

[NEW] RCCH Rule 15.1. **STREAMLINED DISCOVERY ASSISTANCE.**

(a) Upon agreement of all parties involved in a discovery dispute, the parties may seek resolution of the dispute through this streamlined procedure.

(1) Parties desiring streamlined discovery assistance shall agree upon a deadline for the simultaneous submission of letter briefs to the court.

(2) The letter brief of a party shall be delivered to chambers and served on all other parties by the deadline. The letter brief shall contain all relevant information, including:

(A) confirmation of the deadline for submission of letter briefs;

(B) dates of discovery cut-off and trial; and

(C) a discussion of the dispute and relief sought.

Unless otherwise ordered by the court, the letter briefs shall be five pages or less, inclusive of all exhibits.

(3) Upon receipt of the letter briefs, the court shall determine the procedure for resolving the dispute. The court may announce a decision without a conference or hearing. If a conference or hearing is set by the court, the court shall specify whether counsel must attend in person or may attend by telephonic or video conferencing. The court may request that one or more of the parties file a motion pursuant to the Hawai'i Rules of Civil Procedure.

(4) The prevailing party shall prepare an order in compliance with Rule 23. All letter briefs shall be appended to the order for purposes of appellate review.

(b) Conference Required. The court will not entertain a request for streamlined discovery assistance unless the parties involved in the dispute have previously conferred, in person and/or by telephonic or video conferencing, to attempt to resolve or minimize the scope of the dispute, including but not limited to addressing the requirement that discovery be proportional to the needs of the case, in a good faith effort to eliminate the need for streamlined discovery assistance. Communication by email does not satisfy this requirement.

(c) Certificate of Compliance. When submitting a letter brief in accordance with this rule, a party shall certify compliance with paragraph (b) this rule. Certification shall include the date, time and length of the meeting and/or telephonic or video conference, and the names of all participants.