

FLORIDA ASSOCIATION OF CODE ENFORCEMENT LEVEL III: LEGAL ISSUES IN CODE ENFORCEMENT

CASE DEVELOPMENT: How to investigate and initiate a Code Enforcement case. How to issue a proper Statement of Violation and Notice of Hearing. How to ensure good service of process. (4 hours)

CODE ENFORCEMENT BOARD: Expansion of Chapter 162's enumeration of the Code Enforcement Board's purpose, organization, appointment, powers, role at the hearings and responsibilities as a quasi-judicial body. (4 hours)

DEMEANOR AND TESTIFYING: How to make the most effective presentation either before the Code Enforcement Board or in a courtroom. The importance of proper preparation before testifying. What to expect in the courtroom and how to proceed. Suggestions to witnesses. (4 hours)

EVIDENTIARY ISSUES: Standards of evidence necessary in a Code Enforcement Board procedure including relevance, rights of alleged violators and the Board, due process, privileges, Fourth and Fifth Amendment issues, hearsay, and use of public records. (4 hours) F.S. Ch. 90, 2004 edition, F.S. Ch 933, 2004 edition

LOCAL GOVERNMENT ORDINANCES: An overview of ordinance development including construction, format, adoption, and codification. (2 hours)
F.S. Ch. 166, 2004 edition, F.S. Ch 125, 2004 edition

MOCK CITATION TRIAL: Following an overview of procedures to be followed in court appearances and differences with the Code Enforcement Board process, several mock citation trials are held, followed by critique and evaluation. (2 hours)

This needs to go after Demeanor and Testifying and Evidentiary Issues classes. Not on same day as Mock Code Board.

MOCK CODE ENFORCEMENT BOARD HEARING: Following a summary of procedures which should be followed in preparing and presenting effective cases to the Code Enforcement Board, several mock cases are enacted by the attendees. Critique and evaluation follow. (4 hours)

This needs to go after Demeanor and Testifying and Evidentiary Issues classes. Not on same day as Mock Citation Trial.

OTHER LEGAL OPTIONS AND COURT PROCEDURES: Civil and criminal procedures other than the Code Enforcement Board process, including citations, injunctions, public nuisance penalties, and physical arrest. (4 hours)

SPECIAL ISSUES IN CODE ENFORCEMENT: Examination of special areas relating to Code Enforcement including repeat violations, demolition, right of entry, stipulations, fines, recovery of costs, and rehearings. (4 hours)

REVIEW BEFORE EXAM (4 hours)