

# In the Supreme Court of the State of Idaho

IN RE: JURY TRIALS

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AMENDED ORDER  
October 8, 2020

To allow for the resumption of jury trials while fostering public safety and mitigating against the spread and the continuing rise in COVID-19 cases, and in light of the current inability of court administration throughout the state to comply with minimum safety protocols necessary for addressing the COVID-19 pandemic, pursuant to Idaho Court Administrative Rule 48 all State of Idaho jury trial proceedings shall be governed by the following rules until further order of the Court.

1. This Court's Order of October 8, 2020, IN RE: EMERGENCY REDUCTION IN COURT SERVICES AND LIMITATION OF ACCESS TO COURT FACILITES is in full force and effect and shall be construed in conjunction with this Order. In the event of any conflict between the terms of the Orders, this Order shall govern.
2. This Court's Order of September 10, 2020, IN RE: COMMENCEMENT OF JURY TRIALS, which governs the commencement of criminal jury trials in relation to the seven-day moving average incidence rate of COVID-19 cases, remains in full force and effect and shall be construed in conjunction with this Order.
3. This Court's Order IN RE: JURY TRIALS entered on July 24, 2020, AMENDED ORDER IN RE: JURY TRIALS entered on September 11, 2020, and AMENDED ORDER IN RE: JURY TRIALS entered on September 16, 2020 are superseded.
4. Any person sixty-five years of age or older is eligible to have jury service postponed for one year. *See Idaho Department of Health and Welfare, COVID-19 Guidance for Idaho Courtrooms and Juries: Public Health Risk Reduction Recommendations – June 29, 2020* ("Refrain from or consider refraining from calling on people who are 65 years of age or older for jury pools").
5. This Court's prior emergency orders suspending jury trials entered on March 23, March 26, April 14, and April 22, July 24, and September 11, 2020, and any orders suspending jury trials entered in accordance with this Court's Order of September 10, 2020, IN RE: COMMENCEMENT OF JURY TRIALS shall be deemed to have tolled the time utilized to calculate the right to a speedy trial pursuant to I.C. § 19-3501.