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# 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 as one of the three  
2 branches of state government in Hawaii, the judiciary is  
3 responsible for administering justice in an impartial,  
4 efficient, and accessible manner. The legislature also finds  
5 that fair and timely judicial decision-making is critical to  
6 promote access to justice for all, protect due process and equal  
7 protection, ensure the fair and impartial treatment of all  
8 litigants, and ensure appropriate court operations and  
9 economical use of judicial resources.

10           The Hawaii supreme court and the Hawaii intermediate court  
11 of appeals serve the interests of justice and the public by  
12 hearing appeals brought before these courts. The legislature  
13 finds that the term length of the sessions of the Hawaii supreme  
14 court and intermediate appellate court, which are set in  
15 statute, impact the motions, trials, statute of limitations, and  
16 other court procedures and processes involved in the disposition  
17 of cases. Effective caseflow management can reduce delays in



1 cases from filing to disposition, thereby improving the  
2 administration of fair and timely justice and enhancing the  
3 public's trust and confidence in the judicial system.

4 The purpose of this Act is to:

5 (1) Amend the period in which the Hawaii supreme court and  
6 intermediate appellate court is in session each year  
7 to June 1 of each year through April 1 of the  
8 following year;

9 (2) Specify that the Hawaii supreme court and intermediate  
10 appellate court shall issue decisions only during the  
11 time period these courts are in session; and

12 (3) Require the Hawaii supreme court and intermediate  
13 appellate court to issue a written decision during the  
14 same session in which the oral argument is heard.

15 SECTION 2. Section 602-8, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "~~§602-8 [Terms-]~~ Session; terms. The supreme court shall  
18 be deemed to be in [~~continuous~~] session[~~-~~] from June 1 of each  
19 year through April 1 of the following year. The supreme court  
20 shall issue decisions only during the time period the court is  
21 in session. Every oral argument heard by the supreme court



1 shall require the court to issue a written decision in the same  
2 session in which the oral argument was heard. The court shall  
3 be deemed always open for filing papers, issuing and returning  
4 process, and issuing orders."

5 SECTION 3. Section 602-53, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "~~§602-53 [Terms-]~~ Session; terms. The intermediate  
8 appellate court shall be deemed [~~always~~] to be in [~~continuous~~]  
9 session[~~-~~] from June 1 of each year through April 1 of the  
10 following year. The intermediate appellate court shall issue  
11 decisions only during the time period the court is in session.  
12 Every oral argument heard by the intermediate appellate court  
13 shall require the court to issue a written decision in the same  
14 session in which the oral argument was heard. The court shall  
15 be deemed always open for filing papers, issuing and returning  
16 process, and issuing orders."

17 SECTION 4. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: *[Signature]*

JAN 24 2023



# H.B. NO. 1152

**Report Title:**

Judiciary; Supreme Court; Intermediate Appellate Court; Session Terms; Issuance of Decisions

**Description:**

Amends the period in which the supreme court and intermediate appellate court are in session to June 1 of each year through April 1 of the following year. Specifies that the Hawaii supreme court and intermediate appellate court shall issue decisions only during the time period these courts are in session. Requires a written decision to be issued during the same session in which the oral argument is heard.

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

