

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

ORDER RE: JURY TRIALS/GRAND
JURY IMPANELMENT PROHIBITED
FROM COMMENCING FOR THE
WEEK OF March 15-19, 2021

ADMINISTRATIVE ORDER
2021-10

Dane H. Watkins, Jr., Administrative District Judge of the Seventh 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,

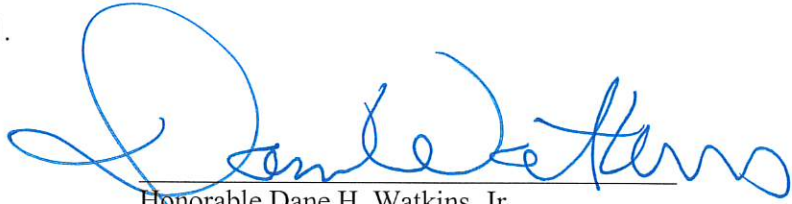
WHEREAS on September 16, 2020, the Idaho Supreme Court issued its Order entitled “RE: Grand Jury Proceedings,” the provisions of which govern the conduct of grand jury proceedings in Idaho (“Grand Jury Proceedings Order”), as amended on October 6, 2020; and,

WHEREAS, pursuant to either paragraph 4(a) or 4(b) of the Jury Trial Commencement Order, the Honorable Dane H. Watkins, Jr. finds that certain counties in the Seventh 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 Seventh Judicial District **SHALL NOT conduct jury trials nor grand jury impanelment proceedings for the week of March 15-19, 2021** 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.

| | |
|--------------------------|-----------------------|
| Bingham County, Idaho | Fremont County, Idaho |
| Bonneville County, Idaho | |
| | Madison County, Idaho |
| | Teton County, Idaho |

Dated this 5 day of March, 2021.

A handwritten signature in blue ink, appearing to read "Dane H. Watkins, Jr.", written over a horizontal line.

Honorable Dane H. Watkins, Jr.
Administrative District Judge
Seventh Judicial District

Cc:
7th Judicial District Elected Clerks
7th Judicial District Jury Commissioners
7th Judicial District Magistrate & District Judges
7th Judicial District Court Reporters
7th Judicial District Lead Court Clerks
Tammie D. Whyte, Trial Court Administrator
Sara Omundson, ADOC, Idaho Supreme Court

COVID-19 Incidence Trends for Jury Trial Considerations

For the week of March 5, 2021 (February 25–March 4)

| | | 7-Day Moving Average Incidence Rate | | | |
|------------------|------------|-------------------------------------|--------------|----------|---------------------|
| | County | Prior Week | Current Week | Trend | Jury Trials Allowed |
| First District | Benewah | 58.4 | 27.7 | Downward | No |
| | Bonner | 10.6 | 12.5 | Upward | Yes |
| | Boundary | 23.3 | 5.8 | Downward | Yes |
| | Kootenai | 15.9 | 14.0 | Downward | Yes |
| Second District | Shoshone | 10.0 | 12.2 | Upward | Yes |
| | Clearwater | 11.4 | 6.5 | Downward | Yes |
| | Idaho | 2.6 | 4.3 | Upward | Yes |
| | Latah | 28.1 | 24.2 | Downward | Yes |
| | Lewis | 0.0 | 14.9 | Upward | No |
| Third District | Nez Perce | 6.0 | 7.1 | Upward | Yes |
| | Adams | 20.0 | 0.0 | Downward | Yes |
| | Canyon | 11.6 | 12.1 | Upward | Yes |
| | Gem | 7.1 | 5.5 | Downward | Yes |
| | Owyhee | 7.2 | 15.7 | Upward | No |
| Fourth District | Payette | 2.4 | 5.4 | Upward | Yes |
| | Washington | 2.8 | 5.6 | Upward | Yes |
| | Ada | 20.2 | 11.5 | Downward | Yes |
| | Boise | 10.9 | 3.6 | Downward | Yes |
| | Elmore | 11.9 | 9.9 | Downward | Yes |
| Fifth District | Valley | 6.3 | 7.5 | Upward | Yes |
| | Blaine | 13.0 | 17.4 | Upward | No |
| | Camas | 0.0 | 12.9 | Upward | Yes |
| | Cassia | 9.5 | 6.5 | Downward | Yes |
| | Gooding | 10.4 | 1.9 | Downward | Yes |
| | Jerome | 8.8 | 8.8 | Stable | Yes |
| | Lincoln | 2.7 | 8.0 | Upward | Yes |
| | Minidoka | 6.1 | 4.8 | Downward | Yes |
| | Twin Falls | 9.7 | 5.9 | Downward | Yes |
| Sixth District | Bannock | 20.5 | 14.2 | Downward | Yes |
| | Bear Lake | 14.0 | 14.0 | Stable | Yes |
| | Caribou | 10.0 | 6.0 | Downward | Yes |
| | Franklin | 10.3 | 9.3 | Downward | Yes |
| | Oneida | 9.5 | 9.5 | Stable | Yes |
| | Power | 3.7 | 7.4 | Upward | Yes |
| Seventh District | Bingham | 14.3 | 24.7 | Upward | No |
| | Bonneville | 29.9 | 35.6 | Upward | No |
| | Butte | 5.5 | 11.0 | Upward | Yes |
| | Clark | 0.0 | 0.0 | Stable | Yes |
| | Custer | 3.3 | 13.2 | Upward | Yes |
| | Fremont | 19.6 | 28.4 | Upward | No |
| | Jefferson | 24.9 | 22.5 | Downward | Yes |
| | Lemhi | 5.3 | 10.7 | Upward | Yes |
| | Madison | 56.2 | 32.2 | Downward | No |
| | Teton | 15.3 | 25.9 | 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.**