



TRAFFIC LAW NEWSLETTER Summer, 2003

"HOW TO HIRE A DUI LAWYER"



The legal profession is a competitive business. There are thousands of lawyers in the State of Georgia. Because the number of DUI arrests have increased the past few years, more lawyers now advertise their services for DUI representation. With so many lawyers out there, how do you find the best lawyer for you, and then how do you know whether the lawyer is competent to handle a DUI? These are the ways to find a lawyer listed in order of preference:

1. Referral by other lawyers, family, friends, clients
2. Internet
3. Yellow pages
4. Billboards
5. Direct Mail letters

By far the best way to find a lawyer is through a personal referral; 99% of my cases come from referrals.

By far the worst way is through the direct letter route; I am astonished at the number of lawyers who solicit business through direct mail nowadays; at last count more than 20 lawyers in metro Atlanta are using direct mail. DUIs are public record, and these attorneys are entitled to solicit business this way; I don't know about you, but I would not hire a carpet cleaner this way, much less someone who has the responsibility of defending me in a court of law, where my driver's license, liberty, and perhaps job are at stake.

Once you have contacted a lawyer, how do you know if the lawyer is competent to handle a DUI case? What are some of the questions you should ask?

"Are at least 90% of your cases DUIs?" The days of the general practice lawyer being able to effectively handle a DUI defense are gone. If the attorney's caseload is not at least 90% DUI defense, chances are he/she does not have the ability to competently defend a DUI.

"Are you a member of a professional association or group whose members are specifically involved in DUI defense?"

"Can you tell me in general terms how to win a DUI case these days, and can you tell me the latest case to come out of the Georgia appellate courts?" (This year more than 28 new DUI related cases have come down from Georgia appellate courts; the law changes on a weekly basis)

"Do you know the court personnel where my DUI is located?"

"Do you know how to administer and evaluate field sobriety tests? Do you have knowledge of GBI rules and regulations on chemical testing? Do you have the same training manuals used by the police in detecting DUIs? "If not, ask the attorney how they could effectively cross examine the officer in your case without such knowledge.

"What are the fees?" Quite honestly, most good DUI lawyers will charge at least \$1500 just to examine the facts of your case; that would NOT include actually fighting the charges.

CONCLUSION: Obviously if you were to interview with me, the answers to 1-5 would be a resounding yes, and my fees are indicative of my knowledge and experience in defending DUIs.

So, the next time you hear someone say their son or daughter received a DUI, and they are thinking about hiring the family lawyer, the corporate lawyer, or some lawyer who has sent out direct mail, PLEASE give them a copy of this article!



2003 LEGISLATION: NOT!!

These laws DID NOT pass this year:

1. A bill to make it a crime to refuse the State breath test (whatever happened to the right not to incriminate?)
2. A bill to prevent the sale of children.(huh?)
3. A bill to make it a crime to assault seeing eye dogs. (Apparently just petting the dog would have been a crime.)
4. A bill to make it a crime to smoke in car with child. (See previous newsletter, "there ought to be a law")
5. A bill to prohibit certain people from ever entering a state park
6. A bill to reform DUI laws, brought annually by MADD
7. A bill to allow for treatment instead of jail for certain drug offenses

**MY 4 SIMPLE RULES
IF YOU ARE STOPPED BY POLICE**

1. DON'T ADMIT DRINKING (OR ANYTHING ELSE)
2. DON'T DO ANYTHING ON SIDE OF ROAD
3. DO TAKE BREATH TEST IF YOU'VE REALLY HAD 2 DRINKS
4. DON'T TAKE TEST IF MORE THAN 2 DRINKS*



* Refusing to take the State test (at jail or hospital) could result in losing your license for a full year; the only way of getting the license back earlier is to win the DUI; on the other hand, if the officer does not try to suspend the license because of a refusal, the State does not have a blood alcohol level to use against you!

**MY 1 SIMPLE RULE FOR PARENTS OF
CHILDREN UNDER AGE 21**

If your child gets a traffic ticket, regardless of how minor you may think it is, **DO NOT PAY TICKET WITHOUT CALLING ME!!!**

WHAT DO I DO IF STOPPED BY THE POLICE??

For the answer, [see my page on "your legal rights"](#) and [print out a copy](#) to keep in your car!



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Practice dedicated exclusively to defense of those accused of
DUI, serious traffic offenses, and drug offenses.

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