

Professor Michael M. O'Hear: A National Resource On Sentencing

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Many judges will state that their most difficult responsibility is the sentencing of a criminal defendant. Although this daunting decision is made literally thousands of times daily in courtrooms around the country, only in recent times has the sentencing process received intense attention from the academic community.

Professor Michael O'Hear, the 2009 recipient of the Judge Robert W. Warren Public Service Award, has played an integral role in analyzing the sentencing dynamics. Through the work of O'Hear and his colleagues, Marquette Law School is becoming one of the nation's main academic centers for not only sentencing but all aspects of the criminal law.

As a result of the U.S. Supreme Court's seminal decision in *Booker* (which transformed the Federal Sentencing Guidelines from mandatory requirements to advisory guidance), federal sentencing is constantly evolving and the focus of great controversy. O'Hear is among those helping to drive the discussion at a national level. O'Hear has published articles on such diverse topics as sentencing variances between the federal and state levels, the "green-collar" offender, the sentencing credit given for the defendant's acceptance of responsibility, and the sentencing impact of prosecuting drug cases at the federal level. Since 2004, O'Hear has served as an editor of the *Federal Sentencing Reporter*, a national publication where sentencing issues are debated among judges, academicians, and practitioners.

Importantly, Professor O'Hear works with his Marquette colleagues in turning the Law School into a national town hall for such debate. O'Hear played a leading role in organizing Marquette's 2007 symposium on the plea bargaining process, which culminated in an issue in the *Marquette Law Review*. O'Hear is also a participant in Marquette Law's new annual Barrock Lecture on criminal law. Moreover, O'Hear is a part of the team planning the Marquette Law School Conference on Criminal Appeals, to be held on June 15, 2009.

A graduate of Yale College and Yale Law School, O'Hear joined Marquette Law in 2000 after practicing in Chicago. Over the last two years, he attained the rank of Professor of Law and was named the Associate Dean for Research. He has been involved in leading the development of the Law School's faculty blog, which provides commentary on law and public policy issues, especially in this region, and recently chaired the commission of Wisconsin's U.S. Senators to recommend candidates to serve as the U.S. Attorney for this district.

Many of us recall that the late Judge Robert W. Warren would spend a considerable amount of time analyzing a defendant's background during a sentencing hearing in order to arrive at a fair disposition. Judge Warren realized the importance of the sentence to a defendant's life and family, the victim, and to society as a whole. Thus, it is fitting that Michael O'Hear, a distinguished academician whose mission is to analyze and explain the dynamics of the sentencing process, receives an award named after Judge Warren.