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SCMF-20-0000152

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

In the Matter of the Judiciary’s Response
to the COVID-19 Outbreak

FIFTH AMENDED ORDER REGARDING ENTERING JUDICIARY FACILITIES
(By: Recktenwald, C.J.)

In mid-March 2020, when Governor David Ige declared a state of emergency in Hawai‘i in response to the public health threat posed by COVID-19, restrictions on entry to Judiciary facilities were implemented to ensure the safety of court users and Judiciary personnel, consistent with State and Federal guidelines. The Judiciary has updated its restrictions as guidelines, including Statewide and County specific interisland and trans-pacific travel mandates, evolve.

Current guidance from the Department of Health (“DOH”) relating to exposure by vaccinated persons to someone with suspected or confirmed COVID-19, Governor Ige’s “Twenty-First Proclamation Related to the COVID-19 Emergency” (“Twenty-First Proclamation”) setting forth updated self-quarantine exception

requirements under the State's Safe Travels program for interisland and Trans-Pacific travel, and Statewide and County specific mandates currently in place, necessitate additional revisions to the entry requirements to Judiciary facilities at this time. The health and safety of court users and Judiciary personnel continues to be paramount, and the Judiciary remains flexible and vigilant in these efforts.

Accordingly, pursuant to article VI, sections 6 and 7 of the Hawai'i Constitution, Hawai'i Revised Statutes §§ 601-1.5 and 601-2, and Governor David Y. Ige's Emergency Proclamations Related to the COVID-19 Emergency,

IT IS HEREBY ORDERED that the following provisions are effective as of the filing date of this Order:

1. No one shall enter Judiciary facilities if they:
 - Have a fever or chills, cough, shortness of breath or difficulty breathing, or other symptoms of respiratory illness or of COVID-19 as set forth by the Centers for Disease Control and Prevention ("CDC"), except where the DOH has advised that quarantine is not necessary.
 - Have had close contact with a person who has or is suspected to have COVID-19, except where the DOH has advised that quarantine is not necessary.
 - Have traveled outside of Hawai'i in the past 10 days and have not either (a) satisfied the State's Safe Travels program's negative test exception to the mandatory self-quarantine period for Trans-Pacific travel and any applicable post-arrival test requirements, or

(b) satisfied the State's Safe Travels program's requirements for Trans-Pacific travel regarding completion of a vaccination regimen approved by the DOH, as specified by the Director of the Hawaii Emergency Management Agency (posted at <http://hawaiiicovid19.com/>),¹ subject to any subsequent travel restrictions imposed through Statewide or County emergency orders, rules, or proclamations.

2. Anyone entering Judiciary facilities shall comply with social distancing requirements and the wearing of face coverings as set forth in the Twenty-First Proclamation.

3. All Judiciary facilities shall implement screening procedures to ensure that anyone entering the facility complies with requirements set forth herein.

4. The emergency orders previously issued by the chief judge of each circuit shall remain in effect, but may be modified consistent with this order.

5. Exceptions may be made to the restrictions in extraordinary circumstances, including by the chief judge of each circuit and/or the respective chief or deputy chief court administrators.

6. This order may be modified as necessary.

Dated: Honolulu, Hawai'i, June 15, 2021.

/s/ Mark E. Recktenwald

Chief Justice



¹ As of the date of this Order, such requirements have not been made public.