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THIRD CIRCUIT
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SP. No. ___3CSP-20-0000022__

IN THE CIRCUIT COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

In the Matter of the CIRCUIT COURT OF THE THIRD CIRCUIT'S RESPONSE TO THE COVID-19 OUTBREAK	)	(Special Proceeding) FIFTH AMENDED EMERGENCY ORDER #5 REGARDING DISTRICT COURT OF THE THIRD CIRCUIT

FIFTH AMENDED EMERGENCY ORDER #5 REGARDING
DISTRICT COURT OF THE THIRD 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, the Order Directing Courthouse closures filed March 20, 2020, the Order Regarding Trials filed April 17, 2020, the Order Regarding Remote Court Procedures filed April 24, 2020, the Order Regarding Judiciary Operations filed April 27, 2020, the Order Regarding Jury Trials and Grand Juries filed May 22, 2020, the Order Regarding Judiciary Operations filed May 28, 2020, the Order Regarding Judiciary Operations filed June 23, 2020, and the Order Regarding Judiciary Operations filed July 28, 2020,

under SCMF No. 20-0000152 regarding the coronavirus (COVID-19) and under the authority as Chief Judge of the above-entitled Court,

IT IS HEREBY ORDERED:

The following shall apply to all district court civil proceedings:

Pursuant to Governor Ige's Tenth Supplemental Proclamation Related to COVID-19 Emergency, issued on July 17, 2020, there remains in place a moratorium on residential evictions based on a tenant's failure to pay rent, maintenance fees, utility charges, taxes or other fees required for the residential dwelling unit.

All District Court proceedings will be heard in person, or remotely by telephonic or video conference to the extent feasible and as permitted by law. If the District Court division requires in-person proceedings, the hearings shall be held on a staggered basis and counsel and parties shall practice social distancing. *The District Court is encouraged to utilize remote hearings whenever feasible.*

Parties will contact the assigned court to reschedule or schedule hearings.

No person shall enter the Judiciary facility if they have: (1) a cough, shortness of breath, difficulty breathing, or at least two of the following: fever, chills, repeated shaking with chills, muscle pain, headache, sore throat, or new loss of taste or smell; (2) traveled in the past 14 days outside the State of Hawaii (unless they have a negative Covid-19 test); or (3) had prolonged contact with a person who has or is suspected to have COVID-19. Exceptions may be made to these restrictions in extraordinary circumstances.

Person(s) entering the Judiciary facility shall wear a face covering as described and recommended by the Centers for Disease Control and Prevention.

IT IS SO ORDERED:

DATED: Kailua-Kona, Hawai'i____July 29, 2020_____

_____/s/ Robert D.S. Kim_____
Hon. Robert D.S. Kim, Chief Judge
Third Circuit Court, State of Hawai'i