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Supreme Court
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SCRU-12-0000409

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the
HAWAI‘I ELECTRONIC FILING & SERVICE RULES

ORDER AMENDING RULES 1, 4, AND 5 OF THE
HAWAI‘I ELECTRONIC FILING & SERVICE RULES

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

IT IS HEREBY ORDERED that Rules 1, 4, and 5 of the
Hawai‘i Electronic Filing and Service Rules are amended,
effective July 1, 2015, as follows (new material is underscored):

Rule 1. DEFINITIONS.

* * *

1.6. Electronic signature means the name of the attorney or self-
represented party JEFS user, or a judge or justice, typed in the space usually
reserved for a handwritten signature and preceded by "/s/," *see* Rule 5.1 of these
rules; or for a judge or justice, the image of a handwritten signature, *see, e.g.,*
Rule 36(e) of the Hawai‘i Rules of Appellate Procedure.

* * *

Rule 4. ELIGIBILITY, REGISTRATION, PASSWORDS.

4.1. Eligibility; Registration Required.

(a) Attorneys. Unless exempted by the court, each attorney
representing a party to a case maintained in JIMS shall register as a JEFS User.
An attorney is eligible for registration if the attorney is admitted to practice

before the courts of the State of Hawai‘i, is on active status, and is not suspended, disbarred, or otherwise prohibited from practicing law in the State of Hawai‘i. An attorney admitted pro hac vice may not register as a JEFS User because all filings must be made by the local counsel with whom the pro hac vice attorney is associated.

(b) Assistant or Staff Member. An assistant or staff member employed by an attorney JEFS User, or employed by the law firm or the organization of the attorney JEFS user, may register as a JEFS user in his or her own name to electronically file documents on behalf of the employer. The employer shall be responsible for the actions and documents electronically filed by the assistant or staff member.

(c) Self-represented parties. A self-represented party may register as a JEFS User for the case(s) in which he or she is a party.

Rule 5. SIGNATURES.

5.1. JEFS User’s Signature. An attorney or self-represented party JEFS User shall affix his or her signature to each document requiring a signature by typing his or her name in the space usually reserved for a handwritten signature preceded by "/s/" (e.g., /s/ Jane Lawyer).

5.2. Validation of Electronic Signature. The use of a JEFS User’s login and password, including the login of an assistant or staff member employed by an Attorney JEFS User or the law firm or the organization of the Attorney JEFS User, to electronically file a document containing the JEFS User’s signature (e.g., /s/ Jane Lawyer) validates the electronic signature on the document for all purposes under any of the Hawai‘i Rules of Court, including Rule 11 of the Hawai‘i Rules of Civil Procedure, Rule 11 of the District Court Rules of Civil Procedure, and Rule 11 of the Hawai‘i Family Court Rules. The Attorney JEFS User is responsible for all actions and documents electronically filed by an assistant or staff member employed by an Attorney JEFS User, the law firm or the organization of the Attorney JEFS User as if the attorney electronically filed the document.

DATED: Honolulu, Hawai‘i, January 21, 2015.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

