

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

ORDER RE: COURTHOUSE AND COURTROOM RISK REDUCTION PROTOCOLS	ADMINISTRATIVE ORDER H22-DW.33
--	---

On February 17, 2022, the Idaho Supreme Court issued an “EMERGENCY ORDER REGARDING COURT SERVICES” which assigned to the Administrative District Judge of each district the responsibility to ensure appropriate measures are instituted in each courthouse to reduce the risk of transmission of the coronavirus to persons participating in a court proceeding or conducting court business.

Since the Supreme Court issued its February 17, 2022 Emergency Order, the undersigned has issued weekly orders concerning levels of risk existing in each county based on information provided by the Idaho Department of Health and Welfare found at www.coronavirus.idaho.gov and Panhandle Health District found at <https://panhandlehealthdistrict.org/covid-19> and safety protocols that must be followed based on the risk levels.

The Centers for Disease Control and Prevention (CDC) issued new COVID-19 guidelines on August 11, 2022. See the following report at www.cdc.gov/media/releases/2022/p0811-covid-guidance.html: CDC streamlines COVID-19 guidance to help the public better protect themselves and understand their risk | CDC Online Newsroom | CDC. The guidelines address exposure, positive testing, illness levels, and deemphasizes physical or social distancing. The report states: “COVID-19 continues to circulate globally, however, with so many tools available to us for reducing COVID-19 severity, there is significantly less risk of severe illness, hospitalization and death compared to earlier in the pandemic.” The report quotes Dr. Gretta Massetti, PhD, MPH, MMWR author:

“We’re in a stronger place today as a nation, with more tools—like vaccination, boosters, and treatments—to protect ourselves, and our communities, from severe illness from COVID-19. We also have a better understanding of how to protect people from being exposed to the virus, like wearing high-quality masks, testing, and improved ventilation. This guidance acknowledges that the pandemic is not over, but also helps us move to a point where COVID-19 no longer severely disrupts our daily lives.”

Based on the Supreme Court's February 17, 2022, Emergency Order and the CDC's August 11, 2022, guidance, and good cause appearing,

IT IS HEREBY ORDERED:

1. Masks are not required in any court-related areas of the courthouses in Boundary, Bonner, Kootenai, Shoshone, and Benewah Counties except as ordered by a presiding judge as permitted by this Order. Whether masks are required in a particular courtroom and associated jury deliberation rooms during a proceeding in a courthouse in Boundary, Bonner, Kootenai, Shoshone, and Benewah Counties is left to the discretion of the judge presiding over the proceeding.

2. Any person in any courthouse in Boundary, Bonner, Kootenai, Shoshone, and Benewah Counties who has been exposed to COVID-19 is strongly encouraged to wear a high quality mask for ten days and get tested on day 5.

3. Any person who tests positive for COVID-19 is strongly encouraged to stay home for at least five days. If after five days such person is fever free for 24 hours without the use of medication, and symptoms are improving or if the person never had symptoms, the person may end isolation. Such persons are strongly encouraged to wear a high quality mask through day 10.

4. Any person who experienced moderate to severe illness or was hospitalized with COVID-19 is strongly encouraged to consult with a doctor before ending isolation and returning to work or coming to any court proceeding in Boundary, Bonner, Kootenai, Shoshone, and Benewah Counties.

5. Other than testifying witnesses while testifying, no person while in court-related areas of courthouses in Boundary, Bonner, Kootenai, Shoshone, and Benewah Counties will be asked or required to remove a mask against their wishes.

6. Recognizing that physical distancing is just one component of protecting people from exposure to COVID-19, physical distancing will not be required in any court-related areas of the courthouses in Boundary, Bonner, Kootenai, Shoshone, and Benewah Counties except as ordered by a presiding judge as permitted by this Order.

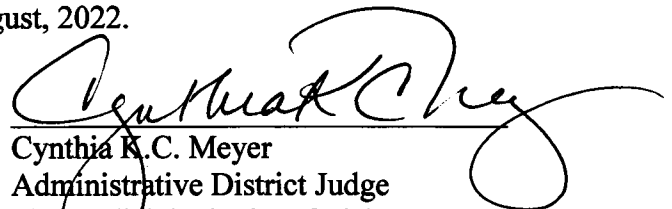
7. Judges presiding over proceedings in any courthouse in Boundary, Bonner, Kootenai, Shoshone, and Benewah Counties are authorized to order the wearing of masks, physical distancing, and to implement such other measures in their discretion they deem necessary to protect the health

and safety of those working or coming into the courthouses in the First Judicial District for court business.

8. Failure to comply with the terms of this order or any order issued by a judge presiding over proceedings in a courthouse in Boundary, Bonner, Kootenai, Shoshone, and Benewah Counties may be treated as a contempt of court. *See* Idaho Code § 18-1801; Title 7, Chapter 6, Idaho Code; I.R.C.P. 75; I.C.R 42.

9. A copy of the order must be displayed at all entrances to the courthouses referenced in this order.

IT IS SO ORDERED this 12th day of August, 2022.


Cynthia K.C. Meyer
Administrative District Judge
First Judicial District of Idaho