

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

STATE OF IDAHO

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RE: FOURTH DISTRICT JURY TRIALS

ADMINISTRATIVE ORDER

NO. 21-05-07

The Idaho Supreme Court's February 3, 2021 Order Re: Commencement of Jury Trials and Grand Jury Impanelment allows for the resumption of jury trials commencing on or after March 1, 2021 unless:

4.a. The county in which the prospective juror has been summoned to attend court has a seven-day moving average incidence rate of confirmed or presumed cases of COVID[-]19 of 25.0 or greater per 100,000 population as reflected on the Cases by County page of the Idaho Department of Health and Welfare's COVID-19 Data Dashboard available at [www.coronavirus.idaho.gov](http://www.coronavirus.idaho.gov);

OR

4.b. The county in which the prospective juror has been summoned to attend court has a seven-day moving average incidence rate of confirmed or presumed cases of COVID[-]19 of between 14.0 and 24.9 per 100,000 population and an upward or increasing 14-day trend as reflected by the Seven-Day Moving Average Incidence Rate on the Cases by County page of the Idaho Department of Health and Welfare's COVID-19 Dashboard available at [www.coronavirus.idaho.gov](http://www.coronavirus.idaho.gov). An upward trend occurs when the seven-day moving average incidence rate for the Thursday of the relevant reporting week is higher than the seven-day moving average for the prior Thursday. Order Re: Commencement of Jury Trials and Grand Jury Impanelment, at 2.<sup>1</sup>

This order utilizes the data issued at the end of business on Thursday, May 6, 2021, when the daily state and county COVID-19 case numbers were released on-line by

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<sup>1</sup>But see Order Re: Commencement of Jury Trials and Grand Jury Impanelment, at 3 (If a jury trial has already commenced, "it should continue to verdict unless, in the discretion of the assigned judge, a significant change in the weekly COVID-19 incidence rate or other local COVID-19 incident or public health action justifies a temporary suspension of the trial. Any order in this regard must be supported with written findings.").

the Idaho Department of Health and Welfare, for each of the counties in this district, as noted hereinafter.

### **1. Ada County**

Ada County had a seven-day moving COVID-19 case average of 8.8 per 100,000 population. Effective May 17, 2021,<sup>2</sup> Ada County jury trials are permitted to resume, until further notice.

### **2. Boise County**

Boise County had a seven-day moving COVID-19 case average of 1.8 per 100,000 population. Effective May 17, 2021, Boise County jury trials are permitted to resume, until further notice.

### **3. Elmore County**

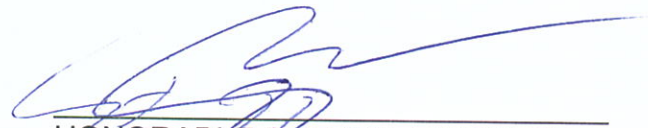
Elmore County had a seven-day moving COVID-19 case average of 8.3 per 100,000 population. As of this date, Elmore County jury trials may continue with jury trials, until further notice.

### **4. Valley County**

Valley County had a seven-day moving COVID-19 case average of 2.5 per 100,000 population. As of this date, Valley County may continue with jury trials, until further notice.

IT IS SO ORDERED.

Dated this 7th day of May 2021.



HONORABLE STEVEN J. HIPPLER  
Administrative District Judge

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<sup>2</sup>"The Administrative District Judge's determination described in this paragraph shall be based on the weekly COVID-19 incident rates published ten (10) days prior to the calendar week in which the jury trial is scheduled to occur." Order Re: Commencement of Jury Trials and Grand Jury Impanelment, at 2.

cc: All Judges  
Sandra Barrios, Trial Court Administrator, Fourth Judicial District  
Phil McGrane, Ada County Clerk of Court  
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Idaho Supreme Court, AdminOrders@idcourts.net  
Mary T. Prisco, Boise County Clerk of Court  
Shelley Essl, Elmore County Clerk of Court  
Douglas Miller, Valley County Clerk of Court  
Jan Bennetts, Ada County Prosecutor  
Adam Strong, Boise County Prosecutor  
Daniel Page, Elmore County Prosecutor  
Brian Naugle, Valley County Prosecutor  
Jayme Sullivan, Boise City Prosecutor  
Charles Waddams, Garden City Prosecutor  
Tony Geddes, Ada County Public Defender  
Rob Chastain, Boise County Public Defender  
Terry Ratliff, Elmore County Public Defender  
Scott Erekson, Valley County Public Defender  
Randy Rutland, Ada County Jury Commissioner  
Ashley Turner, Boise County Jury Commissioner  
Eileen Kirkland, Elmore County Jury Commissioner  
Tammy Angier, Valley County Jury Commissioner