

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

ORDER RE: POSTPONEMENT OF)	
JURY TRIALS AND MANDATORY SAFETY)	Administrative Order 2022-2
PROTOCOLS IN THE THIRD DISTRICT)	
COURT FACILITIES)	
_____)	

Davis F. VanderVelde, Administrative District Judge of the Third Judicial District hereby finds and Orders as follows:

WHEREAS, on November 29, 2021 the Idaho Supreme Court issued its Amended Order entitled “EMERGENCY ORDER REGARDING COURT SERVICES.” Said Order contained the following requirements and prohibitions:

1. **Weekly Publication of COVID-19 Incidence Rates:** The Data and Evaluation Unit of the Administrative Office of Courts shall utilize data obtained from the Idaho Department of Health and Welfare’s COVID-19 Data Dashboard, and shall determine the weekly COVID-19 incidence rates for each county every Thursday evening after 5:00 p.m. Mountain Time. The weekly COVID-19 incidence rates shall be published to the Administrative District Judges and Trial Court Administrators on Friday mornings of each week.

and;

2. **Administrative District Judges 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 24.9 per 100,000 population or lower, and the county is not located within a public health district subject to an active declaration of Idaho’s crisis standards of care, the Administrative District Judge shall be responsible for ensuring adequate measures are in place in each courthouse to reduce the risk of transmission of the coronavirus to all personal participating in a court proceeding or conducting court business. Adequate measures may include, but are not limited to, requiring social distancing, masking, and 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;

WHEREAS, the seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 in all Third District counties for the week of January 14, 2022 exceeds 24.9; and,

WHEREAS, jury trials have been suspended in Canyon County since January 10, 2022;

IT IS HEREBY ORDERED as follows:

1. Jury Trials in Canyon County continue to be suspended.
2. Jury Trials in Adams, Gem, Owyhee, Payette, and Washington Counties are also suspended beginning the week of January 24, 2022.

IT IS FURTHER ORDERED that all persons entering any Court Facility within the Third District 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 the seven-day moving average incidence rate in Adams, Canyon, Gem, Owyhee, Payette and Washington Counties falls below 25.0, as determined by the Idaho Department of Health and Welfare. Notice that trials will resume shall be provided no later than nine days prior to their recommencement.

IT IS HEREBY ORDERED.

Dated this 14th day of January, 2022



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Davis F. VanderVelde
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Administrative District Judge

cc: Sara Thomas, Administrative Director of the Courts
Third Judicial District Judges
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
Dona Atwood, Washington County Clerk