

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

**ORDER RE:  
JURY TRIALS FOR THE WEEK OF  
MAY 10, 2021**

**ADMINISTRATIVE ORDER  
H21-DW.11**

Rich Christensen, Administrative District Judge of the First Judicial District hereby finds and Orders as follows:

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 (at [www.coronavirus.idaho.gov](http://www.coronavirus.idaho.gov)) each week to determine if criminal jury trials may proceed for a particular county for a given week; and,

WHEREAS, on December 14<sup>th</sup>, 2020 the Idaho Supreme Court entered an Order that ordered “that no jury trial, whether criminal or civil, nor grand jury impanelment proceeding shall commence in Idaho state courts until further order of this Court”

WHEREAS, on February 3, 2021 the Idaho Supreme Court issued an order that would allow jury trials to commence beginning March 1, 2021 subject to conditions and limitations as set forth in the Order which included the following:

4. Weekly COVID-19 Incident Rate Postponements. Jury proceedings may commence anytime during a calendar week unless the Administrative District Judge has determined that:

a. The county in which the prospective juror has been summoned to attend court has a seven-day moving average incidence rate of confirmed or presumed cases of COVID19 of 25.0 or greater per 100,000 population as reflected on the Cases by County page of the Idaho Department of Health and Welfare's COVID-19 Data Dashboard available at [www.coronavirus.idaho.gov](http://www.coronavirus.idaho.gov);

OR

b. The county in which the prospective juror has been summoned to attend court has a seven-day moving average incidence rate of confirmed or presumed cases of COVID 19 of between 14.0 and 24.9 per 100,000 population and an upward or increasing 14-day trend as reflected by the Seven-Day Moving Average Incidence Rate on the Cases by County page of the Idaho Department of Health and Welfare 's COVID-19 Dashboard available at [www.coronavirus.idaho.gov](http://www.coronavirus.idaho.gov). An

upward trend occurs when the seven-day moving average incidence rate for the Thursday of the relevant reporting week is higher than the seven-day moving average incidence rate for the prior Thursday.

and;

WHEREAS; the Administrative District Judge having reviewed such seven-day moving average incident rates as set forth above;

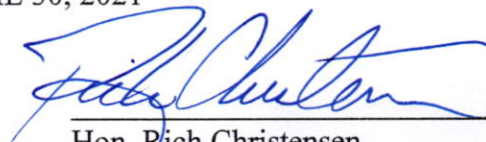
**NOW THEREFORE, IT IS HEREBY ORDERED** that the following counties of the First Judicial District SHALL NOT conduct jury trials for the week of MAY 10, 2021 – MAY 14, 2021 and that any jury trial set to proceed during that time frame in those counties shall be vacated and reset:

Kootenai

**IT IS FURTHER ORDERED**, that the following listed counties of the First Judicial District MAY conduct criminal jury trials for the week of MAY 10, 2021 – MAY 14, 2021

Benewah  
Bonner  
Boundary  
Shoshone

This order shall be effective as of APRIL 30, 2021



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Hon. Rich Christensen  
Administrative District Judge  
First Judicial District

1<sup>st</sup> Judicial District Elected Clerks  
1<sup>st</sup> Judicial District Magistrate & District Judges  
1<sup>st</sup> Judicial District Jury Commissioners  
Karlene Behringer, Trial Court Administrator  
Idaho Supreme Court, Sara Omundson, ADOC