

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO**

RE: ORDER ON POSTPONEMENT OF
JURY TRIALS AND MANDATORY
SAFETY PROTOCOLS IN CERTAIN SIXTH
JUDICIAL DISTRICT COURTROOMS AND
COURT SERVICES OFFICES

ADMINISTRATIVE ORDER
2021-32

WHEREAS, on June 25, 2021, the Idaho Supreme Court issued an Amended Order entitled "EMERGENCY ORDER REGARDING COURT SERVICES," ("Order") which governs court operations to foster public safety, reduce the risk of the spread of coronavirus and the incidence of COVID-19; and,

WHEREAS, the Order requires the Administrative District Judge to enter an administrative order defining the safety protocols that will be required in the county's courthouse and postpone jury proceedings if determined that the county has a seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 of 25.0 or greater per 100,000 population as reflected on the Idaho Department of Health and Welfare's COVID-19 Data Dashboard; and,

WHEREAS, the Acting Administrative District Judge has determined upon review of the Weekly Publication of COVID-19 incidence rates that BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, and POWER COUNTY meet the conditions set in the Order under sections 2 and 7 to require an administrative order to define safety protocols and postpone jury proceedings.

Further, the Acting Administrative District Judge makes the finding that on August 27, 2021, the seven-day moving average incidence rates of confirmed or presumed cases of COVID-19 in the following counties are:

BANNOCK COUNTY	35.3
BEAR LAKE COUNTY	42.0
CARIBOU COUNTY	37.9
FRANKLIN COUNTY	27.8
POWER COUNTY	67.0

This finding provides a factual basis to determine that there is an existing substantial increase in the health and safety risk to jury trial participants and provides the Acting Administrative District Judge discretion to require other postponements, pursuant to section 8 of the Order.

IT IS HEREBY ORDERED that effective August 30, 2021:

1. Jury trials in BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, and POWER COUNTY are postponed for the week of August 30, 2021, through September 10, 2021, pursuant to sections 7 and 8 of the Order;
2. All persons entering a BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, and POWER COUNTY courtroom or court services office to do court business are required to wear a mask that covers the nose and mouth, pursuant to section 2 of the Order;

3. All persons entering a BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, and POWER COUNTY courtroom or court services office to do court business are required to maintain six feet of social distance from anyone who does not live in their household, pursuant to section 2 of the Order;
4. All other BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, and POWER COUNTY court proceedings, other than those required to be in person pursuant to the Order, are presumptively to be held remotely, subject to the discretion of the presiding judge and after making findings on the record, that the proceeding must be held in person because of the court's needs or to prevent undue prejudice to a party, pursuant to section 2 or the Order.

Dated this 27th day of August, 2021.



MITCHELL W. BROWN
Acting Administrative District
Judge Sixth Judicial District

cc: Sara Omundson, Administrative Director of the Courts
All Sixth Judicial District Judges
Trial Court Administrator, Sixth Judicial District
All Sixth District County Clerks
All Sixth District Jury Commissioners