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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | March 11, 2025 | County | Lander |
| Court | Eleventh Judicial District Court | Judge | Jim Shirley |
| Defense Attorney | Kyle Swanson  Lander County Public Defender | Prosecutor(s) | Michael MacDonald  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 4 |
| Juvenile Clients 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 | 0 |
| Hearing Types | Evidentiary Hearing, Disposition 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?**  Kyle appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Kyle 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? | | | 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 the Petition Hearing? | | | Yes / No / N/A |
| Did the Attorney appear to adequately advise clients of the Consequences of  entering an admission to the petition allegation(s) and/or accepting a plea bargain and/or going to trial, including any collateral consequences? | | | Yes / No / N/A |
| Did the Attorney present mitigating evidence and provide argument at  the Disposition Hearing? | | | Yes / No / N/A |
| Did the Attorney address the Juvenile Probation Office Report and/or  Psychosexual Evaluation/Risk Assessment appropriately? | | | Yes / No / N/A |
| Did the court require juvenile(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:**  Kyle had 4 juvenile clients on today’s court calendar:   1. First Client: Evidentiary hearing on a Petition Alleging Delinquency. The client was out of custody and present in person. The State dismissed the Petition based upon a necessary witness refusing to cooperate with the prosecution. 2. Second Client: Disposition hearing. The client is out-of-custody and present in court. There was a Spanish interpreter present to assist the client’s mother who was also present. This hearing was in reference to a Child in Need of Supervision petition based upon the habitual truancy of the child. When the child entered his admission to the allegation of Habitual Truancy at the last hearing, the child expressed confusion regarding what was expected of him in the Alternative Education Program. During the Disposition hearing the State presented the testimony of a school official. The school official is the person who runs the Alternative Education Program for the Lander County School District. The school official explained, during his testimony, exactly what is expected of the juvenile at school. The child is required to go online and complete at least (4) lessons per day. The program monitors the child’s time, lesson, pages, mouse activity, and other activity on the internet. The child only receives credit for his school work when a lesson is completed at a score of 60% or better. The client earned no credits last semester. He is doing better this semester. Currently, the client is on schedule (if he continues at his current rate) to graduate at the age of 28 years. So, to graduate on time, the child needs to significantly improve his time and performance in the program.   For Disposition:   * The Juvenile Probation Office recommended that the Court sustain the Petition alleging Child in Need of Supervision based on Habitual Truancy, that the court impose a $5 fine, order the client to perform 16 hours of community service work, and suspend the juvenile’s ability to apply for a driver’s license for 30 days. The Juvenile Probation Office further recommended that the entire sentence be suspended on the condition that the child has no further truancies during this school year. * The State concurred with the Juvenile Probation Office recommendations. * The client, Kyle, and the client’s mother concurred with the Juvenile Probation Office recommendations. * The court followed the Juvenile Probation Office recommendations.  1. Third Client: Disposition hearing. The client was out of custody and present in person. The juvenile client admitted the allegation of Battery (a misdemeanor if committed by an adult). After the canvass (rights, possible penalties, elements, factual basis, and admission made knowingly, freely and voluntarily), the court accepted the admission. A Disposition set hearing is scheduled for 4/8/2025 at 3:30 p.m. 2. Fourth Client: Disposition hearing. The client was out of custody and present in court. The Charged delinquent offense is Willfully or Maliciously Destroyed the Property of Another, the value of damage being $250 or more, but less that $5,000 (a gross misdemeanor if committed by an adult). The juvenile client admitted the allegation. After the canvass (rights, possible penalties, elements, factual basis, and admission made knowingly, freely and voluntarily), the court accepted the admission. Factual basis was that the juvenile client threw a rock and broke a window at a residence of another.   Disposition:   * JPO recommends sustaining the Petition, parents pay restitution at a rate of not less than $50 per month toward the restitution, write an apology letter to the victim. * The State concurred with the Juvenile Probation Office recommendations. * The client, Kyle, and client’s mother all concurred with the Juvenile Probation Office recommendations. * The court followed the Juvenile Probation Office recommendations. | | | |