



CRIMINAL LAW CERTIFICATION EXAMINATION SPECIFICATIONS



1. Purpose of Examination

The exam is intended to test whether an applicant possesses the knowledge, skills, abilities, ethics, and judgments that are common to specialists in criminal law whether as appellate practitioners or trial lawyers in the State of Florida. The exam is also intended to be a valid and reliable measurement to justify the representation of special competence and professionalism that distinguishes a “Florida Bar Board Certified Lawyer.”

2. Examination Content

The Criminal Law Certification Examination consists of a combination of essay questions and multiple choice questions covering substantive and procedural law in both state and federal court. The multiple choice portion consists of 50 questions for a total of 200 points and will be generally geared to either criminal appellate law or criminal trial law, depending upon the applicant. There are five essays including a question on federal sentencing guidelines; each question is worth 100 points for a total of 500 points. The essays will be graded on analytical reasoning and writing ability in addition to issue spotting utilizing the holistic scoring method.

Topics that may be covered on the criminal law examination include:

- State and federal rules of criminal procedure;
- State and federal rules of evidence;
- Grand jury, immunity, and investigations;
- Pretrial motion practice and discovery;
- Statutes which define crimes;
- Sentencing practices and guidelines;
- Statutes of limitations;

Probation violations;
Trial situations;
Postconviction, federal habeas, preservation of error, and appellate practice;
Ethics;
Search and seizure;
Fifth Amendment issues;
Sixth Amendment issues;
Jury selection;
Examination and confrontation of witnesses;
Attorney-Client privilege.

For examination purposes, topics that are not considered to be a part of criminal law include death penalty and juvenile delinquency law.

3. Suggested Study Materials

The committee suggests that applicants review and study the following:

Florida Rules of Criminal Procedure;
Federal Rules of Criminal Procedure;
Florida Rules of Appellate Procedure;
Federal Rules of Appellate Procedure;
Florida Evidence Code;
Federal Rules of Evidence;
Federal Sentencing Guidelines;
Florida Rules of Professional Conduct;
Florida Supreme Court, including recent cases;
Florida District Courts of Appeal, including recent cases;
United States Supreme Court, including recent cases;
Eleventh Circuit Court of Appeals, including recent cases.