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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | May 19, 2025 | County | Pershing |
| Court | Eleventh Judicial District Court | Judge | Jim Shirley |
| Defense Attorney | Steve Cochran  Pershing County Public Defender | Prosecutor(s) | Bryce Shields, District Attorney and  Smith, Deputy Attorney General |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 5 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 2 | Number of Clients Out-of-Custody | 3 |
| Cases Continued  In Custody | 1 | Cases Continued  Out-of-Custody | 1 |
| Hearing Types | Arraignment, Review, and Competency hearings | | |
| **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 / Unknown |
| Did the Attorney appear prepared to handle their clients' cases? | | | Yes / No / N/A |
| **How prepared did the Attorney appear?**  Steve appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Steve appeared to be knowledgeable about his cases. | | | |
| **The Attorney's courtroom advocacy skills were:**  Good. | | | |
| **How was the Attorney/client communication?**  The attorney-client communication appeared to be good. However, I was unable to form an opinion regarding the attorney-client communication with one of the clients: specifically, the client in custody of the Nevada Department of Corrections, was not present in court, and might not be competent. | | | |
| **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:**  Steve had 5 adult clients on today’s court calendar:   1. First Client: **Review hearing**. The client is out of custody and present in person.  * Steve informed the court that the Settlement Conference was successful. However, a Guilty Plea Agreement has not been prepared yet. * The court continued the earing to 6/2/2025 at 9:00 a.m. * The court informed the parties that the case will remain set for jury trial in case the resolution reached in the Settlement Conference does not actually go forward.  1. Second Client: **Competency hearing**. The client is in custody and not present in court.  * Deputy Attorney General Smith informed the court that the client was found incompetent by both mental health evaluations. * The court stated that the client has a right to be present in court for the court to make a determination about the client’s competency based on those evaluations. The court will prepare an Order to Produce the client who is currently in custody of the Nevada Department of Corrections. * The court continued today’s hearing to 6/11/2025 at 11:00 a.m.  1. Third Client: **Arraignment hearing**. The client is out of custody and present in person.  * Steve informed the court that there was a Preliminary hearing in the Justice Court. However, there is no transcript yet. * The client pled Not Guilty to: (1) Battery SBH, a category C felony, (2) Burglary of a Business, a category C felony. * Following the court canvass, the court accepted the clients Not Guilty pleas. * The client waived her right to a speedy trial. * Both parties request a Settlement Conference. No Trial date set today. * The court will schedule a Settlement Conference with the parties at a later date. * The State brought up the fact that the client tested positive for methamphetamine at the last hearing in District Court. As a result, the last court hearing had to be continued. The State reminded the court that the client claimed she had a prescription medication that caused that dirty test. The agreement between the State and the defense was that the client would bring a copy of that prescription to account for the dirty test. The client has not provided a copy of that prescription to the State or to the court. * Steve argued that the issue of the dirty test is now moot. * The State responded that it is not asking for revocation of the client’s release from custody but is asking that client now be ordered to be subject to testing with Pretrial Services to insure future court hearings do not need to be continued due to dirty tests/drug use. * Steve argued that a condition of testing violates the client’s 4th Amendment rights. * The State argued that the additional bail condition is reasonable in light of her positive test at the last court hearing which required a continuance and delay in the proceedings. * Cochran clarified that the client did not test at the last hearing but instead represented that she would test positive if she tested but that the positive would be the result of the medication. Cochran argued that the court should continue with its policy to test on the day of court but not on a random basis in between court hearings by Pretrial Services. * The State repeated that it still wants a copy of the prescription. * Steve argued that the defense no longer needs to provide the prescription. * The Court ordered that the prescription shall be produced to the court. * Note: Steve made a valiant effort to protect his client.   **Remarks/Recommendations/Notes (continued from the previous page):**   1. Fourth Client: **Arraignment hearing**. The client is out of custody and present in Person.  * Steve informed the court that there was a preliminary hearing in the Justice Court but no transcript is available yet. * The client pled Not Guilty to: (1) Embezzlement, a category B felony; (2) Embezzlement, a category B felony; and, (3) Embezzlement, a category B felony. [Note: the property allegedly embezzled in each count is a different firearm.] * Following the court canvass, the court accepted the Not Guilty pleas. * The client waived his right to a speedy trial. * Steve informed the court that the defense will be filing a Pretrial Writ of Habeas Corpus alleging that insufficient evidence was presented at the preliminary hearing. * The court set a Review hearing for 6/30/2025 at 9:00 a.m.  1. Fifth Client: **Arraignment hearing**. The client is in custody and present in Person.  * Steve informed the court that there was a preliminary hearing in Justice Court and that the transcript has been prepared. * The court confirmed that it has received a copy of the transcript. * Steve informed the court that the client made the decision this morning to accept the settlement offer from the state. The Guilty Plea Agreement was reviewed and signed this morning and filed in open court. * The court noted that the client did not fill in the date of her signature in the Guilty Plea Agreement. By stipulation of the parties, today’s date was filled in by the judge. [Note: the judge confirmed with the client that she signed the agreement today.] * The client pled Guilty to (1) Possession of a Controlled Substance (methamphetamine), a category E felony. In exchange for the guilty plea, the State has agreed not to oppose diversion with the Pershing County Drug Court treatment program. * Following the court canvass, the court accepted the Guilty plea. The court granted the diversion today. The client is placed under the supervision of P&P with all standard conditions of Probation for a period of 18 months (can be extended if needed). The court also ordered the client to pay a $25 administrative assessment fee, a $3 DNA assessment fee, and a $60 chemical analysis fee. The court ordered the client to obtain a Substance Use Evaluation through the Drug Court and to begin the Drug Court program immediately (next Wednesday is the next Drug Court hearing). * Steve requested that the client be released from custody today. * The State did not object to the client being released on her own recognizance. he court ordered the client released from custody today. | | | |