

**Florida Constitutional Law**  
**Spring 2026**  
**LAW 6930, Class # 29579**  
**3 Credits**  
**Tuesday & Thursday: 1:15-2:40 PM**  
**Holland Hall, Room 360**  
  
**Course Syllabus**

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**First Day of Class on January 20, 2026**

**Introduction & *Michigan v. Long*, pp. xxi-xxxix**  
***In re TW & Planned Parenthood of SW & Cent. Fla.*,**  
**pp. 4-37**

**Office Hours**

Tuesdays, 3:00-4:00 pm

Thursdays, 3:00-4:00 pm

**About this Course**

Traditionally, the fundamental characteristic of state constitutions is that they are limiting documents as compared with the Federal Constitution, which is a grant of enumerated powers to Congress. The states are the fundamental and original governing units in our federal system, and therefore, are understood to have plenary power, except where this power has been limited by federal law or the state constitution. The Florida Constitution is the basic rule book for the power struggles represented by the cases contained in this book. Florida courts interpret this rule book to delineate power between branches of government, between private parties and government and between levels of government (*e.g.*, state and local).

Generally, state constitutions are more detailed and particular than is the Federal Constitution, and they are easier to amend. This is certainly true of Florida's Constitution, and recent years have seen a plethora of highly regulatory amendments that do not really fit the traditional constitutional characteristics described above. Many of these have been adopted by popular initiative. As the introductory materials chronicle, the Florida Constitution is the sixth constitution since 1838, and the current constitution has been amended numerous times since its adoption in 1968.

Florida Constitutional Law is a survey course. As such, this course is designed to give students an overview of the various provisions of the state constitution, an understanding of how Florida courts have interpreted and applied the state constitution, and an introduction into the workings of state and local governments. The course will follow the order of the document itself, addressing: 1) the basic rights guaranteed by the Florida Constitution; 2) Separation of Powers, as understood in Florida jurisprudence; 3) the operation of the branches of government (legislative, executive and judicial); taxing and bonding issues; 5) local government; 6) education; 7) miscellaneous issues such as homestead and eminent domain; and 8) the amendment and revision process.

### **Course Materials**

Mills, Adkins & McLendon, *Florida Constitutional Law: Cases in Context* (2d ed., Carolina Academic Press, 2025).

Unless otherwise indicated, the reading assignments refer to the required casebook. Students are expected to have completed the assigned readings **prior** to class. Assignment pages refer to the casebook. Otherwise, as indicated in syllabus, additional readings may be posted on Canvas.

Students also are expected to read additional materials as indicated and as posted on the Canvas page, usually in either pdf or html format.

### **Course Objectives & Student Learning Outcomes**

After completing this course, students should be expected to:

1. Understand and apply the role of state constitutions in comparison with the United States Constitution.
2. Understand and apply the elements of the Florida Declaration of Rights and how its provisions interact with Federal Law.
3. Understand and analyze the relative authority and relationship of the Legislative, Executive, and Judicial branches.
4. Understand and interpret the jurisdiction of Florida courts.
5. Understand and interpret the tax and funding structure in Florida.

6. Understand and analyze the role and authority of local government.

After completing this course, students will have been:

1. Exposed to Florida Supreme Court Justices.
2. Exposed to seeing constitutional issues argued in the Florida Supreme Court.

**Expectations:**

It is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in-class assignments. You will be devoting time to your readings for each class; please be prepared for about 80 pages of reading each week.

**Attendance & Participation**

Attendance will be taken at each class meeting. Students are allowed 6 absences during the course of the semester. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course and will not be allowed to take the final examination. The law school's policy on attendance can be found [here](#).

Student participation in class is encouraged and will be considered in assigning a final grade. The degree of student participation will doubtless affect the quality and interest of class discussions. Students are expected to be prepared for each class.

**Observance of Religious Holidays**

UF Law respects students' [observance of religious holidays](#).

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

**Final Examination**

The final examination will be a **4-hour take-home, online, open book and open notes essay** exam during the designated exam schedule. The exam will consist of 5 or 6 hypotheticals with limited space for answers. Instructions for the examination will be provided later in the semester.

**Exam Delays & Accommodations**

The law school policy on exam delays and accommodations can be found [here](#).

## **Grades**

Your grade for this course will depend on how well you perform on your final exam. Examinations will be graded anonymously; however, as mentioned above, **participation will be factored into a student's final grade as well.**

Your grade in this class will be based on your performance on an open book final exam. This grade may be adjusted upward based on exceptional classroom performance. Initial grades on the final exam are always done anonymously, and we never **lower** anyone's grade after we turn the blind grades in. Quality of participation counts. If I call on you to contribute to classroom discussion, and you decline, I will come back to you the following day and call on you again to participate.

### **Evaluation of Grades:**

<b>Assignment</b>	<b>Percent of Grade</b>
Participation	10%
Final Exam	90%
Total	100%

### **Grading Policy:**

<b>Score</b>	<b>Percent</b>	<b>Grade</b>	<b>Grade Points</b>
934-1000	93.4-100	A	4.00
900-933	90.0-93.3	A-	3.67
867-899	86.7-89.9	B+	3.33
834-866	83.4-86.6	B-	3.00
800-833	80.0-83.3	B-	2.67
767-799	76.7-79.9	C+	2.33
734-766	73.4-76.6	C	2.00
700-733	70.0-73.3	C-	1.67
667-699	66.7-69.9	D+	1.33
634-666	63.4-66.6	D	1.00
600-633	60.0-63.3	D-	0.67
0-599	0-59.9	E	0.00

For more details, see this information at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>.

## **UF Academic Policies & Resources**

Other information about UF academic policies and resources can be found at this [link](#).

## **Course Evaluations**

Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results/>.

**Requesting Accommodations**

Students with disabilities requesting accommodations should first register with the Disability Resource Center (352-392-8565, [www.dso.ufl.edu/drc/](http://www.dso.ufl.edu/drc/)) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the instructor when requesting accommodation. Students with disabilities should follow this procedure as early as possible in the semester.

**Internet Policy and Related Issues**

The internet, and more generally your laptop, is a great learning tool and invaluable asset to effective advocates. It should be used during class time as you will use it in practice: responsibly and ethically, consistent with the high professional standards that will be expected of you by your clients and by those who will employ you. This is important not only to you, but also to all the students around you who are affected by how you use your computer. It can be distracting to your classmates if you use your computer for activities unrelated to class. When you are talking, you should lower your laptop to facilitate communication.

Cell phones, tablets, and other electronic equipment should be turned off and not used during class. If you need to leave your phone on vibrate to receive an emergency call, please feel free to do so.

**Recording in Class**

All classes will be recorded via Mediasite in case students must miss class for health reasons. The Office of Student Affairs will work with faculty to determine when students may have access to these recordings, and the recordings will be password protected. It is the student's responsibility to contact the Office of Student Affairs as soon as possible after an absence.

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A "class lecture" is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or guest lecturer during a class session. Publication without permission of the instructor is

prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor and Student Conduct Code.

### **University Honesty Policy and Academic Misconduct**

UF students are bound by The Honor Pledge which states, “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code.” On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: “On my honor, I have neither given nor received unauthorized aid in doing this assignment.” The Honor Code (<https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel.

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>

### **Counseling and Wellness Center**

Counseling and Wellness Center: <https://counseling.ufl.edu/>

Connect & Contact: 352.392.1575

For Emergencies: University Police Department 352.392.1111 or 911

**Outline of Class**

(note that this is tentative &amp; that adjustments may be made during the semester)

Class Number	Date	Assigned Readings	Overton Lectures or other guest speaker
1	Tuesday, January 20	Introduction & <i>Michigan v. Long</i> , pp. xxi-xxxix; Article I – <i>In re TW &amp; Planned Parenthood of SW &amp; Cent. Fla.</i> pp. 4-37	Prof. emerita Mary Adkins
2	Thursday, January 22	Article I – Declaration of Rights. <i>Schiavo, Eitel, Bar Examiners; Kurtz</i> pp. 38-54	
3	Tuesday, January 27	<i>Green, Post-Newsweek, Rolling, Krischer</i> pp. 54-78	
4	Thursday, January 29	Searches & Seizures <i>Bernie, Wells, Hume</i> Speech & Press <i>Elder</i> pp. 78-106	
5	Tuesday, February 3	Right to Assemble <i>Cate</i> Right to Work <i>Hillsborough, UTD</i> Right to Bear Arms <i>Norman</i> pp. 107-41	
6	Thursday, February 5	Prohibited Laws <i>Shenfield, Pomponio, Searcy</i> pp. 141-61	
7	Tuesday, February 10	Access to Courts <i>Kluger, Lasky, Diamond, Damiano</i> Right to Jury Trial <i>Chevy Van</i> pp. 161-89	
8	Thursday, February 12	<i>La Rosa</i> Religious Liberty <i>McNeil</i> pp. 190-213 Due Process – <i>Smith</i> Excessive Punishments – <i>Jones, Valle, Lawrence</i> , pp. 213-42	

9	Tuesday, February 17	Public Records <i>Earnhardt, Sarasota Citizens</i> pp. 242-64	
10	Thursday, February 19	Separation of Powers <i>Askew, Cross Keys, Chiles</i> pp. 265-98	
11	Tuesday, February 24	<i>Stare decisis</i> in Florida Constitutional Law	
12	Thursday, February 26	Improper Delegation & Encroachment <i>EY, Carnegie, Crist, Jones v. Chiles, Schiavo</i> pp. 298-326	
13	Tuesday, March 3	Article III – Legislature <i>Santos, Loxahatchee, Fla. Defenders, Moffitt, Expedia, League of Women Voters</i> pp. 334-72	
14	Thursday, March 5	Veto <i>Martinez v. Legis., Martinez v. House, Thompson, Ophthalmology</i> Special Laws <i>Deseret Ranches, Cesary</i> pp. 372-418	
15	Tuesday, March 10	Supreme Court Jurisdiction Article V, Section 3(b)	Justice Jorge Labarga
16	Thursday, March 12	Apportionment Skim – <i>In re Joint Resolution, Detzner</i> pp. 419-90	
<b>Spring Break</b>	<b>March 16-20</b>	<b>No Assigned Readings</b>	
17	Tuesday, March 24	Article IV – Executive <i>Kirk, Women's Emergency Network, Scott, Ayala, Fla. House v. Crist, Whiley, In re Advisory Op. to Governor</i> pp. 500-44	
18	Thursday, March 26	Suspensions <i>Israel, Bruner, Pizzi, Warren, Worrell</i> Executive Orders <i>Abramson</i> pp. 545-73	



19	Tuesday, March 31	<p>Article V – Judiciary  Structure of Court System  <i>Laborers' Int'l Union, Johnson,</i>  <i>In re Clarification of FRPP,</i>  <i>Treadwell, Hall, Payret</i>  pp. 576-92</p> <p>Jurisdiction  <i>DMT v. TMH, Adv. Op. to Atty.</i>  <i>Gen'l re Raising Min. Wage,</i>  <i>Jenkins, Dodi, Jollie, Harrison,</i>  <i>Vickery</i>  pp. 592-622</p>	
20	Thursday, April 2	<p>Writ Jurisdiction  <i>Crist, Detzner, Okafor, Special</i>  <i>Apportionment</i>  Jurisdiction of DCAs  <i>Creighton, Amend. to FRAP,</i>  <i>State v. MK</i>  pp. 624-51  Binding Authority of DCAs  <i>Pardo</i>  Selection of Judges  <i>Pleus, Thompson</i>  pp. 651-64</p>	
21	Tuesday, April 7	<p>Article VII – Finance  <i>St. Johns River WMD, Reedy</i>  <i>Creek, Alachua County v.</i>  <i>Adams, Garcia, Zingale</i>  pp. 718-62</p>	
22	Thursday, April 9	<p><i>Sebring Airport Authority, Town</i>  <i>of Palm Beach, Contractors of</i>  <i>Pinellas County, City of Port</i>  <i>Orange, Collier County, Morris</i>  pp. 762-806</p>	
23	Tuesday, April 14	<p>Bonding  <i>School Bd. of Sarasota, Strand,</i>  <i>Volusia County, City of Palatka</i>  pp. 806-14, 817-37</p> <p><b>Skim:</b> Tax Rates &amp; Assessments  <i>Straughn, Southern Bell,</i>  <i>Osceola County Indus. Auth.,</i>  <i>Northern Palm Beach County</i>  <i>Water Control Dist.</i>  pp. 838-50, 868-82</p>	

24	Thursday, April 16	<p>Article VIII – Local Government  <i>Volusia County, Sarasota County, Broward County, City of Coconut Creek, Briley Wild &amp; Assoc., Alsdorf</i>  pp. 884-915</p> <p><b>Skim:</b> <i>City of Miami Beach, City of Ocala, City of Long Beach Resort, Capella</i>  pp. 916-28, 931-39</p>	
25	Tuesday, April 21	<p>Preemption  <i>City of Palm Bay, City of Hollywood, Barragan</i>  pp. 939-56</p> <p>County Officers  <i>Brock, Demings</i>  pp. 973-82</p> <p><b>Skim:</b>  Consolidation  <i>Albury, Town of Baldwin</i>  pp. 957-62</p>	
26	Thursday, April 23 (Last Regular Class)	<p>Article X – Miscellaneous  Homestead – <i>McGinty, Lopez, Scholtz</i>  pp. 1092-1116</p> <p>Eminent Domain –  <i>City of Ocala v. Nye, System Components, Flatt v. Brooksville</i>  pp. 1117-18, 926-28, 1126-43</p>	
	April 28 (in person & by Zoom)	Review Session	
	Flexible during Exam Period	Final Exam	