



The Andrea Taylor Sentencing Advocacy Workshop – Virtual Program

Administrative Office of the U.S. Courts,
Defender Services Office Training Division

December 6-9, 2022 Draft Agenda

This is the Defender Services Office Training Division’s fourth virtual Andrea Taylor Sentencing Advocacy Workshop (SAW). In contrast to the in-person 2½-day program, virtual SAW will be a course that engages participants in multiple ways over the course of four days, from Tuesday, December 6 through Friday, December 9, 2022.

This virtual course will use a combination of pre-recorded presentations and live workshop sessions. The recorded presentations will correspond with workshop sessions. The presentations corresponding to the workshop session must be viewed prior to attending the live workshop session. For example, prior to attending the live Workshop Session I, “Fact-Busting the Case,” on December 6, 2022, participants must view the 60 minute Presentation I, “Fact-Busting the Case.” All presentations will be available to view approximately two weeks prior to the live workshop sessions. Instructions for watching the pre-recorded videos and attending the workshop sessions will be provided in advance of the start of this program.

The 4 live 120-minute workshop sessions will be led by skilled facilitators in small group settings. These sessions will be held from 3:30 – 5:30 p.m. Eastern Standard Time (EST), from Tuesday, December 6 through Friday, December 9, 2022.

As with our traditional in-person workshops, participants will get on their (virtual) feet and practice skills and receive peer feedback. Participants are encouraged to bring their own case to this program.

We have a limited number of spots in this workshop; therefore, we require each participant to: (1) submit your case summary form (this is a bring your own case workshop) by the **deadline of November 14, 2022**; (2) watch the presentations (total of 7 hours); and (3) attend all four live workshop sessions (total of 8 hours).

Thank you for joining us on our fourth virtual iteration of SAW.

UNIT I: Presentation 1 must be viewed prior to attending Workshop Session I

60 minutes
Pre-recorded

PRESENTATION 1: Fact-Busting the Case

Joseph Ross, *Assistant Federal Public Defender, Office of the Federal Public Defender for the Eastern District of North Carolina, Raleigh, NC*

This session will concentrate on the elements of fact-busting, using a mock case, to demonstrate techniques for mining the facts of a case in a manner that maximizes the potential of developing a persuasive sentencing theory.

Live session
Tuesday, 12/6

WORKSHOP SESSION I: Fact-Busting the Case

3:30-5:30 p.m. EST Participants will meet with their small group facilitators to fact-bust their own cases as a basis for developing persuasive sentencing theories and themes.

UNIT II: Presentations 2 & 3 must be viewed prior to attending Workshop Session II

60 minutes
Pre-recorded

PRESENTATION 2: Getting to Know Your Client & Interviewing for Mitigation

Jennifer Willis, *Assistant Federal Defender, Federal Defenders of the Southern District of New York, New York, NY*

Who am I representing? How do I distinguish her from the hundreds of other clients the court is sentencing? How do I discover and develop the information necessary to tell my client's mitigation story? This session will discuss critical components of an effective mitigation investigation, including gathering records and interviewing considerations, with a focus on cultural competency concerns.

60 minutes
Pre-recorded

PRESENTATION 3: Locating and Analyzing Mitigation Documents

Rena' Ross, *Investigator, Middle District of Alabama Federal Defenders Program, Inc., Montgomery, AL*

This session will provide an overview of the importance of records in developing mitigation evidence. Records are inherently credible because objective, neutral professionals created them long before the client faced criminal charges. They reveal sensitive information that clients and their family members are reluctant to disclose -- and sometimes information that the client and their family members know nothing about.

Live session
Wednesday, 12/7
3:30-5:30 p.m. EST

WORKSHOP SESSIONS II: Interviewing for Mitigation/Records Collection

Participants will meet in their small group to practice mitigation interviewing skills and identify records needed in their cases.

UNIT III: **Presentation 4 must be viewed prior to attending Workshop Session III**

60 minutes
Pre-recorded

PRESENTATION 4: Developing Persuasive Theories and Themes/Storytelling

Fredilyn Sison, Assistant Federal Defender, Training Coordinator & Director, Office of the Federal Public Defender for the Western District of North Carolina, Asheville, NC

Having a theory for sentencing and supporting themes is critical to your organization of the case and forms the basis of your sentencing story. This session will define a theory and theme, and will address how to develop theories and themes and weave them into your story of mitigation for sentencing. It will also discuss the elements of storytelling and how to effectively use storytelling to make a compelling argument at sentencing.

Live session
Thursday, 12/8

WORKSHOP SESSION III: Theories and Themes/Storytelling

3:30-5:30 p.m. EST

Participants will meet in their small groups where Group Leaders will facilitate the process of applying theories, themes, and storytelling techniques to the facts of each attendee's own case.

UNIT IV: Presentations 5, 6 & 7 must be viewed prior to attending Workshop Session IV

60 minutes
Pre-recorded **PRESENTATION 5: Persuasive Writing**
Fredilyn Sison, *Assistant Federal Defender, Training Coordinator & Director, Office of the Federal Public Defender for the Western District of North Carolina, Asheville, NC*

This session will provide persuasive writing techniques to advance the sentencing theory using the facts of the mock case.

60 minutes
Pre-recorded **PRESENTATION 6: Using More Than Words to Persuade**
Callie Steele, *Senior Litigator, Office of the Federal Public Defender for the Central District of California, Los Angeles, CA*

At sentencing, a picture is worth at least a thousand words, and can bring life and emotion to your client's story. This session will look beyond the written word and examine ways to include powerful and persuasive images into your sentencing presentations.

60 minutes
Pre-recorded **PRESENTATION 7: Persuasive Sentencing Hearings**
Tina Hunt, *Executive Director, Federal Defenders of the Middle District of Georgia, Inc., Macon, GA*

This session will discuss how to persuasively tell the client's story at the sentencing hearing. It will examine factors to consider in making decisions about what to present and how to conduct the hearing. Various techniques will be explored.

Live session
Friday, 12/9
3:30-5:30 p.m. EST **WORKSHOP SESSION IV: Persuasive Writing, Using More Than Words to Persuade and Persuasive Sentencing Hearings**

Participants will divide into small breakout groups and apply storytelling persuasive writing techniques to the facts of their own cases. Each participant will have written, prior to the beginning of this workshop session, the first two to three paragraphs of their sentencing memorandum, in a persuasive fact-based manner. Participants will receive feedback on their work and rewrite their memoranda based on feedback received. Participants will also discuss incorporating more than words in their memoranda. Finally, this session will conclude with a discussion on how each participant anticipates how best to conduct the sentencing hearing.