

How a DUI Case Makes its Way Through the Pennsylvania Court System

BEING CHARGED: If you're pulled over and charged with a DUI, you will be arrested. You will be taken to a police station or local jail and asked to provide certain pieces of information to the officer. You will probably be provided with a bond and offered the opportunity to secure your release from custody.



PRELIMINARY HEARING: Your first step in the court process is the preliminary hearing. You will be seen by a local District Justice. This is the hearing at which the judge will review your arrest and what you are said to have done. Evidence will be presented against you, so you need an attorney.



ARRAIGNMENT: You will have your formal charges presented to you at the arraignment and you will be advised of any legal rights you have. At your arraignment, you may plead guilty or not guilty. With a guilty plea, you go to sentencing. If you plead not guilty, you will have a trial.



NOT GUILTY PLEA



GUILTY PLEA

MOTION HEARING: At this hearing, your attorney may present evidence that shows you were wrongfully arrested, or that for some other reason the trial should not continue. Your attorney may also take the opportunity to work out a deal with the prosecutor.



TRIAL: At your trial, you will have the ability to defend yourself against the evidence presented. Once all evidence is presented and both sides have the opportunity to state their case, a judge or jury will review what has been heard and come to a finding. If you are found not guilty, you will be free to leave. If you are found guilty, you will be scheduled for a sentencing hearing.



SENTENCING: If you are found guilty of driving under the influence and don't have grounds for or don't file an appeal, you will be sentenced. There are options for first-time offenders, but every sentencing will follow state law.



APPEALS: If you are found guilty in court and believe that there has been some mistake in the law, you can appeal your case with a higher court. It is important to note that you can't appeal simply because you don't like the decision. In order for a higher court to hear your case, you must be able to show that you believe there to have been some type of legal error.



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