

In the Supreme Court of the State of Idaho

IN RE: JURY TRIALS

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AMENDED ORDER
September 16, 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 April 22, 2020, IN RE: EMERGENCY REDUCTION IN COURT SERVICES AND LIMITATION OF ACCESS TO COURT FACILITES remains in full force and effect except to the extent modified by this Order. This Court's Order In Re: Jury Trials entered on July 24, 2020 and Amended Order In Re: Jury Trials entered on September 11, 2020, are hereby superseded by this order.
2. Due to the continuing rise in positive COVID-19 cases throughout Idaho, the time during which no trial juror shall be required to appear in person shall be extended to September 14, 2020. No jury trial shall commence in a criminal case before September 14, 2020, and in a civil case before December 1, 2020.
3. 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”).
4. 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, shall be deemed to have tolled the time utilized to calculate the right to a speedy trial pursuant to I.C. § 19-3501.
5. COVID-19 Jury Questionnaires
 - a. Each jury commissioner, in addition to the summons sent to prospective jurors, shall send each juror a COVID-19 Questionnaire in the form provided in **Attachment A** to this order, which must be completed by the juror and returned to the jury commissioner prior to the prospective juror appearing for jury duty. In the event a juror does not return the questionnaire, the Jury Commissioner shall