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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | November 6, 2024 | County | Douglas |
| Court | East Fork Justice Court | Judge | Paul Gilbert |
| Defense Attorney | Matt Stermitz | Prosecutor(s) | Jim Sibley  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 6 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Hearing Types | Pretrial Conferences and 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?**  Matt appeared prepared for court with the exception of one case that was set for sentencing today on a DUI first offense. Matt explained that he could not tell what the settlement agreement was from the inherited file (from attorney Marty Hart – now deceased). Apparently, Matt had not conferred with the DA or his client to learn the details of the resolution until the court hearing. | | | |
| **How knowledgeable was the Attorney about their cases?**  Matt appeared to be knowledgeable about his cases with the exception noted above. | | | |
| **The Attorney's courtroom advocacy skills were:**  Matt 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 Matt’s out-of-custody client’s case was continued because the parties are still waiting on records from the Nevada Department of Motor Vehicles. The hearing was continued to 12/18/2024 at 2:00 p.m. (This client is out-of-custody). | | | |

Remarks/Recommendations/Notes, continued:

* One of Matt’s out-of-custody client’s case was continued 2 weeks so that the client, Matt, and prosecutor could continue to work on settlement negotiations.
* One of Matt’s out-of-custody client’s case was continued 2 weeks for the client to consider the DA settlement offer.
* One of Matt’s clients was in custody for violating the terms of his conditions of release. The client was scheduled for sentencing on a DUI first offense today. Matt explained in court that he could not determine the terms of the settlement agreement from the file he inherited. The DA put the agreement on the record. It was a joint sentencing recommendation for 62 days jail with 60 of those days suspended with the court’s standard fines, fees, assessments, DUI school, VIP, interlock device, sobriety, search and seizure and testing, supervision by the Department of Alternative Sentencing. The court followed the joint sentencing recommendation. The client was given credit for 30 days time served. The fines, fees, and assessments were taken from the cash bail.
* One of Matt’s out-of-custody client’s case was resolved today through negotiations. The client pled guilty to an amended charge of Disorderly Conduct with a joint sentencing recommendation. The court followed the joint recommendation.
* One of Matt’s out-of-custody client’s cases resolved today through negotiations. The client pled guilty to a DUI first offense with a joint sentencing recommendation. The court followed the joint recommendation.