

Miler Law Firm

(Menu of services.)

No two criminal cases are the same. Every client has different needs, desires and circumstances. Every case has different witnesses, prosecutors, police officers, and facts. Based upon my experience, however, I have determined that many clients have a similar need: to get the best outcome possible. I have decided to charge a flat fee for persons accused of crime because I am a results-oriented attorney and I want to obtain the best outcome possible. I don't want to decline a case because a client can't afford to pay the hourly rate when it gets to be more expensive or time-consuming than first anticipated. For example, with a standard retainer fee, it is possible that the attorney would need to withdraw in the middle of the case because the initial retainer was not sufficient to cover the entire case. I do not charge an extra fee for a trial. I realize that some cases will proceed to trial and I have tried the full range of charges to a jury, including Murder, Kidnapping, Robbery, high level drug offenses, OWI, and so on. Some cases require an all-out aggressive defense. Others do not. Often times, however, a criminal case will require all of the following:

Initial client interview at my office to fully develop the circumstances of the case.

Commence the investigation, which involves a collection of as much information and evidence as possible. All cases are won or lost based upon the evidence. Witnesses may be interviewed at this early stage.

Collect documentation of the charges, including copies of police reports, videos, and other physical evidence for purposes of examination and analysis.

Preliminary court hearings are required for attendance of the attorney and client. The first court appearance is the Initial Appearance. The next court appearance is the Preliminary Hearing. The next court appearance is the Arraignment. Each court appearance has a different purpose, which will be explained to the client in advance of the hearing and the client will be prepared.

After the Arraignment, the formal discovery process may commence through the State's prosecutor's office. It is at this stage that a decision is made whether to take formal depositions of the State's witnesses, to request formal production of documents and evidence, to subpoena evidence, or to conduct and compel other discovery processes as allowed by the Iowa Rules of Criminal Procedure.

Consult with experts, if necessary. Experts are persons that are allowed to testify if there is a part of the case that would be difficult for a jury to understand because of a technical or scientific nature of some evidence. Sometimes experts are hired to assist with the defense.

All cases require a constant analysis and monitoring for important dates, deadlines and evidence. Theories and strategy for the most appropriate defense or resolution of the case are always being evaluated.

The Court will schedule additional court dates for a Pretrial Conference and for a Status Conference. Throughout the entire process I will be negotiating a resolution with the State's prosecutor, through in-person meetings, letters, emails and phone calls.

Motions will be filed. Some motions are appropriate if there are grounds to have the case dismissed. Other motions are appropriate if the State is not doing everything that it is supposed to be doing, in other words, if the State is not being fair or doing what is required of it in order to be fair to persons accused of crimes.

A trial date will be put on the calendar. If there isn't any resolution of the case, either through a plea agreement or a dismissal, then there will be a trial. Trials can last less than one full day, or many weeks, depending upon the amount of evidence that must be presented. Trials require hearings on pre-trial motions, trial preparation, witness preparation, client preparation, jury selection, opening statements, witness examinations, arguments with the judge and prosecutor, motions during the trial, closing arguments and a verdict.