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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | March 4, 2025 | County | Douglas |
| Court | Tahoe Justice Court | Judge | Michael Johnson |
| Defense Attorney | Max Stovall | Prosecutor(s) | Jim Sibley  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 4 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 0 | Number of Clients Out-of-Custody | 4 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 1 |
| Hearing Types | Status, Order to Show Cause, Post-Sentencing Review 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?**  Max appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Max 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 / 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:**  Max had 4 clients on calendar today (one of the clients Max was covering the hearing for Matt Stermitz):   1. First client: Order to Show Cause hearing. The client was previously sentenced and given a Review date for proof of completion of the terms of his sentence, including full payment of the fine. The client did not appear for that hearing and today was set for an Order to Show Cause. The client informed the court that his attorney had sent him an email reminding him of the court date that he missed. Unfortunately, the client said that he did not see that email until after he missed the court date. The court found that the client did not show good cause why he missed the last court date. The court simply admonished the client. No penalty for contempt. Regarding the completion of this sentence, the client has completed everything except that he still owes $415 of the fine. The client said that as a result of this conviction he lost his class A driver’s license and his job. The court gave the client the option of converting the fine to community service work at $12 per hour or jail time. The client said that he can pay the fine in full within 60 days. The court set a Review hearing on 5/6/2025 at 1:30 p.m. for payment of the balance of the fine. 2. Second client: Status hearing. Resolved through negotiations. The client previously pled guilty to DUI with recommendation for standard DUI-first penalties. The other counts (except No Registration) are now dismissed. The No Registration will be dismissed upon proof of registration at the next scheduled review hearing for proofs of completion of DUI school.   The client also had 2 positive tests for alcohol and a missed test. The client admits those violations. The parties agreed, that for these violations of the conditions of the client’s release, to add 5 days to the suspended jail sentence that was part of the negotiated joint sentencing recommendation. Therefore, the parties jointly recommended a sentence on the DUI of 37 days jail with 35 days of that suspended for 1 year. $900 fine to be paid today ($500 from cash bail and the balance from a credit card), DUI school, and VIP (already completed), Interlock device for 185 days, sobriety, search, seizure and testing, that the client be under the supervision of the Department of Alternative Sentencing, and violate no laws.  Sentence: the court followed the joint recommendation. Client has credit for time served totaling 18 hours. Client to complete the 30 hour balance of active jail time beginning March 14, 2025, at 5:00 p.m. at the Douglas County Jail. The court set to review hearing dates: (1) March 18, 2025, at 1:30 p.m. to confirm that the client has completed the active jail time; and (2) May 6, 2025, at 1:30 p.m. for proof of registration.   1. Third client: Post-Sentencing Review Hearing. The client still owes $1,140 in fines, fees, and assessments. The client failed to appear today. Max argued for an Order to Show Cause hearing instead of a Bench Warrant for the client’s failure to appear. The State did not oppose an OSC. The court set an OSC hearing for 4/8/2025 at 1:30 p.m. 2. Fourth client: Status hearing. Max was covering today’s hearing for Matt Stermitz. Matt Stermitz is assigned to represent this client. The client failed to appear today. Matt explained that he expected the client to be present, was surprised that he was not in court, and that the plan was to request a one-week continuance. So, maybe, the client misunderstood and thought the hearing had already been continued. The court set an Order to Show Cause hearing for next week, 3/11/2025, at 1:30 p.m. for the client to show cause why he failed to appear today. | | | |