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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | May 28, 2025 | County | Elko |
| Court | Elko Justice Court – Department B | Judge | Bryan Drake |
| Defense Attorney | Andrew Fritz | Prosecutor(s) | Justin Barainca  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 | 1 | Number of Clients  Out-of-Custody | 0 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | 48-hour Hearing 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?**  Andrew did not appear to be prepared for his case today. Andrew had just recently been appointed and had not spoken with his client yet. Andrew made 3 phone calls to the jail to try and speak with his client, but each of the calls was unsuccessful. | | | |
| **How knowledgeable was the Attorney about their cases?**  I was unable to form an opinion regarding how knowledgeable Andrew was about his case today. | | | |
| **The Attorney's courtroom advocacy skills were:**  Andrew’s advocacy skills were good. | | | |
| **How was the Attorney/client communication?**  I was unable to form an opinion regarding the attorney-client communication from today’s court hearing. | | | |
| **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:**  Andrew had 1 client scheduled for today’s court session:   1. First client: **48-hour bail hearing and Arraignment**. The client was in custody and present by Zoom video from the jail. Andrew was present by Zoom video from an office.  * Andrew explained to the court that he had just recently been appointed and had not had time to speak with the client. Andrew explained that he called the jail 3 times in an effort to speak with his client but all 3 attempts were unsuccessful. * Andrew requested that Not Guilty pleas be entered on behalf of his client and a continued bail hearing/status hearing/pre-preliminary hearing be scheduled for next week. * The court arraigned the client on the 2 Criminal Complaint. The client is charged with 3 counts of Possession of a Controlled Substance, felonies, in one Criminal Complaint and 1 count of Possession of Drug Paraphernalia, a misdemeanor, in the other Criminal Complaint. * In response to the court’s asking the client if he was willing to waive his right to a preliminary hearing within 15 days, the client waived his right to a preliminary hearing within 15 days. * The court noted that the client failed to appear for his court hearing 2 weeks ago. * Andrew explained that the client also failed to appear in the District Court. So, there is probably a bench warrant and hold out of the District Court. Andrew does not represent the client on the case currently in District Court. * The court left the bail amount as previously ordered when the bench warrant was issued. * The court scheduled a Pretrial Conference and a Pre-Preliminary hearing for 6/3/2025 at 3:00 p.m. | | | |