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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 THE COVID-19 OUTBREAK	) SP. NO.) (Emergency Order)))) EMERGENCY ORDER NO. 5) REGARDING DISTRICT COURT OF) THE SECOND CIRCUIT, STATE OF) HAWAI'I)

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EMERGENCY ORDER NO. 5 REGARDING
DISTRICT 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. The following shall apply to all District Court Criminal proceedings:
   a. All criminal and criminal traffic cases involving defendants in the custody of the Maui Community Correctional Center ("MCCC"), the Hawai'i State Hospital ("HSH") and/or the Maui Police Department ("MPD") will proceed as scheduled.

b. All criminal and criminal traffic cases involving defendants who are not in the custody of MCCC, HSH and/or MPD shall be rescheduled to dates after May 29, 2020.

c. Any matters deemed essential and urgent requiring Court action ("Essential Hearings") shall proceed as scheduled.

2. The mental health calendar and HRS Chapter 704 hearings on (1) Orders for temporary hospitalization, (2) Motions to revoke conditional release and (3) any Essential Hearings shall proceed as scheduled. All other hearings shall be rescheduled to dates after May 29, 2020. The respective Courtroom staff will notify all affected parties of future hearing dates.
3. All initial appearance in felony matters will proceed as usual.
4. All preliminary hearings in felony matters will proceed as usual.
5. The following shall apply to all District Court civil proceedings:
   a. All trials shall be rescheduled to dates after May 29, 2020.
   b. All answers, returnables, hearings, motions, pretrial conferences, status conferences and settlement conferences shall be rescheduled to dates after May 29, 2020.
   c. All district court temporary restraining order matters pursuant to HRS Section 604-10.5 will proceed as usual.
6. All traffic infraction cases shall be rescheduled to dates after May 29, 2020.
7. All urgent or Essential Hearings scheduled for Molokai and Lana'i District Court will proceed on a case by case basis. All other cases shall be rescheduled to dates after May 29, 2020.

8. If available and to the extent possible, Maui, Molokai and Lana'i District Court hearings may be conducted through telephonic or video conferencing if approved by the assigned Judge.

DATED: Wailuku, Maui, Hawai'i, April 30, 2020.

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