

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

IN REGARD TO THE RECORDS OF

THE HAWAI'I SUPREME COURT

AND

THE HAWAI'I INTERMEDIATE COURT OF APPEALS

ORDER CONCERNING THE RECORDS OF THE HAWAI'I SUPREME COURT

AND THE HAWAI'I INTERMEDIATE COURT OF APPEALS

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

In consideration of the Chief Clerk's duties to maintain the records of the Hawai'i Supreme Court and the Hawai'i Intermediate Court of Appeals, and in acknowledgment of the fact that case data and documents may be entered in error or misidentified,

IT IS HEREBY ORDERED that the Chief Clerk, the Deputy Clerks, and others authorized by the Chief Clerk (hereafter, collectively, the Clerk) may, with such technical assistance as required and without order of this court or the Hawai'i Intermediate Court of Appeals, correct clerical and e-filer data entry and docketing errors. Examples of clerical and e-filing errors that may be corrected without a court order include, but

are not limited to, corrections to data in the following data fields: case type, trial court or agency, trial court or agency case type, designation as confidential, short case title, extended case title, trial court judge(s), trial court or agency case numbers, authorizing statutes, party roles, party and attorney identification, docket codes, document category, document type, and filing party.

IT IS FURTHER ORDERED that the Clerk may, with such technical assistance as required and without order of this court or the Hawai'i Intermediate Court of Appeals, retrieve from the document management system or a party and attach to the docket any document that failed to upload or attach to the docket.

IT IS FURTHER ORDERED that the Clerk may, with such technical assistance as required and without order of this court or the Hawai'i Intermediate Court of Appeals, replace incorrect documents that were inadvertently uploaded by parties or that have been corrupted, with the documents that should have been uploaded, and may transfer documents that were filed in a wrong case to the correct case, provided such replacements and transfers are completed within 10 business days following the initial filing and all parties are notified of the replacement or transfer.

IT IS FURTHER ORDERED that, except as provided above or upon order of the Hawai'i Supreme Court or the Intermediate Court

of Appeals or as authorized by the Records Retention Schedule, the Clerk shall not delete documents from, transfer, or replace documents in any record maintained for the Hawai'i Supreme Court or the Hawai'i Intermediate Court of Appeals.

IT IS FINALLY ORDERED that the Clerk may temporarily seal any document or record or mark any document for *in camera* review pending the Hawai'i Supreme Court's or the Hawai'i Intermediate Court of Appeals' determination of the case or document's accessibility.

DATED: Honolulu, Hawai'i, April 7, 2011.

FOR THE COURT:

/s/ Mark E. Recktenwald

Chief Justice

