

# In the Supreme Court of the State of Idaho

RE: EMERGENCY ORDER )  
REGARDING COURT )  
SERVICES )  
\_\_\_\_\_ )

AMENDED ORDER  
May 20, 2021

Over the last 14 months, in order to ensure that the courts in Idaho’s 44 counties remain “open to every person,” as required by Article I, Section 13 of the Idaho Constitution, this Court has issued a series of emergency orders to address the substantial health and safety risks faced by the public accessing the courts, court personnel, and participants in court proceedings caused by the community spread of the COVID-19 virus.

Since the issuance of those orders, vaccines for COVID-19 have now become available throughout the state of Idaho. In addition, the incidence rate of COVID-19 in the state has been reduced. According to the Center for Disease Control, there is a growing body of evidence that fully vaccinated people are less likely to have asymptomatic infection or transmit the virus to others. The Center also reports that how long vaccine protection lasts and how much vaccines protect against emerging variants of the virus are still under investigation. There is limited data on vaccine protection in people who are immunocompromised.

Accessing Idaho’s state courts, including participation in court and grand jury proceedings, requires groups of people to congregate in indoor settings. In addition, participants are often not voluntarily present, but rather are required under penalty of law to appear and participate.

In order to continue to foster public safety and mitigation against the spread of COVID-19 cases, while providing for full access to court offices and participation in court proceedings, court operations shall now be governed by the following rules until further order of the Court.

1. **Minimum Operating Personnel:** The minimum operating personnel for each court facility shall include at least one front desk deputy clerk and one courthouse security officer. If any non-court staff appear in-person for a hearing, at least one additional court security officer in the courtroom is required.
2. **Courthouse Risk Reduction Protocols:** The Administrative District Judge is responsible for ensuring adequate measures are in place so that while in a courthouse all persons participating in a court proceeding or doing court business:
  - a. have easy access to sanitation stations where hand sanitizer, bleach wipes, or handwashing is available; and
  - b. can maintain appropriate social distance of at least six feet from any persons not living in their household.