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SCRU-13-0000071

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the
HAWAI‘I PROBATE RULES

ORDER AMENDING RULE 11 OF THE
HAWAI‘I PROBATE RULES

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

IT IS HEREBY ORDERED that Rule 11 of the Hawai‘i Probate Rules is amended, effective July 1, 2022, as follows (deleted material is bracketed and stricken; new material is underscored) :

Rule 11. [~~TELEPHONE~~] TELEPHONIC OR VIDEOCONFERENCE CALL HEARINGS.

(a) Permissibility. The court, at its discretion, may allow a petition or other pleadings to be heard by telephone conference call or videoconferencing.

(b) Arranging Conference Call. The party who requests the telephone conference call shall be responsible for arranging the telephone conference call with all parties and the telephone conference call operator and ensuring that the call is arranged and ready for court participation at the time appointed for the hearing.

(c) Procedure. Prior to the start of the conference call, the clerk shall call the case in the courtroom and outside the courtroom or by public address system and direct anyone appearing for the hearing to the appropriate location for the hearing.

COMMENTS:

These rules formalize the procedures already in use in the Second, Third, and Fifth Circuits, and make them available to the First Circuit,

in the court's discretion. Their goal is to decrease costs of proceedings and improve efficiency by avoiding having parties and attorneys from other islands, or remote areas of an island, fly to the island where court is in session or drive long distances for simple matters. The person who requested the conference call shall be responsible for all arrangements with a conference operator and the parties and attorneys to ensure that the call is made to the court with all parties on line at the appropriate time.

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

