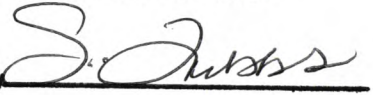


OCT 22 2020

By 

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

Re: Temporarily Suspending the)
Commencement of Criminal Jury Trials) Administrative Order
in Blaine, County, to December 1, 2020) 2020-10
)
)
_____)

WHEREAS, pursuant to Idaho Code section 1-907, as Administrative Judge, the undersigned is charged with arranging or supervising the calendaring of matters for trial or hearing in the Fifth Judicial District; and

WHEREAS, the Idaho Supreme Court's Order "In Re: Emergency Reduction in Court Services and Limitation of Access to Court Facilities," dated April 22, 2020, precluded the commencement of jury trials in criminal cases before August 3, 2020; and

WHEREAS, on or about July 24, 2020, the Idaho Supreme Court issued its Order "In Re: Jury Trials" which, *inter alia*, provides: "Due to the continuing rise in positive COVID-19 cases throughout Idaho, the time during which no trial juror shall be required to appear in person shall be extended to September 14, 2020. No jury trial shall commence in a criminal case before September 14, 2020, and in a civil case before December 1, 2020;" and

WHEREAS, the Supreme Court's July 24, 2020 Order does not purport to preclude the Administrative District Judge of a judicial district from suspending the commencement of jury trials in a county or counties in the judicial district based upon proper findings; and

WHEREAS, in response to the recent increase in COVID-19 infections throughout Blaine County and in an effort to reduce community spread of the virus, on October 14, 2020, the City of Hailey, Blaine County, Idaho adopted Public Health Emergency Order No. 2020-07, restricting indoor gatherings to no more than ten (10) persons; and

WHEREAS, on October 19, 2020, the City of Ketchum, Blaine County, Idaho issued Public Health Emergency Order 20-04, restricting indoor gatherings to no more than ten (10) persons; and

WHEREAS, on October 20, 2020, the Blaine County Board of County Commissioners adopted Ordinance No. 2020-05, restricting indoor gatherings to no more than ten (10) persons; and

WHEREAS, consistent with the criteria set forth in the Idaho Supreme Court's Order In Re: Jury Trials, no criminal jury trial has commenced in Blaine County since October 13-16, 2020; and

WHEREAS, as Administrative District Judge for the Fifth Judicial District, I have an obligation to use my best judgment, based on the available information and scientific data, in balancing the need to protect the health and safety of the public, court employees, judicial personnel, counsel and other court participants with the need to provide a forum for the timely adjudication of legal matters and protection of the rights of litigants and the public.

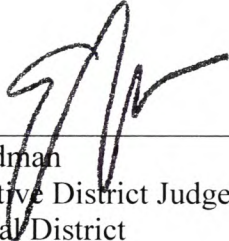
NOW THEREFORE, in furtherance of the foregoing and, based upon all information available, the undersigned finds the following:

1. The coronavirus disease 2019 (COVID-19) is easily transmitted, especially in indoor group settings.
2. It appears that expected jury empanelments for at least the next thirty (30) days are less than optimal for the continuation of jury trials, in Blaine County and, due to circumstances beyond our control, it is prudent to suspend jury trials at this time, given the restrictions set forth in the ordinances adopted by the cities of Hailey and Ketchum, and the county of Blaine, despite the exemption for government facilities, and the current trend in the seven (7) day moving average for COVID-19 exposure in Blaine County.
3. It appears that the conduct of trials in Blaine County, of the Fifth Judicial District under present circumstances would pose an unreasonable risk to the health and safety of jurors, court employees, parties, counsel and others who work in and with the courts of the Fifth Judicial District, even with the most careful planning.

Based on the foregoing and in the exercise of my discretion as Administrative District Judge for the Fifth Judicial District, it is,

ORDERED all criminal jury trials in Blaine County shall be suspended and no criminal jury trial shall commence before December 01, 2020, subject to any subsequent order of the undersigned or superseding order of the Idaho Supreme Court.

Dated this 22 day of October, 2020


Eric J. Wildman
Administrative District Judge
Fifth Judicial District

cc: Sara Omundson, Administrative Director of the Courts
District Judges of the Fifth Judicial District
Magistrate Judges of the Fifth Judicial District
District Court Clerks of the Fifth Judicial District
Jury Commissioners of the Fifth Judicial District