**Federal Sentencing: Sufficient but not Greater than Necessary**

*50-minute Program for Distance Learning*

**Program summary**: Students meet and work with a judge, a criminal defense attorney, and a prosecutor to gain a basic understanding of how judges determine an appropriate sentence before students advocate as attorneys.

**Program goals**:

1. Develop an understanding of the judge’s decision-making when imposing a sentence.
2. Practice oral communication skills.
3. Meet and learn from a federal judge, federal criminal defense attorney, and Assistant U.S. Attorney.

|  |  |  |
| --- | --- | --- |
| Time | Activity | Location |
| (5 mins.) | **Welcome**!   * Brief introduction from judge and attorneys * Brief introduction from judge about today’s program topic | Group |
| (25 mins.) | **Sufficient, but not Greater than Necessary – Determining a Sentence**   * (10 mins.) Judge briefly explains: the stages of a criminal case that lead up to a sentencing hearing, the content of a Presentence Report, supervised release, and the 3553(a) factors.      * (15 mins.) Students break into 2 groups: (1) prosecutors and (2) defense attorneys. * Review fact summary of United States v. Tennant. * Using the factors from 18 U.S.C. § 3553(a), identify facts from Ms. Tennant’s personal history, offense conduct, and criminal history that are important considerations. * How long should Ms. Tennant be incarcerated? How long should she be on supervised release after prison? How much should she be fined? * *Additional topics of discussion among students and attorneys*: * 1. Why did Congress believe it was important to include the factors in 18 U.S.C. § 3553(a) that a judge must consider when determining a sentence? * 2. What are important goals for the criminal justice system? * 3. How do you present your side’s “argument” for an appropriate sentence in a civil way to the judge? | Group  Two  Break-Out Rooms |
| (10 mins.) | **Court’s in Session**!   * Students reconvene as a group for a hearing before the judge on an appropriate sentence for Ms. Tennant. * The judge calls on the selected student-attorneys to present their “arguments” – be ready for the judge to ask you questions! | Group |
| (10 mins.) | **Q&A with the Judge and Attorneys**   * Students discuss with the judge and attorneys careers in the law and more. | Group |