

I did not defend my client's actions by bashing the President; not only would that have been phony for me, it wouldn't have worked. Under Georgia law, there is no jury nullification, and you can't justify a physical attack with a political argument.

All in all, I tried very hard to just be a good lawyer, hold my nose, and leave the politics out of it. Before the jury came back and put my client in jail, my client told me I did a good job. I was satisfied that I had not let my politics infect my obligations as a defense lawyer.

After the trial, I helped out my client's longtime girlfriend, who was downstairs in another courtroom fighting eviction. I hate seeing people get kicked out of their homes,

even if they are Republicans. As an atheist hippy, of course, I believe in Karma points.

One of my friends pointed out that by losing, I disqualified a Republican voter (convicted felons can't vote). But defense lawyers always feel badly when their clients are sent off to prison, even when they are of questionable political orientation and engage in violence.

I don't know why.

You can read more articles by David Clark on his blog DolphinKazoo.com and also on the Clarktowne.com blog.

WWW.CLARKTOWNE.COM

Volunteer Spotlight

Atlanta Union Mission

atlantamission.org

Atlanta Union Mission serves as many as 1,070 men, women and children every day of the year with emergency shelter, residential recovery and transitional housing. Clients live in a supportive, drug-free environment while working or pursuing further education as they transition to independent living.

There are 12 thrift stores throughout metro-Atlanta that can use your help.

Additional Charities...

Click "Law Links & Resources" on the DUI Information page of the clarktowne.com website for a detailed listing of charity web addresses and contact information.

Let Me Know

If you've worked with any non-profit in the area, let me know what you think of the organization and if I should continue to suggest it as a worthy place to volunteer. I'd also like suggestions of other local non-profits to add to this list.

Email: jtowne@clarktowne.com



David Clark

Do you need a referral?

Chances are we can refer you to an excellent local attorney outside our area of practice: call us at 770.338.2338 or email jtowne@clarktowne.com.

Clark & Towne Believes...

We strongly believe that education is the first step in the prevention of any type of legal crisis. We've proudly worked to resolve our clients' dilemmas since 1990. We are in your community, have the experience and resources required to work toward your goals, and we're here to help. We also accept a limited number of injury cases each year resulting from serious auto, truck or motorcycle accidents.

Pass this newsletter on to a friend or recycle



WE'RE HERE TO GUIDE YOU THROUGH ANY UNEXPECTED LEGAL CRISIS

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All About DUI Court

In Gwinnett County, anyone who has been arrested for DUI for a second, third or fourth time can volunteer to join a program called "DUI Court." In other Georgia counties, drivers facing their second or more DUI, DUI Court may be mandatory. Many people find the whole concept of DUI Court confusing and I'm often asked what it is all about.

Generally speaking, a judge may sentence a person to "participate" in DUI Court as a condition of probation. To join the DUI Court program, a driver must first enter a guilty plea to DUI and at least one other offense, such as speeding. DUI Court programs focus on rehabilitation rather than jail time.

In exchange for participation, drivers are initially given less jail time and credit for hours spent in court as community service.

DUI Court attempts to help people conquer their alcohol or other drug problem by mandating a substance abuse treatment, attendance in 12-step meetings, random alcohol and drug tests, and biweekly court appearances where a judge reviews how each person's individualized treatment plan is progressing.

If a participant fails to meet any requirements of the DUI Court program, the judge can issue immediate sanctions, such as additional community service, jail time or both. If the participant has multiple infractions, he may even

have his probation revoked. Essentially, DUI Court forces a participant to get and stay sober, or face even more penalties. The program costs about \$3,000 and takes 18-36 months to complete.

The DUI charge is never dismissed, even with successful completion of the DUI Court program. For some people, DUI Court is a life-changer. For many others, the set backs are very difficult to endure.

Now, to find out if I think DUI Court is a good idea, read my Ask Jessica article on the inside pages.



Inside this issue:

Driving Safety Tip

From Our Blog

Ask Jessica

Thank You!

Liberal Lawyer Cont.

Volunteer Spotlight

A Tea Partyer and His Liberal Lawyer

Two years ago, a judge appointed me, David Clark, to represent a man accused of aggravated assault. We don't have a public defender in our county, we have an appointment system. Experienced attorneys are assigned indigent persons and submit a bill to the county after the case is over.

Well, the trial is over and the headline should have read: "Man Gets 8 years for Attacking Obama Supporter,

Despite Efforts of His Liberal Blogger Lawyer." That's right, I had to defend this self-described "tea partyer," who destroyed the nose of an Obama supporter with a pool cue.

The jury was sympathetic to the tea party—there were maybe 13 people in the pool who said they supported it and I got almost all of them on the jury—but the photos were horrible and the force

used was found to be too excessive to be self defense.

There were some interesting moments during the trial. The victim actually turned down medical care after the incident because he was 25 and didn't have health insurance. While he was on the stand, I kept thinking: "under Obamacare, you can be on your parents policy until you're 26!"

Continued on back page.

Driving Safety Tip of the Month

Parking Lot Safety



A familiar scene

You've just turned off a traffic-congested street and into the relative calm of a parking lot. But watch out—this is actually time to be extra alert. A lot happens in a parking lot—like about 20% of all vehicle accidents! Though these collisions are rarely serious, they can be costly and aggravating. Follow these tips to minimize your chances of a parking lot fiasco.

Drive slowly

Parking lots are filled with obstacles like shopping carts and fancy planters, but often the biggest danger is other drivers.

They may cut across empty rows, drive too fast or ignore signs and pavement markings. The best way to deal with these drivers is simple: slow down. Be especially cautious when backing up. I learned the hard way that if you're backing out of your parking space slowly, and another car comes whipping up the lane and hits you, it's your fault!

Expect pedestrians

Parking lots are full of people on foot, coming from and going to their cars. Keep a wary eye out for any pedestrians who may cross your vehicle's

path especially from behind. Remember that people lugging sacks of groceries or other purchases often have hard-to-see children in tow.

Park in the back

Door dings and scratches are aggravating and hard to avoid. No matter how conscientious you are when parking, you can fall victim to someone else's carelessness. About the only way to reduce the risk of door damage is to park far away from other vehicles. Just please don't be the guy who parks his truck across three spaces to protect his ride!

Who Knows About My Arrest?

from Our Blog



Illustration by Mike Reed

When you are arrested, people will know.

In the case of an arrest for DUI in metro-Atlanta, the Department of Driver Services and the local law enforcement agency who arrested you know, of course.

But so do many of your friends and neighbors with internet access. The public can access police scanner sites and hear about an arrest as it happens. The public can also search a sheriff's docket for arrests that occurred during the past 31 days. Some people, like attorneys, have extra clearance to get this kind of information from the sheriff (that is why you are

flooded with "Hire me! NOW!" mailings from every attorney within a 100 mile radius of where your arrest occurred).

Credit agencies may have access to arrest information, as does the FBI, military, and homeland security. In fact, these last three agencies will always be able to see everything on your record—even items that are later expunged.

Who doesn't know? Well, your insurance company, for one. A simple arrest is not something you are obligated to tell your insurance company about—unless you have an unusual policy. Remember

to alert your insurance company if you've been in a wreck; that's a different story.

The bottom line is that it is incredibly easy to find arrest information online. If you are truly worried about your reputation you may want to contact Reputation Defender and see if they can help you "erase" your online tracks and manage your internet image. (Just so you don't feel alone, read our blog about the former Gainesville, Florida MADD President who got a DUI [.244/.239] on February 18. We are not judging anyone.)

Ask Jessica

Attending DUI Court

Question: I've been charged with a second DUI and for leaving the scene of an accident. I was thinking about just pleading guilty to the charges without spending money on an attorney. I heard the county has a DUI Court. Will my charge be dismissed?

Answer: When I have a client who I know a judge would see as an excellent candidate for DUI Court I still do my best to keep him out of there.

Why? Because DUI Court is an extremely intense program where if you fail, you face jail. In this example, due to a prior DUI conviction, this person faces a 5-year license revocation by pleading

guilty to both charges. DUI Court will not dismiss charges in exchange for completing the program.

In my opinion, overcoming addiction is difficult enough without the pressure of jail thrown in as well. In the past, in limited circumstances, I have shepherded some clients into my own "DUI Court." I require them to meet with an experienced counselor who helps them complete an appropriate substance abuse program. They may attend AA meetings. They find a community service organization where they feel good about helping out. I have my clients do this long before their first court date so I can show the judge they are serious about staying

sober. Part of the recovery process involves lapses in sobriety, and before court, my "sanction" is, at worst, withdrawing from representation, and in most cases, extra assistance getting back on track.

In many cases, when my clients follow my advice, a prosecutor will agree to dismiss the non-DUI serious driving charge so that my client suffers a shorter license suspension. When we appear in court, I can show the judge that my client has maintained sobriety, has a plan for his or her future and knows where to turn for continuing support that doesn't involve taxpayer expense.



DUI Court is an extremely intense program where if you fail, you face jail.

Find Us Online

We're on the big three social networking sites. Check us out on:

Twitter: twitter.com/jessicatowne

Facebook: companies.to/clarktowne/

LinkedIn: www.linkedin.com/in/clarktowne.

You Tube: www.youtube.com/user/ClarkTowneAttorneys

Come join a group of clients who learn about the latest Georgia legal news.



Thank You!

My Staff and I welcome the new clients who've joined the Clark & Towne family this past month, and we send our personal thanks to all those who referred

friends and family and went out of their way to send notes of appreciation. This past month, two clients requested that I cover DUI Court.

Please continue to read the clarktowne.com blog, and ask more questions.