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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | February 3, 2025 | County | Elko |
| Court | Fourth Judicial District Court Dept 3 | Judge | Mason Simons |
| Defense Attorney | Ben Gaumond  Assigned Indigent Defense Attorney | Prosecutor(s) | Jeff Slade  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 |
| Number of Clients  In Custody | 1 | Number of Clients  Out-of-Custody | 0 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | Non-Technical Probation Violation 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?**  Ben appeared to be prepared for his case today. | | | |
| **How knowledgeable was the Attorney about their cases?**  Ben appeared to be knowledgeable about his case today. | | | |
| **The Attorney's courtroom advocacy skills were:**  Ben 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 / Unknown |
| 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 (continued from reverse side):**  Ben had one assigned indigent client in court today:  Non-Technical Probation Violation Hearing. The client was in custody and present in court.  **Remarks/Recommendations/Notes Continued from Previous Page:**  The client admitted all of the allegations contained in the Non-Technical Violation Report:   1. Reporting 2. Directives and Conduct 3. Weapons 4. Controlled Substances 5. Recreational Marijuana 6. Financial Obligations   **State recommendation**:  This sentence began as a deferred sentence where the defendant had an opportunity to earn his way out of a felony conviction.   * Revoke the deferred sentence convicting the defendant of the felony, place the defendant on probation for up to 18 months, and then dishonorable discharge the defendant. * If the court is inclined to reinstate the deferred sentencing, then remove good time credits if reinstated.   **Defense recommendation**:  Client is seeking reinstatement of the deferred sentence with a new condition of participation and successful completion of the Drug Court program.  **Defendant Statement**: Client wants the Drug Court program and reinstatement of the deferred sentence. If dishonorably discharged with a felony conviction, then client intends to move to another State and never return.  **Court:**  Judge Mason stated that he is inclined to Reinstate on deferred sentence with an additional requirement of Drug Court. However, they need to confirm that the Drug Court will accept the client. The Court set a Disposition hearing for 3/3/2025 at 1:30 p.m.  **Custody Status:**  Not addressed.  Note: Ben also had a retained case on calendar today. His retained case is mentioned in the Observation Report for indigent defense attorney Krishna Prasad. That client had two separate cases: Ben was retained for one case and Krishna was appointed in the other case. | | | |