

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

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

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
Apr 16, 2020
SUE BEITIA, CLERK

**APRIL 16, 2020 TEMPORARY GENERAL ORDER REGARDING
DISTRICT OF HAWAII RESPONSE TO COVID-19 EMERGENCY**

Given the ongoing COVID-19 pandemic and public health emergency, including the continued need to protect the public, court employees, and counsel from being exposed 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, this Temporary General Order supersedes the court's March 23, 2020 "Temporary General Order Regarding District of Hawaii Response to COVID-19 Emergency." The court orders as follows:

Restrictions on Court Proceedings:

- All civil and criminal trials scheduled to commence before June 15, 2020 before any district or magistrate judge are CONTINUED;
- With respect to criminal trials, each presiding judge assigned to any trial scheduled to commence before June 15, 2020 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 June 15, 2020, each presiding judge will make the individual findings required by the Speedy Trial Act. For trials scheduled to commence before June 15, 2020, 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 June 15, 2020, 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.
- All civil hearings, including settlement conferences, scheduled before June 15, 2020 will either be conducted telephonically or will be taken off the court's calendar pursuant to Local Rule 7.1. Each presiding district or

magistrate judge retains the discretion to determine that a hearing in any particular civil matter is essential, and thus require that the parties appear in court;

- The court will continue to conduct certain criminal proceedings as set forth in this court's March 30, 2020 Order Authorizing the Use of Telephonic Hearings Pursuant to the CARES Act. Non-essential criminal matters will be continued until a date after June 15, 2020. For example, most change of plea hearings, sentencing hearings and motions to suppress can be continued. Again, a presiding judge retains the discretion to proceed with a hearing in any particular criminal matter, by telephone, video, or in court;
- Should any hearings be conducted in the courthouse, the court will implement prudent measures to reduce the number of people in a courtroom, and to maintain a six-foot distance between individuals, to the extent possible;
- Filings will continue to be processed in civil and criminal cases via the CM-ECF electronic system and by mail. Paper documents will be received in the drop box located outside the courthouse. Payments will be processed via credit card utilizing Pay.gov. Payments by check or money order will be accepted by mail or the courthouse drop box. Cash payments will NOT be accepted during this period of exigent circumstances; and
- 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.

Restrictions on Entry to the Courthouse:

The United States District Court for the District of Hawaii is closed to the public until June 15, 2020, with the following accommodations to permit public and media access to court proceedings that would otherwise be open to the public:

First, civil and criminal hearings will be conducted on a toll-free teleconference line, and that teleconference line will be available to members of the public and the media, to the extent practicable. Dial-in 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, in whole or in part, in any

fashion. Further restrictions are set forth on the court’s website, www.hid.uscourts.gov, and may change from time to time.

Second, any member of the public or media may request access to the courthouse to attend a particular in-court hearing. Seating will be limited—courtrooms will only be able to accommodate a limited number of people in order to maintain social distancing. Counsel for defendants in a criminal case may also request to be given access to the courthouse for a particular in-court hearing. The presiding judge has the final, discretionary authority to grant or deny any specific request to appear in person, and to limit the number of persons entering the courthouse. The United States Marshals Service may also deny entry to any person considered a risk to carry the COVID-19 virus. Instructions on how to request permission to enter the courthouse can be found on the court’s website. Further, anyone requesting entry to the courthouse is reminded of the various State of Hawaii and City and County of Honolulu restrictions on travel and Stay at Home Orders.

ORDERED ON BEHALF OF THE COURT:

DATED: Honolulu, Hawaii, April 16, 2020.



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

In Re District of Hawaii Response to COVID-19 Emergency; April 16, 2020 Temporary General Order Regarding District of Hawaii Response to COVID-19 Emergency