

MAR 05 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 15-19, 2021**

**ADMINISTRATIVE ORDER
2021-05**

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) 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 15-19, 2021

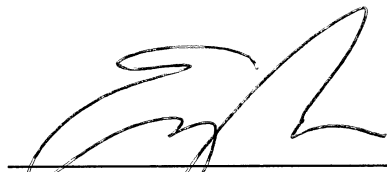
Camas County, Idaho
Cassia County, Idaho
Gooding County, Idaho
Jerome County, Idaho
Lincoln County, Idaho
Minidoka County, Idaho
Twin Falls County, Idaho

IT IS FURTHER ORDERED that the following Counties of the Fifth Judicial District SHALL NOT conduct jury trials nor grand jury impanelment proceedings for the week of March 15-19, 2021, 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

IT IS HEREBY ORDERED.

Dated this 5th day of March, 2021.



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
5th Judicial District Court Reporters
Shelli Tubbs, Trial Court Administrator
Sara Omundson, ADOC, Idaho Supreme Court

COVID-19 Incidence Trends for Jury Trial Considerations

For the week of March 5, 2021 (February 25-March 4)

	County	7-Day Moving Average Incidence Rate		Trend	Jury Trials Allowed
		Prior Week	Current Week		
First District	Benewah	58.4	27.7	Downward	No
	Bonner	10.6	12.5	Upward	Yes
	Boundary	23.3	5.8	Downward	Yes
	Kootenai	15.9	14.0	Downward	Yes
	Shoshone	10.0	12.2	Upward	Yes
Second District	Clearwater	11.4	6.5	Downward	Yes
	Idaho	2.6	4.3	Upward	Yes
	Latah	28.1	24.2	Downward	Yes
	Lewis	0.0	14.9	Upward	No
	Nez Perce	6.0	7.1	Upward	Yes
Third District	Adams	20.0	0.0	Downward	Yes
	Canyon	11.6	12.1	Upward	Yes
	Gem	7.1	5.5	Downward	Yes
	Owyhee	7.2	15.7	Upward	No
	Payette	2.4	5.4	Upward	Yes
	Washington	2.8	5.6	Upward	Yes
Fourth District	Ada	20.2	11.5	Downward	Yes
	Boise	10.9	3.6	Downward	Yes
	Elmore	11.9	9.9	Downward	Yes
	Valley	6.3	7.5	Upward	Yes
Fifth District	Blaine	13.0	17.4	Upward	No
	Camas	0.0	12.9	Upward	Yes
	Cassia	9.5	6.5	Downward	Yes
	Gooding	10.4	1.9	Downward	Yes
	Jerome	8.8	8.8	Stable	Yes
	Lincoln	2.7	8.0	Upward	Yes
	Minidoka	6.1	4.8	Downward	Yes
	Twin Falls	9.7	5.9	Downward	Yes
Sixth District	Bannock	20.5	14.2	Downward	Yes
	Bear Lake	14.0	14.0	Stable	Yes
	Caribou	10.0	6.0	Downward	Yes
	Franklin	10.3	9.3	Downward	Yes
	Oneida	9.5	9.5	Stable	Yes
	Power	3.7	7.4	Upward	Yes
Seventh District	Bingham	14.3	24.7	Upward	No
	Bonneville	29.9	35.6	Upward	No
	Butte	5.5	11.0	Upward	Yes
	Clark	0.0	0.0	Stable	Yes
	Custer	3.3	13.2	Upward	No
	Fremont	19.6	28.4	Upward	No
	Jefferson	24.9	22.5	Downward	Yes
	Lemhi	5.3	10.7	Upward	Yes
	Madison	56.2	32.2	Downward	No
	Teton	15.3	25.9	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.**