

**FIFTH JUDICIAL DISTRICT
Administrative Office
State of Idaho**

MAR 26 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
APRIL 5 - APRIL 9, 2021**

**ADMINISTRATIVE ORDER
2021-08**

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 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 the Jury Trial Commencement 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 April 5 - April 9, 2021, and that any jury trial set to proceed during that time frame in those counties shall be vacated and reset. Grand jury impanelment proceedings set for the same week shall be vacated and referred to the presiding judge for any further action.

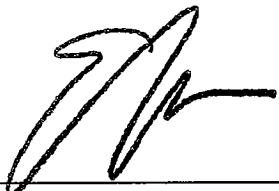
Blaine County, Idaho

IT IS FURTHER ORDERED that the following Counties of the Fifth Judicial District **MAY COMMENCE** jury trials or grand jury impanelment proceedings for the week of April 5 - April 9, 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 HEREBY ORDERED.

Dated this 26 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 26, 2021 (March 18–March 25)

	County	7-Day Moving Average Incidence Rate			Jury Trials Allowed
		Prior Week	Current Week	Trend	
First District	Benewah	9.2	6.1	Downward	Yes
	Bonner	7.8	5.0	Downward	Yes
	Boundary	12.8	7.0	Downward	Yes
	Kootenai	9.5	6.5	Downward	Yes
	Shoshone	14.4	11.1	Downward	Yes
Second District	Clearwater	8.2	19.6	Upward	No
	Idaho	1.7	2.6	Upward	Yes
	Latah	13.5	6.4	Downward	Yes
	Lewis	7.4	0.0	Downward	Yes
	Nez Perce	12.4	12.4	Stable	Yes
Third District	Adams	0.0	3.3	Upward	Yes
	Canyon	12.6	13.1	Upward	Yes
	Gem	6.3	13.4	Upward	Yes
	Owyhee	8.5	4.8	Downward	Yes
	Payette	10.7	13.1	Upward	Yes
	Washington	12.6	9.8	Downward	Yes
Fourth District	Ada	17.6	14.7	Downward	Yes
	Boise	5.5	1.8	Downward	Yes
	Elmore	10.4	18.2	Upward	No
	Valley	11.3	3.8	Downward	Yes
Fifth District	Blaine	5.6	16.8	Upward	No
	Camas	12.9	0.0	Downward	Yes
	Cassia	4.2	4.2	Stable	Yes
	Gooding	2.8	3.8	Upward	Yes
	Jerome	7.0	2.9	Downward	Yes
	Lincoln	2.7	5.3	Upward	Yes
	Minidoka	4.1	4.1	Stable	Yes
	Twin Falls	5.6	4.3	Downward	Yes
Sixth District	Bannock	21.8	20.5	Downward	Yes
	Bear Lake	2.3	9.3	Upward	Yes
	Caribou	4.0	26.0	Upward	No
	Franklin	10.3	8.2	Downward	Yes
	Oneida	6.3	28.4	Upward	No
	Power	5.6	13.0	Upward	Yes
Seventh District	Bingham	32.0	30.5	Downward	No
	Bonneville	64.7	42.2	Downward	No
	Butte	5.5	5.5	Stable	Yes
	Clark	16.9	16.9	Stable	Yes
	Custer	9.9	3.3	Downward	Yes
	Fremont	16.4	20.7	Upward	No
	Jefferson	48.8	37.8	Downward	No
	Lemhi	14.2	3.6	Downward	Yes
	Madison	45.1	38.3	Downward	No
	Teton	21.2	18.8	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.**