

THE BORGHARDT LAW FIRM

SEPTEMBER NEWSLETTER

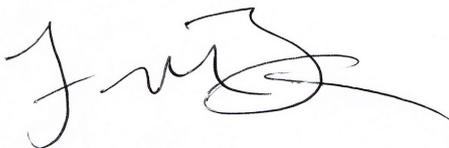


Welcome to the September Newsletter!

There are so many great things happening in the first month of The Borghardt Law Firm. Starting your own law firm can keep you very busy, but being able to serve the citizens of Baton Rouge makes it all worth it. The Borghardt Law Firm is lawyering by example because we are here for you.

We are looking forward to serving the Baton Rouge community! Contact us today!

Franz. N Borghardt



PROUD PARTNERS WITH:



IN THIS ISSUE

WHAT HAPPENS WHEN YOU MISS COURT? P.2

HOW DO YOU REPRESENT GUILTY PEOPLE? P.3

COMMUNITY INVOLVEMENT P.4

FUN FACTS OF THE BORGHARDT LAW FIRM P.5



THE BORGHARDT LAW FIRM

Bench Warrants: What happens when you miss court.

Let's say you miss court. What happens? In most instances, when you miss a court date there are a few things that happen. The court may issue what is called a bench warrant. A bench warrant is a warrant for your arrest based on your failure to appear. The court has the power to arrest you for failure to appear, whether you are charged with a crime or a witness that has been served with court notice to appear. The court has the power to hold you in contempt of court for failing to appear. In Louisiana, contempt of court carries a possible penalty of a fine or a sentence of jail of up to six (6) months.

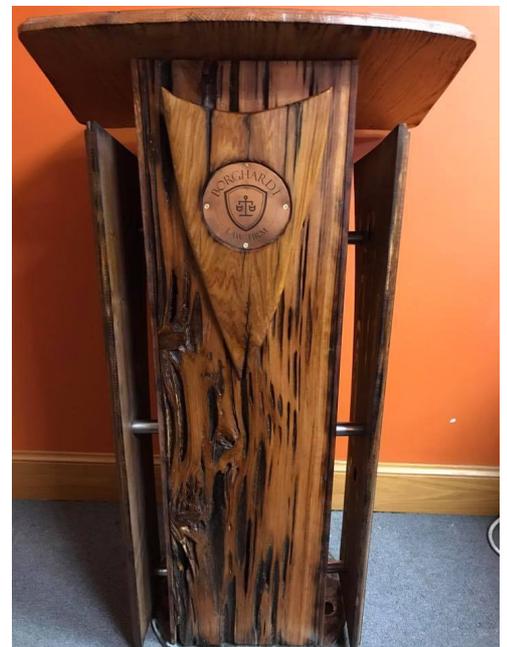
Perception is reality. A good attorney will advise you to appear in court early and dressed in manner that shows the court that you have a great deal of respect for the court of law and for the serious nature of the charges you are facing. When you miss court, you are showing the judge and the prosecutor that you don't take your criminal matter seriously and, more importantly, that you don't care about the outcome of your case. This can sometimes have an extremely negative impact on the possible outcome of your case.

Missing court may, in instances where there is a bond, cause what is called a "bond forfeiture." This means that if you don't appear back to court by a certain period of time that the court may revoke your bond and the money spent to bond you out will be forfeited. Remember, a bond is a financial agreement that secures your appearance. If the bond is forfeited, then you will owe the money of the bond. You will also have to bond out of jail again, possibly at a higher bond.

What should you do if you missed court?

An experienced attorney can assist you if you have missed court and have a bench warrant. The most important part of the process is getting the bench warrant recalled. This means getting the warrant recalled so that you won't be arrested for your failure to appear. An experienced attorney can also work with you to address the reason you missed court and to help you mitigate the failure to appear with the court. Maybe you had an emergency? Maybe you simply had your court dates mixed up? Maybe there is a good reason that you missed court that doesn't reflect a disrespect for the court. The goal is to convince the judge that you will appear in the future and that the penalty for failing to appear should be minimized. Appearing for court is incredibly important to your case and livelihood. Just as a good attorney takes your matters seriously, you should show the court that you also take your matter seriously and show up to court dates. Consult an attorney if you have missed court and want to get your bench warrant recalled.

Franz Borghardt



BORGHARDT LAW FIRM

HOW DO YOU REPRESENT GUILTY PEOPLE?

When people meet me and find out what I do for a living, I often get asked the same question. “**How do you represent those people you know are guilty?**” The answer generally surprises people. Representing individuals accused of criminal acts who are “guilty” is actually very easy. Representing individuals who are innocent and wrongfully accused is extremely difficult. Let me explain.

First, people who do criminal acts are not always “criminals.” One would hardly call a person who gets a traffic ticket or gets into a heated fight, “a criminal.” While some individuals might fit this category or classification, some criminal acts are just mistakes—stupid decisions that have a consequence in the criminal justice system. The truth of the matter is that all individuals, guilty or innocent, are entitled to certain rights that must be upheld in order for the justice system to work. They are entitled to competent representation, the right to an attorney, the right to confront witnesses, the right to a trial, and the right to have those accusing them prove the case **beyond a reasonable doubt**. Those rights are the constitutional pillars of our justice system and ensure everyone gets treated fairly. Representing people accused of crimes, even the guilty ones, requires that the lawyer make sure that the accused aren’t alone in facing their accusers. It may mean that the lawyer helps the accused present mitigation and get their life on track—such as assisting the client get treatment for a substance abuse problem, get counseling for mental health issues, take classes for better decision making, pay restitution, or perform community service work to atone for their acts. It may mean helping the accused navigate the system to get the best resolution available for their unique and particular situation. It doesn’t mean “trying to get the person off” of their charges, though the government maintains the burden to proving their case at all times. Representing guilty people means helping them and society find balance in the resolution of their cases.

Representing innocent people falsely accused of crimes, on the other hand, is extremely challenging and difficult. The fate of the accused rests on the shoulders of the lawyer and his/her ability to seek justice, find exculpatory evidence, thoroughly investigate the case, and to ensure that the person who is wrongful accused is not wrongly convicted. Sometimes law enforcement may simply have missed a critical piece of evidence or made false assumptions in their investigation. To be sure, this keeps a caring soul up up at night. The last thing a good lawyer wants is for their client to be convicted or, even worse, go to jail for something they simply did not do.

Representing both guilty and innocent human beings requires hard work, a balanced sense of what justice means, and dedication for fighting for what is right. What is right is right. This is a challenge I have gladly accepted in doing what I do as a lawyer and in serving my clients through work I do at The Borghardt Law Firm.

Franz N. Borghardt



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“Lawyering by Example”



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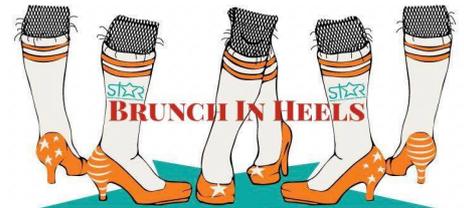
COMMUNITY INVOLVEMENT



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Baton Rouge Brunches Event: BRunch in Heels

The Borghardt Law Firm was pleased to be a part of the event benefiting the Sexual Trauma Awareness & Response Center on Sunday September 10, 2017. Five percent of the Brunch proceeds will go to the fundraising campaign. Nineteen restaurants participated in this event which includes Mason's Grill, The Gregory, The Overpass Merchant, Canefield Tavern and others. At the end of the event, they raised a total of **\$5,013.91** for STAR!



Arts Judicata hosted by the Arts Council of Baton Rouge

Franz N. Borghardt was pleased to serve on the committee for the first ever Arts Judicata, an event for lawyers to showcase their art skills. Part of the proceeds from this event goes to the Baton Rouge Bar Association Foundation which provides funding for youth programs and indigent legal services.



O'Brien House Breakfast

Franz N. Borghardt and Shannon Fay Borghardt were pleased to attend the O'Brien House Breakfast. They support the efforts of these types of programs that help gain control over the disease of addiction. Attorney Franz served as table captain this year to raise money and awareness for the cause.



BUST: Breast Cancer Art Fundraiser

Franz and Shannon Borghardt were part of the BUST Breast Cancer: Bra Art Fundraiser. It was such an incredible time and a great cause to raise money for Breast Cancer Awareness. Franz served as part of the committee.



Leadership & Lattes: September

Franz Borghardt is a proud supporter of Leadership and Lattes, a community program focused on the advancement of women in business.



THE BORGHARDT LAW FIRM

AREAS OF PRACTICE



Criminal Defense



Litigation



Civil Cases

Upcoming Events for The Borghardt Law Firm



Oktoberfest Burger Night:
Tuesday September 26 at 6 PM at the Overpass Merchant. Geaux Rouge hats will be available for purchase.



Of Moving Colors Production:
OMC Kick Off Party
Friday September 29 at 7 PM at the Ann Connelly Fine Art.



Voir Dire in Sex Offense Cases :
Presented by Attorney Franz N. Borghardt on October 5-6, 2017 at Natchitoches, LA

Follow us on social media!



Fun Fact about Franz:
He went to LSU on a music scholarship



Email us your thoughts for a chance to win a VIP ticket to BRunchFest!

newsletter@borghardtfirm.com

