

FILED
A.M. P.M.

AUG 06 2021

CANYON COUNTY CLERK
R BULL, DEPUTY

IN THE DISTRICT COURT FOR THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO

ORDER RE:)
POSTPONEMENT OF JURY)
TRIALS IN CANYON, GEM,)
AND PAYETTE COUNTIES)
AND MANDATORY SAFETY)
PROTOCOLS IN THE THIRD)
JUDICIAL DISTRICT)

Administrative Order 2021-18

George A. Southworth, Administrative District Judge of the Third Judicial District hereby finds and Orders as follows:

WHEREAS, on June 25, 2021 the Idaho Supreme Court issued its Amended Order entitled "EMERGENCY ORDER REGARDING COURT SERVICES." Said Order contained the following requirements and prohibitions:

2. Administrative District Judge Authorized to issue Orders Regarding Courthouse and Courtroom Risk Reduction Protocols in Their Districts: If, as reflected in [the Weekly Publication of COVID-19 Incidence Rates], a county's seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 is 25.0 or greater per 100,000 population, the Administrative District Judge shall enter an administrative order defining the safety protocols that will be required in the county's courthouse. The Order will, at a minimum, require all persons entering the courthouse to do court business to wear a mask that covers the nose and mouth and maintain six feet of social distance from anyone that does not live in their household.

If, as reflected in the report described in paragraph 1, a county's seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 is 24.9 or lower, the Administrative District Judge is responsible for ensuring adequate measures are in place in each courthouse to reduce the risk of transmission of the coronavirus to all persons participating in a court proceeding or doing court business. Adequate measures may include, but are not limited to, social distancing requirements, masking requirements, and requiring the use of remote proceedings. In determining adequate measures, the Administrative District Judge should

consider local conditions including, but not limited to, the COVID-19 incidence rate of the county as reflected in the weekly incidence report described in paragraph 1.

and;

7. **Weekly COVID-19 Incidence Rate Jury Trial Postponements:**

Jury proceedings, including jury trials and grand jury proceedings, may commence anytime during a calendar week unless the Administrative District Judge has determined that 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 <https://coronavirus.idaho.gov>.

and;

8. **Other Postponements Authorized by Administrative District Judge:**

Notwithstanding the conditions set forth in paragraph 7, an Administrative District Judge may, in the exercise of discretion, enter an order prohibiting the commencement of jury trials or the impanelment of a grand jury in a county where there are circumstances beyond the acceptable incidence rates which pose a substantial increase in the health or safety risks to participants. Such an order shall be in writing and contain the factual basis for the determination and shall upon entry be submitted via email to the Administrative Office of the Courts.

WHEREAS, the seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 in Gem County for Thursday, August 6, 2021 is 28.4

IT IS HEREBY ORDERED as follows:

1. Jury Trials in Gem County are suspended and postponed beginning the week of August 16, 2021.

WHEREAS, confirmed or presumed cases of COVID-19 in Canyon County continue to rise with a seven-day moving average incidence rate of 21.1 as of August 6, 2021, it is a hot spot as defined by <https://coronavirus.idaho.gov>, and there are confirmed cases of COVID-19 within the Canyon County courthouse;

WHEREAS, confirmed or presumed cases of COVID-19 in Payette County continue to rise with a seven-day moving average incidence rate of 24.5 as of August 6, 2021;

IT IS HEREBY ORDERED as follows:

1. Jury Trials in Canyon County are suspended and postponed beginning the week of August 16, 2021.
2. Jury Trials in Payette County are suspended and postponed beginning the week of August 16, 2021.

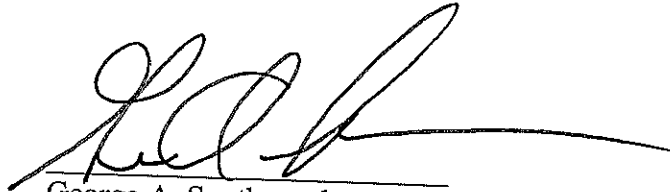
IT IS FURTHER ORDERED that all persons entering a court facility in the Third Judicial District of Idaho, to include the counties of Adams, Canyon, Gem, Payette, Owyhee, and Washington, to do court business, shall be subject to and maintain the following protocols:

1. All persons are required to wear a mask while in a court facility on court business.
2. All persons, not of the same household, must observe a minimum of six feet of social distancing from other persons.

This Order is to remain in effect until further Order from the Court.

IT IS HEREBY ORDERED.

Dated this 6 day of August, 2021


George A. Southworth
Administrative District Judge

cc: Sara Thomas, Administrative Director of the Courts
Sherry Ward, Adams County Clerk
Chris Yamamoto, Canyon County Clerk
Shelly Tilton, Gem County Clerk
Lindsey Bratcher, Payette County Clerk
Angela Barkell, Owyhee County Clerk
Donna Atwood, Washington County Clerk