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**W**e 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.

### 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](mailto:jtowne@clarktowne.com).

*This publication contains general information only. It is not intended to be legal advice. Every case is unique.*

## VOLUNTEER SPOTLIGHT: GWINNETT COUNTY

The Department of Community Services provides high quality recreational, educational, electoral, health, and other human services in partnership with the Gwinnett Community.

For court-ordered community service, please e-mail Volunteer Resources for Gwinnett County Parks & Recreation at [volunteerinparks@gwinnettcounty.com](mailto:volunteerinparks@gwinnettcounty.com) or call 770.418.2331.

[www.gwinnettcounty.com](http://www.gwinnettcounty.com)



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## The Bill of Rights



### INSIDE THIS ISSUE

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On July 4th we celebrated the anniversary of our country's Declaration of Independence from British rule. The colonists had actually been at war against the British for a year before publishing the Declaration.

After the end of the war, our founding fathers gathered to adopt of the Constitution of the United States. Those who opposed the document, worried that the Constitution as drafted would open the way to tyranny by the central government. The opponents demanded a "bill of rights" to spell out protections for individual citizens from the government.

Several state conventions in their formal ratification of the Constitution asked for amendments; others ratified the Constitution with the understanding that the amendments would be offered. The whole approval process (ratification) took place over two and a half years.

The first ten amendments to the constitution, known as the Bill of Rights, were not adopted until December 1791, nearly two years after the adoption of the Constitution.

This July, while celebrating the birth of our nation, I like to review the Bill of Rights with anyone who will listen.

“How often we fail to realize our good fortune in living in a country where happiness is more than a lack of tragedy.”  
~Paul Sweeney

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## Avvo Honors Jessica's Legal Guide

This May, Jessica's Legal Guide "How to Hire a Criminal Defense Attorney When Money Is An Issue" was selected as a Staff Pick by Avvo.com!

Avvo.com is a free website that rates and profiles over 90% of licensed attorneys in the U.S., including client reviews, lawyer disciplinary histories, and peer endorsements. Avvo has a collection of lawyer-submitted legal guides and a very busy question and answer

### Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

### Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

### Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

### Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. *Continued on next page.*

section where people ask lawyers legal questions. You can find the answers to DUI questions that Jessica has already answered, read reviews from her clients or add your own, and read her eight legal guides by going to [avvo.com](http://avvo.com) and searching for her name. If you haven't already submitted a review of your experience as one of Jessica's clients, please contact her at [jtowne@clarktowne.com](mailto:jtowne@clarktowne.com) and she'll send you the easy link to follow.

# From Our Blog What to look for in a DUI defense attorney

Most attorneys do not practice criminal law; you need a specialist to defend your rights. When you're looking for a DUI defense attorney, you should evaluate the initial interview carefully. You do not want an attorney who necessarily handles all kinds of criminal defense; DUI cases are uniquely difficult to handle, even by attorneys who handle murder and robbery cases. Make sure you ask how many of the attorneys current cases are DUIs.

You should feel comfortable with the attorney and confident in his or her ability in your case.

Ask questions, and make sure they're answered to your satisfaction.

Some firms use paralegals or secretaries to interview clients. Be sure you meet with a competent DUI defense attorney.

Read more at clarktowne.com.

DUI charges hanging over your head?



## The Bill of Rights *Continued from page 1*

### Amendment V

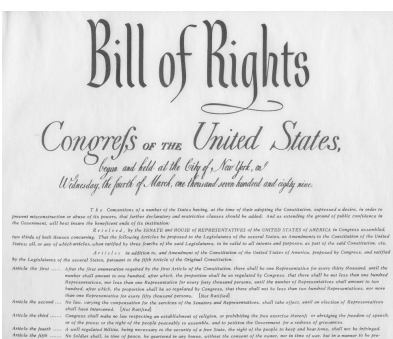
No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

### Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

### Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.



### Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

### Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

### Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

“NOW YOU’LL ALWAYS KNOW WHERE YOU STAND WITH THE LAW.”

## Ask Jessica How can I determine my own BAC?



**Question:** How do I know that I've had more than the legal limit to be able to drive? Is there something I can buy that can tell me this?

**Answer:** You probably can't know if and when you're over the legal limit. It is not illegal to drive after drinking alcohol. In Georgia, it's illegal to drive when your blood alcohol content (BAC) is over 0.08 grams, OR if you're incapable of driving safely due to alcohol consumed before driving (whew!). The MADD folks want you to make a bright-line choice: if you're going to be driving, don't drink anything at all that has alcohol in it, OR if you know you're going to drink, do not drive for 24 hours. If you're a social drinker, that choice may be unrealistic.

There are "products" out there you can buy to help you gauge your BAC, but they may give you a false sense of security. You can use the alcohol chart on my website to see what someone of your body weight can safely drink and be under the legal limit. But BAC calculations rarely take into account other factors: your

metabolism rate, whether you've eaten recently and what you've eaten, what medications you take on a regular basis and what you took that day, and stress situations.

It is equally illegal to drive (1) if you're taking prescription medication that affects your driving ability, (2) if you're under the influence of toxic vapors (glue sniffers, no driving!), (3) if the combination of alcohol and drugs impairs you or (4) if you've taken any illegal drug, other than marijuana, whether or not you're "high."

DUI is a subjective "crime." No one thinks that drugged or drunk driving is a joke; driving under the influence is much different than drunk driving, and that's why you probably can't ever tell if you're over the legal limit before you start driving home.

The best way to avoid a DUI is to not drive unless you know how the alcohol is affecting you at that moment in time, and you're very certain of how much you've had to drink over a certain length of time. If you've lost track of either, let someone have your keys.

“THERE ARE ‘PRODUCTS’ OUT THERE YOU CAN BUY TO HELP YOU GAUGE YOUR BAC, BUT THEY MAY GIVE YOU A FALSE SENSE OF SECURITY.”

NEVER DRINK AND DRIVE	ALCOHOL IMPAIRMENT CHART										ONLY SAFE DRIVING LIMIT
	APPROXIMATE BLOOD ALCOHOL PERCENTAGE										
	Drinks	Body Weight in Pounds									
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	
1	.05	.05	.04	.03	.03	.03	.02	.02	.02	.02	Legally Intoxicated - Criminal Penalties
2	.10	.09	.08	.07	.06	.05	.05	.04	.04	.04	
3	.15	.14	.11	.10	.09	.08	.07	.06	.06	.06	
4	.20	.18	.15	.13	.11	.10	.09	.08	.08	.08	
5	.25	.23	.19	.16	.14	.13	.11	.10	.09	.09	
6	.30	.27	.23	.19	.17	.15	.14	.12	.11	.11	
7	.35	.32	.27	.23	.20	.18	.16	.14	.13	.13	
8	.40	.36	.30	.26	.23	.20	.18	.17	.15	.15	
9	.45	.41	.34	.29	.26	.23	.20	.19	.17	.17	
10	.51	.45	.38	.32	.28	.25	.23	.21	.19	.19	

Your body can get rid of one drink per hour.  
Each 1 1/2 oz. of 80 proof liquor, 12 oz. of beer or 5 oz. of table wine = 1 drink.

## Thank You, Jessica

“Jessica, you have been a calming influence for the past year while my case has been pending. Thank you for a great resolution, and for reassuring me each time I called you. I knew I chose the right person when we first met!”

— DW

## 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. Thanks also to all of you who took the time to request topics they would like to see addressed in this newsletter and on the clarktowne.com blog. Thank you and please, feel free to call the Office if we can be of help.