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Supreme Court
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SCRU-10-0000115

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

In the Matter of the
RULES OF THE DISTRICT COURTS OF THE STATE OF HAWAI'I

ORDER AMENDING THE RULES OF THE
DISTRICT COURTS OF THE STATE OF HAWAI'I

(By: Recktenwald, C.J., McKenna, Eddins, Ginoza, and Devens, JJ.)

IT IS HEREBY ORDERED that Rule 17 of the Rules of the District Court of the State of Hawai'i is amended, effective January 1, 2026, as follows (deleted material is bracketed and stricken; new material is underscored):

Rule 17. CONDUCT OF A TRIAL.

(a) **Sequence of presentation.** Subject to the orders of the court, which may alter the sequence of presentation of the case when there are numerous parties or for other reasons:

(1) The plaintiff (or the prosecuting officer in a criminal case) shall have the right to make an opening statement. The defendant shall also have the right to make an opening statement, either immediately after the plaintiff's or the prosecuting officer's statement or at the beginning of defendant's case.

(2) the plaintiff or prosecuting officer shall produce the evidence on ~~his or her~~ their part.

(3) The defendant may then open the defense and offer evidence in support thereof.

(4) The parties may then respectively offer rebutting evidence only.

(5) When the presentation of evidence is concluded, unless the case is submitted on either side or both sides without argument, the plaintiff or prosecuting officer shall open the argument; the defendant may then reply; and the plaintiff or prosecuting officer may conclude the argument, and in the conclusion shall confine themselves to answering any new matter or arguments presented by the defendant.

(b) Limitations on number of counsel. Except by leave of court:

(1) Only one counsel for each party shall examine and cross-examine the same witness or be heard on any question.

(2) No more than two counsel shall appear for any party on the trial.

DATED: Honolulu, Hawai'i, July 9, 2025.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens

