

# Law Offices of Nicholas George – Walla Walla, WA

## Hiring a Lawyer Really is Cheaper When Charged With a DUI

A good attorney can be expensive, but a DUI on your record is much more expensive. We did the math to find out whether or not hiring a good DUI lawyer is a good investment. Guess what? It is.

Driving under the influence is a terrible predicament that many Americans face every year. The FBI estimates that over a million Americans were arrested for driving under the influence in 2014.

An arrest for DUI represents a considerable emotional and financial burden. It also brings potential jail time, suspension of your driving privilege and a stigmatizing conviction. A drunk driving charge can severely impact your life in several ways for years to come.

It's not just the thousands of dollars in court fees and fines imposed; getting a DUI makes you a high-risk driver in the eyes of your insurer. A high-risk driver pays higher premiums or can even have his or her policy canceled. Your insurance rates are very likely to increase for a minimum of three years in the wake of a DUI conviction. Paying these higher rates will add up substantially over time.

If you get a DUI, you should spend the money to hire a DUI lawyer. If your attorney can your first-time DUI charges reduced or dropped, **you can save as much as \$4,000 on car insurance alone.**

### How Does a DUI Conviction Affect My Car Insurance?

Insurance companies base your rates on your driving record and other factors. Having a car accident or traffic violation increases the risk of insuring you. Why? Because you have demonstrated to your insurer that you make mistakes while driving.

When you are convicted of DUI, you demonstrate poor judgment to insurers. This makes you more likely to cost your insurance company money down the road in the form of additional incidents. Insurers cover their bases and profit margin: The result is higher rates for you. Your insurance carrier might even deem you too much of a liability and end your coverage altogether.

Only a few companies will insure a driver with a major criminal traffic conviction, whether it is DUI or Reckless Driving. By getting one of these convictions, you will likely have to shop for new insurance options which are costlier and more restrictive.

It's difficult to predict exactly what kind of financial strain a DUI will have on your insurance for several reasons. First, DUI laws vary greatly from state to state and each case is different. Two, every insurance company has its own algorithms to determine its rates depending on a multitude of factors such as driver age, location, car model, and driving history.

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## Our DUI Insurance Cost Hypothetical

To get a firm understanding of how much a DUI actually impacts your car insurance rates, we created a hypothetical driver profile. We compared quotes from top insurance companies in locations across the country for male and female versions of our driver.

### Our Driver Profile:

- 30 years old
- Primary use for vehicle is for commutes
- Average annual mileage is 12,000 miles
- Vehicle is owned and fully paid for
- Occupation is marketing representative with a bachelor's degree
- Currently insured for 10 years
- Insurance coverage levels:
  - State minimum liability required
  - Minimum Uninsured Motorist coverage
  - \$500 comprehensive deductible
  - \$500 collision deductible

We got three different quotes per company for female and male drivers in each location: one with a clean driving record, one with a negligent driving conviction, and one with a DUI conviction. All other factors remained the same except for the driver's gender and their driving record.

Here are the results of our study:

**Drivers with DUIs can expect to pay an average of \$830 more per year for car insurance** than drives with clean records. Your rates will be higher for a minimum of three years, meaning that you'll spend \$2500 more on insurance during that time than drivers with clean records.

These numbers also reveal the potential benefit of successfully negotiating a negligent driving charge in lieu of a DUI. Drivers with **negligent driving incidents on their records will spend \$1460 less on insurance over a three-year period than drivers with a DUI conviction.**

If you have other violations on you record, like speeding tickets or accidents, then you can expect the DUI to exponentially raise your insurance. Multiple stains on you record also puts you at a greater risk of having you coverage canceled. that's why it's important to do everything in your power to lessen of a DUI conviction.

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The insurance savings over a multi-year period will be in the thousands and more than pay the costs of legal services.

There are considerable long-term insurance savings for drivers who can get their DUI conviction dropped or reduced to a negligent driving charge, but it's not only higher premiums that should worry you.

## The Cost of DUI Conviction Beyond Insurance

Numbers vary depending on your state's laws and specifics of your DUI. These averages will give you a good idea of what kind of expenses you will face beyond rising insurance premiums when you are convicted of your first DUI:

- Court-ordered fines: This varies greatly from state to state. A first-time DUI conviction will cost between \$300 to \$2,000.
- Traffic School and Alcohol or Drug Treatment Programs: Your sentencing will likely require these, and you will have to pay for them. These range from \$150 to \$3,000 or more.
- DOL fees: A DUI results in a suspended license. To contest the suspension, you need to have an attorney argue for you in a telephonic hearing. In Washington, for example, these hearings cost \$375. There's also a license reinstatement fee of \$150.
- Towing and Impound: When you are arrested for a DUI, your car is towed and stored. You will be responsible for these costs. Tows start at about \$150, and daily storage fees will cost \$50 a day or more. Prices vary depending on the local laws or ordinances.
- Bail: Bail for a gross misdemeanor DUI conviction will cost between \$150 to \$10,000. Your bail amount will vary depending on your criminal history and the details of your DUI.
- Lost wages, time, and opportunities: Attending court dates and treatment programs is a lengthy and demanding process. Your work schedule will likely be compromised. Depending on your job, your employer could let you go due to your DUI burden and future employers will be wary of hiring someone with a black mark on his or her record. Basically **a drunk driving arrest led to an average of \$,400 in lost wages.**

If you are facing a second DUI conviction, be aware that these numbers are likely to rise exponentially. Prosecutors and judges are considerably harsher on repeat offenders.

One additional expenditure that is easy to overlook is an SR-22 requirement. Drivers with DUIs may need to get an SR-22 which is a liability document that Washington's DOL requires for high-risk policies. An SR-22 is a document that the insurance company has to send to the DOL that states that you have insurance in force, and it will notify the State if you let that insurance lapse. SR-22s are not cheap and they often carry a stigma that leads to higher rates. It's a badge of shame given to drivers who have broken the law behind the wheel. It basically ties your insurance to your license. The charge for this can be anywhere between \$40 to \$200 per year. Also, it's required for three to five years.

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Whatever you do, do not ignore your SR-22: Make sure to get the SR-22 if it is required, and keep it in force for the entire period. Even a one-day lapse in insurance will cause your driver's license to be suspended.

## The Cost of a DUI Lawyer

It's not easy determining how much a lawyer will cost you. Some attorneys simply charge by the hour. Some charge flat fees that cover different stages of the representation. The price of a lawyer depends on several factors:

- Lawyers from larger firms generally charge higher fees
- The details of your case will determine how much legal legwork is necessary
- Fees can vary whether you strike a favorable plea deal, get your case dismissed, or go to trial

There's no precise science for estimating how much a DUI lawyer costs. Fees vary so much between attorneys and between different markets in America that it is impossible to say what an attorney will cost on average for a DUI. For example, a lawyer may charge a \$3,500 flat fee for a first-time DUI. This does not include the cost of a trial. Other lawyers charge hourly rates ranging from \$200 to \$500.

Most DUI cases don't require a trial for a good resolution. A good rule of thumb is to expect attorney fees for a jury trial to cost at least as much as a non-trial resolution.

It's clear that hiring a highly competent lawyer doesn't come cheaply, but it's worth the cost. Since the costs of a DUI conviction are staggering, the cost of good legal counsel should be viewed as an investment working to protect the client's future. A charged person must not be penny wise and pound foolish.

DUI law and the court systems are extremely complex. A top DUI lawyer will have more than just a comprehensive understanding of how the law works. He or she will also be able to bargain with the prosecutor to lower your charges. But, first and foremost, you need someone who can examine your case, gather all the facts, and develop practical strategies for your benefit.

A person charged with a DUI needs a lawyer specifically trained in defending DUIs to get the police reports, video recordings, audio recordings and all of the maintenance, calibration, and testing logs for the breath test machine, or any underlying data on blood or urine tests. A lawyer has to know what to ask for, know how to get it, and then know what to do with it. A non-lawyer almost never has this knowledge.

Established DUI lawyers have relationships with prosecutors and familiarity with the courts. This is a vital background for reaching a good outcome in your case. I will work with the Prosecutors Office to acquire a plea bargain that will minimize the negative consequences to you as a client.

If you don't hire a lawyer, you can either defend yourself or use a court-appointed public defender. Defending yourself is not recommended due to the complex nature of DUI law. The likelihood of getting DUI charges dropped or reduced without an attorney is extremely low. If your

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case goes to trial, you must be ready. A defendant will be held to the same standard as the prosecutor in terms of the admission of evidence, the selection of a jury, and the questioning of witnesses.

While using a court-appointed attorney isn't a bad option, you are less likely to get the results you desire or deserve. Public defenders are usually good lawyers, but they are overworked and underfunded and not likely to be able to go to the same lengths to defend a DUI charge.

Remember, DUI lawyers aren't magicians who can make your legal troubles disappear. However, hiring an attorney who focuses on DUI law means you have made every effort in your power to get the best result from your case.

## Final Verdict

You may be tempted to go with the cheapest lawyer to save money. After all, a DUI charge will put you in a difficult financial position, and attorney fees represent yet another expense. However, good attorneys are worth the financial outlay:

- A dropped DUI charge saves you \$3,400 or more in insurance costs
- Reducing a DUI charge to reckless or negligent driving saves you \$1,900, on average, in auto insurance costs.
- Court fees, fines, and probation requirements for DUI average \$2,600 or more. For negligent or reckless driving charges, that number drops to \$1,600.

The effects on your finances and your nerves are the crucial reasons to hire a DUI lawyer. A DUI can lead to jail time and lost driving privileges. It can diminish current and future job prospects, as well as cause extreme stress.

Perhaps you will never find yourself in this kind of predicament being charged with a DUI. However, if you are and you want to thoroughly navigate the complexities of the law, then hire a DUI lawyer to make sure that no stone is left unturned to fight the DUI effectively.

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## Frequently Asked Questions

### **Q: How does a plea deal/bargain work?**

A: When a defendant faces charges, the prosecutor and defendant can often make an agreement to avoid a jury trial. Plea bargains are achieved when the prosecutor isn't too confident that the state can get a conviction. In order to avoid a jury trial, prosecutors may offer a deal in which the defendant will plead guilty to a lesser charge.

### **Q: Should I represent myself?**

A: The odds of getting your charges reduced are higher if you are well represented. You are also considerably less likely to see any jail time. Of course, it depends on the specifics of your case, but judges are generally more lenient to first-timer DUI drivers.

However, don't expect leniency simply because you have never been in trouble with the law. Your punishment is ultimately determined by the judge. A DUI lawyer is well versed in the ways to present cases to the judge who may grant that leniency.

### **Q: How long will adversely affect my insurance?**

A: Expect at least three years. It could even be longer. If you have past incidents on your driving record, they can add up and lead to much higher rates. A DUI remains on your criminal traffic record permanently in Washington State. It cannot be expunged.

### **Q: What if I get a second DUI?**

A: If you're facing your second DUI charge, the odds against you are stacked even higher. Most lawyers charge significantly more to defend a second DUI case, and your insurance will rise exponentially. The sentencing is also considerably harsher with mandatory jail time and tedious probation requirements.

Getting a positive outcome from a first DUI charge is difficult, yet, a second DUI tells the courts that you are a repeat offender and that your first DUI wasn't an out-of-character incident.

### **Q: Do I need a lawyer who focuses on DUIs?**

A: Yes.

Maybe you drive a German car. When your car has problems, you take it to a mechanic who specializes in German cars. Likely, a skilled mechanic who normally works on Japanese cars might be able to fix your car. However, he may overlook key components and make mistakes.

This is why you need a lawyer who focuses on DUI cases. He or she knows the ins and outs of DUI law in Washington and has intimate knowledge of the courts. A practitioner in DUI law may have relationships with prosecutors and judges, giving him or her a greater ability to reach a beneficial deal for your case.

### **Q: What is an SR-22? Does it impact my insurance premium?**

A: An SR-22 is an official form that your insurer will provide to your state's DOL stating that you meet the minimum liability requirements for insurance. This form is often required by the DOL to reinstate a suspended license, and it will likely include a higher insurance rate.

A DUI conviction can require a high-risk SR-22 policy for at least three years. It can easily cost \$100-\$150 a month or more in addition to your existing auto insurance which will likely also increase significantly.

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## **Q: Do I need to file an SR-22?**

A: Washington will require an SR-22 to prove that you have heightened liability insurance. SR-22s are required by the state and a court order. If the state requires an SR-22, you will receive a notice in the mail. You will be notified of a court-ordered SR-22 during your final court hearing.

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## **DISCLAIMER**

All of the prior advice is for general information purposes only. The information presented should not be construed as legal certainty, is not to be acted on as such, may not be current and is subject to change without notice.