
A BILL FOR AN ACT

RELATING TO APPELLATE JURISDICTION.

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

1 SECTION 1. Section 602-57, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§602-57 Jurisdiction.** Notwithstanding any other law to
4 the contrary, the intermediate appellate court shall have
5 jurisdiction, subject to transfer as provided in section 602-58
6 or review on application for a writ of certiorari as provided in
7 section 602-59:

8 (1) To hear and determine appeals from [~~the district,~~
9 ~~family, and circuit courts and from~~] any court or
10 agency when appeals are allowed by law; [~~and~~]

11 (2) To entertain, in its discretion, any case submitted
12 without suit when there is a question of law that
13 could be the subject of a civil action or proceeding
14 in the circuit court, or tax appeal court, and the
15 parties agree upon the facts upon which the
16 controversy depends[~~-~~]; and

17 (3) To make or issue any order or writ necessary or
18 appropriate in the aid of its jurisdiction, and in



1 such case, any judge may issue a writ or an order to
2 show cause returnable before the court."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect on the effective
6 date of sections 1 through 82 of Act 202, Session Laws of Hawaii
7 2004.



Report Title:

Appellate Jurisdiction; Authority to Issue Orders and Writs

Description:

Clarifies the intermediate appellate court's jurisdiction over appeals from any court or agency when appeals are allowed by law. Authorizes the ICA to issue any necessary or appropriate order or writ. (SB2597 HD1)

