



The Andrea Taylor Sentencing Advocacy Workshop – Virtual Style

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

December 7-15, 2020, Draft Agenda

This is the first 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 several days, from Monday, December 7 through Tuesday, December 15, 2020.

This virtual course will use a combination of presentations (which will be pre-recorded, but for some, may be able to be viewed live) and workshop sessions (which will all be live). Each of the presentations will correspond with one or more of the workshop sessions, creating a unit. The presentation corresponding to the workshop session must be viewed prior to attending the workshop session. For example, for Unit 1, prior to attending the live Workshop Session I, “Fact-Busting the Case,” on December 7, 2020, participants must view the 60 minute Presentation I, “Fact-Busting the Case.” All presentations will be available to view approximately one week prior to the corresponding live workshop session. We will be using GoToTraining as the virtual platform for this program. Instructions for watching the pre-recorded videos and attending the workshop sessions will be provided later.

The 6 live 120-minute (60 minutes on December 10) 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) or Pacific Standard Time (PST), Monday, December 7 – Thursday, December 10, 2020 and Monday, December 14 – Tuesday, December 15, 2020.

Once registered, you will receive a confirmation letter. In the confirmation letter, you will be given a link to select whether you would like to participate in the 3:30-5:30 Eastern Standard Time (EST) or 3:30-5:30 Pacific Standard Time workshop session each day – or you can select no preference. You will not be able to go back and forth between the times based on the individual day. We will try to accommodate each request, but cannot guarantee it, as we will only have a select number of facilitators for each time period.

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 commit to timely watching the presentations (total of 7 hours) and to actively attending all live workshop sessions (total of 11 hours).

Thank you for joining us on this journey in this new iteration of SAW.

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

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

Monday, Dec. 7

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

or

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

WORKSHOP SESSION 1: 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.

UNITS 2 & 3:

Presentations 2 & 3 must be viewed prior to attending Workshop Sessions 2 & 3

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

Tuesday, Dec. 8

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

or

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

WORKSHOP SESSIONS 2 & 3: Interviewing for Mitigation/Records Collection

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

UNIT 4: Presentation 4 must be viewed prior to attending the first Workshop Session 4

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
Wednesday, Dec. 9

WORKSHOP SESSION 4: Theories and Themes/Storytelling

3:30-5:30 p.m. EST Participants 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.
or
3:30-5:30 p.m. PST

Live session
Thursday, Dec. 10

WORKSHOP SESSION 4 (cont'd): Theories and Themes/Storytelling

3:30-4:30 p.m. EST Participants 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.
or
3:30-4:30 p.m. PST

Live
Thursday, Dec. 10
4:30-6:00 p.m. EST
or
4:30-6:00 p.m. PST

VIRTUAL HAPPY HOUR: Optional (Not Mandatory)



UNITS 5 & 6: Presentations 5 & 6 must be viewed prior to attending Workshop Sessions 5 & 6

**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.

Live session
Monday, Dec. 14
3:30-5:30 p.m. EST
or
3:30-5:30 p.m. PST

WORKSHOP SESSIONS 5 & 6: Persuasive Writing & Using More Than Words to Persuade

Participants will divide into small breakout groups and apply storytelling and 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.

UNIT 7:

Presentation 7 must be viewed prior to attending Workshop Session 7

**60 minutes
Pre-recorded**

PRESENTATION 7: Persuasive Sentencing Hearings

Tina Hunt, *Executive Director, Federal Defenders of the Middle District of Georgia, Inc., Macon, GA*

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. Various techniques will be explored.

Live session
Tuesday, Dec. 15
3:30-5:30 p.m. EST
or
3:30-5:30 p.m. PST

WORKSHOP SESSION 7: Persuasive Sentencing Hearings

Participants 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 Presentation Session 7