

STATE OF HAWAII FAMILY COURT FIRST CIRCUIT	CASE ID/NUMBER _____
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**ORDER APPOINTING  
VOLUNTER SETTLEMENT MASTER**

By Stipulation

PLAINTIFF/PETITIONER,  
v.

DEFENDANT/RESPONDENT.

HEARING DATE:

PRESIDING JUDGE:

**COURT USE ONLY**

This document is prepared by  
[ ] Self-Represented ☐ Plaintiff/Petitioner  
☐ Defendant/Respondent  
[ ] Attorney for ☐ Plaintiff/Petitioner  
☐ Defendant/Respondent

\_\_\_\_\_  
Name (and if applicable, Attorney No.)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
E-Mail Address

**ORDER APPOINTING VOLUNTEER SETTLEMENT MASTER**

The trial herein [ ] is set for the week of \_\_\_\_\_. [ ] has not been set.  
A Settlement Conference [ ] is set for \_\_\_\_\_. [ ] has not been set.

Taking judicial notice of the records and file and based on the representations and record made, IT IS HEREBY ORDERED that:

1. The Family Court appoints the following Volunteer Settlement Master ("VSM") in this case pursuant to Rule 53 of the *Hawai'i Family Court Rules*:

Name of VSM: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-Mail: \_\_\_\_\_

2. The VSM process shall be as follows:

- a. A meeting with the VSM shall occur prior to the VSM Return Hearing on:
- b. Following service of this Order upon the VSM, the VSM will notify the involved attorneys and self-representing parties of the date, time, and location of the VSM meeting. The VSM shall have the authority to set the date, time, and location of the VSM meeting.
- c. One week before the meeting with the VSM, each involved attorney and self-representing party shall provide the VSM with a:
  - (1) confidential settlement letter describing the party's true settlement position;
  - (2) current Asset and Debt Statement (if applicable);
  - (3) current Income and Expense Statement (if applicable);
  - (4) current Child Support Guidelines Worksheet(s) (if applicable);
  - (5) Property Division Chart(s) (if applicable);
  - (6) Proposed Parenting Plan (if applicable);
  - (7) most recent settlement proposals exchanged between the parties; and
  - (8) Other: \_\_\_\_\_.

Any involved attorney and self-representing party may also provide the VSM with relevant exhibits, witness lists, and any other relevant documents and information which may be useful to resolving this case.

3. VSM Fees, Duties, and "Report from VSM":

- a. The VSM shall not be called as a witness.
- b. The VSM shall serve without compensation.
- c. The VSM shall have the authority to confer with the Settlement Judge.
- d. The VSM process shall be subject to Rule 408 of the *Hawai'i Rules of Evidence*. The VSM shall not confer with the assigned Trial Judge.
- e. The VSM shall serve from the date the VSM is served with this Order until the VSM files the "Report from the Volunteer Settlement Master" ("VSM Report") with the Family Court. Once the VSM Report is filed, the VSM is discharged from this case.
- f. The VSM shall not be required to devote more than 3.5 hours of their time in settlement session, but may do so if the VSM deems appropriate. The VSM may, prior thereto, withdraw from service without Court permission if the VSM deems it appropriate.

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g. If a full or partial settlement is reached, the VSM may assist the parties in memorializing their agreements by drafting a memorandum of settlement, stipulated agreement and order or final decree to be signed by all parties and counsel (if any), or may direct the attorney (if any) to draft such memorandum of settlement, stipulated agreement and order or final decree.

h. Upon their discharge, the VSM shall provide the participants with a link (provided by the Mediation Center of the Pacific) to the “Questionnaire for Volunteer Settlement Master (VSM) Participants” and shall complete the electronic “Questionnaire for Volunteer Settlement Master (VSM)” for the Mediation Center of the Pacific (“MCP”).

4. Duties and Responsibilities of Self-Representing Parties and Involved Attorneys:

a. Within forty-eight (48) hours of the filing of this Order, the Plaintiff/Petitioner or their attorney, if any, shall serve the VSM with a copy of this Order. The Plaintiff/Petitioner or their attorney, if any, shall then file a *Certificate of Service* confirming that this has occurred.

b. If a full settlement or partial settlement is achieved, the attorneys (if any) or self-represented litigants shall:

(1) Contact the Court to request a time and date to place the full or partial settlement on the record, or

(2) Appear at the VSM Return Hearing to place the full or partial settlement on the record (note: both parties must appear to place a full or partial settlement on the record), or

(3) Submit a signed stipulated agreement and order or final decree, and submit a stipulated agreement and order to set aside any future hearing dates, including the VSM Return Hearing, provided those hearing dates are no longer needed.

c. Within seven (7) days of the VSM's discharge, the parties and all involved attorneys shall complete the “Questionnaire for VSM Participants” and return it to MCP.

5. The parties hereby agree that, in consideration of the VSM's willingness to serve, the VSM shall not be liable to the parties for any act or omission made in the performance of their duties.

6. Failure to comply with the terms of this Order may result in the imposition of sanctions and other such relief that the Court determines to be just and proper.

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7. Contact Information for the Parties:

	PLAINTIFF/PETITIONER	DEFENDANT/RESPONDENT
Name:		
Address:		
City, State, Zip Code:		
Cell/Home Phone No.		
Work Phone No.		
E-Mail Address		

8. Contact Information for the Attorneys:

	PLAINTIFF/PETITIONER'S ATTORNEY	DEFENDANT/RESPONDENT'S ATTORNEY
Name:		
Address:		
City, State, Zip Code:		
Cell/Home Phone No.		
Work Phone No. Cell		
E-Mail Address		

DATED: Kapolei, Hawai'i, \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM AND CONTENT:

\_\_\_\_\_  
Signature of Plaintiff/Petitioner

\_\_\_\_\_  
Signature of Defendant/Respondent

\_\_\_\_\_  
Signature of Plaintiff/Petitioner's Attorney

\_\_\_\_\_  
Signature of Defendant/Respondent's Attorney