



SERVICE OF PROCESS INFORMATION SHEET & NOTICE OF ONLINE DISPUTE RESOLUTION

NOTICE TO PLAINTIFF(S): This case has been included in the Hawaii State Judiciary Small Claims Online Dispute Resolution (“ODR”) Pilot Program. You **must** serve the Defendant(s) in this case and register for the online dispute resolution program.

STEP 1: Serve the Defendant(s)

Why do you need to serve the Defendant(s)?

- The rules require that you notify the person you are suing, the Defendant(s), about your claim. This informs the Defendant(s) that you have started the legal process.
- If you do not serve the Defendant(s) properly, the judge cannot make any legal decisions on your case.
- If there is more than one Defendant in your claim, you must notify each Defendant.

What do you need to give to the Defendant(s)?

- You must give a court filed copy of the *Statement of Claim* and *Hearing Notice*;
- *Notice to Defendant(s) of Online Dispute Resolution*; and
- Any other court forms and/or documents you filed with the court.

How do you serve the Defendant(s)?

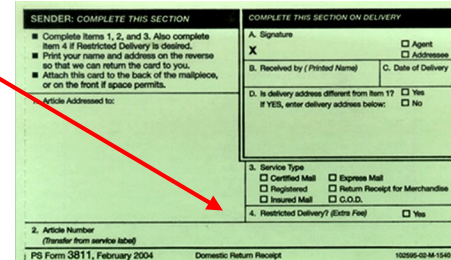
You may serve a Defendant(s) in the following ways:

1. Service by Certified Mail

Take the court filed copy of your *Statement of Claim* and any other filed court documents to the U.S. Post Office and mail to each Defendant by Certified Mail, Restricted Delivery (addressee only), and Return Receipt Requested (green card).



You will need to submit a [Certificate of Service](#) with the court. Attach the Certified Mail Receipt and green card to the *Certificate of Service*. Please scan and upload to [TurboCourt Hawaii](#).



2. Service by a Third Party (Not You)

You may have a person (not you), give the filed court documents to the Defendant(s). This person (the “server”) can be:

- Anyone who is eighteen (18) years old and who is not part of your case; or
- A paid professional process server.

The server will need to complete a [Return of Service](#) court form with information about who they served, where, and when they served the documents. You or the server may submit this proof of service to the court.

STEP 2: Register for Online Dispute Resolution

You **MUST** register on the online system within **seven (7) days** of filing your *Statement of Claim* with the court. If you are the initial filing Plaintiff, you will automatically be registered upon filing the *Statement of Claim*. However, if you are a co-Plaintiff, it will not be automatic and you will need to register manually. Please make sure all Plaintiff(s) are registered for ODR. By doing so, all parties will be able to see, have access to, and receive updates related your ODR case.



To register, visit: [TurboCourt Hawaii \(www.turbocourt.com/hawaii\)](http://www.turbocourt.com/hawaii). You will be directed to the TurboCourt site and choose “Hawaii” as your state.

You must have access to a computer or mobile device, internet connection, and an e-mail address. If you do not have access to the necessary technology, you may submit a request to be excused from participating in ODR. Please submit a [Request for Exemption from Small Claims ODR Pilot Program](#) form. If you are excused from participating, you will be required to submit your court documents directly with the court in person or via U.S. mail and appear at the scheduled hearing.

How Online Dispute Resolution (ODR) Works

- Instead of going to trial at the courthouse, you (and your co-Plaintiffs) and the Defendant(s) may negotiate between yourselves to reach an agreed resolution of your dispute.
- The online system can be accessed at any time using a computer, tablet, or smart phone with internet connection. You will receive email and/or text messages during the course of the online negotiation process to notify you when to log back into the system.
- If the Defendant(s) agrees to the amount owed, you (and your co-Plaintiffs) and the Defendant(s) may work on a payment plan and submit the required court documents to close or dispose of the case with the court.
- If you do not agree with the amount owed, you (and your co-Plaintiffs) and the Defendant(s) have **seven (7) days** to negotiate an agreed amount.
- If all the parties do not come to an agreement by the end of the seven (7) day negotiation period, all parties will be **required** to come to the courthouse on the date and time assigned to your case. At that time, the presiding judge may order the parties to mediation with a neutral third-party mediator before the case proceeds to trial. You may find information by looking up your case on [eCourt Kookua](#).

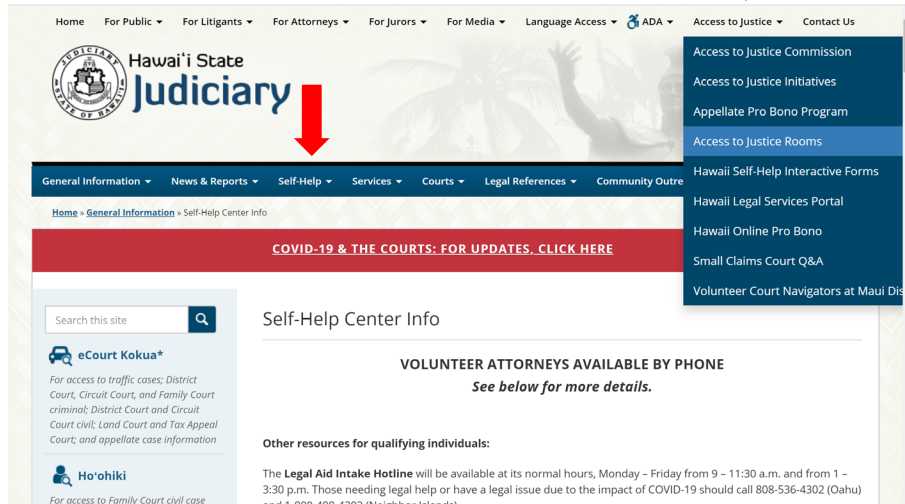
Benefits of Using ODR

- You will have an opportunity to resolve the dispute between you (and your co-Plaintiffs) and the Defendant(s) online at your convenience and save time;
- You may submit your settlement agreement and other court documents online; and
- If the parties can come to an agreement, you will not have to come to court.

Finding Help

If you need legal assistance to better understand the court process and your legal rights and responsibilities, please visit the [Hawaii State Judiciary](https://www.courts.state.hi.us/) website. Under Self-Help and the Access to Justice Tabs, you will find information about Self-Help Centers, Access to Justice Rooms, and other resources for legal assistance.

<https://www.courts.state.hi.us/>



The screenshot shows the Hawaii State Judiciary website. The URL <https://www.courts.state.hi.us/> is displayed above the page. The website header includes navigation links: Home, For Public, For Litigants, For Attorneys, For Jurors, For Media, Language Access, ADA, Access to Justice, and Contact Us. The 'Access to Justice' dropdown menu is open, showing options: Access to Justice Commission, Access to Justice Initiatives, Appellate Pro Bono Program, Access to Justice Rooms, Hawaii Self-Help Interactive Forms, Hawaii Legal Services Portal, Hawaii Online Pro Bono, Small Claims Court Q&A, and Volunteer Court Navigators at Maui District Court. The 'Self-Help' dropdown menu is also visible, showing options: General Information, News & Reports, Self-Help, Services, Courts, Legal References, and Community Outreach. The main content area features a search bar, a 'COVID-19 & THE COURTS: FOR UPDATES, CLICK HERE' banner, and a 'Self-Help Center Info' section. The 'Self-Help Center Info' section includes a heading 'VOLUNTEER ATTORNEYS AVAILABLE BY PHONE' with a link 'See below for more details.' and a section titled 'Other resources for qualifying individuals:' which lists the 'Legal Aid Intake Hotline' and its availability.

Americans with Disabilities Act Notice



If you need an accommodation for a disability when participating in a court program, service or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation.

Call First Circuit (Oahu) (808) 538-5121; Second Circuit (Maui) (808) 244-2855; Third Circuit (Hawaii Island): Hilo (808) 961-7629, Kona (808) 961-7629; or Fifth Circuit (Kauai) (808) 482-2347; or send an e-mail to adarequest@courts.hawaii.gov. The ADA Coordinator will work to provide, but cannot guarantee, the requested auxiliary aid, service or accommodation.