

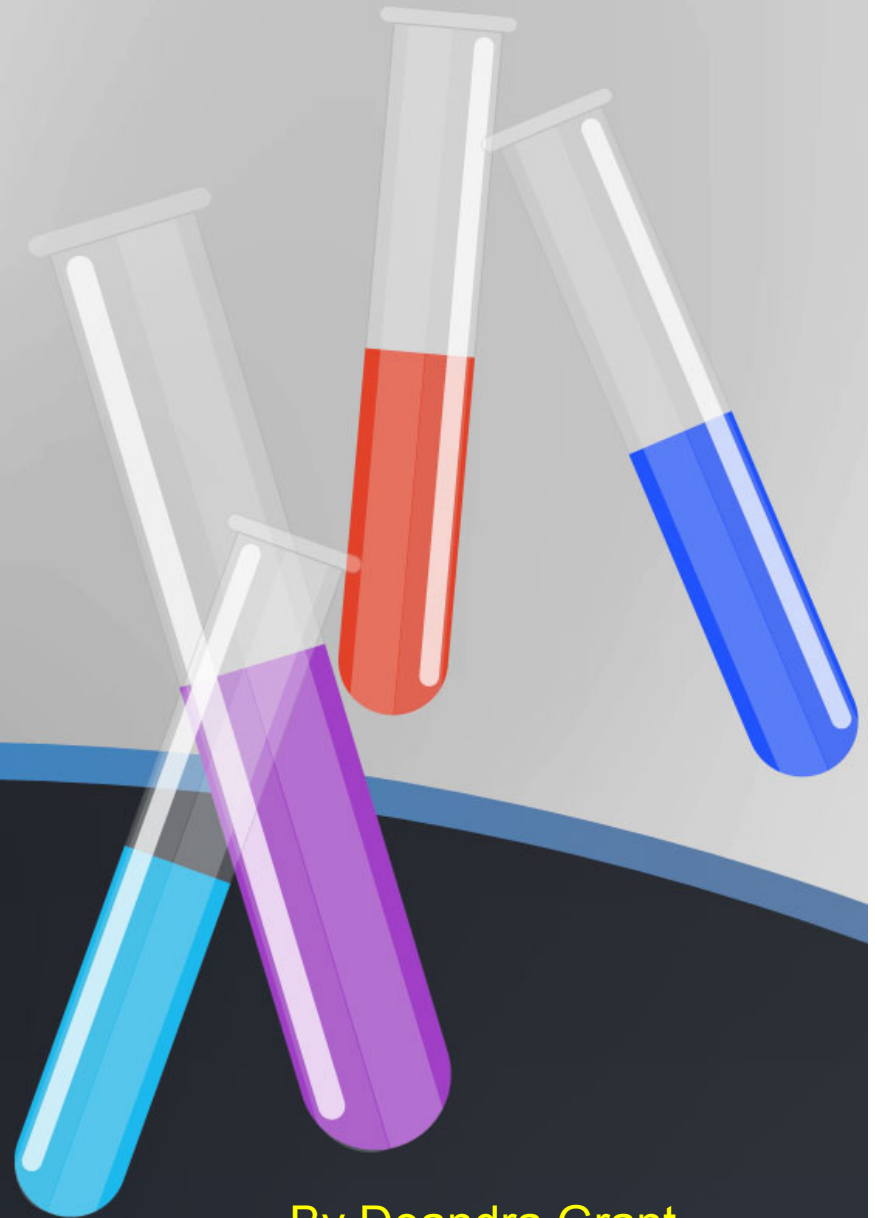
***California Public Defenders
Association
DUI Academy***

Monterey, California

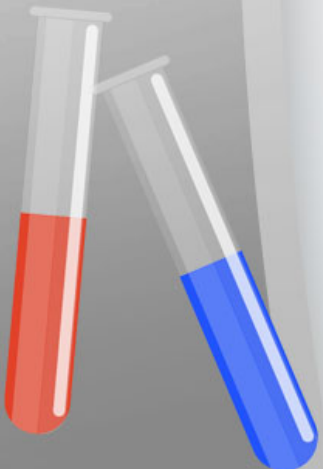
June 2012

**Building the
Ultimate DUI Trial
Notebook**

By Deandra Grant



**Assume every case is
going to trial.**

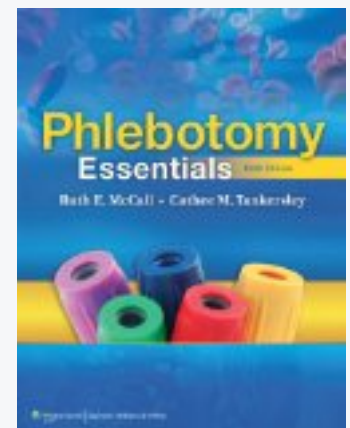
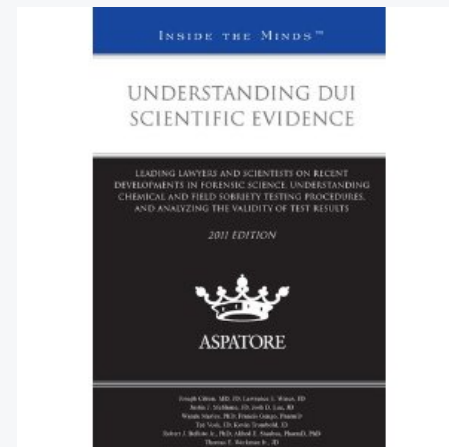
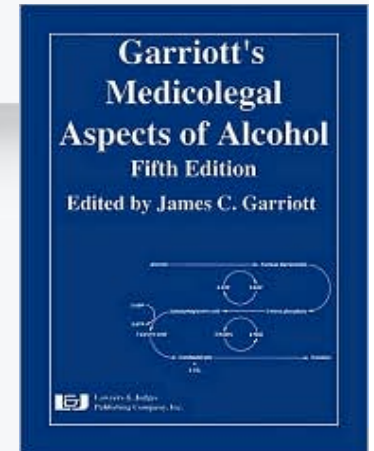


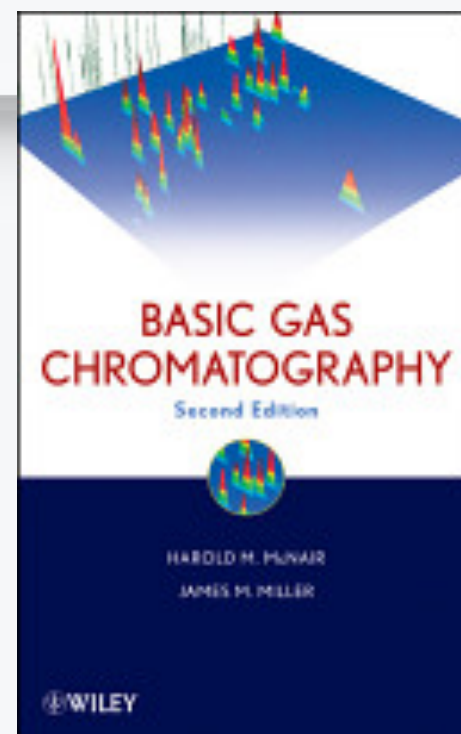
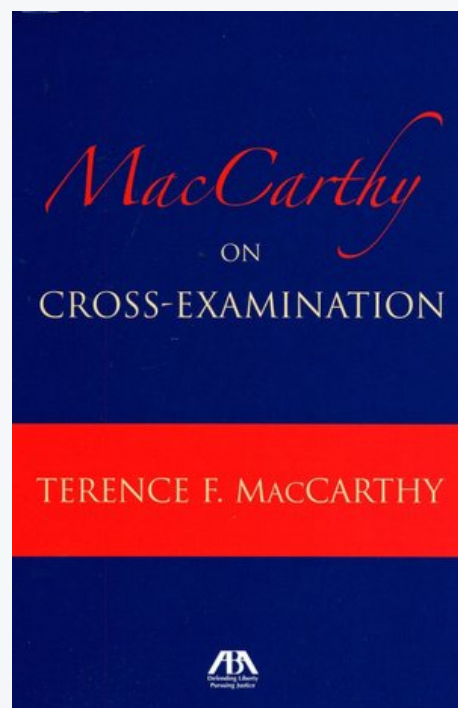
Knowledge Can Take You Far

Garriott's Medicolegal Aspects of Alcohol, 5th edition

Understanding DUI Scientific Evidence (Aspatore Publ.)

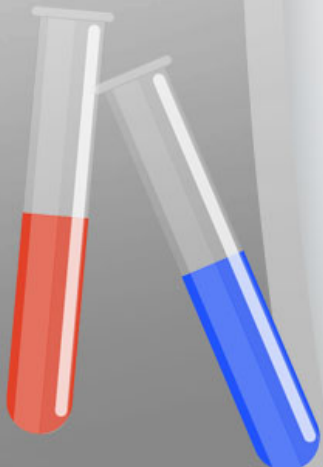
Phlebotomy Essentials, 5th ed.





Resources on the Internet

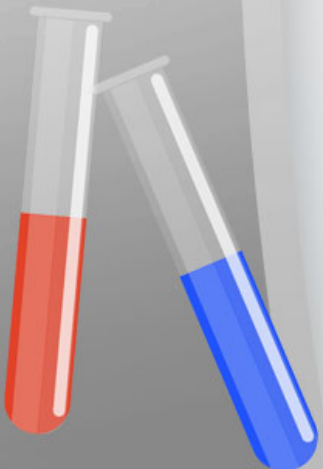
- Google SFST Manual 2006 and you'll find sites where you can download for free
- There are many blogs which cover a variety of DUI-related topics
- List serves are an invaluable resource
- DUI-focused organizations like NCDD have valuable information on their website for members



DUI-Related Blogs

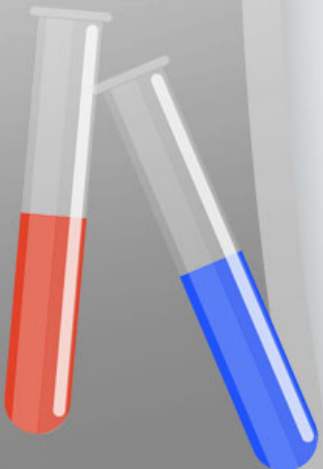
www.TheTruthAboutForensicScience.com
(Justin McShane)

www.YourMichiganDUILawyer.com
(Patrick Barone)



Online Training

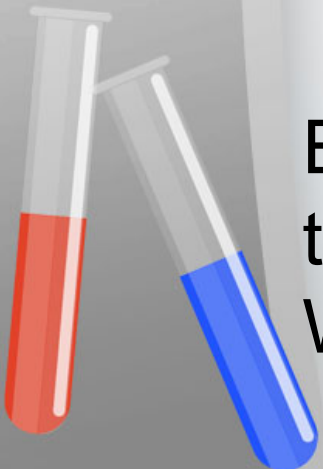
- Webinars – NCDD, NACDL, your state legal organizations
- www.ForensicSobrietyAssessment.com



Create Mini-Notebooks on Specific Topics

- Cheat sheets
- Key cases
- Scientific articles
- Transcripts

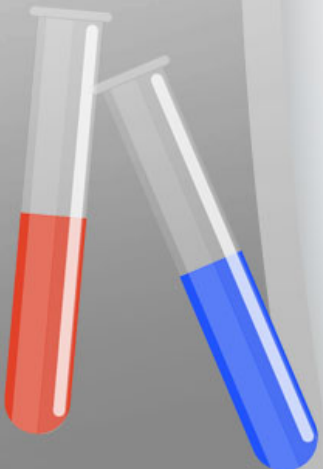
Examples: Confrontation, Hospital blood tests, HGN, Voir Dire, Breath Testing, Whole Blood Testing, Hospital Blood



Client Intake

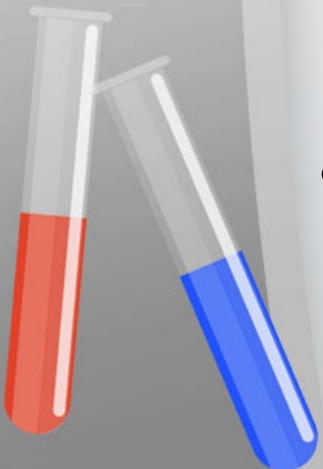
Detailed intake questionnaire

- ☐ Details of stop and arrest (or accident)
- ☐ Client's medical history
- ☐ ID potential defense witnesses
- ☐ ID any physical evidence that needs to be obtained (photos, receipts, medical records, etc.)



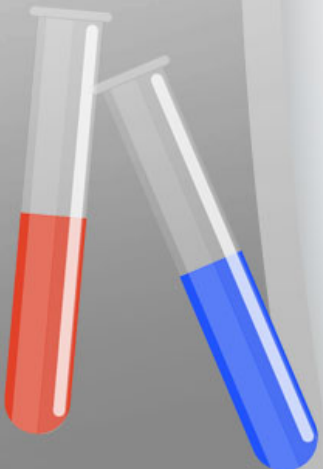
Client Interview

- Go through the questionnaire and ask about important points
- Issue spot
- Let them tell you their story and their FEARS
- Get a feel for how much detail they remember
- Take notes



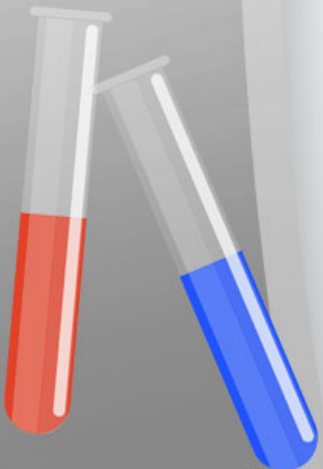
Create a Binder for Your Trial

- 3 ring binder with pockets
- Create your own tabs
- As documents are prepared/
received, put them in the binder
- Put your Trial Prep Checklist in the
front and check things off as they
are completed



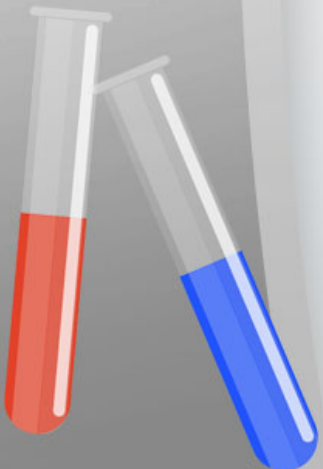
DropBox

- Set up a DropBox account (or some similar cloud service)
- Keep your trial notebook in a virtual format in DropBox while the case is pending
- This will allow you to access the trial notebook remotely



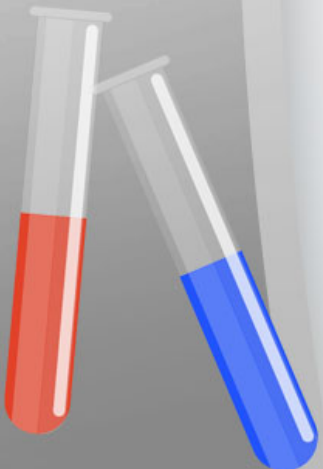
Create a Trial Prep Checklist

- Make a checklist of everything you will need as part of your trial prep
- Identify the pre-trial motions that will need to be filed and prepare them
- Identify any subpoenas or open records requests that are needed and prepare them

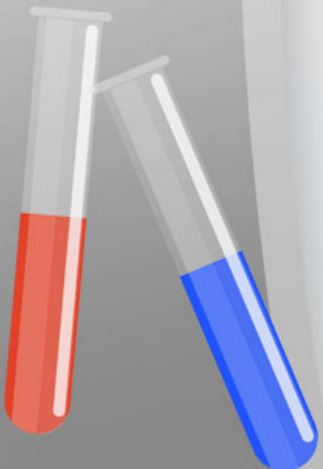


Building Your Notebook

- Videos
- Photos
- Voir dire questions
- Pre Trial Motions
- Police report
- Client questionnaire and intake notes
- Weather report (Weather Underground)



- Case law & legal research
- Scientific articles
- Jury charge language
- Cross examination
- Transcripts
- Breath/blood test discovery
- CV of State's "expert"
- Report by defense expert
- Medical records
- "Cheat sheets"
- Google maps



Create Your Own Exhibits



AV-rated attorney Deandra Grant's practice is focused on DWI defense in Dallas and Collin County, Texas. She is a national speaker on DWI law and science and is the co-author of The Texas DWI Manual, scheduled for re-release in 2012. She is also the author of the popular Texas DWI Gal blog and the founder of the Texas DWI Defenders list serve. Deandra has completed the SFST certification course, the SFST instructor course, a drug recognition course and is one of the few attorneys 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. In 2011 she received a certificate in *Forensic Chromatography: Theory & Practice*, issued by Axion Labs and the American Chemical Society. Deandra is a member of NCDD, NACDL, TCDLA, the Dallas Bar Association, the Collin County Criminal Defense Lawyers Association and has served on the Board of the Dallas Criminal Defense Lawyers Association since 2007. In 2012 she was admitted as a member of the American Chemical Society and the American Academy of Forensic Science. D Magazine named Deandra to its list of Best Women Lawyers in Dallas 2010 and Best Lawyers in Dallas 2011. She was also named a Texas *Super Lawyer* in 2011.

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<http://WomenDefyingGravity.blogspot.com>