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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | December 16, 2024 | County | Elko |
| Court | Fourth Judicial District Court Dept 2 | Judge | Al Kacin |
| Defense Attorney | Matt Pennell  Public Defender | Prosecutor(s) | Justin Barainca  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 |
| Number of Clients  In custody | 1 | Number of Clients Out-of-Custody | 0 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | Probation Violation Disposition Hearing | | |
| **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 court. | | | |
| **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:**  Matt’s client previously admitted non-technical probation violations. The State recommends that probation be revoked. Matt made an argument in mitigation (the client’s mother and sister passed away when the client was early into the Drug Court program. The client has been accepted into an inpatient treatment program at Solutions on Sunset in Alamo, Nevada) in support of his argument for reinstatement on probation. The Solutions on Sunset program has a bed available for the client tomorrow. The client also spoke requesting another opportunity on probation and to go to the inpatient treatment program as part of his probation. The Court revoked the client’s probation. The client was given credit for 264 days time served. The court noted that the client had recently walked out of the inpatient treatment program at the Vitality Center and walked away from Drug Court. | | | |