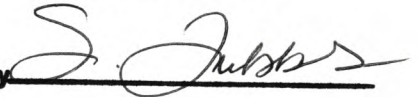


OCT 23 2020

By 

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO

**ORDER RE:  
JURY TRIALS/GRAND JURY  
IMPANELMENT PROHIBITED FROM  
COMMENCING FOR THE WEEK OF  
OCTOBER 26-30, 2020**

**ADMINISTRATIVE ORDER  
2020-11**

Eric J. Wildman, Administrative District Judge of the Fifth Judicial District hereby finds and orders as follows:

WHEREAS on September 16, 2020, the Idaho Supreme Court issued its Amended Order entitled “In Re: Jury Trials,” the provisions of which govern the conduct of jury trials in Idaho (“Amended 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 (Idaho Supreme Court report summarizing the Data Dashboard attached); and,

WHEREAS on September 16, 2020, the Idaho Supreme Court issued its Order entitled “RE: Grand Jury Proceedings,” the provisions of which govern the conduct of grand jury proceedings in Idaho (“Grand Jury Proceedings Order”); and,

WHEREAS, pursuant to either paragraph 3(a) or 3(b) of the Jury Trial Commencement Order, and either paragraph 3(a) or 3(b) of the Grand Jury Proceedings Order, the Honorable Eric J. Wildman finds that certain counties in the Fifth Judicial District currently meet the criteria set forth and described in said paragraphs, and either have an incidence rate of confirmed or presumed cases of COVID 19 of 25.0 or greater per 100,000 population **OR** have an incidence rate of COVID-19 between 14.0 and 24.9 per 100,000 population and further that those counties have an upward trend as defined in both the Jury Trial Commencement Order and the Grand Jury Proceedings Order.;

**IT IS HEREBY ORDERED** that the following Counties of the Fifth Judicial District SHALL NOT conduct jury trials nor grand jury impanelment proceedings for the week of October 26 – 30, 2020 and that any jury trial set to proceed during that time frame in those

counties shall be vacated and reset and grand jury impanelment proceedings set for the same week shall be vacated and referred to the presiding judge for any further action.

Blaine County, Idaho
Camas County, Idaho
Cassia County, Idaho
Gooding County, Idaho
Jerome County, Idaho
Lincoln County, Idaho
Minidoka County, Idaho
Twin Falls County, Idaho

IT IS HEREBY ORDERED.

Dated this 23 day of October, 2020.



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Honorable Eric J. Wildman  
Administrative District Judge  
Fifth Judicial District

5<sup>th</sup> Judicial District Elected Clerks  
5<sup>th</sup> Judicial District Magistrate & District Judges  
5<sup>th</sup> Judicial District Jury Commissioners  
Shelli Tubbs, Trial Court Administrator  
Sara Omundson, ADOC, Idaho Supreme Court

# COVID-19 Incidence Trends for Jury Trial Considerations

For the week of October 23, 2020 (October 15–October 22)

	County	7-Day Moving Average Incidence Rate		Trend	Jury Trials Allowed
		Prior Week	Current Week		
First District	Benewah	0.0	9.2	Upward	Yes
	Bonner	9.7	10.3	Upward	Yes
	Boundary	17.5	46.7	Upward	No
	Kootenai	22.8	37.8	Upward	No
	Shoshone	7.8	20.0	Upward	No
Second District	Clearwater	44.1	22.8	Downward	Yes
	Idaho	27.4	42.9	Upward	No
	Latah	37.8	21.7	Downward	Yes
	Lewis	44.7	40.9	Downward	No
	Nez Perce	27.6	44.5	Upward	No
Third District	Adams	6.7	3.3	Downward	Yes
	Canyon	24.5	31.0	Upward	No
	Gem	22.1	22.1	Stable	Yes
	Owyhee	12.1	20.5	Upward	No
	Payette	34.6	33.4	Downward	No
	Washington	29.4	25.2	Downward	No
Fourth District	Ada	22.6	25.5	Upward	No
	Boise	1.8	1.8	Stable	Yes
	Elmore	18.2	26.0	Upward	No
	Valley	5.0	5.0	Stable	Yes
Fifth District	Blaine	42.8	32.9	Downward	No
	Camas	0.0	25.8	Upward	No
	Cassia	101.7	102.8	Upward	No
	Gooding	56.5	74.4	Upward	No
	Jerome	47.4	45.1	Downward	No
	Lincoln	69.2	61.2	Downward	No
	Minidoka	100.5	79.4	Downward	No
	Twin Falls	68.1	75.5	Upward	No
Sixth District	Bannock	39.4	48.6	Upward	No
	Bear Lake	14.0	16.3	Upward	No
	Caribou	63.9	91.8	Upward	No
	Franklin	56.6	54.6	Downward	No
	Oneida	9.5	15.8	Upward	No
	Power	39.1	33.5	Downward	No
Seventh District	Bingham	35.1	49.7	Upward	No
	Bonneville	51.0	60.5	Upward	No
	Butte	44.0	66.0	Upward	No
	Clark	33.8	0.0	Downward	Yes
	Custer	46.3	9.9	Downward	Yes
	Fremont	49.1	68.7	Upward	No
	Jefferson	48.3	45.0	Downward	No
	Lemhi	57.0	62.3	Upward	No
	Madison	188.3	164.7	Downward	No
	Teton	35.3	30.6	Downward	No

This report provides COVID-19 7-day moving average incidence rates for each county to be considered by court administrators to determine whether jury trials are allowed to occur during the upcoming week. Data in this report show the incidence rates on Thursday of the current and prior week. The information here reflects what is reported on the Department of Health and Welfare's website between 5:00 p.m. on Thursday and 8:00 a.m. on Friday of the current week. **Data on the website are subject to change and may not reflect the information in this report.**