

Course Descriptions

Impaired Driving Symposium

August 4-5, 2016

Blood Search Warrants: Case Law Update

This session will summarize recent significant case law related to impaired driving cases.

Electronic Search Warrants

For more than a century, the “Four-Corners Doctrine” has been the standard by which reviewing courts would evaluate the validity of a warrant. If probable cause could not be found within the “four corners” of the affidavit, the warrant could not withstand a challenge. However, advancements in technology are forcing magistrates and courts into a brave new world where the probable cause affidavit is merely the starting point.

Probable Cause: Stop, Investigate, Arrest

The fourth amendment protects drivers from unreasonable search and seizure. In the context of traffic stops and warrantless arrests, this constitutional protection is important. Under what circumstances may a driver be detained (stopped), and what actions may the officer take during the stop? This nuts and bolts presentation will discuss the legal framework for traffic stops and arrests, and will include discussion of a variety of fact patterns to assist the court in preserving these important rights.

Setting Bond Conditions

This session addresses bond conditions, specifically in DWI cases, including Article 17.441 of the Code of Criminal Procedure, the Legislature’s response to the threat posed by intoxicated drivers, allowing a magistrate to require the installation of an interlocking, deep-lung-breath-analysis mechanism in the defendant’s car. This session will also discuss mental health issues related to magistration, including co-occurring mental health and alcohol or substance abuse disorders.

Drugged Driving

This course explores youth drugged driving, comparing and contrasting it with adult drugged driving. The instructor will cover applicable laws, emerging drug use trends, and methods of concealment for alcohol and drugs.

Compliance Strategies

You have ordered the installation of an ignition interlock device as a condition of bond. How do you insure that your order is followed? Who monitors compliance and what steps are taken for a violation of your order? These are the issues that will be examined and discussed in this session.

Bond Schematic

In DWI cases, magistrates determine whether probable cause exists, set bail and bond conditions, including Ignition Interlock Devices, monitor bond conditions, and hold bond modification or revocation hearings. This webinar will provide best practices for magistrate functions in DWI Cases. The Texas Justice Court Training Center's (TJCTC) DWI Bond Schematic Program, a component of a statewide plan to reduce the incidence of DWI offenses across Texas, assists individual Texas counties in adopting a comprehensive plan for setting DWI bond conditions. TJCTC views this program as an important step towards reducing the number of DWI drivers on Texas roadways, thereby improving the safety of individual communities and the state as a whole.

Occupational Driver's Licenses

This session will answer the following questions: Who is eligible for an occupational license? Where must an application be filed? What must the application show? What must an order include? What is the effective date of the ODL?

Minors Driving Under the Influence

The threshold for an alcohol-related driving conviction is low for drivers under 21. For a minor, it is against the law to operate a vehicle with any measurable amount of alcohol in the blood. This class will explore the law governing Driving Under the Influence (DUI) and other alcohol-related offenses in Chapter 106 of the Alcoholic Beverage Code, as well as alcohol awareness programs.

Case Studies

This session will give participants an opportunity to interact and discuss different fact scenarios with judges of all levels; be prepared for a lively discussion.