

(Name of Attorney & Bar Number, Address, Telephone No., Email)

Attorney for ____ Plaintiff ____ Defendant
____ Self-represented Party

IN THE CIRCUIT COURT OF THE _____ CIRCUIT

STATE OF HAWAI'I

)	CIVIL NO. _____
)	
Plaintiff,)	
)	JOINT REPORT OF THE PARTIES
vs.)	
)	
)	Scheduling Conference: _____
)	Judge: _____
Defendant.)	
_____)	

JOINT REPORT OF THE PARTIES

(HRCP 26(f)(2) and RCCH 12(a)(6)(B) require the parties to file a joint report within 14 days after the parties' meeting.)

In accordance with Rule 26(f)(2) of the Hawai'i Rules of Civil Procedure (HRCP) and Rule 12(a)(6)(B) of the Rules of the Circuit Courts of the State of Hawai'i (RCCH), the parties signing below met (*check one*) in person by telephone by video on

_____ (*insert date*) and certify they conferred in good faith about the following:

- ✓ the nature and basis of their claims and defenses;
- ✓ the possibilities for promptly settling or resolving the case;
- ✓ making or arranging for disclosures required by HRCP 26(a)(1);
- ✓ whether the case should be assigned to an expedited or non-expedited track for trial under HRCP 16.1;

- ✓ preserving discoverable information; and
- ✓ a proposed discovery plan.

A. Disclosures under HRCP 26(a) (check all that apply):

Initial Disclosures – HRCP 26(a)(1):

- Initial disclosures were or will be made by Plaintiff(s) on _____ (date).
 - Initial disclosures were or will be made by Defendant(s) on _____ (date).
 - Changes in the timing, form, or requirements for initial disclosures under HRCP 26(a)(1) should be made as follows:
-
-
-

Expert Disclosures – HRCP 26(a)(2):

- Expert Disclosures will be made:
 1. By parties having the burden of proof on a claim or an affirmative defense no later than **120 days** before the trial date to be set by the court;
 2. By parties opposing a claim for relief or an affirmative defense no later than **90 days** before the trial date to be set by the court; and
 3. By parties intending to present evidence solely to rebut evidence on the subject matter identified for the first time by a party opposing a claim for relief or an affirmative defense no later than **60 days** before the date set for trial.

OR

- Changes in the timing, form, or requirements for expert disclosures under HRCP 26(a)(2) should be made as follows:
-
-

B. Discovery:

1. Discovery may be needed on the following subjects:

2. Discovery should be completed by: _____ (date).

3. Discovery should be conducted in phases or be limited to or focused on particular issues as follows:

C. Electronically Stored Information (ESI):

As to any issues about disclosure, discovery, or preservation of ESI, including the form or forms in which it should be produced, the parties report:

D. Claims of Privilege or of Protection as Trial-Preparation Materials: (parties should identify whether they anticipate any claims of privilege or of protection as trial-preparation materials; whether the parties agree on a procedure to assert these claims after production (i.e., claw back), and whether they ask the court to include their agreement in an order under Rule 502 of the Hawai'i Rules of Evidence):

E. Changes, if any, to be Made in Limitations on Discovery: (parties should discuss and report on whether any changes should be made to the limitations on discovery set forth in the HRCP or the RCCH, and any other limitations that should be imposed):

F. Other Orders: (parties should report on whether there are any other orders that the court should issue under HRCP 26(c) or under HRCP 16(b) and (c)).

G. Other Matters: (parties should report on whether they are amenable to ADR; and any other miscellaneous matter they believe is relevant to the scheduling conference with court):

SUBMITTED BY:

Plaintiff / Counsel for Plaintiff(s)

Defendant / Counsel for Defendant(s)

<<additional signature lines to be added if multiple parties>>