

Orange County DUI Defense

Article by: Josh Riverside

California provides for defendant's right to jury, which is not available in many states. The state provides a 30-day period for trial after the arrest is made. This 30 day period is useful to prepare for the case.

DUI cases are complex to deal with. The purpose of the trial is to prove the guilt of the defendant. In DUI cases, the burden of proof rests with the prosecutor and the defendant has nothing to prove. If the proof of guilt is not established beyond doubt, the verdict is in favor of the defendant.

The process of the trial consists of many phases. After the announcement of the date is made, the first step towards trial is the selection of jury. In California, the panel consists of twelve juries. The jury selection is based on many parameters such as previous experience. The next steps are the opening statements of the prosecutor and the defendant's lawyer. Then the prosecutor presents the case followed by the testimony of the arresting officer. The important process in the DUI case is the defense when the DUI lawyer defends the DUI accused by different tactics and cross examining the arresting officer. The verdict involves unanimous agreement of all the jury members in the panel. Even if one jury is in favor of the defendant, the defendant is held free.

The complexity of DUI laws gives scope for limitless defense strategies and tactics for lawyers. The strategies are framed according to the different cases, depending upon the results of Field Sobriety Tests, blood, breath or/and urine tests, co-operation of the accused during the time of arrest, previous record of the defendant and the nature of respective state laws. Generally the defense is done on any of the following. Rising Blood Alcohol Concentration (BAC) and retrograde testing involves challenging the actual concentration of alcohol at the time of driving. The role of a non-medical arresting officer in establishing the 'driving under influence' can be questioned. Finally the defense can be in establishing the credibility of the test procedure and the machine.

Some of the tactical defenses include questioning the validity of the test results if the 'implied consent warning' part is not done by the arresting officer. Similarly there are many other tactics employed by lawyers, which come with experience and expertise. Orange County DUI Lawyers provides detailed information on Orange County Alcohol Treatment, Orange County DUI Arrests, Orange County DUI Defense, Orange County DUI Fines and more. Orange County DUI Lawyers is affiliated with Riverside DUI Defense.