

JAN 18 2019

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. In addition, within any circuit,~~] the
5 chief justice may designate any district judge of the district
6 court to act as a district family judge within that circuit; the
7 judge when so designated shall exercise the powers of a district
8 family judge appointed pursuant to this section.

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

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

18 The district family courts shall hold sessions at such
19 places and as often as the family court judge or the senior
20 family court judge, if there is more than one, of the judicial
21 circuit shall prescribe."



1 SECTION 2. Section 571-8.1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]§571-8.1[+]~~ **Qualifications; tenure; removal.** Each
4 district family judge shall reside in the judicial circuit for
5 which the district family judge is appointed and shall have been
6 an attorney licensed to practice in all the courts of the State
7 for at least five years. District family judges shall hold
8 office for a term of six years and until their successors are
9 appointed and qualified ~~[, provided that any district family~~
10 ~~judge may be summarily removed from office, and the district~~
11 ~~family judge's commission revoked by the supreme court whenever~~
12 ~~the supreme court deems such removal necessary for the public~~
13 ~~good or the volume of cases within the circuit is reduced to a~~
14 ~~level where the reduction of the number of district family~~
15 ~~judges within a circuit is deemed advisable]. "~~

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

18 "**§602-51 How constituted.** The intermediate appellate
19 court shall consist of a chief judge and ~~[five]~~ four associate
20 judges. The chief judge, who shall be specifically selected,
21 shall supervise the administrative duties of the court."



1 SECTION 4. Section 603-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§603-3 First circuit court judges. [~~Effective July 1,~~
4 ~~1992, the~~] The circuit court of the first circuit shall consist
5 of twenty-five judges, [who shall be styled as first, second,
6 third, fourth, fifth, sixth, seventh, eighth, ninth, tenth,
7 eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth,
8 seventeenth, eighteenth, nineteenth, twentieth, twenty first,
9 twenty second, twenty third, twenty fourth, and twenty fifth
10 judge, respectively.] each of whom shall be styled as a judge of
11 the circuit court of the first circuit."

12 SECTION 5. Section 603-4, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§603-4 Other circuits; judges. The circuit court of the
15 fifth circuit shall consist of two judges, [~~who shall be styled~~
16 ~~as first and second judge, and~~] each of whom shall be styled as
17 a judge of the circuit court of the fifth circuit. The circuit
18 court of the second circuit shall consist of four judges, [who
19 shall be styled as first, second, third, and fourth judge, and]
20 each of whom shall be styled as a judge of the circuit court of
21 the second circuit. The circuit court of the third circuit



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1 shall consist of four judges, [~~who shall be styled as first,~~
 2 ~~second, third, and fourth judge, and~~] each of whom shall be
 3 styled as a judge of the circuit court of the third circuit."

4 SECTION 6. Section 604-1, Hawaii Revised Statutes, is
 5 amended by amending subsection (b) to read as follows:

6 "[+] (b) [+] There shall be appointed one or more district
 7 judges for each judicial circuit. The district court of the
 8 first circuit shall consist of fourteen judges [~~, who shall be~~
 9 ~~styled as first, second, third, fourth, fifth, sixth, seventh,~~
 10 ~~eighth, ninth, tenth, eleventh, twelfth, thirteenth, and~~
 11 ~~fourteenth judge, respectively]~~. One of the district judges
 12 shall hear landlord-tenant and small claims matters [~~;~~]; provided
 13 that when in the discretion of the chief justice of the supreme
 14 court the urgency or volume of cases so requires, the chief
 15 justice may authorize the judge to substitute for or act in
 16 addition to or otherwise in place of any other district judge of
 17 the district court of the first circuit. The district court of
 18 the second circuit shall consist of [~~three~~] four judges [~~, who~~
 19 ~~shall be styled as first, second, and third judge,~~
 20 ~~respectively]~~. The district court of the third circuit shall
 21 consist of three judges [~~, who shall be styled as first, second,~~



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1 ~~and third judge, respectively]~~. The district court of the fifth
2 circuit shall consist of [~~two~~] three judges [~~who shall be styled~~
3 ~~as first and second judge, respectively]~~. The chief justice may
4 designate a judge in each circuit as the administrative judge
5 for the circuit."

6 SECTION 7. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 8. This Act shall take effect upon its approval.

9

INTRODUCED BY: ~~SC. [Signature]~~
Randy H. Behr



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Report Title:

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

Description:

Changes the designation of judges of the intermediate appellate court, circuit courts, district courts, and family courts. Repeals the provision that allows the supreme court to summarily remove any district family judge from office and revoke the district family judge's commission whenever the supreme court deems such removal necessary for the public good or the volume of cases within the circuit is reduced to a level where the reduction of the number of district family judges within a circuit is deemed advisable.

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