

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL  
DISTRICT OF THE STATE OF IDAHO**

RE: ORDER ON POSTPONEMENT OF  
JURY TRIALS AND MANDATORY  
SAFETY PROTOCOLS IN ALL  
SIXTH JUDICIAL DISTRICT COURTROOMS  
AND COURT SERVICES OFFICES

ADMINISTRATIVE ORDER  
2021-34

WHEREAS, on June 25, 2021, the Idaho Supreme Court issued an Amended Order entitled "EMERGENCY ORDER REGARDING COURT SERVICES," ("Order"), which governs court operations to foster public safety, reduce the risk of the spread of coronavirus and the incidence of COVID-19; and,

WHEREAS, the Order requires the Administrative District Judge to enter an administrative order defining the safety protocols that will be required in the county's courthouse and postpone jury proceedings if determined that the county 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 Idaho Department of Health and Welfare's COVID-19 Data Dashboard; and,

WHEREAS, the Administrative District Judge has determined upon review of the Weekly Publication of COVID-19 incidence rates that BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, ONEIDA COUNTY and POWER COUNTY meet the conditions set in the Order under sections 2 and 7 to require an administrative order to define safety protocols and postpone jury proceedings.

Further, the Administrative District Judge makes the finding that on September 10, 2021, the seven-day moving average incidence rates of confirmed or presumed cases of COVID-19 in the following counties are:

|                  |      |
|------------------|------|
| BANNOCK COUNTY   | 50.4 |
| BEAR LAKE COUNTY | 51.3 |
| CARIBOU COUNTY   | 43.9 |
| FRANKLIN COUNTY  | 36.0 |
| ONEIDA COUNTY    | 37.8 |
| POWER COUNTY     | 42.8 |

This finding provides a factual basis to determine that there is an existing substantial increase in the health and safety risk to jury trial participants and provides the Administrative District Judge discretion to require other postponements pursuant to section 8 of the Order.

IT IS HEREBY ORDERED that effective September 10, 2021:

1. Jury trials in BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, ONEIDA COUNTY and POWER COUNTY are postponed for the weeks of September 27, 2021, through October 8, 2021, pursuant to sections 7 and 8 of the Order;
2. All persons entering a BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, ONEIDA COUNTY and POWER COUNTY courtroom or court services office to do court business are required to wear a mask that covers the nose and mouth, pursuant to section 2 of the Order;
3. All persons entering a BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, ONEIDA COUNTY and POWER COUNTY courtroom or court services office to do court business are required to maintain six feet of social distance from anyone who does not live in their household, pursuant to section 2 of the Order;
4. All other BANNOCK COUNTY, BEAR LAKE COUNTY, CARIBOU COUNTY, FRANKLIN COUNTY, ONEIDA COUNTY and POWER COUNTY court proceedings, other than those required to be in person pursuant to the Order, are

presumptively to be held remotely, subject to the discretion of the presiding judge and after making findings on the record, that the proceeding must be held in person because of the court's needs or to prevent undue prejudice to a party, pursuant to section 2 or the Order.

Dated this 10<sup>th</sup> day of September, 2021.



ROBERT C. NAFTZ  
Administrative District Judge  
Sixth Judicial District

cc: Sara Omundson, Administrative Director of the Courts  
All Sixth Judicial District Judges  
Trial Court Administrator, Sixth Judicial District  
All Sixth District County Clerks  
All Sixth District Jury Commissioners