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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 | Mary Brown | Prosecutor(s) | Jim Sibley  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 8 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 0 | Number of Clients Out-of-Custody | 8 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 2 |
| Hearing Types | Arraignments, Status Hearings, and 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?**  Mary appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Mary appeared to be knowledgeable about her 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:**  Mary had 8 clients on calendar today:   1. First client: Arraignment. The client is out-of-custody and present in person. Mary asked for the hearing to be continued for 90 days to have the blood sample tested by a defense expert. (DUI case). The State did not object. The hearing was continued to 6/30/2025 at 1:30 p.m. 2. Second Client: Status Hearing. The client is out-of-custody and present in person. This client has 2 cases.  * The State moved to dismiss this case based upon a suppression motion filed in the District Court companion case. * Resolved through negotiations. The client pled guilty to Possession of Drug Paraphernalia, a misdemeanor. Following the court canvass, the court accepted the guilty plea. The parties jointly recommended a sentence of: (1) fines, fees, and assessments totaling $640 or 24 hours of community service work; and (2) 30 days jail suspended until the client pays the $640 or files proof of completion of the community service hours or 1 year (whichever occurs first). The Court followed the joint sentencing recommendation.   A Review hearing is set for 4/15/2025 at 1:30 p.m. (the client planned to complete the community service work by that date).   1. Third client: Arraignment. The client is out-of-custody and present by Zoom video. The parties resolved the case through negotiations. The client pled guilty to two counts: (1) Poss of Drug Paraphernalia and (2) Possession of a Dangerous Drug Without a Prescription, both misdemeanors. Following the court canvass, the court accepted the guilty pleas. The parties jointly recommended a sentence of: $1,140 in fines, fees, and assessments; and, 30 days jail with all of the jail suspended for one year on conditions of sobriety, search, seizure, and testing, and obey all laws. The parties recommended an identical sentence on both counts to run concurrently. The State dismissed count 3, a felony offense. Sentence: the court followed the joint sentencing recommendation described above. The court set a monthly fine payment amount of not less than $150 per month beginning on 4/15/2025 and continuing on the 15th of each month until paid in full. The client said that she could pay this amount. The court set a review hearing for 11/4/2025 at 1:30 p.m. 2. Fourth client: Status hearing. The client is-out-of-custody and present by Zoom video. The parties resolved the case through negotiations. The client pled guilty to two counts: (1) Driving Without a Valid Driver’s License and (2) No Insurance, both misdemeanors. Following the court canvass, the court accepted the guilty pleas. The court set the sentencing out to 4/8/2025 to give the client more time to obtain “after acquired” insurance to lower the mandatory fine amount.   [Note: The client had previously waived her right to a preliminary hearing on a felony count. That case is currently pending in District Court.]   1. Fifth client: Post-Sentencing Review Hearing. The client is out-of-custody and not present. Mary explained that she has been communicating with both her client and the prosecutor. The plan was to file a stipulation with the court to continue this review hearing to July 2025. Unfortunately, the stipulation was not timely filed. Mary now makes an oral motion requesting a continuance to sometime in July. Mary pointed out that the client has paid the fine amount in full, has completed all of the court ordered community service work, but has only completed 3 of the 15 anger management classes. The client needs additional time to complete the classes. The State had no objection to a continuance to July. The court ordered that the hearing be continued to 7/8/2025 at 1:30 p.m. 2. Sixth client: Status hearing. The client is out-of-custody and present in person. Pursuant to negotiations, the client pled guilty to two misdemeanor offenses: (1) Possession of a Drug Not Lawfully Introduced Into Interstate Commerce and (2) Possession of Drug Paraphernalia. Following the court canvass, the court accepted the guilty pleas. The parties made a joint sentencing recommendation of: $305 in fines, fees, and assessments; and, 60 days jail with all of the jail time suspended for 1 year on conditions that he pay the $305 fine, maintain sobriety, be subject to search, seizure, and testing for drugs/alcohol while in Douglas County and/or Carson City, that he violate no laws. The parties recommended an identical sentence on both counts to run concurrently. Sentence: the court followed the joint sentencing recommendation described above. The court set a Review hearing for payment of the $305 fine on June 3, 2025, at 1:30 p.m.   **Remarks/Recommendations/Notes (continued from previous page):**   1. Seventh client: Post-Sentencing Review Hearing. The client is-out-of-custody and present by Zoom video. Mary submitted a document from the client regarding proof of completion of community service work. The court wanted to put the client under oath regarding the community service work and restitution. A recess was taken for Mary to speak with the client regarding the community service work and restitution. After the recess, the client was put under oath and addressed by the court. The court questioned the client regarding the letter submitted indicating that he had completed the community service work at the IQRA church. The document/letter has no signature. According to the client, the church leader was out of town when the client requested the letter. (The church leader will be back in town tomorrow.) The letter was prepared by the church leader’s son. The client said that he worked approximately 2 hours every day for the month-long Ramadan (30 days of working about 2 hours each day). In response to the Court’s question, the client said that he does this type of community service work at the Mosque every Ramadan, but not typically every day.   The court ordered the client to obtain proof of the completion of the community service work on official IQRA Church letterhead and signed by the person or persons who supervised the community service work. The signed letter is to be submitted to the court by 4/15/2025 at 1:30 p.m.  The client’s father made a restitution payment of $100 payment on behalf of the client. The client still owes a substantial amount of restitution.  Pursuant to the agreement of the parties, the court extended the period of the suspended sentence an additional year to 3/27/2026 to give the client additional time to pay the balance of the restitution.  The court set a Review hearing on 4/15/2025 at 1:30 p.m. By that date the client needs to make a payment of at least $200, based on the client’s statement today that he could pay that amount in that time framed. [Note: the client owes much more than $200 but the court did not mention the specific amount owed.] The client is ordered to be enrolled in an approved 26-week Domestic Violence Counseling program by the 4/15/2025 review hearing. [Note: the client had submitted proof today that he had enrolled in a 12-week counseling program. However, the court did not accept this program as it is not a State approved Domestic Violence Counseling Program, and it is not a minimum of 26 weeks of at least 90 minutes per session.] The client confirmed under oath that he does not own any firearms.   1. Eighth client: Status Hearing. The client is out-of-custody and present in person. Pursuant to negotiations, the client pled guilty to No Insurance but now had “after acquired insurance.” The client explained that he was driving his employer’s vehicle, but his employer would not assist him in showing proof of insurance for that vehicle. So, the client obtained operator’s insurance for himself. The client had previously pled guilty to another count on the same Criminal Complaint and had been ordered to pay fines and fees totaling $1,000. The previously negotiated joint sentencing recommendation was for a fine of $138 concurrent to the other fine. Sentence: the court followed the joint sentencing recommendation and imposed a concurrent fine of $138.   [Note: The client has already paid the $1,000 on the other count. So, the client owes no additional money and the case is now closed.] | | | |