

IN THE TRIAL COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT BETHEL

IN THE MATTER OF:

Suspension of Bethel Jury Trials
Through November 30, 2021

Presiding Judge's Administrative Order
21-16C

PRESIDING JUDGE'S ORDER SUSPENDING TRIALS FOR BETHEL¹

As of the date of this order, the Alaska DHSS case rates for the Bethel Census Area are as follows. The average daily case rate for the last 14 days per 100,000 residents of the census area is 173.9. The total number of cases over the last 7 days per 100,000 residents of the census area is 1,119.3.² DHSS has recorded a total of 4 deaths from the YK Region in the last 4 months.

The most recent hospital survey conducted by DHSS indicates 404 inpatient beds available across the state with 35 ICU beds available. The local hospital does not provide an ICU unit. The 7-day test positivity rate is at 8.7% with 1,880 tests given in the last week.³ The local hospital's COVID numbers, available at <https://www.ykhc.org/covid-19/covid-news/>, show 478 active cases, a continued increase from PJ Order 21-16B. The first jury trials scheduled as of the date of this order would have begun October 25, 2021.

ORDER EXTENDING TRIAL SUSPENSION

The circumstances requiring the suspension of trials as outlined and explained in Presiding Judge's Order 21-16 as well as the requirements in Chief Justice Order 8333 require the continued suspension of jury trials in Bethel as there is no alternative set of restrictions that will allow trials to be held in the Bethel Courthouse with an acceptable level of risk. **Jury trials are hereby suspended at Bethel through November 30, 2021. Rule 45 is hereby tolled for the period of this suspension.**

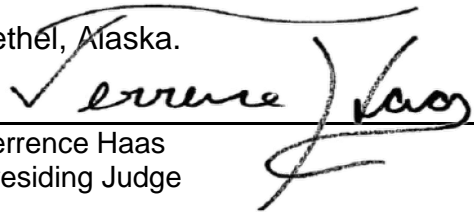
¹ "Bethel" includes the District Court trial sites at Aniak and Emmonak.

² Compared to the date when PJ Order 21-16B was issued the 14-day daily average is up from 139.9 while the 7-day cumulative rate is up from 968.2.

³ PJ Order 21-16B was issued when the 7-day test positivity rate was 6.3% with 1,723 tests given. This increased number of tests given may explain some, but not likely all, of the increase in positivity rates.

It is SO ORDERED.

Dated this 17th Day of October, 2021 at Bethel, Alaska.



Terrence Haas
Presiding Judge

Distributed via email:

Chief Justice
Administrative Director's Office
4th District Area Court Administrator's Office
Bethel Clerk of Court
Bethel DAO
Bethel PDA
Bethel OPA