



STATE AND FEDERAL GOVERNMENT & ADMINISTRATIVE PRACTICE CERTIFICATION EXAMINATION SPECIFICATIONS



I. Purpose of Examination

The State and Federal Government and Administrative Practice Certification Examination consists of a combination of essay and multiple choice questions. It is intended to test whether an applicant possesses the knowledge, skills, abilities, ethics, and judgments that are common to specialists in State and Federal Government and Administrative Practice law and 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.”

II. Examination Content

Topics that may be covered on the state and federal government & administrative practice examination include:

A. FLORIDA LAW (approximately 80%)

1. Florida Administrative Law

- a. Adjudication
- b. Rulemaking and Rule Challenges
- c. Declaratory Statements
- d. Competitive Procurement Disputes
- e. Exceptions to and Exemptions from Applicability of APA
- f. Variances and Waivers
- g. Exhaustion of Administrative Remedies and Primary Jurisdiction
- h. Judicial Review of Agency Action
- i. Licensing
- j. Uniform Rules of Procedure
- k. Enforcement of Agency Action

2. Florida Constitutional Law

Note: Covers language of Constitutional provisions and Florida Supreme Court decisions only.

- a. Executive Powers
- b. Legislative Powers
- c. Judicial Powers
- d. Privacy, Open Meetings, and Public Records

3. Florida Government Litigation

- a. Challenges to Statutes
- b. Florida Tort Claims

4. Florida And Federal Ethics, Sunshine, And Public Records

- a. Chapter 112, Fla. Stat. (Part III)
- b. Chapter 119, Fla. Stat.
- c. Chapter 286, Fla. Stat.

B. FEDERAL LAW (approximately 20%)

1. Federal Administrative Practice

- a. APA Adjudication (*this subsection will not cover agency-specific proceedings.*)
- b. Federal APA Litigation/Scope of Judicial Review
- c. Federal APA Litigation/Availability of Judicial Review
- d. Federal APA Rulemaking
- e. Attorney's Fees

2. Federal Constitutional Law

Note: Covers language of Constitutional Provisions and U.S. Supreme Court decisions only.

- a. Sovereign Immunity
- b. Federalism
- c. Separation of Powers
- d. Due Process
- e. Equal Protection
- f. Bill of Rights

3. FEDERAL ETHICS, SUNSHINE, AND PUBLIC RECORDS

- a. Freedom of Information Act -- 5 U.S.C. §552
- b. Government in the Sunshine Act -- 5 U.S.C. §552b

Examinees will be tested on law that was in effect at least 90 days before the date of the exam's administration.