)(6) of these Rules.

Rule 7.2. CIVIL MOTIONS PRACTICE.

* * *

(f) Ex parte motions. A motion entitled to be heard *ex parte* shall
(1) cite the statute, rule, or other authority authorizing the court to entertain the motion *ex parte*;

(2) be supported by an affidavit or declaration stating the reason(s) for filing the motion *ex parte*, the efforts made to notify parties, and, if the motion is to shorten time or advance a hearing pursuant to subsection (g)(5) of this [r]Rule, the efforts made to obtain a stipulation or response from the other parties in the case or the reason(s) why no attempt was made;

(3) be accompanied by a proposed order; and

(4) ~~[be served in the most expeditious manner available.]~~ be served on the date that the motion was presented to the court.

(g) Presentation of motions; copies for judge. Unless otherwise provided by Rule 6 of the Hawai'i Court Records Rules, the following rules shall apply:

* * *

(6) COPIES FOR JUDGE.

~~[(A) *First Circuit.*]~~ A party filing a motion, response to a motion, or other document pertaining to a motion, shall deliver 2 file-stamped copies of the motion, response, or document to the chambers of the assigned judge ~~[on the filing date]~~ in an expeditious manner.

~~[(B) *Second, Third, and Fifth Circuits.* The filing party shall submit 2 copies of the motion, response, or document to the Legal Documents Branch/Section for the assigned judge upon presentation of the original for filing.]~~

DATED: Honolulu, Hawai'i, March 20, 2014.

/s/ Mark E. Recktenwald
/s/ Paula A. Nakayama
/s/ Sabrina S. McKenna
/s/ Richard W. Pollack
/s/ Craig H. Nakamura

