
A BILL FOR AN ACT

RELATING TO VEXATIOUS LITIGANTS.

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

1 SECTION 1. Section 634J-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "vexatious litigant" to
3 read as follows:

4 "Vexatious litigant" means a plaintiff who does any of the
5 following:

6 (1) In the immediately preceding [~~seven-year~~] -year
7 period has commenced, prosecuted, or maintained in
8 propria persona at least [~~five~~] civil actions
9 other than in a small claims court that have been:

10 (A) Finally determined adversely to the plaintiff; or

11 (B) Unjustifiably permitted to remain pending at
12 least two years without having been brought to
13 trial or hearing;

14 (2) After litigation has been finally resolved against the
15 plaintiff, relitigates or attempts to relitigate in
16 propria persona and in bad faith, either:



1 (A) The validity of the determination against the
2 same defendant or defendants as to whom the
3 litigation was finally determined; or

4 (B) The cause of action, claim, controversy, or any
5 of the issues of fact or law, determined or
6 concluded by the final determination against the
7 same defendant or defendants as to whom the
8 litigation was finally determined;

9 (3) In any litigation while acting in propria persona,
10 files, in bad faith, unmeritorious motions, pleadings,
11 or other papers, conducts unnecessary discovery, or
12 engages in other tactics that are frivolous or solely
13 intended to cause unnecessary delay; or

14 (4) Has previously been declared to be a vexatious
15 litigant by any state or federal court of record in
16 any action or proceeding based upon the same or
17 substantially similar facts, transaction, or
18 occurrence."

19 SECTION 2. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



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1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Cindy Evans

JAN 27 2016



H.B. NO. 2660

Report Title:

Vexatious Litigants; Qualifications

Description:

Amends the definition of vexatious litigant by altering criteria based upon the amount of civil actions brought during a period of time.

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