

**IN THE TRIAL COURTS FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT**

In the Matter of:

**The Suspension of Jury Trials and Grand
Jury Proceedings**

First Judicial District.

AMENDED¹ PRESIDING JUDGE ADMINISTRATIVE ORDER 21-24

On September 20, 2021, the Chief Justice of the Alaska Supreme Court issued Order No. 8333, outlining a list of factors the presiding judges are to consider when deciding whether to restrict or suspend in-person jury trials. The Order directs that once a particular community's COVID-19 alert level reaches "Substantial" or "High," as designated by the Alaska Department of Health and Social Services (DHSS), or if the number of reported cases per 100,000 persons over the past seven days reaches 50 or greater, the presiding judge must consider restricting in-person jury trials. The Order requires the presumptive suspension of jury trials in any court location when the number of reported cases per 100,000 over the past 7 days reaches 100 or more.

As of September 30, 2021, DHSS calculates the number of reported cases per 100,000 residents over the past 7 days in the following locations in the First Judicial District as follows:²

¹ This order is amended to address Rule 45 and to correct information concerning certain current alert levels in the First Judicial District.

² See Table 2c, Geographic Distribution of Case Rates, at column K: <https://coronavirus-response-alaska->

Juneau	758.5
Haines	1,111.1
Petersburg	1,034.8
Sitka	398.9
Skagway	610.3
Yakutat	1,132.9
Ketchikan	548.4
Prince of Wales Island	328.4

Additionally, DHSS has set the alert level across the entirety of the First Judicial District as “High.”³

In accordance with Special Order of the Chief Justice No. 8333, jury trials are suspended in the First Judicial District through October 15, 2021.⁴ If it is necessary to continue the suspension, an order will be issued to that effect on October 11, 2021. During this suspension, the time for trial will continue to be tolled under Alaska Criminal Rule 45(d).⁵

Similarly, as authorized by Special Order of the Chief Justice No. 8234,⁶ the presiding judge of each district may limit or suspend grand jury proceedings for any location when required for public health or to comply with local health mandates. The presiding judges are directed to consider suspending grand jury proceedings in any location where the court location is at a “Substantial” or “High” alert level and the cases per 100,000 over the last 7 days is between 50 – 100.⁷

[dhss.hub.arcgis.com/search?categories=summary%20tables&groupIds=41ccb3344ebc4bd682c74073eba21f42](https://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/alertlevels.aspx#current).

³ <https://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/alertlevels.aspx#current>.

⁴ Special Order No. 8333 requires the presiding judge to review any order suspending trials every 14 days.

⁵ Supreme Court Order No. 1974.

⁶ Special Order of the Chief Justice No. 8234.

⁷ Special Order of the Chief Justice No. 8331.

Given the current case rates and alert levels in Ketchikan, Sitka, and Juneau,⁸ grand jury proceedings are suspended in the First Judicial District through October 15, 2021. If it is necessary to continue the suspension, an order will be issued to that effect on October 11, 2021. The time limit for preliminary examination under Alaska Criminal Rule 5(e) is extended through November 15, 2021.⁹

Dated at Juneau, Alaska on September 30, 2021.



Amy Mead
Presiding Judge
First Judicial District



Distribution: Chief Justice Daniel Winfree; Stacey Marz, Administrative Director; First District Judges; First District Magistrates; First District Clerks of Court; Lesa Robertson, Executive Administrator; James Kwon, ACA; Clayton Jones, Rural Court Training Assistant; SBA; JBA; KBA; Juneau District Attorney's Office, Public Defender Agency, and Office of Public Advocacy; Sitka District Attorney's Office, Public Defender Agency, and Office of Public Advocacy; Ketchikan District Attorney's Office, Public Defender Agency, and Office of Public Advocacy; CBJ Law Department and Public Defender; Court Rules Attorney; Office of Special Prosecutions.

⁸ The current alert level in the City and Borough of Juneau is "3." At this alert level, the municipality recommends that indoor gatherings be limited to 20 people. Grand jury proceedings typically involve 21 people – 18 jurors, a prosecutor, a witness, and a court clerk.

⁹ Supreme Court Order No. 1957.