

Honolulu, Hawaii

April 5, 2006

RE: S.B. No. 2607
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2607, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSFER OF APPEALS,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Authorize the Supreme Court to entertain an application to transfer any case within the jurisdiction of the Intermediate Court of Appeals; and
- (2) Clarify mandatory and discretionary transfers.

The Judiciary, Attorney General, and the Office of the Public Defender supported this bill. The recorder of the Appellate Review Task Force provided comments.

Your Committee has amended this bill by:

- (1) Clarifying that a denial of an application of permissive transfers shall not prejudice a later application for a writ of certiorari;
- (2) Changing the effective date to the effective date of sections 1 through 82 of Act 202, Session Laws of Hawaii 2004; and



- (3) Making technical, nonsubstantive amendments for consistency, clarity, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2607, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2607, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

for: 

SYLVIA LUKE, Chair



