

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

ORDER RE: POSTPONEMENT OF  
JURY TRIALS AND GRAND JURY  
PROCEEDINGS FOR THE WEEK OF  
DECEMBER 6, 2021 AND  
MANDATORY SAFETY PROTOCOLS

ADMINISTRATIVE ORDER  
2021-34

Dane H. Watkins, Jr., Administrative District Judge of the Seventh Judicial District hereby finds and Orders as follows:

WHEREAS on November 23, 2021 the Idaho Supreme Court issued its Amended Order entitled “EMERGENCY ORDER REGARDING COURT SERVICES.” Said Order contains certain requirements and prohibitions, including regarding the conduct of jury trials and safety protocols for counties in the Seventh Judicial District, as follows:

**Paragraph 1:**

**“Weekly Publication of COVID-19 Incidence Rates:** The Data and Evaluation Unit of the Administrative Office of Courts shall utilize data obtained from the Idaho Department of Health and Welfare’s COVID-19 Data Dashboard, and shall determine the weekly COVID-19 incidence rates for each county every Thursday evening after 5:00 p.m. Mountain Time. The weekly COVID-19 incidence rates shall be published to the Administrative District Judges and Trial Court Administrators on Friday mornings of each week.”

**Paragraph 2 (in part):**

**“Administrative District Judges Authorized to Issue Orders Regarding Courthouse and Courtroom Risk Reduction Protocols in Their Districts:**

... “If a county is located within a public health district in which Idaho’s crisis standards of care are currently activated, or if, as reflected in the report described in paragraph 1, a county’s seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 is 25.0 or greater per 100,000 population, the Administrative District Judge shall enter an administrative order defining the safety protocols that will be required in the county’s courthouse. The order will, at a minimum, require all persons entering the courthouse to do court business to wear a mask that covers the nose and mouth and maintain six feet of social distance from anyone that does not live in their household.”

**Paragraph 7 (in part):**

**Jury Trial Postponements:** Jury proceedings, including jury trials and grand jury proceedings, may commence anytime during a calendar week unless:

- a. the county in which the jury trial is to be held is located in a public health district in which Idaho's crisis standards of care are activated; or
- b. the Administrative District Judge has determined that the county in which the prospective juror has been summoned to attend court 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 Cases by County page of the Idaho Department of Health and Welfare's COVID-19 Data Dashboard available at [www.coronavirus.idaho.gov](http://www.coronavirus.idaho.gov)

and,

WHEREAS, the Honorable Dane H. Watkins, Jr. finds no counties in the Seventh Judicial District are a part of a public health district currently subject an active declaration of Idaho's crisis standards of care; and,

FURTHER find that the seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 is 25.0 or greater per 100,000 population in multiple 7<sup>th</sup> Judicial District counties as of November 26, 2021:

THEREFORE, IT IS HEREBY ORDERED as follows:

1. Jury Trials and Grand Jury Proceedings are suspended for the week of December 6, 2021 in the following 7<sup>th</sup> Judicial District counties:

Bingham	Bonneville	Butte	Clark
Custer	Fremont	Lemhi	Madison

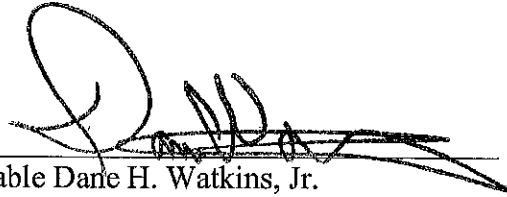
IT IS FURTHERED ORDERED, effective immediately, that all persons entering the County Court Facilities in all counties identified in number 1 above, for court business shall be subject to and maintain the following protocols:

2. All persons entering for court business are required to wear a mask covering their nose and mouth.
3. All persons must maintain a minimum of six feet of social distancing from anyone that does not live in their household.

**This order as it pertains to number 2 and 3 above is to remain in effect in the counties identified in paragraph 1 above until the seven-day moving average incidence rate falls below 25.0, as determined by the Idaho Department of Health and Welfare's COVID-19 Data Dashboard.**

IT IS HEREBY ORDERED.

Dated this 26<sup>th</sup> day of November, 2021.



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

Cc:

7<sup>th</sup> Judicial District Elected Clerks  
7<sup>th</sup> Judicial District Lead Clerks  
7<sup>th</sup> Judicial District Magistrate & District Judges  
7<sup>th</sup> Judicial District Court Reporters  
Tammie D. Whyte, Trial Court Administrator  
Sara Omundson, ADOC, Idaho Supreme Court

# COVID-19 Incidence Trends for Safety Protocol Considerations

For the week of November 26, 2021 (November 18–November 24)

		7-Day Moving Average Incidence Rate			
	County	Prior Week	Current Week	Trend	Exceeds 25 of 100K
First District	Benewah	109.1	122.9	Upward	Yes
	Bonner	65.9	60.9	Downward	Yes
	Boundary	54.8	45.5	Downward	Yes
	Kootenai	31.4	32.1	Upward	Yes
	Shoshone	32.2	38.8	Upward	Yes
Second District	Clearwater	22.8	21.2	Downward	No
	Idaho	47.1	24.9	Downward	No
	Latah	16.7	12.1	Downward	No
	Lewis	59.6	44.7	Downward	Yes
	Nez Perce	20.9	16.3	Downward	No
Third District	Adams	33.3	10.0	Downward	No
	Canyon	25.5	19.8	Downward	No
	Gem	13.4	11.8	Downward	No
	Owyhee	14.5	19.3	Upward	No
	Payette	19.1	9.5	Downward	No
	Washington	19.6	7.0	Downward	No
Fourth District	Ada	21.5	16.3	Downward	No
	Boise	9.1	9.1	Stable	No
	Elmore	32.2	19.7	Downward	No
	Valley	25.1	25.1	Stable	Yes
Fifth District	Blaine	16.8	23.0	Upward	No
	Camas	12.9	12.9	Stable	No
	Cassia	14.9	8.3	Downward	No
	Gooding	11.3	15.1	Upward	No
	Jerome	13.5	20.5	Upward	No
	Lincoln	29.3	55.9	Upward	Yes
	Minidoka	12.2	10.2	Downward	No
	Twin Falls	23.5	18.7	Downward	No
Sixth District	Bannock	40.5	26.4	Downward	Yes
	Bear Lake	23.3	7.0	Downward	No
	Caribou	29.9	22.0	Downward	No
	Franklin	41.2	32.9	Downward	Yes
	Oneida	44.1	41.0	Downward	Yes
	Power	29.8	14.9	Downward	No
Seventh District	Bingham	35.7	25.0	Downward	Yes
	Bonneville	47.9	33.5	Downward	Yes
	Butte	38.5	55.0	Upward	Yes
	Clark	50.7	50.7	Stable	Yes
	Custer	13.2	29.8	Upward	Yes
	Fremont	25.1	26.2	Upward	Yes
	Jefferson	38.3	23.4	Downward	No
	Lemhi	60.5	40.9	Downward	Yes
	Madison	32.6	27.9	Downward	Yes
Teton	24.7	23.5	Downward	No	

This report provides COVID-19 7-day moving average incidence rates for each county to be considered by court administrators. Data in this report show the incidence rates on Wednesday (Thursday was a holiday) of the current week and Thursday of the 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.**