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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | November 25, 2024 | County | Douglas |
| Court | Ninth Judicial District Court – Dept II | Judge | Thomas Gregory |
| Defense Attorney | Max Stovall | Prosecutor(s) | William Murphy  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 and Sentencing | | |
| **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?**  Max appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Max appeared to be knowledgeable about his case. | | | |
| **The Attorney's courtroom advocacy skills were:**  Max did a good job advocating for his client 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 / Unknown |
| 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):**   * Max’s client pled guilty, pursuant to negotiations, to one count of Supplying a Schedule I Controlled Substance, a category C felony. The parties agreed to a sentencing recommendation of a suspended sentence of 24-60 months prison. The parties further agreed to recommend that the client be released on her own recognizance pending sentencing. The Court set sentencing for 1/14/2025. The Court further ordered that the client be released on her own recognizance with conditions. | | | |
| **Remarks/Recommendations/Notes, continued:**   * Max’s remaining client was set for sentencing. Max made two corrections to the Presentence Investigation Report and made a mitigation argument for two concurrent suspended sentences of 19-48 months. Max explained that, at his client’s request, he moved to withdraw her application for diversion through the Drug Court program because she believed that her lack of transportation would make it unlikely that she could attend the counseling sessions and drug court hearings. There was a brief discussion in open court between the Judge, the attorneys, the client, and a client family member present in court. At the conclusion of that conversation, the client indicated that she would like to try and complete the drug court program. The Court denied the client’s request to withdraw her Petition for Diversion. The Court granted the client’s Petition for Diversion and ordered that:  1. sentencing shall be deferred for 18 months; 2. the client shall be under the supervision of the Division of Parole and Probation; 3. the client shall enter and successfully complete the Western Regional Drug Court Program; and, 4. the client shall pay restitution in the amount of $1,725.00 as a condition of the deferred sentencing. | | | |