|  |  |  |  |
| --- | --- | --- | --- |
| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | February 24, 2025 | County | Elko |
| Court | Fourth Judicial District Court Dept 1 | Judge | Kriston Hill |
| Defense Attorney | Matt Pennell  Public Defender | Prosecutor(s) | Daniel Roche  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 | 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?**  Matt appeared to be prepared for his case today. | | | |
| **How knowledgeable was the Attorney about their cases?**  Matt appeared to be knowledgeable about his case today. | | | |
| **The Attorney's courtroom advocacy skills were:**  Matt did a good job advocating for his client 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):**  Matt had one client in court today. The client was in custody and scheduled for an Arraignment. Pursuant to negotiations, the client pled No Contest to one count of Attempted Sexual Assault on a Child Under the Age of 14 Years, a category B felony. (The original charge was Sexual Assault on a Child Under the Age of 14 Years, a  **Remarks/Recommendations/Notes Continued from Previous Page:**  category A felony.)  The Guilty Plea Agreement provides that in exchange for the client’s No Contest plea to this single charge, the State will not pursue the original charge or any other charges arising out of facts now known to the State. The State also agrees not to pursue Habitual Criminal status. The parties are otherwise free to argue regarding sentencing. Probation is not possible for this offense. Lifetime registration as a sex offender is mandatory.  Following the court canvass, the court accepted the No Contest plea and set sentencing for 5/19/2025 at 1:30 p.m.  The State informed the court that a Psychosexual Evaluation is not required prior to sentencing for this offense and the State was not requesting that one be prepared.  The Defense requested that the Court order a Psychosexual Evaluation be prepared prior to Sentencing.  The Court Ordered the preparation of a Psychosexual Evaluation and the preparation of a Presentence Investigation Report. | | | |