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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | November 12, 2024 | County | Douglas |
| Court | Ninth Judicial District Court – Dept I | Judge | Tod Young |
| Defense Attorney | Brian Filter | Prosecutor(s) | Jim Sibley and Chelsea Mazza  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients |  |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Hearing Types |  | | |
| **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?**  Brian appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Brian appeared to be knowledgeable about his cases. | | | |
| **The Attorney's courtroom advocacy skills were:**  Brian 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 / 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):**   * Brian had one client for a probation review today. The client did not appear for the hearing. The client still owes fines, fees, and assessments. The client is severely disabled (confirmed by the Parole and Probation Officer). The court ordered that the probation will end on 11/20/2024. The unpaid fees and assessments will be a civil judgment/lien. | | | |

Remarks/Recommendations/Notes, continued:

* One of Brian’s clients entered a guilty plea, pursuant to negotiations, to Driving Under the Influence with Two Prior Offenses, a category B felony. Pursuant to the agreement, the State will not oppose the client’s entry into the DUI diversion program. If the Court denies the diversion application, the State will recommend the minimum statutory penalties (probation is not possible for this offense). A review hearing was set for 12/3/2024.
* One of Brian’s clients had a sentencing hearing today for the offense of Battery by a Prisoner, a category B felony. Neither the client nor the State had any factual corrections to the Presentence Investigation Report. Filter made a good argument for probation. The State argued for 19-48 months active prison to run consecutively with the sentence that the client is currently serving. The victim spoke at sentencing and told the court that he believed that a fair sentence would be 5 months in jail. The Court sentenced the client to 17-48 months active prison to be served concurrently with the other sentence the client is currently serving. The Court gave the client credit for 120 days time served.
* One of Brian’s clients had a sentencing hearing today for the offense of Fraudulent Use of a Credit Card, a category C felony. Neither side had any corrections to the Presentence Investigation Report. Brian made an argument in support of the joint sentencing recommendation of a suspended sentence of 12-30 months prison. The court followed the joint sentencing recommendation.
* One of Brian’s clients failed to appear for his Sentencing hearing. Brian requested that the court issue an Order to Show Cause rather than issue a bench warrant. The State requested a bench warrant. The court mentioned that the client already has an existing warrant and issued a bench warrant for his failure to appear today.