

Honolulu, Hawaii

April 15, 2006

RE: S.B. No. 2609
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. 2609, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WRIT OF CERTIORARI,"

begs leave to report as follows:

The purpose of this measure is to clarify the writ of certiorari (Writ) process as applied to the Intermediate Court of Appeal's judgments or dismissal orders.

Specifically, this bill:

- (1) Clarifies the grounds for applying for the Writ from the Supreme Court; and
- (2) Increases the filing time to apply for the Writ to 90 days.

The Office of the Public Defender supported this bill. The Judiciary and Attorney General supported this measure with amendments. The recorder of the Appellate Review Task Force offered comments.

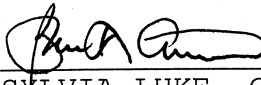
Your Committee has amended this bill by:



- (1) Changing the effective date to the effective date of sections 1 through 82 of Act 202, Session Laws of Hawaii 2004; and
- (2) 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. 2609, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2609, 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



