This seminar will afford you the opportunity to write a scholarly paper that delves deeply into the intricacies of a sentencing-related legal or policy issue. The completion of this paper will enable you to gain in-depth knowledge on a complex sentencing-related topic, further cultivate your research and writing skills, present cutting-edge ideas in your legal or policy analysis, and contribute to the learning of others about sentencing law and policy.

**PAPER REQUIREMENTS**

The paper being written for this course must contain a clear, accurate, and thorough analysis of the subject on which the paper focuses. A paper that is simply descriptive will not suffice. A laudable goal towards which to strive when researching and writing the paper is for it to be potentially publishable due to its high quality, the depth of its analysis, and the new insights you have brought to the issue or issues you have profiled.

The paper should be double-spaced, in 12-point Times New Roman font, and with 1-inch margins on all sides. The paper should be between 20 and 25 pages long, with additional space allotted for footnotes. Citations in the footnotes should accord with *The Bluebook: A Uniform System of Citation* (21st ed. 2020).

At this juncture of your law-school education, you have gained experience in legal research and are conversant with how to find relevant cases, statutes, and Law Review articles on Westlaw or Lexis. What I want you to discern from this writing project is how research from other fields, such as the social sciences, can buttress a legal or policy analysis. To aid you in realizing that goal, each paper must incorporate interdisciplinary research into at least some part of your analysis and include citations to at least two peer-reviewed articles from outside the field of law. The research to which you refer should be interwoven into your analysis, buttressing the thesis of your paper.

If you are not familiar with Discover@MU, the university’s multi-disciplinary tool that searches hundreds of databases and journal providers, I encourage you to work with law librarians Cindy Shearrer or Laura Wilcoxen, who will assist you in learning how to use Discover@MU to locate and retrieve relevant articles. Since some articles may have to be obtained via interlibrary loan, I recommend that your schedule for the project’s completion factor in a potential ten-day wait for articles being secured via interlibrary loan. Interlibrary loan requests can be made here.

If you determine that, due to the nature of your paper’s topic, the inclusion of research from other fields would detract from the quality of the paper, please let me know. If I concur, I
will then ask you to locate two peer-reviewed articles whose findings could illuminate our class discussions and to share those findings with the class.

Finally, it bears noting that the “initial paper” due on November 11 is not to be considered, or be, a rough draft. Your footnotes should be complete and sources readily identifiable to a reader so that readers of your paper, including me, can spot whether there are any significant gaps in your research. However, it is alright if your footnotes in the initial paper are not yet in Bluebook form.

**TOPIC SELECTION**

I am hoping that you will write on an issue in which you have a keen interest – about which you want to learn much more. A starting point for selecting your topic is the Table of Contents for the book assigned for this course. The Table of Contents will enable you to ascertain some of the general subjects that fall within the purview of sentencing law and policy, such as plea bargaining, the death penalty, and “enmeshed penalties” (often referred to as the “collateral consequences” of a conviction). From the Table of Contents, you may be able to identify a subject into which you want to delve more deeply and you can then explore potential options for paper topics related to that subject. Sprinkled throughout the casebook, typically in the sections denominated “Questions and Points for Discussion,” you will find some questions or points about the various subjects that will spur further ideas about the potential focus and thesis of your paper.

There are other sources to which you can turn as you identify the topic to be analyzed in your paper and the thesis of your paper. Professor Douglas Berman’s blog on sentencing law and policy at [https://sentencing.typepad.com/](https://sentencing.typepad.com/) is one such source. The links and resources listed on the right side of that blog’s home page are also rich sources of ideas and information that can aid you during the topic-selection process as well as when researching and writing your seminar paper. You can also confer with judges, prosecutors, defense attorneys, and other criminal-justice officials for ideas about potential paper topics, or you can canvas Supreme Court decisions denying petitions for a writ of certiorari in cases that, despite the denial of the cert petition, raise complex and important sentencing-related issues. I can also provide you guidance regarding potential topics for your seminar paper.

When you have selected the topic of your paper, please tender it to me for my consideration and approval. Once the topic has been approved, you can then commence the extensive research that will be the prelude to the drafting of the outline of your paper and the paper itself.

**TIMETABLE**

1. Topic selected – September 7 (or before)
2. Outline – October 2 (or before)
3. Initial paper – November 11 (or before)

4. Class presentations, including 1-page outlines – November 15, 28, 29

5. Final paper – December 16 (or before)

During the many years in which I have taught law-school seminars, I have noted that waiting until close to a deadline to complete any of the tasks delineated above can compromise the quality of the work product being tendered for my review. I therefore recommend that you develop an even more detailed timetable to guide the completion of your work on the seminar paper, ensure that the work on it is evenly spread throughout the term, and enable you to readily meet each deadline or submit your work product well in advance of a deadline.

**GRADING CRITERIA**

The criteria that will inform the grading of both the initial and final papers include the following: (1) the extent and quality of the research underpinning the paper; (2) the extent to which the analysis in the paper is thorough and accurate; (3) the extent to which the paper reflects original thinking; (4) the extent to which the paper is well structured, with paragraphs, information, and ideas organized in an order that enhances the paper’s readability; and (5) the level of clarity and quality of the writing in the paper, including conformance with grammatical and punctuation rules, correct spelling, effective choice of words, and appropriate use of quotations. An additional criterion will be considered when grading the final paper: the extent to which citations comport with *The Bluebook: A Uniform System of Citation* (21st ed. 2020).