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SP. No. 1CSP-20-0000082

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI‘I

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

EMERGENCY ORDER REGARDING CIRCUIT COURT OF THE FIRST 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 Order of Chief Justice Mark E. Recktenwald filed March 16, 2020 under SCMF No. 20-0000152 regarding the coronavirus (COVID-19) and with authority as Chief Judge of the above-entitled Court, IT IS HEREBY ORDERED:

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

    a. All trials, jury and non-jury, will be postponed until after April 30, 2020.

B. All face-to face conferences, hearings and motions, except motions regarding bail pursuant to Hawai‘i Revised Statutes Chapter 804 (“Bail Hearings”) and matters deemed essential and urgent requiring court action (“Essential Hearings”), will be postponed until after April 30, 2020. The appropriate trial division will notify parties of future hearing dates.

II. The following shall apply to all circuit court criminal administrative proceedings:

A. Arraignment, plea, and extradition hearings, initial appearances in felony cases, preliminary hearings for in-custody defendants, Bail Hearings, and Essential Hearings will proceed as scheduled.

B. All other face-to-face conferences, hearings, and motions shall be continued until after April 30, 2020.

C. The administrative division will notify parties of future hearing dates.

D. Grand Jury panels will not be convened until after April 30, 2020.

E. As to the mental health calendar, and concerning matters under Hawaii Revised Statutes Chapter 704, hearings on (1) Order for Temporary Hospitalization; (2) Motion to Revoke Conditional Release; and (3) any Essential Hearings will proceed as scheduled. All other hearings shall be postponed until after April 30, 2020. The administrative division will notify the parties of future hearing dates.

III. For all treatment courts, including Drug Court, Mental Health Court, and Veterans’ Court, all face-to-face hearings, except for Essential Hearings, will be postponed until after April 30, 2020. The treatment courts will notify the parties of

future hearing dates. Any Essential Hearing will be heard on an individual, case-by-case basis.

IV. All HOPE Probation face-to-face hearings, except Essential Hearings, shall be postponed until after April 30, 2020.

It is so Ordered.

DATED: Honolulu, Hawai'i, MAR 16 2020.

FIRST CIRCUIT COURT SEAL STATE OF HAWAII

Hon. R. Mark Browning, Chief Judge
First Circuit Court, State of Hawai'i