

Note: Save this document. You will need this to complete reports throughout the semester.

OBJECTIVES AND METHODS

DEPARTMENT OF CORRECTIONS, EMPLOYMENT LITIGATION SECTION

OBJECTIVE I Educate students in the substantive areas of the law governing public sector employment in Florida, which includes the Florida Career Service System, Worker's Compensation, the Florida Civil Rights Act, the Americans with Disabilities Act, the Family Medical Leave Act, among others.

Method:

1. Review statutes, regulations, and applicable cases.
 - a) Observe department proceedings.
 - b) Participate in any continuing legal education sessions with department attorneys.

OBJECTIVE II Develop skills necessary for pre-trial preparation.

1. Develop skills to assess whether case should be prosecuted.
 - a) Review case files in conjunction with applicable statutes.
 - b) Analyze available evidence to determine admissibility.
 - c) Draft, under supervision, requests for additional investigation.
 - d) Research and review prior disciplinary history.

Method:

2. Develop legal drafting skills by drafting, under supervision, pleadings such as administrative complaints, motions, legal memoranda.
3. Develop skills necessary to conduct and respond to discovery.
 - a) Draft, under supervision,
 - interrogatories;
 - motions to produce;
 - requests for admissions; and
 - responses to above
 - b) Observe and then conduct, under supervision,
 - depositions
 - witness interviews
4. Develop skills necessary for trial preparation.
 - a) Draft pre-trial stipulations
 - b) Prepare responses for potential evidentiary problems.
 - c) Observe and later conduct motion hearings in anticipation of hearing or trial.
 - d) Assist in preparation of trial notebook.
 - e) Study applicable procedural rules.

OBJECTIVE III Develop skills necessary to conduct administrative hearing or non-jury trial.

Method:

1. Observe and participate in:
 - a) Opening statements
 - b) Direct examination
 - c) Cross examination
 - d) Argument on objections
 - e) Closing argument

2. Under supervision, represent the Department in hearings before the Public Employees Relations Commission and the Division of Administrative Hearings.

OBJECTIVE IV Develop skills necessary for post-hearing on post-trial activities.

- Method:
1. Prepare, under supervision, proposed recommended orders.
 2. Present cases to agency head or designee for final agency action.
 3. Prepare final judgments or orders.

OBJECTIVE V Develop skills necessary for prosecution of an appeal.

- Method:
1. Review and become familiar with Florida Rules of Appellate Procedure.
 2. Review and outline records on appeal.
 3. Research issues for and draft appellate briefs.
 4. Where scheduling permits, observe and possibly participate in oral arguments.

OBJECTIVE VI Maintain awareness of progress in the externship program.

- Method:
1. Student will:
 - a) make daily entries in learning journal.
 - b) complete student progress reports.
 - c) obtain evaluations from placement supervisor and review contents with supervisor.
 - d) participate in seminars with faculty supervisor.