



A Guide to Preparing for Your Criminal Defense Case

You shouldn't let one mistake ruin your life, or worse, be wrongfully convicted of something you didn't do. Having to deal with a criminal case is never ideal, but things happen and it is important to find legal representation that will provide the most fair outcome for yourself and everyone else involved. You are most likely under a lot of stress at the moment and are unsure of what happens next. Here is a short guide on what you can expect cost and process-wise, and what your responsibilities are when it comes to your case.



OSWALD LAW

WINNING WHEN IT MATTERS MOST

What Does it Cost to Hire a Criminal Defense Attorney?

You will be charged an initial retainer fee is paid at the first conference. Each criminal case is different depending on factors like where your charge is pending (Municipal Court vs. District Court) and what type of charges you are facing (Traffic, Misdemeanor or Felony). Our costs are generally \$195.00 an hour with a flexible retainer, but costs can vary depending on the situation. Call our office to discuss your specific situation so we can have a straightforward conversation about the costs associated with your case.

What Are Your Responsibilities?

Act Quickly.

Many criminal cases are time sensitive and it is in a criminal defendant's best interest to contact an attorney as soon as possible. A delay could ultimately hurt the overall outcome of your case. For instance, when you receive a DUI citation, there is a very limited amount of time to request a hearing to preserve your driving privileges.

Be Open & Honest with Us.

It is extremely important that you tell us the whole story and be honest about what happened. In order to get you the best possible result, we need to know everything you know. We are the legal experts and you are the factual expert, for us to do our job and we need you to provide us with the facts.

Know Your Rights.

We understand that you may feel the need to verbally defend yourself right away. It is almost a natural instinct to do so, but the safest route in these situations is silence. The 5th Amendment states: "No person shall be compelled in a criminal case to be a witness against himself." After Miranda warnings are read, it's time to be quiet and contact an attorney. Often, statements to law enforcement severely restrict available legal defenses. Do not try to negotiate with law enforcement – you will not win.



What Are the Steps Involved in a Criminal Case?

Of course, the actual first steps in a criminal case are the arrest and booking, but you may be wondering what exactly is going to happen after you contact your attorney. Although every case is different, here are some of the basic stages in a criminal case.

STEP 1

Arraignment: The first step in a criminal case is a court appearance called an arraignment. During the arraignment, the charges against the defendant are read before a judge. At this time, a lawyer is appointed if the defendant cannot afford one, and the defendant's plea. Bail is also sometimes set during the arraignment.

STEP 2

Preliminary Hearing: During this stage, a prosecutor presents evidence against the person in question to a judge. If the judge thinks a strong suspicion exists, the defendant is 'held to answer,' and the prosecution proceeds to the trial court level. If the judge does not agree that the prosecution has demonstrated 'strong suspicion,' the charges are dropped.

STEP 3

2nd Arraignment (Superior Court): Fourteen days after the defendant is 'held to answer,' they go to the trial level court of the Superior court. Here, the same procedure that happened during the first arraignment takes place.

STEP 4

Pretrial Hearing & Motions: A motion is a request for the judge to issue a ruling order on a legal matter. The pretrial is meant to resolve outstanding issues and it is often a good time to attempt to settle or 'plea bargain' the case.

STEP 5

Jury Trial: During the jury trial, both the prosecution and defense present evidence and call witnesses. The case is presented in front of a judge and a twelve-member jury. After both sides of the case are presented, the jury will examine the evidence, discuss and return a verdict. The judge will then interpret the verdict for sentencing, according to state law.

How the Attorneys at Oswald Law Can Help

At Oswald Law, we've provided effective legal representation to clients in Hutchinson, KS since 1994. Whether you live in Kansas or were just visiting, we have the legal knowledge to help you with your legal issue and are here to fight for you when it matters most.

We offer a wide variety of criminal defense services:

- ☑ Criminal Defense (city and state)
- ☑ Jury and Bench Trial Representation (at all levels)
- ☑ Settlement Negotiations with the Prosecution
- ☑ Felony/Misdemeanor Charges
- ☑ Appellate Defense
- ☑ Expungements
- ☑ Representation at Law Enforcement Interviews/Interrogations

We believe that a mistake should not ruin your entire life. Our attorneys are extremely familiar with the ins and outs of criminal law and will look at your case from all angles to come up with a plan for you. Contact us at (620) 662-5489 to schedule your consultation.





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Call today for a consultation! (620) 662-5489

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