

ACT 145

S.B. NO. 2597

A Bill for an Act Relating to Appellate Jurisdiction.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 602-57, Hawaii Revised Statutes, is amended to read as follows:

“§602-57 Jurisdiction. Notwithstanding any other law to the contrary, the intermediate appellate court shall have jurisdiction, subject to transfer as provided in section 602-58 or review on application for a writ of certiorari as provided in section 602-59:

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- (1) To hear and determine appeals from ~~[the district, family, and circuit courts and from]~~ any court or agency when appeals are allowed by law; ~~[and]~~
- (2) To entertain, in its discretion, any case submitted without suit when there is a question of law that could be the subject of a civil action or proceeding in the circuit court, or tax appeal court, and the parties agree upon the facts upon which the controversy depends[-]; and
- (3) To make or issue any order or writ necessary or appropriate in the aid of its jurisdiction, and in such case, any judge may issue a writ or an order to show cause returnable before the court.”

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 3. This Act shall take effect on the effective date of sections 1 through 82 of Act 202, Session Laws of Hawaii 2004.

(Approved May 26, 2006.)