

In the Supreme Court of the State of Idaho

**IN RE: LIMITATIONS ON ACCESS)
TO COURT FACILITIES)**

ORDER

November 23, 2020

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This Court's October 8, 2020, Order In Re: Emergency Reduction In Court Services and Limitation of Access to Court Facilities stated that signage shall be posted at all public entry points advising individuals not to enter courtrooms or approach court services offices, in part, if they "have been asked to self-isolate by any doctor, hospital, or health agency." However, since that time four of Idaho's six health districts have announced, "case surges in the last month have created backlogs and delays for their disease investigation teams, making it impossible to contact all new reported cases or those individual's close contacts." (News Release from South Central Public Health District, Panhandle Health District, Southwest District Health, and Central District Health, Nov. 4, 2020.) Thus, parties that have been exposed to the coronavirus that would normally be told to self-isolate by a health district may not be properly contacted.

For public safety and to mitigate the spread of the novel coronavirus, and pursuant to Idaho Court Administrative Rule 48, the following limitations and requirements shall apply until further order of this Court.

1. No person shall enter courtrooms or other rooms where court is being held, nor approach any court services office if they:
 - a. are not wearing a mask covering their nose and mouth;
 - b. have been asked to self-isolate or quarantine by any doctor, hospital, or health agency;
 - c. have been advised or required to self-isolate or quarantine because of travel outside the State of Idaho;
 - d. have been diagnosed with COVID-19 and:
 - i. it has been less than 10 days since symptoms first appeared, or
 - ii. it has been less than 24 hours since the person had a fever without the use of fever-reducing medications;

- e. are experiencing any signs or symptoms of illness including: fever, cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, or new loss of taste or smell; or
 - f. have been in close contact with someone with COVID-19 and it has been less than 14 days after their last exposure to that person. For purposes of this order “close contact” shall be defined as:
 - i. you were within 6 feet of someone who has COVID-19 for a cumulative total of 15 minutes or more in a 24 hour period;
 - ii. you provided care at home to someone who is sick with COVID-19;
 - iii. you had direct physical contact with the person (hugged or kissed them);
 - iv. you shared eating or drinking utensils; or
 - v. the person with COVID-19 sneezed, coughed, or somehow got respiratory droplets on you.
2. A negative test for the coronavirus or COVID-19 does not relieve any person from any of the limitations in paragraph one.
 3. Signage shall conspicuously be posted at all public entry points of courthouses and court facilities advising individuals of the access limitations in paragraph one.
 4. Individuals who, in violation of these protocols, approach a court services office or enter a courtroom or other venue where court is being held in violation of these protocols shall be denied access by anyone designated for courthouse security by the Administrative District Judge.
 5. Any violation of this order may be dealt with through contempt proceedings set forth in Idaho Rule of Civil Procedure 75. Any violation witnessed by a judge may be addressed through summary contempt proceedings set forth in Rule 75(b).
 6. Individuals with legitimate court business who are prohibited from accessing court facilities for the reasons set forth in this order are advised to stay home and call the local Court Clerk. Elected Court Clerks are urged to appoint one (or more as necessary) point persons to process requests for continuances, notify any presiding judge and involved attorneys, and facilitate the filing of necessary documents through e-filing or drop box processes.

This Order will take effect at 12:01am on November 24, 2020. All portions of the October 8, 2020 emergency order not inconsistent with this order shall remain in full force and effect.

IT IS SO ORDERED.

DATED November 23, 2020.

Roger Burdick

Roger Burdick,
Chief Justice, Idaho Supreme Court

ATTEST:

Melana L. Langer
Clerk

