

**IN THE UNITED STATES DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO**

**In Re: COURT OPERATIONS IN
RESPONSE TO STATE OF IDAHO
AND IDAHO DEPARTMENT OF
HEALTH AND WELFARE STAY
HEALTHY ORDER ISSUED
NOVEMBER 14, 2020**

GENERAL ORDER NO. 376

On May 11, 2020, the Court issued General Order No. 367 in response to Idaho Governor Brad Little’s staged approach for reopening Idaho during the COVID-19 pandemic. General Order No. 367 outlined Court operations during that reopening process. Over the past few months, the State of Idaho and the Court moved through those reopening stages. However, on November 14, 2020, Governor Little and the Idaho Department of Health and Welfare issued a Stay Healthy Order returning the State of Idaho to Stage II of the reopening plan, albeit a somewhat modified Stage II.

The Stay Healthy Order listed several reasons for returning to Stage II. Notably, the Order stated that over 78,000 Idahoans have been infected by COVID-19, resulting in 749 deaths to date. The Order indicated that it was issued in response to evidence of a significant increase in cases of COVID-19 within the State of Idaho, advice and input from state epidemiologists and public health experts, and guidelines provided by the Centers for Disease Control and Prevention (“CDC”) and the White House. The Order stated that local health districts have traced reported infections to gatherings of people,

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and that in the judgment of public health officials, reducing the size of these gatherings will reduce the spread of the virus. To comply with the Stay Healthy Order, and to do its part in reducing gatherings and the spread of the virus in the State of Idaho, the Court issues the following Order. Accordingly,

IT IS HEREBY ORDERED that jury trials in the District of Idaho shall be suspended through December 31, 2020. Trials will be vacated and reset by individual order in each case. For criminal trials, the Court finds that due to the current inability to obtain an adequate spectrum of jurors and the effect of the COVID-19 pandemic on the availability of witnesses, counsel, and Court staff to be present in the courtroom, the time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act because the ends of justice served by ordering the continuances outweigh the best interests of the public and any defendant's right to a speedy trial, pursuant to 18 U.S.C. §3161(h)(7)(A).

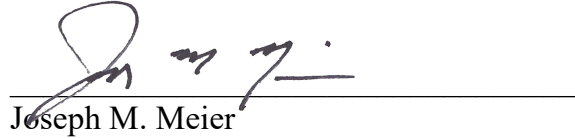
IT IS FURTHER ORDERED that all in-person hearings will be limited to 10 persons or less in the courtroom. Most hearings will be conducted virtually. The determination of which hearings will be conducted in-person and which hearings will be conducted virtually will be left to the presiding judge.

IT IS FURTHER ORDERED that all provisions of General Order No. 367 remain
in effect except as otherwise noted herein.

DATED: 18th day of November, 2020.



David C. Nye
Chief Judge
United States District Court



Joseph M. Meier
Chief Judge
United States Bankruptcy Court