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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | December 17, 2024 | County | Elko |
| Court | Elko Justice Court Dept A | Judge | Randal Soderquist |
| Defense Attorney | Thomas Gunter  Deputy Public Defender | Prosecutor(s) | Ryan McCormick  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 5 (5 clients – 8 cases) |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 0 | Number of Clients Out-of-Custody | 5 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 2 |
| Hearing Types | Pretrial Hearings | | |
| **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?**  Thomas appeared to be prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Thomas appeared to be knowledgeable about his cases. | | | |
| **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 / 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 / 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:**   * One of Thomas’ clients was not present because the client was in custody in Humboldt County. Thomas requested that the court issue an Order to Show Cause rather than a bench warrant. The court issued an OSC and set the next hearing for 02/11/2025. * In one of Thomas’ cases he has not yet received all the discovery. The parties stipulated to continue the hearing to 2/11/2025. * One of Thomas’ clients received a new settlement offer today. The court trailed this case so that Thomas could have time to discuss the new offer with his client. When the case was called the client accepted the settlement offer. The client pled No Contest to both counts in one case (Principal to Petit Larceny and Principal to Possession of Stolen Property). The State agreed to recommend a 45-day suspended jail sentence on both counts to run concurrently. The client was free to argue. The remaining 2 cases were dismissed. Thomas argued in mitigation for a suspended sentence of less than 45 days (but did not give the court a specific number of days). The court sentenced the client to 20 days jail suspended for 2 years on each count to run consecutively. * One of Thomas’ clients pled guilty pursuant to negotiations to DUI first offense. The remaining 2 counts were dismissed. Thomas recommended the statutory minimum penalties. The Court sentenced the client to the statutory minimums (active) plus 10 days jail suspended for 2 years on standard DUI conditions. * Another one of Thomas’ clients pled guilty, pursuant to negotiations, to a DUI first offense with a joint sentencing recommendation of the statutory minimum penalties. The remaining 2 counts were dismissed. The Court sentenced the client to the statutory minimums (active) plus 5 days jail suspended for 1 year on standard DUI conditions. | | | |