

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

STATE OF IDAHO

* * *

RE: FOURTH DISTRICT JURY TRIALS

ADMINISTRATIVE ORDER

NO. 21-05-14

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;

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. 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 2.¹

This order utilizes the data issued at the end of business on Thursday, May 13, 2021, when the daily state and county COVID-19 case numbers were released on-line by

¹*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.²

1. Ada County

Ada County had a seven-day moving COVID-19 case average of 8.7 per 100,000 population. Effective May 17, 2021,³ Ada County jury trials are permitted to resume and may continue, 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 and may continue, until further notice.

3. Elmore County


Elmore County had a seven-day moving COVID-19 case average of 12.5 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 1.3 per 100,000 population. As of this date, Valley County may continue with jury trials, until further notice.

IT IS SO ORDERED.

Dated this 14th day of May 2021.



HONORABLE STEVEN J. HIPPLER
Administrative District Judge

²"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.

³See Administrative Order No. 21-05-07 (re: the Ada County and Boise County May 17, 2021 jury trial resumption dates).

cc: All Judges
Sandra Barrios, Trial Court Administrator, Fourth Judicial District
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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