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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | October 29, 2024 | County | Douglas |
| Court | Tahoe Justice Court | Judge | Michael Johnson |
| Defense Attorney | Matt Ence | Prosecutor(s) | William Murphy  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 8 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Hearing Types | Arraignments, Pretrial Conferences, Review Hearings, and an Order to Show Cause 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 for 4 of his 8 clients. Of the remaining 4 cases:   * Matt was appointed to one of the clients this morning and has not yet received the discovery from the State. The hearing was continued to next week (11/5/2024). * Matt was appointed to another client yesterday afternoon. This client bailed out at some time between yesterday evening and this morning. The jail mistakenly gave that client a court date of January 13 instead of today. That client did not appear for court today and Matt has not yet spoken with this client. The hearing was continued to January 13, 2025. * One client was recently reassigned from Mary Brown to Matt Ence. The State has not yet provided discovery to either Mary Brown or Matt Ence. The hearing was continued to next week (11/5/2024). * One client was scheduled for an Order to Show Cause and a post-sentencing review hearing for proof of completion of terms of the sentence. This client failed to appear for the original review date of October 1, 2024. Matt was unable to reach this client as he does not have current contact information for the client. This client did not appear in court today. A bench warrant was issued for the client. | | | |
| **How knowledgeable was the Attorney about their cases?**  Matt appeared to be knowledgeable about his cases, with the exception of the recently assigned cases where he has not yet received discovery from the State. | | | |
| **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 with the exception of the clients who did not appear in court today. | | | |
| **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** | | | |
| Ences the Attorney appear to have a sustainable workload? | | | Yes / No / N/A |
| Overall, Ences 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 clients plead guilty to a first offense DUI pursuant to settlement negotiations. The court followed the joint sentencing recommendations for the standard/average first offense penalties in the Tahoe Justice Court. * Two of Matt’s cases were continued due to not having received discovery from the State. One of those clients was out of custody and waived his right to a speedy trial and preliminary hearing. The other client was in custody. Matt argued for an O.R. release. The State opposed the bail reduction. The court ordered that the bail remain at $3,500 cash or bond. * One of Matt’s clients was a post-sentencing review hearing. The client is doing well. The substance use counselor appeared in court in support of the client. * One of Matt’s clients was in custody after having been extradited back to Douglas County following his failure to appear for court over 1 year ago. Matt argued for the client’s release on his O.R. or for a lower bail. Bail is set at $25,000 cash only. The State opposed the reduction reminding the court that the client had to be extradited back to Douglas County on this case on more than one occasion. The court ordered that bail remain at $25,000. The case was set for a status hearing next week (11/5/2024). | | | |