

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

RE: ORDER PROHIBITING COMMENCEMENT OF
JURY TRIALS IN CERTAIN COUNTIES IN THE
FIRST JUDICIAL DISTRICT for the month of
November and the week of November 30 – December
4, 2020

ADMINISTRATIVE ORDER
H20- *DW. 9*

WHEREAS on July 24, 2020, the Idaho Supreme Court issued its Order entitled “In Re: Jury Trials,” the provisions of which govern the conduct of jury trials in Idaho (“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 (Dashboard) each week to determine if criminal jury trials may proceed for a particular county for a given week; and

WHEREAS the Idaho Supreme Court Order of September 10, Section 4, allows the Administrative District Judge discretion to enter orders prohibiting the commencement of jury trials which pose a substantial increase on the health and safety risks to jury trial participants, and

WHEREAS the seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 in much of the First Judicial District has been consistently over 25.0 per 100,000 for the past several weeks and presently shows no sign of reduction to less than 25.0 per 100,000, and

WHEREAS Governor Little has issued a Statewide Public Health Order (10/26/2020) moving Idaho back to Stage 3; and

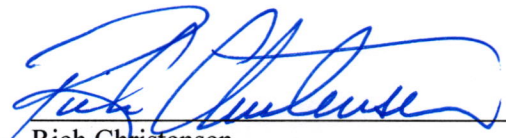
WHEREAS cancelling trials on Friday for the following week and preparing for vacated trials has caused hardship and undue stress and expense for clerks, judges, lawyers, litigants, witnesses and Jury Commissioners;

NOW THEREFORE, IT IS HEREBY ORDERED that pursuant to Section 4 of the Jury Trial Commencement Order the following Counties of the First Judicial District SHALL NOT conduct jury trials for the remainder of November 2020 and for the week of November 30 – December 4, 2020 and any jury trial set to proceed during that time frame in those counties shall be vacated and reset:

**Boundary County, Idaho
Kootenai County, Idaho
Shoshone County, Idaho**

This order may be extended upon further review of the seven-day moving average incident rates of all counties in the First Judicial District.

Dated November 9, 2020


Rich Christensen
Administrative District Judge
First Judicial District

- cc: Sara Omundson, Administrative Director of the Courts
- All First Judicial District Judges, Magistrate, and Senior Judges
- Trial Court Administrator, First Judicial District
- All First District County Clerks and Lead Supervisors
- All First District Jury Commissioners
- First District Prosecutor's offices
- First District Public Defenders
- County Commissioner Chairman affected by this order
- First District Bar