

APR 02 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
APRIL 12 - APRIL 16, 2021**

**ADMINISTRATIVE ORDER
2021-09**

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) 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 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 the Jury Trial Commencement Order;

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 April 12 - April 16, 2021, and that any jury trial set to proceed during that time frame in those counties shall be vacated and reset. 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

IT IS FURTHER ORDERED that the following Counties of the Fifth Judicial District **MAY COMMENCE** jury trials or grand jury impanelment proceedings for the week of April 12 - April 16, 2021.

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 2 day of April, 2021.



Honorable Eric J. Wildman
Administrative District Judge
Fifth Judicial District

5th Judicial District Elected Clerks
5th Judicial District Magistrate & District Judges
5th Judicial District Jury Commissioners
5th 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 April 2, 2021 (March 25–April 1)

		7-Day Moving Average Incidence Rate			Jury Trials Allowed
	County	Prior Week	Current Week	Trend	
First District	Benewah	6.1	3.1	Downward	Yes
	Bonner	5.3	7.2	Upward	Yes
	Boundary	7.0	3.5	Downward	Yes
	Kootenai	6.7	6.9	Upward	Yes
	Shoshone	11.1	6.7	Downward	Yes
Second District	Clearwater	19.6	3.3	Downward	Yes
	Idaho	3.4	1.7	Downward	Yes
	Latah	6.4	8.2	Upward	Yes
	Lewis	0.0	7.4	Upward	Yes
	Nez Perce	12.4	6.4	Downward	Yes
Third District	Adams	3.3	0.0	Downward	Yes
	Canyon	13.5	13.7	Upward	Yes
	Gem	13.4	4.7	Downward	Yes
	Owyhee	4.8	6.0	Upward	Yes
	Payette	14.3	7.8	Downward	Yes
	Washington	9.8	8.4	Downward	Yes
Fourth District	Ada	16.8	15.5	Downward	Yes
	Boise	1.8	12.8	Upward	Yes
	Elmore	18.7	21.8	Upward	No
	Valley	3.8	7.5	Upward	Yes
Fifth District	Blaine	16.8	20.5	Upward	No
	Camas	0.0	0.0	Stable	Yes
	Cassia	4.2	8.3	Upward	Yes
	Gooding	3.8	8.5	Upward	Yes
	Jerome	2.9	1.8	Downward	Yes
	Lincoln	5.3	8.0	Upward	Yes
	Minidoka	4.8	4.8	Stable	Yes
	Twin Falls	4.3	5.1	Upward	Yes
Sixth District	Bannock	20.3	20.7	Upward	No
	Bear Lake	9.3	0.0	Downward	Yes
	Caribou	26.0	33.9	Upward	No
	Franklin	10.3	34.0	Upward	No
	Oneida	28.4	12.6	Downward	Yes
	Power	13.0	9.3	Downward	Yes
Seventh District	Bingham	29.9	17.7	Downward	Yes
	Bonneville	45.0	41.3	Downward	No
	Butte	5.5	22.0	Upward	No
	Clark	16.9	16.9	Stable	Yes
	Custer	3.3	9.9	Upward	Yes
	Fremont	20.7	13.1	Downward	Yes
	Jefferson	39.2	39.2	Stable	No
	Lemhi	3.6	1.8	Downward	Yes
	Madison	39.4	41.5	Upward	No
	Teton	20.0	27.1	Upward	No

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.**