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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | March 5, 2025 | County | Douglas |
| Court | East Fork Justice Court | Judge | Laurie Trotter |
| Defense Attorney | Max Stovall | Prosecutor(s) | William Murphy and Aaron Thomas  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 5 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 0 | Number of Clients Out-of-Custody | 5 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 1 |
| Hearing Types | Status 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?**  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 6 clients on today’s calendar:   1. First client**:** Sentencing hearing. The client was out-of-custody and present in person. The client was being sentenced on a charge of DUI Second offense, Driving Without a Required Interlock Device, and Driving While License Revoked. The court has received the Substance Use Evaluation. The parties previously made a joint sentencing recommendation. The client waives his right of allocation. The court has received and reviewed State Exhibit 1 (a certified prior conviction for DUI). The court found that the prior conviction met Constitutional standards and would be used for enhancement purposes. The court followed the joint sentencing recommendation and imposed the following sentence:   DUI – Second Offense   * $1,200 in fines, fees, and assessments; * Attendance at a Victim Impact Panel; * Completion of a DUI School; * Installation of an Interlock Device for 12 months; * Follow the treatment recommendations contained in the Substance Use Evaluation: * 180 days jail, with 150 days suspended for 2 years. Credit for time served. Serve 20 days on house arrest. * 5 days of suspended registration. * Department of Alternative Sentencing supervision with sobriety conditions. * Obey all laws.   Driving without a Required Interlock Device   * 60 days house arrest.   Driving while license Revoked   * Fines, fees, and assessments totaling $740.   All 3 sentences to run consecutively. The remaining count is dismissed.  A Review hearing is set for: 6/18/2025 at 2:00 p.m.   1. Second client: Status hearing. The client was out-of-custody and present in person. This is a DUI First Offense case involving a victim. The hearing was continued one week for the victim to be notified of his/her right to make a victim impact statement. Next hearing is 3/12/2025 at 2:00 p.m. 2. Third client: Status hearing. The client was out-of-custody and present in person. Max informed the court that the parties had reached a resolution of the case. The client will plead guilty to DUI first offense and will waive his right to a preliminary hearing on the gross misdemeanor Battery on an Officer charge. The parties will jointly recommend the following sentences:   Driving Under the Influence – First Offense   * The court’s “standard” DUI first offense penalties.   The client signed the court’s DUI Waiver of Rights Form. The client pled guilty to DUI-1st Offense. Following the court canvass, the court accepted the guilty plea. The client waived his right of allocation. The court followed the joint sentencing recommendation and sentenced the client on the DUI as follows:   * 32 days jail with credit for time served of 3 days, the balance of jail time suspended for 1 year on sobriety conditions, violate no laws, search, seizure and testing; * $900 in fines, fees, and assessments; * Completion of a DUI School; * Attendance at a Victim Impact Panel; * Install an interlock device in his vehicle for 185 days. * A Review hearing for payment of fines, completion of DUI school, VIP set for 6/6/2025 at 9:00 a.m.   Battery on an Officer   * The State will not oppose probation. The parties are free to argue regarding the conditions of probation.   The court reviewed the signed Waiver of Preliminary Hearing form with the client. Following the canvass, the court accepted the waiver and bound over the charge to the District Court. The Arraignment in District Court was scheduled for 4/8/2025 at 9:00 a.m. in Dept 1.  **Remarks/Recommendations/Notes (continued from previous page):**   1. Fourth client: Status hearing. The client was out-of-custody and present in person. The client submitted proof that he has acquired a valid driver’s license. Based on the client correcting the issue, the State dismissed the charge of No Valid Driver’s License. 2. Fifth client: Status hearing. The client was out-of-custody and present in person. Max informed the court that the parties had reached a resolution of the case. The client will plead guilty to DUI-1st offense. The remaining counts will be dismissed. The parties will jointly recommend the following sentence:  * $900 in fines, fees and assessments; * Attendance at a Victim Impact Panel; * Completion of a DUI School; * Install and Interlock Device in any vehicle he drives for 185 days; * 32 days jail with 30 of those days suspended for 1 year. Credit for time served of 15 hours. Client will serve 48 hours of community service in lieu of the additional active jail time. * Sobriety conditions, including search and seizure and testing by any peace officer. Obey all laws. * The parties are not recommending supervision by the Department of Alternative Sentencing.   The client pled guilty to DUI-1st offense. The client signed the Court’s written DUI Waiver of Rights form. Following the court canvass, the court accepted the guilty plea. The remaining counts were dismissed. The court followed the joint sentencing recommendation. A review hearing is scheduled for 6/13/2025 at 9:00 a.m. | | | |