

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

STATE OF IDAHO

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RE: FOURTH DISTRICT JURY TRIALS

ADMINISTRATIVE ORDER

NO. 21-08-06

The Idaho Supreme Court's June 25, 2021 Amended Order Re: Emergency Order

Regarding Court Services provides:

Jury proceedings, including jury trials and grand jury proceedings, may commence anytime during a calendar week unless 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)[.]<sup>1</sup>

The Administrative District Judge's determination described in this paragraph shall be based on the weekly COVID-19 incident rates for that county published ten (10) days prior to the calendar week in which the jury trial is scheduled to occur. *Id.* at 3-4.

This order utilizes the data issued at the end of business on Thursday, August 5, 2021, when the daily state and county COVID-19 case numbers were released on-line by

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<sup>1</sup>“Once a trial has commenced, it should continue to verdict unless, in the discretion of the assigned judge, a significant increase in the weekly COVID-19 incidence rate or other local COVID-19 incident or public health action justifies a temporary suspension of the trial. Any order in this regard must be supported with written findings.” Idaho Supreme Court's June 25, 2021 Amended Order Re: Emergency Order Regarding Court Services, at 4.

For Ada, Elmore, and Valley Counties, for purposes of this order, a jury trial has commenced if the jury venire is required to appear at the courthouse or other designated location, on or before August 13, 2021. See, e.g., Idaho Supreme Court's September 10, 2020 Order Re: Commencement of Jury Trials, at 1 (“[T]he word ‘commence’ means the first day members of a jury venire are required to physically appear at a courthouse or designated facility.”).

the Idaho Department of Health and Welfare, for each of the counties in this district, as noted hereinafter.

**1. Ada County**

Ada County had a seven-day moving COVID-19 case average of 28.6 per 100,000 population. Effective August 16, 2021, Ada County jury trials are suspended, until further notice.

**2. Boise County**

Boise County had a seven-day moving COVID-19 case average of 18.2 per 100,000 population. As of this date, Boise County may continue with jury trials, until further notice.

**3. Elmore County**

Elmore County had a seven-day moving COVID-19 case average of 35.3 per 100,000 population. Effective August 16, 2021, Elmore County jury trials are suspended, until further notice.

**4. Valley County**

Valley County had a seven-day moving COVID-19 case average of 26.3 per 100,000 population. Effective August 16, 2021, Valley County jury trials are suspended, until further notice.

IT IS SO ORDERED.

Dated this 6th day of August 2021.

  
HONORABLE STEVEN J. HIPPLER  
Administrative District Judge

cc: All Judges  
Sandra Barrios, Trial Court Administrator, Fourth Judicial District  
Phil McGrane, Ada County Clerk of Court  
Robert Reisig, Administrative Staff Attorney  
Idaho Supreme Court, AdminOrders@idcourts.net  
Mary T. Prisco, Boise County Clerk of Court  
Shelley Essl, Elmore County Clerk of Court  
Douglas Miller, Valley County Clerk of Court  
Jan Bennetts, Ada County Prosecutor  
Adam Strong, Boise County Prosecutor  
Daniel Page, Elmore County Prosecutor  
Brian Naugle, Valley County Prosecutor  
Jayme Sullivan, Boise City Prosecutor  
Charles Wadams, Garden City Prosecutor  
Tony Geddes, Ada County Public Defender  
Rob Chastain, Boise County Public Defender  
Terry Ratliff, Elmore County Public Defender  
Scott Erikson, Valley County Public Defender  
Randy Rutland, Ada County Jury Commissioner  
Ashley Turner, Boise County Jury Commissioner  
Eileen Kirkland, Elmore County Jury Commissioner  
Tammy Angier, Valley County Jury Commissioner