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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez by Zoom video |
| Date | February 13, 2025 | County | Humboldt |
| Court | Union Justice Court | Senior Judge | Michael Mavity |
| Defense Attorney | Massey Mayo | Prosecutor(s) | Elizabeth Evans, Deputy DA  Stephen Girardot, Deputy DA  Aaron Russell, Deputy DA |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 6 (6 clients with 13 cases) |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 0 | Number of Clients Out-of-Custody | 6 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 3 |
| Hearing Types | Pretrials, Order to Show Cause | | |
| **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?**  Massey appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Massey appeared to be knowledgeable about her cases. | | | |
| **The Attorney's courtroom advocacy skills were:**  Good. | | | |
| **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:**  Massey had 6 clients on calendar today:   1. Massey’s first client had a pretrial set for today on 2 separate cases. The parties reached a settlement agreement. The client pled guilty to DUI-1st offense. The remaining counts of that case and the other case were dismissed. The State made no sentencing recommendation – submitted the matter to the court’s discretion.   The client made a statement of allocation – explaining to the court that he has been sober since the event. Massey argued in mitigation and recommended: court’s “standard minimums.” Credit time served is approximately 2 days.  Sentence: $400, 125, 60 = $585 (payment plan = $50/month beginning 3/1/2025 and paid in full by 12/1/2025), 30 days jail with 28 of those days suspended (CTS 2 days), DUI School (in person), Victim Impact Panel (online because there is no local place to complete it), Interlock Device for 185 days.   1. Massey’s second client was on calendar for an Order to Show Cause. Massey informed the court that she has been unable to speak with her client. She is able to speak with the client’s mother, but has not yet heard back from the client. The court stated that the client had been in court earlier this week on an unrelated matter. The court continued the OSC to 3/20/2025 at 10:00 a.m. 2. Massey’s third client had a pretrial conference today on 3 separate cases. The Client did not appear for the hearing. Massey explained that she has not been able to reach her client since his release from custody in early February. She does not have a phone number or other way to contact him. Massey said that she does not believe the client received notice of today’s hearing. The prosecutor stated that the client bailed out on February 8 and was required to meet with Pretrial Services and to be wearing a GPS device. The client did not meet with Pretrial Services.   The court set an Order to Show Cause for 2/20/2025 at 10:00 a.m.   1. Massey’s fourth client was set for pretrials in 3 separate cases. The parties reached a global resolution involving the client pleading guilty to one count in each case:  * The client pled guilty to Disturbing the Peace (amended from Battery That Constitutes Domestic Violence). * The client pled guilty to Battery (amended from Battery That Constitutes Domestic Violence). * The client pled guilty to DUI-1st Offense.   The State made no sentencing recommendation - left the sentencing to the discretion of the court.  Massey argued in mitigation, explaining to the court that the client has made significant strides in improving himself since these events, he has completed the Sixth Judicial District Court’s Family Treatment Specialty Court program. Massey pointed out that the victim in the Disturbing the Peace and Battery cases is the same person and the mother of a child she and the client share in common. The victim acknowledged to the prosecutor that the client has made huge progress.  Massey recommended the Court’s standard minimum sentence for the DUI-1st offense. She recommended fines only in the other 2 cases and that the fines run concurrently with each other and with the DUI fines. Sentence: DUI-1st Offense: $400 + $125 + $60 = $585 in fines, fees, and assessments (payment plan of $100 / month with first payment due on 8/1/2025 and paid in full by 9/1/2025), DUI School (in person and completed within 90 days) VIP (on line), Interlock Device for 185 days.  Sentence: Disturbing the Peace: $585 in fines, fees, and assessments.  Sentence: Battery: $585 in fines, fees, and assessments.  All 3 counts to run concurrently.  Bail bond is exonerated.   1. Massey’s fifth client had a pretrial hearing on 2 cases. The parties reached a settlement agreement. The State amended the felony drug charge to a misdemeanor Possession of a Drug Not Lawfully Introduced Into Interstate Commerce. The client pled guilty to that amended charge. The State dismissed the other case and a traffic citation.   The State made no sentencing recommendation - left the sentencing to the discretion of the court.  Massey argued in mitigation and recommended that the client be sentenced to a fine only.  Sentence: 1100 fines, fees, and assessments (Credit time served is 19 days on the FTA and Drug Charge to be applied to the fines at $150 per day). Therefore, no money is owing.  Released from all pretrial services requirements.   1. Massey’s sixth client had a pretrial hearing on 2 cases. The client was running late (it was snowing heavily in Winnemucca today). Massey explained to the court that she had told the client to be at court at 10:30 a.m. The State made a settlement offer this morning, however, because the client has not arrived yet Massey has not been able to convey the offer to the client or to discuss it with him. Massey was also scheduled to be in District Court at 11:00 a.m. this morning. At 11:05 the Court continued the hearing to another date. | | | |