

<b>Description</b>	Judge Boyce * S. Holstine * Patricia Bath * 03/29/23 * Fremont Co.	
<b>Date</b>	3/29/2023	<b>Location</b> 1A-CRT400
<b>Time</b>	<b>Speaker</b>	<b>Note</b>
<a href="#">10:55:47 AM</a>		<b>CR22-21-1624 St v. Lori Vallow Hearing (Open to Public)</b>
<a href="#">10:56:01 AM</a>	State Attys	Lindsey Blake, Rob Wood, Rachel Smith & Tawnya Rawlings for the State
<a href="#">10:56:07 AM</a>	Def Attys	Jim Archibald & John Thomas for the Defense
<a href="#">10:56:09 AM</a>	Defendant	Is present in custody
<a href="#">10:56:11 AM</a>	Judge Boyce	Calls case. All parties present. Reviews file. We are here on issues affecting the trial. Are the parties ready to proceed
<a href="#">10:56:50 AM</a>		Parties indicate they are ready to proceed
<a href="#">10:57:08 AM</a>	Judge Boyce	Reminds everyone of his 03/07/23 order governing courtroom conduct that relates to the trial. Reminds everyone of part two of that order which indicates no electronic devices may be used to record, photograph or transmit any sounds, images or video from this courtroom.
<a href="#">10:57:52 AM</a>	Judge Boyce	Addresses today's issue of attendance of victims. Court comments on IRE 615 re: exclusion of witnesses. I will enter an order excluding witnesses during testimony under IRE 615(a) and will lodge an order in the record
<a href="#">10:59:23 AM</a>	Judge Boyce	Court has received a list of those to be in attendance. Non-legal issues will be taken up later today. The legal issue for today's discussion is who is a statutorily or legally defined victim who would not be subject to the exclusion order just entered. Court has reviewed the definition of a victim as it relates to Idaho law of who is a victim under those definitions as found in the Idaho Constitution and Idaho Code. Court lists legal cases it has reviewed. Grey area in the statute re: immediate family member. Comments further to parties. I don't understand all the family relations that may be in play here. We haven't received the victim forms we requested. Will ask parties who they are requesting to be in attendance under that definition
<a href="#">11:03:48 AM</a>	Mr. Wood	Responds on behalf of the State. Puts another definition of victim on the record. Lists who they believe are statutory victims that will be witnesses
<a href="#">11:05:51 AM</a>	Judge Boyce	That's helpful. Responds to Mr. Wood. Does the defense have a comment

<a href="#">11:06:24 AM</a>	Mr. Archibald	Most of our witnesses were for the death penalty phase, we intend to call few if any witnesses now. If my client is convicted, then they will be potential witnesses for the sentencing. Argues their belief on statutory victims from the State's list. An aunt does not fit our Idaho law as a victim. Asks to exclude specific parties.
<a href="#">11:09:35 AM</a>	Judge Boyce	Thank you. Does the State have a response to that
<a href="#">11:09:39 AM</a>	Mr. Wood	Yes, Your Honor. Gives responsive argument. Refers court to 19-5306, sub (3) does not define who a victim is it. Lists case law. Makes policy argument to the court re: grandparents. Lists additional possible witnesses. Continues responsive argument
<a href="#">11:13:10 AM</a>	Mr. Archibald	May I offer some rebuttal
<a href="#">11:13:15 AM</a>	Judge Boyce	Yes. Let me make some comments then I'll hear from you. Makes responsive comments. It is appropriate to look at other statutes for further clarification. I'll allow sir rebuttal from the defense
<a href="#">11:14:38 AM</a>	Mr. Archibald	Makes argument on definition of grandparent under statute
<a href="#">11:16:20 AM</a>	Judge Boyce	I will do additional research on this matter. I will issue a ruling at a later time as to who may or may not be subject to the exclusionary order that was entered today
<a href="#">11:16:53 AM</a>	Mr. Wood	Can we submit briefing
<a href="#">11:16:55 AM</a>	Judge Boyce	I'd ask it be submitted by Friday
<a href="#">11:17:12 AM</a>	Mr. Wood	We have concerns in waiting for a decision on this. Comments further and gives additional argument
<a href="#">11:17:56 AM</a>	Judge Boyce	It is an issue that needs to be determined. If the defense wishes to submit any further argument in the form of briefing, I will give both parties a deadline of Friday, March 31st at 5pm for any supplemental briefing to be submitted.
<a href="#">11:18:51 AM</a>	Judge Boyce	That was the conclusion of the legal issues. The remainder will be taken up outside the presence of the public and not on the record
<a href="#">11:19:22 AM</a>	Judge Boyce	Anything further from the parties
<a href="#">11:19:27 AM</a>		Parties indicate no additional issues
<a href="#">11:19:32 AM</a>	Judge Boyce	I'll meet with the parties in 10-15 minutes in the courtroom/off the record
<a href="#">11:19:43 AM</a>		END OF CASE