

RE: **Proposal to Amend Rule 6.2 the Hawai‘i Electronic Filing and Service Rules**

*REQUIRING PARTIES TO SERVE NON-JEFS USERS
COPIES OF ORDERS AND JUDGMENTS PREPARED
BY PARTIES AND APPROVED BY THE COURT*

The Supreme Court of Hawai‘i seeks public comment regarding a proposal to amend Rule 6.2 of the Hawai‘i Electronic Filing and Service Rules. The amendment would require a party to serve copies of orders and judgments, prepared by that party and approved by the court, upon all opposing parties who are not required to be registered users of the Judiciary Electronic Filing and Service System or who have not consented to electronic service.

The amendments would also eliminate the need for a Notice of Electronic Filing to accompany any electronically filed document, bearing the electronic filing stamp, that is subsequently conventionally served upon a party.

The proposal is attached hereto.

Comments about the proposed amendment should be submitted, in writing, **no later than Friday, May 15, 2020**, to the Judiciary Communications & Community Relations Office by mail to 417 South King Street, Honolulu, HI 96813, by facsimile to 539-4801, or via the [Judiciary’s website](#).

**PROPOSED AMENDMENTS TO THE
HAWAII ELECTRONIC FILING & SERVICES RULES**
(Deleted materials is bracketed and stricken; New material is underlined)

Rule 6. SERVICE OF DOCUMENTS.

6.2. Conventional Service of Electronically Filed Documents.

(a) By the filing party. A filing party shall provide conventional service of electronically filed documents that are required to be served to parties who are not JEFS Users or who have not consented to electronic service. ~~[The paper copy of the document served shall be accompanied by a copy of the Notice of Electronic Filing showing the date and time of filing.]~~ The filing party shall file a certificate of conventional service.

Unless otherwise ordered by the court, for any order, decree, or judgment prepared by a party and signed by the court, the preparing party shall provide conventional service of the order, decree, or judgment to parties who are not JEFS Users or who have not consented to electronic service. The preparing party shall also file a certificate of conventional service.

(b) By the clerk.

(1) The clerk shall provide conventional service of any order, decree, or judgment prepared by the court to parties who are not JEFS Users or who have not consented to electronic service. The clerk shall note the service by a text-only entry on the docket or by filing a certificate of conventional service.

(2) The clerk may provide conventional service of any Order and Notice of Entry of Order or Judgment and Notice of Entry of Judgment upon a defendant in a District Court JIMS criminal case without the necessity of serving the defendant thereafter with a file-stamped copy of the Order and Notice of Entry of Order or Judgment and Notice of Entry of Judgment.
