

CIRCUIT COURTS OF THE STATE OF HAWAI'I

INSTRUCTIONS

**JOINT REPORT OF THE PARTIES  
FORM 36 (HRCP) AND FORM E-4 (RCCH)**

(Effective 01/01/2022)

*Please note that this and other forms are available on the Judiciary's website. The forms can be filled out and printed through Adobe Acrobat.*

*You may use the forms available online or prepare your own document in substantially the same format as the official forms. Please note that the Judiciary Electronic Filing System (JEFS) accepts document files in PDF format only. If you create your own document, you must convert it to a PDF file if you are a JEFS User. If you are not a JEFS User, you must print a hard copy of your document, sign and date the document, and then submit it to the Legal Documents Branch clerk for filing.*

Use this form if:

- You are a party in a civil case in the circuit court;
- The complaint in your case was filed on or after January 1, 2022;
- Your case is NOT:
  - a foreclosure case
  - assigned to the Court Annexed Arbitration Program (CAAP)
  - an agency appeal
  - a consumer debt collection action
  - a quiet title action
  - an asbestos (toxic tort) action
- A Scheduling Conference has been set by the judge.

You must read Rule 26(a) and (f) of the Hawai'i Rules of Civil Procedure (HRCP) and Rule 12(a)(6) of the Rules of the Circuit Courts of the State of Hawai'i (RCCH), and be aware of the timing requirements for required disclosures and the Joint Report of the Parties.

General Instructions:

1. Make sure to type or print in black ink only.
2. Print or type your name, mailing address, telephone number, and email address in the top left corner. Indicate whether you are a plaintiff or a defendant. For example:

Jane Doe  
123 Bishop Street  
Honolulu, Hawai'i 96813  
(808)523-6789  
janedoe@gmail.com  
Plaintiff

3. Fill in the name of the court and the number of the circuit in which your case is filed in the center of the page: "IN THE CIRCUIT COURT OF THE \_\_\_\_\_ CIRCUIT"

|                 |                            |
|-----------------|----------------------------|
| First Circuit:  | O'ahu                      |
| Second Circuit: | Maui, Moloka'i, and Lana'i |
| Third Circuit:  | Hawai'i                    |
| Fifth Circuit:  | Kaua'i                     |

4. Title of the case: The space to the left of the center of the page is the title of the case. You must fill in the names of all the parties identified in the complaint.
5. Civil No.: The space to the right of the center of the page must have the civil number assigned to the case when the complaint was filed. Print or type the civil number in the space provided.
6. Type or print the title of the document, "Joint Report of the Parties," underneath the civil number and also under the title of the case in the center of the page.
7. Put the date and time of the Scheduling Conference and the assigned judge's name.
8. Check the box indicating how the parties met (in person, by telephone, or by video) and put the date of the meeting in the space provided.

A. Disclosures:

1. Check the box and type or print the date when the parties made or will make their initial disclosures required by HRCF 26(a)(1).
2. Describe whether changes should be made to the timing of the parties' initial and/or expert disclosures.

B. Discovery:

1. Describe the areas or subjects in which the parties will need discovery and put the date when discovery should be completed.
2. Describe if discovery should be limited, conducted in phases, or targeted or focused as to particular issues in the case.

C. Electronically stored information (ESI):

1. Describe whether there are any issues pertaining to ESI, including, but not limited to, disclosure or discovery of ESI, how, when and in what form production of ESI will be made, and any other issues related to ESI the parties wish to bring to the judge's attention.

D. Privileged or Protected Material:

1. Describe whether there will be any claims of privilege or confidentiality in any trial preparation materials, the procedures agreed upon by the parties to assert such claims after the material has been produced, and whether the court should include the parties' 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:

1. Report on whether any parties believe there should be changes on discovery limits set forth in court rules.

F. Other Orders:

1. Report on any parties' position on whether the court should issue any other orders for matters set forth in HRCP 16(b) and (c) and HRCP 26(c).

G. Other Matters:

1. State whether the parties are amenable to any form of Alternative Dispute Resolution (for example, mediation) and also include any other information the parties believe would be helpful for the judge to know before the Scheduling Conference.
2. If a party or attorney has not cooperated in the parties' meeting or preparation of the report, the filing party should say so in this section.

Signatures:

1. Attorneys and self-represented parties who participated in the meeting of the parties must sign the document.

Self-represented parties who are not JEFS Users cannot use an electronic signature and must handwrite their signature in black ink only.

2. By signing the document, the parties certify that they conferred with the other parties in good faith about the nature and basis of their claims and defenses, the possibility for promptly resolving or settling their case, for making or arranging for disclosures required by the court rules, and also whether the case should be assigned to an expedited or non-expedited trial track.

Filing Instructions:

1. Once the parties have signed the Joint Report of the Parties, the party preparing the document should file it:

**Self-represented parties:** If you are not represented by an attorney and are not a JEFS User, submit your completed document to the Legal Documents Branch of the respective circuit court for conventional filing by the clerk of court.

- Bring extra copies of your document in case you have to serve any parties by U.S. Mail. Make sure to keep a copy for your records.
- Your document will be date and time stamped by the filing clerk, who will electronically file your original document.

**JEFS Users:** If you are a registered JEFS User, you must electronically file the Joint Report of the Parties.