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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 | Ray Areshenko | Prosecutor(s) | William Murphy  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 | Order to Show Cause and Arraignment | | |
| **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?**  Ray appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Ray appeared to be knowledgeable about his case. | | | |
| **The Attorney's courtroom advocacy skills were:**  Ray 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):**   * Order to Show Cause:   Ray’s client was scheduled for an Order to Show Cause regarding why the client and Ray did not appear for the previously scheduled court date. When the case was first called this morning, the client was not present. The client had been given permission by the court to appear by Zoom. However, the client was not physically present in court or present on Zoom. The case was trailed to give Ray an opportunity to reach his client.  When the case was recalled, Ray explained that his client was present on Zoom this morning when court began. | | | |

Remarks/Recommendations/Notes, continued:

Unfortunately, the client was on the East Fork Justice Court Zoom link instead of the District Court Zoom link. [Note: this case was bound over from the East Fork Justice Court]. Ray explained to the court that the reason he and his client did not appear at the previous hearing was because Ray mis-calendared the court date and gave the wrong court date to his client. Court: No finding of Contempt.

* Arraignment:

In addition to the client initially being on the wrong Zoom link, there were transmission problems during the Arraignment which resulted in the hearing being trailed a second time. The client did not initially have the Information or the Guilty Plea Agreement in front of her. She was able to pull the documents up on her phone during the hearing so that she could see them as the Judge referenced specific portions of the Guilty Plea Agreement. She pled No Contest, pursuant to the Guilty Plea Agreement, to one count of Possession of a Controlled Substance, a category E felony. Sentencing was then scheduled for 1/27/2025 at 8:30 a.m. Ray requested that the court permit his client to appear by Zoom at the Sentencing hearing. Judge Gregory denied the request. Ray and his client are to appear in person at the Sentencing hearing.