

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

**In Re: CONTINUED COURT  
OPERATIONS IN FEBRUARY 2021**

**GENERAL ORDER NO. 388**

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. The State of Idaho and the Court advanced 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. In response to the Stay Healthy Order, the Court issued General Order No. 376 suspending jury trials and limiting court hearings through December 31, 2020. On December 22, 2020, the Court issued General Order No. 384 suspending jury trials and limiting court hearings through January 31, 2021. Idaho remains in Stage II. In order to continue complying with the Stay Healthy Order and Stage II guidelines, the Court issues the following Order. Accordingly,

IT IS HEREBY ORDERED that jury trials in the District of Idaho shall be suspended through February 28, 2021. 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

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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). A presiding judge may conduct a jury trial in a specific case before February 28, 2021 if the judge determines there are special circumstances for doing so.

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 the Court may reconsider its decision to suspend jury trials and limit court hearings during February 2021 if the Governor moves Idaho out of Stage II or other circumstances require reconsideration.

IT IS FURTHER ORDERED that the Court will proceed with Grand Jury proceedings in February 2021 with sufficient protocols in place to comply with the Governor's Stay Healthy Order and the State of Idaho's Stage II requirements.

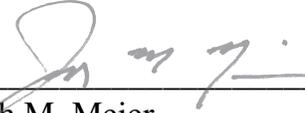
IT IS FURTHER ORDERED that all provisions of General Order No. 384 remain in effect except as otherwise noted herein.

DATED this 22nd day of January 2021.



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David C. Nye  
Chief Judge  
U.S. District Court



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Joseph M. Meier  
Chief Judge  
U.S. Bankruptcy Court