



## The Hawaii State Judiciary's Response to the COVID-19 Pandemic

***Important: The information in this document is general in nature. Each circuit (Oahu, Maui County, Hawaii Island, and Kauai) has authority to handle cases to best meet the essential needs of their circuits during this pandemic and a presiding judge has the discretion to schedule hearings by agreement of the parties, if they can be done safely and fairly. The Judiciary has a duty to protect core liberties and, at the same time, do our part to safeguard the health of the community. We are closely monitoring this rapidly evolving situation and are constantly reassessing the best way to serve the community while ensuring public safety.***

### **What is postponed until after 4/30/2020?**

*Most cases have been postponed. Only emergency and time-sensitive matters are still being heard. If you have an attorney, please contact him or her if you have questions.*

#### District Court

- Traffic cases for defendants who are not in jail
- Misdemeanor, petty misdemeanor, and criminal violation cases for defendants who are not in jail or at the police department
- Small claims cases
- Regular claims cases, including landlord-tenant cases
- DUI/DWI cases
- Community Outreach Court

#### Family Court

- Divorce
- Paternity
- Guardianships (minor and incapacitated adults), excluding emergency guardianships
- Adoptions
- Assisted Community Treatment
- Non-custody juvenile matters such as disposition hearings, review hearings, arraignments, and trials
- Child Welfare Services return hearings, review hearings, pretrials, trials, mediations
- Return of firearm motions in Family Court Domestic Abuse cases
- Girls Court, Juvenile Drug Court, Family Drug Court, Imua Kakou, and Zero to Three Court
- Kids First Program

### Circuit Court Criminal

- All jury and non-jury trials
- Grand jury panels
- Drug Court, Mental Health Court, and Veterans Treatment Court face-to-face hearings, except for essential hearings
- HOPE probation face-to-face hearings, except for essential hearings

### Circuit Court Civil

- All jury and non-jury trials
- All in-person hearings for foreclosure cases assigned to Judge Castagnetti in the First Circuit
- In all other civil cases, in-person hearings and conferences may be postponed by the assigned judge, unless the judge, at his or her discretion, finds a matter can be held telephonically or without a hearing/oral argument. You or your attorney will be notified by the court as to how your matter will proceed.

## **What proceedings are being held as scheduled?**

### District Court

- Temporary restraining order cases
- Misdemeanor, petty misdemeanor, and criminal violation cases for defendants being held at police departments, jail, and/or the Hawaii State Hospital
- Traffic cases for defendants being held at police departments or jail
- Preliminary hearings for in-custody defendants
- Preliminary hearings for defendants not in custody, who do not waive the 30-day requirement.
- Bail hearings for in-custody defendants
- Felony bail outs (felony arraignments)
- Chapter 704 hearings (mental health hearings)

### Family Court

- Temporary restraining orders
- Gun Violence Protective Orders
- Juvenile custody cases for minors at Hale Hoomalu
- Civil commitment hearings
- Emergency guardianships
- Shelter care hearings
- Needed Child Welfare Services cases, including initial/continued petitions for temporary custody and family supervision, and motions to remove a child from family supervision and placement in foster custody
- Shelter care hearings
- Initial appearance and preliminary hearings in felony cases
- Arraignment and plea
- Bail hearings
- Orders for temporary hospitalization

- Motions to revoke conditional release
- Any hearings deemed urgent and needed by the court will be heard as scheduled

#### Circuit Court Criminal

- Arraignment, plea, and extradition hearings
- Initial appearances in felony cases
- Preliminary hearings for defendants in jail
- Bail hearings
- Hearings deemed essential by the court will proceed as scheduled
- Mental health hearings, including orders for temporary hospitalization, motions to revoke conditional release, and other essential hearings will be held as scheduled

#### Circuit Court Civil

- Matters deemed urgent or an emergency by the presiding judge, such as emergency motions for temporary restraining order and/or preliminary injunctive relief.
- Civil matters continue to be adjudicated either remotely by telephone or without a hearing, at the judge's discretion. You or your attorney will be notified by the court as to how your matter will proceed.
- Some cases may be continued by stipulation or other court orders that contain the new court date.
- Status conferences and settlement conferences may be held remotely or may be rescheduled at the discretion of the assigned judge.
- Probate petitions are held telephonically, unless otherwise ordered by the probate judge.
- Contact your attorney if you have questions about your case. If you are not represented by an attorney and you have not already heard from the court about your matter, contact the judge's chamber to which your case has been assigned.