

NO. 22638

IN THE SUPREME COURT OF THE STATE OF HAWAII

In the Interest of

JANE DOE,

Born on October 27, 1997.

FC-S NO. 98-05271

FAMILY COURT OF THE FIRST CIRCUIT
SUMMARY DISPOSITION ORDER

Upon carefully reviewing the record and the briefs submitted by the parties and having given due consideration to the arguments advanced and the issues raised by the parties, we hold that: (1) inasmuch as Intervenor-appellant Anita Hunt (Hunt) failed to demonstrate that she claimed "an interest relating to the property, transaction or custody or visitation of a minor child which is the subject of the action and he [or she] is so situated that the disposition of the action may as a practical matter impair or impede his [or her] ability to protect that interest," pursuant to Hawai'i Family Court Rules (HFCR) Rule 24(a), the family court did not err in denying her motion for intervention of right; (2) inasmuch as Hunt failed to demonstrate on appeal that the family court abused its discretion in disallowing permissive intervention under HFCR Rule 24(b), the family court did not abuse its discretion in denying her motion for permissive intervention; and (3) inasmuch as Hunt did not attempt to utilize the appropriate statutorily-established procedure under Hawaii Revised Statutes § 587-81 (1993) to obtain court records in child protective proceedings, the family court did not err in denying Hunt access to the records and files in Jane Doe's case. Therefore,

IT IS HEREBY ORDERED that the judgment from which the appeal is taken is affirmed.

DATED: Honolulu, Hawaii, ⁽⁴⁾ June 7, 2000.

On the briefs:

Brian Benham Custer
for intervenor-appellant

Jill T. Nagamine and
Mary Anne Magnier,
Deputy Attorneys
General, for Department
of Human Services-
Appellee

RONALD T.Y. MOON
Chief Justice

STEVEN H. LEVINSON
Associate Justice

PAULA A. NAKAYAMA
Associate Justice

MARIO R. RAMIL
Associate Justice

KEVIN S.C. CHANG
Substitute Justice

1. Substitute Justice Chang was assigned by reason of the vacancy created by the resignation of Justice Klein, effective February 4, 2000. On May 19, 2000, Simeon R. Acoba, Jr. was sworn-in as associate justice of the Hawaii Supreme Court. However, Substitute Justice Chang remains on the above-captioned case, unless otherwise excused or disqualified.