

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

IN THE MATTER OF:

Suspension of Bethel Jury Trials
Through 10/24/2021

Presiding Judge's Administrative Order
21-16B

PRESIDING JUDGE'S ORDER SUPENDING 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 139.9. The total number of cases over the last 7 days per 100,000 residents of the census area is 968.2.²

The most recent hospital survey conducted by DHSS indicates 391 inpatient beds available across the state with 33 ICU beds available. The local hospital does not provide an ICU unit. The 7-day test positivity rate is at 6.3% with 1,723 tests given in the last week.³ The local hospital's COVID numbers, available at <https://www.ykhc.org/covid-19/covid-news/>, show 318 active cases in the region, a significant increase from the 242 active cases reported at the time of PJ Order 21-16. The first jury trials scheduled as of the date of this order would have begun October 4, 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 October 24, 2021. Rule 45 is hereby tolled for the period of this suspension.**

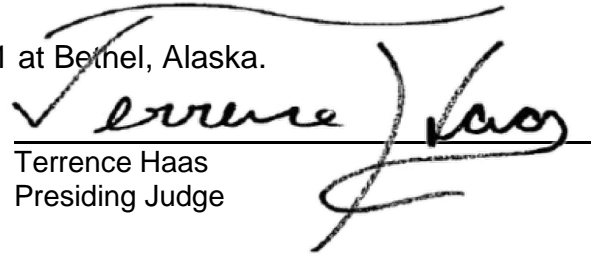
¹ "Bethel" includes the District Court trial sites at Aniak and Emmonak.

² Compared to the date when PJ Order 21-16A was issued the 14-day daily average is up from 132.3 while the 7-day cumulative rate is up from 710.8. The 14-day average has not dropped below 100 per 100,000 in the last 4 weeks and the 7-day cumulative rate has not dropped below 490 per 100,000.

³ PJ Order 21-16A was issued when the 7-day test positivity rate was 10.2% with 1,013 tests given. The increased testing and dropping rate suggest some hope that numbers may start to improve.

It is SO ORDERED.

Dated this 27th Day of September, 2021 at Bethel, Alaska.


Terrence Haas
Presiding Judge

Distributed via email:

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