

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

RE: RESUMPTION OF THIRD DISTRICT JURY TRIALS)))))	Administrative Order 2022-03
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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 empanelment of grand juries, while continuing to appropriately address public safety and mitigate 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.

The Administrative District Judge finds that conditions vary between the counties of the Third Judicial District. Further, the seven-day incidence rate of COVID-19 appears to have peaked and is generally declining from said peak within the counties of the Third Judicial District, safety devices and vaccines are readily available, and Crisis Standards of Care are no longer active within the counties located in the Third Judicial District. Therefore:

IT IS ORDERED as follows:

1. Jury trials and Grand Jury proceedings may resume beginning on 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 with consideration given to 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. Courtrooms: The use of appropriate health and safety protocols, including barricades, masking, and social distancing 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 with consideration given to any existing local COVID-19 health and safety ordinances and the current conditions within the county including, but not limited to, the published incidence rates.
5. Courthouse Common Areas: Masking and social distancing is recommended in the common areas of the courthouses. Any requirement for the use of further health and safety protocols, including masking and distancing in the offices of judges, shall be left to the discretion of the presiding judge, with consideration given to any existing local COVID-19 safety precaution ordinances.
6. All said protocols shall be posted in compliance with paragraph 11 of the EMERGENCY ORDER.

DATED: 2-22-2022



Davis F. VanderVelde
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
Angela Barkell, Owyhee County Clerk
Lindsey Bratcher, Payette County Clerk
Donna Atwood, Washington County Clerk