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SCRU-11-0000580

IN THE SUPREME COURT OF THE STATE OF HAWAII

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In the Matter of the  
DISTRICT COURT RULES OF CIVIL PROCEDURE

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ORDER ADOPTING RULE 16.1 OF THE DISTRICT  
COURT RULES OF CIVIL PROCEDURE

(By: Recktenwald, C.J., Nakayama, McKenna, Wilson, and Eddins, JJ.)

IT IS HEREBY ORDERED that Rule 16.1 of the District  
Court Rules of Civil Procedure is adopted, effective July 1,  
2022, as follows:

**Rule 16.1. APPEARANCE BY TELEPHONIC OR  
VIDEOCONFERENCE CALL.**

**(a) Telephonic or videoconferencing call allowed.** Except as  
otherwise provided by statute or rule, the court shall, absent good reason, as  
determined in the court's discretion, allow any party to appear by telephonic or  
videoconferencing for any of the following motions, conferences, hearings, or  
proceedings:

- (1) Answers and returnables;
- (2) Status and pretrial conferences;
- (3) Settlement conferences; and
- (4) Non-evidentiary motions.

If, at any time during a motion, conference, hearing or proceeding  
conducted by telephonic or videoconferencing, the court determines a personal  
appearance is necessary by one or more of the parties, the court may continue the  
matter and require a personal appearance by one or more of the parties.

**(b) Telephonic or videoconferencing call not allowed.** Except as otherwise provided by statute or rule of court or as permitted by the court, telephonic or videoconferencing shall not be permitted for any of the following:

- (1) Trials; and
- (2) Evidentiary hearings.

***COMMENTS:***

*The intent of this rule is to promote uniformity in the practices and procedures relating to telephonic and videoconferencing for civil matters in the district courts of the State. To provide access to justice, promote judicial efficiency and to reduce litigation costs, the courts of the State should permit parties, to the extent feasible, to appear by telephonic or videoconferencing as provided by this rule.*

DATED: Honolulu, Hawai'i, April 22, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

