

A Bill for an Act Relating to Response to Writ for Certiorari.

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

SECTION 1. Section 602-59, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) An application for a writ of certiorari may be filed with the supreme court no later than thirty days after the filing of the judgment or dismissal order of the intermediate appellate court. Upon a written request filed prior to the expiration of the thirty-day period, a party may extend the time for filing an application for a writ of certiorari for no more than an additional thirty days. ~~[Opposition]~~ A response to an application for a writ of certiorari may be filed no later than fifteen days after the application is filed. Upon a timely written request by a party, the clerk of the court shall grant one extension of time for no more than fifteen days for filing a response to an application for a writ of certiorari. The clerk of the court shall note on the record that the extension was granted. The clerk of the court shall give notice that the request is timely and granted. A request is timely only if it is received by the clerk of the court within the original time for filing of the response. The supreme court shall determine to accept the application within thirty days after ~~[an objection]~~ a response is or could have been filed. The failure of the supreme court to accept within thirty days shall constitute a rejection of the application.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval; provided that section 602-59(c), Hawaii Revised Statutes, shall apply in the form in which it read on the day before the effective date of this Act to cases in which the intermediate appellate court's judgment or dismissal order was filed before the effective date of this Act.

(Approved July 10, 2017.)