

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

<b>ORDER RE: JURY TRIALS AND MANDATORY SAFETY PROTOCOLS IN THE BENEWAH, BONNER, BOUNDARY, KOOTENAI AND SHOSHONE COUNTY COURTHOUSES.</b>	<b>ADMINISTRATIVE ORDER H21- DW.29</b>
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Rich Christensen, Administrative District Judge of the First Judicial District hereby finds and Orders as follows:

**WHEREAS**, on November 29, 2021 the Idaho Supreme Court issued an “EMERGENCY ORDER REGARDING COURT SERVICES”. Said Order contained, among other requirements, the following requirements and prohibitions:

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

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If a county is located within a public health district in which Idaho’s crisis standards of care are currently activated, or if, as reflected in [the Weekly Publication of COVID-19 Incidence Rates], 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.(emphasis in original). 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.** (emphasis added)

and;

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**7. Jury Trial Postponements:** On or after December 6, 2021, jury proceedings, including jury trials and grand jury proceedings, may commence anytime during a calendar week unless:

- a. the county in which the jury trial is to be held is located in a public health district in which Idaho’s crisis standards of care are activated; or

b. the Administrative District Judge has determined that 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 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)

and;

**WHEREAS;** the Panhandle Health District, which encompasses the whole geographic area of the First Judicial District is, as of the date of this Order, still under Idaho's crisis standard of care.

and;

**WHEREAS;** the Administrative District Judge has received credible information that the crisis standards of care **may be removed** in the Panhandle Health District on or before Monday, December 21, 2021

and;

**WHEREAS,** the seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 for the reporting week ending December 16, 2021 in the following counties is as listed below:

Benewah	75.3
Bonner	14.4
Boundary	9.3
Kootenai	19.3
Shoshone	10.0

IT IS HEREBY ORDERED as follows:

1. Jury trials in Benewah County are suspended for the week of December 27, 2021
2. Jury trials may resume in Bonner, Boundary, Kootenai and Shoshone counties, **contingent upon the removal of the crisis standards of care by the Idaho Department of Health & Welfare by 6:00 p.m. on Monday, December 20, 2021**

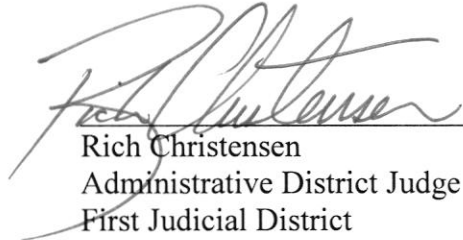
IT IS FURTHER ORDERED that all persons entering any Courthouse within the First Judicial District to do court business shall be subject to and maintain the following protocols:

3. All persons are required to wear a mask while in a courthouse on court business. In the event the crisis standards of care are removed **and** a county's 7-day average incidence rate is

24.9 or below, this requirement will be vacated. However, presiding judges have full authority to order masking during court proceedings.

4. All persons, not of the same household, must observe a minimum of six feet of social distancing from other persons.

IT IS SO ORDERED this 17<sup>th</sup> day of December, 2021

  
Rich Christensen  
Administrative District Judge  
First Judicial District