



UNDERSTANDING OUR COURTS

— 2015 —



Hawai'i State
Judiciary

WELCOME

UNDERSTANDING OUR COURTS

2015

A MESSAGE FROM THE CHIEF JUSTICE



Thank you for your interest in the Hawaii State Judiciary. This publication was compiled to assist you in understanding the many different courts and programs that comprise Judiciary services across all of the Hawaiian Islands. It also addresses some of the most frequently asked questions by our court users.

The Judiciary also maintains a website at www.courts.state.hi.us, and I encourage you to utilize it as there is a wealth of information available that expands upon the information in this publication. You may also visit the "Give Feedback" tab on our website to tell us

about your court experience. This will assist us in our ongoing efforts to enhance our court services.

A special mahalo to all of our dedicated Judiciary employees, volunteers, and community partners, who work daily towards fulfilling our mission, knowing that their efforts have far-reaching impacts upon the lives of those who depend on our courts to resolve their disputes and ensure justice.

Thank you again, for taking the time to learn more about the Hawaii State Judiciary and our programs and services.

Aloha,

Mark E. Recktenwald
Chief Justice, Hawaii Supreme Court

MISSION STATEMENT:

The Hawaii State Judiciary's mission is to administer justice in an impartial, efficient, and accessible manner in accordance with the law.



Ali'iolani Hale, Hawaii Supreme Court

In This Issue

- Resources Available
- Court Locations
- Court Descriptions
- FAQs
- Legal Resources
- Glossary of Terms



Hawai'i State Judiciary

WHERE CAN I FIND FIND INFORMATION?

Visit our homepage at www.courts.state.hi.us

On our homepage, the following databases help you locate specific case information

eCourt Kokua—for access to traffic, district court criminal and appellate cases.

Ho'ohiki—for access to criminal and civil case information filed in the Circuit and Family courts and certain civil cases of the District Courts

* You may search a case by entering a party's name, case number or other specific details about the case

Website Features:

- Search for information about court cases
- Find online court forms
- File court forms online through e-filing
- Pay your traffic ticket
- Learn about proposed rule changes
- Read supreme court orders and opinions

Search case information using eCourt Kokua or Ho'ohiki

I want to...

- 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
- E-filing
- Find Jobs with the Judiciary
- Get Jury Information (eJuror)
- Give feedback

Searches

- eCourt Kokua**
For access to traffic cases, district court criminal and appellate cases. (The Hawaii Judiciary is not affiliated with Sustain Technologies, Inc. or with eCourt®, which is a registered trademark of Sustain Technologies, Inc.)
- Ho'ohiki**
For access to criminal and civil case information filed in the Circuit and Family courts and certain civil cases of the District Courts.
- Jobs**
Search for jobs at the Judiciary

Hawaii State Judiciary

Featured News

- Judge Alm Honored by the Law Enforcement Community**
10-27-2014
Judge Steven Alm (center) is congratulated by Former State Deputy Director for Law Enforcement of the Department of Public Safety, James Protoprick, (left) and Chief Executive Officer at Security Reso. More
- Essay Contest Winners and Outstanding Volunteer Attorneys Honored**
10-24-2014
HONOLULU, Hi. At a ceremony on October 23, 2014, representatives from the Hawaii State Judiciary, Hawaii State Bar Association (HSBA) and Hawaii State Legislature recognized the winners of a high scho. More
- Hawaii Justice Foundation's Annual Meeting**
10-23-2014
More than 150 people gathered at the Hawaii State Supreme Court Courthouse for the Hawaii Justice Foundation's (HJF) Annual Meeting on Wednesday, October 22, 2014. HJF Executive Director Robert J. LeCl. More

Upcoming Events

- Judiciary**
- 11/12/2014 Bar Admission Ceremony
- 11/13/2014 Divorce Law in Hawaii
- 11/24/2014 Oral Argument before the Hawaii Supreme Court (3)

Press Releases

- Applicants Sought for Lawyers' Fund for Client**
Production Fund

Proposed Rule Changes

- The Supreme Court of Hawai'i seeks your comments on

Self-Help Centers and Access to Justice Rooms

There are self-help centers on Oahu, Maui, the Big Island, and Kauai. Because of the dedication and commitment from volunteer attorneys, thousands of self-represented litigants can receive legal assistance.



Access to Justice Rooms

Volunteer attorneys provide limited legal advice to unrepresented litigants involved in civil cases.

Self-Help Centers

Volunteer attorneys and AmeriCorps Advocates provide limited legal information to help self-represented litigants understand the court process.

More than 5,600 people have been helped at these Self-Help Center locations statewide.

SELF-HELP CENTER HOURS

Oahu (First Circuit)

Kauikeaouli Hale -1111 Alakea Street, Third Floor , Honolulu, HI 96813

Access to Justice Room

Hours: Monday and Wednesday, 9 a.m. – 1 p.m.; 1st and 3rd Fridays from 9 a.m. - 1 p.m.

Telephone: Clients are referred to the Access to Justice Room by the District Court Service Center staff. Call the District Court Service Center at (808) 538-5629.

Ronald T.Y. Moon Kapolei Courthouse (Family Court) 4675 Kapolei Parkway , Kapolei HI 96707-3272

Access to Justice Room

Hours: First & Third Thursday of every Month, 11:30-1:30 p.m.

Telephone: (808) 954-8290

Maui (Second Circuit)

Hoapili Hale—2145 Main Street, Wailuku, HI 96793

Self-Help Center

Hours: Thursday, 9 am. – noon

Telephone: (808) 463-1360 (Access by telephone for Molokai, Lanai and Hana residents only when the Center is open. The Center does not accept voice messages. Maui residents must come to the Self-Help Center in person for assistance.)

Hawaii (Third Circuit)

Hale Kaulike- 777 Kilauea Avenue, 1st Floor
Hilo, HI 96720-4212

Self-Help Center

Hours: Tuesday & Friday, 11:15 a.m. – 12:45 p.m.

Walk-in No Appointments Taken

Telephone: (808) 961-0609

Kona Courthouse

Keakealani Building
79-1020 Haukapila Street
Kealahou, HI 96750

Self-Help Desk (located at desk in back of Law Library)

Hours: Wednesday from 11 a.m. - 1 p.m.

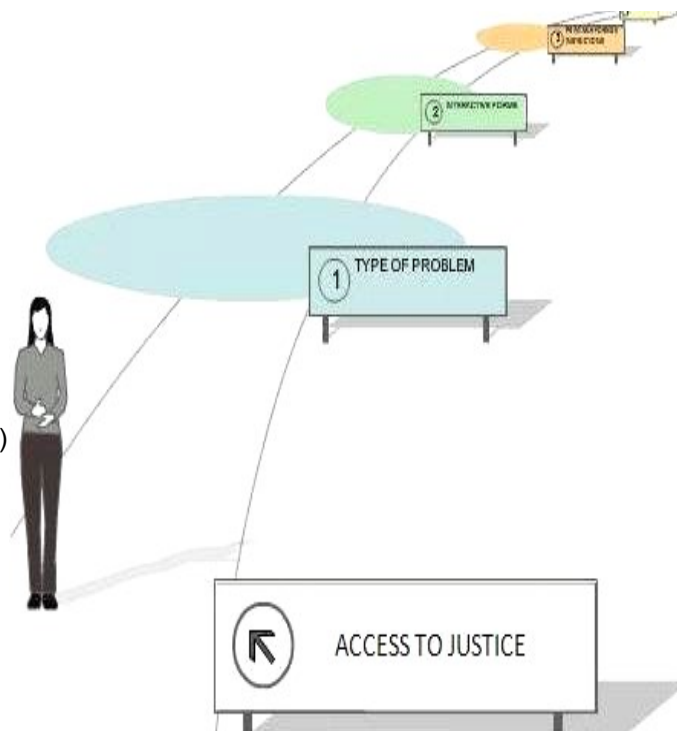
Kauai (Fifth Circuit)

Puuhonua Kaulike- 3970 Kaana Street , Lihue, HI 96766

Help Center

Hours: Monday and Friday, 9 a.m. to 12 noon

Telephone: (808) 482-2660



SELF-HELP INTERACTIVE FORMS



The Hawaii State Judiciary and Legal Aid partnered with the Hawaii State Libraries to make the Self-Help Interactive Forms available at libraries statewide. You may also visit the Hawaii State Judiciary's website www.courts.state.hi.us to access this new software.

Self-Help Interactive Forms Now Available!

Legal Aid Society of Hawaii, the Hawaii State Judiciary and the Hawaii State Bar have collaborated to bring free interactive software that can assist with court forms and legal documents. Thanks to funding from the Legal Services Corporation's Technology Initiatives Grant, this software is available to all, free of charge.

The interactive software will ask a series of questions to complete a legal form or court-approved document. The interactive interview also provides helpful information and instructions for next steps.



LAW LIBRARIES

Supreme Court Law Library

Ali'iolani Hale, Room 115
417 South King Street
Honolulu, HI 96813
Email: LawLibrary@courts.hawaii.gov

Phone: (808) 539-4964
Fax: (808) 539-4974

[SCLL User Guide](#) 

Hours: Monday - Friday, 7:45 am - 4:15 pm

Second Circuit Court Law Library - Maui

Judiciary Complex, Room 207
2145 Main Street
Wailuku, HI 96793

Phone: (808) 244-2959
Fax: (808) 244-2932

Hours: Monday - Friday, 7:45 am - 4:30 pm

Third Circuit Court Law Library - Hilo

Hale Kaulike
777 Kilauea Avenue
Hilo, HI 96720-4212

Phone: (808) 961-7438
Fax: (808) 961-7416

Hours: Monday - Friday, 7:45 am - 4:30 pm

Third Circuit Court Law Library - Kona

Old Kona Hospital
79-1020 Haukapila Street
Kealahou, HI 96750

Phone: (808) 322-8729
Fax: (808) 322-8730

Hours: Monday - Friday, 7:45 am - 4:15 pm

Fifth Circuit Court Law Library - Kauai

3970 Kaana St. Suite 100
Lihue, HI 96766-1281

Phone: (808) 482-2327
Fax: (808) 482-2553

Hours: Monday - Friday, 7:45 am - 4:30 pm



Legal Documents

The Legal Documents Branch is responsible for filing, processing and maintaining case documents and records. When you bring a case to court, there is usually a filing fee that you must pay when the court receives your document. The fees vary by court and type of action. You may visit the “Courts” section of our website www.courts.state.hi.us/courts/courts.html for a list of filing fees.

You may also obtain copies of non-confidential legal documents at the Legal Documents Office at the respective courthouse. Requests for copies of case records may be made in person or by mail. Requests made by fax, phone or by email are not accepted at certain branches. Advance payment is required. Fees may be charged, such as fees for copying, searching, retrieval from storage, certification and rush services.

Legal Document Branch Phone Numbers

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

JUDICIARY LOCATIONS

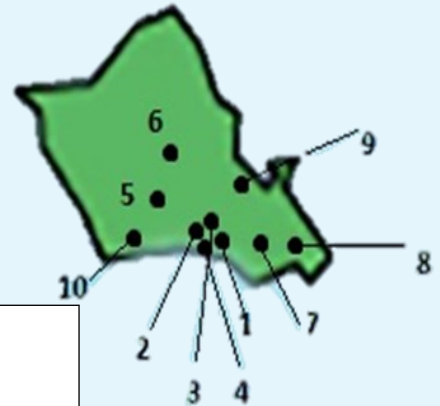


21. Circuit Court (Kauai Fifth Circuit)

Pu'uhonua Kaulike Building
3970 Kaana Street
Lihu'e, HI 96766

22. Children's Justice Center

4473 Pahee Street, Suite M
Lihue, HI 96766
(808) 246-0923



1. Circuit Court (Oahu First Court)

-Land Court

-Tax Appeal Court

Ka'ahumanu Hale
777 Punchbowl Street
Honolulu, HI 96813- 5093
Phone: (808) 539-4777

2. District Court (Oahu First Circuit)

Kauikeaouli Hale
1111 Alakea Street
Honolulu, HI 96813
Information: (808) 538-5767

3. Supreme Court

Ali'iolani Hale
417 South King Street
Honolulu, HI 96813- 2943

4. Intermediate Court of Appeals

Kapuaiwa Building
426 Queen Street
Honolulu, HI 96813

5. Ewa- Pearl City District Court

870 Fourth Street
Pearl City, HI 96782
(808) 534-6900

6. Wahiawa Division

1034 Kilani Avenue
Wahiawa, HI 96786
(808) 534-6200

7. Children's Justice Center

3019 Pali Highway
Honolulu, HI 96817
(808) 534-6700

8. ADLRO

1001 Bishop Street,
Suite 500
Honolulu, HI 96813

9. Kaneohe Division

Abner Paki Hale
45-939 Pookela Street
Kaneohe, HI 96744
(808) 534-6300

10. Family Court (Oahu First Circuit)

Kapolei Judiciary Complex
4675 Kapolei Parkway
Kapolei, HI 96707- 3272



11. Maui (Second Circuit)

Hoapili Hale
2145 Main Street
Wailuku, HI 96793-1679
(808) 244-2706

12. Lahaina District Court

1870 Honoapi'ilani Hwy.
Lahaina, Maui, HI 96761
(808) 661-0970

13. Lanai District Court

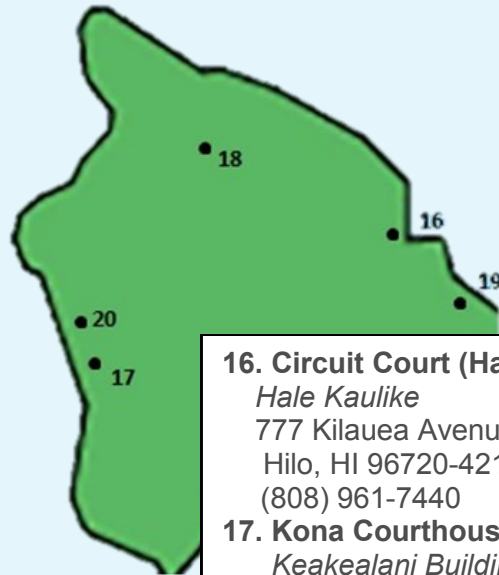
730 Lanai Avenue
Lanai City, Lanai, HI 96763
(808) 565-6447

14. Molokai District Court

55 Makaena Street
Kaunakakai, Molokai, HI 96748
(808) 553-1100

15. Children's Justice Center

1773-A Wili Pa Loop
Wailuku, HI 96793
(808) 244-7926



16. Circuit Court (Hawai'i Third Circuit)

Hale Kaulike
777 Kilauea Avenue
Hilo, HI 96720-4212
(808) 961-7440

17. Kona Courthouse

Keakealani Building
79-1020 Haukapila Street
Kealahou, HI 96750
(808) 322-8700

18. South Kohala District Court

Waimea Civic Center
67-5187 Kamamalu St.
Kamuela, HI 96743
(808) 443-2030

19. East Hawaii

Children's Justice Center
1290 Kino'ole Street
Hilo, HI 96720
(808) 933- 1505

20. West Hawaii

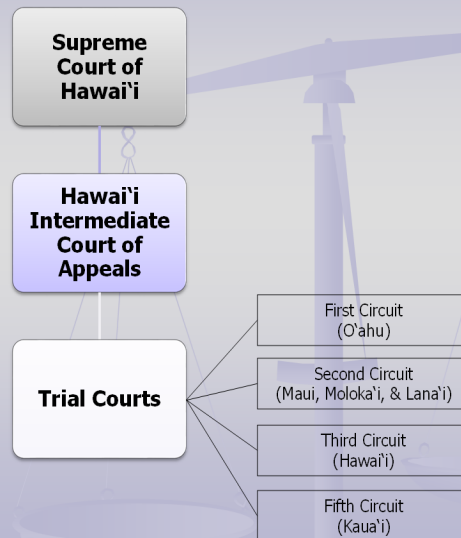
Children's Justice Center
77-6403 Nalani Street
Kailua- Kona, HI 96740
(808) 329- 5261



Hawai'i State Judiciary

WHICH COURT DOES WHAT?

COURT SYSTEM STRUCTURE



Hawaii Supreme Court Justices

HAWAII SUPREME COURT JUSTICES

Chief Justice Mark E. Recktenwald
Term: 09/14/10 - 09/13/20

Associate Justice Paula A. Nakayama
Term: 04/22/13 - 04/21/23

Associate Justice Sabrina S. McKenna
Term: 3/03/11 - 03/02/21

Associate Justice Richard W. Pollack
Term: 8/06/12 - 08/05/22

Associate Justice Michael D. Wilson
Term: 04/17/14 - 04/16/24

HAWAII SUPREME COURT

- State's highest court
- Hears appeals from trial courts, appeals transferred from the Intermediate Court of Appeals, and cases that, by law, may be filed directly with the Supreme Court

INTERMEDIATE COURT OF APPEALS

- State's second highest court
- Hears nearly all appeals from trial courts and some state agencies
- Decisions may be reviewed by the Supreme Court
- Six judges (three judges are assigned to each case)

CIRCUIT COURTS

The circuit courts have

- General jurisdiction in civil and criminal cases
- Exclusive jurisdiction in probate, guardianship, misdemeanor jury trial cases, and criminal felony cases
- Exclusive jurisdiction in civil cases where the contested amount exceeds \$40,000





Hawai'i State Judiciary

WHICH COURT DOES WHAT?

FAMILY COURTS

The family courts hear:

- Legal matters involving children
- Divorce and other domestic relations cases
- Domestic violence cases
- Domestic abuse cases involving family or household members
- Other cases relating to families



Ronald T.Y. Moon Judiciary Complex

DISTRICT COURTS & RURAL COURTS

The district courts have exclusive jurisdiction over:

- Traffic infractions
- Summary possession
- Landlord-tenant proceedings
- Non-jury misdemeanor cases
- Non-jury civil cases where the relief sought is between \$10,000 and \$40,000
- Small claims cases where the amount disputed does not exceed \$5,000
- Exclusive jurisdiction in civil cases where the contested amount exceeds \$40,000



Kauikaouli Hale, First Circuit District Court



TRAFFIC CASES

Most traffic cases in Hawaii begin when a law enforcement officer issues a citation, commonly called a "traffic ticket." The citation charges a motorist, pedestrian, or the registered owner of a parked vehicle (the defendant) with committing a traffic offense and requires the defendant to respond to the allegations in the citation. These types of cases are referred to as "traffic infractions."

When a serious traffic offense is committed, the person (defendant) is arrested and charged. The defendant must answer to the charge in court. These types of cases are referred to as "traffic crimes."

What are my options to pay a traffic ticket?

- ◆ **OPTION 1**—You can admit the infraction and pay the amount written on the citation, either by mail, using the preprinted envelope; in person at any district court; via the Internet; or by telephone at (800) 679-5949. Credit cards (Visa or MasterCard), checks or money orders are accepted. A \$25 service charge will be assessed for dishonored payments. Please do not send cash.
- ◆ **OPTION 2**- Pay in person at any District Court. Credit cards (VISA or MasterCard), checks or money orders are accepted (U.S. dollars only, checks should be made payable to "DISTRICT COURT")
- ◆ **OPTION 3**– Pay online through eTraffic Hawaii, which can be found on the Hawaii State Judiciary's website or directly to <https://etrafic.ehawaii.gov>

VISIT THE HAWAII STATE JUDICIARY'S WEBSITE ECOURT KOKUA TO LOOK UP YOUR TRAFFIC VIOLATIONS

Traffic Infraction	Traffic Crime
Defendant is subject to civil penalties.	Defendant is subject to criminal penalties, including time in jail.
Issued by police for "minor" violations such as speeding, running a stop sign or stop light, parking and equipment violations, etc.	Issued by police for "serious" violations such as driving under the influence, driving without a license, driving without no-fault insurance, excessive speeding, etc.
A defendant wishing to contest the infraction may choose to appear in court instead of submitting a written statement.	Defendant must appear in court. Submission of a written statement in lieu of appearing in court is not an option.
If the defendant opts to appear in court, a prosecutor will not be present. The state's witness is not required.	Prosecutor and state's witness are present at the hearing. The defendant may be referred to the Office of the Public Defender for legal representation.
If the defendant does not appear in court or fails to take any action, a default judgment will be entered.	If the defendant is found guilty, the defendant will be sentenced. If the defendant does not appear in court, a bench warrant is issued for his or her arrest.
If the defendant fails to respond to the default judgment, a stopper will be placed, preventing the defendant from renewing his or her Hawaii driver's license or registering the vehicle. Cases with unpaid fines and fees are referred to a collection agency contracted by the Judiciary.	If the defendant fails to respond to the bench warrant, a stopper will be placed, preventing the defendant from renewing his or her Hawaii driver's license or registering the vehicle. Cases with unpaid fines and fees are referred to a collection agency contracted by the Judiciary.



JURY SERVICE

The jury is the very foundation of the American judicial system. The Constitution of the United States guarantees each citizen a right to trial by jury. A trial jury listens to the evidence offered by both sides during a criminal or civil trial and renders a final decision.

For many people, jury service is the most direct, hands-on involvement in government they will ever experience. It is also rewarding to know that by serving on a jury, you are serving the community in which you live. When the court needs jurors for a trial, it will issue a Juror Summons.

If you have received a Juror Summons and want to find out if you need to show up at court, call the Jury Information Line listed on your summons (or the numbers listed to the right), or check the court's website at www.courts.state.hi.us.

What is a 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. 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.

Jury Online Information (eJuror)

Information is currently available online for all Circuits via eJuror (the Judiciary's new on-line information application). Please visit the "for Jurors" tab on the Hawaii State Judiciary website. It includes:

- Information on your jury reporting date and time
- If your request for deferral has been approved or denied

You may also visit our website www.courts.state.hi.us to find:

- Jury Service Frequently Asked Questions

Jury Pool Offices

First Circuit – Oahu:

- Circuit Court: (808) 539-4360
- District Court : (808) 538-5208

Second Circuit – Maui, Molokai, Lanai:

- Maui: (808) 244-2757
- Molokai and Lana'i: 1-800-315-5879

Third Circuit – Island of Hawai'i:

- Circuit Court: (808) 961-7646

Fifth Circuit – Kauai, Niihau

- Courtroom 4: (808) 482-2331
- Courtroom 6: (808) 482-2331

Small Claims Q&As

1. What types of cases are generally heard in Small Claims Court and what are the financial limitations of what can be awarded?

Claims for the award of money damages are heard in Small Claims Court, including loan repayment claims, car repair claims, car accident damage claims, and landlord claims for damages to the unit and back rent.

2. How much does it cost to file a claim?

The current filing fee is \$35, and the case will be scheduled within 30 days. Cases must be filed in person at the District Court Legal Documents Branch.

3. What type of evidence needs to be presented to the judge to prove the case?

Proof of defendant's liability and the amounts in claimed damages should be presented to a judge. This may include testimony of witnesses; evidence of the agreement or debt, signed documents, written contracts, paid bills or unpaid invoices, repair invoices, copies of emails, letters or photos.



Small Claims

The Small Claims Court is a division of the District Court that handles certain disputes between two or more parties. These cases are decided by a judge in an informal manner.

The Small Claims Court hears your case if:

- The amount disputed does not exceed \$5,000. If a counterclaim is filed, the Small Claims Court will still hear the case if the counterclaim is not more than \$40,000.
- You seek a return of a residential security deposit from your landlord.
- You seek the return of personal property, worth less than \$5,000, that was leased or rented out, and the amount you seek to recover on the lease/rental is less than \$5,000.
- You seek to recover damages or repossess items stolen from your business property. Examples of such items include shopping carts, shopping baskets or other similar devices.

Visit our website www.courts.state.hi.us and click on the “Self-Help” tab for more information on small/regular claims and the related forms.

Regular Claims

The Regular Claims Court is a division of the District Court. The Regular Claims Division hears all civil actions in which the debt, damages or value of property claimed does not exceed \$40,000. This court also hears all summary possession cases regardless of the amount sought.

Facts about Getting a Divorce in Hawaii

- In Hawaii, [Family Court](#) hears all divorces.
- You can get a divorce even if your spouse does not want a divorce.
- You do not have to state a reason for wanting a divorce.
- You can get divorced in Hawaii even if you were married in another state or another country.
- Before petitioning for a divorce, you must live in Hawaii for six months. This applies to military personnel stationed in Hawaii as well as legal residents of another state or country.
- You do not have to hire a lawyer, although having one is very helpful.
- A divorce usually takes several months. If the couple disagrees on who will have custody of the child or children or how to divide the joint property, the case will take longer.
- If you are an alien on conditional status and married to a United States citizen or a lawful permanent resident, a divorce may affect your immigration status. You should consult with an immigration attorney before filing for divorce.

Divorce Forms

[Family Court](#) has forms for uncontested divorces. Please visit our website at www.courts.state.hi.us and click on Self-Help/Court Forms to find a link to these forms.

If your divorce is very complicated, there may not be forms for everything you need to do, and you will have to create the document yourself. That is why it is very helpful to have an attorney, especially if you and your spouse cannot agree on the terms of the divorce. A lawyer can create all of the documents for you. Please note that court staff can answer general questions, but they cannot tell you what to write in the forms.

Mediation

If you are involved in a dispute, consider mediation before taking your case to trial. In mediation, you and the other party, with the help of a trained mediator, decide what is a fair solution. Learn about the advantages of mediation and whether it may be effective for your case. Please visit our website www.courts.state.hi.us and click on “Services” to find the Alternative Dispute Resolution and Mediation page.

Divorce Law Seminars

The Family Court’s monthly Divorce Law in Hawai’i public education program at the Supreme Court began its 14th year in January 2015. Divorce Law in Hawaii covers custody, property division, child support and alimony, the difference between a contested divorce and uncontested divorce, all the ways to settle a divorce, and additional resources available to divorcing spouses.

Please visit our “Community Outreach” tab on our website, www.courts.hi.us, to learn about the divorce law seminar schedule.

Kids First

Kids First is an education program for families going through divorce. It is designed to help parents understand the effects of separation and divorce on their children and to help parents and children cope with the changes in their families.

CONTACT INFORMATION:

- First Circuit (Oahu)
(808) 954-8280
Website:
www.kidsfirsthawaii.com
- Second Circuit (Maui)
(808) 244-2770
- Third Circuit (Hawaii)
KONA (808)322-8726
HILO (808) 896-6465
- Fifth Circuit (Kauai)
(808) 482-2330

About Filing for Your Temporary Restraining Order (TRO)

You may petition District Court to issue a TRO to prohibit another person from harassing you. You may petition the Family Court to issue a TRO to prohibit another person from contacting, threatening, or physically abusing you or someone who lives with you.

When you arrive at District or Family Court, a court officer will help you fill out the necessary forms. If you prefer to fill them out ahead of time, please download them from the District Court or Family Court portion of the [Forms section](#).

You will be the "petitioner" and the defendant is called the "respondent." If the TRO is granted, the respondent must be served with a copy. Please explain to the clerk if you do not want the respondent to know your address or telephone number.

Please be prepared to provide as much detail as possible. Examples of important details include:

- Dates of abuse or threats.
- Description of physical or psychological abuse.
- Information about property damage.
- Documentation about abuse, including medical and police reports.
- Information about whether the abuser owns a gun or has threatened you with one.
- Name of parent or guardian, if the abuser is 17 or younger.
- Your petition may be denied if not enough details are provided.

A District Court TRO is effective for 90 days. A Family Court TRO is effective for 180 days. If the TRO is granted, a TRO/Injunction hearing will be scheduled within 15 days. The purpose of the hearing is to determine if you can extend protection beyond 90 days. A Court clerk will give you a hearing date and time, which will appear on the TRO. You do not have to have an attorney at the TRO/Injunction hearing, but you may want one, particularly if you think the respondent will obtain legal counsel.

Contact Us

- First Circuit (Oahu)
Domestic Abuse/TRO
Hotline
(808) 538-5959
- Second Circuit
(Maui)
Family Court
(808) 244-2706
District Court
(808) 244-2706
- Third Circuit (Hawaii)
Family Court Hilo
(808) 969-7798
District Court Hilo
(808) 961-7440
Family Court Kona
(808) 443-2112
District Court Kona
(808) 322-8700
- Fifth Circuit (Kauai)
Family Court
(808) 482-2330
District Court
(808) 482-2330

Family Court TROs VS. District Court TROs

Is someone you are married to or were married to.	Is not someone to whom you are married or were married.
Is a family member.	Is not a relative.
Lives or had lived with you.	Has never lived with you.
Is someone with whom you had a child.	Is not someone with whom you had a child.
Is or was in a dating relationship with you.	Is not a dating partner.
Initial filing fee for petitioner: 0	Initial filing fee for petitioner: \$15
State law: HRS §586-4	State law: HRS §604-10.5



Hawai'i State Judiciary

LEGAL RESOURCES ON THE INTERNET

The web sites listed may be useful when conducting free legal research on the Internet.

Disclaimer: The Hawai'i State Judiciary has no control over these web sites and does not guarantee or assume any liability for the accuracy, relevance, currency, or completeness of the information presented at a site. Links to other web sites do not constitute an endorsement by the Judiciary.

Bar Associations

American Bar Association

Hawaii State Bar Association

State and Local Bar Associations

Comprehensive Legal/Law Sites

Cornell University Law School, Legal Info Institute

FindLaw (Includes lawyer directory)

Hawaii LRB, Virtual Ref Desk

Hieros Gamos, Worldwide Legal Directories

Justia

Law Library of Congress

Counties, Hawai'i State

City & County of Honolulu

Charter

Revised Ordinances of Honolulu

County of Hawai'i

Charter

Hawai'i County Code

County of Kaua'i

Charter

Code

County of Maui

Charter

Maui County Code

Court and Law Related Organizations

American Judicature Society

Bureau of Justice Assistance

Federal Judicial Center

National Association for Court Management

National Criminal Justice Reference Service

National Judicial College

Court Rules

Hawai'i Rules of Court

Law Library Resource Xchange

Courts, Federal

Supreme Court Database, The

U.S. Courts, The Federal Judiciary

U.S. Supreme Court

Courts, State

Hawai'i Legislative Reference Bureau Library

Reference Desk

National Center for State Courts

Directories

Law Firm directory from Martindale

West's Legal Directory

Forms

Hawai'i State Judiciary Court Forms

Internet Legal Research Group Legal Forms Archive

The 'Lectric Law Library Forms Room

Legal Forms via Hawaii State Library

<http://www.americanbar.org/aba.html>

<http://hsba.org/>

<http://www.romingerlegal.com/natbar.htm>

<https://www.law.cornell.edu/>

<http://www.findlaw.com/>

<http://lrbhawaii.org/desk/>

<http://www.hg.org/law-dictionary.html>

<https://www.justia.com>

<http://www.loc.gov/law/>

<http://www.honolulu.gov/>

<http://www.honolulu.gov/cor/rch.html>

<http://www.honolulu.gov/ocs/roh.html>

<http://www.hawaiicounty.gov/>

<http://www.hawaiicounty.gov/lb-home/>

<http://www.hawaiicounty.gov/lb-countycode/>

<http://www.kauai.gov/Default.aspx>

<http://www.kauai.gov/default.aspx?tabid=362>

<http://qcode.us/codes/kauaicounty/>

<http://www.co.maui.hi.us/>

<http://www.mauicounty.gov/index.aspx?NID=162>

<https://www.municode.com/Library/HI>

<https://www.ajs.org/>

<https://www.bja.gov/>

<http://www.fjc.gov/>

<https://nacmnet.org/>

<https://www.ncjrs.gov/>

<http://www.judges.org/>

<http://www.courts.state.hi.us/> [under "Legal References"]

<http://www.llrx.com/courtrules/>

<http://scdb.wustl.edu/>

<http://www.uscourts.gov/>

<http://www.supremecourt.gov/>

<http://lrbhawaii.org/desk/>

<http://www.ncsc.org/> [under "Information & Resources"]

<http://www.martindale.com/>

<http://lawyers.findlaw.com>

http://www.courts.state.hi.us/self-help/courts/forms/court_forms.html

<http://www.ilrg.com/forms/index.html>

<http://www.lectlaw.com/form.html>

<http://www.librarieshawaii.org/serials/databases.html>

Government. Federal

Federal Administrative Decisions and Other Actions
GPO's Federal Digital System
Official U.S. Executive Branch Web Sites
USAGov

<http://guides.lib.virginia.edu/findinggovinfo>
<http://www.gpo.gov/fdsys/>
<http://www.loc.gov/rr/news/fedgov.html>
<https://www.usa.gov/>

Government. Hawai'i

Hawai'i Administrative Rules
Hawai'i Judiciary Home Page
Hawai'i Revised Statutes
Hawai'i State Government
Hawai'i State Legislature

<http://ltgov.hawaii.gov/the-office/administrative-rules/>
<http://www.courts.state.hi.us/>
<http://www.capitol.hawaii.gov/>
<https://portal.ehawaii.gov/>
<http://www.capitol.hawaii.gov/>

Government. State

Council of State Governments
State and Local Government on the Net

<http://www.csg.org/>
<http://www.statelocalgov.net/>

International Law

Cornell Law School Legal Information Institute "Law
by Source – Global"
Electronic Information System for International Law
(EISIL)

<https://www.law.cornell.edu/world>

Hauser Global Law School Program Globalex
Law Library of Congress Nations of the World
Pacific Islands Legal Information Institute
U.S. Department of State

<http://www.nyulawglobal.org/globalex>
<http://www.loc.gov/law/help/guide/nations.php>
<http://www.pacii.org>
<http://travel.state.gov/content/travel/english.html>

Jury Instructions

Hawai'i Civil and Criminal Jury Instructions
Revisiting Jury Instructions Pt.1, Alabama-Mississippi
Revisiting Jury Instructions Pt.2, Missouri-Wyoming

<http://www.courts.state.hi.us/> [under "for Attorneys"]
<http://www.llrx.com/columns/reference38.htm>
<http://www.llrx.com/columns/reference39.htm>

Law Reviews

Law Reviews Online

<http://www.loc.gov/law/help/guide/federal/lawreviews.php>

Legal News

FindLaw
Jurist Legal News Research
law.com

<http://legalnews.findlaw.com/>
<http://www.jurist.org/>
<http://www.law.com/>

Legislation. Federal

Legislative Branch Resources
Thomas
U.S. Code Collection

<http://www.gpo.gov/fdsys/>
<http://thomas.loc.gov/home/thomas.php>
<https://www.law.cornell.edu/uscode/text>

Legislation. State

Full-text State Statutes & Legislation on the Internet
Hawai'i Legislative Reference Bureau Library
Reference Desk
National Conference of Commissioners on Uniform
State Laws

<http://www.whpgs.org/f.htm>
<http://lrbhawaii.org/desk/>

<http://www.uniformlaws.org/>

Libraries

American Association of Law Libraries
Library of Congress
National Center for State Courts Library

<http://aallnet.org/>
<http://www.loc.gov/>
<http://www.ncsc.org/Publications-and-Library/Library-Services.aspx>
<http://mn.gov/lawlib/osll.html>

State and Supreme Court Law Libraries

Statistics

FedStats
Hawaii

<http://fedstats.sites.usa.gov/>
<http://www.hawaii.gov/dbedt/info/economic/databook>

For a comprehensive list and detailed information about the sites listed here, please see:
<https://hilawlibrary.wordpress.com/about/legal-information/legal-websites/>



Hawai'i State Judiciary

GLOSSARY

ACCUSED: Person charged with a crime; the defendant.

ACQUIT: To find not guilty.

APPEAL: Taking a case to a higher court for review.

APPELLATE COURT: A court in which appeals from trial court decisions are heard. In Hawai'i, the Hawai'i Supreme Court and Intermediate Court of Appeals.

ARRAIGNMENT: A formal proceeding in which the accused in a criminal case is called before the court and informed of the offense with which he or she is charged. The accused may then enter a plea of guilty or not guilty.

ARREST: Taking a person suspected of a crime into custody.

ATTORNEY: A graduate of a law school who is admitted to practice law before the courts of a jurisdiction. The attorney's job is to advise, represent and act for a client; lawyer, counsel.

BAIL: Money put up by the accused to allow release from jail before trial. The purpose of bail is to assure the court that the defendant will return for trial.

BAILIFF: An officer of the court who is appointed to keep order in the courtroom and to have custody of the jury.

BEYOND A REASONABLE DOUBT: The degree of proof required to convict a person of a crime.

CALENDAR: A daily register of cases to appear before the court. It is prepared by the clerk of the court and is sometimes called a **DOCKET**.

CHALLENGE FOR CAUSE: A request that a prospective juror not be allowed to sit on the jury because of specified reasons such as bias.

CHANGE OF VENUE: A request that a case begun in one place be moved to another location for trial. It is used when the defendant cannot obtain a fair trial in the place where the crime was allegedly committed.

CHARGE: The formal accusation of a crime. Generally, the charge is contained in an indictment or complaint or stated orally.

CIVIL LAW: All areas of law that do not involve criminal matters. Civil law usually deals with private rights of individuals, businesses, or groups.

COMMON LAW: The law made by courts instead of by legislatures; case law.

CONTEMPT OF COURT: Any act involving disrespect to the court or failure to obey its rules.

CONVICTION: A finding that the defendant is guilty in a criminal case.

COURT: A place presided over by a judge where trials and other judicial hearings take place.

COURT CLERK: An individual who keeps a record of the court's activities each day and records future dates for the judge's calendar.

COURT OF RECORD: A court whose proceedings are permanently recorded.

COURT REPORTER: A court official in charge of making a permanent record of all activities occurring in the court.

CRIME: Any act that the legislature has determined to be punishable. There are three grades of crimes: felonies, misdemeanors, and petty misdemeanors.

CRIMINAL CASE: A trial involving person(s) accused by the government of violating public laws resulting in the commission of a crime.

CROSS-EXAMINATION: The questioning of a witness by the attorney for the opposing side; follows the direct examination.

DEFENDANT: The person charged in a criminal action; the accused. In a civil case, the person against whom a lawsuit is brought.

DISPOSITION: The outcome of a case.

DOUBLE JEOPARDY: A common law and constitutional protection preventing the government from prosecuting a person twice for the same charges.

DUE PROCESS OF LAW: Law in its regular course of administration through the courts of justice. The guarantee of due process requires that every person has the protection of a fair trial.

EVIDENCE: The information offered to the court or jury to prove something.

CIRCUMSTANTIAL: Evidence of an indirect nature. "I saw that man at the scene of the robbery."

DIRECT: Proof of facts by witnesses who saw the acts done or heard the words spoken. "I saw that man rob the bank with my own eyes."

EXHIBITS: Documents or other tangible evidence.

FELONY: A serious criminal offense that carries a sentence of more than one year in jail.

GRAND JURY: A body of citizens that hears evidence against a person suspected of a crime and decides if probable cause exists to charge the suspect formally.

HUNG JURY: A jury unable to agree unanimously on whether to convict or acquit a defendant.

INCARCERATED: Jailed; imprisoned.

INDICTMENT: A document prepared by a grand jury formally charging a person with a crime.

INDIGENT: A person unable to afford an attorney.

JAIL: A facility where those convicted of a crime, or those awaiting trial, are incarcerated.

JUDGE: A public official appointed to hear and decide cases in a court of law.

JUDGMENT: The official decision of a court.

JURISDICTION: The area and types of cases that a court has authority to hear and decide.

JURY: A group of citizens selected according to law to hear the facts in a case and render a verdict according to those facts.

JUSTICE: A public official appointed to the Hawai'i Supreme Court to hear and decide cases.

JUVENILE: One who has not yet reached legal age as prescribed by law; in Hawai'i, under the age of eighteen.

LAW CLERK: A law school graduate employed by a judge or justice to conduct legal research and writing and assist in chambers' duties.

LEADING QUESTION: A question that instructs or suggests to a witness how and what to answer by putting words in the witness's mouth to be echoed back; this type of question is generally prohibited on direct examination.

LITIGATE: To settle a dispute or seek relief in a court of law.

MISDEMEANOR: An offense less serious than a felony that authorizes a maximum sentence of up to one year in jail.

MOTION: Request made by one party to a lawsuit that a judge take some specific action or make a decision. Motions may be made orally or more formally in writing.

OBJECTION: An expression of disapproval to the form or content of a question asked by opposing counsel. The judge will rule on the validity of the objection. An objection can also be made against tangible evidence or conduct of opposing counsel.

OVERRULE: To reject as invalid; used by a judge to indicate lack of agreement with the lawyer's motion or request.

SUSTAIN: To support or agree with; used by a judge to indicate agreement with a lawyer's motion or request.

OFFENSE: The violation of any criminal statute.

PAROLE: The release of an inmate from prison by the Hawai'i Paroling Authority prior to the expiration of a sentence of incarceration on condition of future good behavior. The parolee remains under the supervision of the Paroling Authority until the term of the parole expires. Parole is a rehabilitative program that is designed to reduce the expenses of incarceration, provided that there is good reason to believe the parolee can make a successful reentry into society.

PEREMPTORY CHALLENGE: The challenge of a prospective juror by counsel for either side in a trial made without having to give any reason. In the selection of a jury, each side has a right to a fixed number of peremptory challenges that can be used to prevent the seating of unwanted potential jurors.

PERJURY: The offense of giving false testimony under oath.

PETTY MISDEMEANOR: A crime less serious than a misdemeanor. A petty misdemeanor carries a maximum sentence of thirty days' imprisonment.

PLEA: The defendant's response to the prosecution's charges. A defendant may plead guilty, not guilty, or nolo contendere.

GUILTY: An accused person's formal admission in court of having committed the charged offense.

NOT GUILTY: An accused person's formal denial in court of having committed the charged offense.

NOLO CONTENDERE: A plea by which the defendant does not contest or admit guilt.

PLEA BARGAINING: Negotiations between the defense and the prosecution to resolve the dispute without a full trial.

PRELIMINARY HEARING: A hearing held before a district court judge to determine whether probable cause exists to believe that a crime was committed and that the defendant committed the crime.

PRISON: A facility where those convicted, usually of felonies, are incarcerated.

PROBATION: A procedure whereby a defendant found guilty of a crime is released by the court without being sentenced to imprisonment provided by law, subject to conditions imposed by the court, which may include limited imprisonment, under the supervision of a probation officer.

PROSECUTOR: A government attorney whose duty is to prosecute persons accused of crimes.

PUBLIC DEFENDER: A member of the Office of the Public Defender who is appointed by the court to represent indigent defendants.

RECORD: All of the filed documents, tangible exhibits, and hearing and/or trial transcripts for a case.

SENTENCE: Penalty imposed on a defendant after conviction for a crime.

CONCURRENT: When the defendant, after being convicted for more than one crime, is permitted to serve all of the sentences at the same time.

CONSECUTIVE: When the defendant is required, after being convicted and sentenced for more than one crime, to serve each subsequent sentence after completion of prior sentences.

STATUTE: Any law passed by a legislative body.

SUBPOENA: A court order requiring a witness to appear and give testimony before a judge.

SUMMONS: A written order issued by a judge ordering a person to appear at a certain time and place to answer charges or questions.

TESTIMONY: Evidence presented by a witness under oath.

TRANSCRIPT: The official and verbatim record of proceedings in a trial or hearing.

TRIAL: The formal judicial proceedings through which criminal and civil disputes are settled.

VERDICT: The formal and unanimous decision of a jury, reported to the court and accepted by it.

VIOLATION: An offense that carries no jail time but may be penalized by a fine, forfeiture, or other civil penalty. A violation is not considered a crime.

VOIR DIRE: A French phrase meaning “to speak the truth.” It is the examination of prospective jurors by the judge or attorney to determine if the jurors are impartial.

WAIVE: To give up a right or claim voluntarily.

WARRANT: A written document issued by the judge authorizing a police officer to make an

Thank you for your interest

We thank you for your interest in the Hawaii State Judiciary and hope this information will help you better navigate the court system.

The Hawaii State Judiciary's Communications & Community Relations Office is available to assist the public and media with any questions or concerns. Feel free to contact us at anytime. We are happy to help!

Contact Us

Communications &
Community Relations
Office

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pao@courts.hawaii.gov

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Mahalo!