



OWENS PERKINS

Areas of Practice

Family Law
Business Law
Contract Law
Civil Litigation
Estate Planning
Probate
Guardianship
Criminal & DUI
Real Estate Law

Family Law

OWENS & PERKINS offers a full range of legal advice for all aspects of family law such as divorce, spousal maintenance, child custody, child support, domestic partnerships and paternity matters.

Attorney Spotlight

Max N. Hanson

Graduated from ASU College of Law in 1997 and received the Dean's Award. Max's areas of practice include Family Law, Criminal Law, and Construction Litigation.



Enjoy Your Summer – Avoid DUI and OUI charges

During the summer months, many of us enjoy beating the heat through holiday or other get-togethers for food and fun at poolside, tubing on the Salt River, or getting out on a boat or jet ski at lakes and waterways throughout Arizona. Often, these fun activities also include the consumption of alcohol. Here at Owens & Perkins, we ask that everyone enjoy their summer by making sure, if you drink that you drink responsibly and never operate a car, boat, or other vehicle after drinking.

However, if you find yourself in a situation in which you have been stopped by police or other law enforcement officials and are suspected of operating a vehicle under the influence, whether it be a car, boat, or other motorized craft, here are some considerations to keep in mind:



What are the penalties for a DUI in Arizona? Driving under the influence of alcohol in Arizona is a Class One Misdemeanor, with a maximum possible sentence of six (6) months in jail, up to \$2,500 in fines, not including surcharges or assessments, and up to three (3) years of supervised probation as well as associated penalties from the Motor Vehicle Department. The minimum penalty for a first offense non-extreme DUI (i.e., having a Blood Alcohol Content "BAC" of 0.08 to 0.14 within two (2) hours of driving) in Arizona is ten (10) consecutive days in jail, between \$1,500 to 1,800 in fines, surcharges, and assessments, a ninety (90) day suspension of your driver's license, and a requirement to install and utilize an interlock ignition device, at your expense, on your car for at least one year. So, as you can see, Arizona will require jail time with any conviction of a DUI and suspend your driver's license even with first time offenders.

What are your rights if you are stopped for a DUI? You have certain inalienable Constitutional rights anytime you are confronted by law enforcement. You have a right to remain silent – beyond identifying yourself to officers with name, address, and driver's license, etc., you have the right to refuse to answer any other questions and to invoke your right to remain silent. You also have the right to decline to perform field sobriety or coordination tests as well as any eye or penlight tests. Refusal of the blood and/or breath testing will automatically cause you to lose your driver's license for up to a year, so you may want to comply with the officer's request in this regard. You also have the right to consult with your attorney prior to any questioning by police or any blood, breath, or urine testing, unless it would cause undue delay in the testing. Finally, you have the right to request that a sample of any blood, breath, or urine taken by law enforcement be preserved for an independent test and evaluation and/or have your own independent test done at your own expense.

What should I do if I have been stopped or charged with DUI? As set forth above, we would encourage you to utilize your rights if you are stopped on suspicion of DUI and would strongly suggest and encourage you to contact an Attorney as soon as possible. Based on the severe ramifications to your life from a DUI, an experienced Attorney can make all the difference in navigating through the process and helping you to obtain the best result possible.

If you are in need of an Attorney to consult with concerning a recent DUI or wish to obtain more information about DUIs, please contact us at 480.994.8824 and check out our website at www.opduilaw.com.