

Questions to ask when interviewing a DUI lawyer

There are literally hundreds and hundreds of Attorneys out there advertising themselves as a DUI Attorney or DUI Lawyer. And like all professions there are good ones and there are bad ones. When you interview them you need to weed out the good ones from the bad ones. So I have compiled a list of 5 questions to take with you when interviewing a DUI Lawyer:

1. Do you practice exclusively in DUI Defense? This is important because there are a lot of attorneys that do advertise as Seattle DUI Attorneys. However there are very few that exclusive practice DUI Defense. DUI practice is very specialized and in order for you to have the best chance of beating this type of charge you need an Attorney that exclusively limits their practice to DUI Defense. You need someone who knows the prosecutors and Judges, and understands the ins and outs of this particular area of law. *Leyba Defense PLLC exclusively practices DUI Defense. I would say about 95% of our cases are DUIs*

2. How much experience do you have? This question is pretty similar to the one above. When I mean experience I don't mean how many years have you been practicing law (although that is important). I mean how many DUI cases have you defended. This is important because you need a Seattle DUI Attorney that knows what it takes to defend a case and has the experience to rely on. Anybody go start their own law firm after law school. In fact I've met a lot of attorneys who have done that. However in a DUI case there are many different types of situations that can unexpectedly arise. Having a DUI Attorney that has been there and done that, will greatly enhance your chances of beating it. I would say a DUI Attorney that has defended over a thousand DUI cases would have this type of experience. *Most of the cases I have defended as an Attorney have been DUI's. I first began work at the Spokane County Public Defenders Office. There I worked for two years in their DUI court. Meaning all of the cases I had where DUI's. The next four years I worked at one of the largest criminal defense firms in the State. There probably 75% of my cases were DUI's. In 2010 I opened Leyba Defense PLLC, my own law firm which focuses exclusively on DUI Defense. In my career I have probably defended a couple thousand individuals accused of DUI.*

3. How many cases have you taken to trial recently, what were the results? As I stated before there are literally hundreds and hundreds of attorneys advertising themselves as a DUI Attorney. However very few actually go to trial and have the experience needed to get you a not guilty verdict. Going to trial is hard work. It's really hard. Ask any trial attorney. And when a client is facing jail if you lose, there is a lot of pressure knowing that. The reason I think its important to find a DUI Attorney that shows they go to trial is very simple. In Washington State any time a person is charged with a DUI they face a mandatory jail sentence and fine. And lots of times the Prosecutor is not willing to negotiate and wants the mandatory jail and fine. Well my firm's philosophy on defending DUI cases is very simple. If you believe you're not guilty, or if the Prosecutor wants you to plead guilty then I say set the case for trial. Because in DUI cases if a person is found guilty at trial, then most times they will receive the exact same sentence that the Prosecutor wanted them to plead guilty to in the first place. So my question to other DUI Attorneys, who don't have this same philosophy, is why not. I'll tell you why it's because they are either scared, or they don't want to work hard. Either way that is not the type of Attorney you want on your side.*Of the last 100 DUI's I have defended probably 50 have been set for trial and 25 have been taken to verdict.*

4. What are your fees? As you know by now there are hundreds and hundreds of Seattle DUI Attorneys. And they all have different fees, and retainers. Ask what they are and like all things you get what you pay for. If you're going to hire the least expensive person you can find, then most likely that person will do the least amount of work on your case. But at the same time I don't think you need to hire the most expensive person either.*My fees vary depending on the facts of the case, a person's criminal history, and the number of witnesses involved. However I believe I fees are very competitive with other firms out there and they are always completely set out in the fee agreement. I will never try and nickel and dime you for more money.*

5. How many DUI cases do you have right now? In this business there are attorney's known as "turn em and burn em" type of attorneys. These are the DUI Attorneys that have lots and lots of clients. And they only have one goal to get you to plead guilty as soon as possible so they can

move on to the next person. Typically this is the attorney that charges the least amount you will find. Or the DUI Attorney that will say "even though you don't have any criminal history, and this DUI case does not have egregious facts, you could get a substantial amount of jail if you lose at trial you should just plead guilty." I have no respect for these types of attorneys, and in my experience I would say about there are quite a few Seattle DUI Attorneys I see do this.***Part of the reason I left my last job was because of the high caseload I had. It was very difficult for me to give everything I had for every client. At Leyba Defense PLLC I keep my caseload small. By limiting the number of clients I take, I can devote more time to each case and each client.***

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