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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | November 14, 2024 | County | Elko |
| Court | Elko Justice Court – Dept A | Judge Pro Tem | David Locke |
| Defense Attorney | Matthew Pennell  Public Defender | Prosecutor(s) | Walter Fick  Deputy District Attorney |
| Attorney Present | In Person / Virtual - w/Client | Number of Clients | 1 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Hearing Types | Pretrial Conference | | |
| **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?**  Matt appeared to be prepared for the hearing. | | | |
| **How knowledgeable was the Attorney about their cases?**  Matt appeared to be knowledgeable about his case. | | | |
| **The Attorney's courtroom advocacy skills were:**  Good. | | | |
| **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 / N/A |
| 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 / N/A |
| 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):**  Judge Pro Tem David Locke advised the parties at the start of the proceeding that he had previously represented the defendant. The Judge stated that he did not recall the nature of the case or the facts, but that he did recognize the defendant as a former client. The client confirmed that Judge Locke had represented him in a 2019 case. A brief recess occurred for Matt to speak with his client about the conflict. When court resumed, Matt informed the court that his client had no objection to Judge Locke hearing the case today, as they were simply going to set the case for trial, but  **Remarks/Recommendations/Notes (continued from previous page)**  the client wanted a different judge for the trial. The prosecutor waived any conflict for today’s hearing. The matter was set for trial on 02/12/2025 at 10:00 a.m. Judge Pro Tem Locke recused himself from any further proceedings in this case. | | | |