

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

IN RE: DISTRICT OF HAWAII
RESPONSE TO COVID-19
EMERGENCY

**DECEMBER 27, 2021 TEMPORARY GENERAL ORDER POSTPONING
JURY TRIALS**

On November 29, 2021, Governor David Y. Ige issued an Emergency Proclamation Related to COVID-19. That Emergency Proclamation followed other emergency proclamations after a March 4, 2020 declaration of a state of emergency in Hawaii due to the COVID-19 pandemic. Likewise, this court has issued several temporary general orders in 2020 and 2021 in response to the COVID-19 pandemic. The court continues to monitor the spread of COVID-19 in Hawaii and the United States.

In the past week, there has been a large surge in the reported number of positive COVID-19 cases in Hawaii. Given the current trend in the pandemic, including this surge and the emergence of the Omicron variant, it is prudent and necessary to take additional temporary precautions. Accordingly, considering the continued need to protect the public, court employees, jurors, and counsel from potential exposure to the COVID-19 virus, and with the agreement of all of the judges of the United States District Court for the District of Hawaii, the court orders as follows:

- All civil and criminal jury trials scheduled to commence prior to March 1, 2022 before any district or magistrate judge are CONTINUED. This order does not affect any order regarding non-jury trials;
- With respect to criminal trials, each presiding judge assigned to any trial scheduled to commence before March 1, 2022 will make appropriate findings and enter an order tolling time under the Speedy Trial Act; that is, although all judges agree that no trials can be held before March 1, 2022,

each presiding judge will make the individual findings required by the Speedy Trial Act. For trials scheduled to commence before March 1, 2022, counsel should meet and attempt to reach a stipulation as to a new trial date and tolling time under the Speedy Trial Act. For criminal trials scheduled to commence on or after March 1, 2022, counsel should confer as to whether the currently scheduled trial date is realistic given the time needed to prepare for trial and the ongoing pandemic;

- For civil jury trials scheduled before March 1, 2022, counsel should meet and confer regarding existing pre-trial dates and potential new trial dates.

ORDERED ON BEHALF OF THE COURT:

DATED: Honolulu, Hawaii, December 27, 2021.



/s/ J. Michael Seabright
J. Michael Seabright
Chief United States District Judge

In Re District of Hawaii Response to COVID-19 Emergency; December 27, 2021 Temporary General Order Postponing Jury Trials