



**THE ANDREA TAYLOR
SENTENCING ADVOCACY WORKSHOP**

**ADMINISTRATIVE OFFICE OF THE U.S. COURTS
DEFENDER SERVICES OFFICE TRAINING DIVISION**

**Sheraton Gunter Hotel San Antonio
205 E. Houston St.
San Antonio, Texas 78205**

March 28-30, 2019

DRAFT AGENDA (2/15/19)

Thursday, March 28, 2019

7:30 – 8:30 a.m. Registration - Continental Breakfast

8:30 – 8:50 a.m. Welcoming Remarks

Maureen Scott Franco, *Federal Public Defender, Office of the Federal Public Defender for the Western District of Texas, San Antonio, TX*
John Convery, *CJA Panel Representative for the Western District of Texas, San Antonio, TX*

8:50 – 9:00 a.m. Introduction to Workshop

Craig Crawford, *Attorney Advisor, Training Division, Defender Services Office, Washington, DC*

9:00 – 10:00 a.m. PLENARY SESSION: 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.

10:00 – 10:15 a.m. Break

10:15 a.m. –
12:30 p.m.

WORKSHOP SESSION I: Fact-Busting the Case

Participants will meet with their small group facilitators to fact-bust their own cases as a basis for developing persuasive sentencing theories and themes.

Rooms for the small groups will be posted at the registration desk.

12:30 – 1:45 p.m. **Lunch - On Your Own**

1:45 – 2:30 p.m. **PLENARY SESSION: Getting to Know Your Client & Interviewing for Mitigation**

Tanya Greene, *Resource Counsel and Director of Training, Capital Resource Counsel & Federal Death Penalty Resource Counsel Projects, Bronx, 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.

2:35 – 3:20 p.m. **PLENARY SESSION: Locating and Analyzing Mitigation Documents**

Vickie Piontkowski, *Mitigation Investigator, Office of the Federal Public Defender for the Western District of Pennsylvania, Pittsburgh, PA*

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.

3:20 – 3:30 p.m. **Break**

3:30 – 4:55 p.m. **WORKSHOP SESSION II: Interviewing for Mitigation/Records Collection**

Attendees will divide into small breakout groups to practice their mitigation interviewing skills and identify records needed in their cases.

5:00 – 6:00 p.m. PLENARY SESSION: Developing Persuasive Theories and Themes/Storytelling

Kyana Givens, *Visiting Attorney Advisor, Training Division, Defender Services Office, Washington, DC*

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.

6:00 p.m. Adjourn for the Day

Friday, March 29, 2019

7:30 – 8:30 a.m. Continental Breakfast

8:30 – 10:15 a.m. WORKSHOP SESSION III: Theories and Themes/ Storytelling

Attendees will divide into small breakout groups where Group Leaders will facilitate the process of applying theories, themes, and storytelling techniques to the facts of each attendee's own case.

10:15 – 10:30 a.m. Break

10:30 a.m. – 12:00 p.m. WORKSHOP SESSION III: Theories and Themes/ Storytelling (cont.)

12:00 – 1:15 p.m. Lunch - On Your Own

1:15 – 2:30 p.m. PLENARY SESSION: Persuasive Writing
Jay McEntire, Senior Litigator, Federal Defenders of Eastern Washington and Idaho, Spokane, WA

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

2:30 – 2:45 p.m. Break

2:45 – 3:50 p.m. WORKSHOP SESSION IV: Persuasive Writing

Attendees will divide into small breakout groups and apply storytelling and persuasive writing techniques to the facts of their own cases. Each attendee will write 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 memorandum based on feedback received.

3:50 – 4:00 p.m. Break

4:00 – 5:30 p.m. WORKSHOP SESSION IV: Persuasive Writing (cont.)

5:30 p.m. Adjourn for Day

Saturday, March 30, 2019

7:30 – 8:30 a.m. Continental Breakfast

8:30 – 9:30 a.m. PLENARY SESSION: Persuasive Sentencing Hearings
Amy H. Rubin, Managing Attorney, Federal Defenders of Eastern Washington and Idaho, Spokane, WA

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.

9:30 – 9:45 a.m. Break

9:45 – 10:45 a.m. WORKSHOP SESSION V: Persuasive Sentencing Hearings

Attendees will divide into small breakout groups where they will discuss how each participant anticipates how they will conduct the sentencing hearing in their own case. Emphasis will be placed on the ideas developed in the morning plenary.

10:45 – 11:00 a.m. Break

11:00 a.m. – 12:15 p.m. WORKSHOP SESSION V: Persuasive Sentencing Hearings (cont.)

12:15 – 1:15 p.m. PLENARY SESSION: 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.

1:15 p.m. Closing Remarks/Adjournment
Craig Crawford, Attorney Advisor, Training Division, Defender Services Office, Washington, DC

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