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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | February 3, 2025 | County | Elko |
| Court | Fourth Judicial District Court Dept 3 | Judge | Mason Simons |
| Defense Attorney | Jeff Kump  Deputy Public Defender | Prosecutor(s) | Jeff Slade  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 | 1 | Number of Clients  Out-of-Custody | 1 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | Arraignment and Sentencing 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?**  Jeff appeared to be prepared for his cases today. | | | |
| **How knowledgeable was the Attorney about their cases?**  Jeff appeared to be knowledgeable about his cases today. | | | |
| **The Attorney's courtroom advocacy skills were:**  Jeff did a good job advocating for his clients during the court hearing. | | | |
| **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 / 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 (continued from reverse side):**  Jeff had two clients in court today:   1. Arraignments. The first client was arraigned in two separate cases. She was in custody and present in person. In one case she pled guilty, pursuant to a Guilty Plea Agreement, to one count of Possession of a Firearm by a Prohibited Person, a category B felony. In the other case, she pled No Contest, pursuant to a Guilty Plea   **Remarks/Recommendations/Notes Continued from Previous Page:**  Agreement, to one count of Assault with a Deadly Weapon, a category B felony. In exchange for her pleas, the State agreed not to file or pursue any other charges arising out of these events. The State further agreed to recommend that the two sentences run concurrently. This was a *Kripps* plea. Following the court canvass, the court accepted the guilty and no contest pleas and informed the parties that it intends to follow the agreement. Sentencing was scheduled for April 7, 2025, at 1:30 p.m. The court ordered the preparation of a Presentence Investigation Report. The custody status of the client was not addressed.   1. Sentencing. The second client was scheduled for Sentencing on one count of Driving Under the Influence, a category B felony.   PSI Corrections:   * State: no corrections. * Defense: no corrections. * Court: one correction changing the sentencing date on pages 1 and 5 to reflect today’s date.   State Sentencing Recommendation:  Pursuant to negotiations, the State does not oppose the defendant enter the DUI Diversion Court.  Defense Sentencing Recommendation:  For the court grant the client an opportunity to enter and participate in the DUI Diversion Court program and, if successful, have the charge reduced from a felony to a misdemeanor.  Court Order:   * The Prior Convictions to enhance this offense to a felony were previously submitted. The Defense did not object to their admission for purposes of enhancement. The court found that the prior convictions met constitutional standards and admitted them into evidence for purposes of enhancement. * Court is granting the client an opportunity at diversion through the DUI Diversion Court program. * Court warned the client that any subsequent DUI (even if she successfully completes the diversion program and has the offense reduced to a misdemeanor) will be treated as a second felony offense. * $25, $60, $3, $150, $2,000 fine, interlock device requirement, supervision by P&P with standard conditions plus special conditions related to the DUI charge and DUI Diversion Court program. * If successful, this offense will be reduced to a DUI Second offense misdemeanor. * If unsuccessful, the client will be sentenced for a DUI Third Offense felony with mandatory prison. * Bail bond exonerated. | | | |