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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | November 13, 2024 | County | Douglas |
| Court | East Fork Justice Court | Judge | Paul Gilbert |
| Defense Attorney | Max Stovall | Prosecutor(s) | Ric Casper and Heidi Remick  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 4 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Hearing Types | Status Hearings, Sentencing 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?**  Max appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Max appeared to be knowledgeable about his cases. | | | |
| **The Attorney's courtroom advocacy skills were:**  Max 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 / 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 (continue on reverse):**   * One of Max’s clients was scheduled for a sentencing hearing today on a first offense DUI. She was in custody after entering her guilty plea because she missed tests with the Department of Alternative Sentencing and had a positive test for methamphetamine. The client admitted the missed tests but denied using meth. The parties had previously agreed to a joint sentencing recommendation of 92 days jail with 90 of those days suspended on a number of conditions and the mandatory minimum requirements for a DUI first offense. The State decided to go forward with the joint recommendation, even though the client had violated her conditions of release. The State | | | |

Remarks/Recommendations/Notes, continued:

did ask for a new Substance Use Evaluation based on the missed tests and positive meth test. The court imposed a 120 day jail sentence with 118 days suspended for 1 year with the conditions recommended by the parties and a requirement that the client obtain an updated Substance Use Evaluation based on the missed tests and positive meth test. The court ordered that the client be released from custody today.

* One of Max’s clients was at Lakes Crossing. The client was found to be incompetent. The State dismissed the charges.
* One of Max’s clients received a settlement offer from the State today. The hearing was continued to 12/11/2024 for the client to consider the offer. Max argued for the client to be released from custody on his own recognizance. The State opposed the O.R. release. The court ordered that the client be released with bail conditions.
* One of Max’s clients cases was continued by stipulation to 12/11/2024. The parties also stipulated that the client’s bail should be lowered to $5,000 bondable with conditions of release.