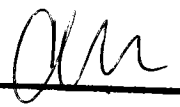


**FIFTH JUDICIAL DISTRICT  
Administrative Office  
State of Idaho**

**OCT 30 2020**

By \_\_\_\_\_



**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO**

**ORDER RE:  
JURY TRIALS/GRAND JURY  
IMPANELMENT PROHIBITED FROM  
COMMENCING FOR THE WEEK OF  
NOVEMBER 2-6, 2020**

**ADMINISTRATIVE ORDER  
2020-12**

Eric J. Wildman, Administrative District Judge of the Fifth Judicial District hereby finds and orders as follows:

WHEREAS on September 16, 2020, the Idaho Supreme Court issued its Amended Order entitled “In Re: Jury Trials,” the provisions of which govern the conduct of jury trials in Idaho (“Amended Jury Trial Order”); and,

WHEREAS on September 10, 2020 the Idaho Supreme Court issued a further Order regarding Jury Trials entitled “Re: Commencement of Jury Trials” (“Jury Trial Commencement Order”) that requires the Administrative District Judge to review the Cases by County page of the Idaho Department of Health and Welfare’s COVID-19 Data Dashboard (at [www.coronavirus.idaho.gov](http://www.coronavirus.idaho.gov)) each week to determine if criminal jury trials may proceed for a particular county for a given week (Idaho Supreme Court report summarizing the Data Dashboard attached); and,

WHEREAS on September 16, 2020, the Idaho Supreme Court issued its Order entitled “RE: Grand Jury Proceedings,” the provisions of which govern the conduct of grand jury proceedings in Idaho (“Grand Jury Proceedings Order”); and,

WHEREAS, pursuant to either paragraph 3(a) or 3(b) of the Jury Trial Commencement Order, and either paragraph 3(a) or 3(b) of the Grand Jury Proceedings Order, the Honorable Eric J. Wildman finds that certain counties in the Fifth Judicial District currently meet the criteria set forth and described in said paragraphs, and either have an incidence rate of confirmed or presumed cases of COVID 19 of 25.0 or greater per 100,000 population **OR** have an incidence rate of COVID-19 between 14.0 and 24.9 per 100,000 population and further that those counties have an upward trend as defined in both the Jury Trial Commencement Order and the Grand Jury Proceedings Order.;

WHEREAS, pursuant to Administrative Order 2020-10, issued on October 22, 2020, no criminal jury trial shall commence in Blaine County before December 01, 2020.

**IT IS HEREBY ORDERED** that the following Counties of the Fifth Judicial District SHALL NOT conduct jury trials nor grand jury impanelment proceedings for the week of November 2 – 6, 2020 and that any jury trial set to proceed during that time frame in those counties shall be vacated and reset and grand jury impanelment proceedings set for the same week shall be vacated and referred to the presiding judge for any further action.

Blaine County, Idaho
Cassia County, Idaho
Gooding County, Idaho
Jerome County, Idaho
Lincoln County, Idaho
Minidoka County, Idaho
Twin Falls County, Idaho

IT IS HEREBY ORDERED.

Dated this 30 day of October, 2020.



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Honorable Eric J. Wildman  
Administrative District Judge  
Fifth Judicial District

5<sup>th</sup> Judicial District Elected Clerks  
5<sup>th</sup> Judicial District Magistrate & District Judges  
5<sup>th</sup> Judicial District Jury Commissioners  
Shelli Tubbs, Trial Court Administrator  
Sara Omundson, ADOC, Idaho Supreme Court

# COVID-19 Incidence Trends for Jury Trial Considerations

For the week of October 30, 2020 (October 22-October 29)

		7-Day Moving Average Incidence Rate		Trend	Jury Trials Allowed
County		Prior Week	Current Week		
First District	Benewah	9.2	16.9	Upward	No
	Bonner	11.2	15.9	Upward	No
	Boundary	50.2	57.2	Upward	No
	Kootenai	42.4	44.9	Upward	No
	Shoshone	23.3	36.6	Upward	No
Second District	Clearwater	22.8	26.1	Upward	No
	Idaho	48.9	38.6	Downward	No
	Latah	29.6	27.8	Downward	No
	Lewis	44.7	37.2	Downward	No
	Nez Perce	52.3	52.3	Stable	No
Third District	Adams	3.3	103.1	Upward	No
	Canyon	32.9	34.1	Upward	No
	Gem	23.7	20.5	Downward	Yes
	Owyhee	21.7	21.7	Stable	Yes
	Payette	34.0	27.4	Downward	No
	Washington	25.2	51.9	Upward	No
Fourth District	Ada	28.2	31.7	Upward	No
	Boise	1.8	14.6	Upward	No
	Elmore	32.2	21.8	Downward	Yes
	Valley	5.0	10.0	Upward	Yes
Fifth District	Blaine	34.8	31.6	Downward	No
	Camas	25.8	12.9	Downward	Yes
	Cassia	110.6	100.5	Downward	No
	Gooding	83.8	86.6	Upward	No
	Jerome	48.0	67.9	Upward	No
	Lincoln	61.2	165.1	Upward	No
	Minidoka	82.8	67.9	Downward	No
	Twin Falls	82.5	85.3	Upward	No
	Bannock	50.8	70.4	Upward	No
Sixth District	Bear Lake	18.7	21.0	Upward	No
	Caribou	87.9	89.8	Upward	No
	Franklin	54.6	50.4	Downward	No
	Oneida	18.9	47.3	Upward	No
	Power	39.1	22.3	Downward	Yes
	Bingham	46.4	38.8	Downward	No
Seventh District	Bonneville	63.7	53.6	Downward	No
	Butte	88.0	71.5	Downward	No
	Clark	16.9	0.0	Downward	Yes
	Custer	9.9	9.9	Stable	Yes
	Fremont	70.9	105.8	Upward	No
	Jefferson	47.8	46.9	Downward	No
	Lemhi	64.1	115.7	Upward	No
	Madison	168.6	145.0	Downward	No
	Teton	31.8	17.6	Downward	Yes

This report provides COVID-19 7-day moving average incidence rates for each county to be considered by court administrators to determine whether jury trials are allowed to occur during the upcoming week. Data in this report show the incidence rates on Thursday of the current and prior week. The information here reflects what is reported on the Department of Health and Welfare's website between 5:00 p.m. on Thursday and 8:00 a.m. on Friday of the current week. **Data on the website are subject to change and may not reflect the information in this report.**