



DEANDRA GRANT **LAW**
TEXAS TRIAL ATTORNEYS

SURVIVING YOUR DWI

North Texas Edition

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

Douglas E. Huff, JD
Partner

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

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DISCLAIMER

The information in this book does NOT constitute legal advice. You can only obtain sound legal advice from a lawyer who has been given the specific facts of your case. Every case is different.

Please note that our lawyers are happy to consult with you if you do decide to obtain legal advice. However, please understand that simply reading this book does not form an attorney-client relationship with our firm or with any of the authors.

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TABLE OF CONTENTS

About the Authorsv

Introductionix

Dallas County 1

Collin County7

Tarrant County.....13

Denton County.....21

DWI FAQs27

Contact Us31

ABOUT THE AUTHORS

Deandra M. Grant, JD, MS, GC

AV-rated attorney Deandra Grant is the Managing Partner of Deandra Grant Law and is an international speaker on DWI law, science, and trial skills.

A graduate of Trinity University in San Antonio with a degree in business (Finance) and Southern Methodist University's School of Law, Grant went on to earn a Graduate Certificate in Forensic Toxicology from the University of Florida's College of Veterinary Medicine and a Master's Degree in Pharmaceutical Science – Concentration in Forensic Science from the University of Florida's College of Pharmacy in 2016. In 2019 Grant joined the faculty at Axion Analytical Labs as an Assistant Chromatography Instructor for the American Chemical Society. She also has served on the faculty of the Borkenstein Drug Course.

Grant is the co-author of the annually updated book The Texas DWI Manual (James Publishing), Texas DWI: Truth & Consequences and Surviving Your Texas DWI. Grant is a Standardized Field Sobriety Testing Instructor and has completed the Drug Recognition Overview course. She was the first attorney in Texas to pass the

Forensic Sobriety Assessment Certification exam. In addition, she has completed coursework in DWI forensic blood and urine testing and was trained as an operator and maintenance technician of the Intoxilyzer 5000. Deandra has certificates in *Forensic Chromatography: Theory & Practice* (2011 & 2015), *Forensic Analysis of Solid Drugs* (2014), and *Forensic Principles of DUID* (2015), issued by Axion Labs and the American Chemical Society. In 2015, Grant earned the distinction of being named an ACS-CHAL Forensic Lawyer-Scientist.

Grant is a member of the Texas Criminal Defense Lawyers Association (Board Member 2011–2016), the Dallas Bar Association, the Collin County Criminal Defense Lawyers Association, the Dallas Criminal Defense Lawyers Association (Board Member 2007–2019, Treasurer 2020, President-Elect 2021), the American Chemical Society, and the American Academy of Forensic Sciences. In addition, she is a Charter Member and President-Emeritus of the DUI Defense Lawyers Association.

D Magazine has named Grant to its list of Best Women Lawyers and Best Lawyers in Dallas. *Fort Worth Magazine* has named her a Top Lawyer in Fort Worth. She's been named a "Texas Super Lawyer" for the past 10 years and one of Texas' Top Rated Lawyers. *Best Lawyers in Dallas* named her one of the Top 10 DWI Lawyers in Dallas.

On a personal note, Grant is the Vice President of Living the Doxie Dream Rescue & Sanctuary in Royse City, Texas. She devotes much of her time to fundraising efforts for their rescue dogs. She has been married to Eric Clendenin for 19 years and is the proud mom of Keegan, 18, and Rowan, 13.

Douglas 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.

After attending law school, Attorney Huff worked at Barbri, an organization specializing in assisting law students in studying and passing the state bar examination. In addition to being licensed to practice law in the state of Texas, he sat and passed the Oklahoma Bar during this time. Afterward, he opened his own law practice, The Law Office of Douglas E. Huff, in Dallas, Texas, where he represented clients charged with various misdemeanor and felony criminal offenses.

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 taken part in felony trials.

Attorney Huff joined Deandra Grant Law in 2016.

On a personal note, Doug has one daughter, an attorney in Dallas, and a rescue dog named Athena. He's a military vet who loves to travel. One of his favorite trips was walking the Camino de Santiago in Spain. Doug is also a competitive poker player whom can often be found playing in tournaments around the country.

INTRODUCTION

So, you've been arrested for DWI in northern Texas and you're wondering, "What next?"

This book walks you through the steps you need to take to deal with both the driver's license issues and criminal charges you face.

DALLAS COUNTY

Step #1: Department of Public Safety

- Make sure the address on your driver's license is correct.
- Check your mail regularly for letters from the Department of Public Safety (DPS).

DPS will mail any letters to you at the address they have on file. If you have moved, or don't frequently check your mail, you could miss time-sensitive letters regarding your right to challenge the suspension of your driver's license, which can aggravate your situation.

We often see new clients who, prior to coming to us, have already missed their opportunity to challenge a driver's license suspension following a DWI arrest, either because the DPS did not have their correct address when mailing a notice of the hearing, or the client did not regularly check incoming mail. Too often, these clients are unaware that they are driving with a suspended license until they are caught and charged.

Step #2: Bond Conditions

- Comply with any and all bond conditions ordered by the judge who sets your bond.

If there was an accident, a breath or blood alcohol result of 0.15 or greater, or if you have had prior DWIs, the judge may order that a deep lung device (DLD) be installed on any car that you drive. You **MUST** contact the Bond Supervision Department within the timeframe noted on your court order and set up an appointment. You are required to pay to have the unit installed and provide proof to your bond supervision officer. You will also be required to report in, and pay a monthly supervision fee, while your case is pending.

We sometimes have clients who were involved in accidents and no longer have a car to drive. In that case, your bond supervision officer will likely order that an alcohol monitoring device be installed in your home instead of your car. You will be required to blow into this device at specific times in order to demonstrate that you are not drinking alcohol while on bond.

Failure to comply with bond conditions can lead to your bond being held insufficient and a warrant issued for your arrest.

If you took a breath test and the result was 0.15 or greater, OR if you had blood drawn and the result was 0.15 or greater, but an interlock device was NOT added as a condition of bond when you bonded out of jail, do not be surprised if, at your first court appearance, the judge handling your criminal case orders you to install one.

Step #3: Administrative License Revocation

- Request an ALR hearing within 15 days.

If you refused to provide a specimen of your breath or blood after your DWI arrest, you have 15 days from the date you received notice of suspension to request a hearing. Notice of suspension is typically handed to you by the police officer or included in your paperwork when you bond out of jail.

If you consented to a blood test, the clock doesn't start ticking until the Department of Public Safety (DPS) sends you a notice of suspension. However, we see a lot of mistakes made by officers, such as labeling your charge a "failure," meaning you refused to consent to a test when in fact your blood was taken with your consent. That mistake can cost you.

You can request the hearing yourself, or your attorney can request it for you. If you fail to request the hearing within the 15-day timeframe, however, your right to a hearing is forfeit and your license will be suspended on the 40th day after notice of suspension was served.

Step #4: Court Appearances

- Establish when you are required to appear in court.

Dallas County has 13 misdemeanor courts, all located in the Frank Crowley Courts Building, 133 North

Industrial Boulevard, on the 3rd and 4th floors, but only 12 of these handle DWI cases.

Dallas County judges do NOT require you to appear on your first court date IF you have retained a defense attorney to represent you in the case. Your attorney can appear on your behalf to obtain all discovery in your case: police report, lab report, witness statements, any video evidence, etc.

It is not uncommon in Dallas for it to take several court appearances for your attorney to obtain all of the evidence in your case. Cases in Dallas County tend to move much more slowly than those held in surrounding counties.

Step #5: Disposition Meeting

- Meet with your attorney to decide how to proceed.

At Deandra Grant Law we first write a case evaluation that summarizes all of the evidence in the case for you and gives you our overall opinion of your case. Once you have had the opportunity to review our case evaluation, and watch any videos from your arrest, we schedule a disposition meeting where we sit down with you to discuss achieving the best outcome for you. At that meeting, we decide together whether that best outcome is to plea bargain or take your case to trial.

Step #6: Plea Docket or Trial Docket

- Schedule a plea date or a trial date, depending on how you decide to proceed with your case, and appear on the scheduled date and time.

After your disposition meeting, it is time to schedule either a plea date or a trial date. In Dallas County, you must appear on all plea or trial dates.

Plea Date

If you choose to enter into a plea bargain with the State, you must appear at the Frank Crowley Courts Building, 133 North Industrial Boulevard, at 9 a.m., on your plea court date. All misdemeanor courts are located on the 3rd and 4th floors of the Frank Crowley Courts Building.

Dallas County courts do not require you to check in. Simply take a seat and wait for your attorney to arrive. Once the plea paperwork is completed, you enter your plea in front of the judge. It might be the presiding judge or a magistrate judge who takes your plea.

If you are placed on probation, you check in with the probation department after you enter your plea and the clerks complete your paperwork. You also meet with the Collections Department to work out payment arrangements for your fine and court costs. Both the Collections Department and the Community Supervision Department (probation) are located in the Frank Crowley Courts Building.

The whole process takes several hours, so plan to be at the courthouse until noon or later.

Trial Date

On your trial date you must appear no later than 9 a.m. and wait for your attorney to meet you in court. Most courts have numerous cases scheduled for trial on any given day. Typically, cases are given priority on the trial docket based on the age of the case. It is not uncommon to wait one to three hours for a decision to be made on which case(s) will be reached, i.e., proceed to trial. The cases not reached will be rescheduled.

If your case is reached, your trial will normally begin that day and may last one to three days, depending on many factors.

COLLIN COUNTY

CHAPTER 2

Step #1: Department of Public Safety

- Make sure the address on your driver's license is correct.
- Check your mail regularly for letters from the Department of Public Safety (DPS).

DPS will mail any letters to you at the address they have on file. If you have moved, or don't frequently check your mail, you could miss time-sensitive letters regarding your right to challenge the suspension of your driver's license, which can aggravate your situation.

We often see new clients who, prior to coming to us, have already missed their opportunity to challenge a driver's license suspension following a DWI arrest, either because the DPS did not have their correct address when mailing a notice of the hearing, or the client did not regularly check incoming mail. Too often, these clients are unaware that they are driving with a suspended license until they are caught and charged.

Step #2: Bond Conditions

- Comply with any bond conditions ordered by the judge who sets your bond.

If there was an accident, a breath or blood alcohol result of 0.15 or greater, or if you have had prior DWIs, the judge may order that a deep lung device (DLD) be installed on any car that you drive. You **MUST** contact the Bond Supervision Department within the timeframe noted on your court order and set up an appointment. You are required to pay to have the unit installed and provide proof to your bond supervision officer. You will also be required to report in, and pay a monthly supervision fee, while your case is pending.

We sometimes have clients who were involved in accidents and no longer have a car to drive. In that case, your bond supervision officer will likely order that an alcohol monitoring device be installed in your home instead of your car. You will be required to blow into this device at specific times in order to demonstrate that you are not drinking alcohol while on bond.

Failure to comply with bond conditions can lead to your bond being held insufficient and a warrant issued for your arrest.

If you took a breath test and the result was 0.15 or greater, OR if you had blood drawn and the result was 0.15 or greater, but an interlock device was NOT added as a condition of bond when you bonded out of jail, do not be surprised if, at your first court appearance, the judge handling your criminal case orders you to install one.

Bond Hearings: If an attorney helped you to post a bond, you may be ordered to appear on the following Monday for a hearing on whether or not an interlock order will be added to your bond conditions.

Step #3: Administrative License Revocation

- Request an ALR hearing within 15 days.

If you refused to provide a specimen of your breath or blood after your DWI arrest, you have 15 days from the date you received notice of suspension to request a hearing. Notice of suspension is typically handed to you by the police officer or included in your paperwork when you bond out of jail.

If you consented to a blood test, the clock doesn't start ticking until the Department of Public Safety (DPS) sends you a notice of suspension. However, we see a lot of mistakes made by officers, such as labeling your charge a "failure," meaning you refused to consent to a test when in fact your blood was taken with your consent. That mistake can cost you.

You can request the hearing yourself, or your attorney can request it for you. If you fail to request the hearing within the 15-day timeframe, however, your right to a hearing is forfeit and your license will be suspended on the 40th day after notice of suspension was served.

Step #4: Court Appearances

- Establish when you are required to appear in court.

Collin County has seven misdemeanor courts. They are located on floors 1, 2, and 3 at the Collin County Courthouse, 2100 Bloomdale Road, in McKinney.

Some Collin County judges require you to appear at 8:30 a.m. on your first court date. You will need to check in with the bailiff so the court knows that you are present. Once you have checked in, take a seat and wait for your attorney.

Your attorney will meet with the prosecutor to obtain all discovery in your case: police report, lab report, witness statements, any video evidence, etc. Your case will then be scheduled for another court date. Whether you must appear on subsequent court dates varies by court.

The judge generally gives you 90 days from your first court appearance to decide how you wish to handle your case. A plea bargain offer will be made on your first court date.

Cases in Collin County tend to move faster than in surrounding counties.

Step #5: Disposition Meeting

- Meet with your attorney to decide how to proceed.

At Deandra Grant Law we first write a case evaluation that summarizes all of the evidence in the case for

you and gives you our overall opinion of your case. Once you have had the opportunity to review our case evaluation, and watch any videos from your arrest, we schedule a disposition meeting where we sit down with you to discuss achieving the best outcome for you. At that meeting, we decide together whether that best outcome is to plea bargain or take your case to trial.

Step #6: Plea Docket or Trial Docket

- Schedule a plea date or a trial date, depending on how you decide to proceed with your case, and appear on the scheduled date no later than 8:30 a.m.

After your disposition meeting, it is time to schedule either a plea date or a trial date. In Collin County, you must appear on all plea or trial dates.

Plea Date

If you choose to enter into a plea bargain with the State, you need to appear at the Collin County Courthouse, 2100 Bloomdale Road, McKinney, at 8:30 a.m. on your plea court date.

Once the plea paperwork is completed, you enter your plea in front of the judge.

If you are placed on probation, you check in with the probation department (CSCD, or Community Supervision and Corrections Department) after you enter your plea and the clerks complete your paperwork.

You also meet with the Collections Department to work out payment arrangements for your fine and court costs. Both the Collections Department and the CSCD are located in the Collin County Courthouse.

The whole process takes several hours so plan to be at the courthouse until noon or later.

Trial Date

Cases on the trial docket have trial announcement dates the week before the trial. These are normally scheduled on Thursday mornings. You are required to appear for Trial Announcement.

At Trial Announcement, attorneys and prosecutors are expected to announce “Ready” or “Not Ready” for trial. Several trials are normally set for the following week. The judge decides which cases will move forward that week. If your trial is not reached, it will be rescheduled for another date. If it is reached, it could start Monday, Tuesday, or Wednesday.

TARRANT COUNTY

CHAPTER 3

Step #1: Department of Public Safety

- Make sure the address on your driver's license is correct.
- Check your mail regularly for letters from the Department of Public Safety (DPS).

DPS will mail any letters to you at the address they have on file. If you have moved, or don't frequently check your mail, you could miss time-sensitive letters regarding your right to challenge the suspension of your driver's license, which can aggravate your situation.

We often see new clients who, prior to coming to us, have already missed their opportunity to challenge a driver's license suspension following a DWI arrest, either because the DPS did not have their correct address when mailing a notice of the hearing, or the client did not regularly check incoming mail. Too often, these clients are unaware that they are driving with a suspended license until they are caught and charged.

Step #2: Bond Conditions

- Comply with any bond conditions ordered by the judge who sets your bond.

If there was an accident, a breath or blood alcohol result of 0.15 or greater, or if you have had prior DWIs, the judge may order that a deep lung device (DLD) be installed on any car that you drive. You **MUST** contact the Bond Supervision Department within the timeframe noted on your court order and set up an appointment. You are required to pay to have the unit installed and provide proof to your bond supervision officer. You will also be required to report in, and pay a monthly supervision fee, while your case is pending.

We sometimes have clients who were involved in accidents and no longer have a car to drive. In that case, your bond supervision officer will likely order that an alcohol monitoring device be installed in your home instead of your car. You will be required to blow into this device at specific times in order to demonstrate that you are not drinking alcohol while on bond.

Failure to comply with bond conditions can lead to your bond being held insufficient and a warrant issued for your arrest.

If you took a breath test and the result was 0.15 or greater, OR if you had blood drawn and the result was 0.15 or greater, but an interlock device was NOT added as a condition of bond when you bonded out of jail, do not be surprised if, at your first court appearance, the judge handling your criminal case orders you to install one.

Step #3: Administrative License Revocation

- Request an ALR hearing within 15 days.

If you refused to provide a specimen of your breath or blood after your DWI arrest, you have 15 days from the date you received notice of suspension to request a hearing. Notice of suspension is typically handed to you by the police officer or included in your paperwork when you bond out of jail.

If you consented to a blood test, the clock doesn't start ticking until the Department of Public Safety (DPS) sends you a notice of suspension. However, we see a lot of mistakes made by officers, such as labeling your charge a "failure," meaning you refused to consent to a test when in fact your blood was taken with your consent. That mistake can cost you.

You can request the hearing yourself, or your attorney can request it for you. If you fail to request the hearing within the 15-day timeframe, however, your right to a hearing is forfeit and your license will be suspended on the 40th day after notice of suspension was served.

Step #4: Court Appearances

- Establish when you are required to appear in court.

Tarrant County has 10 misdemeanor courts but only nine of them handle DWI cases. These are located on floors 5, 6, 7, and 8 (alongside other courts) in the Tim

Curry Criminal Justice Center, 401 West Belknap Street, in Fort Worth.

Tarrant County judges do NOT require you to appear on your first court date (“Initial Appearance”) IF you have retained a defense attorney to represent you in the case. You are required to appear at any and all subsequent court dates.

Your attorney will typically have access to the entire file via Tarrant County’s online discovery system within 20 days of submitting a request for the discovery to the district attorney. As a result, with few exceptions, Tarrant County cases move much more quickly to the point when you must decide whether you want to plea or proceed to trial, compared to those in other counties. A majority of the courts have two pre-trial settings and require announcement of a trial or plea at the second setting. Each pre-trial setting is at four- to six-week intervals.

Step #5: Disposition Meeting

- Meet with your attorney to decide how to proceed.

At Deandra Grant Law we first write a case evaluation that summarizes all of the evidence in the case for you, and gives you our overall opinion of your case. Once you have had the opportunity to review our case evaluation, and watch any videos from your arrest, we schedule a disposition meeting where we sit down with you to discuss achieving the best outcome for you. At that meeting, we decide together whether that best outcome is to plea bargain or take your case to trial.

Step #6: Plea Docket or Trial Docket

- Schedule a plea date or a trial date, depending on how you decide to proceed with your case, and appear on the scheduled date at least 15 minutes before the appointed time.

After your disposition meeting, it is time to schedule either a plea date or trial date. The court requires you to appear, regardless of which you choose.

Plea Date

If you enter into a plea bargain with the State, you must appear at the Tim Curry Criminal Justice Center, 401 West Belknap Street, Fort Worth, prepared to meet with the probation officer for the court, and perhaps to report to the probation department in the Criminal Courts Building that same day. This may take several hours. The misdemeanor courts are scattered across floors 5, 6, 7, and 8.

Tarrant County courts DO require you to check in with the court deputy/bailiff or court coordinator when you arrive at the assigned courtroom. The bailiffs wear black uniforms and are located on the far left or right of the courtroom. They will give you further instructions when you check in. Plan to arrive at least 15 minutes before your scheduled court time to pass through security and allow for slow elevators. The courts do not generally allow you to chat or text on your phone inside the courtroom, but often permit you to sit outside, in the hallway, to use your phone.

Once the plea paperwork is complete, you enter your plea in front of the judge. It might be the presiding judge or a magistrate judge who takes your plea.

If you are placed on probation, you check in with the Court's probation officer after you enter your plea and the clerks complete your paperwork. You also meet with the Judicial Compliance department to work out payment arrangements for your fine and court costs. The Judicial Compliance office is located on the second floor of the Tim Curry Criminal Justice Center. If you are required to report to the probation department on the same day, the court's probation officer will give you a map to the CSCD, the Community Supervision and Corrections Department (Probation), which is two blocks away, no more than a five-minute walk. The whole process takes several hours so plan to be available for three or four hours for processing.

Trial Date (Contest Docket)

You must appear on your trial date at the time designated by the court. Each court has a different time for appearance, so it is imperative that you confirm your trial time with our office several days in advance of the date. Once you arrive, the process of waiting is similar to your prior court appearances. Most courts have numerous cases scheduled for trial on any given day. Typically, cases are given priority on the trial docket based on the age of your case and whether you are in jail. It is not uncommon to wait one to three hours for a decision to be made on which case(s) will proceed to trial. The cases not reached will be rescheduled.

If your case is selected for trial, it may proceed on the same day, or the following day, or following week, depending on in which court your case is being prosecuted. This will be explained to you well in advance of your trial docket setting.

DENTON COUNTY

CHAPTER 4

Step #1: Department of Public Safety

- Make sure the address on your driver's license is correct.
- Check your mail regularly for letters from the Department of Public Safety (DPS).

DPS will mail any letters to you at the address they have on file. If you have moved, or don't frequently check your mail, you could miss time-sensitive letters regarding your right to challenge the suspension of your driver's license, which can aggravate your situation.

We often see new clients who, prior to coming to us, have already missed their opportunity to challenge a driver's license suspension following a DWI arrest either because the DPS did not have their correct address when mailing a notice of the hearing or the client did not regularly check incoming mail. Too often, these clients are unaware that they are driving with a suspended license until they are caught and charged.

Step #2: Bond Conditions

- Comply with any and all bond conditions ordered by the judge who sets your bond.

If there was an accident, a breath or blood alcohol result of 0.15 or greater, or if you have had prior DWIs, the judge may order that a deep lung device (DLD) be installed on any car that you drive. You **MUST** contact the Bond Supervision Department within the timeframe noted on your court order and set up an appointment. You are required to pay to have the unit installed and provide proof to your bond supervision officer. You will also be required to report in, and pay a monthly supervision fee, while your case is pending.

We sometimes have clients who were involved in accidents and no longer have a car to drive. In that case, your bond supervision officer will likely order that an alcohol monitoring device be installed in your home instead of your car. You will be required to blow into this device at specific times in order to demonstrate that you are not drinking alcohol while on bond.

Failure to comply with bond conditions can lead to your bond being held insufficient and a warrant issued for your arrest.

If you took a breath test and the result was 0.15 or greater, OR if you had blood drawn and the result was 0.15 or greater, but an interlock device was NOT added as a condition of bond when you bonded out of jail, do not be surprised if, at your first court appearance, the judge handling your criminal case orders you to install one.

Step #3: Administrative License Revocation

- Request an ALR hearing within 15 days.

If you refused to provide a specimen of your breath or blood after your DWI arrest, you have 15 days from the date you received notice of suspension to request a hearing. Notice of suspension is typically handed to you by the police officer or included in your paperwork when you bond out of jail.

If you consented to a blood test, the clock doesn't start ticking until the Department of Public Safety (DPS) sends you a notice of suspension. However, we see a lot of mistakes made by officers, such as labeling your charge a "failure," meaning you refused to consent to a test when in fact your blood was taken with your consent. That mistake can cost you.

You can request the hearing yourself, or your attorney can request it for you. If you fail to request the hearing within the 15-day timeframe, however, your right to a hearing is forfeit and your license will be suspended on the 40th day after notice of suspension was served.

Step #4: Court Appearances

- Establish when you are required to appear in court.

Denton County has five misdemeanor courts, all located in the Denton County Courthouse at 1450 E. McKinney

Ave, on the 1st and 2nd floors. Four misdemeanor courts handle DWI, as well as other criminal cases.

Denton County judges do NOT require you to appear on your first court date IF you have retained a defense attorney to represent you in your case. Your attorney can appear on your behalf to obtain all discovery in your case: police report, witness statements, any video evidence, etc.

It is not uncommon for it to take several court appearances for you, or your attorney, to obtain all of the evidence in your case. Cases in Denton County typically have a minimum of five court settings (Arraignment, Announcement, Final Announcement, Plea, and Final Plea) prior to trial.

Step #5: Disposition Meeting

- Meet with your attorney to decide how to proceed.

At Deandra Grant Law we first write a case evaluation that summarizes all of the evidence in the case for you, and gives you our overall opinion of your case. Once you have had the opportunity to review our case evaluation, and watch any videos from your arrest, we schedule a disposition meeting where we sit down with you to discuss achieving the best outcome for you. At that meeting, we decide together whether that best outcome is to plea bargain or take your case to trial.

Step #6: Plea Docket or Trial Docket

- Schedule a plea date or a trial date, depending on how you decide to proceed with your case, and appear on the scheduled date no later than 8:30 a.m.

After your disposition meeting, it is time to schedule either a plea date or a trial date. In Denton County, you must appear on all plea or trial dates.

Plea Date

If you choose to enter into a plea bargain with the State, you must appear at the Denton County Courthouse, 1450 E. McKinney Ave, at 8:30 a.m. on your plea date. All misdemeanor courts are located on the 1st and 2nd floors of the courthouse.

Denton County courts do not require you to check in. Simply take a seat and wait for your attorney to arrive. Once the plea paperwork is completed, you enter your plea in front of the presiding judge.

If you are placed on probation, you must check in with the probation department after you enter your plea and the clerks complete and process your paperwork. You may also meet with the Collections Department to work out payment arrangements for your fine and court costs. The Collections Department is located on the 1st floor of the courthouse, and the Community Supervision and Corrections Department (probation) is located at 650 S. Mayhill Rd.

The whole process may take several hours, so plan accordingly.

Trial Date

Depending on when your trial is set, you may have to appear in the early afternoon or early morning and wait for your attorney to meet you in court. Most courts have several cases scheduled for trial on any given day and cases are given priority on the trial docket based on their age. It is not uncommon, in some courts, to wait one to three hours for a decision to be made on which case will proceed to trial that day. The cases not reached will be rescheduled for a different day.

If your case is reached, your trial will normally begin that day and may last one to three days. It is not uncommon to begin trials on Thursdays in Denton.

DWI FAQs

Q: The police took my driver's license. Is my license now suspended?

A: No. You have 15 days from the day you are served your Notice of Suspension to request an administrative license revocation (ALR) hearing regarding your driver's license. If you do not request a hearing, your license will be suspended on the 40th day after Notice of Suspension is served. It is important to seek the advice of an attorney regarding your driver's license issues before this 15-day window expires.

If you consented to a blood draw, the police will not normally take your driver's license at that time. Instead, a Notice of Suspension will be mailed to you if the DPS (Department of Public Safety) receives a blood test result of 0.08 or greater. You only have 10 days to request an ALR hearing once you receive this Notice of Suspension letter from the DPS.

Q: I was ordered to install a deep lung device (DLD) on my car as a condition of bond. What do I have to do and is that my only option?

A: In certain circumstances a DLD may be required while your case is pending. There may be alternatives that would work for you. We can tell

you more when we sit down with you to examine the specific circumstances of your case.

Q: When do I have to go to court for the first time if it's a misdemeanor case?

A: In Collin and Denton Counties, the police file your case with the District Attorney's Office. If it is accepted, you have a court date assigned to you shortly after the case is actually filed with a court. Initial court settings normally take place anywhere from six weeks to four months after arrest, but it can take longer. You need to have an attorney with you on your first court appearance. Depending on the policies of the court where your case is assigned, you may not have to appear at subsequent non-dispositive court dates.

In Dallas County, if you post bond from Lew Sterrett Justice Center, you should be assigned a court date at the time you post your bond and are released from jail. If you post bond in a suburb jail, you may not receive an initial court date at that time. The police will file your case with the District Attorney's Office, and if your case is not filed by the pre-assigned court date, your court date will be rescheduled. You will need to retain an attorney before your first court appearance. Judges in Dallas County generally do not require defendants with retained attorneys to appear on non-dispositive court settings.

In Tarrant County, cases tend to be filed more quickly than in Dallas, Denton, or Collin Counties.

Whether or not you have to appear at your scheduled court dates varies by court.

Q: How long will this process take?

A: There are many factors that determine how long a criminal case will last. Cases that are on the trial docket obviously take longer to resolve than cases being plea bargained. The majority of our DWI cases are resolved within six months to a year in Collin, Denton, and Tarrant Counties and within eight months to two years in Dallas County.

Q: Will I go to prison or jail for a DWI conviction?

A: The punishment varies depending upon the circumstances of your particular case, and whether this is your first, second, or subsequent offense. When you work with a defense lawyer and fight your charges, you have the opportunity to avoid a conviction and remain free.

Q: How can an attorney help me?

A: An attorney works knowledgeably and skillfully to protect your rights and interests by challenging the prosecution's case and the evidence against you. This may include challenges to field sobriety test results, breath test results, or blood tests results. An attorney's representation also includes being present, either at your side or on your behalf, at any and all court appearances, including trial.

Q: Can a lawyer represent me at my ALR hearing?

A: Yes. We can contact the Department of Public Safety to schedule your administrative license revocation (ALR) hearing and represent you there in order to help you reach a better outcome. Your driving privileges are extremely important, and skilled representation at your hearing may mean the difference between your keeping them and losing them.

Q: What are some penalties associated with a Texas DWI conviction?

A: Specific penalties vary, but, in general, a defendant may face imprisonment, probation, community service, driver's license suspension, fines, surcharges, and more.

Q: If I have a DWI conviction on my record, can this affect my ability to find employment?

A: It is possible that having a DWI conviction on your criminal record may make it more difficult for you to find employment. When a potential employer conducts a pre-employment background search, your DWI conviction shows up. This may or may not affect their desire to employ you, however, many employers prefer not to hire employees who have criminal records.

CONTACT US

Call us at (972) 943-8500.

For more information about our law firm, our team, and our experience trying DWI cases, visit us at DefenseIsReady.com or watch our videos at DeandraGrant.TV.

If you or a loved one ever find yourself arrested for Driving While Intoxicated in Texas, this book is a must-read.

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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