

*The following three clips are samples of my SEO writing for legal blogs. The clients' names are redacted, but the samples are still copyrighted and unavailable for sale or reposting.*

## **Sample 1: Possible DUI Defenses**

A DUI conviction is no joke. Not only could you face serious fines, loss of driving privileges and in some cases jail time, if your job relies on driving, you could lose your income. Even if that doesn't happen, people you work with or friends and family are bound to find out. And the consequences will follow you around for years to come. It's especially important to get a lawyer involved if you're accused of drunk driving for all of these reasons, but far too many people assume they just have to accept what's coming, even if they don't believe they were intoxicated. Not true.

There are multiple defenses you can use depending on your specific circumstances, and in some cases, you may have a more than one. Your lawyer can use his or her experience for what works (and common mistakes made by your local law enforcement) to help you build your case with one or more of the following — and these are just the most common defenses. You may have other extenuating circumstances in addition to the ones we see frequently.

### **1. Illegal Stop**

If they want to pull you over, in most cases officers have to have reasonable suspicion. If they don't meet the burden for reasonable suspicion, the evidence (including anything they learned after they pulled you over, such as evidence from a roadside sobriety test or even a breathalyzer in some cases) may be thrown out, resulting in a dismissal or not-guilty verdict if the judge agrees that it was a bad stop.

### **2. Failure to Read Your Rights**

"You have the right to remain silent. Anything you say can and will be used against you in a court of law." You can finish the rest thanks to the predominance of procedural dramas on TV over the last 20-plus years. But your Miranda rights aren't just lines in a TV show or movie. They're fundamental building blocks of the U.S. judicial system — and if you don't receive proper Miranda warnings or they're ignored in any way, your Constitutional rights have been violated. If they fail to Mirandize you or violate your rights (for example, by making you speak without an attorney present if you haven't waived that right), it may be possible for an attorney to get your case dismissed.

### **3. Challenging Field Sobriety Tests**

The first two rely on Constitutional rights violations, but there are also other potential issues. Field sobriety tests are a valuable tool for law enforcement, but they can be used improperly. There are many reasons someone might fail one. Those with physical disabilities may have trouble with some portions, while those with learning or mental disabilities may have difficulty with others. Even temporary injuries can cause a perfectly sober person to fail.

In order to be valid, the officer has to do it properly. So make sure you go over the entire event with your lawyer.

#### **4. Challenging the Breathalyzer Results**

In some states, like Florida, so long as the officer has probable cause and you're lawfully arrested, you are required to take a breathalyzer. If you're not in an implied consent state, we recommend refusing the breathalyzer. But if you are, you may be able to challenge the results. Your blood alcohol levels don't increase immediately after taking a sip. In the right circumstances, we may be able to prove that you were below the legal limit when you were driving (and therefore didn't violate the law).

#### **5. Providing Other Explanations for Your Behavior**

In an implied consent state, where breathalyzers aren't optional, this can be tough, but that doesn't mean it isn't still a valid defense for some. Driving badly isn't the same as drunk driving. There are lots of reasons people may exhibit signs officers would normally associate with drunk driving, and if you weren't given a breathalyzer or there's a reason to believe the breathalyzer results are suspect, this defense can be very useful. Bad driving is certainly a ticket-able offense in many circumstances, but that's far from deserving of the same penalties as drunk driving.

#### **6. Explaining Your Appearance**

It's unlikely you'll be arrested for DUI just because you aren't dressed well, but if your clothes are disheveled or you have other potential physical indicators of intoxication like bloodshot eyes or a flushed appearance, it's likely to be part of the evidence against you that the officer records in the arrest report.

But as we all know, lots of things can cause that. Maybe your shirt was half untucked because it had caught on the seatbelt. And any allergy sufferer knows all too well how dry, red and irritated it can make your eyes. Even legal prescription medications can cause odd physical side-effects without impairing your ability to drive.

#### **7. Proving You Weren't Driving**

It may seem obvious that you'd have to be driving if you're arrested for DUI, but you'd be wrong. Sometimes, the police intervene when a driver is parked. That's a good thing since it probably keeps drunk drivers off the road, but in order to be arrested for drunk driving, one must usually actually be driving. There's nothing illegal about a drunk person sitting in a parked vehicle.

#### **Get a Lawyer**

This isn't the time to defend yourself. These convictions can adversely affect your finances, your personal and professional life and even your freedom. If you've been arrested for drunk driving in the Orlando, Florida, area, call the experienced DUI attorneys of [REDACTED] for a free, no-obligation consultation.

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