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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | May 21, 2025 | County | Douglas |
| Court | East Fork Justice Court | Judge | Laurie Trotter |
| Defense Attorney | Max Stovall | Prosecutor(s) | William Murphy and Heidi Remick  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 6 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 0 | Number of Clients Out-of-Custody | 6 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 4 |
| Hearing Types | Arraignment, Status, Sentencing, Post Sentence 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?**  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 calendar today:   1. First client: Arraignment hearing. The client is out of custody and not present.   Max informed the court that the client is currently in custody in the Carson City jail.  The State requested a bench warrant.  The court declined to issue a bench warrant explaining that when the client bonded out of jail from Douglas County recently, he was immediately transferred to the Carson City jail. So, the client never actually got out of custody. The court continued the case to 6/25/2025 and set the hearing as an Arraignment and an Order to Show Cause.   1. Second Client: Sentencing hearing. The client is out of custody and present in person.  * This was a Sentencing hearing on a DUI-2nd Offense. The client had also pled guilty to Driving While License Suspended or Revoked. The parties were stipulating to continue the sentencing on the Driving While License Suspended or Revoked for 1 month to give the client time to obtain a valid driver’s license. If the client obtains a valid license, the State will agree to reduce the charge to No Valid Driver’s License. * Max informed the court that, pursuant to the settlement negotiations, the parties jointly recommend the following sentence for the DUI-2nd Offense:  1. Fines, fees, and assessments that total $1,200; 2. Obtain a Substance Use Evaluation and follow all treatment recommendations; 3. 180 days jail, with 170 days of that sentence suspended for 2 years on the following conditions: 4. Supervision by the Department of Alternative Sentencing (including discretion to require TAD device if deemed necessary to maintain sobriety); 5. Not possess or consume controlled substances, alcohol, or marijuana unless the client has a valid prescription from a medical provider; 6. Search, seizure, and testing for the presence of controlled substances, alcohol, and/or marijuana; 7. Not to operate a motor vehicle unless the client has a valid license, insurance, and registration.   The 10 days active jail may be converted to 20 days of house arrest.   1. Install an Interlock device in any vehicle the client owns or operates for 1 year. 2. Violate no laws. 3. Complete a DUI School. 4. Attend a Victim Impact Panel.  * The prior conviction was marked and admitted. After the court reviewed the prior conviction, it found that it is Constitutionally valid and will be used for enhancement purposes. * Sentence: the court followed the joint sentencing recommendation.   The court continued the sentencing on the other count (Driving While License Suspended or Revoked) to 6/25/2025 at 2:00 p.m.  Note: Judge Trotter stated that she will not do this again (Sentence on one count and delay the sentence on another count) but she will do it this one time provided the parties both stipulate to authorize her to do so. The court is concerned that the conviction for the DUI will prevent the client from getting a valid DL (since the intent of the parties is to reduce count 2 from Suspended/Revoked Driver’s License to No Valid Driver’s License upon the client obtaining a valid Driver’s License).  The parties stipulated to deferring entry of the JOC on the DUI-2nd until 6/25/2025 so that the DUI conviction does not interfere with the client’s ability to comply with the terms of the negotiations.   1. Third client: **Status hearing**. The client is out of custody and present in person.   Max requested a 1-month continuance. Max explained that he just received a limited portion of the discovery. The State agreed to the continuance. The court continued the Status hearing to 6/25/2025 at 2:00 p.m.  **Remarks/Recommendations/Notes (continued from the previous page):**   1. Fourth client: **Review hearing**. The client is out of custody and not present.   Today was a review hearing for the client to provide proof of the completion of the active terms of his sentence. Max informed the court that he does not know why the client is not present. Max requested an Order to Show Cause rather than a bench warrant. The State did not object to an OSC. The court set an OSC and Review hearing for 6/25/2025 at 2:00 p.m.   1. Fifth client: **Status hearing**. The client is out of custody and present in person.   Max requested a continuance to give the parties more time to try to negotiate this case.  The State agreed to the continuance.  Before ruling on the request for a continuance, Judge Trotter informed the parties that she knows the client from a prior case when Judge Trotter was a prosecutor. At the time the client was a witness for the prosecution’s case. Judge Trotter stated that she believes she can be fair and does not need to recuse herself. Judge Trotter than gave the parties the opportunity to request that she recuse herself. Both parties waived any objection to the judge continuing to hear the case.  The court then granted the continuance and set a Status hearing for 6/25/2025 at 2:00 p.m.   1. Sixth client: **Status hearing**. The client is out of custody and present in person.  * Max asked the court to set the case for a Preliminary Hearing. * Due to the court’s existing preliminary calendar, DDA Murphy’s calendar, and Max’s calendar, the earliest preliminary hearing date would be in September. * Judge Trotter said that she would contact Judge Johnson for an earlier date. * Judge Trotter set a Status hearing for 7/25/2025 at 2:00 p.m.   [Follow up: this case was transferred to the Tahoe Justice Court. The Tahoe Justice Court had a Status hearing for this case on 6/3/2025. At that hearing, Judge Johnson set this case for a preliminary hearing in the Tahoe Justice Court on 6/24/2025 at 9:00 a.m.] | | | |