

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT**

STATE OF IDAHO,

Plaintiff,

vs.

LORI NORENE VALLOW,
a/k/a LORI NORENE DAYBELL

Defendant.

Case No. CR22-21-1624

**ORDER GOVERNING
COURTROOM CONDUCT - ADA
COUNTY COURTROOM & ADA
COUNTY OVERFLOW VIEWING
LOCATION**

In order to provide for the orderly disposition of this case, this Order shall govern the conduct of the public and media in the Ada County Courtroom where the jury trial is proceeding, as well as in any overflow viewing room in the Ada County Courthouse. This Order shall supersede any prior Order Governing Courtroom Conduct in this case and may be amended from time to time.

The court is mindful of the need to balance (1) the constitutional right of the defendant to a fair trial; (2) the public's interest and right to information in conjunction with certain constitutional and statutory rights for the public to attend the proceedings; (3) the court's interest in maintaining order and an environment which permits all participants to focus on their responsibilities without undue distractions; and (4) the court's interest in the safety of the jurors, the public and court and security personnel.

With these factors in mind, pursuant to Idaho Court Administrative Rules (ICAR) 45 and 49, the court orders as follows:

1) SEATING AND ATTENDANCE IN ADA COUNTY JURY TRIAL COURTROOM

A) Seating for Victim(s), Families of Defendant, Counsel, Other Court Personnel.

Certain seating may be reserved for members of counsel, authorized court personnel, security personnel and the defendant's family and the victims' families.

B) Public Seating. Subject to the need for reserved seating referenced in 1(A), seating for the public will be permitted, on a first come basis, subject to a reservation system, to be administered by the Trial Court Administrator's Office in Ada County, subject to approval by the Fourth Judicial District Administrative District Judge (ADJ). Details and

instructions how to access the reservation system for seats within the courtroom where they jury trial is conducted will be published on the following website: <https://adacounty.id.gov/judicial-court/vallow-daybell-trial/> beginning on or about March 7, 2023. There will be no priority or designated seating for the media. No person may reserve seats, except through the reservation system addressed above. **No standing in the courtroom will be allowed.**

- C) **Seating in Front of the Bar.** No one other than court personnel designated by the Court, the Defendant, the attorneys and their assistants shall be permitted to access or sit in front of the bar of the courtroom without specific authorization of the Court.
 - D) **Entry and Exit During Court Proceedings.** All spectators, including members of the media and the public, shall be seated before court is in session during any portion of a hearing. No entry or re-entry to the courtroom shall be permitted while court is in session.
- 2) **OTHER RESTRICTIONS AND REQUIREMENTS WITHIN ADA COUNTY JURY TRIAL COURTROOM**

- A) **Security Screening.** All persons entering the jury trial courtroom may be subject to additional security screening. Handbags, backpacks, and other carry-ins are subject to inspection.
- B) **Cell Phones & Other Electronic Devices in Courtroom.** Cell phones, pagers, laptops or any other electronic device shall be turned off or be in “silent mode” and shall not make any sound or create any distraction. Devices SHALL NOT be used to record, photograph or transmit any sounds, images or video from the Ada County Courtroom. No one may talk on a cell phone in the courtroom. Laptops may be used in the courtroom if cameras and microphones are disabled. Under no circumstances may such laptops be used to for any audio or video recording, or photography of the court proceedings being projected or of any persons attending the courtroom.
- C) **Interviews and Reporting.** No media interviews or reporting shall be conducted inside the courtroom.
- D) **Disruptive Behavior.** Any activity or behavior which is considered disruptive may result in removal from the courtroom. Any spectator who creates a visual or auditory disturbance may be removed from the overflow viewing location and/or the building at any time at the discretion of court security personnel.

E) Other.

- i) Pursuant to Idaho Rule of Evidence 615, witnesses, subject to the exceptions provided therein, shall be excluded from the trial courtroom. Court security or personnel are authorized to check and verify names of attendees and restrict access to the courtroom of any attendee who is a potential witness for the trial.
- ii) No one may wear any buttons or have any item that displays any message of any kind or engage in visual or auditory disturbance or disruptive behavior in the courtroom or in any area frequented by the jury.
- iii) Any violation of this Order and any conduct the Court finds disruptive to proceedings may result in an order for temporary or permanent exclusion from the trial and may be subject to criminal contempt of court.
- iv) Any attempt by anyone, without prior leave of the Court, to contact, communicate with, photograph and/or video/audio record any member of the jury panel respecting this case, until conclusion of this case, may be punished by criminal contempt of court.

3) ADDITIONAL OVERFLOW VIEWING LOCATIONS IN ADA COUNTY & IN MADISON COUNTY

A) Additional Jury Trial Viewing Locations. Due to the public and media interest in this case, the Court has decided to allow viewing of the public portions of the jury trial at two (2) additional locations.

- i) **Ada County Overflow Viewing Location.** An overflow viewing location within the Ada County Courthouse, to be designated by the ADJ, which may be changed from time to time as deemed necessary by the ADJ due to other Ada County needs and availability.
- ii) **Madison County Remote Viewing Location.** A remote viewing location in a Madison County Courtroom, to be designated by the Honorable Dane H. Watkins, Jr., Administrative District Judge of the Seventh Judicial District, which may be changed from time to time as deemed necessary by Judge Watkins due to other Madison County needs and availability. A separate Conduct Order will be issued in regard to the Madison County remote viewing location.

B) Viewing of Proceedings. The overflow and remote viewing locations are being offered only for the portions of the jury trial that are public, subject to the technological needs and

possible periodic interruption(s) due to technological issues.

4) SEATING AND ATTENDANCE IN OVERFLOW ROOM IN ADA COUNTY

- A) **Seating in Ada County Overflow Viewing Room.** Certain seating may be reserved for authorized court personnel, security personnel, the defendant's family and the victims' families in the Ada County overflow viewing location.
- B) **Public Seating in Ada County Overflow Viewing Location.** Subject to the need for reserved seating referenced in 4(A), seating for the public will be permitted, as space permits, on a first come basis, subject to a the reservation system referenced above. Details and instructions how to access the reservation system for seats in the Ada County overflow viewing location will be published on the following website: <https://adacounty.id.gov/judicial-court/vallow-daybell-trial/> beginning on or about March 7, 2023. There will be no priority or designated seating for the media.
- C) **Entry and Exit During Court Sessions.** Spectators with a reservation may be permitted to leave and re-enter the overflow viewing location, during a court session, as long as there is no significant distraction to the other spectators.

5) OTHER RESTRICTIONS AND REQUIREMENTS WITHIN ADA COUNTY VIEWING LOCATION

- A) **Security Screening.** All persons entering the overflow location may be subject to additional security screening. Handbags, backpacks, and other carry-ins are subject to inspection.
- B) **Cell Phones & Other Electronic Devices in Overflow Location.** Cell phones, pagers, laptops or any other electronic device shall be turned off or be in "silent mode" and shall not make any sound or create any distraction. Devices SHALL NOT be used to record, photograph or transmit any sounds, images or video from the Ada County overflow location. Laptops may be used in the overflow area if cameras and microphones are disabled. Under no circumstances may such laptops be used to for any audio or video recording, or photography of the court proceedings being projected or of any persons attending the remote viewing.
- C) **Interviews and Reporting.** No media interviews or reporting shall be conducted inside the Ada county overflow location.
- D) **Disruptive Behavior.** Any activity or behavior which is considered disruptive may result

in removal from the overflow location. Any spectator who creates a visual or auditory disturbance may be removed from the overflow location and/or the building at any time at the discretion of court security personnel.

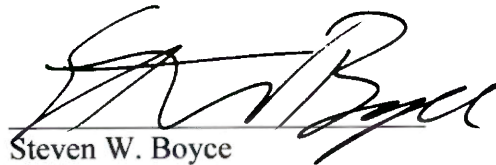
E) Other.

- i) Pursuant to Idaho Rule of Evidence 615, witnesses, subject to the exceptions provided therein, shall be excluded from the overflow location. Court security or personnel are authorized to check names and restrict access to the overflow location of any attendee who is a potential witness for the trial.
 - ii) No one may wear any buttons or have any item that displays any message of any kind or engage in visual or auditory disturbance or disruptive behavior in the overflow location or in any area frequented by the jury.
 - iii) Any violation of this Order and any conduct the Court finds disruptive to proceedings may result in an order for temporary or permanent exclusion from the trial.
 - iv) Any attempt by anyone, without prior leave of the Court, to contact, communicate with, audio/video record and/or photograph any member of the jury panel respecting this case, in any location, until conclusion of this case, may be punished by criminal contempt of court.
- 6) Any person violating the terms of any portion of this order may be removed (temporarily and/or permanently excluded) and any recordings or images violating the order may be seized and/or deleted. In addition, the person in violation may be charged with contempt pursuant to Idaho Code Section 18-1801, and/or trespass pursuant to Idaho Code Section 18-7008, and/or other such charge(s) as may be appropriate, and also may be imprisoned and/or fined.

IT IS SO ORDERED.

Dated this _____ day of March, 2023.

3/7/2023 11:25:39 AM


Steven W. Boyce
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of March, 2023, the foregoing Order was entered and a true and correct copy was served upon the parties listed below by mailing, with the correct postage thereon, or by causing the same to be delivered to their courthouse boxes; by causing the same to be hand-delivered, by facsimile, or by e-mail.

Parties Served:

Lindsey Blake
prosecutor@co.fremont.id.us

Robert H. Wood
mcpo@co.madison.id.us

Rachel Smith
smithlawconsulting@outlook.com
Attorneys for State of Idaho

Jim Archibald
Jimarchibald21@gmail.com

John Thomas
jthomas@co.bonneville.id.us
Attorneys for Defendant

Abbie Mace

Clerk of the District Court
Fremont County, Idaho

by

Becky Harrigfeld
Deputy Clerk