

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

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

**TEMPORARY GENERAL ORDER REGARDING DISTRICT OF HAWAII
RESPONSE TO COVID-19 EMERGENCY**

In response to the COVID-19 public emergency, the Centers for Disease Control and Prevention has issued guidelines recommending against gatherings of fifty or more persons, effective March 15, 2020. On March 16, 2020, President Trump cautioned that gatherings should be limited to ten persons or fewer. Further, the World Health Organization declared COVID-19 a global pandemic on March 11, 2020; President Trump declared the outbreak to constitute a national emergency on March 13, 2020; and Hawaii State Governor David Ige declared a state of emergency on March 4, 2020.

The Court has weighed the right of the public to open access to the court against the need to protect the safety of the public, including the health of all those entering and working in the court. The Court therefore ORDERS, effective immediately, the following persons shall not be permitted to enter the United States District Court for the District of Hawaii:

- Persons who have travelled outside the State of Hawaii within the previous 14 days or are living with someone who travelled outside the State of Hawaii within the previous 14 days;
- Persons who have been diagnosed with, or have had contact with anyone who has been diagnosed with, COVID-19;
- Persons who, because of COVID-19, have been asked to self-quarantine by any doctor, hospital, or health agency; and

- Persons who are ill and displaying symptoms consistent with a flu, such as fever, body aches, and shortness of breath.

Anyone attempting to enter in violation of these protocols will be denied entry by a Court Security Officer.

Further, given the need for the court to protect the health and safety of the public and court employees, the following restrictions will be in place until May 3, 2020, unless extended by the court:

- All civil and criminal trials scheduled to commence between March 17, 2020 and May 3, 2020 before any district or magistrate judge are CONTINUED;
- With respect to criminal trials, each presiding judge assigned to any trial scheduled to commence between March 17, 2020 and May 3, 2020 will enter an order setting a new trial date and the tolling of time under the Speedy Trial Act;
- All civil hearings, including settlement conferences, scheduled between March 17, 2020 and May 3, 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;
- Non-essential criminal matters will be continued until a date after May 3, 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 determine to proceed with any particular criminal matter. Counsel are requested to confer regarding these dates, and stipulate to appropriate continuances under the Speedy Trial Act, if possible;
- The court will continue to hold initial appearances, arraignments, detention hearings, and other time-sensitive matters typically handled by magistrate judges. At this time, the magistrate judge will preside in person, record the proceeding using the court's FTR system, and the United States Marshals Service will bring defendants to court for these hearings;

- The court will implement prudent measures to reduce the number of people and level of interaction at preliminary criminal matters, including, to the extent possible, the use of a fourth-floor courtroom to help with social distancing and permitting attorneys and other personnel to participate telephonically;
- 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.

This Temporary General Order supersedes the March 12, 2020 “Temporary General Order Regarding Restriction on Visitors to the Courthouse.”

ORDERED ON BEHALF OF THE COURT:

Dated: Honolulu, Hawaii, March 17, 2020.



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

In Re District of Hawaii Response to COVID-19 Emergency, Temporary General Order Regarding District of Hawaii Response to Covid-19 Emergency