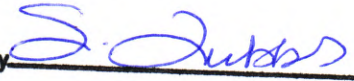


FEB 18 2022

By: 

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO

**ORDER RE:  
COMMENCEMENT OF JURY TRIALS AND  
GRAND JURY PROCEEDINGS IN THE  
FIFTH JUDICIAL DISTRICT**

**ADMINISTRATIVE ORDER  
2022-07**

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

WHEREAS on February 17, 2022 the Idaho Supreme Court issued its Order entitled “EMERGENCY ORDER REGARDING COURT SERVICES,” (“EMERGENCY ORDER”) effective February 28, 2022. Said Order provides guidance for judicial districts to prepare for the resumption of jury trials and impanelment of grand juries, while continuing to foster public safety and mitigation against the spread of COVID-19 cases. Said Order also provides for the Administrative District Judge of each Judicial District to exercise discretion with regard to implementing COVID-19 safety protocols.

WHEREAS, the Administrative District Judge finds that conditions vary between the counties of the Fifth Judicial District.

WHEREAS, certain cities within the Fifth Judicial District have issued COVID-19 health and safety ordinances, which are currently active.

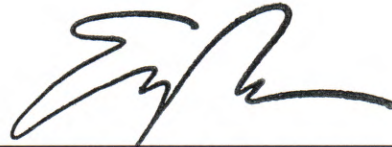
**UNTIL FURTHER ORDER; IT IS HEREBY ORDERED** as follows:

1. The resumption of the commencement of jury trials and grand jury proceedings is authorized effective February 28, 2022.
2. The decision to postpone a jury trial or grand jury proceeding due to COVID-19 related reasons shall be left to the discretion of the presiding judge, in consideration of any existing local COVID-19 health and safety ordinances, weekly COVID-19 trends, and in consultation with the Administrative District Judge.
3. Prospective jurors who are summoned to appear for jury duty who indicate their preference to be either postponed or excused from jury duty due to COVID-19 health and safety concerns shall have their request approved.
4. The priority of jury trial settings shall, to the extent that a case is ready to go to trial, be held in the following order of priority, with the first being the most important and then listed in descending order:
  - a. Criminal cases in which defendants are incarcerated on that pending case
  - b. Criminal cases
  - c. Civil cases

5. The use of remote court proceedings and in-person shall be at the discretion of the presiding judge subject to the conditions and requirements set forth in paragraph 3 of the EMERGENCY ORDER.
6. The use of appropriate health and safety protocols to reduce the risk of transmission of the coronavirus to persons participating in a courtroom proceeding shall be left to the discretion of the presiding judge, in consideration of any existing local COVID-19 health and safety ordinances.
7. The use of appropriate health and safety protocols to reduce the risk of transmission of the coronavirus to persons entering a courthouse or other locations designated for court business shall be left to the discretion of the presiding judge, in consideration of any existing local COVID-19 safety precaution ordinances, and in consultation with the Administrative District Judge. All said protocols shall be posted in compliance with paragraph 11 of the EMERGENCY ORDER.

IT IS HEREBY ORDERED.

Dated this 18<sup>th</sup> day of February 2022.



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Honorable Eric J. Wildman  
Administrative District Judge  
Fifth Judicial District

C: 5th Judicial District Elected Clerks  
5th Judicial District Magistrate and District Judges  
5th Judicial District Jury Commissioners  
5th Judicial District Court Reporters  
Shelli Tubbs, 5th Judicial District Trial Court Administrator  
Sara Omundson, ADOC, Idaho Supreme Court  
Idaho Supreme Court, [AdminOrders@idcourts.net](mailto:AdminOrders@idcourts.net)  
Sean Go, [sgo@idcourts.net](mailto:sgo@idcourts.net)