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IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In Re

TASK FORCE ON CIVIL JUSTICE IMPROVEMENTS

ORDER

(By: Recktenwald, C.J.)

Our civil justice court system serves a critical role in our society. It has long been recognized as providing the best and most reliable forum for the fair, impartial, and transparent resolution of disputes. National surveys, however, reflect concerns that resolving disputes through the courts is becoming too costly and takes too long. The costs of and delays in litigation, in turn, affects the ability of people to access and use the courts to resolve their disputes.

The mission of the Hawai‘i Judiciary is "to administer justice in an impartial, efficient and accessible manner in accordance with the law." In furtherance of this mission, the Judiciary is committed to ensuring the continued vitality of our civil justice system and its effectiveness in responding to the

current and future needs of our community. We seek to improve the State's civil justice system by looking for ways to reduce the costs of civil litigation, streamline the litigation process, and make our courts more accessible, affordable, efficient, and just. In this endeavor, we draw upon recommendations and input received through Hawai'i State Bar Association (HSBA) Bench-Bar Conferences and Civil Law Forums as well as the efforts, experiences, and best practices of other jurisdictions.

NOW, THEREFORE, in furtherance of the Judiciary's mission and our commitment to improving Hawaii's civil justice system,

IT IS HEREBY ORDERED as follows:

1. A Task Force on Civil Justice Improvements (Task Force) is hereby established, effective upon the filing of this order.

2. The purpose of the Task Force is to develop recommendations, including rule amendments, on ways to reduce the costs of and delays in civil litigation, and to streamline the litigation process, in Hawaii's circuit courts.

a. In developing its recommendations, the Task Force should:

(i) Consider the report and recommendations of the Civil Justice Initiative by the Conference of Chief Justices.

(ii) Consider the reports and recommendations of the American College of Trial Lawyers and the

Institute for the Advancement of the American Legal System on civil justice reforms.

- (iii) Consider the disclosure and discovery provisions of the Federal Rules of Civil Procedure.
- (iv) Consider rule changes, pilot projects, and best practices implemented by other states and federal courts directed at improving their civil justice systems.
- (v) Consider steps to promote access to the courts by self-represented litigants.
- (vi) Consider steps to facilitate access to, and ensure the continued viability of, trial by jury in civil cases.
- (vii) Consider recommendations and input from members of the HSBA and other interested stakeholders.

b. In formulating its recommendations, the Task Force should be guided by the following principles:

- (i) The recommendations should seek to achieve demonstrable improvements with respect to the time and costs expended in resolving civil cases.

(ii) The recommendations should promote effective and economic utilization of resources while maintaining basic fairness.

(iii) The recommendations should enhance public confidence in the courts and provide assurance that justice is being done.

3. The individuals appointed as members of the Task Force are set forth in Appendix A. The Chief Justice may appoint additional members as may be necessary. The terms of the Task Force members shall expire on August 1, 2019.

4. The Task Force shall meet at the discretion of the Task Force Chair.

5. On or before July 1, 2019, the Task Force shall submit to the Chief Justice its final report containing its recommendations, including any rule amendments, on ways to reduce the costs of and delays in civil litigation, and to streamline the litigation process, in Hawaii's circuit courts.

Dated: Honolulu, Hawai'i, June 19, 2018.

/s/ Mark E. Recktenwald
Chief Justice



APPENDIX A

MEMBERS OF THE TASK FORCE ON CIVIL JUSTICE IMPROVEMENTS

The Honorable Craig H. Nakamura (ret.), Chair
The Honorable Rhonda A. Nishimura (ret.), Reporter
Clare E. Connors, Vice-Chair
David M. Louie, Vice-Chair
The Honorable Jeannette H. Castagnetti
The Honorable Keith K. Hiraoka
The Honorable Peter T. Cahill
The Honorable Henry T. Nakamoto
The Honorable Randal G. Valenciano
Attorney General Russell A. Suzuki
Nadine Y. Ando
Nancy J. Budd
Roy K.S. Chang
Steven J.T. Chow
Edmund W.K. Haitzuka
William B. Heflin
Susan Ichinose
Geoffrey K.S. Komeya
Summer M.M. Kupau-Odo
Lisa W. Munger
Daniel J. O'Meara
Caroline S. Otani
Judith A. Pavey
Jeffrey H.K. Sia
Cynthia K. Wong
Eric K. Yamamoto
Elijah Yip