

**Electronically Filed
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SP. No. 1CSP-20-0000082

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI‘I

In the Matter of the)	SP. No. 1CSP-20-0000082
)	(Special Proceeding)
)	
CIRCUIT COURT OF THE FIRST)	ELEVENTH AMENDED EMERGENCY
CIRCUIT’S RESPONSE TO COVID-19)	ORDER #3 REGARDING CIRCUIT
OUTBREAK)	COURT OF THE FIRST CIRCUIT,
)	CIVIL MATTERS; (FORM) NOTICE OF
)	REMOTE HEARING
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**ELEVENTH AMENDED EMERGENCY ORDER #3 REGARDING
CIRCUIT COURT OF THE FIRST CIRCUIT, CIVIL MATTERS**

This matter comes before the Court in light of the public health emergency in the State of Hawai‘i.

In light of the recent surge in COVID-19 infection and hospitalization rates throughout the State of Hawai‘i with record numbers of positive cases being reported, the First Circuit Courts will continue to conduct remote proceedings while also implementing additional precautions to reduce the number of people congregating in Judiciary facilities.

To further protect the health and safety of First Circuit Court employees and all court participants, and pursuant to the Orders of Chief Justice Mark E. Recktenwald filed as of August 16, 2021 under SCMF No. 20-0000152 regarding the coronavirus (COVID-19) and with authority as Chief Judge of the above-entitled Court, IT IS HEREBY ORDERED:

1. All jury trials are postponed to dates after October 4, 2021.
2. All non-jury trials, hearings, and conferences shall be remotely conducted via Zoom video conferencing, unless otherwise identified herein or ordered by the presiding judge.
3. All hearing motions via Zoom video conferencing shall include a Notice of Remote Hearing in a form that substantially complies with the form attached to this Order.
4. Zoom Meeting ID's for civil division judges are as follows:

4th Division Hon. John M. Tonaki	808 538 5053
5th Division Hon. Jeannette H. Castagnetti	808 539 4025
6th Division Hon. Jeffrey P. Crabtree	466 798 4465
7th Division Hon. Dean E. Ochiai	895 888 6479
9th Division Hon. Lisa W. Cataldo	966 602 1755 (through 09/30/21) 808 538 5119 (beginning 10/01/21)
10th Division Hon. James H. Ashford	808 539 4012
14th Division Hon. Gary W.B. Chang	808 539 4084
21st Division Hon. Bert I. Ayabe	808 539 1187

The moving party must include the assigned judge's Meeting ID in the Notice of Remote Hearing. Failure to do so may result in a continuance of the hearing and a delay in the disposition of the motion.

5. The following matters may be conducted in person:

- a. Hearings regarding returns on publication of summons;
- b. Hearings for examination of judgment debtor(s) or person having knowledge of judgment debtor(s);
- c. Return hearings on garnishee summons where no written disclosure is filed or received in advance of hearing; and
- d. Return hearings on applications for mechanic's and materialman's lien(s).
- e. Any hearing or settlement conference that the presiding judge determines, in his or her discretion, in-person attendance is necessary for disposition of the matter.

Any proceeding conducted in person must be scheduled on a staggered basis to the extent possible. Court users must maintain appropriate physical distancing of at least six (6) feet (both inside and outside the courtroom) and shall wear face coverings as described and recommended by the CDC.

6. The audio from any bench trial or hearing conducted remotely shall be recorded through the court's electronic recording system.

7. In the discretion of the presiding judge, hearing motions may be converted to non-hearing motions pursuant to Rule 8 of the Rules of the Circuit Courts, State of Hawai'i ("RCCH") if the judge determines the matter is suitable for disposition without a hearing.

8. Courtesy copies of any filed motion, response to a motion, or other document pertaining to a motion under RCCH 7.2(g)(6) will not be required to be delivered to the assigned judge's chambers, unless specifically requested or ordered by the presiding judge.

9. This Order may be modified or extended as circumstances warrant, but absent further action this Order shall remain in effect.

It is so Ordered.

DATED: Honolulu, Hawai'i, September 9, 2021.

/s/ R. Mark Browning



Hon. R. Mark Browning, Chief Judge
First Circuit Court, State of Hawai'i

[Attorney's name & Bar No. or name of self-represented party]

[Address]

[Telephone No.]

[Email]

[Attorney for _____ or Self-represented Party]

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI'I

XXX,

Plaintiff(s),

vs.

XXX,

Defendant(s).

) CIVIL NO. _____

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)

)

) NOTICE OF REMOTE HEARING

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NOTICE OF REMOTE HEARING

TO: _____

NOTICE IS HEREBY GIVEN that the Motion for _____ shall come on for hearing before the Honorable _____ [name of judge], Judge of the above entitled court, via ZOOM video conferencing on _____ [day & date] at _____ .m., or as soon thereafter as the matter can be heard.

If you fail to appear at the hearing, the relief requested may be granted without further

notice to you.

All parties are directed to appear at least **10 minutes** prior to the scheduled start time.

The Zoom meeting ID is: _____ (judge's meeting ID). No password is required.

Self-represented parties unable to appear by video may call **888-788- 0099 (U.S. toll-free) or 646-558- 8656** to participate by telephone. You must enter the above noted Zoom meeting ID when prompted. You must also notify the assigned judge's chambers that you intend to participate by telephone at least **48 hours** before the hearing and you must provide the court with the telephone number that you will be using to dial-in for the hearing.

Attorneys and self-represented parties must enter a user name that sets forth their full name, otherwise you will not be admitted into the hearing. Attorneys must also include the suffix "Esq."

All attorneys and parties shall dress appropriately for the hearing. **Recording court proceedings is strictly prohibited unless permission is granted by the court.** The court may impose sanctions for failure to comply with this notice.

DATED: _____, Hawai'i, _____.

Attorney for _____ or self-represented party