



Criminal Defense Field Placement

Possible Placement: Public Defender Ninth Judicial Circuit – Orange County; Public Defender Ninth Judicial Circuit – Osceola County; Public Defender Eighteenth Judicial Circuit – Seminole County; Public Defender Eighteenth Judicial Circuit – Brevard County; Federal Public Defender’s Office – Middle District of Florida

SUMMER: 6 Credits – 40 Hour Week – 10 Weeks – Total 400 Hours plus a Weekly Seminar

SPRING AND FALL: 6 Credits–30 Hour Week–13 Weeks–Total 390 Hours plus a Weekly Seminar

Placement Requirements: Students placed in the State or Federal Public Defenders Office must meet the following criteria– Have completed 4 semesters and received not less than 48 credit hours. Have a 2.0 or higher cumulative grade point average, completion of Criminal Law, Criminal Procedure, Professional Responsibility, Evidence, and trial skills or participation as counsel on a mock trial team. Students are required to spend a minimum of 30-40 hours per week at their placement, depending on the semester, and receive six hours of credit for satisfactory completion. Attendance at a weekly seminar is also required. The seminar portion of the externship is graded; the field portion is pass/fail.

Students participating in the Criminal Defense Externship must be certified as legal interns (CLIs) in order to appear in court and represent actual criminal defendants. This is not required in the Federal Offices.

Objective I: Developing and applying the law of evidence, criminal law, and criminal procedure. This placement provides students with an opportunity to use the skills learned in evidence and criminal law related courses. In real cases, supervised by experienced public defenders, students use the rules of evidence, motions in limine, objections to evidence, and similar provisions to effectively and professionally benefit individual clients. Students participate in all levels of litigation from jury selection to post trial appeals for relief. Depending on the circumstances of each placement, students may practice in traffic, magistrate, juvenile, misdemeanor, or felony courts. Their experience will include both trial preparation and trial performance.

Objective II: Developing and applying the abilities learned in our trial skills program. The Public Defenders Office provides students with the opportunity to put into real life practice those litigation abilities they learned in classroom and mock trial settings. In court, students are able to bring together substantive, procedural, and evidentiary instruction in a way that allows them to understand how the law fits together, and how to effectively use it for their clients’ best interests.

Objective III: Developing Attorney-Client relationship skills. Because criminal law is so involved with the behavior of people, it is crucial to success in this area that students are able to communicate with their clients in a way that serves the client’s best interests. Creation of the

attorney-client relationship and obtaining the client's confidence are crucial to this process. By first observing experienced lawyers, and then advising their own clients, students develop professional interpersonal skills that begin with the interview process, extend to counseling and advising clients, and ultimately to representing those clients in Florida courts and administrative hearings.

Objective IV: Learning negotiation and mediation skills unique to criminal justice cases. Because the great majority of criminal cases are resolved without a contest on the merits, it is vital for students to learn the alternate and diversionary options available to their clients in Florida courts and how to best implement those options. At placement in the Public Defenders Office, students initially observe an experienced public defender resolve a real case, then apply those skills in resolving their own case. This process is particularly important in reaching pretrial agreements with the prosecution, and then being able to have those agreements accepted by the trial court.

Objective V: Improving research and writing skills. Students learn the local courts' standards and requirements for written motions, briefs, stipulations, pretrial agreements, and related trial documents. Similarly, students provide research materials for their supervisors' cases and for their own cases. This aspect of field placement teaches students the interrelationship between thorough preparation and success. The value of the written work and its professional presentation are highlighted here. Students also learn that the standards for success in a practical setting may be far different from those in an academic setting. Learning how much preparation is sufficient, in light of a busy trial docket, helps students learn how to wisely use their most limited resource – time.

Objective VI: Gathering and using facts. As in civil placements, a vital skill for lawyers concerns their ability to collect and use facts crucial to the outcome of their case. In the Public Defender's office, students draft and respond to discovery requests, observe and participate in both formal discovery and informal fact collection, learn how to handle real and demonstrative evidence, and collect government and private records and data compilations. Interviewing techniques learned in Law School are often implemented here, as are skills necessary for creating and responding to interrogatories and other written forms of information fact gathering.

Objective VII: Understanding the requirements of Florida's Rules of Professional Conduct. Criminal cases often present difficult ethical issues for public defenders. It is important for students working in the Public Defender's office to know and abide by the ethical and moral constraints of our profession and the criminal law practice. In this placement, students have the daily opportunity to observe how their supervisor and others in the office reach effective results by uniformly working with the rules.

Objective VIII: Becoming sensitive to the causes of crime, particularly in communities with significant economic and social difficulties. Students will have the opportunity to observe first hand why and how crimes are committed in our society. By talking with clients, witnesses, police officers, probation officers, victims, and the families of their clients, students develop a much greater appreciation for the systemic and unrelenting causes of crime.