

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 27, 2021** AND
MANDATORY SAFETY PROTOCOLS

ADMINISTRATIVE ORDER
2021-37

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

WHEREAS on November 29, 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

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 finds 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 certain 7th Judicial District counties as of **December 17, 2021**:

THEREFORE, IT IS HEREBY ORDERED as follows:

1. Jury Trials and Grand Jury Proceedings are suspended for the week of **December 27, 2021** in the following 7th Judicial District counties:

Fremont			

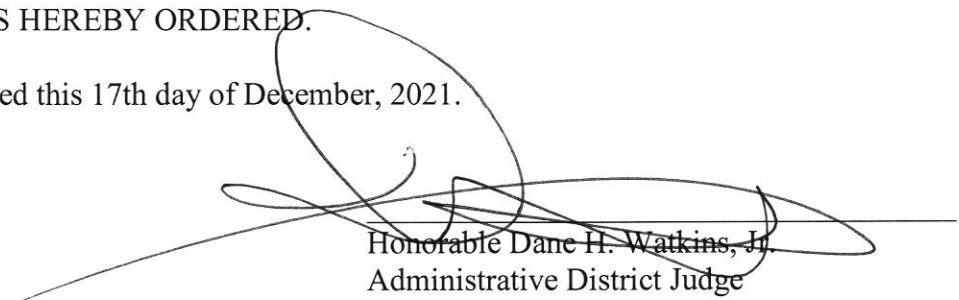
IT IS FURTHERED ORDERED, effective immediately, that all persons entering the County Court Facilities in all counties identified in number 1 above, for court business shall be subject to and maintain the following protocols:

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 in the respective county(ies), as determined by the Idaho Department of Health and Welfare's COVID-19 Data Dashboard.

IT IS HEREBY ORDERED.

Dated this 17th day of December, 2021.



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

Cc:

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

COVID-19 Incidence Trends for Safety Protocol Considerations

For the week of December 17, 2021 (December 9-December 16)

	County	7-Day Moving Average Incidence Rate			Trend	Order for Safety Protocols
		Prior Week	Current Week			
First District	Benewah	78.4	75.3	Downward	Yes	
	Bonner	32.8	14.4	Downward	No	
	Boundary	15.2	9.3	Downward	No	
	Kootenai	26.6	19.3	Downward	No	
	Shoshone	55.4	10.0	Downward	No	
Second District	Clearwater	62.0	4.9	Downward	No	
	Idaho	20.6	12.0	Downward	No	
	Latah	16.0	10.3	Downward	No	
	Lewis	33.5	18.6	Downward	No	
Third District	Nez Perce	24.0	15.6	Downward	No	
	Adams	10.0	0.0	Downward	No	
	Canyon	20.2	21.1	Upward	No	
	Gem	13.4	10.3	Downward	No	
	Owyhee	12.1	16.9	Upward	No	
Fourth District	Payette	15.5	10.7	Downward	No	
	Washington	15.4	9.8	Downward	No	
	Ada	22.0	16.2	Downward	No	
Fifth District	Boise	10.9	9.1	Downward	No	
	Elmore	16.6	8.8	Downward	No	
	Valley	28.8	12.5	Downward	No	
	Blaine	16.8	8.1	Downward	No	
Sixth District	Camas	0.0	0.0	Stable	No	
	Cassia	17.2	10.7	Downward	No	
	Gooding	12.2	10.4	Downward	No	
	Jerome	19.9	14.6	Downward	No	
	Lincoln	26.6	18.6	Downward	No	
	Minidoka	6.8	14.3	Upward	No	
	Twin Falls	18.1	13.6	Downward	No	
	Bannock	19.5	14.5	Downward	No	
Seventh District	Bear Lake	7.0	14.0	Upward	No	
	Caribou	20.0	14.0	Downward	No	
	Franklin	20.6	28.8	Upward	Yes	
	Oneida	25.2	12.6	Downward	No	
	Power	11.2	5.6	Downward	No	
Eighth District	Bingham	15.3	14.0	Downward	No	
	Bonneville	24.1	16.6	Downward	No	
	Butte	5.5	5.5	Stable	No	
	Clark	0.0	16.9	Upward	No	
	Custer	13.2	3.3	Downward	No	
	Fremont	45.8	26.2	Downward	Yes	
	Jefferson	35.4	16.3	Downward	No	
	Lemhi	37.4	23.1	Downward	No	
	Madison	26.8	17.2	Downward	No	
Teton	34.1	21.2	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 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.**