

JAN 25 2006

S.B. NO. 2596

A BILL FOR AN ACT

RELATING TO THE INTERMEDIATE APPELLATE COURT.

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

1 SECTION 1. Part II, chapter 602, Hawaii Revised Statutes,
2 is amended by amending its title to read as follows:

3 "PART II. [~~INTERMEDIATE APPELLATE COURT~~] COURT OF APPEALS"

4 SECTION 2. Section 602-55, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§602-55 Panels; substitute judge.** Parties shall be
7 entitled to a hearing before a panel of not less than three
8 [~~intermediate appellate~~] court of appeals judges. [~~In the~~
9 ~~event~~] If the number of available [~~intermediate appellate~~] court
10 of appeals judges is insufficient to make up a panel because of
11 vacancy or disqualification, the chief justice of the supreme
12 court may designate circuit judges [~~or~~], retired [~~intermediate~~
13 ~~appellate~~] court of appeals judges, or retired supreme court
14 justices to temporarily fill [~~such need.~~] the shortage. The
15 assignment to a panel shall rest in the discretion of the chief
16 judge. A judge serving temporarily shall not be actively
17 engaged in the practice of law. Substitute judges shall be



1 compensated per diem at a rate of pay equivalent to that of
2 associate [~~intermediate appellate~~] court of appeals judges."

3 SECTION 3. The Hawaii Revised Statutes, including sections
4 11-51, 40-91, 47-46, 53-6, 76-16, 88-21, 91-14, 101-34,
5 124A-105, 196D-5, 201G-57, 201G-58, 232-1, 232-19, 232-22,
6 232-23, 235-114, 269-15, 286-60, 383-41, 383-69, 383-76, 386-73,
7 386-73.5, 386-88, 392-21.5, 392-75, 412:2-501, 431:14-118,
8 431:14F-113, 482-9, 485-23, 571-54, 601-8, 602-5, 602-51 to
9 602-54, 602-56 to 602-59, 606-1, 606-4, 607-6, 607-8, 608-1.5,
10 641-1, 641-11 to 641-13, 641-16, 641-17, 660-28, 664-5, 664-8,
11 664-9, 664-25, 664-36, and 802-5, is amended by substituting
12 "court of appeals", or like language, wherever "intermediate
13 appellate court", or like language, appears, as the context
14 requires.

15 SECTION 4. All laws and parts of laws heretofore enacted
16 that are in conflict with the provisions of this Act are hereby
17 amended to conform herewith. All acts passed during this
18 Regular Session of 2006, whether enacted before or after the
19 passage of this Act, shall be amended to conform herewith,
20 unless such acts specifically provide that the act relating to
21 "amending references to the intermediate appellate court in the
22 Hawaii Revised Statutes" is being amended.

1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect upon its approval
4 and upon ratification of a constitutional amendment changing the
5 name of the intermediate appellate court to the court of
6 appeals.

7

INTRODUCED BY: 

By Request



SB. NO. 2596

Report Title:

Intermediate Appellate Court; Name Change

Description:

Replaces statutory references to "intermediate appellate court" with references to "court of appeals", contingent upon ratification of a related constitutional amendment.

