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FIRST CIRCUIT
1CSP-20-0000082
28-MAY-2020
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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	SP. No. 1CSP-20-0000082 (Special Proceeding) THIRD AMENDED EMERGENCY ORDER #2 REGARDING CIRCUIT COURT OF THE FIRST CIRCUIT, CRIMINAL MATTERS

THIRD AMENDED EMERGENCY ORDER #2 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.

In light of the Judiciary's efforts to conduct remote proceedings, steps have been taken to increase technological capabilities and infrastructure for the courts to operate and maintain their respective dockets, while navigating the constraints of the rapidly evolving emergency situation. The necessary devices and teleconferencing programs are available now to allow for remote proceedings to be held. Thus, with this upgraded technological capability, the courts will

continue to conduct remote proceedings when possible. It has become apparent, however, that for some proceedings, face to face interaction is preferable and/or necessary.

Therefore, and pursuant to the Orders of Chief Justice Mark E. Recktenwald filed March 16, 2020, April 17, 2020, April 24, 2020, April 27, 2020, May 22, 2020, and May 28, 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. All trials, jury and non-jury, shall continue to be postponed until after June 30, 2020.

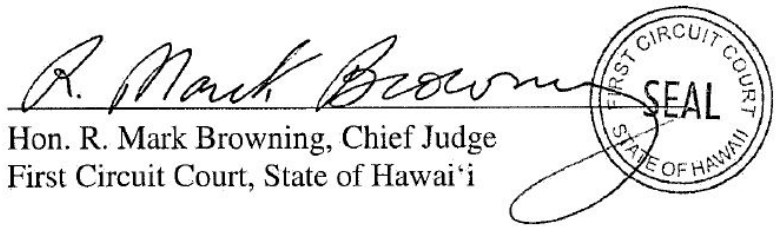
2. Grand jury panels shall continue to be postponed, but may recommence prior to June 30, 2020 upon further order of the Chief Judge of the First Circuit and provided that such grand jury panels may be conducted safely.

3. All criminal divisions shall conduct all other matters, motions and hearings (including evidentiary hearings), in compliance with all other court rules and orders, either remotely (i.e. telephone and/or available WebEx or other video technology) or in person, as the criminal division may require. If the division requires in-person proceedings, the hearings shall be held on a staggered basis and counsel and parties shall practice social distancing. In addition, no person shall enter the First Circuit Judiciary facilities if they have: (1) a fever, cough, or other respiratory symptoms; (2) traveled in the past 14 days; or (3) had prolonged contact with a person who has or is suspected to have COVID-19. Moreover, any person entering first circuit Judiciary facilities shall wear a face covering as described and recommended by the Centers for Disease Control and Prevention.

4. . This Order may be modified as circumstances warrant, but absent further action this Order shall remain in effect.

It is so Ordered.

DATED: Honolulu, Hawai'i, MAY 28 2020.



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