

A Bill for an Act Relating to District Judges (Constitutional Amendments of Articles VI and XVIII).

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

**SECTION 1. Purpose.** The purpose of this bill is to implement Articles VI and XVIII of the Constitution of the State of Hawaii as amended by the Hawaii Constitutional Convention of 1978 and pertaining to District Judges.

**SECTION 2.** Section 604-2, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 604-2 Appointment and tenure of district judges; per diem district judges.** District judges shall be appointed by the chief justice of the supreme court. Each judge shall reside in the judicial circuit for which he is appointed and shall have been an attorney licensed to practice in all the courts of the State for at least five years. District judges shall hold office for a term of six years and until their successors are appointed and qualified; provided, that any judge may be reprimanded, disciplined, suspended with or without salary, relieved or removed from office for misconduct or disability, as provided by rules adopted by the supreme court.

The chief justice shall appoint district judges to serve on per diem basis and as may be necessary to provide auxiliary judicial functions in the several districts of the State. Such per diem district judges may engage in the private practice of law during their term of service. Such judges shall receive per diem compensation for the days on which actual service is rendered based on the monthly rate of compensation paid to a district court judge. For the purpose of determining per diem compensation in this section, a month shall be deemed to consist of twenty-one days.”

**SECTION 3.** Section 604-1, Hawaii Revised Statutes is amended to read as follows:

**“Sec. 604-1 Judicial circuits; district judges; sessions.** There shall be established in each of the judicial circuits of the State of Hawaii a district court with the powers and under the conditions herein set forth, which shall be styled as follows:

- (1) For the First Judicial Circuit: The District Court of the First Circuit.
- (2) For the Second Judicial Circuit: The District Court of the Second Circuit.
- (3) For the Third Judicial Circuit: The District Court of the Third Circuit.
- (4) For the Fifth Judicial Circuit: The District Court of the Fifth Circuit.

There shall be appointed one or more district judges for each judicial circuit. The district court of the first circuit shall consist of twelve judges, who shall be styled as first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth judge, respectively. One of the district judges shall hear landlord-tenant and

small claims matters, provided that when in the discretion of the chief justice of the supreme court the urgency or volume of cases so requires, he may authorize the judge to substitute for or act in addition to or otherwise in place of any other district judge of the district court of the first circuit. The district court of the second circuit shall consist of two judges, who shall be styled as first and second judge, respectively. The district court of the third circuit shall consist of three judges, who shall be styled as first, second and third judge, respectively. The district court of the fifth circuit shall consist of one judge. The chief justice may designate a judge in each circuit as the administrative judge for the circuit.

The district courts shall hold sessions at such places in their respective circuits and as often as the respective district judges deem essential to the promotion of justice.”

SECTION 5.† Statutory material to be repealed is bracketed. New material is underscored.\*

SECTION 6. This Act shall take effect upon its approval.

(Approved May 12, 1979.)

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†So in original. There is no section 4.

\*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.