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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | February 5, 2025 | County | Douglas |
| Court | East Fork Justice Court | Judge | Laurie Trotter |
| Defense Attorney | Matt Ence | Prosecutor(s) | William Murphy  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 3 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 0 | Number of Clients Out-of-Custody | 3 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 2 |
| Hearing Types | Status hearings, Post-Sentencing Review hearing | | |
| **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 / N/A |
| 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:**  Matt had 3 clients on calendar today:   1. Matt’s first client was set for a Post-Sentencing Review hearing regarding payment of the fine and proof of counseling. The client had made some payments toward the fine but needed additional time to pay the remaining balance. The client was also participating in counseling at Tahoe Youth and Family Services. The Review hearing was continued to 3/12/2025 at 2:00 p.m. 2. Matt’s second client was set for a Status hearing. The parties have been unable to reach a settlement. The matter is now set for a Preliminary Hearing on 3/6/2025 at 9:00 a.m.   The State requested that bail be modified to include the following additional conditions of release:   * No contact with victims * Stay away from the residence where the burglary occurred.   The court ordered the additional conditions.  [Note: it is interesting to note that the DA’s office appears to oppose every request for modification of bail at Status hearings claiming that they did not receive a written motion and the victim has not been notified that bail might be modified. But the State had no problem making motions for bail modifications with no advance notice to the defense.]   1. Matt’s third client was set for a Status hearing. The client appeared by Zoom from an inpatient treatment center. The State informed the court that it needs to reassign the case. The prosecutor previously assigned is no longer with the Douglas County DA’s Office. The new prosecutor will reassess the case for possible settlement. The case was continued to 3/5/2025 at 2:00 p.m. | | | |