

Summary of Contents

PART I. INTRODUCING THE OFFENSE.....	1
Chapter 1. The DUI Client	1
Chapter 2. Gathering Evidence.....	45
Chapter 3. The DUI Laws and Relevant Caselaw	111
PART II. THE ADMINISTRATIVE “PER SE” CASE.....	137
Chapter 4. The Right to a Hearing	137
Chapter 5. Regulations Governing the Administrative Per Se Hearing	147
Chapter 6. Preparing for the Administrative Per Se Hearing	167
Chapter 7. Admissibility of the Form A44 and Its Attachments	175
Chapter 8. The Four Issues of Law.....	201
Chapter 9. DMV Drug and “Under the Influence” Cases	287
Chapter 10. Accident Cases and Blood Drawn by Medical Personnel	289
Chapter 11. The Decision	293
Chapter 12. Administrative Sanctions Through the DMV	297
Chapter 13. Request/Petition for reconsideration	325
Chapter 14. The Per Se Appeal Process.....	331
PART III. PRETRIAL.....	347
Chapter 15. Arraignment and Plea Bargaining	347
Chapter 16. Discovery.....	359
Chapter 17. Prior Convictions—The DUI Enhancement	383
Chapter 18. The Pretrial Impaired Driving Intervention Program.....	499

Chapter 19. Suppression of Evidence.....	555
PART IV. TRIAL.....	689
Chapter 20. Jury Selection.....	689
Chapter 21. The State’s Case: Proving the Elements.....	697
Chapter 22. Cross Examination of the Police Officer.....	711
Chapter 23. The Toxicologist and Blood Alcohol Evidence.....	727
Chapter 24. The Defense’s Case.....	743
Chapter 25. Jury Instructions.....	753
Chapter 26. Sentencing.....	765
Appendix 26A. Home Confinement Directive.....	798
Appendix 26B. Home Confinement Assessment..	800
Appendix 26C. Application for Reversal or Reduction of Suspension.....	801
Appendix 26D. Medical Form.....	802
PART V. THE APPEAL.....	807
Chapter 27. Appellate Issues—The Criminal Case.....	807
PART VI. RELATED TOPICS.....	847
Chapter 28. Operating Under Suspension—Alcohol Related & Operating Without an Ignition Interlock Device.....	847
Chapter 29. Assault 2 with a Motor Vehicle.....	857
Chapter 30. Manslaughter with a Motor Vehicle.....	861
Chapter 31. Evading Responsibility.....	877
Appendix	
Appendix A. Sample Brief of Defendant-Appellant.....	889
Table of Laws and Rules	
Table of Cases	
Index	