**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.

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| 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?
 | GroupTwo 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 |