

# In the Supreme Court of the State of Idaho

RE: EMERGENCY ORDER )  
REGARDING COURT )  
SERVICES )  
\_\_\_\_\_ )

AMENDED ORDER  
June 25, 2021

Over the last 15 months, this Court has issued a series of emergency orders intended to address the substantial health and safety risks faced by the public accessing the courts, court personnel, and participants in court proceedings caused by the community spread of the coronavirus. Since the issuance of those orders, vaccines reducing the risks of COVID-19 have become available throughout the state of Idaho. The incidence rate of COVID-19 infection throughout the state has also reduced. The Court continues to monitor the data and information related to the coronavirus, COVID-19, and its variants, and will adjust court operations orders as becomes prudent with the changing circumstances.

In light of the improving circumstances, we have concluded that further modification of our emergency orders is now warranted. In order to continue to foster public safety and reduce the risk of the spread of coronavirus and the incidence of COVID-19 and its variants, court operations shall be governed by the following rules until further order of the Court:

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

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 24.9 or lower, the Administrative District Judge is responsible for ensuring adequate measures are in place in each courthouse to reduce the risk of transmission of the coronavirus to all