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THIRD CIRCUIT
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SP. No. ___3CSP-20-0000022____

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

In the Matter of the CIRCUIT COURT OF THE THIRD CIRCUIT'S RESPONSE TO THE COVID-19 OUTBREAK	)	(Special Proceeding) FOURTH AMENDED EMERGENCY ORDER #2 REGARDING CIRCUIT COURT OF THE THIRD CIRCUIT, CRIMINAL MATTERS

FOURTH AMENDED EMERGENCY ORDER #2 REGARDING
CIRCUIT COURT OF THE THIRD CIRCUIT, CRIMINAL MATTERS

This matter comes before the Court in light of the public health emergency in the State of Hawai'i.

Pursuant to the Orders of Chief Justice Mark E. Recktenwald filed March 16, 2020, Order Directing Courthouse Closures filed March 20, 2020, Order Regarding Trials filed April 17, 2020, Order Regarding Remote Court Procedures filed April 24, 2020, Order Regarding Judiciary Operations filed April 27, 2020, Order Regarding Jury Trials and Grand Juries filed May 22, 2020, Order Regarding Judiciary Operations filed May 28, 2020, Order Regarding Judiciary Operations filed June 23, 2020, and Order Regarding Jury Trials filed June 23, 2020 under SCMF No. 20-0000152 regarding the

coronavirus disease 2019 (COVID-19) and with authority as Interim Chief Judge of the above-entitled Court, IT IS HEREBY ORDERED:

The following shall apply to all circuit court criminal trial proceedings:

1. All jury trials shall be postponed until after August 31, 2020 and jury trials may begin on September 1, 2020, barring further public health or other extraordinary developments that would make doing so imprudent.
2. Grand jury will commence in July, 2020.

All other criminal proceedings will be heard remotely by telephonic or video conference to the extent feasible and as permitted by law. If the assigned criminal court requires in-person proceedings, the hearing shall be held on a staggered basis and counsel and parties shall practice social distancing.

The parties shall contact the assigned court to reschedule or schedule hearings.

No person shall enter the Judiciary facility if they have: (1) a cough, shortness of breath, difficulty breathing, or at least two of the following: fever, chills, repeated shaking with chills, muscle pain, sore throat, or new loss of taste or smell; (2) traveled in the past 14 days outside the State of Hawaii; or (3) had prolonged contact with a person who has or is suspected to have COVID-19. Exceptions may be made to these restrictions in extraordinary circumstances.

Person(s) entering the Judiciary facility shall wear a face covering as described and recommended by the Centers for Disease Control and Prevention.

IT IS SO ORDERED:

DATED: Kailua-Kona, Hawai'i _____June 24, 2020,_____

_____/s/ Melvin H. Fujino_____
Hon. Melvin H. Fujino, Interim Chief Judge
Third Circuit Court, State of Hawai'i