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

SECOND 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 Orders of Chief Justice Mark E. Recktenwald filed March 16, 2020, April 17, 2020, April 24, 2020, and 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:

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 May 29, 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 May 29, 2020.

3. As to felony matters:

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

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

4. As to the district court specialty courts:

A. All DWI Court hearings will be postponed until after May 29, 2020.

B. All Community Outreach Court hearings will be postponed until after May 29, 2020.

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

A. All trials will be postponed until after May 29, 2020.

B. All answers, returnables, hearings, motions, pretrial conferences, status conferences, and settlement conferences will be postponed until after May 29, 2020.

C. 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 in-person traffic infraction cases will be postponed until after May 29, 2020. Traffic infraction cases in which defendants have submitted written statements in lieu of an in-person hearing under Haw. Rev. Stat. § 291D-8 shall proceed as usual.

7. The Deputy Chief Judge of the District Court, First Circuit, may issue additional orders and adjust court operations consistent with this Order and the Orders issued by Chief Justice Recktenwald in SCMF No. 20-0000152, *In re the Judiciary's Response to the COVID-19 Outbreak*.

It is so Ordered.

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

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