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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | February 26, 2025 | County | Elko |
| Court | Elko Justice Court – Department B | Judge | Bryan Drake |
| Defense Attorney | Thomas Gunter  Deputy Public Defender | Prosecutor(s) | Jeff Slade, Deputy District Attorney  Hanley, Deputy City 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 | 1 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | 48-hour bail hearings and Arraignment | | |
| **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?**  Thomas appeared to be prepared for his cases today, except that one of the clients was combative with jail staff and the hearing was continued. | | | |
| **How knowledgeable was the Attorney about their cases?**  Thomas appeared to be knowledgeable about his cases today. | | | |
| **The Attorney's courtroom advocacy skills were:**  Thomas’ advocacy skills were good. | | | |
| **How was the Attorney/client communication?**  The attorney-client communication appeared to be good with the client that appeared in court. I was unable to form an opinion regarding the client that did not appear in court today. | | | |
| **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:**  Thomas had 2 clients on today’s calendar:   1. First client: Client was arrested on new misdemeanor charges and for violating the terms of his suspended sentences in 4 separate misdemeanor cases (1 Municipal Court case and 3 Justice Court cases). The State filed a criminal complaint on the new charges (Petit Larceny and Trespassing). Thomas argued for an O.R. release, or alternatively a bail amount of $1,000 bondable. Thomas informed the court that the client has an inpatient treatment bed available for him at Step One in Reno on 3/7/2025. The State requested a high monetary bail and argued in support of the bail: the client was uncooperative with jail staff and filed to complete the risk assessment form; client has 5 prior felony convictions (3 in California and 2 in Douglas County, Nevada); client has 53 arrests since turning 18 years of age, 7 arrests in Elko within this past year, client is a chronic problem for the Elko community; in the new arrest client went to Walmart (where he is prohibited from entering) and stole over $500 in merchandise (allegedly). The Court found that the State met its burden for requiring monetary bail. The court set the bail at $1,000 bondable.   The court then proceeded to address the suspended sentences. The client admitted violating the terms of his suspended sentence.  Municipal Court Suspended Sentence: Thomas argued for reinstatement of the suspended sentence and that the client be required to attend and successfully complete the Step One residential treatment program. The City (Deputy City Attorney Hanley) argued for imposition of the suspended 90-day jail sentence. The court ordered the 90 days imposed with credit for 25 days’ time served.  Justice Court Suspended Sentences: The State argued for imposition of the suspended sentences in the 3 Justice Court cases. Thomas argued for reinstatement on the suspended sentences or, in the alternative, to impose one sentence and resuspend the other 2 sentences (as they were previously ordered to run consecutively at the time of sentencing) or, in the alternative, Thomas requested that the client be furloughed on 3/7/2025 to attend the residential treatment program at Step One. The court ordered that the suspended sentences are imposed. These sentences are to run consecutively to each other (and to the Municipal Court sentence): 90 days + 90 days + 67 days for a total of 247 days.  Both Courts: In total the client is sentenced to 337 days jail with credit for time served of 25 days.  New Case: The client entered Not Guilty pleas to the two new charges of Trespassing and Petit Larceny. A Pretrial hearing is scheduled for 3/12/2025 at 1:30 p.m.   1. Second client: Client was arrested on new offenses. Today was to be the 48-hour bail hearing. However, the client is being combative with jail staff and is refusing to attend today’s court hearing. The hearing is continued to tomorrow. | | | |