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Criminal Defense Attorneys: Is It Time To Call One?

If you have asked yourself whether you ought to work with a criminal defense attorney, the answer is most certainly "yes." Criminal defense lawyers have the ability to affect the result of a criminal examination or trial. Your criminal defense attorney will make sure that your rights are protected throughout the police investigation, will browse the criminal justice system after charges have been submitted, and will challenge the government's case against you at trial.

AFTER CHARGES ARE FILED

You may not realize you need an attorney until you are issued a citation or served with a warrant. Law enforcement officers may conclude their investigation without ever making contact with you. Even if you were contacted by law enforcement, the officers may not have informed you of their intent to file charges. For these reasons, lawyers are generally retained after criminal charges have already been filed.

If you receive notice that felony or misdemeanor charges are pending against you, you should immediately contact a criminal defense attorney. Criminal charges have the potential to change the course of your life. Utah felony charges are punishable with imprisonment for zero years to life and with a fine of up to \$10,000.00. Utah misdemeanor charges are punishable with imprisonment for up to one year and a fine of up to \$2,500.00. Your criminal defense attorney will play an invaluable role in obtaining a favorable plea deal or obtaining a not guilty verdict at trial.

Your defense lawyer's work begins as soon as he is hired. In some cases, you may be arrested and required to post bail or remain in custody. At the time of arrest, the arresting officer is required to read you a statement of your rights. You have a right to an attorney, and your attorney should be present for



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all questioning that occurs while you are in custody. Your attorney can also assist you in reducing your bail or securing your release through a pretrial supervision agency.

After you have been released from jail and made your first appearance in court, your attorney will obtain discovery and evaluate the evidence to determine your options. Your attorney will attend pretrial conferences, where he will negotiate with the prosecutor to secure a dismissal or reduced charges. If a plea agreement is not reached, your attorney will file relevant pretrial motions and prepare your case for trial.

BEFORE CHARGES ARE FILED

Law enforcement officers frequently contact suspects before charges are filed, in hopes of obtaining a confession or other information to aid in their investigation.

DO NOT SPEAK TO THE POLICE. You have no obligation to assist in criminal investigations. You have the right to remain silent and to have an attorney present during questioning. It is important that you are aware of your rights, because investigating officers are not required to inform you of your right to counsel during the investigation stage. You will not be informed of your constitutional rights unless you are placed under arrest and taken into custody. In fact, police officers often mislead suspects into believing that an attorney is not necessary during "routine questioning."

If you have been contacted by the police, you should immediately retain a criminal defense attorney to communicate with the police on your behalf. Your attorney will ensure that you do not provide the police with any statements or evidence that may later be used against you. Your attorney will also work to investigate and preserve evidence that is favorable to your case. If favorable evidence exists, your attorney will use that evidence to persuade prosecutors not to file charges against you.

TRUST YOUR INSTINCTS



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There may be other signs that you are the subject of a criminal investigation. If you have engaged in criminal activity, and your co-conspirator begins to exhibit unusual behavior, he may be working with the police. If you find your boss seated at your computer or going through your files, he may suspect wrongdoing. Trust your instincts. If something feels wrong it usually is.

Most criminal defense attorneys have a policy against consulting with people who are planning to commit a future crime. However, your criminal defense attorney can advise you on the likely consequences of prior criminal activity. Your attorney can also communicate with police agencies to determine the status of the criminal investigation and to assist you in reducing or avoiding criminal charges.

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