

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

**ORDER RE:
JURY TRIALS PROHIBITED FROM
COMMENCING IN BINGHAM COUNTY
FOR THE WEEK OF OCTOBER 19-23, 2020**

**ADMINISTRATIVE ORDER
2020-14**

WHEREAS on October 8, 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 (Dashboard) each week to determine if criminal jury trials may proceed for a particular county for a given week; and,

WHEREAS Section 4 of the same Jury Trial Commencement Order permits the Administrative District Judge to exercise discretion to enter an order, in writing and containing a factual basis, to prohibit the commencement of jury trials where there are circumstances beyond the incident rates which pose a substantial increase in the health or safety risks to jury trial participants; and,

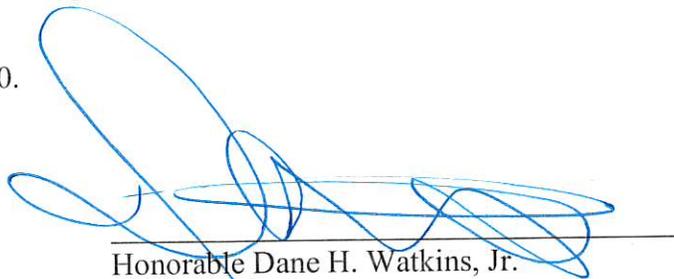
WHEREAS the Administrative District Judge has determined upon review of the Dashboard that a discrepancy exists between confirmed and probable cases reported by the Southeastern Idaho Public Health District for Bingham County and the confirmed and probable cases reported on the Dashboard for Bingham County; and,

WHEREAS the Administrative District Judge finds this discrepancy impacts the 7 day moving average incidence rate per 100,000 population displayed on the Dashboard for Bingham County in a way that poses a substantial increase in the health or safety risks to jury trial participants because it does not reflect the confirmed and probable cases reported by the Southeastern Idaho Health District for Bingham County; and,

WHEREAS calculation of the 7 day moving average incidence rate per 100,000 population for Bingham County as of October 15, 2020 based upon confirmed and probable cases reported by the Southeastern Idaho Public Health District do not meet the standards regarding 7 day moving average incidence rates per 100,000 population set in Section 3(a) or 3(b) of the Jury Trial Commencement Order to resume jury trials.

IT IS HEREBY ORDERED that Bingham County SHALL NOT conduct jury trials for the week of October 19-23, 2020 and that any jury trial set to proceed during that time frame in those counties shall be vacated and reset:

Dated this 21th day of October 2020.



Honorable Dane H. Watkins, Jr.
Administrative District Judge

cc: 7th Judicial District Elected Clerks
7th Judicial District Magistrate & District Judges
7th Judicial District Jury Commissioners
Tammie D. Whyte, Trial Court Administrator
Idaho Supreme Court, Sara Thomas, AOC