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SCMF-21-0000381

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the
SMALL CLAIMS ONLINE DISPUTE RESOLUTION PILOT PROJECT

ORDER EXTENDING SMALL CLAIMS ONLINE DISPUTE RESOLUTION PILOT
PROJECT IN THE DISTRICT COURTS OF THE STATE OF HAWAI‘I
(By: Recktenwald, C.J., Nakayama, McKenna, Wilson, and Eddins, JJ.)

Upon consideration of the Standing Committee on Innovations, Technology, and Self-Represented Litigants' report to this court regarding the status of the Small Claims Online Dispute Resolution ("ODR") Pilot Project, which was established by order entered June 23, 2021 (effective July 1, 2021) in an effort to increase access to justice through the use of a digital space in which parties in Small Claims matters may resolve their disputes in a timely and convenient way, and recommendation,

IT IS HEREBY ORDERED that:

1. The ODR Pilot Project pilot period is extended for an additional twelve (12) months, from July 1, 2022 and

expiring on June 30, 2023, unless further extended or made permanent by order of this court.

2. During the extended pilot project period:

a. The ODR Pilot Project shall continue for all circuits with electronic guided forms and filing and negotiation between parties.

b. The negotiation period between parties shall be extended from two (2) days to seven (7) days.

c. Online mediation services shall be suspended and traditional mediation services through each circuits' local mediation center shall take place.

d. In all other respects, the ODR Pilot Project established pursuant to the June 23, 2021 "Order Establishing a Small Claims Online Dispute Resolution Pilot Project in the District Courts of the State of Hawai'i" remains in effect.

3. The Standing Committee on Innovations, Technology, and Self-Represented Litigants shall submit to the supreme court additional reports on the pilot project -- (1) the first report is due on December 30, 2022; and (2) the second report is due on March 30, 2023. The reports shall set forth: (1) the number of matters included in the pilot project; (2) how and whether the pilot project increased the participation rate of parties in Small Claims matters; and (3) any other information to determine whether the pilot project has yielded

the benefits envisioned by this proposal. The second report shall also set forth a recommendation regarding the long-term or permanent implementation of the pilot project. The Committee may request an extension of these deadlines for good cause.

DATED: Honolulu, Hawai'i, April 12, 2022.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Michael D. Wilson

/s/ Todd W. Eddins

