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FIFTH CIRCUIT
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IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT

STATE OF HAWAI‘I

In the Matter of the CIRCUIT COURT OF THE FIFTH CIRCUIT'S RESPONSE TO THE COVID-19 OUTBREAK	)	5CSP-20-0000009 AMENDED EMERGENCY ORDER #3 REGARDING FAMILY COURT OF THE FIFTH CIRCUIT

AMENDED EMERGENCY ORDER #3 REGARDING

FAMILY COURT OF THE FIFTH CIRCUIT

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 April 27, 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 Family Court calendars shall be conducted by videoconference or telephone conference to the extent feasible.
   a. Temporary Restraining Orders ("TROs");
   b. Gun Violence Protective Orders ("GVPOs");

c. Juvenile Detention hearings;

d. Civil Commitment hearings;

e. Emergency Guardianships;

f. Child Welfare Services Cases, including temporary foster custody and motions when a child is removed from family supervision to foster custody and Imua Kakou hearings, but excluding trials. All status hearings will be postponed.

g. Divorce (all matters other than trials);

h. Paternity (all matters other than trials);

i. Guardianships (minor and incapacitated adults), excluding emergency guardianships;

j. Adoptions;

k. Assisted Coummunity Treatment ("ACT");

l. Juvenile law violation matters such as disposition hearings, further disposition hearings, proof of compliance hearings, calendar calls, adjudication hearings, and Juvenile Drug Court review hearings;

2. The following Family Court calendars will be continued to a date after May 29, 2020:

a. All trial calendars, including Juvenile denial hearings, (except for TRO and Gun Violence Protective Order ("GVPO") cases that may or may not be non-essential and will be evaluated on a case-by-case basis);

b. Child Welfare Services trials; and

c. Specialty Courts such as Girls Court and Truancy Court and all hearings involving status offenses;

3. The Kids First Program is suspended until after May 29, 2020;
4. The following Family Court Adult Criminal ("FC-CR") calendars will continue to be conducted:
   a. Arraignment and Plea
   b. Bail hearings;
   c. Orders for temporary hospitalization;
   d. Motions to revoke conditional release; and
   e. Initial appearance and preliminary hearings in felony cases.
   f. All other matters in the Family Court Adult Criminal Division, including all trials, are continued to a date after May 29, 2020.
5. All pretrial hearings that were previously set will be conducted by telephone or videoconferencing. Please contact Family Court staff at (808) 482-2391 to arrange a conference call or videoconferencing.
6. All persons entering the court building and all court employees who have contact with customers shall wear a face covering.
7. Proceedings involving pre-and post-decree motions in Family Court will be heard using video conference or telephone conference to the extent feasible.
8. Proceedings will be heard by video conference or telephone conference to the extent feasible. Request to appear remotely by video or teleconference may be sent to fax: (808) 482-2655 or email: LegalDocs.5CC@courts.hawaii.gov.

IT IS HEREBY ORDERED.

DATED: LIHUE, KAUAI, HAWAII, 4-29-20.

L.S.

Hon. Randal G. B. Valenciano, Chief Judge
Fifth Circuit Court, State of Hawai`i