

What to Do When You Get a DUI - The Ultimate Checklist

Six Fast Ways to Reduce or Dismiss DUI Charges

No one ever means to get pulled over for a DUI.

If you asked anyone if they could go back in time and take a taxi instead of getting behind the wheel – or not even drink in the first place – they would immediately do so.

Everyone knows drinking and driving is wrong, but the world keeps turning, and one day you will be passed this chapter in your life.

Your life is not over.

But now that you are facing DUI charges, you will need a plan of action that will get your life back on track as quickly and painlessly as possible.

The state of Nevada, like every other state, has specific laws and procedures they use to deal with a DUI driver.

Knowing them and what to do will make all the difference!

So, here's a checklist of what you need to do when you get a DUI in Nevada:

1. Forget About Whatever Story You Were Going to Tell the Judge.

Telling a long story about forgetting to eat dinner, being the designated driver, only having two drinks, etc. is the worst thing you can do when charged with a DUI.

Judges have heard it all - *and it is always the same story.*

Besides that, having a bad day or a lack of judgment is not a legal defense for a DUI. Even if the judge feels sorry for you, they cannot help you just because they are sympathetic to your case.

Which they won't be, anyway!

However, a judge is entirely within the law to hear details and facts about the traffic stop and your arrest. Remember, the arresting officer may be the only witness to your alleged crime. *Your case rests entirely on their credibility.*

Sort of like when the officer who writes you a speeding ticket doesn't show up to testify in traffic court, and *your traffic ticket gets thrown out.*

Except a DUI is a much more serious offense, so you can bet the arresting officer will be there.

2. So Get the Facts About the Arrest Straight.

Write them down as soon as possible and forget about telling your sob story. You will help yourself and your legal counsel by getting the pertinent facts of the arrest straight right away.

Here are some questions to get you started:

- *Why* did the arresting officer say they pulled you over?
- *When* was the exact time of the stop?
- *Who* else was in the car? Can they provide testimony about the arrest?
- Was a dashboard or body camera used during the arrest?
- Was your car searched? Impounded?
- Did you have your driver's license and insurance ready?
- Were you able to take a field sobriety test, or did you have to refuse?
- Were you able to take a breathalyzer, or did you have to refuse?

Extra information like why you were out so late and how much you say you had to drink becomes an explanation that will hurt your case.

3. Refocus On the Facts of the Arrest.

It will be much easier for your lawyer to point out to the judge where the arresting officer went wrong if you focus on the arrest itself. Finding mistakes by the arresting officer is how you get a DUI charge dismissed or reduced in Nevada. *But you need an attorney who knows the law!*

For example, here are where officers can make mistakes that will dismiss DUIs:

- Having no valid reason for pulling you over.
- Wrong timing when they test your blood alcohol content (BAC).
- They are not following proper procedures when they arrest you.
- Any other details about the arrest that seems improper.

4. No Detail About the Arrest is too Small!

For example, if you blow a positive on a breath test in Nevada, this allows the police to take you in to take the *official breath test* at the station. These may be the test results used in court. However, by this time, more alcohol may have been absorbed into your system, putting you even further over the legal limit.

However, this does not mean you were over the limit when they pulled you over. *Therefore, every detail of the arrest is essential.*

Knowing the time the police stopped you and when you took the test at the station are crucial details to remember. Also, if they administer an improper breath, blood, this is something your lawyer can use in court.

The procedures used to take these samples are very strict and precisely followed.

5. Reassess Your Ability to Cooperate with the Arresting Officer Due to Extenuating Circumstances.

If you consented to take a breathalyzer but didn't blow hard enough, a Nevada officer may write this down as refusing to take a breath test. If you have a medical condition that prevents you from blowing hard enough, this may not mean a refusal at all.

Make sure your lawyer is aware of this fact.

If you refuse to take a field sobriety test, this does not mean your lack of cooperation. Was it late at night when you couldn't see the road? Was it raining, or on the side of a busy highway? These are all circumstances when a reasonable person would refuse to perform these actions.

Remember, the arresting officer is trained to use your guilt against you in an arrest situation to make you *feel guilty* before you even get to court.

6. Hire an Attorney Who Understands DUIs in the State of Nevada.

If you decide to hire an attorney, any general-practice attorney can legally represent you for a DUI. *Nevertheless, the only attorney you'll want will be one who has substantial experience with DUIs.*

They can take the **facts of your arrest** and quickly assess the best way to reduce or *dismiss the charges against you altogether.*

An attorney who understands DUIs knows how to cut right through everything and present to the judge a defense that the court can recognize as valid.

The winning legal tactic of any qualified defense attorney for a DUI will be to focus on the details of your arrest. Therefore, hiring a DUI attorney is important; because they know the arrest procedure and precisely what to look for to get the charges reduced or dropped.

The smallest detail of your arrest can save you from being convicted of a DUI almost immediately, but you need a DUI lawyer who tries these cases regularly to win your case.

Whatever you do, don't assume you are guilty because you *feel* guilty! Get all the facts from an experienced Nevada DUI attorney before you plead guilty to a DUI!

We have over 20 years of combined experience practicing law. Our attorneys have all handled DUI cases and we bring our experience and expertise in DUI to your case.

Rosenblum Law Offices Can Help

Courtney Ketter is our primary DUI attorney. Courtney is a former City Prosecutor who handled thousands of DUI cases. Courtney knows the ins and outs of the DUI process and the tricks and traps prosecutors use to obtain convictions. Courtney has also received specialized DUI training. He has taken numerous CLEs in all aspects of DUI law including field sobriety testing, BACs, forensic evidence, and DUI defense.

Molly Rosenblum has been handling DUIs for over 15 years. She has handled DUIs at every level including felony DUIs and first offense DUIs.

There are many attorneys who claim to handle DUIs but they don't take cases to trial. Instead, they take your money and plead out your case.

Our biggest asset is that we are not afraid to take a case to trial. We have experienced trial attorneys and we will fight for your rights!

If you have questions about your DUI, call our office at (702) 433-2889 or fill out our online form to get more information.