

APR 09 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 19 - APRIL 23, 2021**

**ADMINISTRATIVE ORDER
2021-10**

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,

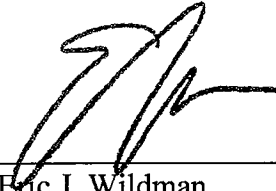
WHEREAS, pursuant to either paragraph 4(a) or 4(b) of the Jury Trial Commencement Order, the Honorable Eric J. Wildman finds that no counties in the Fifth Judicial District currently meet the criteria set forth and described in said paragraphs, and either have an incidence rate of confirmed or presumed 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 have an upward trend as defined in the Jury Trial Commencement Order;

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 19 - April 23, 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 9th day of April, 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 April 9, 2021 (April 1–April 8)

		7-Day Moving Average Incidence Rate			Jury Trials Allowed
	County	Prior Week	Current Week	Trend	
First District	Benewah	4.6	6.1	Upward	Yes
	Bonner	7.2	7.5	Upward	Yes
	Boundary	3.5	3.5	Stable	Yes
	Kootenai	7.0	8.3	Upward	Yes
	Shoshone	6.7	6.7	Stable	Yes
Second District	Clearwater	3.3	6.5	Upward	Yes
	Idaho	1.7	1.7	Stable	Yes
	Latah	7.5	16.0	Upward	No
	Lewis	7.4	0.0	Downward	Yes
Third District	Nez Perce	6.4	8.1	Upward	Yes
	Adams	0.0	0.0	Stable	Yes
	Canyon	15.2	11.6	Downward	Yes
	Gem	4.7	3.2	Downward	Yes
	Owyhee	6.0	7.2	Upward	Yes
Fourth District	Payette	8.4	11.9	Upward	Yes
	Washington	8.4	2.8	Downward	Yes
	Ada	17.4	17.6	Upward	No
	Boise	14.6	5.5	Downward	Yes
Fifth District	Elmore	23.9	24.4	Upward	No
	Valley	8.8	0.0	Downward	Yes
	Blaine	21.1	19.9	Downward	Yes
	Camas	0.0	0.0	Stable	Yes
	Cassia	8.3	5.4	Downward	Yes
	Gooding	8.5	2.8	Downward	Yes
	Jerome	2.9	3.5	Upward	Yes
Sixth District	Lincoln	8.0	0.0	Downward	Yes
	Minidoka	4.8	1.4	Downward	Yes
	Twin Falls	5.3	12.3	Upward	Yes
	Bannock	20.7	11.1	Downward	Yes
	Bear Lake	0.0	9.3	Upward	Yes
Seventh District	Caribou	33.9	24.0	Downward	Yes
	Franklin	34.0	15.4	Downward	Yes
	Oneida	12.6	6.3	Downward	Yes
	Power	9.3	3.7	Downward	Yes
	Bingham	17.7	21.7	Upward	No
	Bonneville	41.0	27.5	Downward	No
	Butte	22.0	0.0	Downward	Yes
	Clark	16.9	33.8	Upward	No
Eighth District	Custer	9.9	3.3	Downward	Yes
	Fremont	13.1	14.2	Upward	No
	Jefferson	39.2	26.8	Downward	No
	Lemhi	1.8	0.0	Downward	Yes
	Madison	44.0	50.1	Upward	No
	Teton	27.1	14.1	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.**