

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

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

**OCTOBER 28, 2021 TEMPORARY GENERAL ORDER REGARDING
DISTRICT OF HAWAII REQUIREMENTS FOR COUNSEL IN
RESPONSE TO COVID-19 PANDEMIC**

This Order, effective November 15, 2021, reflects the court’s COVID-19 vaccination or testing requirements for certain “covered persons” to attend court hearings, conferences, or other official meetings in the courthouse, including meetings at the offices of United States Probation and United States Pretrial Services.

As used in this Order, a “covered person” includes all counsel permitted to practice law in the United States District Court for the District of Hawaii—whether admitted by bar membership or pro hac vice status—and any paralegals, investigators, interpreters, or information technology specialists assisting counsel in court. The Order does not apply to clients, client representatives, or witnesses. And as used in this Order, full vaccination against COVID-19 occurs two weeks after a covered person has received the second dose

of the Pfizer or Moderna vaccine or two weeks after a covered person has received the single-dose Johnson & Johnson vaccine.

The United States District Court for the District of Hawaii has continued to closely monitor the COVID-19 pandemic and public health emergency. Following guidance from the Centers for Disease Control and Prevention (CDC) and state and local health authorities, the court has determined that this Order is required to protect the public, court employees, jurors, and counsel from potential exposure to the COVID-19 virus and is a necessary step to permit the court to conduct as many in-court proceedings as is safely possible.

The court thus ORDERS that any covered person who intends to appear in: (1) a courtroom or before a grand jury; (2) a judge's office or meeting room in the courthouse; or (3) the offices of United States Probation or Pretrial Services, is required either to verify full vaccination against COVID-19, or supply proof of a negative COVID-19 test result from a test taken no more than 72 hours before entering the courthouse. PCR tests, NAAT rapid tests, and antigen rapid tests administered at a pharmacy, health department, doctor's office, healthcare provider, or official government site are acceptable. "At home" test results will not be accepted.

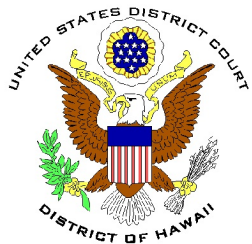
For covered persons not fully vaccinated, a presiding judge may make exceptions in the interest of justice on a case-by-case basis. Covered persons

seeking any sort of exception must submit a request to that judge's Orders email address at least two business days prior to entering the courthouse. Any requests that cannot be made through a presiding judge, such as covered persons entering the courthouse for a grand jury appearance, must be made to the Chief Judge.

In order to implement this Order, the court will maintain a secure database of covered persons who are fully vaccinated. Covered persons wishing to provide proof of full vaccination are encouraged to submit a verification form by November 10, 2021. Counsel who previously provided proof of vaccination pursuant to the court's June 15, 2021 Temporary General Order need not do so again. Information on how to submit forms can be found on the District Court's website at: https://www.hid.uscourts.gov/reg/dsp_registration.cfm. Alternatively, a covered person may show proof of vaccination or of a compliant negative COVID-19 test to court personnel upon entering a courtroom, grand jury room, office, conference room, or offices of United States Probation or Pretrial Services.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, October 28, 2021.



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