

JAN 21 2011

A BILL FOR AN ACT

RELATING TO COURTS OF APPEAL.

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


1 SECTION 1. Section 602-59, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:
3 "(c) An application for writ of certiorari may be filed
4 with the supreme court no later than [~~ninety~~] thirty days after
5 the filing of the judgment or dismissal order of the
6 intermediate appellate court. Upon a written request filed
7 prior to the expiration of the thirty-day period, a party may
8 extend the time for filing an application for writ of certiorari
9 for no more than an additional thirty days. Opposition to an
10 application for a writ of certiorari may be filed no later than
11 fifteen days after the application is filed. The supreme court
12 shall determine to accept the application within thirty days
13 after an objection is or could have been filed. The failure of
14 the supreme court to accept within thirty days shall constitute
15 a rejection of the application."

16 SECTION 2. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect on July 1, 2011;
2 provided that section 602-59(c), Hawaii Revised Statutes, shall
3 apply in the form in which it read on the day before the
4 effective date of this Act to cases in which the intermediate
5 appellate court's judgment or dismissal order was filed before
6 the effective date of this Act.

7

INTRODUCED BY: 
By Request

Report Title:

Court of Appeals; Time Period for Filing Application for Certiorari

Description:

Shortens the time period for filing an application for writ of certiorari with the supreme court from 90 to 30 days, but permits an extension upon written request of up to 30 additional days.

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