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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | April 23, 2025 | County | Lander |
| Court | Eleventh Judicial District Court | Judge | Spencer Roberts |
| Defense Attorney | David Neidert | Prosecutor(s) | Michael MacDonald  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 | 0 | Number of Clients Out-of-Custody | 1 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | Preliminary 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?**  David appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  David appeared to be knowledgeable about his case. | | | |
| **The Attorney's courtroom advocacy skills were:**  Good. | | | |
| **How was the Attorney/client communication?**  The attorney-client communication appeared to be good, with the exception noted above. | | | |
| **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:**  David had 1 client on today’s calendar:   1. First client: Preliminary hearing. The client was out-of-custody and present in court.   The client is charged with 3 counts: Assault with a Deadly Weapon, a category B felony; Threatening or Intimidating a public Officer, a category C felony; and, Battery on a Public Officer, a gross misdemeanor. The court informed the parties that the proceedings are being recorded by JAVS and will be immediately forwarded to a certified court reporter for transcription.  The State called 3 witnesses. The court had all 3 witnesses sworn simultaneously.  David invoked the rule of exclusion. The defense presented no witnesses or evidence.  At the conclusion of the testimony, the State moved the court to find that probable cause existed for all 3 counts to be bound over to district court.  David argued that the State failed to establish probable cause for counts 1 and 2. David submits to the court whether the State met its burden on court 3.  The court found that the State met its burden of proof establishing probable cause to believe that all 3 crimes were committed by the client. The court bound over the case to district court on all 3 counts. The Arraignment hearing will be set by the court.  The client had a second criminal complaint charging the client with a misdemeanor offense of  Resisting a Public Officer arising from this same incident. The State informed the court that it was ready to go forward today with a misdemeanor trial. David asked that the misdemeanor case trail the felony case. The court ordered that the misdemeanor case shall be set for trial following the resolution of the felony case. | | | |