
A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

1 SECTION 1. The legislature finds that courts in certain
2 states, including those in Kentucky, Ohio, Nebraska, and
3 Florida, have implemented a system of text message reminders to
4 help ensure that people appear in court when directed to do so.
5 According to a September 2022 report of the National Center for
6 State Courts, cases become backlogged when the parties to a
7 court proceeding fail to appear and cause the proceeding to be
8 delayed. However, if a court issues a text message reminder or
9 other type of reminder regarding the future court appearance,
10 cases are more likely to proceed as scheduled.

11 The legislature also finds that courts should be as
12 user-friendly as possible. The legislature believes that
13 implementing an automated court appearance reminder system will
14 encourage people who have a scheduled court appearance to
15 voluntarily comply, reduce rates of "failure to appear", and
16 thus help to maximize the efficiency of the judiciary's
17 operations.



1 The purpose of this Act is to:

2 (1) Require the judiciary to develop, implement, and
3 administer, in all traffic and criminal cases in the
4 district, family, and circuit courts, an automated
5 court appearance reminder system that generates text
6 message notifications for scheduled future court
7 appearances;

8 (2) Specify that during the arrest of a person for an
9 alleged offense, or on a citation issued in lieu of
10 arrest, the person making the arrest or issuing the
11 citation shall document the offender's mobile
12 telephone number; and

13 (3) Appropriate funds to the judiciary for the automated
14 court appearance reminder system.

15 SECTION 2. Chapter 601, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:

18 "§601- Automated court appearance reminder system;
19 requirements. (a) No later than July 1, 2024, the judiciary
20 shall develop, implement, and administer an automated court
21 appearance reminder system that will generate and transmit text



1 message notifications to certain persons who are required to
2 appear in court at a future date.

3 (b) The automated court appearance reminder system shall:

4 (1) Be used in all traffic and criminal cases in the
5 district, family, and circuit courts; and

6 (2) Generate a text message notification for each
7 scheduled future court appearance that:

8 (A) Is transmitted to the recipient no later than
9 twenty-four hours prior to the recipient's
10 scheduled court date and time; provided that if
11 the court is unable to schedule the future court
12 appearance more than twenty-four hours in
13 advance, then the text message notification shall
14 be transmitted to the recipient as soon as
15 possible after the court appearance is scheduled;
16 and

17 (B) Includes the following information:

18 (i) The name of the person who is required to
19 appear in court;

20 (ii) The case number of the matter in which the
21 person is required to appear;



1 specified by this section that should be considered for
2 inclusion.

3 (e) The judiciary may contract with a third party to
4 develop, implement, and administer the automated court
5 appearance reminder system."

6 SECTION 3. Section 803-6, Hawaii Revised Statutes, is
7 amended as follows:

8 1. By amending subsection (a) to read:

9 "(a) At or before the time of making an arrest, the person
10 shall declare that the person is an officer of justice, if such
11 is the case. If the person has a warrant the person should show
12 it; or if the person makes the arrest without warrant in any of
13 the cases in which it is authorized by law, the person should
14 give the party arrested clearly to understand for what cause the
15 person undertakes to make the arrest, and shall require the
16 party arrested to submit and be taken to the police station or
17 judge. The person shall note in the arrest record the
18 arrestee's mobile telephone number or a mobile telephone number
19 at which the arrestee may be reliably contacted. This done, the
20 arrest is complete."

21 2. By amending subsection (c) to read:



- 1 (c) The citation shall contain:
- 2 (1) The name and current address of the offender[+],
3 including the offender's mobile telephone number or a
4 mobile telephone number at which the offender may be
5 reliably contacted;
- 6 (2) The last four digits of the offender's social security
7 number;
- 8 (3) A description of the offender;
- 9 (4) The nature of the offense;
- 10 (5) The time and date of the offense;
- 11 (6) A notice of time and date for court appearance;
- 12 (7) The signature and badge number of the officer;
- 13 (8) The signature of the offender agreeing to court
14 appearance;
- 15 (9) Any remarks; and
- 16 (10) A notice directing the offender to appear at the time
17 and place designated to stand trial for the offense
18 indicated and a notice that failure to obey the
19 citation may result in a fine or imprisonment, or
20 both."



1 SECTION 4. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2023-2024 and
 4 the same sum or so much thereof as may be necessary for fiscal
 5 year 2024-2025 for the judiciary to develop, implement, and
 6 administer the automated court appearance reminder system
 7 required by section 2 of this Act.

8 The sums appropriated shall be expended by the judiciary
 9 for the purposes of this Act.

10 SECTION 5. Statutory material to be repealed is bracketed
 11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect upon its approval;
 13 provided that section 4 of this Act shall take effect on July 1,
 14 2023.

15

INTRODUCED BY: Joy Gank
 JAN 20 2023



H.B. NO. 586

Report Title:

Judiciary; Court Appearances; Automated Reminder System;
Appropriation

Description:

Requires the Judiciary to develop, implement, and administer an automated court appearance reminder system that generates text message notifications for upcoming court appearances in certain types of cases. Appropriates funds.

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

