

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

In the Matter of:

**The Suspension of Jury Trials on Prince of
Wales Island.**

PRESIDING JUDGE ADMINISTRATIVE ORDER 21-28

In accordance with Special Order of the Chief Justice 8333, requiring the presiding judges of each district to suspend jury trials when the number of reported cases per 100,000 over the past 7 days reaches 100 or more, and the case counts across the district on October 20, 2021, trials in the First Judicial District were suspended everywhere except Prince of Wales Island by Presiding Judge Administrative Order 21-26.

The decision as to Prince of Wales Island was based upon two facts: (1) the reported case rate over the past 7 days in that community was determined by the Department of Health and Social Services to be “statistically unreliable;” and (2) under previous orders, the presiding judges of each judicial district were directed to limit or suspend jury trials and in-person grand jury proceedings for any location if the average daily case rate over 14 days as reported by the Alaska Department of Health and Social Services rose above 20-30 cases per 100,000 population. Using that standard, Prince of Wales Island fell under the threshold for suspending trials.

As of October 22, 2021, however, the current case counts require the suspension of jury trials. Though still identified as “statistically unreliable,” the case rate over the past 7 days is now at 180.6, and the average daily case rate over the last 14 days is 25.8. Per Special Order of the

Chief Justice 8333, trials on Prince of Wales Island are suspended through November 12 2021. Whether it is necessary to continue the suspension will be considered no later than November 1, 2021. During this suspension, the time for trial will continue to be tolled under Alaska Criminal Rule 45(d).¹

Notwithstanding this general suspension, the presiding judge may approve a request for a specific jury trial when circumstances warrant doing so, as outlined in Special Order of the Chief Justice 8259.²

Dated at Juneau, Alaska on October 22, 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.

¹ Supreme Court Order 1974.

² Special Order 8259 provides that any party may make a motion to the trial court to allow a jury trial to proceed despite a suspension. Upon receiving such a motion, the trial judge submits a recommendation to the presiding judge for decision after considering the factors identified in Order 8259.