

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

ORDER RE: JURY TRIALS/GRAND JURY IMPANELMENT PROHIBITED FROM COMMENCING FOR THE WEEK OF OCTOBER 5-9, 2020	ADMINISTRATIVE ORDER 2020-11
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Dane H. Watkins, Jr., Administrative District Judge of the Seventh Judicial District hereby finds and orders as follows:

WHEREAS on September 16, 2020, the Idaho Supreme Court issued its Amended Order entitled “In Re: Jury Trials,” the provisions of which govern the conduct of jury trials in Idaho (“Amended Jury Trial Order”); and,

WHEREAS on September 10, 2020 the Idaho Supreme Court issued a further Order regarding Jury Trials entitled “Re: Commencement of Jury Trials” (“Jury Trial Commencement Order”) that requires the Administrative District Judge to review the Cases by County page of the Idaho Department of Health and Welfare’s COVID-19 Data Dashboard (at www.coronavirus.idaho.gov) each week to determine if criminal jury trials may proceed for a particular county for a given week (Idaho Supreme Court report summarizing the Data Dashboard attached); and,


WHEREAS on September 16, 2020, the Idaho Supreme Court issued its Order entitled “RE: Grand Jury Proceedings,” the provisions of which govern the conduct of grand jury proceedings in Idaho (“Grand Jury Proceedings Order”); and,

WHEREAS, pursuant to either paragraph 3(a) or 3(b) of the Jury Trial Commencement Order, and either paragraph 3(a) or 3(b) of the Grand Jury Proceedings Order, the Honorable Dane H. Watkins, Jr. finds that certain counties in the Seventh Judicial District currently meet the criteria set forth and described in said paragraphs, and either have an incidence rate of confirmed or presumed cases of COVID 19 of 25.0 or greater per 100,000 population **OR** have an incidence rate of COVID-19 between 14.0 and 24.9 per 100,000 population and further that those counties have an upward trend as defined in both the Jury Trial Commencement Order and the Grand Jury Proceedings Order.;

IT IS HEREBY ORDERED that the following Counties of the Seventh Judicial District SHALL NOT conduct jury trials nor grand jury impanelment proceedings for the week of October 5 – 9, 2020 and that any jury trial set to proceed during that time frame in those counties shall be vacated and reset and grand jury impanelment proceedings set for the same week shall be vacated and referred to the presiding judge for any further action.

Bingham County, Idaho	Fremont County, Idaho
Bonneville County, Idaho	Jefferson County, Idaho
Butte County, Idaho	Lemhi County, Idaho
Clark County, Idaho	Madison County, Idaho
Custer County, Idaho	Teton County, Idaho

This order shall be effective as of October 2, 2020.



Honorable Dane H. Watkins, Jr.
Administrative District Judge

7th Judicial District Elected Clerks
7th Judicial District Magistrate & District Judges
7th Judicial District Jury Commissioners
Tammie D. Whyte, Trial Court Administrator
Idaho Supreme Court, Sara Thomas, AOC

COVID-19 Incidence Trends for Jury Trial Considerations

For the week of October 2, 2020 (September 24-October 1)

	County	7-Day Moving Average Incidence Rate		Trend	Jury Trials Allowed
		Prior Week	Current Week		
First District	Benewah	9.2	15.4	Upward	No
	Bonner	11.2	12.5	Upward	Yes
	Boundary	1.2	2.3	Upward	Yes
	Kootenai	15.2	15.6	Upward	No
	Shoshone	3.3	0.0	Downward	Yes
Second District	Clearwater	21.2	16.3	Downward	Yes
	Idaho	89.1	18.0	Downward	Yes
	Latah	31.0	56.6	Upward	No
	Lewis	11.2	74.4	Upward	No
Third District	Nez Perce	15.2	11.7	Downward	Yes
	Adams	6.7	3.3	Downward	Yes
	Canyon	16.2	14.5	Downward	Yes
	Gem	21.3	28.4	Upward	No
	Owyhee	4.8	9.7	Upward	Yes
Fourth District	Payette	42.3	34.0	Downward	No
	Washington	46.2	22.4	Downward	Yes
	Ada	12.8	16.0	Upward	No
	Boise	3.6	9.1	Upward	Yes
	Elmore	12.5	15.1	Upward	No
Fifth District	Valley	5.0	8.8	Upward	Yes
	Blaine	14.3	26.1	Upward	No
	Camas	129.2	129.2	Stable	No
	Cassia	42.8	45.2	Upward	No
	Gooding	16.0	32.9	Upward	No
	Jerome	21.7	24.0	Upward	No
	Lincoln	10.6	18.6	Upward	No
	Minidoka	40.1	40.1	Stable	No
	Twin Falls	31.7	41.1	Upward	No
Sixth District	Bannock	17.9	22.0	Upward	No
	Bear Lake	14.0	11.7	Downward	Yes
	Caribou	45.9	51.9	Upward	No
	Franklin	34.0	14.4	Downward	Yes
	Oneida	6.3	6.3	Stable	Yes
Seventh District	Power	57.7	39.1	Downward	No
	Bingham	39.4	27.5	Downward	No
	Bonneville	32.6	33.7	Upward	No
	Butte	16.5	22.0	Upward	No
	Clark	50.7	50.7	Stable	No
	Custer	19.9	26.5	Upward	No
	Fremont	32.7	44.7	Upward	No
	Jefferson	40.7	41.6	Upward	No
	Lemhi	23.1	42.7	Upward	No
	Madison	66.2	101.3	Upward	No
Teton	23.5	37.6	Upward	No	

This report provides COVID-19 7-day moving average incidence rates for each county to be considered by court administrators to determine whether jury trials are allowed to occur during the upcoming week. 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.**