

THE CRITICAL 10-STEP CHECKLIST FOR BEATING YOUR RECKLESS DRIVING CHARGE



What we've discovered through our years of service to the Hampton Roads community is that folks often make critical mistakes when they go to court to face reckless driving charges. Many of these cases could be dismissed or at least have the speed reduced.

In those cases fines and penalties would often times be significantly reduced or eliminated altogether if the defendant (that's you if you're the one that got the ticket) had known what defenses existed and what arguments to make.

With this checklist in hand, you're armed with what you need to have a much greater chance of success in court.

1. Take this charge VERY seriously. Reckless driving means driving at a speed of 20 mph or more over the posted speed limit, or at any speed in excess of 80 mph. While it may seem like a relatively harmless speeding ticket to you, Reckless Driving in Virginia is a Class 1 misdemeanor. This means the maximum punishment is up to one year in jail and a \$2,500 fine, if convicted. In fact, in the Commonwealth of Virginia, Reckless Driving is a criminal charge and if you are convicted, you will have a permanent criminal record. A judge will advise you of your right to hire a lawyer.

2. Lawyer up! Obviously we believe in our ability to provide the very BEST defense and service available, because we help folks with reckless driving tickets every day! Here's a simple test: any lawyer you speak with should be able to name every single judge in the City or County in which you're to appear without hesitation – if your lawyer can't do that, then that means they don't appear in traffic court every single day like we do. But whether you work with us or another licensed attorney, make sure your attorney understands all the angles of traffic defense and perhaps more importantly ...

3. Don't just get any traffic or criminal defense lawyer. Get one who specializes in Reckless Driving Cases! A reckless driving charge can have a serious effect on you, no matter where you are in life. You could be doing everything right, and have your whole future derailed if your reckless driving defense isn't handled with the utmost care by an attorney who understands reckless driving law. Reckless Driving defense is what we do!

4. Be prepared NOT to drive if you lose. If you're found guilty of reckless driving, your driver's license can be suspended (and driving on a suspended license can lead to jail time) or you can also be placed on probation for two years, which means that the smallest mistakes (like running a stop sign) could lead to jail time.

5. Be prepared to pay more for insurance if you lose. A reckless driving conviction causes 6 negative points on your DMV driving record. That's right – 6 negative points! And, your insurance will almost certainly go up if you get convicted of reckless driving in Virginia.

Doing a driver improvement course will put positive points back on your driving record (which could offset the negative points and bring your insurance rates down) and may also help your case in court. But before you do one, make sure it's a court-approved course. Contact us today for assistance.

6. Have your speedometer properly calibrated by an expert before you go to court. Before your court date, make sure to have your speedometer calibrated and to get a report issued and notarized that includes the findings of the calibration. Since you're facing the loss of your license and possible jail time due to this reckless driving charge, it'll be time and money well spent. But be careful, you'll need to ensure that the calibration will actually work in your favor and not against you. We can tell you where to get a calibration done and even give you directions on how to get there! And once you get it, we'll analyze it to be sure it's in your favor.



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7. Get a “don’t say” list from your attorney and stick to it. We won’t list them all, but some popular but very unfortunate things I hear people say are “I had never been on that road before so I had no idea what the speed limit was” or “there was a truck next to me - the officer's radar gun must have clocked the truck and not me” or “I was just going with the flow of traffic - why was I the only one who got stopped?” Saying any one of these things or a handful of other excuses (like “the cop only pulled me over because I have New Jersey plates”) are surefire ways to annoy the judge and ruin your case. Trust me, I know – I’m in traffic court every single day and I’ve heard every excuse imaginable!

8. Empower yourself with a defense. Make sure your attorney knows the rules and regulations the police officer and his equipment must adhere to in order for the charges to stick. There are more loopholes than you might think that can help you beat a reckless driving charge, but you can only use them if you work with an attorney who knows how to do it. For example, the police officer who pulled you over and gave you a reckless driving ticket must have his radar calibrated before and after his shift. It’s worth the extra time and effort for you to find an attorney who has that knowledge. We know how to read a radar gun calibration and how to attack it and discredit it!

This might sound a little repetitive here, but see point #1 above. This is also another reference to points #2 and #3, but a defendant who appears in Court without a lawyer is at a huge disadvantage because only a lawyer can make objections to the admissibility of certain evidence, such as hearsay or the authenticity and/or accuracy of the officer’s radar gun calibration. And, only your attorney can make legal arguments, such as arguing that there was an illegal stop.

9. After you’ve found your expert, walk into court with confidence. Many lawyers will meet with a client, but then send a less experienced lawyer to handle the case in court. Not me. At Gardner & Mendoza, P.C., I personally represent every client I meet! No imitations, no substitutions. *We understand that you may be scared about what could happen in court, but when you work with us, you’ll know what to expect every step of the way. And that brings us to the very important point #10 ...*

10. Call us RIGHT NOW at 757-464-9224. There’s no charge for a consultation with me and it just might be the smartest thing you do for yourself this year. Do it now, not in a couple days or a couple of weeks. Do it now while you’re thinking about it and have momentum toward finding the solution you need. We ARE that solution. Here’s why ...



I’m John Gardner, co-founder of Gardner & Mendoza, P.C., the Virginia Beach law firm that specializes in traffic charges so you can avoid potentially devastating consequences. That’s me in the picture on the left with my wife and law partner Radlyn Mendoza. She’s a sharp one too ... she’s been my wife and law partner for more than 18 years. And we’re joined by our amazing and very friendly staff whose number one priority is to provide you with excellent service. I mention my wife to you just so you’ll understand that I have direct access to a second legal mind to analyze and research all of my cases – not just in the office, but at the dinner table too! We’re a husband and wife team with 30 years of combined experience defending people like you and WINNING!

With that in mind, we’re a perfect team to provide you with the representation and protection you need right now. And the sooner I hear from you, the sooner I can get working on your case and help you WIN! We’ll guide you every step of the way, start to finish.

Call me today at 757-464-9224 and schedule a FREE consultation right away.

P.S. While I can’t legally make any guarantees regarding the outcome of your case, suffice to say that most of my clients are referred to me from previous satisfied clients. Our firm is a friendly place to visit, and we DO have the solutions you need right now. We know how to help you beat the charges you’re facing so you can move on with your life! We look forward to handling your case.



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