
A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 601, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§601- Civil defense emergency period; suspension of
5 deadlines. (a) During a period of civil defense emergency
6 proclaimed by the governor, the chief justice shall be
7 authorized to order the suspension, tolling, extension, or
8 granting of relief from deadlines, time schedules, or filing
9 requirements imposed by otherwise applicable statutes, rules, or
10 court orders, in civil or criminal cases or administrative
11 matters, in any judicial circuit affected by the governor's
12 proclamation. The chief justice shall determine the judicial
13 circuits so affected.

14 (b) The order shall be limited to an initial duration of
15 not more than thirty days; provided, however, that the order may
16 be modified or extended for not more than two periods not
17 exceeding thirty days each.



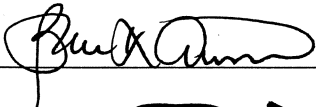

1 (c) The chief justice shall give notice of the order to
 2 all affected parties, counsel for the affected parties, and the
 3 public. Notice shall be provided by whatever means are
 4 reasonably calculated, in the chief justice's sole discretion,
 5 to reach the affected parties, counsel for the affected parties,
 6 and the public.

7 (d) Any person whose rights or interests are adversely
 8 affected by the chief justice's order shall be entitled to an
 9 appeal. The notice of appeal shall be filed not later than
 10 forty-five days after the expiration of the chief justice's
 11 order or any modification or extension of that order. The
 12 notice shall be filed with the clerk of the circuit court having
 13 jurisdiction over the person."

14 SECTION 2. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

16

INTRODUCED BY: 


JAN 20 2006

HB 1983

Report Title:

Judiciary; Emergency

Description:

Authorizes the chief justice to suspend court deadlines during a period of civil defense emergency.

