



DWI CLIENT HANDBOOK

Deandra M. Grant, JD, GC, MS
ACS-CHAL Forensic Lawyer-Scientist
Managing Partner

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Partner

Offices Conveniently Located in
Dallas | Denton | Allen | Fort Worth | Austin

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The information in this book is designed to assist clients of Deandra Grant Law. This book is for general information purposes only. It is not legal advice.

No lawyer (including the authors of this book) can ever make you any promises or guarantees about how your case will turn out.

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WELCOME!

On behalf of Deandra Grant Law, I want to welcome you as our client. We shall do our professional utmost to bring about the most favorable results for you.

This handbook is designed to help you become familiar with the way in which your case will proceed, while your client folder will provide you with forms and other general information you may need along the way. If you have any questions, feel free to call and speak with my legal assistant, Cheryl, or email me directly at texasdwigal@gmail.com.

Our practice is devoted to defending people just like you who have been charged with intoxication-related offenses, and we would like to extend to you our expertise and the services of our team. Perhaps the most important service we can provide to you is to ensure that your legal rights are properly protected and that you are not wrongfully convicted of any offense, particularly a serious offense.

Again, I welcome you as our client and look forward to working with you.

Deandra M. Grant

MEET THE LEGAL TEAM

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Dillon manages all of our IT and case discovery. He is based in our Dallas office.

REMINDERS TO NEW CLIENTS

1. If you posted a bond using a bail bondsman, you must **CHECK IN** with your bondsman **EVERY WEEK**.
2. You must have a deep lung device installed **on any vehicle you drive** if a court has **ORDERED** you to do so. That means **you cannot drive a car that does not have a deep lung device installed**.
3. **DO NOT DRINK ALCOHOL** while on bond for DWI. If you have bond conditions that require monitoring, they may require urine tests to check for alcohol consumption.
4. Make sure the address on your driver's license is correct. If you have moved, you will need to change your address with the Department of Public Safety (DPS) as soon as possible. Failure to do so could mean you won't receive important notices and documents from the DPS.
5. **Do not drive** a car if your driver's license is under suspension.

CHAPTER 4

6. Your ALR hearing cannot be requested until/ unless you receive a Notice of Suspension from the DPS. You must verify that your mailing address on your driver's license is current and **YOU MUST NOTIFY OUR OFFICE IMMEDIATELY** if you receive a letter from DPS. Failure to do so will mean that you forfeit the opportunity for an ALR hearing and your license will be suspended.
7. Do not give out any information or discuss your case with anyone unless it is a representative of our office.
8. Notify our office when you are leaving town.
9. Please provide any documents requested by our office in a timely manner.
10. You **MUST** make payments on time if you are on a payment plan.
11. Notify us immediately if you:
 - a. Change your address or phone number
 - b. Are arrested for a new offense
 - c. Receive a letter from the Court or DPS
 - d. Blow a positive for alcohol into your deep lung device
12. Any criminal conviction may have **immigration consequences** for non-US citizens. Immigration law is a specialized field. We are not immigration attorneys. We encourage all clients who are not US citizens to consult with an immigration specialist.
13. If you opt for a trial, your case may be delayed for many months, or even years, depending on the court's docket.

14. Case Expenses: Potential expenses that may accrue in your case:

- a. ALR subpoena fees
- b. Occupational license filing fees
- c. Fees charged by the lab for blood test discovery
- d. Fees charged for breath test discovery

The amount of fees charged varies by county. We typically pay the costs of such fees and then bill your account.

In the event you opt to hire an expert witness, the entire cost must be paid upfront. Expert witness fees are deposited into a trust account and then paid directly to the expert. **Expert witness fees paid by credit card will incur a 5% surcharge.**

OFFICE POLICIES AND PROCEDURES

CHAPTER 5

Our office is paperless. Your file is maintained in our MyCase program. We send messages, court date notices, and texts via MyCase.

ALR Hearings:

- If we are handling your ALR hearing, you will need to notify us immediately if DPS mails the notice of your hearing to you, instead of to our office.
- You will not appear at the ALR hearing. We will notify you of the result once we receive it. If your license is suspended, we will move forward with an occupational driver's license (ODL) once we receive your Occupational License Worksheet.
- We will need both an SR22 (Financial Responsibility Form—see chapter 9) and a copy of your driving record to file a Petition for Occupational Driver's License IF YOUR LICENSE IS SUSPENDED.

Please do not purchase an SR22 until we have a ruling on the ALR hearing. We recommend using <http://www.conceptSR22.com>.

Court Dates:

- Some courts require your presence at each court setting. Read the letter you receive from our office notifying you of all court dates and whether or not you need to appear.
- Please appear on time, or call the office if you are running late.
- Morning docket runs from 8:30 a.m. until noon. We will reach you as soon as possible, depending on the number of cases on our docket that day. Please follow the instructions in your letter and then take a seat and wait for an attorney from our office to appear.

Disposition Meeting:

- Discovery and the video evidence will normally be requested on your first court date. Once we have all of the discovery, your case will be evaluated. You will receive a written case evaluation and copies of the video evidence in your case for you to review. It will then be time to make an appointment for a **Disposition Meeting**.

- At the Disposition Meeting, we will discuss the strengths and weaknesses of the State's case and decide on how you wish to move forward.
- After the Disposition Meeting, your case will proceed based on the decisions made at the meeting.
- **Important:** DO NOT BRING ANYONE WITH YOU TO YOUR DISPOSITION MEETING. YOUR CASE WILL NOT BE DISCUSSED IN FRONT OF A THIRD PARTY. THIS INCLUDES YOUR SPOUSE.

Case Information:

- We do not share information regarding your case with spouses, friends, parents, children, etc.
- If someone calls the office inquiring about your case, the only information they may be given is publicly available court date information.

Substance Abuse Issues:

- If you feel you may have a substance abuse issue, please be candid with us about it. We want to help you.
- There are numerous resources available if you need a referral or an evaluation.

MISDEMEANOR DWI DISPOSITION OPTIONS

CHAPTER 6

Probation

The State will normally offer probation on a DWI first offense and typically a second offense. Probation is a suspended sentence with a list of requirements that must be completed during the term of supervision. The list of probation conditions is included in your DWI Case Evaluation.

DWI 1st probation will not include a jail sentence or a suspended license.

DWI 2nd probation will include a number of days in jail as a condition of probation and your driver's license will be suspended.

You will have a conviction for a Class A or Class B misdemeanor if you accept probation for a DWI, unless it is a deferred probation.

Another option is deferred adjudication, which is a non-conviction probation.

Bench Trial

In a bench trial, a jury is waived and the Judge hears all the evidence and issues a verdict. Bench trials are typically much shorter than jury trials and a bit less formal. The Judge will decide whether or not the State has proven its case beyond a reasonable doubt. If you are found guilty, the Judge will set the sentence, which is typically probation for first and second offenses.

Jury Trial – Judge Sentencing

You may choose to have the Judge assess the sentence if you are found guilty in a jury trial. Typically, the Judge will place you on probation.

Jury Trial – Jury Sentencing

You may choose to have the jury assess the sentence if you are found guilty in a jury trial.

DWI TRIAL GUIDE

CHAPTER 7

Scheduling

You've made the decision to go to trial on your DWI. The first step is to schedule a trial date. In Dallas and Collin Counties, we can normally choose our trial date. In Denton and Tarrant Counties, the court typically assigns a trial date. Other counties have their own policies.

Due to the volume of trials that we schedule, it is not unusual for our office to have 5–10 trials set in a given week. Which case goes to trial depends on many factors, but the oldest case typically has priority. Ultimately, this is a decision made by the Judge of the Court.

In Collin and Denton Counties there is a trial announcement date the week before the trial date, which is when we find out whether or not your case is going to be called for trial or reset to another trial week.

In Dallas and Tarrant Counties, we just show up for trial and find out then if your case is chosen by the Judge to proceed.

Trial dates may be rescheduled several times before a case actually goes to trial.

Trial Prep

A “trial notebook” will be assembled for your trial. It will contain all of the information we have regarding your case, any relevant case law we may need, pre-trial motions, exhibits we may use, etc.

If you have medical records that we need for trial, it is important that you request them from your health care provider, along with a business records affidavit, as soon as possible so we can file them with the court.

Dressing for Court

It is important to “dress to impress” when appearing in court for trial. Think of it as a job interview for a job you REALLY hope to get. Conservative colors and dress are preferred.

Appear on Time for Court

It is not unusual for judges to take up matters before the trial actually begins. Please do not arrive late for your trial appearance. Best practice is to be there about 15 minutes EARLY.

If your trial is called, you need to plan on being in court for two to three days. Most DWI trials take a minimum of two days to complete but may spill over into a third day. Please make whatever arrangements you need to with your employer.

Last Minute Offers

The District Attorney (DA) may make a last-minute plea bargain offer on the day of trial. If a new offer is made, we will relay it to you before the trial begins so that you can consider it.

Decisions to Make Pre-Trial

There are decisions that you will have to make regarding your trial.

First, you must choose between having the Judge or the jury assess punishment in the case if you are found guilty. There are pros and cons to each.

Second, you must decide whether or not you want to testify during your trial. We typically find no benefit and a lot of potential harm when clients testify in their trials. However, each case is different and there may be compelling reasons for your testimony. This is something else we will need to discuss pre-trial.

Jury Selection

Jury selection is a process that takes several hours to complete. A panel of potential jurors will be seated in your case. The panel normally consists of 20 to 25 people randomly called in for jury duty. Each panel member will fill out a jury questionnaire that gives us some information about the individual.

Initially, the Judge will speak to the jurors and explain the process to them. The DA will then be given between 30 and 45 minutes to speak with the panel and ask questions. We will then have the same opportunity.

After all questioning is complete, a short hearing will be held to determine whether or not any jurors have eliminated themselves through their comments. Each side will then be given a few minutes to “strike” three potential jurors (in a misdemeanor trial) or 10 potential jurors (felony trial) from the list for any reason other than race or sex. The first six (in a misdemeanor trial) or 12 people (for a felony trial) that remain will make up the jury.

The Trial

It is customary to stand up when either the Judge or the jury enter or leave the courtroom.

The trial normally begins with entering of a plea of Not Guilty. The State will then make its opening statement and then we will make one.

The arresting officer is normally the first witness called. The DA asks questions and shows the video to the jury. We then cross-examine the arresting officer.

If the case involves a breath or blood test, the next few witnesses are related to that evidence.

The End of the Trial

After the DA has finished calling all of their witnesses, they will stand and tell the Judge that they “rest.” That means they have put forward all the evidence they intend to introduce. At that time, we will either call any witnesses we have or stand and rest as well.

After both sides have rested and closed their cases, the Judge will dismiss the jury so that we may have a conference on the Jury Charge. The Jury Charge is all of the law the jury needs to know to decide the issues in your case.

Once both sides have agreed to the Jury Charge, the jury will be called back into the courtroom and the Judge will read it to them. Each side is then given a specific number of minutes to do a closing argument. The State is allowed to break up their time and speak both first and last, with your attorney speaking in between.

Jury Deliberations

Once the jury retires to deliberate, there is no way to predict how long they will be out before reaching a verdict. It could be five minutes, five hours, or longer.

The jury’s decision must be unanimous. If they cannot reach a unanimous verdict, the Judge will be forced to declare a mistrial, which means the trial ends with no verdict.

Verdict

In the event of a NOT GUILTY verdict, you will be free to leave. We will prepare the necessary documents to get your arrest expunged (erased) from your record.

In the event of a GUILTY verdict, we may try to come to an agreement on punishment with the DA or proceed to a punishment hearing in front of the Judge or jury.

Appeal

In the event of a GUILTY verdict, you may choose to appeal. We discuss this with you at the time.

A Notice of Appeal must be filed within 30 days of the verdict if you choose to appeal.

A Typical DWI Probation

Here are the terms of a standard DWI probation. You must:

1. Commit no other crimes
2. Pay all fines and court costs (payment schedules are allowed)
 - a. Fines generally run around \$1000
 - b. Court costs generally run about \$450
3. Report to probation once a month for 12 to 24 months

4. Pay \$60 a month in probation fees
(\$60 x 24 = \$1440)
5. Take a 12-hour DWI education program (\$150)
6. Attend a MADD Victim Impact Panel (VIP) (\$50)
7. Take a drug and alcohol evaluation (\$150)
8. 24 to 40 hours of community service restitution
(\$50)
9. Pay \$25 to \$40 to the Crime Stoppers fund
10. Not leave the state without permission
11. Not spend the night outside of the county
12. Not move (relocate) without court permission
13. Submit to periodic drug testing
(about \$35 per test)
14. Consume no alcohol
15. Keep an interlock device in your vehicle
(\$80 per month)*
16. Have a SCRAM device on your leg
(\$360 a month!)**

* Required by state law as a condition of any probation with breath or blood tests scores of 0.15 or higher, although the Judge has the option of removing it for good behavior after half of your probation has been served.

** Not required by most judges on a DWI 1st.

If you fail in any one of these requirements, you could be made to serve up to 180 days in jail for a Class B misdemeanor, or 365 days in jail for a Class A misdemeanor.

SR-22S

8

CHAPTER

In certain circumstances, such as a DWI conviction, the Court may request that the Defendant provide a form called the SR22, a Financial Responsibility Insurance Certificate. It is proof that you have the minimum liability insurance the law requires, even if you do not own a vehicle.

This certificate can only be provided by an auto insurance company and is filed with the Texas Department of Public Safety.

The SR22 is often the only thing that stands between you being legally permitted to drive and having your driver's license suspended. The form is required by the State of Texas for two years from the date of the incident, conviction, or date a judgment has been rendered against you.

Having to obtain an SR22 on your existing auto insurance policy is a red flag and can result in your insurance company considering you to be a high-risk driver and jacking up your premiums, as a result. However, as you'll learn upon reading this chapter, there is a way to legally reduce your exposure and avoid having your insurance coverage flagged

and being forced to pay unnecessarily high premiums possibly for the rest of your life.

Jay Freeman is a Texas insurance agent whom we refer clients to because he has specialized in issuing the Texas SR22 form for over 35 years. Below is an adaptation of one of his articles explaining what an SR22 is and some of the problems and pitfalls to avoid when obtaining this insurance endorsement when the Court requires it.

What Is a Texas SR-22 and Why Do I Need It?

A Texas SR22/Financial Responsibility Form is not a stand-alone form; it is an endorsement attached to an existing automobile insurance policy. This is why you cannot purchase the SR22 by itself. Instead, you must purchase a policy and have the insurance company that provides the policy issue the SR22.

When an insurance company issues the SR22, they are obligated to monitor the policy status and notify the Department of Public Safety (DPS) if that status changes, the point being to confirm to the DPS that you are always covered by at least the minimum required liability insurance if you continue to drive.

If the policy to which the SR22 is attached cancels, then the insurance company is required to submit to the DPS the SR26, the second part of the SR22 form, which alerts them that your SR22 has been canceled.

If, at that time, you are no longer required to have an SR22 on file, then everything is fine and goes back to normal. If, however, the DPS still requires that you maintain an SR22, they will immediately begin the process to suspend your driver's license.

Incidentally, prior to 2010, the SR22 was required to be pink in color; this requirement was removed when the DPS began allowing the forms to be submitted electronically. Many companies still habitually issue the SR22 on pink paper, but it is not a DPS requirement.

Let's look at four items on this sample form.

SR-22		FINANCIAL RESPONSIBILITY FORM		Official Use Only:	
Name	DOE	JOHN	N/A		
	Last	First	Middle		
Address	1000 MAIN STREET		DALLAS TX	75200	
Case Number	Driver's License No	Birth Date	SSN		
	00000000	1988/00/00			
Current Policy Number	8374600000		Effective From 12/27/12		
This certification is effective from 12/27/12 and continues until cancelled or terminated in accordance with the financial responsibility laws and regulations of this State.					
This insurance hereby certified is provided by an:					
() OWNER'S POLICY: Applicable to (a) the following described vehicle(s), (b) any replacement(s) thereof by similar classification, and (c) any additionally acquired vehicles classification for a period of at least 30 days from the date of acquisition.					
Model Year	Trade Name	Identification Number	Under FR Suspension	Acc/Clt Date	
	Non-Owners		Yes No		
			<input type="checkbox"/> <input type="checkbox"/>		
(X) OPERATOR'S POLICY: Applicable to any non-owned vehicle.					
TEXAS FINANCIAL RESPONSIBILITY INSURANCE CERTIFICATE					
The company signatory hereto hereby certifies that it has issued to the above named insured a motor vehicle liability policy as required by the financial responsibility laws of this State, which policy is in effect on the effective date of this certificate.					
Name of Ins. Co.	INSURANCE COMPANY		Company code: _____		
Date 12/28/12	BY _____		Signature of Authorized Representative		

First, notice there is an effective date entered, but no set end date. This is because once the SR22 is issued, it remains active until an SR26 (cancellation notice) is submitted to the DPS.

Second, you'll notice that the Case Number field is left blank. Sometimes insurance companies try to avoid issuing the SR22, because they don't want to have to monitor the policy and notify the DPS if it lapses, so they may tell you they cannot issue an SR22 without the court case number. The Case Number field actually refers to the DPS case number, which is your driver's license number.

Third, always leave the Social Security Number field blank. It is not required by the DPS and listing such personal information puts you at unnecessary risk.

Fourth, either the Owner's Policy or Operator's Policy will be checked off. If the Owner's box is marked, information describing the vehicles listed on the policy will appear in those fields. If the Operator's box is marked, those fields are left blank. The difference between these two types of policies (and the advantages of one over the other) is important and will be discussed in a moment.

Here are some common reasons the State of Texas might require an SR22 be filed:

1. Multiple No-Insurance Tickets—the second such violation in your driving history will trigger the SR22 requirement
2. An Occupational or Essential Need Driver's License requires that an SR22 be on file before it becomes valid, and the SR22 must remain active throughout the entire period of suspension

3. An open judgment against you, the driver, for an unpaid liability claim
4. Convictions for DWI offenses
5. Convictions for drug-related offenses
6. Convictions for driving with a suspended or invalid license
7. Excessive traffic violations

Must I Notify My Insurance Company That I Need an SR22?

Surprisingly, no. Even though the Texas DPS advises you to obtain the SR22 form from your automobile insurance provider, that is not always possible, or even in your best interest.

Many insurance carriers consider the SR22 to be an indicator of a “substandard” or “high-risk” driver, so if a driver who is already insured with the company requests an SR22, this sends a warning flag to the company’s underwriters. An insurance company is required to file its underwriting guideline with the Texas Department of Insurance and follow that guideline for all clients or face penalties.

If the company you are currently insured with does provide coverage for “substandard” or “high-risk” drivers (people with multiple tickets or accidents on their driving record), then the best advice is to talk to your current insurance agent about obtaining the SR22.

However, if your current automobile insurance carrier is one of those companies that specialize in covering “standard” or “preferred” drivers, then obtaining the SR22 from your current company can become much more difficult. Here are some potential problems to be aware of:

- If your company does not want to provide the SR22 and you try to force the issue, your policy will likely be flagged for non-renewal. In addition, it is important to understand that many times underwriters will use delaying tactics (e.g., requests for additional information or documentation) before issuing the SR22. The problem for you is that the Court dictates a strict timeline for you to obtain the SR22, and these delaying tactics could force you to have to cancel your coverage and/or go somewhere else to obtain the SR22.
- Underwriters may also try to delay because once a policy has been in effect for 60 days, your insurance company can only cancel your policy if your license or registration, or that of any driver who lives with you or customarily uses your insured auto, has been suspended or revoked. This is especially important if the SR22 is required to obtain an Occupational or Essential Need License (ODL). Although the ODL is a valid driver’s license, during the period of time it is required, the license status at the DPS will show as “Suspended.” This allows the insurance company the opportunity to cancel the policy with a written 10-day notice to the

policy's named insured at the address shown on the policy's declaration page. By delaying issuing the SR22, many times the company can avoid issuing the form at all.

- If the insurance carrier moves your policy from preferred to a substandard company coverage level in order to provide the SR22, this move affects *all* drivers and vehicles on the policy, so every member is stuck paying higher substandard rates on every covered vehicle. Even after the need for the SR22 has passed, it can take years before you and your family are again eligible for a preferred rate.
- If there is more than one insured on your policy, your agent might offer to separate you from the family policy and place coverage for you and your vehicle through a substandard carrier that can provide the SR22. Before you say yes to this, know that it means that if you were to drive any of your family's other vehicles, *you would not be covered!* Not only that but if there are only two vehicles on the family policy, any multi-car policy discount you received would disappear, leaving the other car left on the family policy subject to a substantial premium increase at renewal. It often takes years before that other driver becomes eligible for a preferred rate, even if their record is clean.
- The need for an SR22 can affect policies other than auto insurance. Homeowner insurance is expensive, and many carriers offer substantial discounts for multiple types of coverage. For

example, if your insurance carrier covers both your home and automobiles, not only could you see an increase in your auto premium but, upon renewal, you will likely get slapped with a huge increase in your homeowner's insurance because it no longer qualifies for the multi-line discount.

Again, if you currently have your insurance coverage through a "substandard" or "high-risk" company, you should talk to your agent about providing the SR22. If, however, you currently pay lower premiums because you are insured through a "standard" or "preferred" company, then let's look at the options available to you *before* you contact your insurance company.

Other SR-22 Options

If you are currently insured through a "standard" or "preferred" carrier, it is usually better to obtain the SR22 from another company; however, if this is not done properly, it could create some potentially financially devastating problems for you.

If you simply turn to the first insurance agency you see advertising SR22s and ask to purchase the form as inexpensively as possible, you might mistakenly find yourself with a minimum-limits liability-only policy (the least expensive coverage required to issue an SR22) on your vehicle.

The problem? You have now unwittingly terminated your more comprehensive insurance coverage under the "preferred" umbrella and replaced it with a minimum-

limits liability-only policy. If you are involved in a subsequent auto accident, you are in for an ugly surprise: you are no longer covered for the damage done to your vehicle, and if you have a car loan on it, you'll have to pay the finance company the balance owed out of your own pocket, as well as any liability loss that exceeds the state minimum limits, car rental, towing coverage, and so on.

A person can be listed on multiple policies as a driver, but a vehicle can only be listed on one policy at a time, so if you mistakenly purchase a new policy that covers your vehicle, it voids all prior coverage on that vehicle in order to prevent someone from committing insurance fraud. (You could otherwise purchase multiple policies on a vehicle, then stage an accident and file multiple claims for the same loss.)

The way to avoid this is to purchase something called an Operator's Policy (also known as a Non-Owner's Policy) and request the SR22 be attached to that. This type of policy covers you, as a driver; it does NOT cover your vehicle, permitting you to keep your more comprehensive coverage in place.

It is important to understand that the Operator's Policy is independent of, and additional to, your regular auto insurance coverage. It simply covers you while driving in very specific and limited circumstances. For example, the Operator's Policy would not provide any coverage for a vehicle you own, rent, or lease. Neither would it cover any vehicle provided for your regular use or driven in the course of your employment.

It is not always easy to locate and purchase a Non-Owner's or Operator's Policy, and it's not always the perfect solution for everyone. However, if you are currently insured through a "standard" or "preferred" carrier and do not want anything to disrupt your existing coverage, then the Non-Owner's or Operator's policy could be the best option for you.

And if it can be done, and it's appropriate for your situation, Deandra Grant Law knows that we can certainly find one for you.

Will My Insurance Company Find Out About My SR22?

Probably not, unless you, yourself, tell them. You are not required or obligated to notify your insurance company about any changes to your driving record or the need for an SR22 filing (although if you are in an accident, especially if another vehicle is involved, you should always inform your agent about the accident).

Once your original policy began, it became the responsibility of your insurance company to determine whether anything might impact your premium cost. Many companies rely primarily on the policyholder's claims history to make premium changes.

Here are a few additional points to keep in mind:

- Even if your current insurance carrier discovers you have an SR22 filing, or have been convicted of an offense that is not allowed in their

underwriting guidelines, that does not mean they can abruptly cancel your policy. As explained earlier, as long as your policy has been in effect for 60 days, they can only cancel your policy if your license or registration, or that of any driver who lives with you or customarily uses your insured auto, has been suspended or revoked.

- Refusal to renew your coverage is only permitted on the actual anniversary date of your policy, so if your policy shows a term of six months, that does not mean that your insurance company can refuse to renew your coverage at your next renewal date. For example: if your policy renews every June and December but you originally started your policy in December, your insurance company can only refuse to renew your policy in December.
- If you need the SR22 to meet the requirements of an occupational driver's license (ODL), understand that the Texas DPS will still show your driver's license status as suspended. If your insurance carrier should check your driving record during this period, your suspended status would permit them to legally cancel your policy. I always advise my clients to be extremely cautious during the period they are driving under an ODL, because anything you do that might launch an underwriting review could result in the cancellation of your policy.

Can I Get the SR-22 Through the State Pool?

Insurance agents who are not experienced in SR22s may offer to sell you an SR22 policy written through the Texas Auto Insurance Plan Association (TAIPA), commonly referred to as the State Pool. TAIPA is a program that allows an insurance agent to write a policy for a client unable to obtain a policy in the general marketplace that provides the minimum limits of liability, personal injury protection, and uninsured/underinsured motorists coverage.

There are some potential problems:

- To be eligible to purchase a TAIPA policy, you must testify to the fact that you have been rejected for insurance coverage by two insurance companies within the previous 60 days by signing the Applicant/ Certification Signature on the last page of the TAIPA application. Why is that a problem? Because if your vehicle is currently insured under another policy, by signing that, you are certifying a false statement on a state document, and that's illegal.
- You do not receive the actual SR22 at the time you purchase the TAIPA policy; you only receive a copy of the application requesting the filing. If you need the SR22 to obtain an Occupational Driver's License (ODL), some judges will demand to see the actual SR22 before they will sign the ODL order, and many attorneys want the SR22 attached to the ODL forms being submitted to the

DPS. (Getting the ODL issued is far easier when the required documents are submitted in a single complete packet). The resulting delay could mean you would be unable to legally drive your vehicle.

- TAIPA forces companies to write TAIPA policies and, regrettably, many look for a reason to cancel them to lower their risks. This could launch you into a vicious cycle of having to repeatedly replace your SR22 to hold onto your ODL.

Jay Freeman

Jay Freeman is the owner of ConceptSR22.com, a website specializing in solving Texas SR22 problems. They provide a safe, simple way to purchase a Texas SR22 without impacting your existing coverage, and you have the added convenience of being able to print the SR22 form immediately upon completing the Operator's Policy application, and a copy will be e-mailed to the Department of Public Safety and your attorney within 10 minutes.

If you need assistance in obtaining a Texas SR22 or have further questions, please contact his office.

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Attorneys Deandra M. Grant and Douglas E. Huff believe in empowering people to make the best decisions when confronted with potentially life-altering events. Everyone is entitled to a strong and passionate defense.

That is why they have written this book. It will arm you with information on how to assemble the best defense possible.



Deandra M. Grant

Mass spectrometry. Headspace gas chromatography. Alcohol and drug pharmacodynamics. Defending a DWI in Texas requires in-depth knowledge of these advanced scientific principles, and, more importantly, how to use them for the benefit of clients in the courtroom.

It's critical to consult with an experienced attorney with the legal prowess and background in this area of the law, and Martindale-Hubbell AV-rated attorney Deandra M. Grant is here to help. A member of both the American Chemical Society and the American Academy of Forensic Science, her success in the field has resulted in the "Texas DWI Gal" being named to the Texas Super Lawyers list.

When law becomes science, call the lawyer that lawyers call.

Douglas E. Huff

Attorney Douglas Huff was born in Warren, Ohio and was raised in Western Pennsylvania, outside of Pittsburgh, where he attended Mount Pleasant Area High School. After high school, Attorney Huff enlisted in the United States Army and served for four years receiving the Army Achievement Medal and the Army Commendation Medal. He received an honorable discharge after completing his full term of service and relocated to Austin, Texas. In 2013, Attorney Huff accepted a position with the Dallas County Public Defender's Office where he worked diligently as the lead attorney in many DWI trials and other misdemeanors. Additionally, he has assisted numerous clients through plea negotiations, led many evidentiary hearings, and prepared and took part in felony trials.



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