

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

* * *

RE: FOURTH DISTRICT JURY TRIALS

ADMINISTRATIVE ORDER

NO. 21-08-13

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.¹

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 12, 2021, when the daily state and county COVID-19 case numbers were released on-line by the Idaho Department of Health and Welfare, for each of the counties in this district, as noted hereinafter.

¹"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. *See also* 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.").

1. Ada County

Ada County had a seven-day moving COVID-19 case average of 25.3 per 100,000 population. Effective August 16, 2021, Ada County jury trials are suspended (see Administrative Order No. 21-08-06) and will continue to be suspended, until further notice.

2. Boise County

Boise County had a seven-day moving COVID-19 case average of 10.9 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 31.2 per 100,000 population. Effective August 16, 2021, Elmore County jury trials are suspended (see Administrative Order No. 21-08-06) and will continue to be suspended, until further notice.

4. Valley County

Valley County had a seven-day moving COVID-19 case average of 20.1 per 100,000 population. Effective August 16, 2021, Valley County jury trials are suspended for that calendar week (see Administrative Order No. 21-08-06). Valley County jury trials may resume beginning August 23, 2021, until further notice. Administrative Order No. 21-08-06-02 is rescinded as to Valley County, effective August 23, 2021.

IT IS SO ORDERED.

Dated this 13th 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
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Douglas Miller, Valley County Clerk of Court
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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 Erekson, 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