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SCMF-20-0000152

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

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

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SIXTH 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 isolation and quarantine for individuals exposed to or testing positive for COVID-19, the present trajectory of the pandemic and the concerning surge in the number of positive COVID-19 cases being reported in Hawai‘i, and the Judiciary’s continued efforts to protect the health and safety of court

users, Judiciary personnel, and the public during this unprecedented time necessitate updated revisions to the entry requirements to Judiciary facilities at this time. Health and safety continue 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 and Hawai'i Revised Statutes §§ 601-1.5 and 601-2,

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 as set forth by the Centers for Disease Control and Prevention.
  - Have tested positive for COVID-19 and have not been cleared to end isolation by their healthcare provider or DOH's general isolation and quarantine policy, in the absence of specific guidance provided by DOH.
  - Have had close contact with a person who has or is suspected to have COVID-19, except where (a) the individual is boosted and remains asymptomatic; or (b) the individual is fully vaccinated within six months of entry (or within two months of entry if the individual received the Johnson & Johnson vaccine) and remains asymptomatic; or (c) the individual, who is neither boosted nor fully vaccinated, is beyond five days since exposure and remains asymptomatic.

- Have traveled outside of Hawai'i in the past 5 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/>), subject to any subsequent travel restrictions imposed through Statewide or County emergency orders, rules, or proclamations.

2. Anyone entering Judiciary facilities shall comply with requirements regarding physical distancing and the wearing of face coverings.

3. All Judiciary facilities shall implement screening procedures to ensure that anyone entering the facility complies with the 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, January 4, 2022.

/s/ Mark E. Recktenwald

Chief Justice

