

How to Find a Good Lawyer for Your Operating While Intoxicated Case

Start by looking at advertising. There are several sources: television commercials, yellow pages, and online. Keep in mind that all of these things are advertisements that are intended to get your business – just like all of the other advertisements that you see for other products and services.

When looking online, there are several ways to find information about a lawyer or law firm. Most are advertisements but some are relatively unbiased opinions. The problem is that you may not be able to tell the difference. Do not just pick the first lawyer who shows up on a Google search. Instead, invest one or two hours looking at several websites.

After doing your online homework, if possible, ask around about some of the lawyers who you are considering. Ask anyone who you are willing to talk to about your case. For some people this means spouse, parents, siblings, friends, coworkers, etc. But, many people dealing with criminal charges want to keep the situation as quiet as possible, so you may not want to talk with anyone or only a small number of people who are very close to you.

Whether you talk to one person or twenty, remember that, like advertising, this kind of information should be taken with a grain salt. Perhaps the lawyer did something “magical” or “incredible” for a friend of your brother-in-law. Or perhaps a lawyer was of no help to someone. Just how accurate is that information? When did the case happen? Who was the judge? Who was the prosecutor? The point is to get as much detailed information as possible and always be skeptical about its accuracy. If something sounds too good (or too bad) to be true, it almost always is. Also, every case is different.

The information that you want to gather about a lawyer is:

1. Does the lawyer routinely defend operating while intoxicated cases? If not, you need to eliminate this lawyer as a possibility. You do not want to be represented by a lawyer who occasionally handles OWI cases. There are too many details and subtleties that even good lawyers will miss.
2. What percentage of the lawyer's practice involves defending operating while intoxicated cases? You want a lawyer who routinely handles these cases and whose practice involves a significant percentage of OWI cases, at least 25%. Some lawyers market themselves as "exclusively" handling certain types of cases. It is not necessary to find a lawyer who "exclusively" practices a certain area of law as most of us do a variety of things very well.
3. How many years of experience does the lawyer have? And, what is the lawyer's background – has the lawyer always been in private practice handling OWI cases or was the lawyer a public defender in the past or an assistant prosecutor? You want a lawyer who has at least five years of experience handling OWI cases and preferably 10 years. If the lawyer spent some time as a public defender and/or assistant prosecutor, those experiences are a bonus. Sometimes lawyers change their practice over time, so be careful that your lawyer has X years of experience actually handling OWI cases and that the lawyer did not spend most of X years doing something else and only recently change.
4. How many times has the lawyer taken OWI cases to jury trial? You need a lawyer who actually takes cases to jury trial even if your case is not going to trial. I know several lawyers who never go to trial. The prosecutors also know who those lawyers are.
5. Has the lawyer defended OWI cases in the court where your case is filed? If your case is in St. Joseph County, Indiana, then you need a lawyer who has significant experience handling drunk driving, traffic, and criminal cases in St. Joseph County, Indiana. In many areas of the

country, lawyers focus on one or two counties even though they are licensed to practice throughout the state. If the lawyer has never handled a case in the court where your case is located, the lawyer probably does not know the judge or the prosecutor. There are differences in the way courts are administered and in the way that laws are interpreted and applied. You need a lawyer who is familiar with the specifics.

Attorney Fees

Lawyer fees vary wildly. One lawyer may quote \$1,000 and another quote \$3,000 for the same case. Many lawyers require full payment in advance and others allow for payment over time. For most people price has to be a concern and most of the time, you get what you pay for. Do not retain the “cheapest” lawyer available. On the other hand, you can frequently get the highest quality of representation without paying the highest price. Unless a lawyer is too expensive for you to afford or the lawyer’s fees are way above others in the area (like several thousand dollars more), price should not be your major concern.

Consultations

Consult with at least three or four lawyers before retaining anyone. Consultation is the most important aspect of selecting a lawyer. If at all possible, meet with the lawyer in person rather than via telephone. You are going to pay this person a lot of money and trust the lawyer with a very important matter in your life. Many lawyers will give you a free fifteen to thirty minute consultation. Some of us charge a relatively small amount (maybe \$50-\$150) but it is worth the price.

You will want to speak about the lawyer’s experience and qualifications (as above) but also get a general idea of the process that you will be going through and the lawyer’s plan for handling your case. Ultimately, as long as the lawyer has the minimum qualifications explained

above, you should trust your “gut” or instinctive feeling. Retain whichever lawyer you are comfortable with – was the lawyer straight-forward, honest, and explain your case in simple terms.