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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | May 21, 2025 | County | Douglas |
| Court | East Fork Justice Court | Judge | Laurie Trotter |
| Defense Attorney | Matt Stermitz | Prosecutor(s) | William Murphy and Heidi Remick  Deputy District Attorney |
| 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 | 0 | Number of Clients Out-of-Custody | 5 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 3 |
| Hearing Types | Arraignment, Status, Sentencing, Alternative Sentencing Violation 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 / 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. | | | |
| **How knowledgeable was the Attorney about their cases?**  Matt 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. | | | |
| **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:**  Matt had 5 clients on calendar today:   1. First client: Status hearing. The client is out of custody and not present.  * Matt explained to the court that the client has expired her sentence. She completed a program at Serenity House. She has employment. It is difficult for the client to get here to court. * The State argued that the court still has contempt powers to require the client to continue in treatment and provide proof to the court. * The Court stated that it did not order the client to appear today. The client was not present at the last hearing, when today’s hearing was set, because she was in the Serenity House treatment program. The Court found that the client’s suspended sentence has expired. The court further found that the client substantially complied with the court’s order. However, because the client has not submitted proof of completion of the Community Counseling Center treatment program, the court is setting another Review hearing to see how the client did at the Serenity House treatment program. The court authorized the client to appear by Zoom video. The next hearing is scheduled for 6/18/2025 at 2:00 p.m.  1. Second Client: Sentencing hearing. The client is out of custody and present in person.  * The State informed the court that it contacted victim, the victim is aware of today’s sentencing hearing, the victim is not present in court, the victim has presented no request for restitution, and the victim has not provided a victim impact statement. * The court previously ordered the client to pay $1,000 in reimbursement to the county for appointed attorney fees. * The client said he can pay the amount over time. * The joint sentencing recommendation for Obstruction of a Public Officer is: $640 in fines, fees and assessments; 60 days jail with 50 of those days suspended for 1 year with credit for time served.   The joint sentencing recommendation for the No Insurance charge is $198 in fines, fees, and assessments (reduced to this amount because the client provided proof of after acquired insurance). The joint sentencing recommendation is for the two sentences to run consecutively.   * Sentence: the court followed the joint recommendation, plus the $1,000 atty fee reimbursement previously ordered. The client has 2 days of credit for time served. The client will serve the remaining 8 active days jail on his weekends. All fines, fees, assessments, and reimbursement money is due on or before the Review hearing set for 10/17/2025 at 9:00 a.m.  1. Third client: **Sentencing hearing**. The client is out of custody and present in person.  * The client submitted his Substance Use Evaluation this afternoon. * The Joint Sentencing Recommendation: DUI-2nd $1,200 in fines, fees, and assessments; completion of a DUI school; attendance at a Victim Impact Panel; obtain a Substance Use Evaluation and follow any and all treatment recommendations; Install and Interlock device in his car for 1 year; 180 days jail with 170 of those days suspended for 2 years on conditions: Violate no laws; maintain sobriety, not possess or consume controlled substances, alcohol, or marijuana; search, seizure, and testing to detect the presence of alcohol, controlled substances, and/or marijuana. * Matt stipulated to the Constitutional validity of the prior conviction. * The prior conviction is marked and admitted and will be used for enhancement purposes. * The court followed the joint sentencing recommendation. The court ordered that the client may serve 20 days house arrest in lieu of the 10 days active jail. The client’s vehicle registration is ordered to be suspended for 5 days. The remaining counts are dismissed. A Review hearing, for proofs of completion of the active obligations of the sentence, is scheduled for 8/8/2025 at 9:00 a.m.  1. Fourth client: **Arraignment hearing**. The client is out of custody and not present.   Matt explained to the court that his client is a veteran and he has entered an inpatient treatment program. The underlying charge is an Intoxicated Pedestrian. Matt requests a continuance of 60 days. Matt also requested that his client be able to appear by Zoom video if the client is still in the residential treatment program.  The State does not oppose the continuance of the Arraignment. Next Hearing: 7/23/2025 at 2:00 p.m.  **Remarks/Recommendations/Notes (continued from the previous page):**   1. Fifth client: **Alternative Sentencing Violation hearing**. The client is out of custody and present in person.   Matt informed the court that the client plans to retain an attorney, specifically Orin Johnson.  Regarding the Alternative Sentencing Violation, the court confirmed that the client has tested clean since May 5 (3 clean tests since then). The court made no ruling on the Alternative Sentencing Violation. The court continued the hearing to 6/4/2025 at 2:00 p.m. | | | |