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SCRU-10-0000012

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the

HAWAI‘I RULES OF APPELLATE PROCEDURE

ORDER AMENDING HAWAI‘I RULES OF APPELLATE PROCEDURE
(By: Devens, C.J., McKenna, Eddins, and Ginoza, JJ., and
Intermediate Court of Appeals Chief Judge Nakasone,
assigned by reason of vacancy)

IT IS HEREBY ordered that Rule 50 of the Hawai‘i Rules
of Appellate Procedure, is amended, effective upon entry of this
order, as follows (deleted material is bracketed and stricken;
new material is underlined):

**Rule 50. WITHDRAWAL, ~~[DISCHARGE, OR]~~
SUBSTITUTION, ~~DISAFFILIATION, OR~~
DISCHARGE OF APPELLATE COUNSEL.**

(a) Withdrawal by motion. An attorney desiring to
withdraw as counsel of record must file a motion requesting
leave therefor. The motion must show that notice of the motion
was given by service upon the attorney’s client. The notice must
provide, if available, the client’s physical and electronic mail
address to be used for service, and telephone number. The
appellate court may, in its discretion, grant or deny such motion
or, where appropriate, remand the case for filing of a motion to
withdraw.

**(b) Notice of ~~[W]~~ withdrawal with substitution by
consent.** A substitution of counsel may be made by filing a
notice of withdrawal and substitution. The notice must provide
withdrawing counsel’s name and substituting counsel’s name,

physical and electronic mail addresses to be used for service, and telephone number. A notice of withdrawal and substitution of counsel must be signed by the client consenting thereto. The filing of a notice that complies with the requirements of this Rule shall be sufficient to effectuate the withdrawal and substitution of the named attorneys without the necessity of a motion.

(c) Notice of withdrawal for disaffiliation or staffing change. An attorney, firm, or other public or private entity providing legal services may file: (1) a notice of disaffiliation and withdrawal as counsel upon an attorney's disaffiliation from the firm or entity; or (2) a notice of staff change and withdrawal as counsel upon a change in the assignment of attorneys within the firm or entity to the case. The notice must provide the withdrawing attorney's name and the name(s), physical and electronic mail address(es) to be used for service, and telephone number(s) of the attorney(s) at the firm or entity who will continue to represent the client in the matter. The notice must show the client was informed of the disaffiliation and withdrawal, or the change in assigned counsel; provided this showing is not required where the State of Hawai'i or a county is the sole client of the withdrawing or disaffiliating attorney and the State of Hawai'i or county was sued as an entity, without any agency, department, board, commission, official, officer, or employee being a represented party.

The filing of a notice that complies with the requirements of this Rule shall be sufficient to effectuate the withdrawal of the named attorney(s) without the necessity of a motion.

[(e)] (d) Discharge. A client desiring to discharge the client's counsel of record must file a motion requesting leave therefor. The motion must show service upon the attorney. The appellate court may, in its discretion, grant or deny such motion or, where appropriate, remand the case for the filing of a motion to withdraw.

DATED: Honolulu, Hawai'i, July 14, 2026.

/s/ Vladimir P. Devens

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Karen T. Nakasone

