

PREFACE

This book is designed to provide Florida lawyers and judges with a resource that will quickly answer most of the questions they may have about DUI cases. It is intended to be used by defense attorneys, prosecutors, and judges. It should be helpful to lawyers prosecuting or defending DUI cases regardless of their level of experience.

This edition continues to include many county and circuit court cases, but there has been somewhat of a change in approach. This book has been in print for so long that many such cases simply express the same conclusions as similar cases that are already in the material based on essentially the same facts. Consequently, some of those new opinions have not been included. Additionally, fewer new circuit court cases appear because all criminal appeals from county court now go to the district courts so that the only new circuit court opinions involve review of administrative suspensions.

The chapters are organized in a way that should make it easy for the user to quickly locate material. The chapter and section headings are very specific so that the practitioner or judge can go quickly to the area of interest. The book includes the important DUI statutes, regulations, and case law. This edition continues county and circuit court coverage. And the book goes through a comprehensive update every year.

Additionally, there are some materials that have broader application. They include the chapters on search and seizure (chapter 4), evidentiary problems involving documents and physical evidence (chapter 8), and statements (chapter 12). This material is included to save the user the time and effort of going to other sources, and to provide a starting point for most matters that may come up. These chapters are not intended to be comprehensive.

I view this as a work in progress. If it is well received, each year it will become better. Users can contribute to that process through comments, observations, and suggestions. I will gratefully receive them. Please contact me at ddemers@law.stetson.edu.

DAVID A. DEMERS