



## *The Judiciary, State of Hawai'i*

**Testimony to the Thirty-First Legislature, Regular Session of 2022**

**House Committee on Judiciary & Hawaiian Affairs**

Representative Mark M. Nakashima, Chair

Representative Scot Z. Matayoshi, Vice Chair

Tuesday, February 8, 2022, 2:00 PM  
State Capitol, Conference Room 325  
VIA VIDEOCONFERENCE

### **WRITTEN TESTIMONY ONLY**

by:

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**Bill No. and Title:** House Bill No. 1878, Relating to the Judiciary.

**Purpose:** Amends the period in which the supreme court is in session to annual terms commencing on the first Monday in January of each year. Effective 1/1/2024.

### **Judiciary's Position:**

The Judiciary is not aware of the effect that this measure is intended to have and therefore offers the following comment.

As currently reflected in HRS § 602-8, the supreme court sits in continuous session and considers matters that are filed in the court throughout the year. In 1984, the legislature recognized that the appellate courts were operating in continuous session for several years due to the "heavy operating workloads." See S. Stand. Comm. Rep. No. 227-84, in 1984 Senate Journal, at 1086. The legislature, therefore, amended HRS § 602-8 to replace the "outdated" provision for annual terms of the supreme court and the intermediate court of appeals to conform to what had become the courts' practice for years. This practice continues today. The Judiciary therefore believes that the proposed legislation is not necessary.

Thank you for the opportunity to submit testimony on this measure.