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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | October 01, 2024 | County | Humboldt |
| Court | Sixth Judicial District Court | Judge | Michael Montero |
| Defense Attorney | Robert Dolan | Prosecutor(s) | Anthony Gordon  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 2 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Hearing Types | Arraignment, Pretrial Conference, and an Evidentiary Hearing on a Pretrial Writ of Habeas Corpus | | |
| **Attorney's Preparedness** | | | |
| Did the Attorney appear for court? | | | Yes / No / N/A |
| Did the Attorney have the file? | | | Yes / No / N/A |
| Did the Attorney appear to have had a substantive, confidential meeting with  each client before court? | | | Yes / No / N/A |
| Did the Attorney appear prepared to handle their clients' cases? | | | Yes / No / N/A |
| **How prepared did the Attorney appear?**  Robert appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Robert appeared to be knowledgeable about his cases. | | | |
| **The Attorney's courtroom advocacy skills were:**  Robert did a good job advocating for his clients during the court hearing. | | | |
| **How was the Attorney/client communication?**  The attorney-client communication appeared to be good. | | | |
| **Case Stage-Specific Issues** | | | |
| Did the Attorney argue for pretrial release/OR, or for reasonable bail? | | | Yes / No / N/A |
| Did the Attorney counsel each client to refrain from waiving trial rights until the  attorney completed investigation of the case? | | | Yes / No / Unknown |
| Did the Attorney appear to have counseled clients to refrain from waiving any  rights at arraignment? | | | Yes / No / N/A |
| Did the Attorney appear to adequately advise clients of the consequences of  accepting a plea or going to trial, including any collateral consequences? | | | Yes / No / Unknown |
| Did the Attorney present mitigating evidence and provide argument at  sentencing? | | | Yes / No / N/A |
| Did the Attorney address the Presentence Investigation Report (PSI) and/or  Psychosexual Evaluation/Risk Assessment appropriately? | | | Yes / No / N/A |
| Did the court require defendant(s) to reimburse the entity for representation? | | | Yes / No / N/A |
| **Overall Assessments** | | | |
| Does the Attorney appear to have a sustainable workload? | | | Yes / No / N/A |
| Overall, does the Attorney appear to be providing effective representation to  their clients? | | | Yes / No / N/A |
| **Remarks/Recommendations/Notes (continue on reverse):**   * One of Robert’s clients was previously represented by the Humboldt County Public Defender Matt Stermitz. Robert was appointed following Stermitz resigning from the PD Office. The DA made a new settlement offer this morning. Robert informed the court that he just received the offer and had not had an opportunity to discuss it with the client yet. [Note: The client was in custody appearing from the jail by video and Robert was present in court.] The case is currently scheduled for trial beginning November 6, 2024.   This client also has a second case. He was arraigned today and entered a not guilty plea to one count of | | | |

Remarks/Recommendations/Notes, continued:

Possession of a Controlled Substance (methamphetamine), a category E felony. The client entered a not guilty plea, did not waive his right to a speedy trial, and the trial was scheduled for December 2024. A pretrial conference was scheduled for 10/15/2024. The State and the client both indicated that they would be willing to participate in a settlement conference for both cases. The court indicated that it would notify the parties of the date for the Settlement Conference.

* Robert’s remaining client is scheduled for trial on a 3rd offense Domestic Battery charge. Robert filed a pretrial Petition for Writ of Habeas Corpus challenging the validity of the 2nd offense Domestic Battery conviction that is being used to enhance the current case to a felony. The challenge is based on the client’s allegation that his attorney in the 2nd offense case (Maureen McQuillen) did not inform the client of his right to a jury trial on the misdemeanor Battery Domestic Violence charge. The client testified at today’s evidentiary hearing to that fact and further testified that if he had known he had the right to a jury trial, he would have chosen a jury trial. The client testified that the only reason his 2nd offense case went to a bench trial rather than a jury trial was because he did not know that he had an option to have a jury trial.

Maureen McQuillen testified by video. Maureen claimed that she did inform the client of his right to a jury trial and that the client chose to have a bench trial. [Note: there was no written waiver of the client's right to a jury trial]. At the conclusion of the evidentiary hearing, Judge Montero stated that he would take the matter under submission and reach a decision on the issue soon. [Additional Note: the Zoom audio/video froze several times during Maureen McQuillen’s testimony].