

Book Review

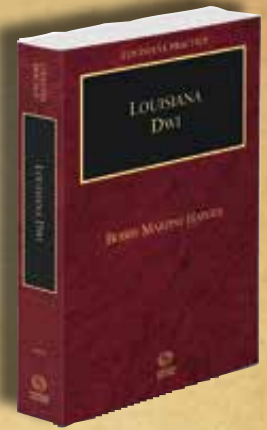
Louisiana Practice: Louisiana DWI

By Bobby M. Harges

Reviewed by R. Judson Mitchell, Jr.



Bobby M. Harges



Bobby M. Harges makes an invaluable contribution to the field of Driving While Intoxicated (DWI) laws in Louisiana with his newly published *Louisiana Practice: Louisiana DWI* (2016 ed., Thomson Reuters, 678 pages). This unique volume provides a comprehensive, scholarly overview of Louisiana DWI statutes and regulations, along with valuable practice-related tips.

Prior to the publication of this book, attorneys wanting to get up to speed on DWI had to rely on the statutes alone, old CLE manuals and/or advice from wizened veterans at the courthouse. Now, all information relevant to prosecuting, defending or judging a DWI case can be found in this one Louisiana-specific treatise.

The book is ideal for lawyers new to DWI practice who are looking to learn this complicated field and indispensable for experienced practitioners who seek guidance on complex, technical areas. Indeed, this reviewer used a draft copy of Harges' chapter on field sobriety tests in a recent successful DWI defense and can attest personally to the book's indispensability for the serious DWI practitioner.

Harges, a law professor at Loyola University College of Law in New Orleans for more than two decades, structured the book to provide the most efficient understanding of DWI laws and regulations, presenting educational (and rather interesting) information relevant for parties on either side of a DWI case. The book is clearly intended to serve as a neutral and reliable source, beneficial to all practitioners regardless of whether they are looking to use DWI provisions as a sword or as a shield.

The book is large in scope, covering virtually every issue arising under Louisiana DWI laws. It touches upon many "non-legal" and scientific areas that are useful, if not essential, for understanding the DWI law practice. The opening chapters thoroughly cover the statutes and case law related to driving while intoxicated and implied consent. From there, Harges provides an illuminating explanation of the rules relating to suspension of driving privileges, a subject that is surely arcane but of vital importance to those facing a DWI. Chapters 4 and 5 provide a detailed look at the major and minor offenses related to DWI, such as vehicular homicide and hit-and-run. After a thorough discussion in Chapter 6 of search and seizure as it relates to this topic, Harges then provides a masterful chapter dealing with field sobriety tests which, along with probable cause, are the areas in which most DWI cases are won and lost. In addition to providing the history and scientific background of field sobriety testing (FST), Harges provides specific explanations of how each part of the field test works (e.g., there is a thorough discussion of the Horizontal Gaze Nystagmus Test and related criticisms) and tips to help practitioners determine the validity of the FST in a given case. The book closes with a helpful chapter on expungements and DWI, which includes relevant forms.

Harges' professorial skills and experience are apparent from the organization and structure of the book. He opens each chapter with the basics, i.e., the statutory language. Every DWI statute is closely scrutinized so that any unfamiliar word or phrase deserving explanation is subsequently defined within the meaning of

each statute. These clarifications and additions are detailed and, oftentimes, engaging. Individual sections of *Louisiana DWI* thoroughly examine how the different statutes and rules governing DWI are applied in Louisiana, offering commentary on most recent court decisions, laws and regulations. By ensuring uniformity of structure and information covered in relation to various DWI topics throughout the book, Harges made the book practical and user-friendly. Regardless of whether readers are looking for a little or a lot of information on a specific DWI regulation, they will find it effortlessly. To the extent possible, Harges manages to turn somewhat dry material into an arresting and educational treatise suitable for any audience.

Louisiana DWI is a remarkable treatise on DWI laws in Louisiana and is sure to become the authoritative reference on the subject in the years to come. As the first of its kind, the book is a significant achievement and deserves close attention. This reviewer highly recommends *Louisiana Practice: Louisiana DWI* to any practitioner, layperson or a student of DWI laws for contextual information, analysis and understanding of this area of law. The book is available for purchase online at: <http://legalsolutions.thomsonreuters.com>.

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