Page Title: Arrest DUI, DWAI, Georgetown, Clear Creek County, Colorado – DMV Hearings, Fines, Costs, Classes, Experienced Defense Attorney/Lawyer Shipp.

Article Headline: Experienced local Criminal Defense Trial Attorney/Lawyer, who knows the Judges and District Attorneys, reduces punishments, makes deadlines and does not make mistakes with court rules.

Abstract: DMV and Court costs – Penalties for 1st DUI and 2nd DUI increases penalties.

URGENT DMV (Department of Motor Vehicles) DEADLINES

When stopped by a state trooper, police officer, or a sheriff deputy for DUI in Downieville, Dumont, Empire, Georgetown, Idaho Springs, Lawson, Silver Plume and St. Mary’s and surrounding areas that officer may invoke **Colorado’s Express Consent** law. It states that if the officer has a reason to believe that you are impaired by alcohol or drugs while driving then you must take a test of your breath, blood, or urine or lose your driving license/privilege for one year. A failed breath test or a refusal to take a test will trigger the issuance of an Express Consent Affidavit and Notice of Revocation. You MUST READ the information contained in this administrative document CLOSELY. You have a seven (7) day DEADLINE to make a written request for an administrative hearing or lose your driving license/privilege on the eighth (8th) day following the date of the notice based on the Order of Revocation. Upon filing a written request for hearing you will be issued a temporary driving permit that will be good for up to sixty (60) days or the date of the hearing, whichever occurs first.

The written request for hearing should be filed at your local DMV driver’s license office to have your temporary permit to drive issued immediately. They will assist you if you bring the Express Consent Affidavit and Notice of Revocation to them. THEY WILL ASK if you want the arresting officer present for the hearing. This is a VERY IMPORTANT question. WE NEED TO TALK about how you will answer it before you are faced with this decision so call 888-DAN-SHIP (888-326-7447). If you do not know where to locate the local DMV public office, give us a call.

SUMMONS AND COMPLAINT to appear for Hearing before Judge of the Judicial District in which the arrest occurred.

Your Summons contains the charges against you, the date and time of your first court appearance, the location of that appearance and your personal information.

The date set out here is not your trial but simply a first appearance. The States Attorney known in Colorado as the District Attorney will be prepared to make a plea bargain offer at this time. Before accepting this plea offer you are entitled to receive copies of all the paperwork the District Attorney has reviewed to come to his offer. This paperwork is called “Discovery”. Never accept a plea offer without reviewing the Discovery. It will help you see the weaknesses in the state’s case against you

You will not enter a plea at first appearance except in very rare cases. The Discovery must be reviewed. Court Rules and the law require the District Attorney to provide you the Discovery with twenty (20) days of your first appearance. If you do not choose to hire an attorney, you will need to go to the county law library and research your duties and obligations and those of the District Attorney. You will also find the Court Rules there. You are entitled to a trial by jury. Should you decide to go to trial, it can be to the judge or jury. The juror qualifications can be found in the library. You will find many resources there but unfortunately no staff to assist you.

Appearance Bond

An Appearance Bond may or may not be required of you upon arrest. Generally a Bond will be less than Two Thousand ($2000) dollars and can normally be charged to a credit card or if you choose it can be arranged through a Bail Bond Company for a fee, generally for a 15% premium paid to the Bonding Agent. Should you choose a Bonding Agent, you will be required to appear in person for each hearing. If you put up the cash bond personally, then you will be able to appear through your attorney and not personally appear for each future court date, depending on court rules.

DMV (Department of Motor Vehicle) REVOCATION

Adult--1st DMV Revocation: Nine months revocation with early reinstatement after one month of no driving. Reinstatement requires the following:

1. Application for Reinstatement,
2. $95.00 Reinstatement Fee,
3. Alcohol Education Certificate from service provider,
4. Ignition Interlock installed in car, and
5. SR22 from auto insurance company.

Minor--(Under 21 years old) 1st DMV Revocation (alcohol): Three months probationary license eligible only if BAC is less than .05%.

1st DMV Revocation (Drugs): Three months

1st DMV Revocation (alcohol): One year, ineligible for probationary license with court conviction of DWAI.

COURT PUNISHMENT

Adult/Minor DUI (1ST): Jail: Five days to one year (judge pay suspend)

Fines: $600.00 - $1,000.00 plus court costs up to $800.00

Useful Public Service: 48 – 96 hours

Probation: 0 – 2 years; costs could run up to $60.00 a month if supervised, and

Points: 12 points on driver’s license.

ADDITIONAL COSTS NOT COVERED ABOVE:

Chemical testing Fees $30 - $150

Towing Fees $143

Car Storage Fees $39

Jail Fee $30

Alcohol Treatment Evaluation $200

Bail Fee $150

Alcohol Education classes $150 - $1,000

Probation Supervision fee $1,200 and up

Victim Assistance Fund $78

Victim Impact Panel $25

Ignition Interlock Rental $480 - $1,460

Law Enforcement Assistance Fund $90

Community Service Supervision Fee $60

License Retesting/New License $21

Auto Insurance increase $3,000

Defense Attorney $2,000 - $10,000

Brain Injury Trust Fund $15

Choosing an Attorney

An experience locally familiar trial attorney/lawyer from the Grand Junction area to defend your case is essential to minimize your exposure to stiff penalties and costs.

Dan Shipp has more than three decades of trying DUI cases. He will personally handle your case before Clear Creek County Judge Rachel J Olquin-Fresquez. He has appeared before each of the judges on behalf of other clients. He knows the judges and they know him.

The defense of a criminal case begins with the exchange of a tremendous amount of information. The best start is for you to download the “New Client DUI Questionnaire”. It is located under the “DUI Forms” button on the home page of this website. It contains 31 pages of questions for you, about not only what happened at the time of your arrest, the reason for the stop, who you were with, what you had to drink, what your weight is, over what time period you drank, but also what possible chemicals (acetone, toluene, 409, mouthwash) you were around that could cause the appearance of a high alcohol reading. It asks about your activities before the arrest, what you had to eat, were you in a hot tub, and your health conditions that may include diabetes and gastro esophageal reflux disease, which could give the appearance of a high BAC.

This questionnaire should be filled out BEFORE reading any police reports so that you do not adopt any statement made by the officers as your own. Why? Because they make mistakes. I do not want you falling into the trap of continuing their mistakes. I would rather you just not know an answer.

I’ve studied breath tests and I have been trained to operate the intoxilyzer machine used in Colorado. I have studied/spoken on the roadside/blood/urine testing at “Mastering Scientific Evidence” at seminars in Dallas and New Orleans. Speakers include Authors, Doctors and scientist that are recognized on a National Scale, I have taught other attorneys trial practice techniques. Look closely at my academic qualifications. Look at the DUI videos on the home page. See how I dress in the courtroom; see how I talk to the jurors and the judges. See the testimonials that have been sent to me thanking me for my help. Read the newspaper articles of my cases then call or come to see me and judge for yourself if you are comfortable with me handling your case. Don’t go it alone, get the best DUI attorney you can afford.