

NOV 06 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
NOVEMBER 9-13, 2020**

**ADMINISTRATIVE ORDER
2020-13**

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) 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.;

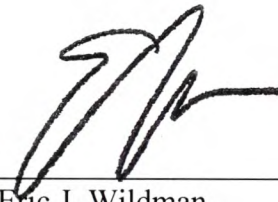
WHEREAS, pursuant to Administrative Order 2020-10, issued on October 22, 2020, no criminal jury trial shall commence in Blaine County before December 01, 2020.

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 November 9 – 13, 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 6th day of November, 2020.



Honorable Eric J. Wildman
Administrative District Judge
Fifth Judicial District

5th Judicial District Elected Clerks
5th Judicial District Magistrate & District Judges
5th 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 November 6, 2020 (October 29-November 5)

	County	7-Day Moving Average Incidence Rate		Trend	Jury Trials Allowed
		Prior Week	Current Week		
First District	Benewah	18.4	23.0	Upward	No
	Bonner	16.9	14.7	Downward	Yes
	Boundary	65.3	66.5	Upward	No
	Kootenai	49.4	44.7	Downward	No
	Shoshone	36.6	26.6	Downward	No
Second District	Clearwater	24.5	58.7	Upward	No
	Idaho	38.6	53.1	Upward	No
	Latah	36.0	34.2	Downward	No
	Lewis	37.2	70.7	Upward	No
	Nez Perce	60.5	92.6	Upward	No
Third District	Adams	103.1	39.9	Downward	No
	Canyon	38.1	51.2	Upward	No
	Gem	22.9	36.3	Upward	No
	Owyhee	24.2	26.6	Upward	No
	Payette	31.0	42.9	Upward	No
	Washington	57.5	58.9	Upward	No
Fourth District	Ada	40.9	32.4	Downward	No
	Boise	16.4	23.7	Upward	No
	Elmore	34.8	22.8	Downward	Yes
	Valley	15.0	27.6	Upward	No
Fifth District	Blaine	35.4	37.2	Upward	No
	Camas	38.7	77.5	Upward	No
	Cassia	115.3	76.1	Downward	No
	Gooding	103.5	83.8	Downward	No
	Jerome	74.9	109.4	Upward	No
	Lincoln	189.0	119.8	Downward	No
	Minidoka	80.8	53.6	Downward	No
	Twin Falls	91.1	94.4	Upward	No
Sixth District	Bannock	69.8	56.6	Downward	No
	Bear Lake	21.0	28.0	Upward	No
	Caribou	91.8	71.9	Downward	No
	Franklin	51.5	34.0	Downward	No
	Oneida	47.3	50.4	Upward	No
	Power	24.2	39.1	Upward	No
Seventh District	Bingham	37.5	48.5	Upward	No
	Bonneville	54.7	58.7	Upward	No
	Butte	71.5	27.5	Downward	No
	Clark	0.0	16.9	Upward	No
	Custer	9.9	23.2	Upward	No
	Fremont	106.9	49.1	Downward	No
	Jefferson	47.3	44.0	Downward	No
	Lemhi	115.7	106.8	Downward	No
	Madison	148.9	96.7	Downward	No
	Teton	25.9	56.5	Upward	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.**