

Access to Court Information

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COMMUNICATIONS & COMMUNITY RELATIONS OFFICE

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Aloha and Welcome

Deputy Chief Court Administrator Calvin Ching, First Judicial Circuit

Supreme Court Law Librarian Jenny Silbiger

Communications & Community Relations Office: Andrew Laurence, Deborah Murray, and Bryan St Arnault

Topics to discuss:

- Judiciary website- eCourtKokua and Hoohiki
- Application for Extended Coverage
- Rules of the Supreme Court of Hawaii, 5.1, 5.2 & 5.3
- Accessing Court Records (legal documents)
- Grand jury indictment
- Administrative Records (UIPA)
- Commenting on pending and impending cases
- Statistics Requests
- Helpful resources and contact information

Judiciary Website

HOME PAGE:

www.courts.state.hi.us

SOCIAL MEDIA:

<https://twitter.com/hawaiicourts>

<https://www.facebook.com/Hawaii-State-Judiciary-236758308058/timeline/>

Search case information using eCourt Kokua or Hoohiki

The screenshot shows the homepage of the Hawaii State Judiciary website. The browser address bar displays 'www.courts.state.hi.us'. The page features the Hawaii State Judiciary logo at the top center, with navigation links for 'for Public', 'for Litigants', 'for Attorneys', 'for Jurors', 'for Media', 'Language Access', 'ADA', and 'Access to Justice'. A main navigation menu includes 'General Information', 'News & Reports', 'Self-help', 'Services', 'Courts', 'Legal References', 'Community Outreach', and 'Special Projects & Events'. The 'Home' section contains a search bar and a list of links: 'Find out About Scam Alerts', 'Get Foreclosure Information', 'Resolve My Dispute Out of Court', 'Search Court Records', 'Pay a Traffic Fine Online', 'Access Court Forms Online', 'Filing', 'Find Jobs with the Judiciary', 'Get Jury Information (eJury)', and 'Give feedback'. Below this is a 'Searches' section with 'eCourt Kokua' (for traffic, district, and appellate cases) and 'Ho'ohiki' (for criminal and civil case information). The 'Featured News' section highlights three articles: 'Judge Alm Honored by the Law Enforcement Community', 'Essay Contest Winners and Outstanding Volunteer Attorneys Honored', and 'Hawaii Justice Foundation's Annual Meeting'. An 'Upcoming Events' calendar for October lists 'Bar Admission Ceremony' (11/12/2014), 'Divorce Law in Hawaii' (11/13/2014), and 'Oral Argument before the Hawaii Supreme Court (3)' (11/24/2014). Other sections include 'Press Releases' and 'Proposed Rule Changes'.

Judiciary Search Engines

HOOHIKI

= Criminal and civil case information filed in the Circuit and Family courts and certain civil cases of the District Courts.

*Court pleadings are not available through Hoohiki but may be found in case files obtained through the Circuit Court Legal Documents Branches.

*Hoohiki version 2 is scheduled to be completed by January 31st, 2016. Hoohiki v2 is a redesign of the current Hoohiki to use standard web screen navigation.

ECOURT KOKUA

= Traffic Cases, district court criminal and appellate cases

* Next phase is Circuit Court Criminal (including Grand Jury, Family Court and other felony cases) expected to be completed at the end of 2016

Extended Coverage Applications

- Application needs to be filled out in order to film or photograph a judicial proceeding
- Submit to applicable court administrators office
- Needs to be submitted within a reasonable time in advance of the start of the proceeding. "A reasonable time" is defined by Hawai'i Supreme [Court Rule 5.1\(e\)\(1\)](#).
- Only one written request is necessary for any given case. Once an application is made, all media are considered to have applied
- Once an application is submitted for a case, that application will apply through the final judgment and any post-judgment motions and appeals.
- Electronic devices: in the judge's sole discretion and whether or not extended coverage has been otherwise allowed, grant a timely request by a party, a member of the public, or an individual member of the media, to make an audio recording of the proceedings by means of a small, hand-held recorder with a built-in microphone and operated from the seat of the person who made the request. A judge may also grant a timely request by a member of the public or an individual member of the media to use electronic devices, such as laptops, tablets, cell phones, smartphones, or similarly functioning devices having wireless communication capacity, subject to the conditions in Rule 5.3(b) of these Rules.

Application for Extended Coverage (CR-P-002) (SECURED) - Adobe Reader

File Edit View Window Help

Open [Icons] 1 / 1 114% [Icons] Highlight Existing Fields

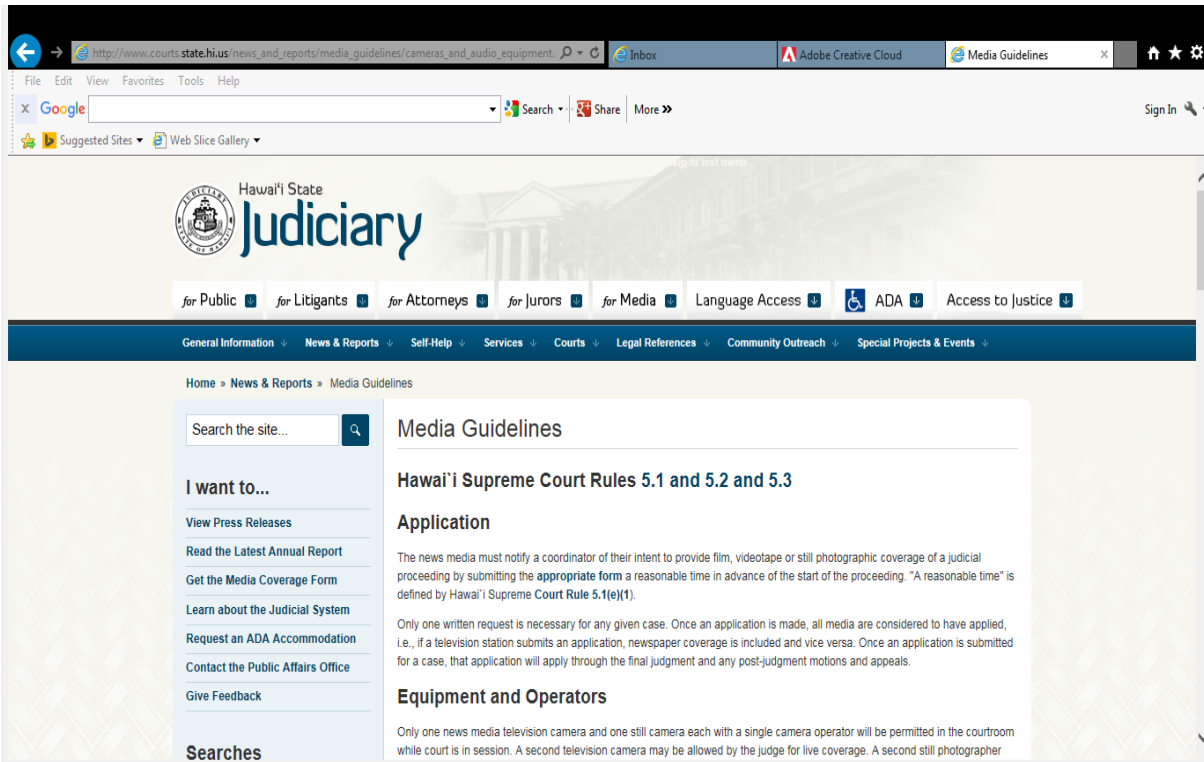
This file includes fillable form fields.
You can print the completed form and save it to your device or Acrobat.com.

APPLICATION FOR EXTENDED COVERAGE

PLEASE PRINT ALL INFORMATION

NAME OF CASE FOR WHICH COVERAGE IS SOUGHT		CASE NO. (INCLUDE DESIGNATION, E.G., CRIM. NO. 000) IF AVAILABLE		
DATE PROCEEDING IS SCHEDULED TO BEGIN	TIME, IF KNOWN	FOR JUDICIARY COORDINATOR'S USE ONLY		
		DATE APPLICATION RECEIVED	TIME APPLICATION RECEIVED	
NAME OF PRESIDING JUDGE	TELEPHONE NO.	DATE	TIME	MESSAGE I.D.
NAME OF PARTY'S ATTORNEY	TELEPHONE NO.	DATE	TIME	MESSAGE I.D.
NAME OF PARTY'S ATTORNEY	TELEPHONE NO.	DATE	TIME	MESSAGE I.D.
NAME OF PARTY'S ATTORNEY	TELEPHONE NO.	DATE	TIME	MESSAGE I.D.
NAME OF PARTY'S ATTORNEY	TELEPHONE NO.	DATE	TIME	MESSAGE I.D.
LOCATION OF PROCEEDINGS: (CHECK APPROPRIATE BOX)		TITLE OF COURT: (CHECK APPROPRIATE BOX)		
<input type="checkbox"/> O'AHU <input type="checkbox"/> HAWAII <input type="checkbox"/> KAUAI		<input type="checkbox"/> SUPREME COURT <input type="checkbox"/> CIRCUIT COURT <input type="checkbox"/> FAMILY COURT		

Hawaii Supreme Court Rules 5.1, 5.2 and 5.3



The screenshot shows a web browser displaying the Hawaii State Judiciary website. The page title is "Media Guidelines" and the main heading is "Hawai'i Supreme Court Rules 5.1 and 5.2 and 5.3". The page is divided into sections: "Application" and "Equipment and Operators".

Application

The news media must notify a coordinator of their intent to provide film, videotape or still photographic coverage of a judicial proceeding by submitting the **appropriate form** a reasonable time in advance of the start of the proceeding. "A reasonable time" is defined by Hawai'i Supreme Court Rule 5.1(e)(1).

Only one written request is necessary for any given case. Once an application is made, all media are considered to have applied, i.e., if a television station submits an application, newspaper coverage is included and vice versa. Once an application is submitted for a case, that application will apply through the final judgment and any post-judgment motions and appeals.

Equipment and Operators

Only one news media television camera and one still camera each with a single camera operator will be permitted in the courtroom while court is in session. A second television camera may be allowed by the judge for live coverage. A second still photographer

- It is up to the judge to decide where cameras and microphones can be placed in the courtroom. Judges differ on this - so ask.
- News media must arrange any pooling of footage or film among themselves. The court will not participate in any pooling agreement.
- Equipment and camera operators must be ready to record prior to the court proceeding.
- Never photograph jurors or even give the appearance of photographing jurors.
- There shall be no audio coverage of conferences between attorneys and clients, or between co-counsel and clients or parties, or between counsel and the judge held at the bench. There shall be no extended coverage of any conference or proceedings held in the chambers of a judge or any in camera proceeding.

Accessing Court Records

Legal Document Branch

First Circuit –Oahu

- Supreme Court Clerk's Office(808)539-4919
 - First Circuit Court Legal Documents (808)539-4300
 - First Circuit Family Court Legal Documents (808)954-8310
- District Court Legal Documents
Civil (808)538-5151
Criminal & Traffic (808) 538-5100

Second Circuit – Maui

- Legal Documents (808)244-2969

Third Circuit -Hawaii County

- Hilo (808)961-7400
- Kona (808) 322-8750

Fifth Circuit– Kauai

- Legal Documents (808)482-2330

CCR Office (808)539-4909



[http://www.courts.state.hi.us/docs/courts_docs/Circuit Court Filing Fees.pdf](http://www.courts.state.hi.us/docs/courts_docs/Circuit_Court_Filing_Fees.pdf)

Grand Jury Indictments

A felony charge is issued by a complaint or an indictment

Facts about the grand jury:

- The process of selecting grand jurors is the same process used for selecting trial jurors, representing a cross section of the community.
- A grand jury, however, is different from a trial jury. A trial jury listens to the evidence offered by both sides during a criminal or civil trial and renders a final decision. The grand jury deals only with criminal matters and does not determine guilt or innocence. Rather, it determines whether there is sufficient evidence to support the government's accusations against the accused. A grand jury will determine whether to "indict" or "not to indict" a defendant.

Obtaining copies of a grand jury indictment:

- At the end of the grand jury's proceedings, if there is a return of indictment, the return takes place in open court (which is open to the public).
- Once the grand jury return is completed, the indictment is sent to the court's legal documents branch for filing. Once filed, the indictment is a public document, unless the prosecutor has asked to have the indictment sealed.

UIPA & Court Record Rules

- UIPA applies to the Administrative Records of the Court
- Court Records are governed by Hawaii Court Records Rules (HCRR)

Examples:

Administrative Records (UIPA): traffic abstract, employee salaries, contract with vendor, etc.

Court Records Example (HCRR): court traffic record, JDPC, divorce decree

Confidential by law:

- Juvenile criminal, child abuse & neglect, paternity, termination of parental rights, civil commitment, adoptions, guardianship of children, custody, and adult protective services (HRS 571-84 & 587-81)
- Adult Probation records (HRS 806-0073)
- Grand jury proceedings
- Mental Health (HRS 334-5)
- Substance abuse treatment (HRS 601-21)
- Confidential information in a case file (HCRR 9&10)

Commenting on Pending and Impending Cases

- State judges are bound by the [Revised Code of Judicial Conduct](http://www.courts.state.hi.us/docs/court_rules/rules/rcjc.htm), which says that "A judge shall not, while a proceeding is pending or impending in any court, make any public comment that might reasonably be expected to affect its outcome or impair its fairness or make any nonpublic comment that might substantially interfere with a fair trial or hearing." You can find the Code online at http://www.courts.state.hi.us/docs/court_rules/rules/rcjc.htm. (The same rules apply to judges' assistants and law clerks.) Some judges will respond, or have a court employee respond, to a journalist's questions about general procedures and processes not related to a specific case.
- Court staff are happy to provide general information about court documents, court schedules, pretrial hearings, trials, court practices and procedures. They cannot give legal advice, recommend specific action, interpret legal terminology, or encourage or discourage litigation.

■ Self-Help Centers and Access to Justice Rooms are available to assist (6 locations statewide):

http://www.courts.state.hi.us/general_information/access_to_justice_rooms_self_help_centers.html

■ Access to Justice software:

<http://www.lawhelp.org/hi/resource/hawaii-self-help-interactive-forms>

Stats Requests

- Send email to CCR Office
- Provide details such as applicable HRS (capitol.hawaii.gov) or ROH
- Time frame (fiscal year/calendar year)
- Location (Statewide, Oahu only, etc..)
- Information included (case numbers, names, dispositions)
- Deadline (depends on amount of requests in the queue)

Helpful Resources and Contact Info

Reports available online

http://www.courts.state.hi.us/news_and_reports/reports/reports.html

Opinions & Orders

http://www.courts.state.hi.us/opinions_and_orders/index.html

*also follow our twitter feed

Understanding Our Courts handout (legal resources and glossary of terms listed in the back)

Contact us anytime:

You're welcome to join our mailing list!

Communications & Community Relations Office

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