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FIRST CIRCUIT
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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) SEVENTH AMENDED EMERGENCY ORDER #2 REGARDING CIRCUIT COURT OF THE FIRST CIRCUIT, CRIMINAL MATTERS

SEVENTH 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 recent increase in COVID-19 cases on the island of Oahu, the courts will continue to conduct remote proceedings when possible.

Furthermore, 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, May 28, 2020, June 15, 2020, June 23, 2020, July 28, 2020, and August 5, 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. Jury trials may recommence beginning October 5, 2020, barring further public health or other extraordinary developments that would make doing so imprudent. All jury trials shall comply with social distancing mandates as ordered by Governor Ige and shall be conducted in a manner that ensures the safety of court users. Any jury trial that cannot be conducted in such a manner, (including jury trials where Centers for Disease Control and Prevention guidelines on social distancing prohibit the presence of the required number of court users and jurors in current facilities) shall be further postponed until such a time that the safety of court users can be adequately safeguarded.

2. All non-jury trials may proceed pursuant to previous orders, provided that such non-jury trials may be conducted safely.

3. Effective August 17, 2020, grand jury proceedings are postponed until further notice.

4. 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, shortness of breath, or other symptoms of respiratory illness; (2) traveled outside of Hawai‘i in the past 14 days; or (3) had close 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.

5. 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, _____.

/s/ R. Mark Browning

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