

**MAR 19 2021**

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  
MARCH 29 - APRIL 2, 2021**

**ADMINISTRATIVE ORDER  
2021-07**

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

WHEREAS on October 8, 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 February 3, 2021 the Idaho Supreme Court issued a further Order regarding Jury Trials entitled “Re: Commencement of Jury Trials and Grand Jury Impanelment” (“Jury Trial Commencement Order”) whereby the Idaho Supreme Court provided that Jury Trials will resume as of March 1, 2021 and that further 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 jury trials and grand jury impanelment may proceed for a particular county for any given week as outlined in the Jury Trial Commencement Order (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”) as amended on October 6, 2020; and,

WHEREAS, pursuant to either paragraph 4(a) or 4(b) of the Jury Trial Commencement Order, the Honorable Eric J. Wildman finds that no 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 do not have an upward trend as defined in both the Jury Trial Commencement Order;

**IT IS HEREBY ORDERED** that the following Counties of the Fifth Judicial District **MAY COMMENCE** jury trials or grand jury impanelment proceedings for the week of March 29 - April 2, 2021.

Blaine County, Idaho
Camas 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 19 day of March, 2021.



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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  
5<sup>th</sup> Judicial District Court Reporters  
Shelli Tubbs, Trial Court Administrator  
Sara Omundson, ADOC, Idaho Supreme Court

# COVID-19 Incidence Trends for Jury Trial Considerations

For the week of March 19, 2021 (March 11-March 18)

		7-Day Moving Average Incidence Rate		Trend	Jury Trials Allowed
County		Prior Week	Current Week		
First District	Benewah	15.4	7.7	Downward	Yes
	Bonner	10.3	6.9	Downward	Yes
	Boundary	1.2	12.8	Upward	Yes
	Kootenai	12.8	9.4	Downward	Yes
	Shoshone	7.8	14.4	Upward	No
Second District	Clearwater	9.8	6.5	Downward	Yes
	Idaho	1.7	1.7	Stable	Yes
	Latah	18.9	12.8	Downward	Yes
	Lewis	7.4	7.4	Stable	Yes
	Nez Perce	9.2	12.0	Upward	Yes
Third District	Adams	6.7	0.0	Downward	Yes
	Canyon	8.9	12.1	Upward	Yes
	Gem	1.6	6.3	Upward	Yes
	Owyhee	8.5	7.2	Downward	Yes
	Payette	9.5	8.4	Downward	Yes
Fourth District	Washington	4.2	12.6	Upward	Yes
	Ada	14.8	16.0	Upward	No
	Boise	9.1	5.5	Downward	Yes
	Elmore	10.4	5.2	Downward	Yes
	Valley	11.3	11.3	Stable	Yes
Fifth District	Blaine	8.7	5.6	Downward	Yes
	Camas	0.0	12.9	Upward	Yes
	Cassia	5.9	3.6	Downward	Yes
	Gooding	3.8	2.8	Downward	Yes
	Jerome	3.5	7.0	Upward	Yes
Sixth District	Lincoln	5.3	2.7	Downward	Yes
	Minidoka	6.8	4.1	Downward	Yes
	Twin Falls	5.3	5.6	Upward	Yes
	Bannock	19.4	22.0	Upward	No
	Bear Lake	18.7	2.3	Downward	Yes
Seventh District	Caribou	2.0	4.0	Upward	Yes
	Franklin	14.4	10.3	Downward	Yes
	Oneida	6.3	6.3	Stable	Yes
	Power	9.3	5.6	Downward	Yes
	Bingham	32.3	31.4	Downward	No
	Bonneville	63.7	59.2	Downward	No
	Butte	0.0	5.5	Upward	Yes
	Clark	16.9	16.9	Stable	Yes
	Custer	6.6	9.9	Upward	Yes
	Fremont	14.2	15.3	Upward	No
	Jefferson	41.6	44.5	Upward	No
	Lemhi	8.9	12.5	Upward	Yes
	Madison	47.3	43.3	Downward	No
	Teton	20.0	20.0	Stable	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.**