

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

ORDER RE: JURY TRIALS/GRAND
JURY IMPANELMENT PROHIBITED
FROM COMMENCING FOR THE
WEEK OF May 17-21, 2021

ADMINISTRATIVE ORDER
2021-02

Gregory FitzMaurice, Administrative District Judge of the Second 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. The order further requires the Administrative District Judge to review the Cases by County on 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; 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 Gregory FitzMaurice finds that certain counties in the Second 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;

THEREFORE, IT IS HEREBY ORDERED that the following Counties of the Second Judicial District **SHALL NOT conduct jury trials nor grand jury impanelment proceedings for the week of May 17-21, 2021.** Further 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.

Idaho County

Dated this 17th day of May, 2021.

Lewis County



Honorable Gregory FitzMaurice
Administrative District Judge
Second Judicial District

cc:

2nd Judicial District Elected Clerks
2nd Judicial District Jury Commissioners
2nd Judicial District Magistrate & District Judges
2nd Judicial District Court Reporters
2nd Judicial District Lead Court Clerks
Roland Gammill, Trial Court Administrator
Sara Omundson, ADOC, Idaho Supreme Court