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UCL 23 2020

CANYON COUNTY CLERK
D. KENNEL, DEPUTY CLERK

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

In Re: Commencement of Jury)	
Trials in the Counties of the Third)	Administrative Order
Judicial District the Week of)	2020-22
October 26, 2020)	
_____)	

WHEREAS, on September 10, 2020, the Idaho Supreme Court issued its ORDER RE: COMMENCEMENT OF JURY TRIALS which, authorizes the resumption of criminal jury trials¹ in the courts of the State of Idaho commencing September 14, 2020, subject to certain exceptions; and

WHEREAS, the Idaho Supreme Court's October 8, 2020 AMENDED ORDER IN RE; JURY TRIALS provides that the September 10, 2020 ORDER remains in full force and effect, shall be construed in conjunction with the October 8, 2020 AMENDED ORDER, and "any orders suspending jury trials in accordance with" the September 10, 2020 ORDER "shall be deemed to have tolled the time utilized to calculate the right to a speedy trial pursuant to" Idaho Code section 19-3501; and

WHEREAS, the September 10, 2020 ORDER provides that criminal jury trials may not commence in a county "anytime during a calendar week" if the "Administrative District Judge has determined on the Thursday prior to commencement of a trial that" the county in which a prospective juror has been summoned to attend court has a seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 that is either:

1. 25.0 or greater per 100,000 population; OR
2. Between 14.0 and 24.9 per 100,000 population with an upward or increasing trend from the prior Thursday

¹ Pursuant to the Idaho Supreme Court's October 8, 2020 ORDER IN RE: EMERGENCY REDUCTION IN COURT SERVICES AND LIMITATION OF ACCESS TO COURT FACILITIES, civil trials in the State of Idaho may not commence before December 1, 2020.

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; and

WHEREAS, after consulting the above resources, as updated at the close of business on Thursday, October 22, 2020 the undersigned has determined that the following counties in the Third Judicial District have seven-day moving average incidence rates of confirmed or presumed cases of COVID-19 that preclude the commencement of jury trials the week of October 26, 2020:

1. Canyon County: 31 (over 25.0)
2. Owyhee County: 20.5 against a rate of 12.1 on October 15, 2020 (upward)
3. Payette County: 33.4 (over 25.0)
4. Washington County: 25.2 (over 25.0)

IT IS HEREBY ORDERED that no jury trial shall commence in the counties of Canyon, Owyhee, Payette, or Washington during the week of October 26, 2020.

Dated this 23rd day of October 2020.



George A. Southworth
Administrative District Judge
Third Judicial District

Cc: Administrative Office of the Courts
Third Judicial District Judges
Third Judicial District Clerks
Third Judicial District Jury Commissioners