RULES OF THE DISTRICT COURTS OF THE STATE OF HAWAI'I

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Adopted and Promulgated by the Supreme Court of the State of Hawai'i

Comments and commentary are provided by the rules committee for interpretive assistance. The comments and commentary express the view of the committee and are not binding on the courts.

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RULES OF THE DISTRICT COURTS OF THE STATE OF HAWAI'I

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Rule 1. CLASSIFICATION OF PROCEEDINGS

All proceedings shall be divided into the following classes, viz.: CIVIL, (including regular claims), SMALL CLAIMS, SPECIAL PROCEEDINGS, CRIMINAL, AND TRAFFIC.

Proceedings under District Court Rules of Civil Procedure Rule 72, proceedings under HRS § 604-10.5, and any other proceeding not specifically included herein shall be classified under special proceedings.

(Amended February 8, 1996, effective April 1, 1996.)

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

(a) Interpretation and enforcement of rules. These rules shall be read and construed with reference to each other, the Hawai'i Electronic Filing and Service Rules, and the Hawai'i Court Records Rules. In any conflict amongst the Rules of the District Court of the State of Hawai'i, the Hawai'i Court Records Rules, and the Hawai'i Electronic Filing and Services Rules, the Hawai'i Electronic Filing and Service Rules shall prevail.

(b) Effect of Hawai'i Electronic Filing and Service Rules. Documents filed and notices given in accordance with the Hawai'i Electronic Filing and Service Rules shall be deemed to comply with any filing or notice requirements of any part of these Rules of the District Courts of the State of Hawai'i.

Notwithstanding any language in these Rules of the District Courts of the State of Hawai'i requiring the filing or service of additional paper copies of documents, such copies are not required for documents filed through the Judiciary Electronic Filing System (JEFS).

(c) Effects of automation on processes and procedures. Duties set out in these rules may be performed by automation.

(d) Conflicts with other rules of court. To the extent there is conflict between these rules and the District Court Rules of Civil Procedure, the Rules of the Small Claims Division of the District Court, or the Hawai'i Rules of Penal Procedure, the latter shall prevail.

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

(Added April 23, 2012, effective June 18, 2012; further amended May 2, 2012, effective June 18, 2012.)

Rule 2. FILING PROCEDURE BY THE CLERK.

(a) Case number. Upon the filing of the initial pleading or other documents, and before the issuance of process, the clerk shall assign a number to such proceeding. All subsequent pleadings and documents to be filed shall bear the number assigned to the initial documents, which shall appear on the first page.

(b) Stamp by clerk. For conventionally filed documents, the clerk shall promptly stamp the time and date upon all documents filed.

(c) Docket entry and filing. Upon the filing of any document, an appropriate entry shall be made in a docket sheet kept for each case. A "docket sheet" may be an electronic record within a court maintained computer.

(d) Service of pleadings and other documents.

(1) FILING: ORIGINAL KEPT ON FILE; COPIES FOR SERVICE. For conventionally filed documents and subject to subsection (2) of this subsection (d) pertaining to questions and other discovery documents, when a pleading or other document requiring service is presented for filing, the original shall be accompanied with a sufficient number of copies for service. The original shall be kept on file by the clerk. For conventionally filed documents and those parties not registered with the JEFS, service may be made with the certified copy or copies of the documents together with the certified copy or copies of the summons, and the serving officer shall make proof of service to the court promptly by returning the original summons to the clerk.

(2) SERVICE AND FILING OF QUESTIONS AND OTHER DISCOVERY DOCUMENTS. Unless otherwise provided by the Hawai'i Electronic Filing and Service Rules, the filing of questions and other discovery documents shall be governed by Rule 5 of the District Court Rules of Civil Procedure. If conventionally served, a party seeking admissions or answers to questions shall serve 2 copies of the request for admissions or questions upon the party from whom the admission of answers are sought.

(e) Signatures. Any order or judgment that is filed electronically bearing a facsimile signature in lieu of an original signature of a judge or clerk has the same force and effect as if the judge or clerk had affixed the judge's or clerk's signature to a paper copy of the order or judgment and it had been entered on the docket in a conventional manner. For purposes of this rule and any rules of court, the facsimile signature may be either an image of a handwritten signature or the software printed name of the judge preceded by /s/.

(f) Place of filing; assignment to division.

Except as provided by the Hawai'i Electronic Filing and Service Rules, pleadings and documents for filing shall be presented to the office of the clerk. The clerk shall furnish certified copies of all documents filed if so requested at the time of filing. The administrative judge may designate the division to which a case or class of cases may be assigned.

(g) Electronic filing of documents submitted on paper; filing date and time preserved. Pursuant to Rule 2.5 of the Hawai'i Electronic Filing and Service Rules, the clerk shall electronically file any paper document submitted to the clerk. The receipt date and time reflected on the conventionally filed document and subsequently filed in JIMS shall be deemed the filing date for all purposes under any of the Hawai'i Rules of Court. Once electronically filed, the clerk shall not retain the paper document.

(Amended March 16, 1984, partly effective March 16, 1984, effective May 1, 1984; further amended February 8, 1996, effective April 1, 1996; further amended December 6, 1996, effective December 6, 1996; further amended June 2, 2005, effective July 1, 2005; further amended December 21, 2009, effective nunc pro tunc, July 1, 2005; further amended February 22, 2010, effective February 22, 2010; further amended April 23, 2012, effective June 18, 2012.) Rule 2.1. RESERVED.

Rule 2.2. COSTS AND FEES TO BE COLLECTED BY THE CLERK.

The clerk shall collect costs and fees provided by Chapter 607 of the Hawai'i Revised Statutes except that the clerk shall collect the amounts specified herein as follows:

1. For copies of any document in any public record maintained by the clerk:

a. In the clerk's office: \$1.00 for the first page and \$.50 for each additional page

b. In an off-site storage location: \$5.00 plus usual copying charge

c. On microfilm:

i. \$5.00 when provided by the clerk plus \$1.00 per page

ii. \$1.00 per page when obtained via self-service

2. For telefaxing of any document in any public record, the applicable charges plus:

i. Within Hawai'i: \$2.00 first page and \$1.00 each additional page

ii. Outside Hawai'i, within the United States (including American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands): \$5.00 first page and \$2.00 each additional page

iii. Outside the United States: \$10.00 first page and \$5.00 each additional page

3. For copies of audio tapes, electronic copy of any document: \$10.00

4. For copies of video tapes: cost of production

5. For any expedited or rush requests (copy(ies) provided within 4 hours if request received before noon): \$10.00 plus all other applicable charges

6. Ex officio filing (in addition to the usual filing fee): \$10.00

7. Certification under seal of a copy of a pleading or other document subsequent to the initial filing of the pleading or document, except the record on appeal: \$2.00

8. For Traffic Court Record Report (nonparking; when a report is available): \$1.00 for the first page and \$.50 for each additional page 9. For Traffic Court Record Report with clerk's notes (non-parking; when a report is available): \$1.00 for the first page and \$.50 for each additional page.

10. Search of records by the clerk (when a request does not include a case number that is available through a self-search of case record indexes): \$5.00.

11. Parties to a pending case shall not be charged for the first copy of the court order, opinion, judgment or any other item entered in the case by the court, whether provided on paper or electronically.

12. The clerk shall charge the actual cost of mailing paper copies of any item, provided that the parties to a pending case shall not be charged for the mailing of the first copy of a court order, opinion, or other item entered in the case by the court.

13. The court may waive costs and fees for good cause shown. In lieu of copying and mailing fees, the administrative judge may authorize the clerk to provide copies of orders, opinions, or other items to publishing companies in exchange for published materials for the benefit of the court or the judiciary.

(Added June 15, 2005, effective July 1, 2005; further amended November 23, 2005, effective January 1, 2006; further amended June 16, 2006, effective July 1, 2006; further amended April 23, 2012, effective June 18, 2012; further amended October 23, 2012, effective January 1, 2013.)

Rule 3. FORM OF PLEADINGS AND MOTIONS.

(a) Form. Unless otherwise required by the Hawai'i Electronic Filing and Service Rules, all pleadings and other documents to be filed shall be typewritten, printed, photocopied, or otherwise similarly prepared by a duplication process that will produce clear, permanent and legible copies, upon unruled, opaque, unglazed white paper of standard quality not less than 13 pound weight, 81/2 x 11 inches in size with a portrait orientation and each sheet shall have a margin all around of at least 1 inch (except as otherwise provided in paragraph (c) of this rule). Such documents shall be typewritten in heavily inked black ribbon or printed in black. The type shall be standard 12 point pica or equivalent. Copies, but not originals, may be two-sided. The lines on each page shall be double-spaced or one and

one-half spaced; provided, however, descriptions of real property and quotations may be single spaced. All pages shall be numbered consecutively at the bottom and shall be firmly bound together at the top. Exhibits may be fastened to pages of the specified size and, when prepared by a machine-copying process, shall be equal to typewritten material in legibility and permanency of image. Signatures and all other handwritten entries on papers shall be in ink. The name of the person signing the pleading or document shall be typed or printed in block letters directly below the signature.

(b) No flyleaf shall be attached to any document, except as provided by Rule 9 of the Hawai'i Court Records Rules. If filed conventionally, documents shall be filed without backs. All documents filed shall be neat, clean, legible and free of interlineations.

(c) Form of first page. The first page of all documents, except for court forms and except as provided in (d) of this rule, shall be in the following form:

(1) The space at the top left of the center of the page shall contain the name, code number, office address, electronic mail address, telephone, and facsimile number of the attorney for the party in whose behalf the document is filed, or of the party if appearing in person;

(2) The space at the top right of the center of the page shall be left blank for the use of the clerk of the court;

(3) There shall be centered the name of the court, which shall be not less than 3 inches from the top of the page;

(4) The space to the left of the center of the page shall contain the title of the cause (which title shall include the names of all of the parties in the initial pleading, but thereafter may be appropriately abbreviated);

(5) In the space to the right of the title of the cause, there shall be listed the class and case number followed by the category best describing the claims asserted in the case and followed in all cases by the character of the paper.

The category best describing the claims asserted in a civil claims case shall be selected from the following:

Assumpsit Personal Injury Property Damage Replevin Special Proceeding Summary Possession (Residential Lease) Summary Possession (Commercial Lease) Other Civil Action

(6) Certification or acknowledgement of service may be entered at the bottom margin.

(d) Two pleadings filed together. Where 2 or more pleadings or other documents are filed together, only the first page of the first document shall follow all of the requirements of (c) of this rule, and in addition thereto, there shall be listed, after the case number and before the character of the document, the character of all of the documents that are being filed together. The top of the first page of each document other than the first shall start with the name of the court and include the class and case number, the title of the cause and the character of the document, in appropriate spaces as set forth in (c) of this rule.

(e) Sanctions. The court may impose sanctions for the non-compliance with these rules.

(f) Form furnished by the court. The court shall furnish forms approved by the supreme court, and those forms shall be used in all appropriate instances, unless otherwise permitted by the court.

Approved forms may be reproduced through photocopiers, computers or other means. A reproduced form shall be similar in design and content to the approved form. Any person filing a form that is not identical in content to an approved form shall advise the court of the differences by attaching a short explanatory addendum to the document. The court may impose sanctions upon the filing person for failure to comply with this rule. The approved forms or any reproduction thereof permitted by this rule shall not be subject to the format requirements of this rule. (g) Filing by facsimile. When electronically filing is not required, documents and pleadings may be filed by facsimile transmission if permitted by the local administrative judge and clerk.

(h) Filing by mail. When electronic filing is not required, documents and pleadings required or permitted to be filed in the district courts may be filed by mail addressed to the clerk, but filing shall not be considered timely unless the documents are received by the clerk within the time fixed for filing.

(Amended June 21, 1983, partly effective July 1, 1983, fully effective July 1, 1984; further amended April 23, 1984, fully effective July 1, 1984; further amended February 8, 1996; effective April 1 1996; further amended December 6, 1996, effective December 6, 1996; further amended June 23, 1997, and July 2, 1997, effective August 1, 1997; further amended November 4, 1997; effective December 1, 1997; further amended April 23, 2012, effective June 18, 2012.)

Rule 4. PARTIES WITHOUT COUNSEL.

Parties who appear in person without counsel shall notify the clerk in writing of their names, their mailing and residence addresses, facsimile and telephone numbers and shall keep the clerk informed by proper written notices of changes in the addresses and telephone numbers so given. All such notices shall be duly indexed and filed by the clerk.

Nothing in this rule authorizes a corporation to appear as a party without counsel or to be legally represented by a person who is not licensed to practice law in the State of Hawai'i.

(Amended February 8, 1996, effective April 1, 1996.)

Rule 5. SERVICE OF DOCUMENTS AND PROOF THEREOF.

(a) Service required. In all civil actions, pleadings and documents shall be served either electronically, pursuant to Rule 6 of the Hawai'i Electronic Filing and Service Rules if the case is filed through the JEFS, or, for conventionally served documents, as provided in the District Court Rules of Civil Procedure.

(b) Proof of service. Proof of service may either be provided electronically for cases filed through the JEFS, or may be by written acknowledgment of service, by affidavit of the person making service, or by any other proof satisfactory to the court, unless otherwise provided by law or by the District Court Rules of Civil Procedure. A party who has been prejudiced by failure to receive due notice or to be served, or who has been prejudiced by reason that service was made by mail, may apply to the court for appropriate relief.

(Amended April 23, 2012, effective June 18, 2012.)

Rule 6. WITHDRAWAL OF DOCUMENTS AND EXHIBITS.

For pleadings and documents in paper records, the clerk shall not permit any pleading or document to be taken from the clerk's custody except as provided by Rule 2(d) or as ordered by the court. Exhibits may be withdrawn on the written approval of the court against a written receipt therefor, and the party shall file a copy in its place unless otherwise ordered. The parties in all civil actions shall withdraw all exhibits not attached to the pleadings, and all interrogatories, answers thereto, and depositions within 1 year after final judgment, unless otherwise ordered. If not so withdrawn, they shall be deemed abandoned and may be disposed of by the clerk.

(Amended February 8, 1996, effective April 1, 1996; further amended April 23, 2012, effective June 18, 2012.)

Rule 7. FORM OF MOTIONS.

(a) Form. All motions, except when made during a hearing or trial, shall be in writing, shall state the grounds therefor, shall set forth the relief or order sought, and if involving a question of law shall be accompanied by a memorandum in support of the motion. Every motion, except one entitled to be heard ex parte, shall be accompanied by a notice of hearing or of setting for hearing thereof. The motion may be stated in the notice of hearing. If a motion requires the consideration of facts not appearing of record, it shall be supported by affidavit. The motion shall be filed and served on all parties at least 14 days prior to the time set for hearing, unless otherwise provided by the District Court Rules of Civil Procedure or ordered by the court.

(b) Filings in opposition. An opposing party may serve and file counter affidavits and a written statement of reasons in opposition to the motion and of the authorities relied upon, which shall be served and filed not later than 72 hours preceding the time set for the hearing, except as otherwise ordered by the court.

(c) Required notice; effect of failure to appear. A party who does not oppose or who intends to support a motion, or who desires a continuance, shall immediately notify the court and opposing counsel, or opposing party if the opposing party is not represented by counsel. Failure to appear at the hearing may be deemed a waiver of objections to the granting of the motion.

(d) Non-hearing motions. Notwithstanding Rule 7(a), with appropriate notice, non-hearing motions may be filed if permitted by the administrative judge.

- (e) Reserved.
- (f) Reserved.

(g) Declaration in lieu of affidavit. In lieu of an affidavit, an unsworn declaration may be made by a person, in writing, subscribed as true under penalty of law, and dated, in substantially the following form:

I, _____, do declare under penalty of law that the fore-going

(name of person)

is true and correct.

Dated:

Signature

(Amended February 8, 1996, effective April 1, 1996; further amended July 29, 1997, effective September 1, 1997; further amended June 8, 2001, effective July 1, 2001.)

Rule 7.1. LENGTH OF MEMORANDA.

Memoranda in support of or in opposition to any motion shall not exceed 20 pages in length exclusive of affidavits, exhibits and attachments. Reply memoranda shall not exceed 10 pages in length exclusive of affidavits, exhibits and attachments. Upon the filing of an ex parte motion, and for good cause shown, the court may grant permission to exceed page limits. All attached exhibits shall have appropriately labeled tabs. Memoranda exceeding 15 pages shall have a table of contents and a table of authorities.

(Added July 29, 1997, effective September 1, 1997.)

Rule 8. SETTING OF MOTION.

Motions will be heard upon 14 days written notice, unless otherwise ordered by the court or unless a different notice is required by the District Court Rules of Civil Procedure.

(Amended February 8, 1996, effective April 1, 1996; further amended June 8, 2001, effective July 1, 2001.)

Rule 9. TITLES TO ORDERS.

Every order shall indicate the nature thereof in its title.

Rule 10. ORDERS AND JUDGMENTS GRANTABLE BY THE CLERK.

The clerk may grant, sign, and enter the following orders without further direction by the court, but any orders so entered may be set aside or modified by the court:

1. Stipulations extending time;

2. Orders of dismissal pursuant to Rules 12, 28, and 29 of these rules;

3. Stipulations for substitutions of attorneys;

4. Default judgments as provided in Rule

55(b)(1) and judgments pursuant to Rule 68 of the District Court Rules of Civil Procedure (Attorneys' fees may be awarded as provided by law); and

5. Any other order referred to in the District Court Rules of Civil Procedure which is grantable by the clerk.

(Amended February 8, 1996, effective April 1, 1996; further amended December 6, 1996, effective December 6, 1996; further amended January 23, 2018, effective January 23, 2018.)

Rule 10.1. WITHDRAWAL OF COUNSEL.

Except as provided in Rule 10(3) of these Rules, withdrawal of counsel in cases pending before the District Courts shall be effective only upon the approval of the court and shall be subject to the guidelines of Rule 1.16 of the Hawai'i Rules of Professional Conduct and other applicable law.

(Added February 8, 1996, effective April 1, 1996; amended August 21, 2019, effective August 21, 2019.)

Rule 11. PROOF OF PUBLICATION.

Whenever the publication in a newspaper of any summons, process, notice or order is required, evidence of such publication shall be given by the affidavit of the editor, publisher, manager, foreman, clerk or printer of such newspaper, not interested in the suit, action, matter or proceeding to which such publication relates, to which affidavit shall be attached a copy of such summons, process, notice or order, and which affidavit shall also specify the dates and times when, and the newspaper in which, the publication was made. The publisher shall file said affidavit with the clerk before the time fixed for hearing.

Rule 12. DISMISSAL FOR WANT OF PROSECUTION.

An action may be dismissed sua sponte with written notice to the plaintiff if no activity has occurred within 8 months after a complaint has been filed (or within any further period of extension granted by the court). Such dismissal may be set aside and the action reinstated by order of the court for good cause shown upon motion duly filed not later than 10 days from the date of the order of dismissal.

(Added November 27, 2007, effective January 1, 2008.)

Rule 12.1. CIVIL SETTLEMENT CONFERENCE.

A settlement conference may be ordered by the court at any time before trial. Any party may also file a request for settlement conference at any time prior to trial. A settlement conference in civil cases shall be subject to the following guidelines:

(1) If a party settles or otherwise disposes of any action prior to a scheduled settlement conference, the party shall immediately notify the court;

(2) Each party to the action shall attend the conference or be represented by an attorney or other representative who has authority to settle the case;

(3) For each party represented by counsel an attorney who is assigned to try the case shall attend the settlement conference. It is expected that the attorney will have become familiar with all aspects of the case prior to the conferences;

(4) Each party to the action shall have thoroughly evaluated the case and shall have discussed and attempted to negotiate a settlement through an exchange of written bona fide and reasonable offers of settlement prior to the conference;

(5) The judge conducting the settlement conference may, at the conclusion of said conference, continue said conference to another time and date, and from time to time thereafter for continued settlement negotiations if the judge has reason to believe a settlement can thereby be effectuated;

(6) SANCTIONS. The failure of a party or the party's attorney to appear at a scheduled settlement conference, the neglect of a party or the party's attorney to discuss or attempt to negotiate a settlement prior to the conference, or the failure of a party to have a person authorized to settle the case present at the conference shall, unless a good cause for such failure or neglect is shown, be deemed an undue interference with orderly procedures. As sanctions, the court may, in its discretion:

(i) Dismiss the action on its own motion, or on the motion of any party or hold a party in default, as the case may be; (ii) Order a party to pay the opposing party's reasonable expenses and attorneys' fees;

(iii) Reserved.

(iv) Impose any other sanction as may be appropriate.

(Added February 8, 1996, effective April 1, 1996.)

Rule 12.2. ALTERNATIVE DISPUTE RESOLUTION.

The court, in its discretion or upon motion by a party, may order the parties to participate in an alternative dispute resolution process subject to conditions imposed by the court.

(Added May 25, 1999, effective July 1, 1999.)

Rule 13. TRIAL CALENDARS.

The court shall prepare and maintain a trial calendar of all cases which may require hearing or trial.

When any civil action is called for trial or for a pretrial or settlement conference after timely notice to all attorneys or parties not represented by counsel, the court, may, on its own motion or on the motion of any party, dismiss such action or hold the defendant in default, as the case may be, if any of the parties fails to appear.

Any case at issue may be advanced and set for a pretrial or settlement conference or be immediately placed on the trial calendar for hearing or trial.

(Amended February 8, 1996, effective April 1, 1996.)

Rule 14. RESERVED.

Rule 15. EXPEDITION OF COURT BUSINESS.

(a) Required notice. Attorneys shall advise the court promptly if a case is settled. An attorney who fails to give the court such prompt advice may be subject to such discipline as the court deems appropriate.

(b) Effect of failure to appear. An attorney who, without just cause, fails to appear when the attorney's case is before the court on a call or motion

or on pre-trial or trial, or unjustifiably fails to prepare for a presentation to the court necessitating a continuance, may be subject to such sanction as the court deems appropriate, including an award of reasonable attorney's fees.

(Amended February 8, 1996, effective April 1, 1996.)

Rule 16. DEPOSITIONS.

(a) Preparation and sealing by officer taking deposition. Unless an extension of time is granted by the court, the officer taking the deposition shall prepare and seal the deposition within 30 days after the taking of the deposition.

(b) Depositions taken outside this state. Unless an extension of time is granted by the court, depositions taken outside this state shall be filed with the court within 30 days after the taking of the deposition; provided, however, that if a deposition is taken less than 30 days prior to trial, the party taking the deposition shall make appropriate arrangements with the officer taking the deposition for the filing thereof prior to the commencement of trial.

(c) Unsigned depositions. If the officer prepares and seals an unsigned deposition, the officer shall certify on the deposition the fact of waiver, illness, absence or failure of the witness to appear, or the refusal to sign, together with the reason, if any, given therefor.

(d) Sealing. Once the officer has sealed a deposition it shall remain sealed unless opened temporarily by the officer or opened by the direction of a judge; provided that copies may be obtained pursuant to Rule 30(f)(2) of the District Court Rules of Civil Procedure.

(Amended March 16, 1984, partly effective March 16, 1984, fully effective May 1, 1984; further amended February 8, 1996, effective April 1, 1996.)

Rule 17. CONDUCT OF A TRIAL.

(a) Sequence of presentation. Subject to the orders of the court, which may alter the sequence of presentation of the case when there are numerous parties or for other reasons:

(1) The plaintiff (or the prosecuting officer in a criminal case) shall have the right to make an opening statement. The defendant shall also have the right to make an opening statement, either immediately after the plaintiff's or the prosecuting officer's statement or at the beginning of defendant's case.

(2) the plaintiff or prosecuting officer shall produce the evidence on his or her part.

(3) The defendant may then open the defense and offer evidence in support thereof.

(4) The parties may then respectively offer rebutting evidence only.

(5) When the presentation of evidence is concluded, unless the case is submitted on either side or both sides without argument, the plaintiff or prosecuting officer shall open the argument; the defendant may then reply; and the plaintiff or prosecuting officer may conclude the argument, and in the conclusion shall confine themselves to answering any new matter or arguments presented by the defendant.

(b) Limitations on number of counsel. Except by leave of court:

(1) Only one counsel for each party shall examine and cross-examine the same witness or be heard on any question.

(2) No more than two counsel shall appear for any party on the trial.

(Amended February 8, 1996, effective April 1, 1996; further amended December 6, 1996, effective December 6, 1996.)

Rule 18. PRE-TRIAL DISCLOSURE AND MARKING OF EXHIBITS.

(a) Disclosures and exhibits. When a pre-trial is held, except as and to the extent otherwise ordered by the court:

(1) Each party shall disclose the theory of the party's case, including the basic facts that the party intends to prove and the names and addresses of all witnesses that the party intends to call.

(2) Each party shall disclose to all others and permit examination of all exhibits which are in the party's possession or under the party's control and which the party intends to offer in evidence at the trial.

(3) Unless so disclosed, no exhibits required to be disclosed by paragraph (2) shall be received in evidence at the trial over objection unless the court finds that there was reasonable ground for failing to disclose such exhibits prior to trial.

(4) All exhibits required to be disclosed by paragraph (2), and any other exhibits as may be requested by counsel presenting the same, shall be marked for identification prior to the trial.

Unless otherwise ordered, exhibits for the plaintiffs in civil proceedings and the State in criminal proceedings are designated in numerical order; exhibits for any defendant are designated in alphabetical order.

(b) Effect of pre-trial order. The pre-trial order shall supersede the pleadings where there is any conflict; and shall supplement the pleadings in all other respects.

(Amended February 8, 1996, effective April 1, 1996.)

Rule 19. STIPULATIONS AND ORDERS THEREON.

(a) Form of stipulations and orders. Unless made in open court, all stipulations shall be in writing, signed by the parties or their attorneys, and filed with the clerk. An order based upon a stipulation shall be sufficient if the words "It is so ordered" or their equivalent are endorsed on the stipulation at the close thereof and signed by the court or by the clerk if permitted under Rule 10.

(b) Stipulations extending time. Stipulations for the approval of the court extending time to act under Rule 6(b)(1), District Court Rules of Civil Procedure, and Rule 45(b), Hawai'i Rules of Penal Procedure, shall recite the time of expiration of the period originally prescribed or as extended by a previous order.

(Amended February 8, 1996, effective April 1, 1996.)

Rule 20. RESERVED.

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.

(Amended February 8, 1996, effective April 1, 1996; further amended April 23, 2012, effective June 18, 2012; further amended May 2, 2012, effective June 18, 2012.)

Rule 22. REQUEST FOR DRAFT OF DECISION ON ISSUE OF LAW.

Whenever the court proposes to file a written decision on any motion or issue of law, it may at any time request one or more of the parties to submit a draft of decision. In such event, the court shall advise all parties of its action, and the draft so submitted shall be served, and an opportunity shall be given to opposing counsel to present comments with respect thereto. The failure of any party to submit comments with respect to any such draft shall not affect the right of such party to appeal from any judgment incorporated in or based on the decision as issued.

Rule 23. SETTLEMENT OF JUDGMENTS AND ORDERS.

Within 10 days after decision of the court awarding any judgment or order that requires settlement and approval by the court, the prevailing party, unless otherwise ordered by the court, shall prepare a judgment or order in accordance with the decision, attempt to secure the approval as to form of opposing parties thereon, and following such approval file it with the court electronically or, if the case is not within the JIMS, deliver an original paper document and 1 copy to the court. If there is no objection to the form of a proposed judgment, or order, the party shall promptly approve as to form. In the event a proposed judgment or order is not approved as to form by an opposing party within 5 days of a written request for such approval, the prevailing party shall file electronically, pursuant to the Hawai'i Electronic Filing and Service Rules or, if exempt, shall deliver the original and 1 copy to the court along with notice of service on all parties and serve a copy thereof upon each party who has appeared in the action. If any party objects to a proposed judgment or order, the objecting party shall within 5 days thereafter, serve upon the prevailing party and deliver to the court a statement of the party's objections and the reasons therefor, and the party's proposed judgment or order; and in such event, the court shall proceed to settle the judgment or order. Failure to file and serve objections and a proposed judgment or order shall constitute approval as to form of the prevailing party's proposed judgment or order.

When a party objects to the proposed findings of fact, the objecting party must file proposed alternate findings of fact with the statement of objections.

(Amended February 8, 1996, effective April 1, 1996; further amended July 29, 1997, effective September 1, 1997; further amended April 23, 2012, effective June 18, 2012.)

Rule 24. IMMEDIATE NOTICE OF COURT ACTION.

The court shall immediately notify counsel of the filing of findings of fact and conclusions of law, or of any opinion or memorandum of decision stating the facts and the court's opinion of the law, or of any other decision or opinion of the court.

Rule 25. ORDER FOR TRANSCRIPT OF EVIDENCE.

(a) For purposes other than appeal.

Upon the application of any person for a direction to the official reporter to prepare a transcript of the evidence or other court proceeding, the court shall direct the official reporter to furnish such transcript in the regular order of cases tried or in such order as the court directs. The direction shall be in writing, signed by the court and filed, and a copy served upon opposing counsel and the reporter. It shall provide that the person so ordering such transcript shall within 5 days following the date of the filing of such direction, deposit with the official reporter, the amount of the estimated cost of the fees for the transcript, as provided by statute. Upon completion and certification of the transcript by the official reporter, the reporter shall retain the fees earned by the reporter to the extent that they have been deposited as aforesaid and shall return to the depositor any amount deposited in excess thereof.

(b) For appeal. The Hawai'i Rules of Appellate Procedure relating to transcripts, including, when applicable, Exhibit A relating to child protective proceedings, shall govern requests for transcripts for purposes of appeal.

(Amended February 8, 1996, effective April 1, 1996; further amended April 18, 2011, effective nunc pro tunc September 27, 2010; further amended April 23, 2012, effective June 18, 2012.)

Rule 25.1. RECORDING OF TESTIMONY AND PROCEEDINGS.

(a) Preservation of testimony. Whenever a court reporter is not in attendance, the court shall order that the testimony and other matters required to be preserved by a reporter shall be preserved on tape or by such other device as may be appropriate. It is the responsibility of the court to see to it that the record so made is sufficiently clear to permit full transcription and truly discloses what occurred in the court, and that a log is kept with such particularity, and with such references to the record made on tape or by other device, as will enable the record to be reviewed and transcribed as occasion arises.

(b) Effect of certain terms: obtaining transcript. Whenever in Rule 25 or other rules of court, or in the provisions of Hawai'i Revised Statutes, Section 606-13 relating to transcripts, reference is made to the report of the evidence or proceedings at a hearing or trial, or to the court reporter or official reporter, these terms and words of like import shall, if no court reporter was in attendance and the record has been preserved on tape or by other device, be deemed to refer to the record so preserved and to the chief clerk of the court except as otherwise provided. Upon the application of any person for preparation of a transcript of a record so preserved, the court shall direct the chief clerk to cause the transcript to be furnished in the regular order of cases so recorded or in such order as the court directs. Transcript fees shall be deposited as in other cases, and the chief clerk shall not be required to complete arrangements for transcribing the record until the required deposit is made.

(c) Preparation of transcript. A transcript in a case recorded as provided by this rule shall be prepared by a competent person approved by the court. Unless the court otherwise directs (1) the transcript shall be certified by the transcriber who, for this purpose, shall have the powers of a clerk of the court, and (2) the transcript fees shall be paid to the transcriber upon completion of the work.

Rule 26. ATTORNEY'S LIABILITY FOR COSTS: DISQUALIFICATION OF SURETIES.

(a) Liability for court costs. Attorneys shall be liable to the court for court costs incurred by their clients.

(b) Who may not be surety. No attorney or other officer or employee of the court shall become surety on any bond or undertaking in any action or proceeding in this court, unless authorized by the court.

(Amended February 8, 1996, effective April 1, 1996.)

Rule 27. PREPARATION OF MINUTES AND DEPOSIT OF EXHIBITS.

The court shall cause minutes to be prepared for its own use.

Immediately upon the conclusion of a proceeding, all exhibits shall be filed and noted on the docket sheet.

(Amended February 8, 1996, effective April 1, 1996.)

Rule 28. DISMISSAL FOR WANT OF SERVICE.

A diligent effort to effect service shall be made in all actions. An action or claim may be dismissed sua sponte with written notice to the plaintiff if no service is made within 12 months after the action or claim has been filed. Such dismissal may be set aside and the action or claim reinstated by order of the court for good cause shown upon motion duly filed not later than 10 days from the date of the order of dismissal.

(Amended February 8, 1996, effective April 1, 1996; further amended November 27, 2007, effective January 1, 2008; further amended November 1, 2010, effective January 1, 2011.)

Rule 29. DISMISSAL FOR WANT OF PROSECUTION IN DEFAULT CASES.

An action may be dismissed with prejudice sua sponte with written notice to the parties for want of prosecution where all defendants are in default and if the plaintiff fails to obtain entry of default or fails to apply for entry of judgment within 6 months after all defendants are in default. Such dismissal may be set aside and the action reinstated by order of the court for good cause shown upon motion duly filed not later than 10 days from the date of the order of dismissal.

(Amended November 27, 2007, effective January 1, 2008.)

Rule 30. QUESTIONS AND ADMISSIONS.

(a) Objection by party. The party objecting to a question shall serve an answer thereto within 10 days after receiving notice of the court's order overruling the objection, unless otherwise ordered by the court. Answers or objections to questions pursuant to Rule 33 of the District Court Rules of Civil Procedure shall identify and quote each question in full immediately preceding the statement of any answer or objection thereto. Motions to compel answers to specific questions shall also identify and quote each question or response in full or attach a copy thereof. Responses and objections to requests for admissions pursuant to Rule 36 of the District Court Rules of Civil Procedure shall identify and quote each request for admissions in full immediately preceding the statement of any answer or objection thereto.

(b) Form. Questions and requests for admissions served pursuant to Rule 33 and Rule 36, District Court Rules of Civil Procedure, shall provide reasonably sufficient space for the answer after each question or request. Two sets of the questions or requests for admissions shall be served upon the adverse party. Those questions shall not exceed 60 in number, counting any sub-parts or sub-questions as individual questions, without prior leave of court.

(Amended March 16, 1984, partly effective March 16, 1984, fully effective May 1, 1984; further amended, February 8, 1996, effective April 1, 1996; further amended December 6, 1996, effective December 6, 1996.)

Rule 31. PROCEEDINGS NOT GOVERNED BY DISTRICT COURT RULES OF CIVIL PROCEDURE.

(a) **Procedure**. Except as otherwise provided by statute or by other rules of court, where a civil proceeding is not governed by the District Court Rules of Civil Procedure:

(1) The proceeding shall be commenced by petition;

(2) The petition shall be verified by the oath of the petitioner, or someone on the petitioner's behalf, deposing to the best of the petitioner's knowledge and belief;

(3) Service of the petition and order to show cause and any other process or order shall be made as provided by the District Court Rules of Civil Procedure;

(4) A return to the petition shall be made within the time ordered by the court, and if it presents an issue of fact, shall be supported by oath;

(5) The court may designate and order that any one or more of the District Court Rules of Civil Procedure shall be applicable in such case.

(Amended February 8, 1996, effective April 1, 1996.)

Rule 32. RESERVED.

Rule 33. PROCEDURES IN THE DISTRICT COURT OF THE FIRST CIRCUIT FOR CRIMINAL AND TRAFFIC CASES.

This rule shall apply to criminal and traffic cases in the district court of the first circuit.

(a) Request for discovery; motion to compel discovery.

(1) If discovery is sought of the kinds of materials that would be discoverable in circuit court felony cases as of right pursuant to Rules 16(b) and 16(c) of the Hawai'i Rules of Penal Procedure, a request for informal discovery shall be made directly to the opposing side within 21 days after the defendant's plea of not guilty, provided that the court for cause shown may extend the time for filing a request in a given case, and further provided that the administrative judge may by general order direct that in all criminal and traffic cases, or in specified types of cases, requests for discovery may be made within a given number of days exceeding 21 days after plea. A request for discovery shall be in writing, shall cite the authority for the discovery and shall list the specific materials being sought. Unless otherwise ordered, the request shall not be filed with the court.

(2) If a timely request for discovery is unsuccessful, a motion to compel discovery may be filed, showing materiality and reasonableness of the requested discovery pursuant to Rule 16(d) of the Hawai'i Rules of Penal Procedure and seeking pursuant to that rule a discretionary order compelling discovery. Unless otherwise ordered for good cause shown, a motion to compel discovery shall establish that a previous timely request for discovery was made. The motion shall be filed within the time provided in subsection (b) of this rule.

(b) Pretrial motions governed by Rule 12 of the Hawai'i Rules of Penal Procedure; time for filing.

(1) Pretrial motions in the nature of those motions enumerated in Rule 12(b) of the Hawai'i Rules of Penal Procedure, such as but not limited to motions to compel discovery and motions to suppress, but not including motions in limine made at the date and time of trial of the matter, shall be made in writing and filed with the clerk of court, unless made orally with the permission of the court during another pretrial hearing in the case. In applying Rule 12(c) of the Hawai'i Rules of Penal Procedure, which requires that pretrial motions shall be made within 21 days after arraignment unless otherwise directed by the court, the administrative judge may by general order direct that in all criminal and traffic cases, or in specified types of cases, pretrial motions may be made within a given number of days exceeding 21 days after the plea of not guilty.

(2) Pursuant to Rule 12(f) of the Hawai'i Rules of Penal Procedure, failure by a party to make a pretrial motion within the time specified in Rule 12(c) of the Hawai'i Rules of Penal Procedure, or within any additional time specified by general order of the administrative judge, or within an extension granted by the court in a specific case, shall constitute a waiver of any defenses, objections or requests required to be raised prior to trial, but the court for cause shown may grant relief from the waiver.

(c) Form and contents of pretrial motions and motions for continuance; service. All pretrial motions and motions for continuance lacking the concurrence and approval of opposing parties or their counsel shall be in writing and supported by affidavit, with a notice of hearing attached. Such motions shall be served on opposing counsel not less than 72 hours before the time specified for the hearing, unless a different time is fixed by order of the court. Such an order may for cause be made on ex-parte application. Any affidavits in support of the motion shall be served with the motion; and an opposing affidavit may be served not less than 24 hours preceding the hearing, unless the court permits service at some other time. (d) Stipulated continuances of trial date. The administrative judge may by general order direct that stipulated motions for continuance filed up to a specified number of days prior to trial shall be deemed approved without the express approval or signature of the court. Stipulated motions for continuance filed after the date specified in any such general order shall be effective only if expressly approved by the court. Any stipulation for continuance shall comply with Rule 19(b) of these rules by specifying the currently scheduled trial date and by reciting the dates of any previous continuances.

(Added May 13, 1986, effective June 1, 1986.)

RULES OF THE DISTRICT COURTS

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[Next page is RDCH--17.]

APPENDIX A

(Added October 21, 2005, effective January 1, 2006; amended February 2, 2009, effective nunc pro tunc January 1, 2009.)

RULES OF THE DISTRICT COURTS

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NOTE TO DEFENDANT: Please read the instructions on the reverse side carefully, then c and return your Answer to this Notice (tear-away flap on the preprinted envelope), ald any payment or written statement in support of your Answer, within 21 calendar days t date of this Notice, either by mail, in person, via the Internet, or by telephone. If you ch mail an Answer, payment, or written statement, please use the preprinted envelope, a contents, affix postage, and be sure your mailing is postmarked within 21 calendar day the date of this Notice. The Post Office will not deliver without proper postage. Please the total amount due by adding the monetary assessments for each infraction.), along v ays from ou choos ope, seal ar days fi	inted envelope), in 21 calendar day telephone. If you eprinted envelope ithin 21 calendar postage. <u>Please</u>
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PERF State of Hawaiʻi - Notice of Parking Infraction(s) In the District Court of the First Circuit	date, have the subpoena served, and pay mileage/witness fees required to effectuate service. If you fail to appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. DO NOT SUBMIT PAYMENT WITH YOUR
IMPORTANT INSTRUCTIONS REGARDING YOUR NOTICE OF PARKING INFRACTION(S)	HEARING REQUEST. You will be notified of the judge's decision after the hearing. If you disagree with the judge's decision, you may request a trial.
This Notice of Parking Infraction(s) (Notice) charges you with committing one or more civil traffic (parking) infractions. YOU MUST ANSWER THIS NOTICE WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days from the date of this Notice, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be used to pay your obligations. The court may also order a registration stopper, preventing you from acquiring/renewing your motor vehicle registration, or from transferring tille to the motor vehicle, until all obligations are paid in full. YOU MUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU.	 <u>Contest By Written Statement</u> – If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. DO NOT SUBMIT PAYMENT WITH YOUR WRITTEN STATEMENT. You will be notified by mail of the judge's decision. If you disagree with the judge's decision, you may request a trial. <u>OPTION 3: ADMIT BUT EXPLAIN MITIGATING CIRCUMSTANCES</u> If you admit committing the parking infraction(s) but wish to explain mitigating circumstances, you may either (1) request a hearing and appear in person to explain mitigating circumstances. or (2) submit a written statement explaining the mitigating circumstances. In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days from the date of this Notice, either by mail, using the
 If you admit committing the parking infraction(s), complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return it with the total amount due and your copy of this Notice. You may pay by mail, using the preprinted envelope; in person at any district court; via the Internet; or by telephone. A \$25 service fee will be charged for dishonored payments. By Mail – Your Answer to Notice, payment, and copy of this Notice. DO NOT SEND CASH. Imprinted checks or money orders (U.S. dollars only, payable 	 Explain Mitigating Circumstances In Person - If you request a hearing to explain mitigating circumstances in person, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. If you fail to appear at the hearing, you must pay the total amount of monetary assessments and fees indicated on this Notice. DO NOT SUBMIT PAYMENT WITH YOUR HEARING REQUEST. You will be notified of the judge's decision after the hearing. The judge's decision is FINAL and
to "DISTRICT COURT") and credit or debit cards (MasterCard & VISA) are accepted. In Person – Pay at any district court statewide within 21 calendar days from the date of this Notice. Counter service hours for Honolulu District Court, Traffic Violations Bureau, are 8:00 A.M. to 4:00 P.M. on Mondays, Tuesdays, Thursdays, and Fridays, and 8:00 A.M. to 9:00 P.M. on Wednesdays. Counter service hours for all other district courts (except Hana, Puna, Ka'u, Hamakua, and North Kohala) are 8:00 A.M. to 4:00 P.M. Monday through Friday. All district courts are closed on state holidays. Cash, imprinted checks and money orders (U.S. dollars only, payable to "DISTRICT COURT"), and credit or debit cards (MasterCard & VISA) are accepted.	 cannot be appealed. Explain Mitigating Circumstances By Written Statement - If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. DO NOT SUBMIT PAYMENT WITH YOUR WRITTEN STATEMENT. You will be notified by mail of the judge's decision. The judge's decision is FINAL and cannot be appealed. IMPORTANT NOTE FOR JUVENILES UNDER AGE 18 Your parent or legal guardian must accompany you when appearing before the court and must co-sign any payment or written statement submitted to the court.
 <u>Via Internet</u> – Pay via the Internet at <u>http://www.courts.state.hi.us</u> (Click on "Pay Fines") within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted. 	ADDRESSES FOR THE DISTRICT COURT OF THE FIRST CIRCUIT
 By Telephone – Call 1-800-679-5949 within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted. 	HONOLULU WAHIAWÅ Traffic Violations Bureau District Court, Wahiawā Division 1111 Alakea Street 1034 Kilani Avenue Honolulu, Hawai'i 96813 Wahiawā, Hawai'i 96786
OPTION 2: DENY If you deny committing the parking infraction(s), you may either (1) request a hearing and appear in person to contest the infraction(s), or (2) submit a written statement explaining the grounds on which you contest the infraction(s). In either event, you must complete, sign, and date the Answer to Notice (tear- away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days from the date of this Notice, either by mail, using the preprinted envelope, or in person at any district court.	KĀNE'OHE WAI'ANAE (Nānākuli) District Court, Kāne'ohe Division District Court, Wai'anae Division 45-939 Po'okela Street 87-1784 Farrington Highway Kāne'ohe, Hawai'i 96744 Wai'anae, Hawai'i 96792 'EWA District Court, 'Ewa Division
Contest In Person – If you request a hearing to contest the infraction(s) in person, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other witness present at the hearing, you must request a subpoena from the district court at least 10 days before the hearing	870 Fourth Street Pearl City, Hawai'i 96782 If you require an accommodation for a disability when working with a court program, service, or activity, please contact the Disability Accommodations Coordinator at (808) 538-5121, FAX: (808) 538-5233, TTY: (808) 539-4853, at least ten (10) working days before your proceeding, hearing, or appointment date.

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RULES OF THE DISTRICT COURTS

Appendix A

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 PERF State of Hawai'i - Notice of Traffic Infraction(s) In the District Court of the First Circuit IMPORTANT INSTRUCTIONS REGARDING YOUR NOTICE OF TRAFFIC INFRACTION(s) This Notice of Traffic Infraction(s) (Notice) charges you with committing one or more civil traffic infractions. If YOU ARE A "PROVISIONAL LICENSE HOLDER" OR IF THE WORD "COURT" IS LISTED NEXT TO AN INFRACTION THAT YOU ARE CHARGED WITH COMMITTING, YOU MUST APPEAR BEFORE THE DISTRICT COURT OF THE FIRST CIRCUIT ON THE DATE AND AT THE TIME AND LOCATION DESIGNATED IN THE SUMMONS ON THE FRONT OF THIS NOTICE. Failure to appear in court as summoned may result in your arrest for other offenses and/or imposition of other penalties, including fines, court costs, fees, and imprisonment. If you are charged with committing an infraction with a listed monetary assessment, you must answer this Notice within 21 calendar days from the date of this Notice by choosing Option 1, 2, or 3, below. If you do not answer within 21 calend days from the date of this Notice, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on his Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be used to pay your obligations. The court may also order a license stopper, preventing you from acquiring/renewing your driver's license until all obligations are paid in full. YOU MUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU. OPTION 1: ADMIT & PAN My admit committing the traffic infraction(s), complete, sign, and date the Answer to Notice (lear-away flap on the preprinted envelope) and return it with the total amount due and your copy of this Notice. You may pay by mail, using the preprinted envelope; in person at any district	 Court at least 10 days before the hearing date, have the subport a servec and pay mileage/witness fees required to effectuate service. If you fail t appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice DO NOT SUBMIT PAYMENT WITH YOUR HEARING REQUEST. You will be notified of the judge's decision after the hearing. If you disagree with the judge's decision, you may request a trial. Contest By Written Statement – If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice no hearing will be scheduled. DO NOT SUBMIT PAYMENT WITH YOUW WRITTEN STATEMENT. You will be notified by mail of the judge's decision if you disagree with the judge's decision, you may request a trial. OPTION 3: ADMIT BUT EXPLAIN MITIGATING CIRCUMSTANCES If you admit committing the traffic infraction(s) but wish to explain mitigating circumstances, or (2) submit a written statement explaining the mitigating circumstances, or (2) submit a written statement explaining the mitigating circumstances or (2) submit a written statement explaining the mitigating circumstances in person. If you request a hearing the explain mitigating Circumstances in person. If you request a hearing the replain mitigating circumstances in person, the court will notify you in writin of the date, time, and location of the hearing. If you submit a preprinted envelope, or in person at any district court. Explain Mitigating Circumstances In Person - If you request a hearing the explain mitigating circumstances in person, the court will notify you in writin of the date, time, and location of the hearing. If you submit a written statement with you Answer to Notice, no hearing will be scheduled. DO NOT SUBMIT PAYMENT WIT
 or debit cards (MasterCard & VISA) are accepted. <u>Via Internet</u> – Pay via the Internet at <u>http://www.courts.state.hi.us</u> (Click on "Pay Fines") within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted. <u>By Telephone</u> – Call 1-800-679-5949 within 21 calendar days from the date 	
 of this Notice. Credit or debit cards (MasterCard & VISA) are accepted. OPTION 2: DENY If you deny committing the traffic infraction(s), you may either (1) request a hearing and appear in person to contest the infraction(s), or (2) submit a written statement explaining the grounds on which you contest the infraction(s). In either event, you must complete, sign, and date the Answer to Notice (tearaway flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, either by mail, using the preprinted envelope, or in person at any district court. Contest in Person – If you request a hearing to contest the infraction(s) in 	KÂNE'OHE WAl'ANAE (Nănâkuli) District Court, Kăne'ohe Division District Court, Wai'anae Division 45-939 Po'okela Street 87-1784 Farrington Highway Kâne'ohe, Hawai'i 96744 Wai'anae, Hawai'i 96792 'EWA District Court, 'Ewa Division 870 Fourth Street Pearl City, Hawai'i 96782 If you require an accommodation for a disability when working with a
person, the court will notify you in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other witness present at the hearing, you must request a subpoena from the district	court program, service, or activity, please contact the Disability Accommodations Coordinator at (808) 538-5121, FAX: (808) 538-5233 TTY: (808) 539-4853, at least ten (10) working days before you proceeding, hearing, or appointment date.

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RULES OF THE DISTRICT COURTS

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RULES OF THE DISTRICT COURTS

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State of Hawai'i - Notice of Parking Infraction(s) In the District Court of the Second Circuit IMPORTANT INSTRUCTIONS REGARDING YOUR NOTICE OF PARKING INFRACTION(S)	. a subpoena from the district court have the subpoena served, and effectuate service. If you fail to ap default judgment against you for th and fees indicated on this Notice.	PERF at least 10 days before the hearing date, b pay mileage/witness fees required to opear at the hearing, the court may enter a the total amount of monetary assessments You will be notified of the judge's decision with the judge's decision, you may request
This Notice of Parking Infraction(s) (Notice) charges you with committing one or more civil traffic (parking) infractions. YOU MUST ANSWER THIS NOTICE WITHIN 21 DAYS FROM THE DATE OF THIS NOTICE by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days from the date of this Notice, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be used to pay your obligations. The court may also order a registration stopper, preventing you from acquiring/ renewing your motor vehicle registration, or from transferring title to the motor vehicle, until all obligations are paid in full. YOU MUST TAKE ACTION WITHIN 21 DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU.	grounds on which you contest the operator license number, citation When you submit a written statem will be scheduled. You will be noti disagree with the judge's decision OPTION 3: ADMIT BUT EXPLAIN M If you admit committing the parking i circumstances, you may either (1) re explain mitigating circumstances, or the mitigating circumstances. In eith	
OPTION 1: ADMIT & PAY If you admit committing the parking infraction(s), complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return it with the total amount due and your copy of this Notice. You may pay by mail, using the preprinted envelope; in person at any district court; via the Internet; or by telephone. A \$25 service fee will be charged for dishonored payments.	 your Answer to Notice, your copy o within 21 calendar days from the dat preprinted envelope, or in person at a explain Mitigating Circumstance explain mitigating circumstance) in registered owner of the vehicle) in the hearing. If you fail to appear at of monetary assessments and fermine the feature of the second for the feature of the second feature of the secon	of this Notice, and any written statement, te of this Notice, either by mail, using the
 By Mail – Your Answer to Notice, payment, and copy of this Notice must be postmarked within 21 calendar days from the date of this Notice. DO NOT SEND CASH. Imprinted checks and money orders (U.S. dollars only, payable to "DISTRICT COURT") and credit or debit cards (MasterCard & VISA) are accepted. In Person – Pay at any district court statewide within 21 calendar days from the date of this Notice. Counter service hours for Honolulu District Court, Traffic Violations Bureau, are 8:00 A.M. to 4:00 P.M. on Mondays, Tuesdays, Thursdays, and Fridays, and 8:00 A.M. to 9:00 P.M. on Wednesdays. Counter 	 FINAL and cannot be appealed. Explain Mitigating Circumstance written statement explaining the gro include your name, address, oper- signature on the statement. When Answer to Notice, no hearing will h 	as By Written Statement - If you submit a sunds on which you contest the infraction(s) ator license number, citation number, and you submit a written statement with your be scheduled. You will be notified by mail ge's decision is FINAL and cannot be
service hours for all other district courts (except Hana, Puna, Ka'u, Hamakua, and North Kohala) are 8 00 A.M. to 4 00 PM Monday through Friday. All district courts are closed on state holidays. Cash, imprinted checks and money orders (U.S. dollars only, payable to "DISTRICT COURT"), and credit or debit cards (MasterCard & VISA) are accepted.	Your parent or legal guardian must ac court and must co-sign any payment of	JUVENILES UNDER AGE 18 ccompany you when appearing before the or written statement submitted to the court.
		SES FOR THE THE SECOND CIRCUIT
 <u>Via Internet</u> – Pay via the Internet at <u>http://www.courts.state.hi.us</u> (Click on "Pay Fines") within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted. <u>By Telephone</u> – Call 1-800-679-5949 within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted. 	WAILUKU Wailuku Division 2145 Main Street, Suile 137 Wailuku, Hawai'i 96793-1679	LĀNA'] Lânai Division (P.O. Box 631376), 731 Lâna'i Avenue, #131 Lâna'i City, Hawai'i 96763-1376
OPTION 2: DENY If you deny committing the parking infraction(s), you may either (1) request a hearing and appear in person to contest the infraction(s), or (2) submit a written statement explaining the grounds on which you contest the infraction(s). In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days from the date of this Notice, either by mail, using the preprinted envelope, or in person at any district court.	LAHAINA Lahaina Division 1870 Honoapi'ilani Hwy. Lahaina, Hawal'i 96761-1856 HĀNA Hāna Cultural Center 4974 Uakea Road Hāna, Hawai'i 96761-1856	MOLOKA'I Moloka'i Division (P.O. Box 284), 55 Makaena St. Kaunakakai, Hawai'i 96748-0284 HĀNA Hāna Cultural Center c/o 1870 Honoapi'ilani Hwy. Lahaina, Hawai'i 96761-1856
 In Person – If you request a hearing to contest the infraction(s) in person, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other witness present at the hearing, you must request 	court program, service, Accommodations Coordin	nodation for a disability when working with a or activity, please contact the Disability ator at (808) 244-2800, FAX: (808) 244-2849, t least ten (10) working days before your ppointment date.

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RULES OF THE DISTRICT COURTS

Appendix A

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State of Hawai'i - Notice of Traffic Infraction(s) In the District Court of the Second Circuit <u>IMPORTANT INSTRUCTIONS REGARDING YOUR</u> <u>NOTICE OF TRAFFIC INFRACTION(S)</u> This Notice of Traffic Infraction(s) (Notice) charges you with committing one or more civil traffic infractions. IF THE WORD "COURT" IS LISTED NEXT TO AN INFRACTION THAT YOU ARE CHARGED WITH COMMITTING, YOU MUST APPEAR BEFORE THE DISTRICT COURT OF THE SECOND CIRCUIT ON	 the infraction(s). If you want the is at the hearing, you must request a 10 days before the hearing date, ha witness fees required to effectuate the court may enter a default judg monetary assessments and fees in of the judge's decision after the t decision, you may request a triat. <u>Contest By Written Statement</u> – I the grounds on which you conter 	PERF ssuing officer or any other witness present a subpoena from the district court at least ave the subpoena served, and pay mileage/ service. If you fail to appear at the hearing, gment against you for the total amount of dicated on this Notice. You will be notified hearing. If you disagree with the judge's if you submit a written statement explaining set the infraction(s), include your name,
THE DATE AND AT THE TIME AND LOCATION DESIGNATED IN THE SUMMONS ON THE FRONT OF THIS NOTICE. Failure to appear in court as summoned may result in your arrest for other offenses and/or imposition of other penalties, including fines, court costs, fees, and imprisonment.	statement. When you submit a wri no hearing will be scheduled. Yo	r, citation number, and signature on the itten statement with your Answer to Notice, ou will be notified by mail of the judge's judge's decision, you may request a trial.
If you are charged with committing an infraction with a listed monetary assessment, you must answer this Notice within 21 calendar days from the date of this Notice by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days from the date of this Notice, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be used to pay your obligations. The court may also order a license stopper, preventing you from acquiring/renewing your driver's	circumstances, you may either (1) re explain mitigating circumstances, or the mitigating circumstances. In eit date the Answer to Notice (tear-away your Answer to Notice, your copy o	Ifraction(s) but wish to explain mitigating equest a hearing and appear in person to (2) submit a written statement explaining her event, you must complete, sign, and flap on the preprinted envelope) and return of this Notice, and any written statement, te of this Notice, either by mail, using the
license until all obligations are paid in full. YOU MUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU. <u>OPTION 1: ADMIT & PAY</u> If you admit committing the traffic infraction(s), complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return it with the total amount due and your copy of this Notice. You may pay by mail, using	 explain mitigating circumstances in of the date, time, and location of hearing, you must pay the total ar indicated on this Notice. You will thearing. The judge's decision is Explain Mitigating Circumstance 	es in Person - If you request a hearing to a person, the court will notify you in writing the hearing. If you fail to appear at the nount of monetary assessments and fees a notified of the judge's decision after the FINAL and cannot be appealed. as By Written Statement - If you submit a nunds on which you contest the infraction(s),
 the preprinted envelope; in person at any district court; via the Internet; or by telephone. A \$25 service fee will be charged for dishonored payments. <u>By Mail</u> – Your Answer to Notice, payment, and copy of this Notice must be postmarked within 21 calendar days from the date of this Notice. DO NOT SEND CASH. Imprinted checks or money orders (U.S. dollars only, payable to "DISTRICT COURT") and credit or debit cards (MasterCard & VISA) are accepted. 	include your name, address, oper- signature on the statement. Wher Answer to Notice, no hearing will I of the judge's decision. The Jud appealed. <u>IMPORTANT NOTE FOR</u>	and softwinker you content in an activity, a dor license number, citation number, and you submit a written statement with your be scheduled. You will be notified by mail ge's decision is FINAL and cannot be <u>JUVENILES UNDER AGE 18</u> company you when appearing before the
In Person – Pay at any district court statewide within 21 calendar days from the date of this Notice. Counter service hours for Honolulu District Court, Traffic Violations Bureau, are 8:00 A.M. to 4:00 P.M. on Mondays, Tuesdays, Thursdays, and Fridays, and 8:00 A.M. to 9:00 P.M. on Wednesdays. Counter service hours for all other district courts (except Hana, Puna, Ka'u, Hamakua, and North Kohala) are 8 00 A.M. to 4 00 P.M. Monday through Friday. All district courts are closed on state holidays. Cash, imprinted checks and money orders (U.S. dollars only, payable to "DISTRICT COURT"), and credit or debit cards (MasterCard & VISA) are accepted.	court and must co-sign any payment of <u>INFORMATION AI</u> Disclosure of the last four digits of y Notice is optional. The last four digits purposes in administering state and fed <u>ADDRESS</u>	or written statement submitted to the court. BOUT YOUR PRIVACY Your social security number (SSN) on this s of your SSN will be used for identification teral driver's license and motor vehicle laws. SES FOR THE FTHE SECOND CIRCUIT
 <u>Via Internet</u> – Pay via the Internet at <u>http://www.courts.state.hi.us</u> (Click on "Pay Fines") within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted. By Telephone – Call 1-800-679-5949 within 21 calendar days from the date 	WAILUKU Wailuku Division 2145 Main Street, Suite 137 Wailuku, Hawai'i 96793-1679	LĂNA'I Lānai Division (P.O. Box 631376) 731 Lāna'i Ave., #131 Lāna'i City, Hawai'i 96763-1376
<u>by receptions</u> – Call 1-800-975-9545 within 21 calenda bays from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted. OPTION 2: DENY If you deny committing the traffic infraction(s), you may either (1) request a hearing and appear in person to contest the infraction(s), or (2) submit a written statement explaining the grounds on which you contest the infraction(s). In either event, you must complete, sign, and date the Answer to Notice (tear-	LAHAINA Lahaina Division 1870 Honoapi'ilani Hwy. Lahaina, Hawai'i 96761-1856 HĀNA Hāna Cultural Center	MOLOKA'I Moloka'i Division (P.O. Box 284), 55 Makaena St. Kaunakakai, Hawai'i 96748-0284 HÂNA
 away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days from the date of this Notice, either by mail, using the preprinted envelope, or in person at any district court. In Person – If you request a hearing to contest the infraction(s) in person, 	court program, service, Accommodations Coordin	Hāna Cultural Center c/o 1870 Honoapi'llani Hwy. Lahaina, Hawai'i 96761-1856 nodation for a disability when working with a or activity, please contact the Disability ator at (808) 244-2800, FAX: (808) 244-2849,
the court will notify you in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest	TTY: (808) 244-2889, at proceeding, hearing, or a	t least ten (10) working days before your

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RULES OF THE DISTRICT COURTS

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State of Hawai'i - Notice of Parking Infraction(s) n the District Court of the Third Circuit IMPORTANT INSTRUCTIONS REGARDING YOUR	the grounds on which you con address, operator license numb statement. When you submit a w	 If you submit a written statement explaining test the infraction(s), include your name per, citation number, and signature on the mitten statement with your Answer to Notice You will be notified by mail of the judge's
NOTICE OF PARKING INFRACTION(S)	decision. If you disagree with th	e judge's decision, you may request a trial.
This Notice of Parking Infraction(s) (Notice) charges you with committing one or nore civil traffic (parking) infractions. YOU MUST ANSWER THIS NOTICE WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar lays from the date of this Notice, the court will enter a default judgment against ou for the total amount of monetary assessments and fees indicated on this lotice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be	circumstances, you may either (1) explain mitigating circumstances, c the mitigating circumstances. In e date the Answer to Notice (tear-awa your Answer to Notice, your copy	infraction(s) but wish to explain mitigating request a hearing and appear in person to or (2) submit a written statement explaining either event, you must complete, sign, and y flap on the preprinted envelope) and return of this Notice, and any written statement ate of this Notice, either by mail, using the
Ised to pay your obligations. The court may also order a registration stopper, reventing you from acquiring/renewing your motor vehicle registration, or from ransferring title to the motor vehicle, until all obligations are paid in full. YOU AUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF HIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU. OPTION 1: ADMIT & PAY	explain mitigating circumstances registered owner of the vehicle) the hearing. If you fail to appear a of monetary assessments and f	ces In Person - If you request a hearing to in person, the court will notify you (or the in writing of the date, time, and location o at the hearing, you must pay the total amoun lees indicated on this Notice. You will be fler the hearing. The judge's decision is
you admit committing the parking infraction(s), complete, sign, and date the nswer to Notice (tear-away flap on the preprinted envelope) and return it with to total amount due and your copy of this Notice. You may pay by mail, using preprinted envelope; in person at any district court; via the Internet; or by elephone. A \$25 service fee will be charged for dishonored payments.	 Explain Mitigating Circumstant written statement explaining the g include your name, address, ope signature on the statement. Whe 	ces By Written Statement - If you submit a rounds on which you contest the infraction(s) arator license number, citation number, and an you submit a writlen statement with you
By Mail – Your Answer to Notice, payment, and copy of this Notice must be postmarked within 21 calendar days from the date of this Notice. DO NOT SEND CASH. Imprinted checks or money orders (U.S. dollars only, payable to "DISTRICT COURT") and credit or debit cards (MasterCard & VISA) are accepted.	of the judge's decision. The ju appealed. IMPORTANT NOTE FO Your parent or legal guardian must i	I be scheduled. You will be notified by mai dge's decision is FINAL and cannot be <u>R JUVENILES UNDER AGE 18</u> accompany you when appearing before the t or written statement submitted to the court
In Person – Pay at any district court statewide within 21 calendar days from the date of this Notice. Counter service hours for Honolulu District Court, Traffic Violations Bureau, are 8:00 A.M. to 4:00 P.M. on Mondays, Tuesdays, Thursdays, and Fridays, and 8:00 A.M. to 9:00 P.M. on Wednesdays. Counter service hours for all other district courts (except Hana, Puna, Ka'u, Hamakua,		SES FOR THE OF THE THIRD CIRCUIT
and North Kohala) are 8:00 a.M. to 4:00 p.M. Monday through Friday. All district courts are closed on state holidays. Cash, imprinted checks and money orders (U.S. dollars only, payable to "DISTRICT COURT"), and credit or debit cards (MasterCard & VISA) are accepted.	HILO DIVISION Hale Kaulike 777 Kilauea Avenue Hilo, Hawai'i 96720	PUNA DIVISION 16-200 Pili Mua Street Kea'au, Hawai'i 96749 Mail: P.O. Box 4879
Via Internet – Pay via the Internet at http://www.courts.state.hi.us (Click on "Pay Fines") within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted.	Mail: P.O. Box 4879 Hilo, Hawai'i 96720-0879 N & S KONA DIVISION	Hilo, Hawai'i 96720-0879 KA'Û DIVISION
By Telephone – Call 1-800-679-5949 within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted.	79-1020 Haukapila Street Kealakekua, Hawai'i 96750 Mail: 79-1020 Haukapila Street	95-5669 Mamalahoa Highway Na'alehu, Hawai'i 96772 Mail: 79-1020 Haukapila Street
PTION 2: DENY you deny committing the parking infraction(s), you may either (1) request a paring and appear in person to contest the infraction(s), or (2) submit a written atement explaining the grounds on which you contest the infraction(s). In	Kealakekua, Hawai'i 96750 H ÅMAKUÅ DIVISION	Kealakekua, Hawai'i 96750 SOUTH KOHALA DIVISION
When you contact on you when you contest the initiation of the second se	45-3362 Mamane Street Honoka'a, Hawai'i 96727 Mail: 67-5187 Kamamalu Street Kamueła, Hawai'i 96743-8439	Walmea Civic Center 67-5187 Kamamalu Street Kamueta, Hawai'i 96743 Mail: 67-5187 Kamamalu Street Kamueta, Hawai'i 96743-8439
<u>Contest In Person</u> If you request a hearing to contest the infraction(s) in person, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other witness present at the hearing, you must request a subpoena from the district court at least 10 days before the hearing date, have the subpoena served, and pay mileage/witness fees required to	NORTH KOHALA DIVISION 54-3900 Kapa'au Road Kapa'au, Hawai'i 96755 Mail: 67-5187 Kamamalu Street Kamuela, Hawai'i 96743-8439	
effectuate service. If you fail to appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. You will be notified of the judge's decision after the hearing. If you disagree with the judge's decision, you may request a trial.	court program, service Accommodations Coordi	modation for a disability when working with a b, or activity, please contact the Disability nator at (808) 961-7424, FAX: (808) 961-7416 at least ten (10) working days before you appointment date.

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RULES OF THE DISTRICT COURTS

STRATACOM		BINDING STUB	•••••
EAR FROM THIS PERFORATION FIRST			
State of Hawai'i - Notice of Tra	ffic Infraction(s)		
n the District Court of the Thir	rd Circuit	DETAILS REGARDING THE INFRACTION(S) CHARGED	
		DATE (Month / Day / Year) TIME DISTRICT BEAT	
		WEATHER □ CLEAR □ OVERCAST □ DRIZZLE □ RAIN ROAD □ DRY □ WET □ CONCRETE □ ASPHALT □ DIRT	
		LIGHTING DAWN DAYLIGHT DUSK DARKN NO. OF OCCUPANTS: ADULT MALE(S) ADULT FEMALE(S) CHILDRE	
ITATION NO. 1DTP-08-1		LOCATION OF VIOLATION	
OMPLAINT: The undersigned officer, on behalf of Plain as reasonable grounds to believe and does believe that onditions indicated, the named defendant did commit th	num State of Hawari, states that he/she ton the date, at the time, and under the ne civil traffic infraction/s) noted below		
OPERATOR INFORM AST NAME	MATION REGISTERED OWNER	VANTAGE POINT	
		LANE OF TRAVEL	
IRST NAME	MIDDLE INITIAL(S)		
OME ADDRESS (Street, City, State, Zip Code)	J	SIGN(S) POSTED	
AILING ADDRESS (Street, City, State, Zip Code)		ACTUAL SPEED POSTED SPEED SPEED VIOLATION MEASURED B	
JUVENILE* PROV. LIC. PARENT'S NAME (if juv	(anila anaratar)		<u>.</u> R
	, ,	DEVICE/SPEEDOMETER WAS ACCURATE, TESTED, & WORKING PROPERLY	
TATE OPERATOR LICENSE NO. DATI	E OF BIRTH (Month / Day / Year)	COMPANION CITATION(S)/NOTICE(S) ACCIDENT INJUR (list citation / notice no.)	
XP. DATE HEIGHT WEIGHT HAIR COL	OR EYE COLOR	PROPERTY DAMAGE REPORT NO.	
SEX CLASS CDL RESTRICT	IONS U.S. CITIZEN	MAJOR (\$3,000+) IMINOR OFFICER'S OBSERVATIONS (optional)	
THNICITY (optional) SSN-Last 4 digits (XXX - X	optional, for identification purposes)		
OME PHONE MOBILE PHONE	BUSINESS PHONE		
MPLOYER / SCHOOL / BRANCH OF SERVICE / UN			
USINESS / MILITARY ADDRESS (Street, City, State,	Zip Code)		
REGISTERED OWNER INFORMATION (if diff	larant from anorator information)		
AST NAME		COMPLAINING OFFICER INFORMATION	
IRST NAME	MIDDLE INITIAL(S)	PRINT RANK, FIRST INITIAL, & LAST NAME ID NO.	
AILING ADDRESS (Street, City, State, Zip Code)		OFFICER'S SIGNATURE DATE OF ISSUANCE	ε
		DEFENDANT'S ACKNOWLEDGMENT: By signing below, I acknowledge service of this N	lotice.
	ATTION STATE HAZ MAT	! understand that my signature is not an admission of responsibility.	
		X DEFEN	(DAN
		Defendant's Signature TO SIG	SES
TRAFFIC INFRACTION(S) (MONETARY ASSESSMENT(S) PAYA	COMMITTED & BLE (INCLUDING FEES)	NOTE TO DEFENDANT: Please read the instructions on the reverse side carefully, then con	molet
HRS 249-2 Delinquent Vehicle Tax; (exp. HRS 286-25 (No / Expired) Certificate of Inspe)	and return your Answer to this Notice (tear-away flap on the preprinted envelope), along any payment or written statement in support of your Answer, within 21 calendar days fro	ia witi
HRS 286-102.6 Violation of Provisional License R HRS 286-110(d) No Licensed Driver Present	Requirements	date of this Notice, either by mail, in person, via the Internet, or by telephone. If you choo mail an Answer, payment, or written statement, please use the preprinted envelope, se	iose to
HRS 291-11.5(a)(1) No Child Safety Seat / Bostant HRS 291-11.5(a)(2) No Child Safety Seat / Bostant HRS 291-11.6(a)(1) No Seat Belt: (Onerator / P	er Seat (4-7 yrs old) COURT assenger 8-14 yrs old)	contents, affix postage, and be sure your mailing is postmarked within 21 calendar days the date of this Notice. The Post Office will not deliver without proper postage. <u>Please cal</u>	s from
HRS 291-11.6(a)(2) No Seat Belt; Front Seat Pas HRS 291C-32(a)(3)(A) Disregarding Red Signal	senger 15+ yrs old \$92 \$97	the total amount due by adding the monetary assessments for each infraction.	
INCONSTANT ASSESSMENT FAVI IRS 249-2 Delinquent Vehicle Tax; (exp. HS Editation of Provisional License H IRS 286-26 (No / Expired) Certificate of Inspe HS Editation of Provisional License H IRS 286-102.6 Violation of Provisional License H HS Editation of Provisional License H IRS 286-1010(d) No Licensed Driver Present HS Editation of Provisional License H IRS 291-11.5(a)(1) No Child Passenger Restrain HRS 291-11.6(a)(1) No Seat Belt; (Operator / P HRS 291-11.6(a)(1) No Seat Belt; Front Seat Pass IRS 291-11.6(a)(2) No Seat Belt; Front Seat Pass HRS 291-11.6(a)(3)(A) Disregarding Red Signal HRS 291-11.6(a)(2) No Seat Belt; Front Seat Pass IRS 291-232(a)(3)(A) Disregarding Red Signal HRS 291-242(b) No Passing Zone Ling 291-242(b) Disregarding Stop Sign IRS 291C-440 No Passing Zone HRS 291C-610 Disregarding Stop Sign Ling 291C-610 Disregarding Stop Sign IRS 291C-101 Basic Speed Rule New Y Hexceed Rule Ling 291C-910) Traffic Lane Lines	If you are a "PROVISIONAL LICENSE HOLDER" or if the word "COURT" is listed next to an infin	ractior
HRS 291C-47(b) No-Passing Zone HRS 291C-63(b) Disregarding Stop Sign	\$97 \$97	that you are charged with committing, you are hereby directed to appear before the District Cc the Third Circuit on the date and at the time and location designated below (see reverse side for ad	ourt o
RS 291C-101 Basic Speed Rule RS 291C-102(a)(1) Exceeding the Speed Limit 1-10 MPH Over Limit (MPH over).		to answer the charge(s). Failure to obey this Notice and Summons may result in a fine, imprisor arrest on other charges, and other penalties.	
I1-29 MPH Over Limit (MPH over))\$	SUMMONS	
	s	COURT LOCATION (see addresses on reverse side)	
ECTION DESCRIPTION	3		
ECTION DESCRIPTION ECTION DESCRIPTION ECTION DESCRIPTION	\$	DATE TIME COURTROOM	I KA U

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GLUE LINE	GLUE LINE PERE
GLUE LINE	GLUE LINE
PERF	PERF
State of Hawai'i - Notice of Traffic Infraction(s)	You will be notified of the judge's decision after the hearing. If you disagree
In the District Court of the Third Circuit	
 State of Hawai'i - Notice of Traffic Infraction(s) In the District Court of the Third Circuit Interpretation of the District Court of the Third Circuit Interpretation of the District Court of the Third Circuit Interpretation of the District Court of the Third Circuit of the District Court of the District Court of the District Court of the District Court of the Count of the Summoned may result in your arrest for other offenses and/or imposition of other penalties, including fines, court costs, fees, and imprisonment. If you are charged with committing an infraction with a listed monetary assessment, you must answer this Notice of Minit 21 calendar days from the date of this Notice by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days from the date of this Notice by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days from the date of this Notice within 21 calendar days from the date of this Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be asset by your obligations. The court may also order a license stopper, preventing you from acquiring/renewing your driver's license within 21 calendar days from the Date Or HIS NOTICE TON WITHIN 21 CALEDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU. OPTION 1: ADMIT & PAPY If you admit committing the traffic infraction(s), complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return it with the total amount due and your coy of this Notice. You may pay be by pail, using the preprinted envelope: in person at any district court, was the preprinted envelope in detext of vison and a collear on the state within 21 calendar days from the date of this Notice. DO NOT SEND CASH. Imprinted checks or money orders (U.S. dollars only, payable to 'DISTRICT COURT) and credit or debit cards (MasterCard &	 You will be notified of the judge's decision after the hearing. If you disagree with the judge's decision, you may request a trial. Contest By Written Statement – If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. You will be notified by mail of the judge's decision. If you disagree with the judge's decision, you may request a trial. OPTION 3: ADMIT BUT EXPLAIN MITIGATING CIRCUMSTANCES If you admit committing the traffic infraction(s) but wish to explain mitigating circumstances, or (2) submit a written statement explaining the mitigating circumstances. In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice (tear-away flap on the preprinted envelope, or in person at any district court. Explain Mitigating Circumstances in person, the court will notify you in writing the preprinted envelope, or in person at any district court. Explain Mitigating Circumstances in person, the court will notify you in writing of the date, time, and location of the hearing. If you fail to appear at the hearing, you must pay the total amount of monetary assessments and fees indicated on this Notice. You will be notified of the judge's decision after the hearing. The judge's decision is FINAL and cannot be appealed. Explain Mitigating Circumstances as prove the court will notify you in writing of the date, time, and signature on the statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license number, citation number, and signature on the statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license
date of this Notice, either by mail, using the preprinted envelope, or in person at any district court.	Kamuela, Hawai'i 96743-8439 NORTH KOHALA DIVISION
 <u>Contest In Person</u> – If you request a hearing to contest the infraction(s) in person, the court will notify you in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other witness present at the hearing, you must request a subpoena from the district court at least 10 days before the hearing date, have the subpoena served, and pay mileage/witness fees required to effectuate service. If you fail to appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. 	NORTH KORALA DIVISION 54-3900 Kapa'au Road Kapa'au, Hawai'i 96755 Mail: 67-5187 Kamamalu Street Kamuela, Hawai'i 96743-8439 If you require an accommodation for a disability when working with a court program, service, or activity, please contact the Disability Accommodations Coordinator at (808) 961-7424, FAX: (808) 961-7416, TTY: (808) 961-7422, at least ten (10) working days before your proceeding, hearing, or appointment date.

RULES OF THE DISTRICT COURTS

STRATACOM								BINDIN	IG STUE
TEAR FROM T	HIS PERFORATION FIRST								
 State of	Hawai'i - Notice (of Parking	Infractio	 on(s)	•+	PA	RKING INFRACTION(S) COM		•••••
	istrict Court of th			.,	FOLD	MONETARY	ASSESSMENT(S) PAYABLE (INCLUDING	G FEES)
					ō	HRS 290-12	(Abandoned / Derelict) Vehicle		\$160
							a)(1) No Display of Disabled Placard		
							Stop / Stand / Park) Outside		
	NA CREATEN CONCAL CONSTRUCT	nia a stat tent (mensio m (n)					(Business / Residential) District		
		₩₩₩₩₩₩ ₩₩					b) Parking Out of Stall		
							Stand / Park) Close to Curb		\$35
CITATION NO	1 DTP = 0	08-1610	50				Prohibited (Stopping / Standing / Pa		
	The undersigned officer, c			Jawai'i etator			uble Parking		
	as reasonable grounds to b						Sidewalk hin Intersection		
the time, an	d under the conditions in	dicated, the vehi	icle identifie	ed below was			Crosswalk		
unlawfully par	rked in violation of the section	on(s) of the Hawai	I'l Revised St	tatutes (HRS),			n Roadway (Bend / Curve)		
ine Kauael Ci below.	ounty Code (KCC), and/or th	ue nawan Aominis	scauve Rules	s (nerc) noted			hin 6' of Driveway		
	VEHICLE	NFORMATION	1				hin 10' of Fire Hydrant		
LICENSE PLA				TATE			hin 20' of Crosswalk At Intersection		
						🖵 (b)(4) With	hin 6' of Crosswalk Not At Intersection		\$35
MAKE	MODEL	TYPE	COLOR	YEAR			hin 30' of (Flashing Beacon / Stop Sig		
					1	(b)(6) Witt	hin 20' of Fire Station Driveway		\$35
NAME OF OF	ERATOR/REGISTERED OWN	NER(S)		1			ere Standing is Prohibited by Sign		
							ere Parking is Prohibited by Sign Moving Vehicle into Prohibited Area		
OPERATOR L	ICENSE NUMBER	STATE	MILITAR	Y SERVICE			Parking in Stall Not Facing Flow of Trafi		
						C KCC 16-10.0	(a) Park to Display Vehicle for Sale		\$35
ADDRESS OF	OPERATOR/REGISTERED (OWNER(S) (Street,	City, State, Z	Sip Code}			Obstructing Traffic		
							Time Limit Parking		
COMPANION	CITATION(S)/NOTICE(S) (list	t citation no.)				G KCC 16-13.2	Parking on Roadways Within Public (Pa	arks / School+	Grounds)
							y Motor Vehicle For Sale		
	ILS REGARDING THE / Day / Year) TIME						n / Grease / Repair) Motor Vehicle		\$50
DATE (Month	i Day i tear) i ime	DISTR		BEAT I					
							TE PARKING RULES		• • •
						HAR 3-30-19	(a) Expired Meter		\$40
LOCATION O	F INFRACTION(S)	M	IETER NO.			 HAR 3-30-19(HAR 3-30-19((a) Expired Meter (b) Unauthorized Parking Area		\$40 \$40
	•••					□ HAR 3-30-19(□ HAR 3-30-19(HRS 261-12 AIR	(a) Expired Meter (b) Unauthorized Parking Area PORT PARKING RULES	*****	\$40
ISSUING OF	FICER: If citing an Aband	doned or Derelict	Vehicle infra	action, note		 □ HAR 3-30-19(□ HAR 3-30-19(HRS 261-12 AIRI □ HAR 19-15.1- 	(a) Expired Meter (b) Unauthorized Parking Area PORT PARKING RULES -8(a)(1) Prohibited Parking Area		\$40 \$35
ISSUING OF	FICER: If citing an Aband ances below. Otherwise, co	doned or Derelict	Vehicle infra	action, note		□ HAR 3-30-19(□ HAR 3-30-19) HRS 261-12 AIRI □ HAR 19-15.1- □ HAR 19-15.1- □ HAR 19-15.1-	(a) Expired Meter (b) Unauthorized Parking Area PORT PARKING RULES -8(a)(1) Prohibited Parking Area -8(a)(5) Abandoned Vehicle		\$40 \$35 \$260 \$35
ISSUING OF	FICER: If citing an Aband ances below. Otherwise, co	doned or Derelict	Vehicle infra	action, note		□ HAR 3-30-19(□ HAR 3-30-19) HRS 261-12 AIRI □ HAR 19-15.1- □ HAR 19-15.1- □ HAR 19-15.1- □ HAR 19-15.1-	(a) Expired Meter (b) Unauthorized Parking Area PORT PARKING RULES -8(a)(1) Prohibited Parking Area -8(a)(5) Abandoned Vehicle -8(a)(7) Unattended Vehicle		\$40 \$35 \$260 \$35 \$35
ISSUING OF the circumsta sections are	FFICER: If citing an Aband ances below. Otherwise, co optional.	doned or Derelict ompletion of DIAC	Vehicle infra GRAM and C	action, note		□ HAR 3-30-19(□ HAR 3-30-19) HRS 261-12 AIRI □ HAR 19-15.1- □ HAR 19-15.1- □ HAR 19-15.1- □ HAR 19-15.1-	(a) Expired Meter (b) Unauthorized Parking Area PORT PARKING RULES -8(a)(1) Prohibited Parking Area -8(a)(5) Abandoned Vehicle		\$40 \$35 \$260 \$35 \$35
ISSUING OF the circumsta sections are	FICER: If citing an Aband ances below. Otherwise, co	doned or Derelict ompletion of DIAC	Vehicle infra GRAM and C	action, note		 □ HAR 3-30-19(□ HAR 3-30-19(□ HAR 3-30-19(HRS 261-12 AIR(□ HAR 19-15.1- 	(a) Expired Meter (b) Unauthorized Parking Area PORT PARKING RULES -8(a)(1) Prohibited Parking Area	:le	\$40 \$35 \$260 \$35 \$35
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ISSUING OF the circumsta sections are	FFICER: If citing an Aband ances below. Otherwise, co optional.	doned or Derelict ompletion of DIAC	Vehicle infra GRAM and C	action, note		 □ HAR 3-30-19(□ HAR 3-30-19(□ HAR 3-30-19(□ HAR 19-15.1- 	(a) Expired Meter		\$40 \$35 \$260 \$35 \$35
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ISSUING OF the circumsta sections are	FFICER: If citing an Aband ances below. Otherwise, co optional.	doned or Derelict ompletion of DIAC	Vehicle infra GRAM and C	action, note		 □ HAR 3-30-19(□ HAR 3-30-19(□ HAR 3-30-19(□ HAR 19-15.1- 	(a) Expired Meter		\$40 \$25 \$260 \$35 \$35 \$35 \$35
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 State of Hawai'i - Notice of Parking Infraction(s) In the District Court of the Fifth Circuit IMPORTANT INSTRUCTIONS REGARDING YOUR NOTICE OF PARKING INFRACTION(s) This Notice of Parking Infraction(s) (Notice) charges you with committing one or more civil traffic (parking) infractions. YOU MUST ANSWER THIS NOTICE WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days from the date of this Notice, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on this hotice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be used to pay your obligations. The court may also order a registration, or from transferring tille to the motor vehicle, will all obligations are paid in full. YOU MUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU. OPTION 1: ADMIT & PAY If you admit committing the parking infraction(s), complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return it with the total amount due and your copy of this Notice. You may pay by mail, using the preprinted envelope; in person at any district court; via the Internet; or by telephone. A \$25 service fee will be charged for dishonored payments. By Mail – Your Answer to Notice, payment, and copy of this Notice. MONT SEND CASH. Imprinted checks or money orders (U.S. dollars only, payable to 'DISTRICT COURT'') and credit or debit cards (MasterCard & VISA) are accepted. In Derson – Pay at any district court statewide within 21 calendar days from the date of this Notice. Counter service hours for Honolulu District Court, Traffic Violations Bureau, are 8:00 A.M.	 Contest In Person - If you request a hearing to contest the infraction(s) in preson, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other winess present at the hearing, you must date, have the subpoena served, and pay mileage/witness fees required to effectuate service. If you fail to appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. You will be notified of the judge's decision after the hearing. If you disagree with the judge's decision, you may request a trial. Contest By Written Statement - If you submit a written statement explaining the grounds on which you contest the infraction(s), your name, address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. You will be notified by mail of the judge's decision. If you disagree with the judge's decision, you may request a trial. OPTION 3: DDMIT BUT EXPLAIN MITIGATING CIRCUMSTANCES If you admit committing the parking infraction(s) but wish to explain mitigating circumstances. (2) submit a written statement explaining the mitigating circumstances in person, the court will notify you (or the registered owner of this Notice, our may request a hearing, and appear in person to explain mitigating Circumstances in person. If you request a hearing in appear in person to explain mitigating Circumstances in person. He court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. If you fail to appear at the hearing. The judge's decision is FINAL and cannot be appealed. Explain Mitigating Circumstances in person. He court will

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RULES OF THE DISTRICT COURTS

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RULES OF THE DISTRICT COURTS

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RULES OF THE DISTRICT COURTS

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APPENDIX B

(Added February 2, 2009, effective nunc pro tunc January 1, 2009.)

State of Hawai[•]i – Notice of Parking Infraction(s) In the District Court of the _____ Circuit

CITATION NO: xDTP-xx-xxxxxx

COMPLAINT: The undersigned officer, on behalf of Plaintiff State of Hawai'i, states that he/she has reasonable grounds to believe and does believe that on the date, at the time, and under the conditions indicated, the vehicle identified below was unlawfully parked in violation of the section(s) of the Hawai'i Revised Statutes (HRS), the ______, and/or the Hawai'i

Administrative Rules (HAR) noted.

VEHICLE INFORMATION

LICENSE PLATE/VIN		STA	TE					
MAKE	MODEL	TYPE	COLOR	YEAR				
NAME OF OPERATOR								
NAME OF REGISTERED OWNER(S)								
OPERATOR LICENSI		STATE						
ADDRESS OF OPERATOR (Street Number and Name)								
СІТҮ		STAT	E ZIP COI	DE				
ADDRESS OF REGISTERED OWNER(S) (Street Number and Name)								
CITY		STAT	E ZIP COI	DE				
COMPANION CITATION(S)/NOTICE(S) (list citation no.)								

DETAILS REGARDING THE INFRACTION(S) CHARGED

DATE (Month/Day/Year)	TIME	DISTRICT	BEAT
BATE (Month/Buy/rour)		Biolitioi	BLAI

LOCATION OF INFRACTION(S) METER NO.

ISSUING OFFICER: If citing an Abandoned or Derelict Vehicle, note the circumstances below. Otherwise, completion of DIAGRAM and COMMENTS sections are optional.

DIAGRAM - Vehicle should be represented by a

OFFICER'S COMMENTS

PARKING INFRACTION(S) COMMITTED & MONETARY ASSESSMENT(S) PAYABLE (INCLUDING FEES)

COMPLAINING OFFICER INFORMATION

PRINT RANK, FIRST INITIAL, & LAST NAME ID NO.

OFFICER'S SIGNATURE

DATE OF ISSUANCE

NOTE TO DEFENDANT: Please read the instructions below carefully, then complete and return your Answer to this Notice (tear-away flap on the preprinted envelope), along with any payment or written statement in support of your Answer, within 21 calendar days from the date of this Notice, either by mail, in person, via the Internet, or by telephone. If you choose to mail an Answer, payment, or written statement, please use the preprinted envelope, seal the contents, affix postage, and be sure your mailing is postmarked within 21 calendar days from the date of this Notice. The Post Office will not deliver without proper postage. <u>Please calculate the</u> total amount due by adding the monetary assessments for each infraction.

State of Hawai'i – Notice of Parking Infraction(s) In the District Court of the _____ Circuit

IMPORTANT INSTRUCTIONS REGARDING YOUR NOTICE OF PARKING INFRACTION(S)

This Notice of Parking Infraction(s) (Notice) charges you with committing one or more civil traffic (parking) infractions. YOU MUST ANSWER THIS NOTICE WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days from the date of this Notice, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be used to pay your obligations. The court may also order a registration stopper, preventing you from acquiring/renewing your motor vehicle registration, or from transferring title to the motor vehicle, until all obligations are paid in full. YOU MUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU.

OPTION 1: ADMIT & PAY

If you admit committing the parking infraction(s), complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return it with the total amount due and your copy of this Notice. You may pay by mail, using the preprinted envelope; in person at any district court; via the Internet; or by telephone. A \$25 service fee will be charged for dishonored payments.

- <u>By Mail</u> Your Answer to Notice, payment, and copy of this Notice must be postmarked within 21 calendar days from the date of this Notice. **DO NOT SEND CASH**. Imprinted checks or money orders (U.S. dollars only, payable to "DISTRICT COURT") and credit or debit cards (MasterCard & VISA) are accepted.
- In Person Pay at any district court statewide within 21 calendar days from the date of this Notice. Counter service hours for Honolulu District Court, Traffic Violations Bureau are 8:00 a.m. to 4:00 p.m. on Mondays, Tuesdays, Thursdays, and Fridays, and 8:00 a.m. to 9:00 p.m. on Wednesdays. Counter service hours for all other district courts (except Hana, Puna, Ka'u, Hamakua, and North Kohala) are 8:00 a.m. to 4:00 p.m. Monday through Friday. All district courts are closed on state holidays. Cash, imprinted checks and money orders (U.S. dollars only, payable to "DISTRICT COURT"), and credit or debit cards (MasterCard & VISA) are accepted.
- <u>Via Internet</u> Pay via the Internet at http://www.courts.state.hi.us (Click on "Pay Fines") within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted.
- <u>By Telephone</u> Call 1-800-679-5949 within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted.

OPTION 2: DENY

If you deny committing the parking infraction(s), you may either (1) request a hearing and appear in person to contest the infraction(s), or (2) submit a written statement explaining the grounds on which you contest the infraction(s). In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days from the date of this Notice, either by mail, using the preprinted envelope, or in person at any district court.

- Contest in Person If you request a hearing to contest the infraction(s) in person, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other witness present at the hearing, you must request a subpoena from the district court at least 10 days before the hearing date, have the subpoena served, and pay mileage/witness fees required to effectuate service. If you fail to appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. DO NOT SUBMIT PAYMENT WITH YOUR HEARING REQUEST. You will be notified of the judge's decision after the hearing. If you disagree with the judge's decision, you may request a trial.
- <u>Contest By Written Statement</u> If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name,

address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. **DO NOT SUBMIT PAYMENT WITH YOUR WRITTEN STATEMENT**. You will be notified by mail of the judge's decision. If you disagree with the judge's decision, you may request a trial.

OPTION 3: ADMIT BUT EXPLAIN MITIGATING CIRCUMSTANCES

If you admit committing the parking infraction(s) but wish to explain mitigating circumstances, you may either (1) request a hearing and appear in person to explain mitigating circumstances, or (2) submit a written statement explaining the mitigating circumstances. In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days from the date of this Notice, either by mail, using the preprinted envelope, or in person at any district court.

- Explain Mitigating Circumstances In Person If you request a hearing to explain mitigating circumstances in person, the court will notify you (or the registered owner of the vehicle) in writing of the date, time, and location of the hearing. If you fail to appear at the hearing, you must pay the total amount of monetary assessments and fees indicated on this Notice. DO NOT SUBMIT PAYMENT WITH YOUR HEARING REQUEST. You will be notified of the judge's decision after the hearing. The judge's decision is FINAL and cannot be appealed.
- Explain Mitigating Circumstances By Written Statement If you submit a
 written statement explaining the grounds on which you contest the infraction(s),
 include your name, address, operator license number, citation number, and
 signature on the statement. When you submit a written statement with your
 Answer to Notice, no hearing will be scheduled. DO NOT SUBMIT PAYMENT
 WITH YOUR WRITTEN STATEMENT. You will be notified by mail of the
 judge's decision. The judge's decision is FINAL and cannot be appealed.

IMPORTANT NOTE FOR JUVENILES UNDER AGE 18

Your parent or legal guardian must accompany you when appearing before the court and must co-sign any payment or written statement submitted to the court.

ADDRESSES FOR THE DISTRICT COURT OF THE CIRCUIT



If you require an accommodation for a disability when working with a court program, service, or activity, please contact the Disability Accommodations Coordinator at (808) 538-5121, FAX: (808) 538-5233, TTY: (808) 539-4853, at least ten (10) working days before your proceeding, hearing, or appointment date.

RULES OF THE DISTRICT COURTS

State of Hawai'i – Notice of Traffic Infraction(s) In the District Court of the _____ Circuit

Appendix B

TRAFFIC INFRACTION(S) COMMITTED & MONETARY ASSESSMENT(S) PAYABLE (INCLUDING FEES)

CITATION NO: xDTI		DETAILS REGARDING TH	IE INFRACTION(S) CHARGED			
CITATION NO. 2011	******	DATE (Month/Day/Year)	TIME DISTRICT BEAT			
that he/she has reasonable gro	d officer, on behalf of Plaintiff State of Hawai'i, states bunds to believe and does believe that on the date, ditions indicated, the named defendant did commit ad below.	WEATHER:				
OPERA	TOR INFORMATION	ROAD:				
LAST NAME	REGISTERED OWNER	TRAFFIC:				
FIRST NAME	MIDDLE INITIAL(S)	LIGHTING:				
HOME ADDRESS (Street Nur	nber and Name)					
	······	NO. OF OCCUPANTS: ADULT MA	LE(S) ADULTFEMALE(S) CHLOREN			
СІТҮ	STATE ZIP CODE					
JUVENILE PROVISIONAL I	LICENSE PARENT'S NAME (if juvenile operator)	LOCATION OF VIOLATION				
		VANTAGE POINT				
OPERATOR LICENSE NO.	STATE EXP. DATE (month/day/year)	LANE OF TRAVEL				
DATE OF BIRTH (month/day/year)	HEIGHT WEIGHT HAIR COLOR EYE COLOR	SIGN(S) POSTED				
CLASS CDL RES	TRICTIONS U.S. CITIZEN SEX	ACTUAL SPEED POSTED SPE	D SPEED VIOLATION MEASURED BY			
CONTACT PHONE NUMBER(S)	SSN-last 4 Digits MILITARY SERVICE (optional, for identification purposes)					
		□ I WAS CERTIFIED IN THE ABOV	E DEVICE LASER DISTANCE			
EMPLOYER/SCHOOL/BRAN		DEVICE/SPEEDOMETER WAS PROPERLY	ACCURATE, TESTED, & WORKING			
		COMPANION CITATION(S)/NOTICE	(ist citation/notice no.) ACCIDENT INJURY			
REGISTERED OWNER INI LAST NAME	FORMATION (if different from operator information)	ACCIDENT REPORT NO.	PROPERTY DAMAGE			
FIRST NAME	MIDDLE INITIAL(S)	OFFICER'S OBSERVATIONS (option	al)			
HOME ADDRESS (Street Nur	nber and Name)					
		COMPLAINING OF	FICER INFORMATION			
СІТҮ	STATE ZIP CODE	PRINT RANK, FIRST INITIAL, & LAS	TNAME ID. NO.			
VEHIC	LE INFORMATION					
LICENSE PLATE/VIN	STATE HAZ MAT	OFFICER'S SIGNATURE	DATE OF ISSUANCE			
MAKE MODEL	TYPE COLOR YEAR CMV		NT: By signing below, I acknowledge service my signature is not an admission of			
		Defendant's Signature	DEFENDANT REFUSES TO SIGN			

Defendant's Signature

NOTE TO DEFENDANT: Please read the instructions below carefully, then complete and return your Answer to this Notice (tear-away flap on the preprinted envelope), along with any payment or written statement in support of your Answer, within 21 calendar days from the date of this Notice, either by mail, in person, via the Internet, or by telephone. If you choose to mail an Answer, payment, or written statement, please use the preprinted envelope, seal the contents, affix postage, and be sure your mailing is postmarked within 21 calendar days from the date of this Notice. The Post Office will not deliver without proper postage. <u>Please calculate the</u> total amount due by adding the monetary assessments for each infraction.

If you are a "**PROVISIONAL LICENSE HOLDER**" or if the word "**COURT**" is listed next to an infraction that you are charged with committing, you are hereby directed to appear before the District Court of the ______ Circuit on the date and at the time and location designated below (see below for address) to answer the charge(s). Failure to obey this Notice and Summons may result in a fine, imprisonment, arrest on other charges, and/or other penalties.

SUMMONS

COURT LOCATION (see addresses below)

DATE TIME

COURTROOM

State of Hawai'i – Notice of Traffic Infraction(s) In the District Court of the _____ Circuit

IMPORTANT INSTRUCTIONS REGARDING YOUR NOTICE OF TRAFFIC INFRACTION(S)

This Notice of Traffic Infraction(s) (Notice) charges you with committing one or more civil traffic infractions. IF YOU ARE A "PROVISIONAL LICENSE HOLDER" OR IF THE WORD "COURT" IS LISTED NEXT TO AN INFRACTION THAT YOU ARE CHARGED WITH COMMITTING, YOU MUST APPEAR BEFORE THE DISTRICT COURT OF THE ______ CIRCUIT ON THE DATE AND AT THE TIME AND LOCATION DESIGNATED IN THE SUMMONS ABOVE. Failure to appear in court as summoned may result in your arrest for other offenses and/or imposition of other penalties, including fines, court costs, fees, and imprisonment.

If you are charged with committing an infraction with a listed monetary assessment, you must answer this Notice within 21 calendar days from the date of this Notice by choosing Option 1, 2, or 3, below. If you do not answer within 21 calendar days from the date of this Notice, the court will enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. If you fail to timely pay the default judgment, late fees and other costs will be assessed, your account may be referred to a collection agency, you may be charged for collection costs, and any state tax refund owed to you may be used to pay your obligations. The court may also order a license stopper, preventing you from acquiring/renewing your driver's license until all obligations are paid in full. YOU MUST TAKE ACTION WITHIN 21 CALENDAR DAYS FROM THE DATE OF THIS NOTICE TO AVOID ENTRY OF DEFAULT JUDGMENT AGAINST YOU.

OPTION 1: ADMIT & PAY

If you admit committing the traffic infraction(s), complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return it with the total amount due and your copy of this Notice. You may pay by mail, using the preprinted envelope; in person at any district court; via the Internet; or by telephone. A \$25 service fee will be charged for dishonored payments.

- <u>By Mail</u> Your Answer to Notice, payment, and copy of this Notice must be postmarked within 21 calendar days from the date of this Notice. **DO NOT** SEND CASH. Imprinted checks or money orders (U.S. dollars only, payable to "DISTRICT COURT") and credit or debit cards (MasterCard & VISA) are accepted.
- In Person Pay at any district court statewide within 21 calendar days from the date of this Notice. Counter service hours for Honolulu District Court, Traffic Violations Bureau are 8:00 a.m. to 4:00 p.m. on Mondays, Tuesdays, Thursdays, and Fridays, and 8:00 a.m. to 9:00 p.m. on Wednesdays. Counter service hours for all other district courts (except Hana, Puna, Ka'u, Hamakua, and North Kohala) are 8:00 a.m. to 4:00 p.m. Monday through Friday. All district

courts are closed on state holidays. Cash, imprinted checks and money orders (U.S. dollars only, payable to "DISTRICT COURT"), and credit or debit cards (MasterCard & VISA) are accepted.

- <u>Via Internet</u> Pay via the Internet at http://www.courts.state.hi.us (Click on "Pay Fines") within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted.
- <u>By Telephone</u> Call 1-800-679-5949 within 21 calendar days from the date of this Notice. Credit or debit cards (MasterCard & VISA) are accepted.

OPTION 2: DENY

If you deny committing the traffic infraction(s), you may either (1) request a hearing and appear in person to contest the infraction(s), or (2) submit a written statement explaining the grounds on which you contest the infraction(s). In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days from the date of this Notice, either by mail, using the preprinted envelope, or in person at any district court.

- Contest in Person If you request a hearing to contest the infraction(s) in person, the court will notify you in writing of the date, time, and location of the hearing. You must appear at the hearing to explain the grounds on which you contest the infraction(s). If you want the issuing officer or any other witness present at the hearing, you must request a subpoena from the district court at least 10 days before the hearing date, have the subpoena served, and pay mileage/witness fees required to effectuate service. If you fail to appear at the hearing, the court may enter a default judgment against you for the total amount of monetary assessments and fees indicated on this Notice. DO NOT SUBMIT PAYMENT WITH YOUR HEARING REQUEST. You will be notified of the judge's decision after the hearing. If you disagree with the judge's decision, you may request a trial.
- <u>Contest By Written Statement</u> If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. DO NOT SUBMIT PAYMENT WITH YOUR WRITTEN STATEMENT. You will be notified by mail of the judge's decision. If you disagree with the judge's decision, you may request a trial.

OPTION 3: ADMIT BUT EXPLAIN MITIGATING CIRCUMSTANCES

If you admit committing the traffic infraction(s) but wish to explain mitigating circumstances, you may either (1) request a hearing and appear in person to explain mitigating circumstances, or (2) submit a written statement explaining the mitigating circumstances. In either event, you must complete, sign, and date the Answer to Notice (tear-away flap on the preprinted envelope) and return your Answer to Notice, your copy of this Notice, and any written statement, within 21 calendar days from the date of this Notice, either by mail, using the preprinted envelope, or in person at any district court.

- Explain Mitigating Circumstances In Person If you request a hearing to explain mitigating circumstances in person, the court will notify you in writing of the date, time, and location of the hearing. If you fail to appear at the hearing, you must pay the total amount of monetary assessments and fees indicated on this Notice. DO NOT SUBMIT PAYMENT WITH YOUR HEARING REQUEST. You will be notified of the judge's decision after the hearing. The judge's decision is FINAL and cannot be appealed.
- Explain Mitigating Circumstances By Written Statement If you submit a written statement explaining the grounds on which you contest the infraction(s), include your name, address, operator license number, citation number, and signature on the statement. When you submit a written statement with your Answer to Notice, no hearing will be scheduled. DO NOT SUBMIT PAYMENT WITH YOUR WRITTEN STATEMENT. You will be notified by mail of the judge's decision. The judge's decision is FINAL and cannot be appealed.

IMPORTANT NOTE FOR JUVENILES UNDER AGE 18

Your parent or legal guardian must accompany you when appearing before the court and must co-sign any payment or written statement submitted to the court.

Appendix B

RULES OF THE DISTRICT COURTS

INFORMATION ABOUT YOUR PRIVACY

Disclosure of the last four digits of your social security number (SSN) on this Notice is optional. The last four digits of your SSN will be used for identification purposes in administering state and federal driver's license and motor vehicle laws.

ADDRESSES FOR THE DISTRICT COURT OF THE CIRCUIT



If you require an accommodation for a disability when working with a court program, service, or activity, please contact the Disability Accommodations Coordinator at (808) 538-5121, FAX: (808) 538-5233, TTY: (808) 539-4853, at least ten (10) working days before your proceeding, hearing, or appointment date.

Appendix B

State of Hawai'i – Citation for Traffic Crime(s) Arrest In the District Court of the _____ Circuit

CITATION NO: xDTC-xx-xxxxxx

COMPLAINT: The undersigned officer, on behalf of Plaintiff State of Hawai'i, declares under penalty of law that he/she has probable cause to believe and does believe that on the date, at the time, and under the conditions indicated, the named defendant did commit the criminal offense(s) noted below and that the same is true and correct to the best of his/her knowledge and belief.

DEFENDANT

LAST NAME REGISTERED OWNE

HOME ADDRESS (Street Number and Name)

JUVENILE PROVISIONAL LICENSE PARENT'S NAME (if juvenile operator)

STATE

OPERATOR LICENSE NO. STATE EXP. DATE (month/day/year)
DATE OF BIRTH (month/day/year) HEIGHT WEIGHT HAIR COLOR EYE COLOR

CLASS CDL RESTRICTIONS U.S. CITIZEN SEX

CONTACT PHONE NUMBER(S) SSN-last 4 Digits (required by HRS § 803-6(c)(2)) MILITARY SERVICE

EMPLOYER/SCHOOL/BRANCH OF SERVICE

REGISTERED OWNER INFORMATION (if different from operator information

LAST NAME

CITY

FIRST NAME MIDDLE INITIAL

HOME ADDRESS (Street Number and Name)

CITY

STATE

VEHICLE INFORMATION

LICENSE P	LATE/VIN	STATE	HAZ	МАТ	
MAKE	MODEL	TYPE	COLOR	YEAR	сму

LAW(S) VIOLATED AND TRAFFIC CRIME(S) COMMITTED

DETAILS REGARDING THE OFFENSE(S) CHARGED

of Plaintiff State of	DATE (Month/Day/Year)	TIME	DISTRICT	BEAT
as probable cause to time, and under the commit the criminal	WEATHER:			
d correct to the best	ROAD:			
	TRAFFIC:			
DOWNER	LIGHTING:			
IAL(S)	NO. OF OCCUPANTS: ADU	LT MALE(S) ADUL	「FEMALE(S) C	HILDREN
ZIP CODE	LOCATION OF VIOLATION			
(if juvenile operator)	VANTAGE POINT			
TE (month/day/year)	LANE OF TRAVEL			
COLOR EYE COLOR	SIGN(S) POSTED			
TIZEN SEX	ACTUAL SPEED POSTED	SPEED SPEED V	IOLATION MEAS	URED BY
	□ I WAS CERTIFIED IN THE DEVICE	ABOVE 🗆 LAS	SER DISTANCE	
	DEVICE/SPEEDOMETER WAS	ACCURATE, TESTED, 8	& WORKING PROPE	RLY
nt from operator information)	COMPANION CITATION(S) / N INJURY (list citation/notice no.)	OTICE(S)	ACCIDENT	
MIDDLE INITIAL(S)	ACCIDENT REPORT NO.	PROP	ERTY DAMAGE	
ZIP CODE	OFFICER'S STATEMENT OF	FACTS		
HAZ MAT				

Appendix B

RULES OF THE DISTRICT COURTS

COMPLAINING OFFICER INFORMATION

COMPL	AINING OFFICER IN	FORMATION	Your Rights to Trial and Counsel: Depending on the charge(s) against you, y may be entitled to a trial by jury. Additionally, if you cannot afford an attorney al are charged with an offense punishable by imprisonment, you may be entitled i			
PRINT RANK, FIRST	INITIAL, & LAST NAME	ID NO.	have an attorney appointed by the court to represent you at no cost to yourself. If you wish to apply for legal services through the Office of the Public Defender, you will be required to complete a written application. You will be informed of these rights at your court appearance.			
OFFICER'S SIGNATU	RE	DATE OF ISSUANCE	Driver's License Offenses: If you are charged with operating a motor vehicle without a valid driver's license (e.g. expired, suspended, or revoked license), your case may be dismissed by the State (prosecuting attorney) if you produce in court a driver's license or other proof that you were validly licensed on the date of the offense (such as a certification from the Driver's Licensing Division of your state/county). Proof of valid license will NOT be accepted at the district court counter; you must appear in court on the date and at the time designated on this Citation.			
	IOWLEDGEMENT: By signing rt of the Circuit on th		Insurance Offenses: If you are charged with not having a valid motor vehicle			
location designated be signature is not an ac	low to answer the charge(s). I u Imission to the charge(s).		insurance policy (HRS § 431:10C-104) or valid motorcycle/motor scooter insurance policy (HRS § 431:10G-102), your case may be dismissed by the State (prosecuting attorney) if you produce in court proof of insurance coverage, in the form of an affidavit from an insurance company licensed in the State of Hawai'i, that the motor vehicle or motorcycle/motor scooter was insured on the date of the offense. Proof of valid insurance will NOT be accepted at the district court counter; you must appear in court on the date and at the time designated on this Citation.			
Defendant's Signatur (Please read instructio		DANT REFUSES TO SIGN	If You Cannot Appear in Court on the Date and at the Time Designated in the			
(Please read instructions below) DEFENDANT REFUSES TO SIGN The Defendant is hereby directed to appear before the District Court of the Circuit on the date and at the time and location designated below (see below for address) to answer the charge(s). Failure to obey this Citation and Summons may result in a fine, imprisonment, arrest on other charges, and/or other penalties.			Summons: If you have a valid reason for not being able to appear in court on the date and at the time designated in the Summons, you must file with the designated district court a written motion to request a continuance of your hearing, either (1) by mail to the designated court at the address listed below, or (2) in person at the designated court at the address listed below. You must explain your reason(s) for requesting a continuance. The designated district court must receive your motion for continuance no later than 48 hours prior to your scheduled court date and time. If your motion is granted, you will be informed of the new court date and time. If your motion is denied, you must appear in court as summoned by this Citation. Continuance request forms are available at any district court or via the Internet at http://www.courts.state.hi.us.			
cc	OURT LOCATION (see address	ses below)	IMPORTANT NOTE FOR JUVENILE DEFENDANTS			
DATE	TIME COURTRO	ОМ	INFORMATION ABOUT YOUR PRIVACY			
			Disclosure of the last four digits of your Social Security Number (SSN) on this Citation is mandatory pursuant to HRS § 803-6(c)(2). The last four digits of your SSN will be used for identification purposes in administering state and federal driver's license and motor vehicle laws, including laws governing the revocation of a driver's license and proof of financial responsibility.			

State of Hawai'i – Notice of Traffic Crimes(s) Arrest In the District Court of the _____ Circuit

IMPORTANT INSTRUCTIONS - READ CAREFULLY

This Citation for Traffic Crime(s) Arrest (Citation) charges you with committing one or more traffic crimes, in violation of a section of the Hawai'i Revised Statutes (HRS), the Hawai'i Administrative Rules (HAR), or the

. This Citation summons you to appear before the District Court of the __ __ Circuit to answer the charge(s) on the date and at the time and location designated in the Summons on this Citation. Failure to appear in court as summoned may result in the forfeiture of any bail you may have posted, your arrest for other offenses, and/or imposition of additional penalties, including fines, court costs, fees, and imprisonment

INFORMATION ABOUT YOUR COURT APPEARANCE

Please arrive early on the date of your court hearing. If you are not present in the courtroom when your case is called, a bench warrant for your arrest (for contempt of court, failure to appear, or other charges) may be issued, and your bail/bond may be forfeited. Bring this Citation to court with you, and check in with the bailiff or court clerk when you arrive at the proper courtroom.

ADDRESSES FOR THE DISTRICT COURT OF THE CIRCUIT

Your Rights to Trial and Counsel: Depending on the charge(s) against you, you



If you require an accommodation for a disability when working with a court program, service, or activity, please contact the Disability Accommodations Coordinator at (808) 538-5121, FAX: (808) 538-5233, TTY: (808) 539-4853, at least ten (10) working days before your proceeding, hearing, or appointment date.

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