



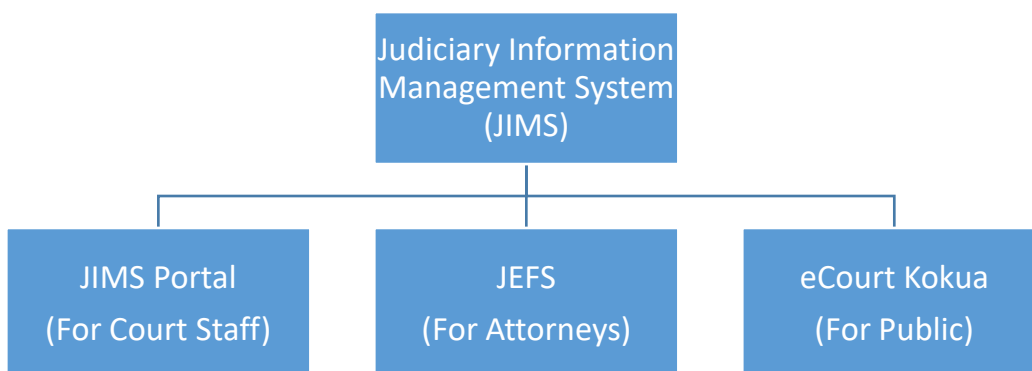
# Family Civil JEFS Frequently Asked Questions

(as of 04/08/22)

## GENERAL INFORMATION

### 1) What is JIMS, JEFS and electronic filing?

- a. JIMS is the acronym for Judiciary Information Management System which refers to the Hawaii Judiciary integrated statewide case management system. JIMS enables electronic access to court cases and case information for judges, attorneys, litigants, and other stakeholders through electronic filing, electronic bench warrants, data exchanges and online case search and document purchase.
- b. The JIMS application consists of 3 primary applications:
  - i. JIMS Portal for Court Staff only
  - ii. JEFS for registered attorneys and staff
  - iii. eCourt Kokua for the general public



- c. Access to JIMS case information by eligible and registered attorneys and registered unrepresented parties is through JEFS. JEFS is the acronym for Judiciary Electronic Filing and Service System also referred to as Electronic Filing or Efiling. JEFS allows

registered attorney users to electronically initiate cases, manage cases, and file documents in state appellate, criminal and civil cases.

- d. Attorneys must register as JEFS users and must electronically file their documents in JEFS. Attorneys will receive notice through JEFS when something is filed in one of their cases.
- e. Self-represented parties are to file documents at the courthouse unless they obtain permission to electronically file documents.
- f. All Family Court Civil cases except child welfare cases and juvenile delinquency cases will be included in JEFS/JIMS.

2) How much is this system like the filings in Appellate, Criminal and Civil cases? Can we use the same password we already have for the JEFS system?

- a. JEFS is the same basic system for e-filing for all supported cases types (Appellate, Criminal and Civil). There are minor differences in JEFS features for individual case types.
- b. If you are already a registered JEFS user, your JEFS login and password will remain the same.

3) If I currently use JEFS for cases types already in the system (e.g. civil, criminal, appellate) and my law firm is already set up to use JEFS, what do I need to do to e-file and electronically access Family Court Civil cases in JEFS?

- a. Once a JEFS user and law firm are set up to use JEFS, no further action is needed to access Family Court Civil cases, including e-filing.

4) For searching court cases, I used to search civil/family cases in Ho`ohiki and criminal/traffic cases in eCourt Kokua. Will there continue to be a Ho`ohiki system and what cases will be on the system?

- a. Effective April 25, 2022, Ho`ohiki will be deactivated. All non-confidential Family Court Civil and Criminal information will be available in eCourt Kokua.
- b. Please note that not all public documents will be available online through JEFS or the JIMS public interface, called eCourt Kokua. Particularly, all Family Court civil documents that were conventionally filed prior to the launch of JIMS Family Court Civil cannot be downloaded online because they will be retained in paper format at the courthouse and will not be scanned into JIMS.

## CIVIL JEFS TRAINING MANUALS and VIDEOS

### 5) Is there a "how to" video and/or training manuals?

- a. The JEFS Intro Training video, FC JEFS Training video, and JEFS Town Hall Meeting (04/01/22) are available on the Family Court Civil JEFS Info Page on the Judiciary Internet website.  
<https://www.courts.state.hi.us/family-court-civil-jefs-info-page>
- b. The JEFS Civil User Manual, JEFS Family Civil Users Guide, and JEFS Family Civil FAQs are also available on that web page.

## JEFS REGISTRATION

### 6) Can a staff member of a legal office be assigned a password so that he or she can file documents under the name of the law office?

- a. Rule 4 of the Hawaii Electronic Filing and Service Rules authorizes and provides for non-attorney assistants to electronically file on an attorney's or law firm's behalf. Staff must be part of a firm and attorneys in that firm are responsible for their staff's actions in JEFS.
- b. When registering for JEFS, attorneys select their role as "Attorney". Firm staff can also register in JEFS and will select their role as "Firm Staff".

### 7) How do the attorneys obtain a password and login for JEFS if they do not have one already? How do we setup our firm?

- a. Attorneys with an active Bar ID can register in JEFS. Once registered, your user ID will be provided on your screen so please write it down. An email will be sent to the email address you entered with your password information. If you do not have an organization administrator, contact the court to activate your account. Refer to the phone numbers on the eFiling page of the Judiciary website. You can find more information by watching the JEFS 101 videos available at [www.courts.state.hi.us/civiljefsinfo](http://www.courts.state.hi.us/civiljefsinfo).
- b. If you are unsure of your firm status, go to the [Civil JEFS Info](#) page to check the [List of all existing firm codes for JEFS account registration](#). If your firm is not listed, you may submit the [Request setup for a new firm; new firm name and/or organization administrator](#) form.

### 8) What is the secondary email address used for? Can I use my same user account that we used to upload our bar exam application?

- a. If you are an attorney representing a party on the case, the primary and secondary email addresses associated to your account will receive NEFs for that case.

- b. No, you cannot use the ID which you used for the bar exam. Please register for a new JEFS ID.

9) What is the Org Admin? How does one become an org admin or how do you change the org admin?

- a. For new firms or Org Admin set up use this form:  
<https://www.courts.state.hi.us/wp-content/uploads/2019/08/JEFS-Org-Admin-Form-2019.pdf>

10) Our process servers currently file their service documents at court for us. Will they have filing access or must they give it to us for us to file the proof of service?

- a. Process Servers hired by JEFS users cannot sign up to become JEFS users. They must return service documents to the JEFS user for e-filing. Process servers and messengers employed by JEFS users will not be able to file their documents at the courthouse.

11) Can a firm have multiple addresses, such as a firm that has offices on different islands/circuits?

- a. Law firms in JEFS are not linked to a physical address so one firm can have one JEFS registration but have multiple offices. However, it is also possible to set up different firm registration for offices on different islands. Registering this way will result in Firm-A Hilo not having access to Firm-B Maui office cases and vice versa.

## CASE TYPE

12) What is a case type?

- a. Family Court Civil cases in JEFS/JIMS are categorized into types of cases that generally correspond to how the cases were categorized in HAJIS/Ho'ohiki. For a listing of the specific case types in JEFS/JIMS, please refer to the JEFS User Guide.

13) Will there Assisted Community Treatment cases be a Case Type?

- a. Assisted Community Treatment cases should be created using the Family Court Miscellaneous (FFM) case type and the "Assisted Community Treatment" sub-type.

14) What is the "termination of parental rights" case type if child welfare cases are not in JEFS/JIMS?

- a. Termination of Parental Rights cases filed under HRS §571-61 through §571-63 are a Family Court Civil case type that is included in JEFS/JIMS. These are not the same as Child Welfare Cases filed under HRS Chapter §587A.

## 15) Will FC-S cases be part of JEFS one day?

- a. There are no plans at this time to include FC-S cases in JEFS/JIMS.

## SYSTEM AND CASE AVAILABILITY

### 16) What are the hours of operation for electronic court filing?

- a. The electronic filing system is available every day, including holidays and weekends. The system is shut down for maintenance each night from Monday through Saturday between midnight and 4:00 a.m. System maintenance is longer on Sundays from 12:00 a.m. to noon. The system may have slowdowns near midnight. System availability information can also be found on the [Judiciary's e-filing webpage](#).

### 17) Currently, to meet a filing deadline, a document must be presented to the clerk and filed before the specified deadline. With JEFS, is the time to file extended to midnight?

- a. The filing deadline for a day is before midnight unless there is a specific legal requirement for an earlier deadline or if the presiding judge sets a specific filing deadline in a particular case. Go to the Judiciary Efiling webpage for JEFS system availability. If you wait until a few minutes before midnight to efile, it is possible that you might not complete the efile process before the system goes offline.

### 18) How will we view, access and download case files and documents? What are the procedures for filing, viewing filed docs and docket availability/access?

- a. If you are a JEFS user, you do not need to pay to view or access documents that are available online in your active cases (My Cases, All Firm Cases). You may download the electronically filed documents in your active cases for free from your Manage Cases screen and print them if desired.
- b. When JEFS users electronically file through JEFS, they upload their documents and the image of the documents are usually accessible online within 20 to 30 minutes. On the other hand, if the documents are conventionally filed over-the-counter by a self-represented litigant, the clerk must scan the documents and then upload them to the docket in JIMS. Depending on the clerk's workload, it might take several days before those documents are viewable in JEFS/JIMS.
- c. Please note that not all public documents will be available online through JEFS or the JIMS public interface, called eCourt Kokua. Particularly, all Family Court civil documents that were conventionally filed prior to the launch of JIMS Family Court

Civil cannot be downloaded online because they will be retained in paper format at the courthouse and will not be scanned into JIMS.

- d. If you want to access court documents in your closed cases, or cases in which you are not a party, you need to pay to access the documents through eCourt Kokua. Individual documents are available for \$3.00 per document or 10 cents per page, whichever sum is greater. Subscriptions are available for \$125.00 per quarter or \$500.00 per year. A subscription entitles the subscriber to unlimited single downloads of public documents with a PDF icon during the term of the subscription. Do not subscribe unless you are sure you want the subscription. Your money will NOT be refunded.
- e. Publicly accessible court documents available in eCourt Kokua can be viewed without charge by visiting a courthouse and using one of the eCourt Kokua Kiosk public PCs generally located in the legal documents branch of the respective courthouse.

### 19) Can law firms pay for one subscription for all attorneys in the firm to access?

- a. A subscription purchase is associated to a single user ID. It is possible to purchase one subscription for a firm, however, this means that you will be sharing a single user ID and password which is not recommended.
- b. It is important to note that access to all documents in a case are free to the parties in the active case. So a subscription is not needed for parties to access documents in their cases.

### 20) After a matter is closed (terminated), how long will it be available on JEFS? How long are cases available in My Cases or All Firm Cases?

- a. Closed cases in JIMS are referred to as terminated. Terminated cases are no longer accessible from JEFS My Cases or All Firm Cases 90 days after the terminated date or 30 days after the last filing, whichever is more recent. JEFS Manage Cases is NOT a repository of all cases and is designed to assist in efilings for active cases and for additional efilings of motions, appeals, requests for attorney's fees, etc. for a short period after the case has been terminated. You can submit a filing on a terminated case at any time even if it is no longer accessible through JEFS My Cases or All Firm Cases. Once you file on a terminated case, you will then be able to view the case for 30 days after this filing from My Cases and All Firm Cases. If you need to access the documents in a terminated case, eCourt Kokua displays public cases and non-confidential documents may be purchased for a nominal fee.
- b. If a filing is made 90 days after the terminated date, but within 30 days of the last filing on the case, go to Manage Cases under My Cases or All Firm Cases in order to find the document. You will not find the document under My Documents or All Firm

Documents. JEFS is a case management system and is not meant to be a permanent, document archive for attorneys or self-represented litigants. Therefore, after this period, you will have to purchase a copy of a document.

- c. You may refer to the “Case availability in My Cases/All Firm Cases in JEFS” document from the [Civil JEFS Info](#) page.

*All	Is attorney a party on the case	And the Case Status is	And the Date Case Closed is	And the System Date of the Last Filing is	Case available in My Cases*
	No	--	--	--	No
	Yes	any active status	--	--	Yes
	Yes	CLOSEDS or Terminated	Under 90 days ago	--	Yes
	Yes	CLOSEDS or Terminated	Over 90 days ago	Under 30 days ago	Yes
	Yes	CLOSEDS or Terminated	Over 90 days ago	Over 30 day ago	No

Firm Cases uses the same logic for availability as My Cases. The only difference being that an attorney from the same firm as the logged in user must be a party on the case.

**21) If we need to file a post-decree motion in an old case, do we have to "create" that old case in JEFS or is it there?**

- a. All existing cases will be migrated into JEFS. You will not need to create it. Depending on the age of the case, you may need to look up the formatting of the case ID as it may have changed.

**LEGAL ASSISTANCE/LIMITED REPRESENTATION**

**22) For those of us who work with assisting pro se parties initiate cases, can you please go over that procedure?**

- a. If you are assisting self-represented litigants (SRLs) in completing their court forms, please continue to do so. Under the Hawaii Electronic Filing and Service Rules, SRLs cannot initiate a case through JEFS. If you create a case in JEFS for a SRL instead of having them conventionally file the initiating documents at the courthouse, you will be a party on the case in JIMS. The vast majority of SRLs will continue to file their documents conventionally at the courthouse.

**23) Did I hear correctly, non-parties can file documents in open cases? So attorneys who are assisting pro se parties with limited counsel, can help by filing documents on their behalf?**

- a. JEFS technically enables attorneys to e-file to any publicly accessible case in JEFS without: 1) adding themselves as a party to the case; or 2) representing a party in a case. To avoid

confusion and errors in document service, however, the Family Court recommends that attorneys not assist self-represented litigants by e-filing documents using their attorney JEFS accounts. Self-represented litigants should be encouraged to conventionally file their documents at the courthouse. An SRL may also request to become a JEFS user.

## **SELF REPRESENTED LITIGANTS**

### **24) Are unrepresented parties required to file documents electronically?**

- a. Self-Represented Litigants (SRLs) are not required to use JEFS and may still file conventionally. Under the Hawaii Electronic Filing and Service Rules, however, Self-Represented Litigants may request to become JEFS users to e-file and receive service via JEFS on an existing case.

### **25) On April 25, if a SRL party is filing a document in person at Family Court, do they only need to bring the originals since the filed version will be electronic?**

- a. Self-represented litigants filing conventionally at the Legal Documents Branch should continue to bring all of their original documents as well as the correct number of copies of the original documents as needed for service. The SRL provided copies will be conventionally filed, and certified for service (if necessary), returned to the SRL for service.

### **26) How to file documents and give notice to self-represented litigants (SRLs)?**

- a. If you are an attorney, you must e-file your documents through JEFS. Assuming that a self-represented litigant (SRL) is not a JEFS user, you will need to serve the SRL in accordance with the rules.

### **27) Do all parties need to have an attorney?**

- a. Parties do not need to have an attorney. Most SRLs, both plaintiff and defendant, will go to the courthouse to conventionally file their documents, including to initiate their case.



## ATTORNEY FILING REQUIREMENT AND FILING DEADLINES

28) If there are technical issues (as opposed to user error), could an attorney file a document manually the next day and have that filing considered timely provided the attorney serves all parties a courtesy copy of the filing on the date due?

- a. Attorneys are required to electronically file all documents. Attorneys should be aware that efile queues may slow down prior to system shut down at 12:00 a.m. This may relate to efile volume, network, and other technical variables outside of JEFS. This may occasionally cause the efile submission to fail to complete by midnight. To avoid this problem, please provide enough time to address technical issues prior to your filing deadlines.
- b. If JEFS is unavailable due to technical problems, attorneys should submit a paper document to the appropriate court clerk.
- c. If the efile system is unavailable due to a natural or unforeseen circumstance that closes the courts, the Supreme Court may extend the filing deadlines, as it has in the past.
- d. Whether a document is timely filed will need to be determined by the presiding judge.

## FILING FEES AND PAYMENTS

29) How can Filing Fee payments be made?

- a. The following forms of payment will be accepted:
  - i. For online payment in JEFS, NIC-Hawaii will accept VISA and MasterCard with a non-refundable 2.6% fee added to the total filing fee amount due.
  - ii. If the "Pay Later" option is selected in JEFS, payment must be made within 10 days of electronic filing. Forms of payment may be made in:
    1. Online in JEFS via Manage Payments
    2. Cash (only in person) at the courthouse
    3. Check (including business check), cashier's check or money order payable to: "Clerk of the Court" (in person or by mail).
- b. Please note: If the "Pay Later" option is selected and the total amount due is not received within 10 days, the document(s) will be stricken and the complaint may be dismissed.

30) If we initiate a case do we get a notice for payment of the filing fee electronically as well and can we pay via credit card right then and there?

- a. You will be receiving Notices of Electronic Filing to the primary address on your JEFS Account. You will be able to pay online, immediately after creating the case using credit card.

31) How secure is payment by credit card?

- a. At the time of e-filing, attorneys may choose to pay for filing fees using a credit card via Kala, the NIC-Hawaii secure online credit card system. While there is no additional charge for paying online by the court, there is a 2.6% processing fee assessed by HIC.
- b. HIC is a reputable company. It is contracted by the State of Hawaii and approved by the State Procurement Office to handle credit card transactions for the Judiciary's online traffic payment system among other things. In FY 2021, HIC collected online payments amounting to \$311 million for the State of Hawaii and the Counties (Note: From [HIC's FY2021 annual report](#)).

32) When submitting a payment due to court in person, do we need to submit to the Kapolei court?

- a. Payments for Family Court cases may also be made at Kaahumanu Hale.
- b. For Second Circuit payments can be made to Hoapili Hale, Suite 106, 2145 Main Street, Wailuku, HI.
- c. For Third Circuit, payments may be made in Hilo at Hale Kaulike, 777 Kilauea Avenue, Hilo, HI or in Kona at the Keahuolu Courthouse, 74-5451 Kamaka'eha Avenue, Kailua-Kona, HI 96740.
- d. For Fifth Circuit, in-person payments can be made at Pu'uhonua Kaulike Courthouse, 3970 Ka'ana Street, Lihu'e, HI.

33) For the initiation fee, if we click "fee waiver" request, does a form automatically pop up and if yes, will it require a client signature?

- a. When selecting a fee waiver, the JEFS system will require the e-filing of a completed and wet signed "Filing Fee Waiver Request" as a supporting document. A judge will review the request, and the attorney/requestor will be notified by a Notice of Electronic Filing (NEF) when the judge makes a decision.

34) If we are coming up to the 10 day payment deadline, will we be getting a reminder? OR will we have to monitor our cases?

- a. If the JEFS user chooses not to pay at the time of e-filing, they will be informed that they have 10 days to pay. After that notice, the JEFS system will not remind the JEFS user to pay the amount owed. However you may look at manage payments to see a list of your and/or your firms outstanding filing fees.

35) If I choose to mail in a payment or use a messenger, would the 10 day mark be my post marked stamp or when the court receives the payment?

- a. The court should receive payment within 10 days of e-filing the document.

36) For all motions that require a payment, if a payment is not made will the entire case be dismissed?

- a. The entire case would not be dismissed when timely payment is not received, unless the motion was part of case initiation.

37) For selecting who is responsible for payment of fees, it is concerning that all the parties and attorneys associated with the case are eligible for selection. In theory, I can be selected to pay another person's fees. What safeguards are in place to prevent this from happening?

- a. JEFS was designed for attorneys and is built on the assumption that, as officers of the court, attorneys will act appropriately. If there is a need to investigate activity that may be in violation of the court rules, the system will provide a log of all activity by ID. The court may then consider sanctions or other disciplinary action.

## **TYPES OF DOCUMENTS ELECTRONICALLY FILED**

38) How and when does the Summons get issued?

- a. Upon request, registered attorney JEFS users may obtain pre-signed and sealed electronic PDF subpoena and summons forms from the Legal Documents Branch. The pre-signed PDF subpoena and summons forms can only be used by Hawai'i State Bar members and will not be accessible on the Judiciary's Internet website.
- b. Per HRCP 45(a), Legal Documents Branch staff can also provide a hard copy, blank, signed, and sealed subpoena forms to attorneys and self-represented parties who appear in person at the courthouse and request them from Legal Documents.

39) So if we are served with a complaint for divorce - do we just search for the case and upload our answer to it?

- a. If you are served with a complaint for divorce, or are notified of the complaint by your client, you will: 1) access the specific case in JEFS; 2) add yourself to the case, associate yourself with your client; and 3) e-file your Answer.

40) Will we have to file Deposition Transcripts for use at Trial?

- a. Depositions will no longer be filed prior to trial. This is consistent with how the federal district court and circuit court civil handles the depositions. A deposition transcript will generally not be filed with the court, except if any portion of the transcript is read into the record in lieu of the live testimony of the deponent. Please refer to HFCR 32.

41) Are responses to discovery requests (answers to interrogatories, response to request for production of documents) also filed electronically?

- a. No. Please refer to HFCR Rule 5(h).

42) Are there any limits on the size of documents that can be filed?

- a. JEFS will only accept PDF documents that are less than 10MB. The number of pages that equals 10MB will allow for depends on the content and formatting of the document being submitted. You can break up documents that are larger than 10MB into smaller, separate PDFs.
- b. A document that is electronically generated in Microsoft Word, signed with a “/s/” signature, and saved as a PDF will be much smaller in file size than a scanned document with a wet signature.
- c. A document comprised fully of text will be much smaller in file size than a document that contains graphics or color images.
- d. Resolution of scanned documents should be set no less than 200 dpi and no greater than 300 dpi (dots per inch). Lower resolution scans will not print with sufficient quality and higher resolution scans will considerably increase file size.

43) If the user has Adobe Acrobat Professional, can PDF files can also be “optimized” to reduce their file size?

- a. Yes. See “Guide to Working with PDF Files” from the [Civil JEFS Info](#) page for instructions on optimizing pdfs.

44) How do we file documents that aren’t “Court Form” documents and must be done from scratch?

- a. Documents you create yourself are treated the same way as court form documents. They are scanned and uploaded to be filed in the case electronically or it can be generated in Microsoft Word, signed with a “/s/” signature and saved as a PDF file. Please comply with court rules regarding document formatting and minimum margin requirements.

45) How do we submit Exhibits?

- a. Exhibits which are documents may be filed via JEFS. For physical exhibits which are not documents, please continue with your current procedures.

46) When filing more than one exhibit with a lead document, does each exhibit need to be filed separately or can all the exhibits be filed together as one document?

- a. ANSWER: The lead document should be the exhibit list and the exhibits should be filed together as one supporting document.

47) Are exhibits for a trial or evidentiary hearing supposed to be efiled before they have been accepted into evidence?

- a. No, current practices are still in place – trial and evidentiary hearing exhibits are not filed prior to trial.

48) What is the utility in identifying a document as "lead document" versus "supporting document"?

- a. Lead and Supporting document indicators are used to help the court navigate the many electronically filed documents the court receives through JEFS. Please refer to the JEFS User Guide about when their use is recommended.

49) What happens when you have cases consolidated (e.g., FC-S, FC-A, FC-G). Does there need to be separate filings in each case?

- a. While the Family Court holds consolidated case hearings, there are no consolidated cases. Therefore, documents must be e-filed separately in each case/case type.

## CONFIDENTIAL AND SEALED DOCUMENTS

### 50) Where do we find a listing of which cases should be marked confidential?

- a. A listing of the categorically confidential case types is available in the JEFS Users Guide. The following types of cases are automatically confidential in JEFS as required by statute/court rule:
  1. Adult Abuse
  2. Adoption
  3. Assisted Community Treatment
  4. Emergency Examination – Adult
  5. Emergency Examination – Minor
  6. Guardianship (of the Minor)
  7. Guardianship Registration
  8. Involuntary Hospitalization – Adult
  9. Involuntary Hospitalization – Adult Mental Health
  10. Involuntary Hospitalization – Minor
  11. Involuntary Outpatient Treatment – Minor Mental Health
  12. Involuntary Outpatient Treatment – Adult Substance Abuse
  13. Juvenile Expungement
  14. Termination of Parental Rights (under HRS §571-61 through HRS §571-63)

### 51) Can we declare any document we want to as "sealed" just because we feel like it?

- a. While JEFS users have the ability to temporarily seal any document when e-filing, each sealed, e-filed document will eventually be reviewed by the court and other parties. The court can unseal improperly sealed documents. Attorneys should comply with applicable statutes and court rules when e-filing a document under seal.

### 52) If a case is confidential, what information will be publicly available?

- a. For Family Civil case types only, when you search for a party by name in a confidential case, eCourt Kokua will respond with “no results found” and the case ID will not be provided. If you search in eCourt Kokua by case ID and the Family Civil case is confidential, the case title will be redacted, and the system will note that, “The case you are attempting to view is confidential and not public record at this time.”
- b. Note that the above only applies to Family Civil case types. All other case types (e.g. criminal, circuit court civil) will continue to display as they do now.

53) If the documents are available on eCourt Kokua when we file, can't anyone purchase copies of our client's financial statements?

- a. Yes, the public will be able to purchase non-confidential documents through eCourt Kokua. Sealed documents are not available in eCourt Kokua. HCRR 9 should be followed when a non-confidential document contains personal information as defined in HCRR 2.19. Likewise, documents in confidential cases, including the case itself, are not available in eCourt Kokua. Ultimately, ensuring privacy in JIMS relies on attorneys to: 1) appropriately seal documents when authorized and; 2) consistently and correctly follow Rule 9 of the Hawaii Court Records Rules for non-confidential documents with personal information as defined by HCRR 2.19. The court may impose appropriate monetary or other sanctions upon parties or attorneys who do not properly comply with Rule 9, where the parties or attorneys have not shown good cause for failure to comply or a good faith attempt to comply with the rule.

54) So for our client's financial information, to preserve their privacy, do we file it / is it ok if we file a document as sealed, because it's not something we would seal ordinarily but they may not want it to be readily purchasable by the public.

- a. Attorneys must comply with applicable statutes and rules when sealing documents. It is not proper to just seal documents publicly available because they do not want it to be shared with the public. In regards to documents that include financial information, they should be accessible to the public when filed in case types that are open to the public (e.g. divorce). In publicly accessible case types, Rule 9 of HCRR must be followed. For case types in which filed documents are confidential by statute/court rule, the financial information will not be accessible by the public. The court can unseal documents which were not properly sealed.

55) If we are the ones sealing the document, can we see it?

- a. JEFS treats sealed and in camera documents differently. The attorney on the case will be able to see any sealed documents filed. No one other than the Judge on the case may see in camera documents. You should be able to provide a copy to your client of any sealed documents you have filed in their case.
- b. Certified copies of sealed documents are not available for purchase through eCourt Kokua. They can be obtained by contacting the Legal Documents Branch.

56) If a case by JEFS system default is designated as confidential (e.g. guardianship of a minor) must we still then self-select the box for an applicable document to be filed under seal?

- a. Confidential cases in JEFS/JIMS are not visible in eCourt Kokua, so marking the documents as sealed is not necessary, but may be advisable. Guardianships involving minors are confidential by statute. However, guardianship cases involving an incapacitated adult are not confidential.
- b. The default for the guardianship case type in JEFS, which includes guardianships involving minors and incapacitated adults, is confidential. However, as guardianship of incapacitated adult cases are open to the public, the court will need to make the case open to the public after the JEFS user initiates it as confidential. If the attorney chooses not to “seal” individual documents in these incapacitated adult cases, then those documents would become available to the public once the case is opened to the public. So, it is important for JEFS users to rely on their professional understanding of which case types and documents are confidential and which one are not.

57) What is difference between sealed and confidential?

- a. Cases are designated as confidential and documents are sealed.

58) Will Paternity cases be included in the automatic confidential cases in the Case Creation system?

- a. The confidentiality of paternity hearings and records required by HRS §584-20 do not apply to cases filed on and after January 1, 2021.
- b. The Judiciary has segregated its cases from before and after January 1, 2021. Paternity cases initiated prior to January 1, 2021 will remain confidential. Cases initiated after January 1, 2021 are non-confidential.
- c. Per HRS §584-20.5, the documents in non-confidential paternity cases will remain inaccessible to the public, but the document titles will be listed in eCourt Kokua.

59) Children's guardianships are automatically confidential, but guardianships of incapacitated adults are not. Can we please have this either separated or leave it to us to select "confidential"?

- a. Guardianship of a minor cases are confidential and guardianship of the incapacitated adult cases will be unsealed by the Legal Documents Branch at case initiation. It is not possible to separate the two forms of guardianship or allow you to select “confidential” at case initiation.



60) For divorce, the Matrimonial Action Information Sheet contains personal information under HCCR 9. Can this be set to automatic confidential?

- a. No. JEFS users will need to select the “sealed” checkbox when e-filing the Matrimonial Action Information sheet to make it confidential.

61) How should Hawaii Court Records **Rule 9** confidential/under seal documents such as death certificates be filed?

- a. The recently approved HFCR 7.2 categorically seals the following types of documents upon filing, even if the case type involved is open to the public:
  - Divorce Action Information/Matrimonial Action Information (MAI)/Civil Union Divorce Action Information (CUDA)
  - Notice/Order to Withhold Income (ONW)
  - Petition for Paternity (PFP)
  - Hawai'i Paternity Action Information
  - Confidential Information Sheet/Form A (HPAI)
  - Attachment for Information on Additional Children (ATTCH)
  - Birth certificate (BC)
  - Marriage certificate (DOC)
  - Death certificate (CD)
  - DNA testing results (MEDRE)
  - Court ordered professional evaluation (MEDRE)
  - Custody Investigation and/or Evaluation Reports (CER)
  - Guardian Ad Litem reports (GALR)
  - Kookua Kanawai reports (RKK)
- b. Prior to the electronically filing any document, the document should be reviewed for personal information as defined by HCRR 2.19. If such information appears in the document, then the document should be adjusted to comply with Rule 9.
- c. Filing parties who need to eFile a document with personal information in compliance with Rule 9 would need to:
  - i. Complete Rule 9 Form 1 (SCP349): Fly Sheet for Document(s) Containing Confidential Information. This document shall be eFiled in JEFS as a lead document without being sealed/in camera. The proper JEFS/JIMS document type code to use when efileing this document is “9INF”.

- ii. Complete Rule 9 Form 2 (SCP350) Confidential Information Form. This document shall be eFiled in JEFS as a sealed, supporting document. The proper JEFS/JIMS document type code to use when eFiling this confidential document is "9INFC". The "sealed" check box in JEFS also must be selected.
- iii. The filing party shall redact all the personal information as defined in HCRR Rule 2.19 from the document. This redacted document shall be eFiled in JEFS and made available to the public.
- d. The filing party shall provide to the court an unredacted version of the content document upon request.

## 62) Can we use initials for Notice to Attend Kids First?

- a. Yes. Attorneys should use the minor's initials on the Notice to Attend Kids first form and include the age of the minor in parenthesis.

## 63) What is the process to file a document under seal so opposing counsel cannot see it?

- a. In JIMS/JEFS, filing a document as "sealed" means that other parties in the case can view the document. Whereas, filing a document as "in camera" means that only the judge and their staff designees can view the document. The court can change the "in camera" designation.
- b. When making a request to electronically file a document in camera, the movant shall separately: 1) efile a motion requesting to make a document in camera such that the motion is viewable by the public; and 2) efile the confidential document "in camera".
- c. If the court grants the "in camera" motion, then the "in camera" document shall permanently remain in the record as "in-camera." If the court determines that the efiled document should not be sealed or made "in camera," the court will efile an order denying the motion and remove the in-camera designation.

## 64) Are confidential settlement letters "sent" to the court via e-filing as well?

- a. No. For First Circuit cases, confidential settlement letters should be delivered to the court conventionally via postal mail or hand delivery to Ho'okele.
- b. For Second Circuit, settlement letters should be delivered to the 3rd Floor, Family Court, Hoapili Hale, 2145 Main Street, Wailuku.
- c. For Third Circuit, confidential settlement letters should be mailed or delivered to Hale Kaulike, 777 Kilauea Avenue, Hilo, HI or the Keahuolu Courthouse, 74-5451 Kamaka'eha Avenue, Kailua-Kona, HI.
- d. For Fifth Circuit, confidential settlement letters should be mailed or delivered to Pu'uhonua Kaulike Courthouse, 3970 Ka'ana Street, Lihu'e, HI.

65) So if we file a document "in camera" we keep an unfiled copy for ourselves and our clients, and handwrite the date and time it was filed?

- a. Attorneys will be able to see the docket filing time and date but will not be able to see the document itself. Directly contact the court about getting a filed-stamped PDF of an in-camera document you have e-filed.

66) If a paternity case is marked confidential, and the documents following the judgement are needed for the child support, etc., how do we get the document -- do we have to go to the records room to get it?

- a. While a case is active, attorneys representing parties in that case will have access to non-in camera documents via JEFS My Documents/All Firm Documents. It would be good practice to download the documents you wish to preserve from JEFS during this time. Otherwise, documents from confidential cases and sealed documents in publically available cases must be requested at the courthouse.

67) For guardianship cases, how do our clients file the annual reports if the case is confidential -- and the system is accessible only to attorneys?

- a. Private guardians shall send their annual report to the Court (via Ho'okele or USPS mail), Office of the Deputy Chief Court Administrator, attention Program Specialist, Ronald T.Y. Moon Kapolei Courthouse, 4675 Kapolei Parkway, Kapolei, Hawai'i 96707. The court staff will e-file the annual report.
- b. Second Circuit users shall send their report to the Special Services Branch, Suite #206, 2145 Main Street, Wailuku, HI.
- c. For Third Circuit Family Court cases, Private Guardian Reports may delivered or mailed to the Hilo Family Court, 777 Kilauea Avenue, Hilo, HI 96720 or Kona Family Court, 74-5451 Kamakaeha Avenue, Kailua-Kona, HI 96740. Court staff will e-file the guardianship annual reports.
- d. For Fifth Circuit, annual reports may be mailed or delivered to Pu'uohonua Kaulike Courthouse, Special Services Division, 3970 Ka'ana Street, Suite 301, Lihu'e, HI, 96766-1283.

68) Can medical records be filed so they are not viewable by anyone but the court?

- a. In addition to being sealed, a document may be set to Restricted so that only certain parties may view it. Restricted Access is not a JEFS option; please contact the court staff to request to mark a document "Restricted access." Also, in camera may be used so that only the assigned Judge may view the document. In adoption cases,

medical records will be docketed into JIMS but the actual medical record documents will not be e-filed, nor viewable by all the parties. Please refer to the JEFS User Guide for more information.

**69) How does a third party appear and file (e.g. Motion to Quash Subpoena Duces Tecum)?**

- a. A JEFS user may e-file their motion in a non-confidential case even if they are not a party. If the case is confidential, the JEFS user can conventionally file the document at the courthouse. If the third party in this scenario is not a JEFS user, he/she must conventionally file the motion at the courthouse.

**70) For restricted documents, would the legal assistants also be given access or is it just attorneys?**

- a. The answer is a little complicated regarding Restricted access. If your legal assistant is using your ID (as is allowed under 4.3 of the HEFSR) they will have access. If the legal assistant has their own JEFS ID AND they are in the same Firm as you then they will have access via All Firm Documents. If the legal assistant has a separate JEFS ID and you are NOT in the same Firm then they will not be able to see the document.

**71) If the case type is automatically confidential, like an adoption, should we still check the confidential box when creating the case?**

- a. You will not have to because the box will be checked already. For the cases that are confidential by statute, the system will check the confidential check box and attorneys will not be able to uncheck the selection for these 5 case types: Adoption, Family Court Misc, Adult Abuse, Termination of Parental Rights and Guardianship. However, attorneys are expected to know when it is appropriate to mark other cases as confidential. Once the case is created by the JEFS user, court staff will have the ability to review and correct the case if it was made confidential in error. In guardianship of incapacitated adult cases, the Legal Documents Branch will manually uncheck the confidential box.

**72) If you file "in camera" will there be a notification that a document was filed in camera?**

- a. Yes.

**CERTIFIED/COURTESY COPIES**

**73) How will documents be certified?**

- a. Consistent with current Judiciary policy in both the State Appellate, Criminal and Civil courts, the certification fee will no longer be waived if certification of a filed document is requested at the counter.

- b. Electronically certified copies of publicly available documents can be purchased from eCourt Kokua. Electronic certification will appear in red on the bottom on the first page of the document. Conventionally certified court documents with embossing can still be purchased at the courthouse. If a certified copy is requested at the courthouse, the copy fee and certification fee will be charged.

Certified copies of sealed documents are not available for purchase through eCourt Kokua. They can be obtained by contacting the Legal Documents Branch.

- c. Once someone pays for a certified copy of a document through eCourt Kokua, they will have a PDF document from which they can print as many certified copies of that document as they want.
- d. Attorneys who have paid for electronically certified documents and bring in their receipt, may bring those documents to the Legal Documents Branch for conventional, embossed certification without charge. The number of embossed certified copies you can receive without additional charge equals the number of certified copies you paid for online.
- e. Documents that have already been conventionally certified are still valid.
- f. If anyone questions the authenticity of an electronically certified court document purchased through eCourt Kokua, ask them to verify the filed document themselves by looking it up in eCourt Kokua. Or they can contact the appropriate courthouse for verification.

#### 74) Does the initial filing fee include certification for any documents (such as the Complaint/Motions/Court Orders/Final Divorce Decree)?

- a. No. Filing fees and incurred court costs are separate. The court will not provide free certified copies of e-filed documents available to JEFS users.

#### 75) How do I get a certified copy? Once they are issued, how do we obtain certified copies of the Complaint for service on the defendants?

- a. Certified copies are NOT available in JEFS. Certified copies of public documents are available for purchase from eCourt Kokua.
- b. If a complaint was electronically filed, go to eCourt Kokua to purchase a document, choose "certified", pay for certification, and print. For a document 30 pages or less, the cost of a certified document is \$5.00 ( $\$.10 \times 30$  pages min. = \$3. Plus \$2 for certification).
- c. Note the court rules do not require that a certified copy of the Complaint be served.

76) When we file a Complaint for Divorce, do we have to purchase certified copies?

- a. You have free access through JEFS to file stamped PDFs for filed documents in your cases. You only need to purchase a certified copy for service when a certified copy is required by statute or court rule. There is no requirement in the court rules to provide parties with certified copies of the complaint or summons in divorce cases.

77) If a party has been granted a fee waiver, does that include the cost of certified copies?

- a. The fee waiver option in the system only applies to case filing fees, not to other court costs such as certified copies. A listing of both the [Family Court Filing Fees](#) and the [Circuit Court Costs](#) are available on the Judiciary website. A party may file a motion to request a waiver for the cost of certified copies.

78) I don't own a color printer; are black and white copies considered sufficiently certified for us to serve?

- a. JEFS users who electronically purchase and print certified copies in black and white may serve those copies.
- b. JEFS users who have paid for an electronically certified document, may also bring that document together with the receipt to the Legal Documents Branch to obtain a conventional, embossed certification without charge.
- c. Once the document is served, it is up to the recipient to accept the validity of the certification.
- d. Anyone who questions the authenticity of an electronically certified court document purchased through eCourt Kokua, may verify the filed document themselves by looking it up in eCourt Kokua (for a fee), or they can contact the appropriate courthouse for verification.

79) Can you use electronic filed copy to record with The Bureau of Conveyances?

- a. You will need to get a certified copy of the filing to record at the Bureau.

80) Is the certification fee automatically waived for a government agency?

- a. Except for state agencies, all others will need to pay for all certified copies (including Federal agencies). In order for State of Hawai'i agencies to obtain free certified copies, they will need to go to the records room and fill out a form to get their copies. The records room will print the certified copies from JIMS. They do not need to bring their own copies of the document.

81) Once we purchase and download a certified copy of a document online through eCourt Kookua, can we print as many certified copies as we like?

- a. Yes, you have the ability to print as many certified copies as you wish.

82) Will courtesy copies still need to be submitted to the Presiding Judge if a document is filed shortly before a hearing?

- a. Courtesy copies will not be required, but use your judgment especially if filing a document late or at the last minute. The Judge will not receive an NEF for new filings so will only see your late filing if the judge checks JIMS.

83) After the removal of the drop box on the first floor, how do we submit documents to the Court such as exhibits and courtesy copies?

- a. Exhibits can be dropped off at Ho'okele, better known as the Service Center. After April 25, 2022, courtesy copies will no longer be required in Family Court Civil cases unless ordered by the court.

## EX-OFFICIO FILINGS

84) Will Ex-Officio filings no longer be necessary?

- a. Ex-Officio filings and the fees associated with them will no longer be necessary if the documents are electronically filed through JEFS. However, if conventional filing is needed (e.g., video evidence on a DVD), then ex-officio filings will still occur.
- b. In most situations, for example, when an attorney who lives on Maui wants to file a document in Land and Tax Appeal court located on Oahu, that attorney can do so electronically in JEFS without incurring an ex-officio filing fee at the Wailuku courthouse.

85) If for some reason, JIMS is down on Maui, can we file the doc "ex-officio" on Oahu?

- a. If JIMS/JEFS system were to go down on Maui, the JIMS/JEFS system would mostly likely be down statewide due to: 1) the internet being down in downtown Honolulu, or 2) the JIMS/JEFS server going offline. In either situation, you probably would not be able to electronically file to JIMS/JEFS from Oahu or any other location. However, if the internet were to partially or fully go down only on Maui, then you could electronically file from Oahu. That would not be considered an "ex-officio" filing though, because JIMS/JEFS is a single, statewide e-filing system. Conventional filing would be available at the courthouse on Maui (ex officio). If electronic filing is being done via another circuit, the term or process of ex-officio is moot.

## EX PARTE MOTIONS

### 86) How do we electronically file Ex Parte motions?

#### **First Circuit**

- a. Please refer to the [JIMS Family Civil web page](#) for the respective circuit's JEFS User Guide.
- b. In First Circuit, , a JEFS user shall individually e-file:
  - The Ex Parte Motion
  - Proposed Order Granting/Denying the Ex Parte Motion
  - Motion
  - Proposed Scheduling Order/Notice of Hearing
- c. The Ex Parte Motion must be e-filed using the "Motion"/"Ex Parte Motion" document category/type.
- d. The Proposed Order must be e-filed using the "Order"/"Proposed Order\_\_\_\_\_" document category/type.
- e. If the Ex Parte Motion is granted, the calendar court clerk will e-file the Ex Parte Order and the scheduling order, then create an event in JIMS.
- f. If necessary, the filing party must conventionally serve self-represented parties who are not JEFS users.

#### **Second Circuit**

- a. For Second Circuit cases, please refer to the Second Circuit Judiciary Electronic Filing System User Guide, Ex-Parte Motion Procedure.

#### **Third Circuit**

- a. For Third Circuit Cases, please refer to the Judiciary Electronic Filing System User Guide for Family Court Civil Cases in the Third Circuit.

#### **Fifth Circuit**

For Fifth Circuit, attorneys should efile Ex Parte Motions together with the proposed order as one document entitled "Ex Parte Motion for \_\_\_\_\_; Order Granting \_\_\_\_\_." The procedure is as follows:

- a. Filing party shall efile the Ex Parte Motion together with the proposed order as one document. The document shall be titled "Ex Parte Motion for [fill-in]."
- b. The Ex Parte Motion and Order will be reviewed by the assigned Judge. Once the Judge signs the Order, court staff will then electronically separate the order from the



Ex Parte Motion for e-filing as a stand-alone document. The Order for the Judge's signature shall include the attorney caption.

- c. Denied orders will be notated "Denied" and efiled by the court staff.
- d. Order granting will be filed by the court staff.

## **NOTIFICATION OF ELECTRONIC FILING (NEF)**

87) How does the NEF constitute service of a Complaint when there is no entry of appearance for the Defendant at that point? Could plaintiff's attorney just assume who attorney for defendant is and attempt to get around proper service? Is that what is intended?

- a. Please refer to Rule 4(a) of the Hawai'i Family Court Rules.

88) With e-filing, will notice of a filing and/or copy of the filing be distributed automatically to the parties and/or recipients on record in the case?

- a. Only JEFS users who are parties to the case will receive a NEF. Self-represented litigants (SRLs) who are not JEFS users will still need to be served through conventional means – US Mail or personal delivery – as currently required by court rule.

89) How does a firm stop an attorney from receiving NEFs once that attorney leaves the firm?

- a. If your firm is set up in JEFS, your Organization Administrator can "Reject" and then "Remove" the attorney from the firm in JEFS. Rejecting will disable the attorney's ability to create cases or submit filings on existing cases for the firm. Removing will disassociate the attorney from the firm so that the attorney will no longer be able to see cases under My Cases nor My Firm Cases for that firm. The Org Admin should then contact the court to Deactivate the user to stop the NEFs. If you are unsure of your firm status or who your Org Admin is, you can email [helpdesk.requests@courts.hawaii.gov](mailto:helpdesk.requests@courts.hawaii.gov) for assistance.
- b. If you wish to request setup for an Organization Administrator for your firm, please submit the [Request setup for a new firm; new firm name and/or organization administrator](#) form which can be found on the [Civil JEFS Info](#) page.

90) If you're added on to a case in the middle of the proceedings, do you automatically receive the efiled documents or is there something you need to do to get added to the case?

- a. After you add yourself as an attorney to a case, you will automatically receive an NEF via email for every document that is subsequently filed to that case. You will need to log into JEFS to actually view/download the PDF document.
- b. Once an attorney efiles the document, the PDF should be viewable in JEFS within 20-30 minutes of efilng. However, if a self-represented litigant conventionally files a document, the PDF may not be viewable in JEFS for a few days depending on the clerk's workload.
- c. To view/download documents that were efiled prior to you being added to the case, you will need to log into JEFS and manually access those documents.

91) If I file something and the Court rejects my submittal, how will I be notified? Will the filing date and time be the original defective submittal or will the filing be as of the submittal of the corrected document(s)?

- a. When you efile, the system will automatically acknowledge your filing by applying a file stamp to any uploaded documents before the court has a chance to review it, much less reject it. Therefore, this scenario will not occur.

## PAPER COPIES

92) With e-filing, will notice of a filing and/or copy of the filing be distributed automatically to the parties and/or recipients on record in the case?

- a. Only JEFS users who are parties to the case will receive a NEF (Notice of Electronic Filing). Self-represented litigants who are not JEFS users will still need to be served through conventional means – US Mail or personal delivery – as currently required by court rule.

93) When, if ever, will hard copies need to be filed?

- a. For the most part, attorneys will not need to conventionally file paper copies. There are some exceptions such as medical records in adoption cases. Also, if JEFS/JIMS ever goes down for a long period of time conventional filing may be ordered.

## 94) Does this electronic filing system apply to all circuits?

- a. Yes, electronic filing applies to all Family Court civil cases statewide.

## HEARING DATES

### 95) How do we obtain hearing dates?

- a. In divorce and civil union cases filed in the First Circuit, the JEFS user requesting a hearing will e-file a motion and separately e-file a Proposed Scheduling Order/Notice of Hearing as a supporting document.
- b. Motions requiring hearing dates should be e-filed using the "Motion" / "Motion For \_\_\_\_\_" document category/type or a more specific document description
- c. Proposed Scheduling Orders/Notices of Hearing filed with motions should be e-filed using the "Order"/"Proposed Order\_\_\_\_\_" document category/type.
- d. The court clerk will e-file a scheduling order and schedule the event in JIMS. The filing party must conventionally serve self-represented parties who are not JEFS users.
- e. For Third Circuit Cases, hearing dates may be obtained for Hilo cases by emailing their request to: [hilofc01.3cc@courts.hawaii.gov](mailto:hilofc01.3cc@courts.hawaii.gov) for hearings before Judge Darien Nagata; or [hilofc02.3cc@courts.hawaii.gov](mailto:hilofc02.3cc@courts.hawaii.gov) for hearing dates before Judge Jeffrey Ng. Hearing dates may be obtained for Kona cases by emailing their request to: [KonaFC.3CC@courts.hawaii.gov](mailto:KonaFC.3CC@courts.hawaii.gov). In the alternative, JEFS users may e-file their motion; then separately file a Proposed Notice of Hearing. After the hearing date is scheduled, the court will efile the Notice of Hearing.
- f. For Fifth Circuit, attorneys may obtain a hearing date by sending an email to:  
Courtroom 1: [Courtroom1.5CC@courts.hawaii.gov](mailto:Courtroom1.5CC@courts.hawaii.gov)  
Courtroom 3: [Courtroom3.5CC@courts.hawaii.gov](mailto:Courtroom3.5CC@courts.hawaii.gov)  
Please refer to Fifth Circuit's upcoming JEFS User Guide for further guidance.

## ORDERS

### 96) Do attorneys submit proposed orders by delivering them to the Judge's chambers or will the judges be given an email address?

- a. Neither. Attorneys are to efile proposed orders, judgments and decrees in JEFS with a cover sheet as the first page. For disputed orders, the party shall efile a Notice of Submission with the proposed order attached.
- b. Judges will modify the documents as needed, and either apply their /s/ signature or wet sign the documents. Court employees shall eFile the final, signed orders/judgments/decrees in JIMS. The party who prepared the order shall be

responsible for serving a copy of the eFiled order/judgment/decree to self-represented litigants.

- c. Upon request, attorneys shall provide the court with a word processing version of the proposed document (Note: This should only be necessary if extensive editing of the proposed document is required).

**97) For orders signed by judges, who will be uploading it to JEFS?**

- a. Court employees shall efile the final, signed orders/judgments/decree into JIMS, but the party who prepared the order shall be responsible for conventionally serving a copy of the efiled order/judgment/decree to any self-represented litigant.

**98) How specifically are we supposed to submit proposed HFCD 58 orders that in the past other attorneys would sign? Am I supposed to mark an /s/ for another attorney? Same thing with stipulations?**

- a. Per Hawaii Electronic Filing and Service Rule 5.1, lawyers shall be required to use “/s/” signatures in orders and judgments that are presented to the court for execution. A document that is required by Rule 23 of the Rules of the Circuit Courts of the State of Hawaii to be approved as to form should be circulated to all other lawyers and parties in the case for review and approval as to form. Documents may be circulated by email, conventional mail, or hand delivery for approval by JEFS users. If there is a non-JEFS user party, the document should be wet signed by that party.

**PARTY AND ATTORNEY ADDITION/REMOVAL FROM CASE**

**99) Can you add an attorney to the case who has not signed up on JEFS?**

- a. Attorneys should not add other attorneys representing other parties to a case in JEFS, regardless if the other attorney is signed up for JEFS or not. Once conventional service occurs, the other attorney will add themselves as a party to the case in JEFS.

**100) So, if the initiating attorney did not know that I was the attorney for the other side - I will be able to enter my information as the attorney right?**

- a. JEFS Users should not add attorneys representing other parties to a case. You can add yourself to a case as long as the case is not confidential. Search for the case number and add yourself via Submit Filing on Existing Case. If a case is confidential, you will need to contact the court to have them add you to the case. You should

know that attorneys may not remove themselves from a case and must contact the court to do so.

**101) If the information for my client is incorrect, can I correct it?**

- a. Editing party information requires court staff intervention.

**102) How does an attorney get removed from a case?**

- a. Only the court can remove or end date an attorney or party from a case. The authorization required and removal process is dependent on the status of the case. Please refer to the JEFS User Guide and HFCR 87.

**103) Will the attorneys automatically be end dated 30 days after the entry of the final judgment?**

- a. There is no automation in the system in regards to attorneys being end dated on a case. If the case is terminated, per HFCR Rule 87(a), an attorney should e-file a Notice of Withdrawal at the conclusion of the case. Appropriate court staff are authorized to end date an attorney from these cases.

**104) If the court allows an attorney to withdraw as the attorney for a party - how do we remove ourselves as the attorney?**

- a. After the court approves the withdrawal of an attorney from a case, the court staff will be responsible for end dating the attorney on the case so he/she no longer receives NEFs on that case. If a JEFS user believes they are incorrectly receiving NEFs in a case, they should contact the court.

**105) What do we do when a party has multiple user IDs? Are there any automated system checks to prevent the creation of duplicative Party IDs? And is there any way to request reconciliation of multiple party IDs for a singular party?**

- a. Currently you may select an existing ID or create a new one if you are not sure that the ID matches your client. There are no automated system checks to prevent the creation of multiple Party IDs for the same person. You may request that the court consider merging party IDs, but the court may not grant such a request due to the research required and risk of introducing misidentification into court records.

**106) For ACT cases we have to notify other interested parties (i.e. mother, father, adult siblings and/or adult children). Does this mean these people are added to the case as interested parties?**

- a. Currently in Assisted Community Treatment cases, the interested parties listed in your question are not typically added to the case. This would not change with JIMS

Family Civil. If you have any questions regarding a specific situation with a potential party, please contact the court.

**107) Can a paralegal with a user name be attached to a case so they get notifications on their assigned cases?**

- a. Ideally, only parties on the case will be added to the case. NEFS will be sent to the attorneys on the case at their primary e-mail address and to their secondary email address.

## **COURT FORMS**

**108) Have the existing family court forms been modified to reflect changes from the e-filing system and rules? If not, is this ongoing and when will we see new forms?**

- a. Forms are in the process of being updated. While we anticipate this work will be completed prior to the launch of JIMS Family Civil on April 25, we do not have a firm date on when they will be ready.
- b. For Third Circuit, updates to the existing family court forms is in process. As they become available, they will be uploaded to the Judiciary website. In the event that the form has not been updated prior to the launch of JIMS Family Civil on April 25, a "Cover Sheet" will be available for use by JEFS users.

**109) When is a cover sheet required?**

- a. All proposed orders/judgments and/or documents requiring the judge's signature should be filed with the first page of the document being a cover sheet and titled as "proposed", regardless of where/what page the judge's signature appears. For example, if submitting a Motion to Set Order, the first page of the document would be titled "Proposed Motion to Set Order" and the next page of the document would be titled "Motion to Set Order."
- b. For orders submitted with the ex parte motion, the order should be filed separately from the ex parte motion. The ex parte motion would be the first document filed and the order would be the second document to file. The first page of the order is the cover sheet which would be entitled "Proposed Order re Ex Parte Motion ...". By filing the motion and order separately in this manner, it will allow the judge to extract the order for signature then filing the order with a file stamped date reflecting when Judge signed the order. Please note that the first page of any document which will be filed should have at least a 3-inch top margin or a 3-inch by 3-inch in the top right corner to accommodate the electronic JIMS filing stamp and there should be a 1.5 inch margin left blank on the bottom of the page to allow for the certification of any document.

- c. For Second Circuit cases, please refer to the Second Circuit Judiciary Electronic Filing System User Guide, Ex-Parte Motion Procedure.
- d. For Third Circuit cases, please refer to the Judiciary Electronic Filing System User Guide for Family Court Civil Cases in the Third Circuit for the Ex Parte Motion procedures.

## GENERAL QUESTIONS

110) When we upload the documents do we upload each document separately - for example - one document would be complaint and summons; the next one would be the MAI or can we upload all documents together?

- a. Generally speaking, documents should be filed separately with a lead document as appropriate. Please refer to the JEFS User Guide for more information, or contact the court.

111) Can searches be made online to see if a person has been involved in other court cases?

- a. Full and partial name searches can be done in eCourt Kokua, but they may not be complete for a variety of reasons (e.g., the case is confidential, the person has changed their name). Also, because specific, personal information (e.g., date of birth) is not available in this publicly available interface, it may be difficult to confirm the identity of a person involved in a case if there are multiple people who share the same name.

112) Does the JIMS/JEFS system negate the need for a certificate of service or sending a copy to opposing counsel?

- a. Yes, because all attorneys are JEFS users and will receive Notices of Electronic Filing (NEFs). If any party is not a JEFS user, a Certificate of Service would be required for those parties.

113) What are special characters? Can I copy and paste text into JEFS from Word or Wordperfect?

- a. Do not use special characters in JEFS. Special characters are those characters which do not have a dedicated key on the keyboard (e.g., section symbol “§”).
- b. Do not copy and paste text from Word or Wordperfect into the Document Name, Case Title or Extended Case Title fields in JEFS. Although not visible from JEFS, special characters are created when using cut and paste from Word or Wordperfect which will result in an error that will prevent the user from opening the pdf after the case is submitted.

You may copy and paste text using Notepad which is a simple text editor in Windows. However, in Notepad you will need to be on the lookout for apostrophes, double quotes and okinas. Notice how the single quote, double quote and okina appear as a straight line, no curvature. If these do not appear as shown below, retype these characters in Notepad before copying and pasting your text into JEFS.

Apostrophe (')

Double quote (")

Okina (`)

- c. If you attempt to type a special character in the Document Name, Case Title or Extended Case Title, the special characters will be removed and replaced with a blank space.

#### 114) What is the Case ID format when entering my Case ID in JIMS?

- a. The format to use when looking up cases in JEFS/eCourt Kokua for cases initiated after April 25, 2022, through JEFS/eCourt Kokua is: "1FDV-22-100" where "1" stands for First Circuit; "FDV" represents the divorce case type; "22" represents the year 2022 for the year of filing; and "100" refers to the case number. For cases initiated prior to April 25, 2022, the cases are formatted differently and a guide to searching for these cases is available on the Judiciary's [eCourt Kokua web page](#).

#### 115) Are the attorneys able to reopen a case? For example, to file a motion for post decree in an old case?

- a. Attorneys may file on any Family Civil case regardless of its age or status in JEFS as long as you have the case ID. The filing will not automatically re-open the case, but Court staff will receive the filing and take appropriate action.

#### 116) Will BIFFs and GALs be able to file their reports in JEFS?

- a. If the Best Interest Fact Finders (BIFFs) and Guardian Ad Litem (GALs) filers are not attorneys, they will not be able to use JEFS to e-file documents and should continue to file their documents conventionally.

#### 117) After the removal of the drop box how are we to submit motions in an FC-S?

- a. These documents should be dropped off on the second floor at the Judicial Services Client Branch.



118) For “handwritten” signatures are HelloSign, DocuSign, or Adobe Sign

- a. The court rules do not prohibit the use of electronically signed documents executed through electronic signature services such as HelloSign, DocuSign, or Adobe eSign. Please check with the court before using these services.

## **CONTACT INFORMATION**

119) Is there a help line for JEFS questions?

- a. Attorneys may contact the court through their regular communication channels. Between April 25 – May 20, 2022, however, the Judiciary will have a separate hotline that attorneys can call for support. Please refer to the respective circuit’s JEFS User Guide or the Judiciary website.

120) Who can we contact for problems after work hours and on weekends?

- a. The Judiciary does not offer live customer support for JEFS users after work hours or on weekends. If you are not comfortable with using JEFS, we suggest that you electronically file your documents during business hours sufficiently prior to any deadline so that you can contact the court staff if you are unable to efile successfully. You can also go to the JIMS Family Civil JEFS Information website for Help Information at: <https://www.courts.state.hi.us/family-court-civil-jefs-info-page>