

WILENTZ

—ATTORNEYS AT LAW—

WILENTZ, GOLDMAN & SPITZER, P.A.

Vehicular Homicide and Death by Auto

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

On most occasions motor vehicle accidents, even those resulting in a fatality or in serious injury to someone involved in the accident, are considered civil issues. That means that claims for damages or harm caused in the accidents are handled through the civil courts, and very often claims are paid by insurance companies. However, when a motor vehicle accident is caused by reckless driving, motor vehicle accidents may be prosecuted as a criminal case.

Most often, the indications of reckless driving can be found when someone is accused of driving while under the influence of alcohol or drugs, texting while driving or operating a vehicle, including a commercial vehicle, while sleep deprived. However, impairments or distractions such as these are not necessary to form the basis of a prosecution for a criminal offense related to the reckless operation of a vehicle. Driving at extreme excessive speeds or in a manner grossly unsafe for the conditions may also result in an allegation of reckless driving and a criminal prosecution. In cases where reckless driving is found, but no accident or fatality is involved, the penalty is a municipal court traffic ticket. However, if reckless driving causes bodily injury or a fatality, serious criminal charges may result.

Death by auto and aggravated manslaughter prosecutions are increasingly common as a result of fatal motor vehicle accidents and motor vehicle accidents resulting in serious injury. Our team's attorneys have developed significant experience in this area, handling a number of high profile death by auto cases and aggravated manslaughter cases related to motor vehicle operation.

While many years ago prosecutions for the reckless operation of a motor vehicle causing death or serious injury could result in probationary sentences, the penalties for these types of offenses have significantly increased today, and they now carry mandatory prison sentences upon conviction. We have obtained positive results for our clients by aggressively reviewing the available evidence concerning the cause of the accident, and the mechanics of why it happened.

Our experience in handling drunk driving cases at the municipal court level also helps us in defending our clients who are charged with more serious criminal offenses related to the impaired operation of a motor vehicle. We have established solid relationships with some of the best accident reconstruction engineers in the county to assist us in representing our clients charged with these serious criminal offenses.

Serious Representation for Serious Circumstances

Many clients are in disbelief when they learn that someone without criminal record, with a good job and a solid reputation in the community may possibly end up serving prison time based upon an error in judgment such as operating a motor vehicle while under the influence. However, because of the tragic and devastating consequences that fatal and serious motor vehicle accidents may cause, society has treated these types of offenses much more seriously over the years. Do not delay - contact our office today to discuss your case with one of our experienced attorneys.

To speak with an attorney about your legal options, please call: 732-855-6100.