



**STATE OF NEVADA
DEPARTMENT OF INDIGENT DEFENSE SERVICES**

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ONSITE VISIT REPORT

Pershing County

Visit date: October 5, 2023

I. Brief Narrative.

Marcie Ryba, Executive Director of the department traveled to Pershing County for an oversight visit to meet with (1) the Pershing County Board of County Commissioners Chair Joe Crim; (2) Erika Canchola, quarterly fiscal reporter for Pershing County; and (3) District Court Judge Jim Shirley and Kate Martin, Clerk of the Court/Court Administrator.

As an overview, the Pershing County indigent defense plan calls for a primary indigent defense provider of the Pershing County Public Defender, Steven Cochran; a first tier conflict public defender, Kyle Swanson; a second tier conflict public defender, unfilled; a third tier conflict public defender, unfilled; and a panel of attorneys from which the Counsel Administrator selects conflict counsel.

Chair Joe Crim

Historically the Department has been concerned that Pershing County may be missing financial expenses in their quarterly reporting. This is based upon the person that is responsible for reporting not having access to all of the information. For example, Kelly Weaver (Indigent Defense Coordinator) reviews billing and submits the bill to payment to Justice Court (for Justice Court bills) and District Court (for District Court bills). Further, the County Public Defender has his own budget for expenses. The Department encouraged Pershing to consider (1) developing a process for payment of indigent defense expenses that may be in one line in the budget and can be monitored by one person that is also responsible for reporting.

The Department also discussed the pending death penalty case and expected expenses for the case. The Department wants to ensure that the attorneys are provided with resources they feel are necessary.

Fiscal Reporting

DIDS has been advised that the fiscal reporting will be completed by Erika Canchola, the newly hired legal secretary in the Pershing County Public Defender's Office. Marcie

checked in with Erika and she has started the process to collect the information for reporting.

District Court

Marcie met with Judge Shirley and Kate Martin, as well. Judge Shirley was updated on recent legislative changes and the maximum contribution formula. Judge Shirley was also asked if he had any thoughts to share. There was concern expressed that some of the attorneys on the appointed list did not want to appear in person and did not sign up for the e-filing system that his judicial district requires.

The issue of billing was also discussed. Recently there was delay on a payment to appointed counsel due to a missing invoice. However, justice court pays attorney billing without such an invoice. It was discussed that a meeting should be held with the Counsel Administrator and the Courts and the County to determine the billing requirements so there is consistency in how these are processed.

The Department has sent emails requesting a meeting, but has been unable to set at this time.

II. Oversight Criteria.

1. Client Communication
 - a. There are several meeting spaces for Justice Court: the Board of County Commissioners Board Room can be used, as well as two conference rooms located in the law library of the court house.
2. First Appearances
 - a. Steve Cochran covers first appearance. He is grateful for the weekend stipend provided by AB518 because he can find coverage if he is unavailable.
3. Preparedness / Knowledge of Case
 - a. Kyle Swanson, in the one criminal matter scheduled for the day was prepared for the case.
 - b. Steven Cochran did not have court on the date of the visit, but appeared to be working on a case file prior to our discussion.
4. Investigation / Experts
 - a. Steve Cochran was not aware that he needed to track investigator time. He advised he uses one quite often, and he will start to enter the investigator time moving forward.

III. Next Steps.

1. Email Kelly Weaver and Erika Canchola to train on LegalServer and entry of time.

Pershing County

IV. Photos



Lake Township Justice Court, Pershing County, Nevada: Courtroom.



Law Library, Pershing County Courthouse with two conference rooms.

Pershing County



Conference Room 2.



Conference Room 1.