

## **Frequently Asked Questions**

### **Small Claims Online Dispute Resolution (ODR) Pilot Program**

The Small Claims Online Dispute Resolution (ODR) Pilot Program is currently offered in the First Circuit (Oahu), the Second Circuit (Maui), the Third Circuit (Hawaii), and the Fifth Circuit (Kauai), District Court.

#### **What is Online Dispute Resolution (ODR)?**

ODR helps people resolve their legal dispute online, using a computer, laptop, tablet or smart phone without having to meet in-person or go to court. The TurboCourt ODR program guides parties through each step: starting a court case, completing court forms, submitting documents to court, negotiating, and sending a settlement agreement to the court for online approval.

After parties from both sides are registered on ODR, you and the other party(ies) will have seven (7) days to negotiate between yourselves and come to a settlement agreement. If you reach an agreement, the ODR program will help generate a settlement agreement for the parties to review, sign, and serve it on the other parties. You will not need to attend Court in-person for any additional hearings or trial.

If no agreement is reached within seven (7) days, you will be required to come to the courthouse on the date and time assigned. At that time, the presiding Judge may order the parties to mediation with a neutral third-party mediator before the case proceeds to trial.

#### **What is TurboCourt?**

TurboCourt is an online program that provides individuals who do not have attorneys the ability to complete and generate court forms and submit the documents to the court online. TurboCourt also provides an online program that enables parties in a Small Claims dispute to reach an agreement and settle their case without having to go to court.

#### **What are the benefits of ODR?**

Since ODR is online, there is no need to travel anywhere to meet with the other party(ies). For some people, this is a faster, less expensive way to settle a dispute. TurboCourt ODR is also available 24/7 so you can complete your court forms online whenever it is most convenient for you. The step-by-step process will also ensure that you complete your forms correctly and you will know what your next steps are.

#### **What do I need to participate in ODR?**

You will need access to a computer, laptop, tablet or smart phone that can connect to the internet. You will also need an e-mail address to register for a TurboCourt account. If you need access to Wi-Fi, you may visit the Hawaii State Supreme Court Law Library website for [Hawaii Free Wi-Fi HotSpots](#).

## **What if I don't register for ODR?**

If you do not register or do not complete ODR in time, you and the other party(ies) will need to attend your court hearing in-person.

## **How much time do I have to complete ODR?**

You will be able to negotiate directly with the other party(ies) using the online ODR program. You will have up to seven (7) days to reach and submit an agreement. If you reach an agreement, the ODR program will help generate a settlement agreement for the parties to review, sign, and serve it on the other parties. You will not need to attend Court in-person for any additional hearings or trial.

## **How will I know when to check my ODR case?**

There are several ways to get notified about activity in your ODR case. You may sign up for e-mail and text message notifications. You may also log into your TurboCourt account and look at your messages. If you choose to receive text messages, your cell phone carrier may charge you.

## **How do I communicate with the other party?**

You and the other party will communicate using the TurboCourt ODR program. You will enter negotiation terms, send chat messages, and share documents using TurboCourt.

## **How do I get started?**

To start, you will need to register for a TurboCourt account at [www.turbocourt.com/hawaii](http://www.turbocourt.com/hawaii). If you are a plaintiff (you want to sue someone/file a claim), TurboCourt will guide you step-by-step to complete the required court forms.

## **Where do I find my case number?**

You may find your case number on the court filed *Statement of Claim*. You may also search for your case by accessing the Hawaii State Judiciary eCourt Kokua system at [eCourt Kokua](http://eCourt.Kokua). Search eCourt Kokua using your name or the other party's name.

Review the information in eCourt Kokua to make sure you have the correct case and case ID number.

## **What if I need legal assistance?**

If you need legal assistance to better understand the court process and your legal rights and responsibilities, please visit the [Hawaii State Judiciary](http://HawaiiStateJudiciary) website. Under Self-Help and the Access to Justice Tabs, you will find information about Self-Help Centers, Access to Justice Rooms, and other resources for legal assistance.

## **Am I required to file my small claims case through the ODR Pilot Program?**

The following are required to file their small claims case through the ODR Pilot Program:

- Individuals who are not represented by an attorney. These individuals are sometimes called Self-Represented Litigants or pro se parties.
- An individual involved in a dispute with only one other person and all parties are not represented by an attorney. For example, Party A (one person) files a complaint against Party B (another person).
- Multi-Party individuals are involved in a dispute and all parties are not represented by an attorney. For example, Party A and B (co-plaintiffs) file a complaint against Party C and D (co-defendants).
- This pilot program does not apply to businesses.

## **May I be excused from filing my small claims case through the ODR Pilot Program?**

If you do not have access to a computer, have difficulties with reliable Internet access, or any other information you want the court to consider, you must submit a request to the court to be permitted to file or respond to a complaint against you in person/over the counter". Please complete and submit a [Request for Exemption from Small Claims Online Dispute Resolution](#) to the court. If you are excused from participating, you will be required to submit your court documents directly with the court in person or via U.S. mail and appear at the scheduled hearing.

## **What if I need a special accommodation or an interpreter?**



If you need an accommodation for a disability when participating in a court program, service or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation.

Call First Circuit (Oahu) (808) 538-5121; Second Circuit (Maui) (808) 244-2855; Third Circuit (Hawaii Island): Hilo (808) 961-7629, Kona (808) 961-7629; or Fifth Circuit (Kauai) (808) 482-2347; or send an e-mail to [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov). The ADA Coordinator will work to provide, but cannot guarantee, the requested auxiliary aid, service or accommodation.

The TurboCourt program uses Google Translate. Not all languages are supported and the Judiciary cannot guarantee the accuracy of the Google translation program. If you need an interpreter, please click [here](#) for How to Request an Interpreter. You may also call (808) 539-4860.