

ACT 244

H.B. NO. 783

A Bill for an Act Relating to the Judiciary.

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

SECTION 1. Section 602-55, Hawaii Revised Statutes, is amended to read as follows:

“~~[(§)602-55(1)] Panels; substitute judge.~~ Parties shall be entitled to a hearing before a panel of not less than three intermediate appellate judges. In the event the number of available intermediate appellate judges is insufficient to make up a panel because of vacancy or disqualification, the chief justice of the supreme court may designate circuit judges or retired intermediate appellate judges or retired supreme court justices to temporarily fill such need. The assignment to a panel shall rest in the discretion of the chief judge. A judge serving temporarily shall not be actively engaged in the practice of law. Substitute judges shall be compensated per diem at a rate of pay equivalent to that of associate intermediate appellate judges.”

SECTION 2. Chapter 603, Hawaii Revised Statutes, is amended by amending the title of Part V to read as follows:

**“PART V. ASSIGNMENT TO ANOTHER CIRCUIT;
TEMPORARY ASSIGNMENT OF RETIRED CIRCUIT JUDGES.”**

SECTION 3. Section 603-41, Hawaii Revised Statutes, is amended to read as follows:

“§603-41 When judge may be required to preside in another circuit[.]; temporary assignment of retired circuit judges. Whenever it is advisable, by reason of the disqualification of any circuit judge, or his inability to attend to his duties or there is a vacancy in the office of any circuit judge, or a congestion of work in any circuit court, or for any other reason, the chief justice of the supreme court may assign and require the judge of any other circuit, or any retired circuit judge, from any circuit, to hear and determine any or all matters then or thereafter pending in the circuit to which he is assigned for such purpose, and to perform any other duties pertaining to the office of circuit judge of the circuit to which he is so assigned, and while so engaged he shall have and exercise all the powers vested in a judge of that circuit. A judge serving temporarily shall not be actively engaged in the practice of law. Temporarily assigned retired circuit court judges shall be compensated per diem at a rate of pay equivalent to that of circuit court judges.”

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored.

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

(Approved June 9, 1983.)