

PROPOSED

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 under section 128-7, the chief
7 justice shall be authorized to order the suspension, tolling,
8 extension, or granting of relief from deadlines, time schedules,
9 or filing requirements imposed by otherwise applicable statutes,
10 rules, or court orders, in civil or criminal cases or
11 administrative matters, in any judicial circuit affected by the
12 governor's proclamation. The chief justice shall determine the
13 judicial circuits so affected.

14 (b) The order shall be limited to an initial duration of
15 not more than thirty days; provided that the order may be
16 modified or extended for such period of time as the chief
17 justice deems necessary due to an ongoing civil defense
18 emergency.

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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 on July 1, 2006.



Report Title:

Judiciary; Emergency

PROPOSED

Description:

Authorizes the chief justice to suspend court deadlines during a period of civil defense emergency. Effective 7/1/06. (SD1)

