

Message from:

**Susan Oki Mollway
Chief United States District Judge**

U. S. MAGISTRATE JUDGES ON THE CIVIL WHEEL

Beginning January 1, 2010, the United States District Court for the District of Hawaii will institute a new system for assignment of civil cases among the district judges and magistrate judges. Under the new system, a limited number of civil cases will be initially randomly assigned to a magistrate judge, rather than a district judge. If all parties subsequently consent in any case assigned to a magistrate judge, the case will remain with the magistrate judge for all purposes, including trial. If any of the parties do not consent, the case will be randomly reassigned to a district judge.

When a case is assigned to a magistrate judge upon the filing of the complaint or petition for removal, a Notice of Assignment to a United States Magistrate Judge and Election Form will be forwarded to the filing party. It is the filing party's responsibility to serve each of the parties the Notice and the Election Form, and each party must return to the Clerk a completed Election Form no later than twenty-one (21) days after entering an appearance. If a dispositive motion is filed prior to the date on which the Election form is required to be returned, each

party is then required to return the Election Form within seven (7) days after the motion is filed.

Speedy trial rights in felony criminal cases require the district judges to give priority to trying those cases. Because magistrate judges do not preside over felony criminal trials, they usually are able to provide earlier and firmer dates for both hearings and trials in civil cases than might otherwise be possible by a district judge. All of the district judges agree that this Court has highly qualified, experienced magistrate judges, and they do not hesitate in recommending that the parties in civil cases give serious consideration to electing to proceed before the assigned magistrate judge.