

Re: Proposal to amend the Hawai‘i Rules of Court
Hawai‘i Rules of Penal Procedure;
Hawai‘i Rules of Civil Procedure;
Hawai‘i Probate Rules;
Rules of the Land Court;
Hawai‘i Family Court Rules;
Hawai‘i Civil Traffic Rules;
District Court Rules of Civil Procedure;
Hawai‘i Rules of Appellate Procedure; and,
Hawai‘i Board of Bar Examiners Rules of Procedure.

DEFINITION OF “HOLIDAY”

The Supreme Court of Hawai‘i seeks public comment regarding proposed amendments to the definition of “holiday” across the following court rules:

- Hawai‘i Rules of Penal Procedure, Rule 45
- Hawai‘i Rules of Civil Procedure, Rule 6 and Form 31
- Hawai‘i Probate Rules, Rule 10
- Rules of the Land Court, Rules 1 and 53
- Hawai‘i Family Court Rules, Rules 6 and 77
- Hawai‘i Civil Traffic Rules, Rule 21
- District Court Rules of Civil Procedure, Rules 6, 12, and 77
- Hawai‘i Rules of Appellate Procedure, Rules 26 and 45
- Hawai‘i Board of Bar Examiners Rules of Procedure, Section 1.14

The Ramseyer version of the proposed rule amendments are attached. For the rule amendments, the proposed language to be added is underscored, and the language to be deleted is bracketed and stricken as illustrated in this [example].

Comments should be submitted in writing **no later than Friday, February 6, 2026** to the Judiciary Communications & Community Relations Office by mail to 417 South King Street, Honolulu, HI 96813, by facsimile to 808-539-4801, by e-mail to pao@courts.hawaii.gov, or via the [Judiciary website](#).

Attachment.

**PROPOSED AMENDMENTS TO THE
HAWAI'I RULES OF PENAL PROCEDURE**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

Rule 45. TIME.

(a) **Computation.** In computing any period of time, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, a Sunday, or a holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a holiday. When a period of time prescribed or allowed is less than 10 days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation. Computation of the period set forth in Rule 5(a) shall be based on the actual time elapsed without regard to the exceptions set forth in this rule. As used in these rules, "holiday" shall mean ~~includes~~ any day designated as such pursuant to Section 8-1 of Hawai'i Revised Statutes.

**PROPOSED AMENDMENTS TO THE
HAWAI'I RULES OF CIVIL PROCEDURE**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

Rule 6. TIMES.

(a) **Computation.** In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, a Sunday or a holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday or a holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation. As used in this rule, "holiday" shall mean ~~[includes]~~ any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes.

**PROPOSED AMENDMENTS TO THE
HAWAI'I PROBATE RULES**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

Rule 10. COMPUTATION OF TIME.

(a) Computation. In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday, or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and holidays shall be excluded in the computation. As used in this rule, "holiday" shall mean ~~[includes]~~ any day designated as such pursuant to Section 8-1 of the Hawai'i Revised Statutes.

**PROPOSED AMENDMENTS TO THE
RULES OF THE LAND COURT**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

Rule 1. OFFICE HOURS; FILING ORIGINAL PAPERS.

The office of the land court shall be open from 7:45 a.m. until 4:30 p.m. every day in the year, except Saturdays, Sundays, ~~[legal]~~ holidays and furlough days established by law. As used in this rule, "holiday" shall mean any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes. Papers presented for filing shall be accepted from 8:00 a.m. until 4:00 p.m. Papers may be electronically filed in land court at all hours, except when the Judiciary Information Management System is not in operation for maintenance or other reasons.

Rule 53. HOURS OF RECORDATION.

The office of the assistant registrar shall be open from 7:45 a.m. until 4:30 p.m. every day of the year, except on Saturdays, Sundays and holidays ~~[established by law]~~, but instruments shall only be recorded between 8:00 a.m. and 3:29 p.m. As used in this rule, "holiday" shall mean any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes. Every instrument presented for recordation shall be examined for recordation by the assistant registrar in the order it is presented for that purpose and if the instrument is entitled by law to be recorded, shall be recorded:

**PROPOSED AMENDMENTS TO THE
HAWAI'I FAMILY COURT RULES**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

Rule 6. TIME.

(a) **Computation.** In computing any period of time prescribed or allowed by these Rules, by order of court, or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, a Sunday or a holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday or a holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation. As used in this Rule, "holiday" shall mean ~~[includes]~~ any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes.

Rule 77. FAMILY COURTS AND CLERKS.

(c) **Clerk's office and orders by clerk.** The clerk's office with the clerk or a deputy in attendance shall be open during business hours on all days except Saturdays, Sundays and ~~[legal]~~ holidays. As used in this rule, "holiday" shall mean any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes. Any order to show cause, summons, subpoena, application for issuing final process to enforce or execute judgments, or notice issued by the court in connection with any case or cause, may be signed by a clerk of the court. The clerk shall grant, sign, and enter the following orders without further direction by the court, but any orders so entered may be set aside or modified by the court:

**PROPOSED AMENDMENTS TO THE
HAWAI'I CIVIL TRAFFIC RULES**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

Rule 21. TIME.

(a) Computation. In computing any time period under these rules, the day of the act, event, or default from which the period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday, or ~~[legal]~~ holiday. Intermediate Saturdays, Sundays, and ~~[legal]~~ holidays shall be included. As used in this rule, "holiday" shall mean any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes. Whenever an act required to be performed under these rules may be accomplished by mail, the act shall be deemed to have been performed on the date of the postmark on the mailed article.

**PROPOSED AMENDMENTS TO THE
DISTRICT COURT RULES OF CIVIL PROCEDURE**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

Rule 6. TIME.

(a) **Computation.** In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a [legal] holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday or a [legal] holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and [legal] holidays shall be excluded in the computation. As used in this rule, "holiday" shall mean [includes] any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes.

Rule 12. DEFENSES AND OBJECTIONS - WHEN AND HOW PRESENTED - BY PLEADING OR MOTION – MOTION FOR JUDGMENT ON THE PLEADINGS.

(a) **Answers - When presented; return day.** All defendants shall appear or answer at the time appointed in the summons, on the second Monday following the date of service, except where the district judge sets some other secular day; and should such Monday be a [legal] holiday then upon the next secular day. As used in this rule, "holiday" shall mean any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes.

Rule 77. DISTRICT COURTS AND CLERKS.

(a) **District courts always open.** The district courts shall be deemed always open for the purpose of filing any pleading or other proper paper, of issuing and returning mesne and final process, and of making motions and orders. The office of the clerk with the clerk or a deputy in attendance shall be open during business hours on all days except Saturdays, Sundays, and [legal] holidays, but the court may provide by rule that the office of the clerk shall be open for specified hours on Saturday, Sundays or [legal] holidays. As used in this rule, "holiday" shall mean any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes.

(c) **Clerk's office and orders by clerk.** The clerk's office with the clerk or a deputy in attendance shall be open during business hours on all days except Saturdays, Sundays and [legal] holidays. All motions and applications in the clerk's office for issuing mesne process, for

issuing final process to enforce and execute judgments, for entering defaults or judgments by default, and for other proceedings which do not require allowance or order of the court are grantable of course by the clerk; but the clerk's action may be suspended or altered or rescinded by the court upon cause shown.

**PROPOSED AMENDMENTS TO THE
HAWAI'I RULES OF APPELLATE PROCEDURE**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

Rule 26 COMPUTATION AND EXTENSION OF TIME.

(a) **Computation of time.** In computing any period of time prescribed by these rules, an order of court, or any applicable statute, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period shall be included, unless it is a Saturday, Sunday, or a ~~[legal]~~ holiday, in which event the period extends until the end of the next day that is not a Saturday, a Sunday, or a ~~[legal]~~ holiday. When the period of time prescribed or allowed is less than 7 days, any intervening Saturday, Sunday, or ~~[legal]~~ holiday shall be excluded in the computation. As used in this rule, "holiday" shall mean any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes.

Rule 45. DUTIES OF APPELLATE CLERKS.

(a) **General provisions.** No appellate clerk shall practice as an attorney in any court while the appellate clerk continues in office. The office of the appellate clerk with an appellate clerk in attendance shall be open during business hours on all days except Saturdays, Sundays, and ~~[legal]~~ holidays, but the Chief Justice may provide that the office of the appellate clerk shall be open for specified hours on Saturdays, Sundays, or ~~[legal]~~ holidays. As used in this rule, "holiday" shall mean any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes.

**PROPOSED AMENDMENTS TO THE
HAWAI'I BOARD OF BAR EXAMINERS RULES OF PROCEDURE**

[The proposed additional language is underscored; deleted language is bracketed and stricken.]

**Section 1.14. Computation of Time; Additional Time After
Service by Mail.**

(a) In computing any period of time prescribed or allowed by these Rules, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, a Sunday or a holiday, in which event the period shall run until the end of the next day that is not a Saturday, a Sunday, or a holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and holidays shall be excluded from the computation. As used in this rule, "holiday" shall mean ~~[includes]~~ any day designated as such pursuant to section 8-1 of the Hawai'i Revised Statutes.
