



Prosecution Field Placement

Possible Placements (9th Circuit State Attorney's Office; 18th Circuit State Attorney's Office; 13th Circuit State Attorney's Office; Florida Attorney General's Office; US Attorney's Office; Department of Homeland Security – ICE)

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 Prosecution Externship 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, satisfactory 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 will 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 Prosecution Externship must be certified as legal interns (CLIs) in order to represent the State of Florida in actual criminal cases. However, students working in the Department of Homeland Security or the U.S. Attorney's Office will not be required to meet their certification criteria.

Objective I: Developing and applying the law of evidence, criminal law, criminal procedure or other substantive areas of the law. A placement in a prosecution office provides students with the opportunity to use those skills learned in their evidence and trial advocacy courses to bring a case on behalf of the government and prove elements required by law. In real cases, supervised by experienced prosecutors, student use the rules of evidence, motions in limine, objections to evidence, and similar provisions to effectively and professionally represent the government in criminal, juvenile and immigration cases. Students participate in all levels of litigation from jury selection to sentencing. Depending on the circumstances of each placement, students may practice in traffic, magistrate, juvenile- delinquency, juvenile-dependency, misdemeanor, felony or immigration 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 prosecution 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 to protect citizens from those who violate the law.

Objective III: Developing victim and witness relation skills. Because prosecuting behavior is dependent on gaining the cooperation of victims, their families, witnesses, and law enforcement officials, it is crucial to success that students develop the ability to communicate with everyone involved in the justice process. By first observing experienced lawyers, and then applying the skills observed, students develop professional and interpersonal communication skills.

Objective IV: Learning negotiation skills. Because the great majority of cases are resolved without a contest on the merits, it is vital for students to learn the alternate and diversionary options available, and how to best implement them for the government's purposes. At their placements, students initially observe experienced prosecutors resolve real cases using these techniques, and then apply the learned skills to resolving their own cases. This process is particularly important to reaching pretrial agreements with the defense, and then being able to have those agreements accepted by the trial court.

Objective V: Improve 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' case and for their own case. This aspect of the field placement teaches students the interrelationship between thorough preparation and success. The value of the written work and its professional presentation is 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 other litigation-based placements, a vital skill for lawyers concerns their ability to collect and use facts crucial to the outcome of their cases. In the prosecution placement, students draft discovery documents, observe and participate in both formal discover and informal fact collection, learn how to handle real and demonstrative evidence, and collect government and private records and data complications. 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 gathering.

Objective VII: Understanding the requirements of Florida's Rules of Professional Conduct. Cases often present difficult ethical issues for prosecutors. It is important for students working in the prosecution placement to know and abide by the ethical and moral constraints of our profession. In this placement, students have the daily opportunity to observe how their supervisor and others in the office reach effective results by uniformly working within the rules.