

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

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

**JULY 28, 2020 TEMPORARY GENERAL ORDER REGARDING
DISTRICT OF HAWAII RESPONSE TO COVID-19 PANDEMIC**

This Temporary General Order updates and supplements the Court’s June 1, 2020 “Temporary General Order Regarding District of Hawaii Response to COVID-19 Emergency.” The Court has continued to monitor the spread of the COVID-19 virus in the State of Hawaii and the rest of the United States, and has carefully considered the need to protect the public, court employees, and counsel from being exposed to the COVID-19 virus. With the agreement of all of the judges of the United States District Court for the District of Hawaii, the Court orders as follows:

Mitigation Measures for the Courthouse:

- All persons entering the courthouse, including but not limited to litigants, attorneys, members of the public, media, vendors, and contractors, shall be required to wear a face mask covering the nose and mouth while in all public areas of the courthouse. The two exceptions to this rule are: 1) children too young to wear a face mask or those who cannot wear a face mask due to medical necessity; and 2) individual judges may permit anyone speaking in a courtroom while court is in session to wear a face shield in lieu of a face mask, or permit a witness to testify behind plexiglass without a face mask or face shield.
- Anyone seeking entry to the courthouse without a face mask will be provided a free face mask at the courthouse entry. Anyone refusing to wear a face mask as required by this Order shall be denied entry, or removed from the courthouse, by the United States Marshals Service.
- Hand sanitizer stations will be made available throughout the courthouse, including immediately upon entry and by all elevators.

- Anyone in the courthouse will be required to maintain social distancing of at least six feet, unless exempted by the Court. For instance, while at the entry pavilion or waiting for an elevator, all visitors are required to maintain at least a six-foot distance from the nearest person. The courtrooms will have chairs clearly designated for use that meet the six-foot distancing requirement.
- Entry to the courthouse will be denied to anyone who has been diagnosed as having COVID-19 within the previous 14 days; anyone living with or in close proximity to anyone diagnosed as having COVID-19 within the previous 14 days; and anyone having symptoms of a COVID-19 infection, including fever, chills, shortness of breath, unexplained coughing, and new loss of taste or smell.
- Entry to the courthouse will not be permitted to anyone required by the State of Hawaii to be in self-quarantine.
- Entry to the courthouse will not be permitted to the following persons for a 14-day period after entering the State of Hawaii from anywhere outside the State of Hawaii: all courthouse employees, grand or petit jurors, and attorneys appearing for the purpose of an actual trial.
- The court requires any other person entering the courthouse who has been outside of the State of Hawaii during a previous 14-day period to provide the court with written notification that the person intends to enter the courthouse. Notification must be provided as early as possible. This notification requirement includes attorneys (appearing for any purpose other than trial) and witnesses, and applies regardless of any State of Hawaii exemption to a 14-day quarantine. Attorneys are responsible to provide notification on behalf of witnesses the attorney intends to bring into the courthouse. Notice must be provided as soon as feasible and sent to the orders email address for the presiding judge. *See* <https://www.hid.uscourts.gov/contactJudges>. Notice regarding any grand jury appearances by an attorney or witness must be sent to Judge Seabright's order email address (Seabright_orders@hid.uscourts.gov). Each presiding judge retains the discretion to prohibit entry to any person based on COVID-19 concerns.

All Non-Jury Proceedings:

- In order to minimize the risk of COVID-19 transmission, the Court will make every effort to minimize traffic in the courthouse. Each presiding district or magistrate judge will determine whether civil matters, including case management matters, settlement conferences, and hearings, will be taken off calendar pursuant to Local Rule 7.1, or conducted by telephone, video,¹ or in court.
- Each presiding judge will determine how to proceed with civil non-jury trials.
- At the discretion of the presiding judge, the Court will continue to conduct certain criminal proceedings by telephone or video as permitted by any CARES Act Order entered by the court;
- Certain criminal proceedings that fall outside any CARES Act Order will be conducted in court, if possible.
- If a presiding judge elects to proceed with a hearing by telephone or Zoom, all hearings will be available to members of the public and the media, to the extent practicable. Specific information will be available on each case's individual docket on PACER, and further instructions can be found on the Court's website. Members of the public and media are strictly prohibited from recording or broadcasting any hearing (whether telephonic or Zoom), in whole or in part, in any fashion. Failure to abide by this restriction may result in sanctions. Further restrictions are set forth on the Court's website, www.hid.uscourts.gov, and may change from time to time.
- Filings will continue to be processed in civil and criminal cases via the CM-ECF electronic system and by mail. Rather than coming to the Clerk's Office, paper filings must be deposited in the drop box located outside the courthouse.

¹ All video hearings in civil cases will be conducted by Zoom. The Court will post instructions for Zoom use on the Court's website.

- Pro se litigants may file by email (hid_clerks@hid.uscourts.gov) or by using the drop box located outside the courthouse. File-stamped copies will be returned by United States mail. Anyone seeking information from the Clerk's Office is encouraged to call the help desk at (808) 541-1890.
- Until further notice, in both civil and criminal matters, no courtesy copies of filings are to be provided to chambers unless specifically ordered by a presiding judge.
- The clerk's office will be open from 8:30 a.m. until noon, and from 1:15 p.m. until 4:00 p.m. on Monday through Friday.

Jury Proceedings:

- For procedures on jury trials, the court will post specific guidelines on the Court's website.

ORDERED ON BEHALF OF THE COURT:

DATED: Honolulu, Hawaii, July 28, 2020.



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

In Re District of Hawaii Response to COVID-19 Pandemic; July 28, 2020 Temporary General Order Regarding District of Hawaii Response to COVID-19 Pandemic