

JAN 20 2017

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# A BILL FOR AN ACT

RELATING TO JUDGES.

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

1           SECTION 1. Section 571-8, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§571-8 District family courts; district family judges;**  
4 **appointment; sessions.** (a) [~~In addition to the district courts~~  
5 ~~established under section 604-1, there may be established]~~ The  
6 supreme court may establish in each of the judicial circuits of  
7 the State a district family court with the powers and under the  
8 conditions herein set forth which shall be styled as follows:

9           (1) For the first judicial circuit: The district family  
10           court of the first circuit.

11           (2) For the second judicial circuit: The district family  
12           court of the second circuit.

13           (3) For the third judicial circuit: The district family  
14           court of the third circuit.

15           (4) For the fifth judicial circuit: The district family  
16           court of the fifth circuit.



1           (b) When in the discretion of the chief justice of the  
2 supreme court the urgency or volume of cases so requires, the  
3 chief justice may appoint one or more district family judges for  
4 each judicial circuit[-] from the number of district court  
5 judges established under section 604-1. In addition, within any  
6 circuit, the chief justice may designate any district judge of  
7 the district court to act as a district family judge within that  
8 circuit; the judge when so designated shall exercise the powers  
9 of a district family judge appointed pursuant to this section.

10           The chief justice may also designate, within any circuit, a  
11 district family judge appointed pursuant to this section to act  
12 as a district judge, and the judge when so appointed shall have  
13 all the powers of a district judge appointed pursuant to section  
14 604-2.

15           The chief justice may assign any district judge or district  
16 family judge of any circuit to serve temporarily in either the  
17 district court or the district family court of any other  
18 circuit.

19           The district family courts shall hold sessions at such  
20 places and as often as the family court judge or the senior



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1 family court judge, if there is more than one, of the judicial  
2 circuit shall prescribe."

3 SECTION 2. Section 602-51, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "**§602-51 How constituted.** The intermediate appellate  
6 court shall consist of a chief judge and [five] \_\_\_\_\_ associate  
7 judges. The chief judge, who shall be specifically selected,  
8 shall supervise the administrative duties of the court."

9 SECTION 3. Section 603-3, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "**§603-3 First circuit court judges.** [~~Effective July 1,~~  
12 ~~1992, the~~] The circuit court of the first circuit shall consist  
13 of [twenty-five] \_\_\_\_\_ judges, [who shall be styled as first,  
14 second, third, fourth, fifth, sixth, seventh, eighth, ninth,  
15 tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth,  
16 sixteenth, seventeenth, eighteenth, nineteenth, twentieth,  
17 twenty first, twenty second, twenty third, twenty fourth, and  
18 twenty fifth judge, respectively.] each of whom shall be styled  
19 as a judge of the circuit court of the first circuit."

20 SECTION 4. Section 603-4, Hawaii Revised Statutes, is  
21 amended to read as follows:



1           "§603-4 Other circuits; judges. The circuit court of the  
2 fifth circuit shall consist of [~~two~~] \_\_\_\_\_ judges, [~~who shall be~~  
3 ~~styled as first and second judge, and~~] each of whom shall be  
4 styled as a judge of the circuit court of the fifth circuit.  
5 The circuit court of the second circuit shall consist of [~~four~~]  
6 \_\_\_\_\_ judges, [~~who shall be styled as first, second, third, and~~  
7 ~~fourth judge, and~~] each of whom shall be styled as a judge of  
8 the circuit court of the second circuit. The circuit court of  
9 the third circuit shall consist of [~~four~~] \_\_\_\_\_ judges, [~~who~~  
10 ~~shall be styled as first, second, third, and fourth judge, and~~]  
11 each of whom shall be styled as a judge of the circuit court of  
12 the third circuit."

13           SECTION 5. Section 604-1, Hawaii Revised Statutes, is  
14 amended by amending subsection (b) to read as follows:

15           " [†] (b) [†] There shall be appointed one or more district  
16 judges for each judicial circuit. The district court of the  
17 first circuit shall consist of [~~fourteen~~] \_\_\_\_\_ judges [~~, who~~  
18 ~~shall be styled as first, second, third, fourth, fifth, sixth,~~  
19 ~~seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth,~~  
20 ~~and fourteenth judge, respectively~~]. One of the district judges  
21 shall hear landlord-tenant and small claims matters [~~7~~]; provided



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1 that when in the discretion of the chief justice of the supreme  
 2 court the urgency or volume of cases so requires, the chief  
 3 justice may authorize the judge to substitute for or act in  
 4 addition to or otherwise in place of any other district judge of  
 5 the district court of the first circuit. The district court of  
 6 the second circuit shall consist of [~~three~~] \_\_\_\_\_ judges [~~, who~~  
 7 ~~shall be styled as first, second, and third judge,~~  
 8 ~~respectively~~]. The district court of the third circuit shall  
 9 consist of [~~three~~] \_\_\_\_\_ judges [~~, who shall be styled as first,~~  
 10 ~~second, and third judge, respectively~~]. The district court of  
 11 the fifth circuit shall consist of [~~two~~] \_\_\_\_\_ judges [~~who shall~~  
 12 ~~be styled as first and second judge, respectively~~]. The chief  
 13 justice may designate a judge in each circuit as the  
 14 administrative judge for the circuit."

15 SECTION 6. Statutory material to be repealed is bracketed  
 16 and stricken. New statutory material is underscored.

17 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY: *Don D. Kirk-Jones*



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**Report Title:**

Courts; Judges; Intermediate Appellate Court; Circuit Court;  
District Court; Family Court

**Description:**

Changes the composition of judges of the intermediate appellate court, circuit courts, district courts, and family courts.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

