

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII**

In re:

COURT OPERATIONS IN
RESPONSE TO COVID-19
PANDEMIC.

GENERAL ORDER
DATED JUNE 2, 2020

**JUNE 2, 2020 ORDER REGARDING
COURT OPERATIONS IN RESPONSE TO COVID-19 PANDEMIC**

In consideration of the COVID-19 public health emergency and directives by federal and state officers and agencies, the court has determined that a measured reopening of the courthouse is possible with appropriate protective measures in place. The court has weighed the right of the public to open access to the court against the need to protect the safety of the public, including the health of all those entering and working in the court. Therefore, **the following procedures will apply effective June 15, 2020, in the United States Bankruptcy Court for the District of Hawaii.**

Entry to the Courthouse:

- Face Masks. All persons entering the courthouse, including but not limited to litigants, attorneys, members of the public, media, vendors, and contractors, must wear a face mask covering the nose and mouth while in all public areas of the courthouse. The sole exceptions are for children too young to wear a face mask or for those who cannot wear a face mask due to medical necessity. Anyone refusing wear a face mask as required by this order will be denied entry or removed from the courthouse by the Court Security Officers.
- Exposure to COVID-19. Entry to the courthouse will be denied to anyone who has been diagnosed as having COVID-19 within the previous 14 days; anyone living or in close proximity to anyone diagnosed as having COVID-19 within the previous 14 days; and anyone having symptoms of a COVID-19 infection, including fever, chills, shortness of breath, unexplained coughing, and new loss of taste or smell. Entry will also be denied to anyone required by the State of Hawaii to be in self-quarantine.
- Social Distancing. Once inside the courthouse, individuals must maintain social distancing of at least 6 feet.

- Hand Sanitizers. Hand sanitizers will be available throughout the courthouse. Sanitizers should be used immediately upon entry.
- Submission of Documents for Filing. Documents to be filed with the court may continue to be placed in a drop box immediately outside the courthouse entry during office hours. As always, they may also be filed online using CM/ECF or submitted by mail or courier service.

Non-Evidentiary Hearings

- Telephonic Hearings. Until further notice, all non-evidentiary hearings, including scheduling and status conferences, will be conducted by telephone. On request of a party for good cause or on its own motion, the court may permit or require an in-person appearance or video appearance. No advance arrangements for a telephonic appearance are required. The clerk shall post the toll-free teleconference number and access code information at the court website: www.hib.uscourts.gov.
- Access to Telephonic Hearings. All telephonic hearings are available to the members of the public and the media on a listen-only basis. In addition, any recording or broadcasting of any hearing is strictly prohibited and may result in sanctions.

Trials and Evidentiary Hearings

- In-Person Trials. All trials and evidentiary hearings will be conducted in person unless the court orders otherwise. Parties may request a telephonic or video appearance for part or all of a trial or evidentiary hearing if a party, counsel, or witness cannot or prefers not to attend in person or for other good cause.

Requests for Exceptions


- Requesting an In-Person Appearance. A party may request an in-person or video appearance at a non-evidentiary hearing by contacting the courtroom deputy by email (calendar@hib.uscourts.gov) **at least 14 days before the scheduled telephonic hearing**, or as soon as practicable if time has been shortened.

- Requesting a Trial or Hearing by Video. A party may request a video or telephonic appearance for part or all of a trial or evidentiary hearing by contacting the courtroom deputy by email (calendar@hib.uscourts.gov) **at least 90 days before the scheduled trial or hearing.**
- Requirements. A party requesting an exception regarding appearances must:
 - Represent that the requesting party has contacted all parties with a significant interest in the matter to be heard and asked whether they object to the request;
 - Identify the parties that have been contacted; and
 - State each party's response.

Mitigation Measures in the Courtroom

- Face Masks. An attorney, witness, or other party may remove a mask temporarily while speaking on the record in court during a trial or hearing.
- Social Distancing. Parties must observe the 6-foot social distancing requirement in the courtroom whether in the gallery or at the counsel tables.

SO ORDERED.

 */s/ Robert J. Faris*
United States Bankruptcy Judge
Dated: 06/02/2020