IN THE UNITED STATES DISTRICT AND BANKRUPTCY COURT

FOR THE DISTRICT OF IDAHO

In Re: MASK AND SOCIAL DISTANCING REQUIREMENTS FOR EMPLOYEES AND VISITORS IN DISTRICT OF IDAHO COURTHOUSES	**GENERAL ORDER NO. 402**

On March 27, 2020, the Court issued General Order No. 362 in response to the outbreak of COVID-19 nationwide and the declarations of public health emergencies by the President of the United States and the Governor of the State of Idaho. Following the recommendations of the Centers for Disease Control and Prevention ("CDC") and other health authorities, the Court closed the federal courthouses in Boise, Pocatello and Coeur d'Alene to minimize the potential exposure to COVID-19 between employees and the public. In addition, the Court outlined determinations regarding the method and manner of court proceedings and appearances, jury trials and the acceptance of filings.

On May 11, 2020, the Court issued General Order No. 367, relying again on guidance from state and national public health officials, which ordered the federal courthouses in the State of Idaho remain closed and outlined how court proceedings would be held as Idaho progressed through the different phases of Governor Brad Little's staged reopening plan for the state. Furthermore, the Court ordered that when the courthouses reopened, all persons in the public areas of the courthouses and the courtrooms would be required to wear cloth face coverings or masks for the protection of

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themselves and others and observe physical distancing of at least six feet between individuals.

On May 20, 2021, the Court followed the CDC guidance available at that time and issued General Order No. 397, providing that fully vaccinated individuals not be required to wear masks or practice social distancing in the District's courthouses. Unvaccinated individuals were still required to wear masks and practice social distancing.

On July 27, 2021 the CDC issued new guidance due to the sudden spike in COVID cases caused by the Delta variant. The CDC recommended that both unvaccinated and fully vaccinated individuals wear a mask indoors in public in areas of substantial or high transmission. On July 30, 2021, the Administrative Office of the United States Courts strongly encouraged all court units to follow the CDC's revised guidance. Because of Idaho's low vaccination rate, the District of Idaho's three courthouses are all located within counties designated by the CDC as high or substantial community transmission areas.[1]

Throughout the course of the COVID-19 pandemic, this Court has followed recommendations from the CDC to maintain the safety of the litigants, defendants, attorneys, law enforcement partners, public patrons, staff and judges who work for and with the Court on a daily basis. The Court will continue to follow CDC recommendations and require all individuals, whether unvaccinated or fully vaccinated, to wear a mask in the federal courthouses in Boise, Pocatello, and Coeur d'Alene.

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[1] https://covid.cdc.gov/covid-data-tracker/#county-view. Last visited July 30, 2021.

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Accordingly, **IT IS HEREBY ORDERED** that effective August 2, 2021, the July 27, 2021, CDC guidelines are adopted for mask wearing in the court-controlled spaces of the United States Courthouses for the District of Idaho (Boise, Pocatello and Coeur d'Alene):

1. Individuals, whether vaccinated or not, may enter the courthouses in Boise, Pocatello and Coeur d'Alene, but will be required to wear masks throughout the duration of their visit to the courthouse.

2. Mask requirements for all in-court proceedings will be subject to the presiding judge's discretion. These requirements may include, but are not limited to, requiring those visiting courtrooms or participating in hearings to provide verification of their vaccination status.

DATED: August 2, 2021

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David C. Nye
Chief United States District Judge

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Joseph M. Meier
Chief United States Bankruptcy Judge

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Candy W. Dale
Chief United States Magistrate
Judge

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