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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	(Special Proceeding) EMERGENCY ORDER #1 RE: FIRST CIRCUIT PROBATE CALENDAR (1) SUSPENDING IN-PERSON HEARINGS FOR ALL MATTERS UNTIL FURTHER NOTICE (2) IMPLEMENTING PROCEDURAL CHANGES FOR ALL MATTERS UNTIL FURTHER NOTICE

EMERGENCY ORDER #1 RE: FIRST CIRCUIT PROBATE CALENDAR

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 March 16, 2020 under SCMF No. 20-0000152 regarding the coronavirus disease 2019 (COVID-19) and with authority as Chief Judge of the above-entitled- Court, IT IS HEREBY ORDERED:

1. The following changes to procedure shall apply to all petitions before the Probate Court, including but not limited to:

a. Probates

b. Conservatorships

c. Guardianships

d. Trusts;

Hearings Generally

2. All in-person hearings for matters before the Probate Court are suspended as of the date of this Order until further notice;
3. Absent a request or need for a telephonic hearing, the Court, pursuant to Rule 8 of the Rules of the Circuit Court of Hawai‘i, shall issue decisions on its own motion via Minute Order for all pending petitions without oral argument;
4. Matters requiring telephonic hearings include, but are not limited to, petitions regarding:
    a. Contested matters generally
    b. Appointment of a conservator
    c. Appointment of a guardian
    d. Confirmations of sale of real property
    e. Other matters where counsel knows that an interested person plans to attend;
5. Telephonic hearings in all other matters will be available upon request.
6. Unless otherwise continued or taken off calendar, telephonic hearings shall be held on their originally scheduled date;

Procedure for Telephonic Hearings

7. **No later than three days before the scheduled hearing date**, parties requesting or anticipating a telephonic hearing shall contact the Chambers of the Third Division via phone at (808) 539-4070 and provide the following information:

a. Case number

b. Case name

c. Contact information for all parties, including interested persons planning to attend;

8. **The day prior to the hearing**, the Court shall contact all parties scheduled to appear by phone and provide them with:

a. A WebX phone number to dial for the hearing

b. A specific time to dial into the hearing;

9. **The day of the hearing**, the procedure shall be as follows:

a. The Court shall call cases at their pre-assigned times

b. Parties appearing by phone shall call the given WebX phone number at their case's pre-assigned time

c. Parties experiencing difficulties may call Chambers at (808) 539-4070;

Delivery of Documents

10. The Court will not require courtesy copies to be delivered to Chambers, effective immediately and until further notice;

11. The Court will still require copies of proposed documents, such as proposed orders and judgments, to be delivered to Chambers, regardless of whether electronically filed.

DATED: Honolulu, Hawai'i, MAR 16 2020.

FIRST CIRCUIT COURT SEAL STATE OF HAWAII

JUDGE OF THE ABOVE-ENTITLED COURT

R. MARK BROWNING