

FEB 19 2021

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  
MARCH 1-5, 2021**

**ADMINISTRATIVE ORDER  
2021-03**

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

WHEREAS on October 8, 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 February 3, 2021 the Idaho Supreme Court issued a further Order regarding Jury Trials entitled “Re: Commencement of Jury Trials and Grand Jury Impanelment” (“Jury Trial Commencement Order”) whereby the Idaho Supreme Court provided that Jury Trials will resume as of March 1, 2021 and that further 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 jury trials and grand jury impanelment may proceed for a particular county for any given week as outlined in the Jury Trial Commencement Order (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”) as amended on October 6, 2020; and,

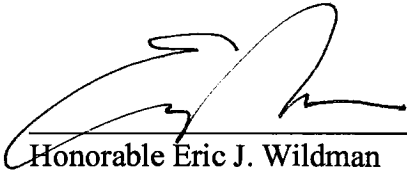
WHEREAS, pursuant to either paragraph 4(a) or 4(b) of the Jury Trial Commencement Order, the Honorable Eric J. Wildman finds that no counties in the Fifth Judicial District currently meet the criteria set forth and described in said paragraphs, and either have an incidence rate of confirmed or presumed 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 do not have an upward trend as defined in both the Jury Trial Commencement Order;

**IT IS HEREBY ORDERED** that the following Counties of the Fifth Judicial District MAY COMMENCE jury trials or grand jury impanelment proceedings for the week of March 1-5, 2021

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 19<sup>th</sup> day of February, 2021.



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 February 19, 2021 (February 11-February 18)

		7-Day Moving Average Incidence Rate				
	County	Prior Week	Current Week	Trend	Jury Trials Allowed	
First District	Benewah	10.8	41.5	Upward	<b>No</b>	
	Bonner	22.8	17.2	Downward	Yes	
	Boundary	42.0	22.2	Downward	Yes	
	Kootenai	25.8	15.9	Downward	Yes	
	Shoshone	13.3	7.8	Downward	Yes	
Second District	Clearwater	8.2	11.4	Upward	Yes	
	Idaho	3.4	3.4	Stable	Yes	
	Latah	18.2	12.5	Downward	Yes	
	Lewis	3.7	3.7	Stable	Yes	
Third District	Nez Perce	5.7	2.8	Downward	Yes	
	Adams	0.0	16.6	Upward	<b>No</b>	
	Canyon	17.2	12.1	Downward	Yes	
	Gem	16.6	5.5	Downward	Yes	
	Owyhee	18.1	7.2	Downward	Yes	
Fourth District	Payette	15.5	7.8	Downward	Yes	
	Washington	5.6	8.4	Upward	Yes	
	Ada	18.7	13.0	Downward	Yes	
	Boise	5.5	5.5	Stable	Yes	
	Elmore	10.9	9.9	Downward	Yes	
Fifth District	Valley	22.6	7.5	Downward	Yes	
	Blaine	46.5	24.8	Downward	Yes	
	Camas	38.7	0.0	Downward	Yes	
	Cassia	22.0	7.1	Downward	Yes	
	Gooding	4.7	4.7	Stable	Yes	
	Jerome	9.4	9.4	Stable	Yes	
	Lincoln	8.0	0.0	Downward	Yes	
	Minidoka	10.9	6.1	Downward	Yes	
Sixth District	Twin Falls	25.4	15.4	Downward	Yes	
	Bannock	23.8	23.9	Upward	<b>No</b>	
	Bear Lake	11.7	7.0	Downward	Yes	
	Caribou	10.0	6.0	Downward	Yes	
	Franklin	21.6	15.4	Downward	Yes	
	Oneida	9.5	25.2	Upward	<b>No</b>	
Seventh District	Power	18.6	1.9	Downward	Yes	
	Bingham	11.9	12.2	Upward	Yes	
	Bonneville	19.1	15.2	Downward	Yes	
	Butte	38.5	22.0	Downward	Yes	
	Clark	0.0	0.0	Stable	Yes	
	Custer	3.3	0.0	Downward	Yes	
	Fremont	12.0	14.2	Upward	<b>No</b>	
	Jefferson	23.0	17.2	Downward	Yes	
	Lemhi	7.1	14.2	Upward	<b>No</b>	
	Madison	41.2	31.9	Downward	<b>No</b>	
Teton	15.3	11.8	Downward	Yes		

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.**