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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) AMENDED EMERGENCY ORDER #5 REGARDING DISTRICT COURT OF THE FIRST CIRCUIT

AMENDED EMERGENCY ORDER #5
REGARDING DISTRICT COURT OF THE FIRST CIRCUIT

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 and the Order Directing Courthouse Closures of Chief Justice Recktenwald filed March 20, 2020 under SCMF No. 20-0000152 regarding the coronavirus (COVID-19) under SCMF No. 20-0000152 and with authority as Chief Judge of the above-entitled Court, IT IS HEREBY ORDERED:

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

    A. All criminal and criminal traffic cases involving defendants in the custody of the Oahu Community Correctional Center (OCCC), the Hawai‘i State Hospital (HSH), and/or the Honolulu Police Department (HPD) will proceed as scheduled.

    B. All criminal and criminal traffic cases involving defendants who are not in the custody of OCCC, HSH, and/or HPD will be postponed until after April 30, 2020.

2. As to the mental health calendar, and concerning matters under Hawai‘i 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.

3. As to felony matters:

    C. All initial appearances in felony matters will proceed as usual.

    D. All preliminary hearings in felony matters will proceed as usual.

4. As to the district court specialty courts:

    E. All DWI Court hearings will be postponed until after April 30, 2020.

    F. All Community Outreach Court hearings will be postponed until after April 30, 2020.

5. The following shall apply to all district court civil proceedings:

    G. All trials will be postponed until after April 30, 2020.

    H. All answers, returnables, hearings, motions, pretrial conferences, status conferences, and settlement conferences will be postponed until after April 30, 2020.

I. All district court temporary restraining order matters under Haw. Rev. Stat. § 604-10.5 will proceed as usual. Temporary restraining orders based on illegal lockouts and utility shutoffs will also proceed as usual.

6. All traffic infraction cases will be postponed until after April 30, 2020.

7. The Deputy Chief Judge of the District Court, First Circuit, may issue additional orders and adjust court operations consistent with this Order, Chief Justice Recktenwald's Order Directing Courthouse Closures (filed March 20, 2020), and Chief Justice Recktenwald's Order regarding COVID-19 (filed March 16, 2020).

It is so Ordered.

DATED: Honolulu, Hawai'i, MAR 27 2020.

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

FIRST CIRCUIT COURT SEAL STATE OF HAWAII