

## Femia's Menu

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Dear Fellow Members:

As most of you are aware, I'm still processing the CA docket at the direction of Judge William D. Missouri. My handling of DWI cases has not changed in thirty years and this epistle will not offer any change of substance. However, legal definitions under the law have changed and I thought this a good opportunity to amend my written menu, last published on April 8, 2000.

### FIRST OFFENDERS WANTING A PBJ MUST:

Impaired: (plea to b\*)

- a) One night in jail and a \$100.00 fine or
- b) Four days on the road and a \$100.00 fine\*\* or
- c) Traffic school and a \$200.00 fine or
- d) A \$500.00 fine.

Under the Influence .08-.19: (plea to either a)

- a) One night in jail and a \$100 fine or
- b) Four days on the road and a \$100.00 fine\*\* or
- c) Traffic school and a \$500.00 fine or
- d) A \$1,000.00 fine.

Under the Influence .20-.29 (plea to either a)

- a) Two nights in jail and a \$100.00 fine or
- b) Eight days on the road and a \$100.00 fine\*\* or
- c) A \$1,000.00 fine.

Under the influence .30 and up: (plea to either a)

- a) Five days in jail or
- b) Completion of the 28 day Calvert County DWI facility program.

### SECOND OFFENDERS WITHIN TEN YEARS:

Impaired: (plea to b\*)-guilty finding, 30 days, all but 7 consecutive days suspended.

Under the Influence: (plea to either a)-guilty finding, 6 months, all but 7 consecutive days suspended.

### THIRD OFFENDERS WITHIN TEN YEARS:

Impaired: (plea to b\*)-guilty finding, 30 days, all but 14 consecutive days suspended.

Under the influence: (plea to either a)-guilty finding, 6 months, all but 14 consecutive days suspended.

### FOURTH OR MORE OFFENDERS WITHIN TEN YEARS:

Impaired: (plea to b\*)-guilty finding, 60 days, all but 30 consecutive days suspended.  
Under the Influence: (plea to either a)-guilty finding, 1 year, all but 6 consecutive months suspended.

All cases come with costs assessed which at this writing adds \$100 to your clients' fees. All probationary periods are for one year, unpapered and unsupervised. I've been known to vary--there was that time in '82, for instance-- but it would be a grave mistake to rely on my repeating that conduct.

As always, I honor all agreements between state and defense. Such agreements always take precedence over my menu.

\*A no-blow is a b.

\*\* Roadwork is at the client's expense. It costs \$10.00 per day to work during the week and \$25.00 per day to work on the weekend or on a holiday.

All roadwork fees are assessed as part of and in addition to the stated fine.

P.S. I want to remind counsel that I need an executed "waiver of rights" form (available on counsel's table) from each defendant offering a plea to aailable offense.

Thanks.