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Attorneys for Defendant

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

<p>STATE OF IDAHO, Plaintiff, vs. LORI VALLOW DAYBELL, Defendant.</p>	<p>Case No. CR22-21-1624 MOTION TO CLARIFY MEDIA IN THE COURTROOM</p>
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Comes now the Defendant, through her attorneys, and pursuant to Idaho Court
Administrative Rule 45, moves the Court to clarify the media exposure in the courtroom, as
follows:

1. The Court routinely grants a request for the media to record and broadcast the
proceedings in open court. Typically, the media is confined to the jury box or to the

- front row of the spectator section to take pictures or record the proceedings. Defense counsel has never objected to that procedure.
2. On August 16, 2022, unbeknownst to defense counsel, Court TV and/or another media outlet set up a remote camera a few feet in front of the defendant's desk, and put microphones on the defendant's desk. The cameras zoomed in repeatedly on the defendant while she was listening to the arguments of counsel and while she was trying to converse with her counsel. It is unknown if any conversations between the defendant and her lawyers were recorded. The zoom in on the defendant's face was so close that the obvious intent of the filming was not to listen to the arguments of counsel, but to gauge every facial expression of the defendant or her lawyers. A zoom in on the defendant's ring finger was even highlighted in the media. If notes would have been written between defendant and her lawyers, the zoom in feature of the camera could have recorded the notes, a clear violation of attorney-client privilege.
 3. The Court has the discretion to limit media activity which only serves to sensationalize the proceedings and which converts the courtroom into a circus. If it appears that any audio/visual coverage is interfering in any way with the proper administration of justice, the Court must stop it. In the United States Federal Courts, cameras are not allowed into the courtroom for this very reason.
 4. Defense counsel would ask that since media has abused their privilege to photograph and record the proceedings in a fair and reasonable manner, that cameras be banned from the courtroom. Alternatively, still camera photos (with no zoom features) from the jury box or from the front row of the spectator section, may be acceptable.

Oral argument is requested.

Dated: August 30, 2022

/s/ Jim Archibald
R. James Archibald, Esq.

Dated: August 30, 2022

/s/ John Thomas
John Thomas, Esq.

Certificate of Service

I hereby certify that on this day I served a true and correct copy of this document on the following by the method of delivery indicated:

Lindsey Blake, Esq.

efile and serve

Robert H. Wood, Esq.

efile and serve

Dated: August 30, 2022

/s/ Jim Archibald
R. James Archibald, Esq.