

ORIGINAL

FILED IN OPEN COURT

SEP 03 2008 29

EDWARD A. FRIEDLAND
CLERK OF THE COURT

BY *Sandra Jeter*
SANDRA JETER DEPUTY

EIGHTH JUDICIAL
DISTRICT COURT

CLARK COUNTY, NEVADA

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STATE OF NEVADA)
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 Plaintiffs,)
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 v.)
)
 ORENTAL JAMES SIMPSON, et. al.)
)
 Defendants.)

CASE NO. 07C237890C

DEPT NO. 5

COURT DECORUM ORDER

This case has generated substantial public interest and media attention. In light of this interest, the Court has set forth below several rules of conduct and other guidelines designed to govern the expectations of the people involved in the trial, and those observing the trial, so that the decorum of an open court will be maintained throughout the proceedings.

The overall purpose of these rules and guidelines is to secure the defendant's constitutional right to a fair trial, including the empanelling of an unbiased and impartial jury; while also permitting the public and the media to exercise their rights of access to criminal proceedings.

These rules and guidelines will further serve to protect the identity and privacy of jurors; as well as, serving to eliminate from these proceedings any unnecessary commotion, confusion or influence.

IT IS THEREFORE ORDERED that the following rules and guidelines for the conduct of the trial be adhered to. If it appears at any time that the implementation and/or regulation of any

1 matter discussed herein requires modification, the Court may rescind or modify that portion of the
2 order as necessary.

3 **Security**

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5 Security during these proceedings shall be the responsibility of the **Clark County Courts**
6 **Marshals.**

7 **Parking**

8
9 Parking for media satellite/live trucks will be allowed in the **Clark County Parking Lot**,
10 bordered by Casino Center, Bonneville Avenue and Third Streets, on a first-come basis. Media
11 parking in this lot must arrange to purchase parking, as detailed in the Media Trial Guide available
12 from the Court Information Officer. Public parking is available in metered parking spots and in
13 public parking lots surrounding the Regional Justice Center. Payment for parking is the
14 responsibility of the individual attending the proceedings.

15
16 **Rules of Conduct for Courtroom Proceedings**

17
18 Pursuant to Nevada Supreme Court Rules on Standards of Conduct and Technology
19 governing Electronic Media and Still Photo Coverage of Judicial Proceedings, part IV, and Media
20 Guidelines for Conduct in the Eighth Judicial District Court, as well as the Court's inherent authority
21 to assure the proper administration of justice, the Court sets forth the following rules of conduct for
22 the courtroom proceedings in the above-titled case:

23
24 1. Any person entering the courthouse must first pass through a magnetometer and, if
25 necessary, will be subject to a search of his or her person and any containers in her or her
26 possession.

27
28 2. Quiet and order among those observing the trial shall be maintained at all times during the

1 course of the trial. Audible comments of any kind by any spectator during the trial sessions and
2 offensive, uncivil or provocative behavior within the courthouse at any time will not be tolerated.

3
4 3. The wearing of pins, buttons, signs, clothing, etc., in the courtroom which expresses
5 support for or against parties in this case, or clothing deemed by the court to be inappropriate, shall
6 be prohibited.

7
8 4. Court personnel, jurors, witnesses, parties, and counsel and their supporting staff only
9 shall be permitted before the bar railing. No member of the public or representative of the media
10 shall be permitted before the bar railing unless specifically called by the Court.

11
12 5. Parents, guardians, or other supervisors of children whose age might be incompatible with
13 prolonged silence and restricted movements, should consider the length of the trial sessions
14 indicated in the trial schedule. Parents, guardians, or other supervisors of disruptive children will be
15 directed to immediately remove disorderly children from the courtroom.

16
17 6. Spectators, including representatives of the media, shall remain seated in the courtroom
18 until the jury, the judge, and the defendant have withdrawn and the Marshal has given permission to
19 leave the courtroom.

20
21 7. Newspapers, magazines, Internet pages or previously broadcasted video or audio will not
22 be permitted outside or in the courtroom.

23
24 8. Audio recording devices will be allowed for note taking or radio broadcast pursuant to
25 Nevada Supreme Court Rule 246.

26
27 9. Cellular telephones, laptop computers and Personal Digital Assistants (PDAs) will not be
28 permitted in the courtroom.

1 10. Cellular camera photography shall not be permitted.

2
3 Any person violating these rules of conduct will be subject to the discipline of the Court,
4 including, but not limited to, the contempt authority of the Court, and barring that person from the
5 courtroom for the duration of the proceedings.

6
7 **Guidelines for the Media**

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9 In addition to the Nevada Supreme Court Rules on Standards of Conduct and Technology
10 governing Electronic Media and Still Photo Coverage of Judicial Proceedings, part IV, and Media
11 Guidelines for Conduct in the Clark County Courts, the court orders that:

12
13 1. The Court appoints **Edward A. Friedland, Court Executive Officer**, or designee, to
14 meet periodically with media representatives during the trial to address concerns or make any
15 adjustments to the Court's Decorum Order as a result of changed circumstances. All complaints,
16 concerns, challenges, and questions from media representatives should be first registered with Court
17 Information Officer **Michael Sommermeyer**, or **Mr. Friedland**.

18
19 2. The Court appoints **Eighth Judicial District Court Judge Stewart Bell**, to act as a
20 judicial media liaison and answer media questions pertaining to law and procedure.

21
22 3. Pooling of photographic resources is required and it will be the sole responsibility of the
23 media representatives to make those arrangements. With the exception of the pool photographer in
24 the courtroom, no photography, still or video, or images captured by cellular phone, shall be allowed
25 inside the courtroom. Jeff Scheid shall serve as the pool still photography representative to provide
26 assistance to the court. Tom Donahue shall serve as the television pool representative.

27
28 4. No flash photography shall be permitted in the courtroom.

1 5. No party, counsel, representative of the media, or member of the public shall publish in
2 any way the name or address of any juror or prospective juror, nor a likeness of any juror or
3 prospective juror, in a manner that discloses or may disclose the identity of that person. This
4 restriction also includes any photographs in which jurors are in the background. Absolutely, no
5 contact or conversation with a prospective juror will be permitted at home, work, in the courthouse,
6 or in any place until all individuals are dismissed from jury service. Moreover, no contact or
7 conversation will be permitted at home, work, in the courthouse, or in any place with any seated
8 juror until discharged after the trial. This prohibition shall apply to prospective jurors and seated
9 jurors until the jury is discharged following the trial. This does not prohibit publication of the
10 demographic composition of the jury. At the appropriate time, interviews with jurors wishing to
11 speak with interested parties will be coordinated by the Court Information Officer.
12

13 6. Media interviews shall not be conducted on any court floor or outside of any courtroom in
14 the Regional Justice Center. Interviews, print and video, will be allowed in the designated media
15 area located on the south entrance of the Regional Justice Center at 201 Clark Avenue, as outlined in
16 the Media Trial Guide available from the Court Information Officer.
17

18 7. A sample copy of the jury questionnaire will be provided by the Court after a jury is seated
19 and sworn in to hear the case.
20

21 8. The publication or dissemination of any privileged document, conversation, or writing at
22 counsel table for either party that is not officially part of the record of the Court's proceedings is
23 prohibited. The enhancement of any photograph or video image for the purpose of discerning the
24 content of a privileged writing not part of the record of the Court's proceedings is also prohibited.
25 There will be no disclosure by any member of the media of any privileged conversations or writings
26 at counsel table while the Court is in session. The media will respect the attorney-client and attorney
27 work product privileges.
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9. Copies of this order will be posted in the Regional Justice Center.

10. Each media representative, even a substitute for a day, is expected to read and comply fully with this order, and will be expected to have read and be in compliance with the Media Trial Guide prepared by and available upon request from the Court Information Officer.

Any person violating these prohibitions will be subject to the discipline of the Court, including, but not limited to, the contempt authority of the Court, and barring that person from the courtroom for the duration of the proceedings.

Courtroom Seating

The Court recognizes that family members of the alleged victims may wish to attend and observe these proceedings, as might members of the defendant's family. Additionally, the Court finds that it is reasonable to expect that some members of the general public may wish to attend the proceedings as well. The Court also recognizes the fact that most members of the public will be informed of the conduct of these proceedings through reports made by the media.

The trial courtroom, however, only has 48 seats available for family, media and the interested public who may wish to attend the proceedings.

In balancing the interests of all those who may wish to attend the proceedings in person, and in consideration of the limited number of seats available, the Court will arrange for courtroom seating to assure that the individuals identified above and below may attend the trial proceedings.

Because of the large number of potential jurors who will be required to be in Court during portions of the jury selection process, the Courtroom will not be able to accommodate as many family members, members of the public or media representatives during those portions of the jury

1 selection process as it will at other times. Therefore, the amount of courtroom seating available to
2 the various groups of individuals described above will vary depending on which stage of the
3 proceedings is under way.

4
5 ***During Jury Selection**:***

6
7 A minimum of 4 seats will be reserved for Court / Security staff.

8 A minimum of 4 seats will be reserved for attorney support staff; 2 for the prosecution and 2
9 for the defense.

10 A minimum of 6 family seats will be issued: 3 for the prosecution and 3 for the defense.

11 A minimum of 4 public seats will be issued by lottery each day.

12 A minimum of 2 media seats will be reserved for pool coverage personnel.

13 ***During jury selection, no images will be captured of potential and seated jurors,*
14 *in accordance with Court Rules and Guidelines of the Eighth Judicial District*
15 *Court and the Nevada Supreme Court. Failure to adhere to this restriction will*
16 *result in discipline by the Court, including, but not limited to, the contempt*
17 *authority of the Court, and barring of the photographer from the courtroom for the*
18 *duration of the proceedings.*

19
20 ***During the Trial:***

21
22 A minimum of 22 courtroom media seats will be issued by lottery, two of which will be
23 reserved for pool coverage personnel. No more than one seat will be issued to any specific media
24 organization, unless that media organization is the one which supplies the designated pool
25 photographer.

26
27 A minimum of 7 family seats will be issued: 2 for the prosecution and 5 for the defense.

28 A minimum of 5 seats will be reserved for Court /Security staff.

1 A minimum of 4 seats will be reserved for attorney support staff: 2 for the prosecution and 2
2 for the defense.

3 A minimum of 10 public seats will be reserved.

4
5 ***Protocol for Issuance of Seats:***

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7 The protocol for the issuance of seats to the media will be as follows:

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9 1. Seats will be assigned to media organizations at the beginning of the trial by lottery each
10 day by the Court Information Officer, as outlined in the Media Trial Guide prepared by and
11 available upon request from the Court Information Officer.

12
13 2. Courtroom seats will be assigned to a media organization, as opposed to a specific
14 individual in that organization. No more than one media seat will be issued to any specific media
15 organization, unless that media organization is providing pool coverage as designated by the court.
16 It will be the responsibility of media organizations to share seats assigned to a media organization.

17
18 3. Media seats will be issued to representatives of media organizations based on the Court's
19 credentialing process and by lottery to ensure fairness and equity in the selection process.

20
21 4. A person requesting a media seat must be prepared to present for inspection credentials
22 identifying the person as a member of a media organization.

23
24 The protocol for the issuance of seats to family members and the public will be as follows:

25
26 1. Seats will be assigned to family members and the public on a first-come basis.
27 Individuals will be required to check in with the Court prior to the start of trial proceedings.

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1 *Designated Locations for, and General Policies regarding, Courtroom Seating:*

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3 The seating in the District Court courtroom is limited to 48 seats. The protocol for seating
4 will be as follows:

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6 1. The first rows of the courtroom, unless otherwise allowed by the Court Marshal, will be
7 reserved for attorney support staff and family members. The second rows of the courtroom, unless
8 otherwise allowed by the Court Marshal, will be reserved for media representatives. The third and
9 fourth rows of the courtroom, unless otherwise allowed by the Court Marshal, will be reserved for
10 additional media representatives, if necessary, and members of the general public. If needed, seating
11 may also be made available for the media in an overflow room.

12
13 2. The seating location of the pool photographer will be at the direction of the Court
14 Marshal, with the approval of the Court.

15
16 3. The Court Marshal will allow representatives of the media holding seat passes to begin
17 entering the courtroom no more than 45 minutes prior to the start of any court session.

18
19 4. Any credentialed media representative, family member, or member of the public who
20 does not take their seat within the time prescribed must give up their seat until a break in the hearing.

21
22 5. All persons must be in the courtroom and seated 5 minutes before the time set for the start
23 of the court session. Standing in the aisle or at the back of the courtroom will not be permitted.

24
25 6. Once a court session begins, no one, except court personnel, counsel, or their support
26 staff, will be allowed to enter or leave the courtroom, except for emergency purposes. Media
27 representatives will be allowed to leave during a court session, individually, only for the purpose of
28 meeting a publication or broadcast deadline. Distractions will not be tolerated, and permission to

1 attend the trial may be revoked for the duration of the trial.

2
3 7. Individuals who leave the courtroom, other than Court personnel, counsel or their support
4 staff, must wait until a break in the proceedings prior to re-entering the courtroom to retake a seat.

5
6 **Schedule of the Jury Selection Process and Trial Sessions**

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8 The Jury Selection Process will begin September 8, 2008 at 8 a.m., with the Court recessing
9 at approximately 6 p.m. Thereafter, during the Jury Selection Process, the Court will adhere to an
10 8:00 a.m. to 6:00 p.m. schedule.

11
12 The Court will attempt to adhere to the following schedule in conducting trial sessions:

13
14 Monday through Friday, 8:00 a.m. to 6:00 p.m.

15
16 The Court will be dark on September 30 and October 9, 2008. Additionally, the court will
17 dismiss at 3:00 p.m. on September 29 and October 8, 2008.

18
19 During the trial sessions, the Court will take short breaks approximately every 90 minutes,
20 and there will be a formal lunch break.

21
22 DATED this 2nd day of September 2008.

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JACKIE GLASS
DISTRICT COURT JUDGE