

---

---

# 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 and electronic mail notifications for  
7 scheduled future court 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 electronic mail address or a  
13 mobile telephone number and electronic mail address at  
14 which the offender may be reliably contacted; and

15 (3) Appropriate funds to the judiciary for the automated  
16 court appearance reminder system.

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

20 "§601- Automated court appearance reminder system;  
21 requirements. (a) No later than July 1, 2024, the judiciary



1 shall develop, implement, and administer an automated court  
2 appearance reminder system that will generate and transmit text  
3 message and electronic mail notifications to certain persons who  
4 are required to appear in court at a future date.

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

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

8 (2) Generate a text message and electronic mail  
9 notification for each scheduled future court  
10 appearance that:

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

20 (B) Includes the following information:



- 1            (i) The name of the person who is required to
- 2            appear in court;
- 3            (ii) The case number of the matter in which the
- 4            person is required to appear;
- 5            (iii) The date, time, and location of the
- 6            scheduled court appearance;
- 7            (iv) A recommendation that the person make a plan
- 8            to attend court, including marking their
- 9            calendar, setting an alarm, and arranging
- 10           for transportation, time off from school or
- 11           work, or childcare, as applicable; and
- 12           (v) The potential consequences that may result
- 13           if the person fails to appear in court at
- 14           the scheduled date and time, such as the
- 15           issuance of a bench warrant for the person's
- 16           arrest.
  
- 17           (c) The automated court appearance reminder system may
- 18           generate and transmit multiple successive text message and
- 19           electronic mail notifications for each scheduled future court
- 20           appearance, but the timing of the last text message and



1 electronic mail notification shall comply with the requirements  
2 of subsection (b) (2) (A).

3 (d) The judiciary shall consult with the intake services  
4 center division of the department of public safety or its  
5 successor agency with respect to the design of the automated  
6 court appearance reminder system and any additional elements not  
7 specified by this section that should be considered for  
8 inclusion.

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

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

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

15 "(a) At or before the time of making an arrest, the person  
16 shall declare that the person is an officer of justice, if such  
17 is the case. If the person has a warrant the person should show  
18 it; or if the person makes the arrest without warrant in any of  
19 the cases in which it is authorized by law, the person should  
20 give the party arrested clearly to understand for what cause the  
21 person undertakes to make the arrest, and shall require the



1 party arrested to submit and be taken to the police station or  
2 judge. The person shall note in the arrest record the  
3 arrestee's mobile telephone number and electronic mail address  
4 or a mobile telephone number and electronic mail address at  
5 which the arrestee may be reliably contacted. This done, the  
6 arrest is complete."

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

8 "(c) The citation shall contain:

- 9 (1) The name and current address of the offender[+],  
10 including the offender's mobile telephone number and  
11 electronic mail address or a mobile telephone number  
12 and electronic mail address at which the offender may  
13 be reliably contacted;
- 14 (2) The last four digits of the offender's social security  
15 number;
- 16 (3) A description of the offender;
- 17 (4) The nature of the offense;
- 18 (5) The time and date of the offense;
- 19 (6) A notice of time and date for court appearance;
- 20 (7) The signature and badge number of the officer;



- 1 (8) The signature of the offender agreeing to court
- 2 appearance;
- 3 (9) Any remarks; and
- 4 (10) A notice directing the offender to appear at the time
- 5 and place designated to stand trial for the offense
- 6 indicated and a notice that failure to obey the
- 7 citation may result in a fine or imprisonment, or
- 8 both."

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

16 The sums appropriated shall be expended by the judiciary  
17 for the purposes of this Act.

18 SECTION 5. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect upon its approval;  
2 provided that section 4 of this Act shall take effect on  
3 June 30, 3000.  
4



**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 and electronic mail notifications for upcoming court appearances in certain types of cases. Appropriates funds. Effective 6/30/3000. (HD1)

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

