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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | February 18, 2025 | County | Douglas |
| Court | Tahoe Justice Court | Judge | Michael Johnson |
| Defense Attorney | Matt Ence | Prosecutor(s) | Kallie Nelson  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 | 2 | Number of Clients Out-of-Custody | 3 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 3 |
| Hearing Types | 48-hour bail hearings, Post-Sentencing Review hearings, and a Status 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 / 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:**  Matt had 5 clients on calendar today:   1. Post-Sentencing Review hearing. The client is out-of-custody and appeared in person. The client has completed all requirements of his sentence except for payment of all of the fines, fees, and assessments, and providing proof of completion of the DUI School. The hearing was continued to February 25, 2025, at 1:30 p.m. for the final payment and proof of DUI School completion. 2. Post-Sentencing Review hearing. The client is out-of-custody and appeared in person. The client has completed all requirements of his sentence except completion of counseling. Client is enrolled in and participating in counseling, but it is still on going. Another Review hearing was set for March 18 25, 2025, at 1:30 p.m. 3. Status hearing. This client is out-of-custody and appeared in person. Spanish interpreter Patty Bisbee was present to assist the client. Matt represented in court that he has received a settlement offer from the State and has discussed it with his client. However, his client would like time to discuss the offer and potential resolution with his immigration attorney. Matt requested a continuance on behalf of his client. The State did not oppose the continuance. The court continued the Status hearing to March 11, 2025, at 1:30 p.m. 4. 48-Hour Bail Hearing. This client is in-custody appearing by Zoom from the jail. Matt is present in the courtroom. This client is facing a felony Embezzlement charge. Matt argued for an O.R. release. The State opposed any bail reduction. The court found that the client qualifies for an appointed attorney. The court ordered that the client be released on her own recognizance with conditions of sobriety, search and seizure, testing for alcohol and controlled substances, that she not handle other people’s money, that she violate no laws, that she waive extradition from any State in the event that she fails to appear in court here, and that she appear at all future court hearings in this matter. The client waived her right to a Preliminary Hearing within 15 days. The court scheduled a status hearing for 3/4/2025 at 1:30 p.m. 5. 48-Hour Bail Hearing. This client is in-custody appearing by Zoom from the jail. Matt is present in the courtroom. This client is facing a misdemeanor Theft charge and a Fugitive Complaint from California. The State made a settlement offer in open court. If the client pleads guilty to the misdemeanor Theft charge, the State will recommend a sentence of 30 days jail and $640 in fines, fees, and assessments, and restitution in the amount of $500. The victim has waived its right to make a Victim Impact Statement. The State will recommend that both the jail time and the fines, fees, and assessments be suspended for 1 year on conditions that the client pay the $500 in restitution, not enter any licensed liquor or gaming establishment in Douglas County, and obey all laws. Matt requested that the case be trailed to enable him to discuss the settlement offer with the client. When the case was recalled, the client accepted the settlement offer and pled guilty to misdemeanor Theft. The court followed the above sentencing recommendation. The client waived extradition to be brought to California on the Fugitive Complaint/Warrant. The Court set a Review hearing for 3/11/2025 at 1:30 p.m. to confirm that California authorities had picked up the client from the Douglas County jail on the fugitive charge. | | | |