Application Package for Board Certification in DUI Law by the DUI Defense Lawyers Association (UPD 10/3/26)

Thank you for your interest in becoming Board Certified in the area of DUI Defense by the DUI Defense Lawyers Association (DUIDLA). Certification is granted to those who meet the requirements to sit for the Board Certification Exam and score a passing grade on the exam. If you are granted Board Certification from DUIDLA, you will still need to follow your jurisdiction's rules regarding advertising such designation.

We have worked hard to tailor the experience requirements to allow lawyers from across the nation to be eligible to sit for this exam. The application process may be somewhat tedious but the bar is set high for obtaining this certification which will set you apart from all other DUI lawyers in your area.

Please review the entire application to determine if you qualify based on the education and experience requirements. If you have any questions regarding the qualification requirements, please email ExecDirector@DUIDLA.org .

Before any attorney may become Board Certified, they must meet all prerequisites for Board Certification that are listed in this application packet. A checklist is provided below.

- ✓ Being an attorney admitted to practice and a member in good standing in one or more states or territories of the United States, the District of Columbia or in Canada.
- ✓ Meeting the education requirements.
- ✓ Meeting the experience requirements.
- ✓ Paying for the exam and submitting the completed application.
- ✓ Obtaining approval from the DUIDLA Board Certification Committee.
- ✓ Providing the required peer review references.
- ✓ Obtaining a passing score on the Board Certification Exam.

The Board Certification Exam will be offered twice a year at each of our two (2) national seminars. You must meet the requirements and receive approval from the DUIDLA Board Certification Committee before sitting for the exam.

Below is a list of deadlines and other important dates.

Application deadline for Spring 2027	January 15, 2027
Application approval notices sent	February 15, 2027
Exam Date Spring 2027 – Charleston, SC	April 15, 2027
Results notification sent on or before	June 15, 2027
Application deadline for Fall 2027	June 15, 2027
Application approval notices sent	July 15, 2027
Exam Date Fall 2026 – Nashville, TN	Sept 23, 2027
Results notification sent on or before	Nov 23, 2027

There is a list on the DUIDLA web site with suggested topics to focus on in preparing for the exam and a list of suggested reading materials to assist you in preparing for the exam. Congratulations on taking this step to become Board Certified in DUI Law. This will be an investment of time that will benefit you throughout your career.

Please mail the completed application and supporting documentation, along with an application fee check made payable to **DUIDLA** in the amount of $750, to DUIDLA BOARD CERTIFICATION, c/o Deandra Grant, 3300 Oak Lawn, Ste. 700, Dallas, TX 75219. Once the completed application is received and the fee is paid, the DUIDLA Board Certification Committee will begin the review process to determine your eligibility to sit for the exam.

The DUI Defense Lawyers Association (DUIDLA) is committed to fostering an inclusive environment and does not discriminate against lawyers seeking membership or certification on the basis of race, religion, gender, sexual orientation, disability, or age. Our organization welcomes all qualified attorneys who share our mission to promote excellence in DUI defense and uphold constitutional rights, ensuring equal access to opportunities for professional development, certification, and participation in our programs.

Application for DUIDLA Board Certification

Personal Information:

Name of Applicant
Mailing Address
Phone Number
Email Address
Website
Principal state of practice
Does your state have a certification program in criminal law?
If so, are you certified by your state?
What percentage of your practice is dedicated to DUI Defense?
How many years have you practiced DUI Defense?

I am a member in good standing of the bar in the following state, territory, District of Columbia or in Canada.

State / Territory / District of Columbia or Canada	**Year Licensed**	**Bar Number**

Provide a Certificate of Good Standing for one of the above.

Qualifications and acknowledgements for Board Certification:

Please certify the following with your initials:

_____ For the five (5) years immediately preceding this application, I have maintained a law office from which I personally conduct business an average of at least 3 days per week.

_____ Throughout the five (5) year period immediately preceding this application, I have devoted at least 25% of a full-time law practice to DUI/DWI defense.

_____ I understand that the documents, applications, questionnaires, and examinations involved in the certification and recertification process are prescribed and approved by the DUIDLA Board Certification Committee.

_____ I understand that Board Certification shall be for a period of 5 years at the end of which time recertification shall be permitted upon the terms and conditions established by the DUIDLA Board Certification Committee.

_____ I understand a certificate of Board Certification issued by the DUIDLA Board Certification Committee may be revoked for good cause as determined by the DUIDLA Board Certification Committee.

_____ I understand that the DUIDLA Board Certification Committee may, at its discretion, deny any application at any point for failing to satisfactorily meet any of the DUIDLA written standards or requirements of this application.

_____ I understand certification or recertification may be denied, revoked, or other appropriate action taken because of an applicant's or board certified attorney's failure to furnish the information requested by the DUIDLA Board Certification Committee or because of his or her misrepresentation of any material fact to the DUIDLA Board Certification Committee.

_____ I understand that I must disclose if I have ever been sanctioned for professional misconduct by any authorized disciplinary authority, including a court, and must also disclose if I have a pending investigation for professional misconduct. During the application process, I have a continuing duty to promptly report to the DUIDLA Board Certification Committee the institution of a disciplinary investigation and the receipt of a disciplinary sanction as described above and to provide additional information the DUIDLA Board Certification Committee may request on such matters. ***Please attach a summary of any disclosure to this application.***

_____ I understand I must disclose whether or not I have ever been convicted of, or given probation or fined for, a serious crime as hereinafter defined, whether the above resulted from a plea of guilty or nolo contendere or from a verdict after trial or otherwise and regardless of the pendency of an appeal. The term "serious crime" includes barratry; any felony; any

lesser offense involving dishonesty, misappropriation of money or other property or conduct that adversely affects the administration of justice; and any attempt, conspiracy or solicitation of another to commit any of the foregoing crimes. ***Please attach a summary of any disclosure to this application.***

_____ I understand that DUIDLA will send a form via email or via a postage-paid envelope to persons designated by me as references. I acknowledge that I shall not communicate with the reference about this application process other than to inform them that I listed them as a reference. I understand that the DUIDLA Board Certification Committee will communicate directly with my references. I further understand and acknowledge that all peer review statements are STRICTLY AND ENTIRELY CONFIDENTIAL and will not be disclosed to me under any circumstances.

_____ I authorize DUIDLA to investigate my moral character and fitness and to make inquiries of third parties as DUIDLA deems necessary in processing this application for board certification.

_____ I understand I must sit for the DUIDLA Board Certification exam and achieve a score of 70% or higher in order to pass the exam.

_____ I understand that the fee to apply for DUIDLA board certification is $750.00 and that this fee is nonrefundable for any reason.

_____ I understand the DUI Defense Lawyers Association does not discriminate against any individual in membership, leadership, employment, program participation, or other activities of the Association on the basis of race, color, religion, creed, national origin, ancestry, sex, gender, gender identity or expression, sexual orientation, age, disability, marital status, veteran status, genetic information, or any other classification protected by applicable law. The Association is committed to fostering an inclusive and respectful environment for all.

Requirements to apply for Board Certification

To establish that you meet the Peer Review Reference, Continuing Legal Education and Substantial Involvement requirements you will need to compose an additional page for each of those requirements and, when so directed, attach the appropriate documentation to those pages as specified below.

As you read through the below and begin to organize and compile the information requested, please understand that your application will be delayed and may be denied if the information and attached documentation is not well organized and complete.

Please also understand that your application fee is non-refundable. Thus, an otherwise qualified applicant who submits a poorly organized application or one that lacks sufficient documentation may well end up wasting his or her money and everyone's time. Treat this as you would a brief in an important case.

Peer Review References

IMPORTANT NOTICE REGARDING PEER REVIEW CONFIDENTIALITY: All peer review statements submitted in connection with this application are ***strictly and entirely confidential***. The contents of peer review statements will not be disclosed to the applicant under

any circumstances. By submitting this application, you acknowledge and agree to this confidentiality requirement.

You must attach a separate page labeled "References." On that page please provide the names, addresses and phone numbers of at least 6 and no more than 12 professional references. These persons shall be:

1. Substantially involved in DUI/DWI defense.
2. Individuals who are not partners or associates of the applicant.
3. At least Four (4) attorneys from Applicant's home state who are substantially involved in DUI/DWI defense.
4. At least Two (2) judges of any court of record in Applicant's home state before whom applicant has appeared as an advocate in a DUI/DWI defense matter.

Note: The DUIDLA Board Certification Committee will mail confidential reference forms to your references and must receive back forms from at least 2 (two) judges and 4 (four) attorneys. If you are uncertain about the reliability of your references, you may wish to include the maximum number listed above. You may inform your references that you have listed them and should encourage them to reply but you are prohibited from aiding them in completing the references or participating in the completion of the reference form in any way.

Continuing Legal Education

By signing this application you will be certifying that you have completed 36 hours of CLE in the DUI/DWI area within the **3 years** immediately preceding the date you sign this application.

In addition, you must attach a separate page labeled CLE. On that page please list all the CLE activities you have engaged in through which you assert that you have met this requirement. Please provide enough information about each activity so that those reviewing your application can ascertain without difficulty whether the activity meets the requirements.

Please attach to the above page proof of completion of the CLE activity you have listed. If the activity involved self-study or another category for which no certificate, CLE transcript or other official documentation is available you may provide a description of the activity and the CLE hours you are attributing to that activity.

Qualifying CLE may include:

1) Attendance at a live CLE program, including live video conferences;
2) Viewing or listening to an on-line CLE program;
3) Participating in a CLE teleconference;
4) Attendance at a showing of a CLE video or webinar;
5) Self-study such as reading cases or legal periodicals, subject to the limitation of 5 hours credit each calendar year; and
6) Other activity to be determined on an individual basis, such as:
   a) Teaching a CLE course for attorneys or paralegals;
   b) Participation as a panelist or speaking on a symposium or similar program;
   c) Attendance at a lecture series or similar program sponsored by a qualified education institution or bar group; and
   d) Authorship of a book or article published in a professional publication or journal.

Substantial Involvement

You will need to establish that you have "substantial involvement" in DUI/DWI defense by establishing during the five (5) year period preceding his or her application, the applicant handled, as lead counsel, the following minimum number of DUI / DWI cases in two (2) of the following categories:

1. 7 DUI/DWI jury trials with the possibility of jail;
2. 14 DUI/DWI jury trials without the possibility of jail;
3. Two (2) felony DUI / DWI cases with serious bodily injury or death from arraignment through trial or sentencing, or through the "majority of the case" (as determined by the DUIDLA Board Certification Committee) including trial or sentencing, such cases need not have involved a trial;
4. 10 DUI/DWI bench trials;
5. 20 Administrative/Civil license hearings with at least one witness cross examined;
6. 10 DUI/DWI motions hearings where witnesses were cross-examined;
7. 3 DUI/DWI appeals or amicus briefs;
8. Substantial involvement in the field of DUI/DWI defense that does not meet 1 - 7 listed above. Satisfaction of this category is at the discretion of the DUIDLA Board Certification Committee and may include some combination of the above.

On a separate page labeled "Substantial Involvement" please do the following:

A. List the two categories above that you will be using to establish Substantial Involvement,

B. For categories 1 through 7 above list and provide identifying details* for each case in the respective category that you wish to be counted,

C. For cases in category 3 please note whether you were counsel from arraignment through sentencing and if not provide enough information such that the reviewer can ascertain whether you were counsel through "a majority of the case."

D. If you are requesting credit for activity listed in category 8 see further instructions below.

E. Attach documentation for each case you list. Documentation may include docket sheets, judgment entries or other official documentation**.** You should arrange the documents in order corresponding with your case list. You are encouraged to mark or label the bottom of the documents in such a manner as will allow the reviewer to easily ascertain to which of your listed cases the documents relate.

*Identifying details of the case should include:

- The court or tribunal including address and phone number.
- The judge(s) or presiding official(s).
- The case number and caption of the case.
- The relevant date(s) of the hearing or trial if claiming credit under category 1 through 6 or date of sentencing if claiming credit through category 3 and there was no trial.
- The date your final brief was filed when claiming credit under category 7.

If the court maintains case records or dockets online, you must provide a link to the court record system. However, this does not relieve you of the requirement to provide proper documentation as required per E above.

Applying for "Other Substantial Involvement" credit under category 8 above.

If an applicant meets the requirements for one of the categories in 1 through 7 above but does not meet the requirement for two of the categories the applicant can request an "individualized review" to determine whether the applicant can demonstrate "substantial involvement" in DUI defense during the relevant five (5) year period notwithstanding the foregoing. Any applicant who is considering doing so should review Section 5 of the Board Certification Standards thoroughly.

All applicants are advised that the categories in 1 through 7 above and the requirements in each category were decided upon with the understanding that a one size fits all approach is not workable when attempting to identify exceptional DUI / DWI lawyers throughout the country given the vast differences in the laws, procedures, rights and penalties from jurisdiction to jurisdiction. Notwithstanding the foregoing the Committee believes that as a general rule the exceptional DUI / DWI lawyers in a given state or jurisdiction should be able to meet the above requirements as a matter of course and to do so without engaging in make-work or even sham hearings or trials simply for the purpose of qualifying. Similarly, the Committee believes it would be atypical for an exceptional DUI / DWI attorney to need to request an "individual review" of his or her qualifications and expects such request to be rarely requested and not frequently granted. Thus, if you are close to meeting the requirements of any two of the above categories, your time would be better spent working towards meeting those requirements than in requesting individual review. However, the Committee acknowledges that there are likely instances where, for a variety of reasons, the above is not the case.

To request credit for substantial involvement under #8, an applicant should follow steps 1–5 above for the category you do qualify under and then create a separate document / package labelled "Request for Other Substantial Involvement Credit" and provide any information and documentation the applicant wishes for the Board Certification Committee to review.

This request should be written in a formal style. It should lay out the factual case supporting the request for Other Substantial Involvement credit. To the extent possible it should focus on courtroom experience. When out of court activities are cited, the extent and magnitude of those activities would need to be exceedingly above the activities of the typical exceptional DUI / DWI practitioner to be given any consideration.

AFFIRMATION

I have personally reviewed all of the above information and the attachments provided and do hereby swear, affirm, and declare under penalty of perjury that the above information is complete, true, accurate, and correct. I also acknowledge that I have reviewed the OFFICIAL DUIDLA BOARD CERTIFICATION STANDARDS FOR ATTORNEY CERTIFICATION which were provided with this application, including all of the policies, procedures and requirements set forth therein, and I understand, agree to and consent to those procedures.

Signature: _____

The undersigned, a Notary Public in and for the County of _____, in the State or Country of _____, herewith certify that _____ appeared in person, and before me SUBSCRIBED and SWORE to the information contained in the above Application for Board Certification, under penalties for perjury, this _____ day of _____, 20_____ , and to which witness my hand and seal.

_____
Notary Public

_____
Printed Name

My commission expires _____, 20_____.

Please mail this completed application along with the materials specified herein and a check for $750.00 made payable to DUIDLA to:

DUIDLA BOARD CERTIFICATION
c/o Deandra Grant
3300 Oak Lawn, Ste. 700
Dallas, Texas 75219
ExecDirector@DUIDLA.org

Do not forget to include a certificate of good standing from the governing body in your state, or a territory of the United States or the District of Columbia or Canada.

OFFICIAL DUIDLA
BOARD CERTIFICATION STANDARDS
FOR ATTORNEY CERTIFICATION

SECTION 1. GENERAL MATTERS

A. **TERMS.** As used herein the following terms and meanings apply:

1. "**Board Certification Applicant**" means an attorney who is applying to be Board Certified as a DUI Defense Specialist as designated by the DUIDLA.
2. "**Recertification Applicant**" means an attorney who at the time of his or her application is Board Certified as a DUI Defense Specialist as designated by the DUIDLA and who seeks to be recertified as a Board Certified DUI Defense Specialist as designated by the DUIDLA.

B. **FORMS.** Documents, applications, questionnaires, and examinations involved in the examination, certification and recertification process shall be prescribed and approved by the DUIDLA Board Certification Committee.

C. **FEES.** All applicants shall timely pay the required fees established by the DUIDLA Board Certification Committee.

D. **FAILURE TO FURNISH INFORMATION AND MISREPRESENTATION.** Examination, certification or recertification may be denied, revoked, or other appropriate action may be taken because of an applicant's failure to furnish the information requested by the DUIDLA Board Certification Committee or because of the applicant's misrepresentation of any fact to the DUIDLA Board Certification Committee.

E. **EXPIRATION OF CERTIFICATION.** A Board Certification shall be for a period of 5 years at the end of which time recertification shall be permitted upon the terms and conditions established by the DUIDLA Board Certification Committee.

F. **REVOCATION OF CERTIFICATION.** A certificate of special competence issued by the DUIDLA Board Certification Committee may be revoked for good cause as determined by the DUIDLA Board Certification Committee. (See Appendix B)

G. **DUIDLA BOARD CERTIFICATION COMMITTEE DETERMINATIONS**. In submitting an application authorized herein the applicant agrees to be bound by the determinations of the DUIDLA Board Certification Committee with respect to the above matters and all matters herein which are designated as being determined by or within the sole discretion of the DUIDLA Board Certification Committee. (See Appendix C)

SECTION 2. GENERAL REQUIREMENTS

Except as otherwise provided herein, all Applicants must meet the following requirements:

A. **CLE.** All Applicants shall have completed a minimum of 36 hours of participation in continuing legal education related to DUI defense in the **three (3) year** period immediately preceding the date the lawyer signs his or her application. This requirement may be met through any of the following means:

1. Attendance at a live CLE program, including live video conferences;
2. Viewing or listening to an on-line CLE program;
3. Participating in a CLE teleconference;
4. Attendance at a showing of a CLE video or webinar;

5. Self-study such as reading cases or legal periodicals, subject to the limitation of 5 hours credit each calendar year; and
6. Teaching a CLE course for attorneys or paralegals;
7. Participation as a panelist or speaking on a symposium or similar program;
8. Attendance at a lecture series or similar program sponsored by a qualified education institution or bar group; and
9. Authorship of a book or article published in a professional publication or journal.

B. **Required Period of Law Practice**.

1. An applicant shall have been engaged in the practice of law for a period of at least five (5) years on a full-time basis. Years of practice need not be consecutive.

2. "Practice of law" means full-time legal work done primarily for the purpose of providing legal advice or representation after admission to the bar of any state or territory of the United States or the District of Columbia.

3. Service as a judge, magistrate, commissioner or associate judge of any court of record shall be considered practice of law.

4. Corporate or government service, including military service, after admission to the bar of any state or the District of Columbia, shall be considered practice of law if the work done was legal in nature and primarily for the purpose of providing legal advice to, or representation of, the corporation or government entity or individuals connected therewith.

5. The DUIDLA Board Certification Committee may allow other legal work, such as teaching law or writing legal publications, to be combined with the part-time practice of law to satisfy this requirement.

C. **Law Office and Practice.**

1. For the five (5) years immediately preceding the date the applicant signs the application, the applicant must have maintained a law office from which he or she personally has conducted business an average of at least 3 days per week and must continue to maintain such an office until certification is achieved. Failure to meet this requirement will result in denial of application for certification.

2. At its sole discretion, the DUIDLA Board Certification Committee may waive the above requirement upon a showing of good cause.

D. **Percentage of Practice Devoted to DUI Defense.** Throughout the five (5) year period immediately preceding the date the applicant signs the application the applicant must have devoted **no less than 25 percent of a full-time law practice** to DUI Defense.

SECTION 3. DISCLOSURE OF CONDUCT

A. **DISCIPLINARY SANCTIONS**.

1. An applicant must be admitted to practice and be a member in good standing in one or more states or territories of the United States or the District of Columbia or in Canada.

2. At the time of filing an application the applicant shall disclose whether he or she has ever been sanctioned for professional misconduct by any authorized disciplinary authority, including a court, and shall also disclose whether he or she has a pending investigation for professional misconduct.

3. During the application process, the applicant has a continuing duty to promptly report to the DUIDLA Board Certification Committee the institution of a disciplinary investigation and the receipt of a disciplinary sanction as described above and to provide

additional information the DUIDLA Board Certification Committee may request on such matters.

4. A board-certified attorney has a continuing duty to report any sanction for professional misconduct by any authorized disciplinary authority, including a court, and shall provide additional information the DUIDLA Board Certification Committee may request on such matters.

5. The DUIDLA Board Certification Committee may deny certification or recertification, revoke certification, or take other appropriate action upon a finding that an applicant or board-certified attorney has engaged in professional misconduct as defined above or upon notice of a pending disciplinary investigation concerning the applicant or board-certified attorney. In deciding what action is appropriate, the DUIDLA Board Certification Committee will consider the seriousness of the underlying facts included in the findings or in the allegations pending, the passage of time since the sanction, and the conduct of an applicant or board-certified attorney since the findings were made.

6. Failure to disclose an investigation or sanction or the failure to respond to a request for information from the DUIDLA Board Certification Committee on such matters will be considered a material misrepresentation and may be cause for denial, revocation, or other appropriate action by the DUIDLA Board Certification Committee. In submitting an application authorized herein the applicant agrees to be bound by the determinations of the DUIDLA Board Certification Committee with respect to the above matters.

B. CRIMINAL CONVICTION.

1. An applicant or board certified attorney shall disclose whether he or she has ever been convicted of, or given probation or fined for, a serious crime as hereinafter defined, whether the above resulted from a plea of guilty or nolo contendere or from a verdict after trial or otherwise and regardless of the pendency of an appeal.

2. The term "serious crime" includes barratry; any felony; any lesser offense involving dishonesty, misappropriation of money or other property or conduct that adversely affects the administration of justice; and any attempt, conspiracy or solicitation of another to commit any of the foregoing crimes.

3. The DUIDLA Board Certification Committee may deny certification or recertification, revoke certification, or take other appropriate action if an applicant or board certified attorney has been convicted, given probation or fined for a serious crime as defined in this Section.

4. In submitting an application authorized herein the applicant agrees to be bound by the determinations of the DUIDLA Board Certification Committee with respect to the above matters.

SECTION 4. PEER REVIEW

A. **Reference Requirements** An applicant shall submit a minimum of 6 names and addresses of persons to be contacted as references to attest to his or her competence in the area of DUI/DWI defense. These persons shall be:

1. Substantially involved in DUI/DWI defense.
2. Individuals who are not partners or associates of the applicant.
3. Four (4) attorneys from applicant's home state who are substantially involved in DUI/DWI defense.
4. Two (2) judges of any court of record in applicant's home state before whom applicant has appeared as an advocate in a DUI/DWI defense matter.

B. **Additional References**. An applicant may submit more than the above number of attorney / judge references up to a maximum of twelve (12) and the DUIDLA Board Certification Committee may, at its option, request that the applicant submit additional references from other attorneys and/or judges and may contact attorneys or judges not listed by the applicant.

C. **Confidential Statement of Reference**. A Confidential Statement of Reference Form approved by DUIDLA will be submitted by the DUIDLA Board Certification Committee directly to the selected peer and shall be returned directly to the DUIDLA Board Certification Committee.

D. **Evaluation of Peer Review Information**. In evaluating peer review information on an applicant, the DUIDLA Board Certification Committee shall consider the knowledge and experience of the references in the applicant's specialty area and the nature of the dealings between the references and the applicant.

E. **Confidentiality**. All Statements of Reference received by the DUIDLA Board Certification Committee shall be kept confidential and the statements or the content thereof shall not be revealed to the applicant or persons not on the DUIDLA Board Certification Committee.

F. **Denial.** The DUIDLA Board Certification Committee may deny certification or recertification based on information received through the peer review process or based upon other information required to be submitted herein. General information concerning the denial shall be provided to the applicant subject to the confidentiality rule.

SECTION 5. REQUIREMENTS FOR BOARD CERTIFICATION

In order to receive the DUIDLA BOARD CERTIFICATION as a DUI DEFENSE SPECIALIST an applicant must:

A. Meet the General Requirements set forth in Section 2(A), (B), (C) and (D) above;

B. Make a certification as to the affirmations and disclosures required in Sections 3(A) and (B) and provide proof that he or she is admitted to practice and is a member in good standing in one or more states or territories of the United States or the District of Columbia;

C. Submit to the peer review screening set forth in Section 4;

D. Pass the comprehensive DUI specialized knowledge examination referenced herein; and

E. Demonstrate "substantial involvement" in the practice of DUI defense by establishing during the five (5) year period preceding his or her application, the applicant handled, as lead counsel, the following minimum number of DUI / DWI cases in 2 of the following categories:

1. Seven (7) DUI / DWI jury trials where the possible penalty includes jail;
2. Fourteen (14) DUI / DWI jury trials where the possible penalty does not include jail;
3. Two (2) felony DUI / DWI cases with serious bodily injury or death from arraignment through trial or sentencing, or through the "majority of the case" (as determined by the DUIDLA Board Certification Committee) including trial or sentencing, such cases need not have involved a trial;
4. Ten (10) DUI / DWI bench trials;

5. Twenty (20) Administrative/Civil license hearings with at least one witness cross examined;

6. Ten (10) DUI / DWI motions hearings where at least one witness was cross-examined by the applicant;

7. Three (3) DUI / DWI appeals or amicus briefs;

G. An applicant who cannot demonstrate "substantial involvement" in DUI defense in the manner set forth in E above can request that DUIDLA Board Certification Committee conduct an "individualized review" and determine whether the applicant has in fact had "substantial involvement" in DUI defense during the relevant five (5) year period. In making this determination the applicant may submit:

D. Evidence showing that he / she has handled a significant number of DUI/DWI cases falling into categories listed in E (1) through (7) and;

E. Evidence showing that the Applicant has spent a substantial amount of time not reflected in E (1) though (7) above.

H. Where an applicant requests an "individualized review" under paragraph F above the DUIDLA Board Certification Committee may require that the applicant take additional steps in order to demonstrate his or her expertise in the area of DUI defense which could include a formal interview, an oral examination, a live demonstration of skills involved in contested hearings or trials or any other steps or activities deemed appropriate.

I. The DUIDLA Board Certification Committee shall have the sole discretion of determining whether documentation submitted by the applicant adequately shows "substantial Involvement" in the field of DUI/DWI defense and may, but is not required to, request additional documentation before making its decision.

SECTION 6. REQUIREMENTS FOR RECERTIFICATION

A. A Board Certified attorney who seeks to reapply for certification:

1. Must meet the General Requirements in 2(A), (B), and (D) above (but need not meet the "Law Office and Practice" requirements in 2(C) above);

2. Make a certification as to the affirmations and disclosures required in Sections 3(A) and (B) and provide proof that he or she is admitted to practice and is a member in good standing in one or more states or territories of the United States or the District of Columbia;

3. Must submit the Peer Review references required under Section 4 (peer review is required for recertification);

4. Must meet the "substantial involvement" requirements in Section 5(E) above or, at the sole discretion of the DUIDLA Board Certification Committee, the "substantial involvement" requirements in Section 5(F) above.

B. A Board Certified attorney who seeks to reapply for certification will have previously passed the comprehensive DUI specialized knowledge examination and need not take another examination unless the DUIDLA Board Certification Committee requires it as a part of an "individualized review" under Section 5(F).

C. A Board Certified attorney who seeks to reapply for certification must submit the re-certification application packet including all attachments and submit a reinstatement fee of $250.

D. The Board Certified attorney will be notified within 30 days of the status of his re-certification application.

SECTION 7. APPLICATION PROCESS

A. An attorney seeking to apply for DUIDLA BOARD CERTIFICATION as a DUI DEFENSE SPECIALIST must:

1. Submit an application on an application form prescribed by DUIDLA Board Certification Committee together with all documents or materials specified in the application form (See Appendix A for information on application review);

2. Submit proof that he or she is admitted to practice and is a member in good standing in one or more states or territories of the United States or the District of Columbia;

3. Pay the fee designated by DUIDLA Board Certification Committee, which shall be listed in the application form.

B. The DUIDLA Board Certification Committee shall determine and announce the deadline by which an application must be submitted in order for the applicant to sit for the next exam and may extend that deadline so long any period of extension applies to all applicants.

C. Should the DUIDLA Board Certification Committee so decide it may allow applications to be submitted and permit the documentation specified herein and in the application to be supplied at a specified later date so long as that later date applies to all applicants, except that the DUIDLA Board Certification Committee has the authority to grant an extension to an applicant where good cause is shown as determined by the Committee.

D. Fees accompanying all applications shall be deemed not refundable, except that the DUIDLA Board Certification Committee has the authority to make full or partial refund where good cause is shown as determined by the Committee.

SECTION 8. EXAMINATION

A. **PASSING OF AN EXAMINATION.** A Board Certification Applicant must pass a written examination applied uniformly to all Board Certification Applicants to demonstrate sufficient knowledge, proficiency, and expertise in the area of DUI/DWI defense to justify the representation of special competence to the legal profession and to the public.

B. **FAILURE OF AN EXAMINATION.** An applicant who fails the examination may apply to take the next examination and, assuming he or she has submitted the documentation and materials establishing that he or she meets all the requirements for Board Certification, need not resubmit such documentation unless the Board Certification Committee specifically requires such resubmission.

C. **FAILURE OF AN EXAMINATION MORE THAN TWICE.** After a board certification applicant has taken and failed the examination 3 times, the applicant is ineligible to apply for examinations for two (2) years following the third failed examination and when reapplying must meet all of the requirements set forth herein.

SECTION 9. EXAM SPECIFICATIONS

A. **PURPOSE OF THE EXAM.** The certification exam requires the applicant to demonstrate substantial knowledge of significant legal concepts and corresponding skills in DUI/DWI defense.

B. **EXAM FORMAT.** The exam consists of 200 multiple choice, True/False or short answer questions (worth 200 points) and 2 essay questions (worth 25 points each). These questions are designed to test a breadth of issues in the area of DUI/DWI defense and require an applicant to select the best available answer option. The first portion of the exam is online and will be taken by laptop (supplied by the examinee). For the essay questions you may type them in a Word document OR hand write them on a legal pad.

C. **REQUIRED KNOWLEDGE.** An applicant is expected to understand:

1. Breath alcohol testing
2. Blood alcohol testing, including gas chromatography and enzymatic serum alcohol testing
3. Field sobriety tests
4. DRE program
5. Drug pharmacology
6. Confrontation clause
7. Implied consent
8. Common 4th and 6th Amendment issues as they relate to DUI/DWI arrests
9. Ethics and Professionalism

Appendix A
Safeguards for Unbiased Application Review

Standardized Review Process

Uniform Evaluation Criteria:

DUIDLA employs standardized Application Verification Checklists that ensure consistent evaluation of all candidates regardless of personal characteristics, professional relationships, or geographic location. These checklists contain objective, measurable criteria based solely on the published Board Certification Standards, eliminating subjective decision-making in the initial review process.

Multiple Reviewer System:

Each application undergoes review by multiple Examination Committee members to prevent individual bias from affecting certification decisions. Primary reviewers conduct initial evaluation, with secondary review required for any applications presenting complex qualification issues or deficiencies.

Conflict of Interest Prevention

Reviewer Assignment Protocols:

Committee members are prohibited from reviewing applications from:

- Current or former law partners or associates
- Attorneys from the same firm or office
- Family members or personal friends
- Individuals with whom they have ongoing professional disputes
- Attorneys they have represented or who have represented them

Recusal Procedures:

Committee members must disclose potential conflicts and recuse themselves from any application review where bias might reasonably be perceived. Alternative reviewers are assigned to ensure thorough evaluation without compromising objectivity.

Anonymous and Confidential Processing

Reference Evaluation Integrity:

Professional references are contacted directly by DUIDLA Board Certification Committee through confidential forms returned directly to the Committee. Applicants are explicitly prohibited from participating in reference completion, ensuring independent assessment of candidate qualifications.

Document Review Separation:

Application materials are reviewed separately from personal identifying information when possible, with focus maintained on objective qualification criteria rather than applicant identity or reputation.

Documentation and Accountability

Decision Trail Requirements:

All application review decisions are documented with specific references to Board Certification Standards and supporting evidence. Reviewers must provide written justification for any determination of non-compliance, creating accountability for all certification decisions.

Standardized Communication:

Deficiency notifications and approval letters follow prescribed formats that reference specific Standards sections and requirements, ensuring consistent communication and reducing potential for arbitrary decision-making.

Appeals and Review Mechanisms

Remediation Opportunities:

Applicants who do not initially meet requirements receive detailed written explanation of deficiencies with specific guidance on acceptable documentation or experience that would satisfy certification standards. This process ensures fair opportunity for qualification regardless of initial application completeness.

Committee Review Authority:

The Board Certification Committee has established procedures for reviewing complex qualification issues and can conduct individualized assessments when standard categories may not adequately reflect substantial DUI defense involvement.

Organizational Structure Safeguards

Committee Independence:

The Board Certification Committee operates independently from other DUIDLA functions, including seminar planning and membership activities, preventing conflicts between educational programming and certification decisions.

Examination Security Separation:

Application review processes are conducted separately from examination development and grading, ensuring that certification decisions are based solely on published qualification criteria rather than examination performance expectations.

Transparency and Consistency

Published Standards Access:

All certification requirements are publicly available in detailed Board Certification Standards documents, ensuring applicants understand exact requirements and can prepare applications accordingly.

Uniform Application Processing:

Identical deadlines, fee structures, and processing timelines apply to all candidates, eliminating potential for favorable treatment based on personal relationships or other inappropriate factors.

These comprehensive safeguards ensure that DUIDLA's Board Certification process maintains the highest standards of fairness and objectivity while protecting the integrity of the specialist certification designation and serving the public interest through consistent application of professional competency standards.

Appendix B
Certification Revocation Standards and Procedures
Grounds for Revocation

Mandatory Revocation:

Board Certification shall be revoked upon:

- Disbarment or suspension from practice in any jurisdiction for a period exceeding 30 days
- Felony conviction involving dishonesty, breach of trust, or conduct adversely affecting the administration of justice
- Professional misconduct resulting in disciplinary sanctions that demonstrate unfitness to practice DUI defense
- Material misrepresentation in the certification application or recertification process

Discretionary Revocation:

The Board Certification Committee may revoke certification for:

- Serious professional misconduct even if not resulting in formal disciplinary action
- Failure to maintain competency in DUI defense as evidenced by pattern of inadequate representation
- Violation of DUIDLA ethical standards or professional conduct requirements
- Failure to meet continuing obligations including CLE requirements, practice standards, or reporting duties
- Criminal convictions that reflect adversely on fitness to practice DUI defense

Investigation and Notice Procedures

Initiation of Revocation Proceedings:

Revocation proceedings may be initiated by:

- Disciplinary authority notifications received by DUIDLA
- Client complaints or judicial criticism indicating serious professional deficiencies
- Peer reports of professional misconduct or incompetence
- Self-disclosure by certified attorney of disqualifying circumstances
- Routine monitoring of disciplinary databases and public records

Initial Investigation Process:

Upon receiving information suggesting grounds for revocation:

- Preliminary Review: Board Certification Committee conducts initial assessment of allegations
- Fact Gathering: Collection of relevant documentation including disciplinary records, court filings, and complaint materials
- Threshold Determination: Assessment whether allegations, if proven, would constitute grounds for revocation

Formal Notice Requirements:

If formal proceedings are warranted, the certified attorney receives:

- Written Notice specifying grounds for proposed revocation with detailed factual allegations

- Supporting Documentation including copies of disciplinary decisions, complaints, or evidence
- Response Timeline providing 30 days to submit written response and supporting materials
- Hearing Rights Notification explaining procedural rights and available representation

Due Process Protections

Right to Response and Representation:

Certified attorneys have the right to:

- Legal Representation by counsel of their choice at their own expense
- Written Response to all allegations with supporting documentation
- Witness Presentation including character witnesses and expert testimony
- Document Review access to all materials considered by the Committee
- Cross-Examination of adverse witnesses during formal hearings

Hearing Procedures:

Formal Hearing Panel: Three-member panel of Board Certification Committee members with no prior involvement in the case.

Hearing Process:

- Pre-Hearing Conference: Administrative matters, evidence stipulations, and procedural issues
- Evidence Presentation: DUIDLA presents case for revocation with supporting documentation
- Defense Response: Certified attorney presents defense and mitigation evidence
- Witness Testimony: Examination and cross-examination of relevant witnesses
- Closing Arguments: Summary presentations by both parties

Evidentiary Standards:

- Clear and Convincing Evidence required for discretionary revocation
- Preponderance of Evidence sufficient for mandatory revocation based on established disciplinary sanctions
- Written Record maintained of all proceedings and evidence considered

Decision-Making Process:

- Deliberation: Panel conducts closed deliberation based solely on hearing evidence
- Written Decision: Detailed written decision specifying findings of fact and legal conclusions
- Rationale: Explanation of how evidence supports revocation determination
- Effective Date: Specification of when revocation becomes effective

Appeal and Review Procedures

Appeal Rights:

Certified attorneys may appeal revocation decisions to the full DUIDLA Board of Directors within 30 days of written decision.

Appeal Process:

- Written Appeal: Detailed statement of grounds for appeal with supporting documentation
- Record Review: Board of Directors reviews complete hearing record and written decision
- Limited Scope: Appeals limited to procedural errors, legal conclusions, or abuse of discretion
- Final Decision: Board of Directors decision is final and binding

Implementation and Notification

Public Notice Requirements:

Upon final revocation determination:

- DUIDLA Membership Notification through appropriate communication channels
- Public Directory Updates removing attorney from certified specialist listings
- Professional Courtesy Notice to relevant bar authorities and professional associations

Plaque Return and Recognition Cessation:

- Physical Plaque Return required within 30 days of final revocation
- Advertising Prohibition — immediate cessation of specialist designation in all marketing materials
- Website and Directory Removal from DUIDLA certified attorney listings

Reinstatement Procedures

Eligibility for Reinstatement:

Following revocation, attorneys may petition for reinstatement after:

- Minimum Waiting Period: Five years from effective revocation date
- Rehabilitation Evidence: Demonstration of professional rehabilitation and competency restoration
- Compliance Requirements: Resolution of underlying issues that led to revocation

Reinstatement Process:

- Petition Submission with comprehensive documentation of rehabilitation efforts
- Background Investigation including updated disciplinary and criminal record checks
- Examination Requirement — completion of current Board Certification examination
- Committee Review — evaluation of petition and supporting evidence

This comprehensive revocation framework ensures due process protection while maintaining the integrity of DUIDLA Board Certification and protecting the public interest in competent DUI defense representation.

Appendix C
Appeals and Reconsideration Procedures

While DUIDLA's Board Certification Standards establish that applicants agree to be bound by Board Certification Committee determinations, the organization recognizes the importance of providing fair review procedures for certification decisions. DUIDLA has implemented a structured reconsideration process that balances administrative efficiency with due process protections.

Initial Reconsideration Process

Grounds for Reconsideration:

Applicants may request reconsideration of adverse certification decisions based on:

- Procedural Error: Claims that review procedures were not properly followed according to published Standards
- Material Fact Disputes: Evidence that factual determinations were based on incomplete or inaccurate information
- Standards Misapplication: Assertions that published criteria were incorrectly applied to applicant's qualifications
- New Evidence: Submission of previously unavailable documentation that materially affects qualification determination

Reconsideration Request Requirements:

Appeals must be submitted within 30 days of adverse decision notification and include:

- Written statement specifying grounds for reconsideration
- Supporting documentation or evidence addressing identified deficiencies
- Specific reference to applicable Board Certification Standards sections
- Explanation of how additional evidence or correction would satisfy certification requirements

Review Process Structure

Administrative Review Panel:

Reconsideration requests are reviewed by a three-member panel of Board Certification Committee members who were not involved in the initial application review. This ensures independent evaluation of appeals while maintaining expertise in certification standards.

Review Standards and Procedures

The Appeals Panel conducts comprehensive review including:

- Documentation Review: Examination of original application materials and supporting evidence
- Standards Compliance Assessment: Verification that published criteria were correctly applied
- Procedural Verification: Confirmation that established review procedures were properly followed
- New Evidence Evaluation: Assessment of any additional documentation submitted with appeal

Decision Authority and Outcomes

Panel Decision Authority:

The Appeals Panel may:

- Affirm the original decision if no procedural error or standards misapplication is found
- Reverse the decision and grant examination eligibility if appeal demonstrates qualification
- Remand for additional review with specific guidance on documentation or clarification needed
- Request Additional Information from applicant or references to resolve factual disputes

Written Decision Requirement:

All appeal decisions include detailed written explanation of:

- Specific grounds considered in the reconsideration request
- Analysis of evidence and applicable certification standards
- Rationale for panel's determination
- Any additional steps required if remanded for further review

Final Review Mechanism

Board of Directors Review:

In exceptional circumstances involving significant procedural concerns or interpretation of certification standards, applicants may petition the DUIDLA Board of Directors for final review. This mechanism is reserved for cases involving:

- Alleged systematic procedural failures
- Constitutional or legal challenges to certification standards
- Claims of discriminatory application of published criteria
- Fundamental disputes over standards interpretation

Procedural Safeguards and Fairness Measures

Conflict of Interest Prevention:

Appeals Panel members must recuse themselves from cases involving:

- Personal or professional relationships with applicants
- Previous involvement in the contested certification decision
- Financial or competitive interests that could affect objectivity

Timely Processing Requirements:

- Initial reconsideration requests: 60 days maximum review period
- Board of Directors petitions: 90 days maximum review period
- Expedited review available for time-sensitive situations

Communication and Transparency

Clear Standards Publication:

All appeal procedures, timelines, and requirements are published in DUIDLA Board Certification Standards and application materials, ensuring applicants understand available recourse options.

Professional Courtesy and Respect:

Throughout the appeals process, DUIDLA maintains professional communication standards and treats all applicants with respect while protecting the integrity of certification requirements.

Balancing Finality with Fairness

Limited Scope of Review:

While recognizing Committee discretion in complex qualification determinations, the appeals process ensures that:

- Published standards are consistently and fairly applied
- Procedural requirements are properly followed
- Applicants receive adequate opportunity to address deficiencies
- Certification decisions are based on complete and accurate information

Preservation of Standards Integrity:

Appeals procedures are designed to correct procedural errors and ensure fair application of established criteria without compromising the rigorous standards necessary for specialist certification credibility.

This comprehensive appeals framework provides meaningful recourse for applicants while preserving the Board Certification Committee's authority to maintain high professional standards and ensuring that DUIDLA certification represents genuine expertise in DUI defense practice.