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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | March 3, 2025 | County | Douglas |
| Court | Ninth Judicial District Court Dept II | Judge | Thomas Gregory |
| Defense Attorney | Matt Stermitz | Prosecutor(s) | Jim Sibley  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 2 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 2 | Number of Clients Out-of-Custody | 0 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | Arraignments | | |
| **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 / 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:**  Matt had two clients on today’s calendar:   1. First client: Arraignment. Client waived the formal reading of the Criminal Information. Client pled guilty, pursuant to negotiations and a GPA, to one count: Battery Causing Substantial Bodily Harm, a category C felony (victim is the client’s brother, Scott Adams, who suffered facial fractures).   Following the court canvass, the court accepted the guilty plea.  The court ordered the preparation of a Presentence Investigation Report. The Court further ordered that the client cooperate with the Department of Parole and Probation in the preparation of the Presentence Investigation Report and appear at the sentencing hearing.  Sentencing is set for 6/2/2025 at 8:30 a.m.  Bail/Custody Status: Max argued for the O.R. release of client with condition to remain away from his brother and to be under the supervision of the Department of Alternative Sentencing.  State requests that the bail previously set by the Justice Court remain. State argues that because the Defense did not notify the State of its intent to argue bail, the State did not notify the victim that it intended to address bail and that the victim has a right to have input. State argues client’s prior criminal history and prior prison sentences, the fact that the victim is an elderly person (11 years older than the defendant), and that the victim was present and gave input regarding bail in the Justice Court hearing regarding bail.  Order: bail remains as previously set by the court with all previously ordered conditions, plus 2 conditions if he bails out: (1) cooperate with P&P and (2) appear at the sentencing hearing.   1. Second client: Arraignment. Client pled guilty, pursuant to the Guilty Plea Agreement, to Obtaining the Personal Identifying Information of another Person, a category B felony. Following the court canvass, the court accepted the client’s guilty plea.   The court ordered the preparation of a Presentence Investigation Report. The Court further ordered that the client cooperate with the Department of Parole and Probation in the preparation of the Presentence Investigation Report and appear at the sentencing hearing.  Sentencing set for June 2, 2025, at 8:30 a.m.  Bail status: Because the terms of the parties’ negotiations require that the client remain in custody, the court ordered that the client be held without bail until sentencing. | | | |