

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS**
September 13, 2012

SUBJECT: Process for Appearance as Amicus in Litigation involving Matters of System-wide Importance

PROPOSED BOARD ACTION

Discussion of process for Board of Governors to appear as Amicus in litigation that involves postsecondary legal issues of system-wide importance

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

On occasion, litigation matters arise that involve legal issues of great public importance to the State University System. Normally, a state university board of trustees or recently, a Florida College System institution board of trustees, is a party to the litigation, but the legal issue involved has significant statewide implications for all public postsecondary institutions in Florida. In those rare instances, it would be beneficial to the State University System if the Board of Governors could make a limited appearance in the litigation as an amicus curiae to advise a court of the criticality of the legal issue and its impact on the State University System. Currently, the Board does not have a process whereby a decision can be made on the propriety of appearing as an amicus in a particular matter.

Supporting Documentation Included: None

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