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SECOND CIRCUIT
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SP. NO. _____

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT

STATE OF HAWAI`I

In the matter of the CIRCUIT COURT OF THE SECOND CIRCUIT, STATE OF HAWAI`I'S RESPONSE TO COVID-19 OUTBREAK	)	2CSP-20-0000015 (Emergency Order) EMERGENCY ORDER NO. 4 REGARDING CIRCUIT COURT OF THE SECOND CIRCUIT, STATE OF HAWAI`I

EMERGENCY ORDER NO. 4 REGARDING
CIRCUIT COURT OF THE SECOND CIRCUIT, STATE OF HAWAI`I

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 APRIL 27, 2020, under SCMF No. 20-0000152 regarding the coronavirus (COVID-19) and with the authority as Chief Judge of the above-entitled Court,

IT IS HEREBY ORDERED:

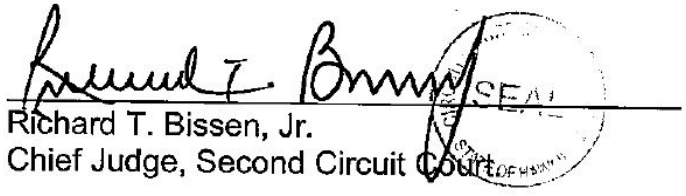
1. All circuit court civil trials, jury and non-jury trials, shall be rescheduled to dates after May 29, 2020.
2. As stated in Chief Justice Recktenwald's April 27, 2020 order regarding Judiciary Operations, the Judiciary, including the Second Circuit, has been utilizing existing and emerging technology to facilitate remote proceedings

as an alternative to in-court hearings. New technologies are also being implemented, including the use of video conferences to conduct hearings and their use will be significantly utilized and expanded during the period covered by this order and, likely, the foreseeable future. Therefore, please be aware that matters may be held remotely by telephone or video-conference to the extent permitted by law.

3. Effective Monday, May 4, 2020, all Circuit Court Civil proceedings previously and newly scheduled shall resume to the extent feasible by telephonic or video conferencing and which can be electronically recorded unless the presiding judge determines that the hearing can be converted to a non-hearing matter suitable for disposition under Rule 8 of the Rules of the Circuit Courts of the State of Hawai`i.
4. All Circuit and Family Court Criminal trials, jury and non-jury, and all Grand Jury panels shall be rescheduled to dates after May 29, 2020.
5. Effective Monday, May 4 2020, all Circuit and Family Court Criminal hearings and motions, previously and recently scheduled, shall resume if the presiding judges find that the proceedings can be held through telephonic or video conferencing and can be electronically recorded. Second Circuit Courtrooms 1, 2, 3 and 4 staff should be contacted by affected counsel and parties for instructions on how to make appearances remotely or in person.
6. The following shall apply to all Circuit and Family Court Criminal proceedings:
    a. Arraignments, Extradition hearings and Bail hearings will continue to proceed as scheduled.
    b. The mental health calendar and HRS Chapter 704 hearings on orders for temporary hospitalization and motions to revoke conditional release will continue to proceed as scheduled.
    c. Any hearings determined by the presiding judge to be essential will proceed on a case by case basis.

7. For all treatment and specialty courts, including Drug Court, Mental Health Court, Veterans' Court, Environmental Court and the Special Services Unit's cases, hearings may resume if the presiding judges find that the proceedings can be held through telephonic or video conferencing and can be electronically recorded Any Essential Hearings will be heard on a case by case basis.

DATED: Wailuku, Maui, Hawai`i, April 29, 2020.



Richard T. Bissen, Jr.
Chief Judge, Second Circuit Court