



GETTING ARRESTED ISN'T THE END OF YOUR WORLD

How Choosing the Right Attorney
Can Rescue Your Future

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by Josh Reinitz, Esq.

Some decisions that we make in life are easily reversible. If you take a new job and later realize your boss is a jerk, you can quit. If you move to a new state and dislike it, you can move back—or to another state. Either way, your world will not fall apart.

A decision that leads to an arrest, however, is less accommodating. If not handled properly, an arrest can leave an indelible mark on your life. It can affect your future relationships, job prospects, and professional reputation. There's no going back; no turning back the clock.

That's the mindset I see in most of my clients when they are arrested. They feel afraid and angry that their lives will never be the same again. They imagine the worst-case scenarios—losing their job, conflict with spouse and family, and financial hardship.

Let me tell you the good news.

In reality, the outlook is usually not as bad as you think. As an attorney, I can assure you that oftentimes getting arrested is not going to be the cataclysm your mind conjures. In the majority of cases, with the help of the right attorney, the outcomes in reality are far less severe than those your mind imagines. In a few cases, an arrest can even mark a new beginning.

THE ARREST

An encounter with the police that leads to your arrest is not something you will forget easily. An arrest is scary, disorienting, and incredibly disruptive. It is also costly, both financially and emotionally. Oftentimes you become consumed by regret and focus on that for a long time.

At the time of the arrest, adrenaline and cortisol will flood your sympathetic nervous system. This “fight or flight” response creates irrational thoughts. You might think, “I know what to do. I can handle the stress.” But believe me, the emotions that you feel in these moments are extreme and compounded by a sense that you are not in control.

And you would be perfectly correct in thinking so. You cannot control how the police will treat you, what questions they will ask, or what charges you will face. It's not a time to be on your own in an environment you don't understand. So, what do you do?

The best course of action when you are arrested is to *SLOW THINGS DOWN*. Say as little as you can and immediately exercise your constitutional rights.

EARLY MISTAKES

There are so many things that can go wrong early in the process. Perhaps the most likely mistake made when being arrested, apart from being uncooperative, is saying too much to the police. Even seemingly harmless statements can be twisted, taken out of context later, and used against you.

But what else might you do that could come back to haunt you?

It's possible that, under stress, you might not say something incriminating, but instead leave out crucial details in your statement. If you remember them later, that could leave you exposed to accusations that you changed your story.

Your immediate action upon release will be to want to reach out to friends and family. You might also be motivated to jump onto social media because you

want your side of the story out there. Before doing that, know that any post you make, even if later deleted, could also be used against you. .

I've seen clients whose instincts under stress are to vent, explain, or try to clear their name on Facebook, Instagram, or TikTok. As natural as it is to want to seek comfort from others, resist that inclination. Go silent.

Seemingly innocuous early mistakes could mean the difference between points on your license or none, a conviction or a case dismissed, and a criminal record or none. It's these early mistakes, which are so easy to make under the stress and emotion of an arrest, that will make your case outcome worse.

I've told you what you shouldn't do. Now what *should* you do when you are afraid and facing an uncertain future?

Hire the right attorney.

You need an attorney so that you don't say or do anything that could be used against you. You might think you know what you shouldn't do or say, but at

this stage, how things will eventually play out is completely uncertain.

The reason to hire an attorney is to have someone take control of the situation for you. This is a time in your life to seek out expertise and rely on that expert's advice. This is a time when your choices could have lifelong consequences and you aren't granted second chances. This is not the time to try to manage your case on your own.

At a time like this, you cannot think clearly or rationally. You have no idea what is going on or what the police have in store for you. It's entirely possible that something you do or say is going to exacerbate the potential for serious consequences.

An expert attorney, engaged early on in the process, can help ensure that you emerge from the case relatively unscathed and intact emotionally, financially, and professionally.

In short, hiring the right attorney is not only the best move you can make, it's the ***only move you should make.***

MITIGATING THE FEAR OF LOSS

I've been an attorney for over 20 years. I have had the pleasure of working with people from diverse cultural and economic backgrounds. I am also a parent, and have seen how an arrest can affect relationships within a family.

What people are most concerned with after an arrest is what they have to lose. But loss to one person is never the same as loss to another. A parent might fear losing custody of a child. A doctor or a lawyer might fear losing their ability to practice. A salesman or delivery driver might fear losing their license. A prominent member of the community might fear loss of their reputation. A student may fear losing their scholarship.

It's the attorney's job to understand what their clients are afraid to lose and then find a way to protect those priorities.

One high schooler I represented after being arrested for shoplifting fell into a depression. He worried that he wouldn't be able to walk with his class at graduation, that the college he had been accepted to

would rescind its offer, and that he wouldn't be able to attend his prom.

A college-age client I worked with was convinced that a conviction would exclude him from the honors program, cost him his financial aid, and destroy his career prospects.

I worked with a single parent who feared losing custody of his child. He was convinced his traffic violation would take away his driver's license and his ability to drive his child to school.

A respected physician with a DWI was fearful of losing their medical license, their practice, and their marriage.

None of these fears became reality because each of them hired the right attorney.

Understanding what motivates a client and what they fear most is critical to designing a defense to protect their most important needs. There is often a way to produce an outcome that allows a defendant to live their life as they need to. But it requires understanding the goal, the risks involved, and the facts and legal issues of each case.

Every case is like a roller coaster. A good attorney knows the layout of the coaster's track. Using this knowledge, an attorney can see when the case is climbing to a peak; he understands how to leverage his position at the peak and utilize the advantage to the benefit of the client while the odds are in his client's favor. The good attorney knows that like the roller coaster, your leverage only increases to a point, which is usually followed by a plunge into a sharp descent. Knowing how to navigate those sudden ups, downs, twists, loops, and turns to deliver a client back to the smooth straightaway into the station is essential to effectively navigating a case.

Good lawyering is much more complex than simply arguing the facts and the law of a case to determine guilt. It is knowing what outcome your client desperately wants and needs and understanding how to devise a strategy that will allow your client to achieve that specific result.

Many attorneys use different methods. But I've learned that understanding what motivates my clients is the best way for me to serve them.

9 TRAITS OF A GOOD ATTORNEY

The role of an attorney is to manage your case for you and deliver a favorable outcome. But there's so much more that a good attorney brings to the table: They offer guidance and counsel. They relieve your anxiety through preparation. They remove the variables. They know how best to negotiate with each of the players in the courtroom.

It's not easy to choose the right attorney, but here are nine traits I believe are essential to guiding you through that process.

1. The Right Attorney Takes Away Your Anxiety

The fear that my clients experience when first arrested is palpable. It's an uncontrollable physiological reaction that, despite often being irrational, is nonetheless crippling.

The consequences of your actions will come at the end of the legal process, so spending time and energy frozen by "what ifs" is not productive. What is productive is preparing your case, setting up

defense strategies, and continuing to move forward in your life as best you can.

A good attorney will step in early in the process and remove some of that anxiety. That allows you the comfort to think clearly and remain focused on your obligations and dependents.

2. The Right Attorney Explains All Potential Scenarios

In my career, I have represented clients facing charges from murder to loitering and just about everything in between. Currently, my practice focuses on using my expertise in cases heard in New Jersey's Municipal Courts, including Driving While Intoxicated (DWI) and criminal charges such as shoplifting, drug possession, assault, and harassment. There is a wide range of outcomes in these types of cases, and it's important for you to understand them. A good attorney will lay out all the likely potential outcomes and work with you to determine which scenarios are acceptable and which is the best case. The best-case scenario is always personal, and is not the same for every client.

A good attorney will get to know you well enough to design a legal strategy tailored to you. It should be one that will allow you to live your life with as little disruption as possible once the case is in the rearview mirror. (Not all attorneys do this.)

3. The Right Attorney Understands What's Important to You

Few cases are wrapped up without inconveniences. You may have additional expenses to deal with, lifestyle limitations to adapt to, and relationships to mend.

If you are convicted of a DWI, you may face jail time, a license suspension, fines, and collateral issues like dramatic increases in your insurance premiums. You might also be required to install an ignition interlock device in your car to blow into every time you start the engine..

There may be other limitations on your day-to-day activities. You might be prevented from coaching your child's sports, and anything that calls for a background check could be off limits.

If you are not a United States citizen, your status may be imperiled, and you may face travel limitations.

One client I represented was a corporate sales rep with a DWI charge. His company headquarters was in Montreal. He was required to report there, in person, three or four times a year. If convicted of the DWI, he would have been prohibited from entering Canada, and lost the job he needed as a single dad to support his family.

In this case, because the circumstances supported the risk, and there was no other available alternative to achieve the result he needed, he elected to go to trial. Fortunately, going to trial was the right decision. The trial resulted in a “not guilty” verdict. He kept his job and continued to support his children without interruption.

There is always the potential for collateral damage and consequences for your actions, but a competent lawyer will understand what you need from a case resolution to face a future with the least amount of disruption.

A good attorney is a tactician who understands the risk and reward of each move. They know what outcome you need and will design a strategy to achieve the necessary results. A good attorney will not design a plan to achieve a result that is less than what you need.

4. The Right Attorney Shows You the Path Forward

When an arrest happens, you cannot turn back the clock. You can only go forward. But along what path?

If you face criminal prosecution, you want to know what to expect about the process. You need realistic expectations about the likelihood of a desirable outcome and what you should do to achieve it. To use a cliché, you need someone to “show you the way.”

Despite the natural tendency to obsess over the worst-case scenario, when a path is laid out before you, even with twists and turns, it can reignite your confidence. Your anxiety is reduced because someone is taking control and you have a plan.

Remember that your situation does not have to change your life negatively. But the best way to avoid negative consequences is to rely on an attorney rather than hope to manage the situation yourself.

5. The Right Attorney Does Their Homework

The discovery stage of a case is critical and is the place where many cases are won and lost. It requires attention to detail. Spending time to find an investigator's or the prosecution's mistake can create an opportunity for the defense to create leverage to favorably resolve the case.

One of my clients worked for the state in a professional capacity. He faced a criminal charge where if he was convicted, it would have resulted in the loss of his professional license and his ability to hold a public job.

I explained to him that, with time, we would focus on an outcome that would not result in career loss. We would not solve everything in our first conversation, but I assured him that if a way existed, we would find it.

During discovery, we obtained all the evidence from the state regarding his case. I then scoured them for mistakes. Sure enough, it became apparent that because protocols were not followed, the main evidence against my client would not be admissible in court.

That gave us two choices: Trial or Negotiation.

We had to weigh the risks of going to trial. At trial, I would be able to withhold my discovery of the fatal flaw until cross-examination, hopefully leading to a not guilty verdict. Going to trial meant we were hoping that the court would make an evidentiary ruling excluding the State's key piece of evidence. However, there is always a risk that the court could have ruled in our favor on that issue, but still ruled against us on other issues—which could have been catastrophic for my client. If that happened, my client stood to lose everything that was important to him. It was a risk my client could not afford to take.

The second option was to approach the prosecutor and the investigating officer to present our findings and explain the weakness in their case. We could then attempt to negotiate a resolution that would allow my client to keep his license and job.

While it was tempting to feel confident that going to trial would bring success and the case would be dismissed, it was not the best path for this particular client. This client needed to be sure his future was secure.

Fortunately, I was able to leverage my experience and credibility to obtain a meeting with the prosecutor and officer involved. At that meeting, I carefully explained to them the faults with their case and why I didn't think they would be successful at trial. After our conversation, the prosecutor and officer mutually agreed to recommend dismissal of the charges against my client that put his livelihood in jeopardy. My client kept his job, kept his license, and continued his life with minimal interruption.

6. The Right Attorney Targets the Best Outcome

The penalties coming from a conviction itself may not be the worst-case scenario. The fall-out from a conviction, on the other hand, can be.

Convictions bring with them the potential for many collateral issues that can cause damage. A good attorney will work on your behalf to not only avoid

the fines and fees associated with a conviction but to also minimize collateral damage.

Of course, the absolute best-case scenario for any arrest is total dismissal of all charges or an acquittal at trial. An attorney should always look for possible ways to achieve that, though it is not always feasible.

For example, consider a DWI. When searching for ways to ensure a dismissal, a good attorney will examine the legality of the traffic stop, the administration of a breath test, and whether any of your rights were violated. Sometimes, the State has dotted its i's and crossed its t's; the defense must then become more nuanced. That is where knowing what the client's priorities are comes into play.

Beyond an outright dismissal of the DWI, there are other outcomes that could still be considered "wins" for a client. An example would be a plea to a lower tier that preserves the client's ability to drive, or that allows them to avoid motor vehicle points or surcharges.

7. The Right Attorney Understands the Art of Leverage

Cases are never linear. As I said earlier, the path to resolution is like a roller coaster ride. Sometimes you're going up, sometimes you're going down, and sometimes you're completely upside down.

The attorney has to judge when they are cresting a hill and when they can use their leverage at the highest point to make a deal before that leverage power begins to plummet once again.

One of the biggest advantages that we have as defense attorneys is that we often know more about the case than the prosecutor does at the beginning.

That's an advantage because we can frame the case to put a client in the best light.

For example, a high schooler accused of shoplifting might be a valedictorian or volunteer at the local food pantry. A teacher who has a traffic violation might spend her free time helping students with college essays. If we present clients in the best possible way, the prosecutor sees them more favorably. The prosecutor sees the client as more

than the docket number on their calendar, as a real person who is deserving of some mercy.

A prosecutor has many cases ongoing, involving many different people. A good attorney finds a way for their client to stand out, leaving an indelible impression, so that the next time you return to court, the prosecutor remembers you as the honor-roll kid, or the teacher who goes above and beyond for her community.

Considering all aspects of a client's situation is a large part of the legal strategy. It brings a new perspective to the court proceedings and may be enough to persuade a prosecutor to be lenient and give you, the client, a break. Taking a ten-thousand-foot view helps me, the defense attorney, to get the result you want.

The right attorney will understand who you are and how they can leverage your unique qualities. They can use those qualities to do the work necessary to move forward with the best advocacy for you.

8. The Right Attorney Knows How to Negotiate

The vast majority of cases I handle end in a negotiated resolution. Often a client defendant might consider a plea bargain a win if the reward there outweighs the risks of taking a case to trial.

If the case is a DWI, for example, a plea bargain might mean an attorney can reduce the charges to reckless driving if the defendant agrees to certain conditions. A plea deal would allow the defendant to keep their driver's license, avoid excessive fines and surcharges, and go on with their life with the minimum of disruption.

A plea deal might also be an option for a professional, such as a doctor or a politician, who fears reputational damage. Someone in this position might prefer to negotiate an outcome that will not result in the loss of a professional license or bad press and may be subject to an expungement in the near future.

One client I represented was charged with disorderly conduct. It was a petty disorderly persons charge, the lowest misdemeanor charge in New Jersey's

criminal code. But despite the low grade of the offense, my client had a lot to be concerned about. At the time, I was a young lawyer and didn't think much of the charges or the potential for any serious harm to my client. Fortunately, a kind attorney tipped me off that I needed to delve a little deeper. It was an act of kindness by a colleague I would never forget, which may have saved my career and my client's future.

The client was a principal in a local public school. After close to 40 years of work in the public school system, he was two months away from retirement. Since the charges related to his work, if my client were convicted, he would have stood to lose both his job and the pension he was counting on for retirement—even though the conviction likely carried a maximum fine of \$300, with neither jail nor probation. It was a potentially devastating consequence for such a minor infraction.

Understanding the stakes and circumstances and conveying them to the prosecutor in negotiations, I was able to achieve a result that permitted my client to finish out his final two months, retire, and collect his pension.

The key is finding an attorney who understands that what you most need from a case outcome depends on your unique circumstances. Many attorneys overlook this and seek the simple result that may be cheaper in the short run but costly down the road.

9. The Right Attorney Can Be a Catalyst for Change

You might be convinced that your life is ruined after being arrested. However, once your emotions have calmed, your anxiety lifted, and you can see a way forward, an arrest can be a catalyst for positive change.

Charges often emanate from untreated (or improperly treated) mental health challenges, substance abuse, or both. Oftentimes, the failure to address the underlying issues creates a cycle that is difficult to break.

Someone can be in denial or not fully understand their challenges. In some cases, criminal charges are a wake-up call. The situation forces a person to reprioritize what is important to them and to recalibrate their lives by treating the underlying issues.

I've had the heartbreaking experience of sitting across a table from loved ones who are deeply concerned that they will lose their brother, their mother, or their child to a spiral of addiction and are desperate to find them help. A good attorney will understand all the factors at work, help the client determine whether seeking help is appropriate, and guide families through the inevitable setbacks in the process.

A healthy client makes better decisions, enabling the attorney to achieve better long-term results. If you or someone you care about is seeking an attorney and you believe that mental health and/or addiction play a role in the underlying charges, do not shy away from that discussion. If the attorney is unwilling to engage and take a holistic approach, that may not be the attorney for you or your loved one.

A young man in his 20s hired me to represent him on charges that included DWI and drug possession. Both charges were firsts, and the client was deeply afraid that he would lose his job and everything he had put himself through in grad school to achieve. After I had deep discussions with the client and his family, the client checked himself into an inpatient

treatment facility to treat underlying mental health issues. I was able to get the court to pause the matter until he was discharged.

Upon discharge, the client entered into an outpatient treatment regimen that included weekly drug testing. Now that the client was trending in the right direction with both his mental health and substance abuse, I was able to use that progress to ensure a dismissal of the DWI and his entrance into a diversionary program that would not result in a conviction that would cost him his professional license. The client's willingness to work on himself, coupled with his attorney's ability to craft a strategy that used this work to show the prosecutor that the client was worthy of a second chance and the benefit of the doubt, demonstrates how synergy between the client and the right attorney can make all the difference.

An attorney should not ever give you false hope, but must be honest with you. If armed with the correct resources and full knowledge of their client, an attorney can help secure second chances for clients. The attorney's actions, in conjunction with your

willingness to put in the work, can get you back on the right path.

NEXT STEPS

Hiring an attorney when you face a legal battle is critical, but what's most critical is hiring the *right* attorney.

The right attorney for you is one who takes the time to understand you, who tries to walk in your shoes, and who can ease your anxiety before they even begin to work with you on a strategy.

One client I represented spiraled when she was arrested. Her mind raced, and she imagined all the worst things that could happen. She envisioned not only her own life ruined, but the lives of others who relied on her. She was a licensed professional who had built a thriving practice with 50 employees relying on her license for their jobs.

She was devastated that a conviction might mean losing her license to practice, closure of a business that she had worked so hard to build, and the lives of

her 50 employees being permanently affected because of a small lapse in judgment.

I worked hard to walk her back from the brink. I convinced her that with the right approach, we could achieve an outcome that would not just avoid her worst-case scenario but also allow her to continue on her journey of success without further interruption.

I immediately went to work preparing the case and convinced the prosecutor to dismiss the charges. My client did not lose her license or her practice, and her employees did not lose their livelihoods. I couldn't remove the stress she endured, but I could return her to the life she built and loved without the fear of repercussions.

I have over 20 years of experience as an underdog advocate, treating each client as an individual who presents unique challenges that call for a carefully planned approach to produce specifically tailored results. I offer my clients:

1. Support during a time of high anxiety.

2. Clarity on what to expect throughout the entire process, including an honest assessment of potential outcomes.
3. Strategic, tactical guidance through their case, targeting the specific outcome a client needs to move forward with their life.

Above all, I know how to prepare your case so that getting arrested is not the end of your life that you worked so hard to build and enjoy.

Nobody wants to be in the position of needing to hire an attorney after an arrest. But if you find yourself in that situation, you hire an attorney to provide guidance, counsel, strategy, and results. Choose an attorney who will take the time to understand what matters most to you and is willing to chart a course to help you gain back control of your life.

I always welcome the opportunity to discuss how my philosophy and experience can deliver the personalized representation and results you need.

You can reach me at (201) 345-6262 or by email at josh@reinitzlaw.com.

To read what clients are saying about me, scan this QR code:



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