

Hon. Patricia D. Barksdale (25-CR-N)

October 1, 2025

The U.S. Sentencing Commission published adopted amendments (effective November 1, 2025) to the *Guidelines Manual*. The amendments will simplify the current three-step sentencing process by removing the step that requires courts to consider departures.

Hon. Patricia Barksdale asked the Advisory Committee to consider amending Rule 11(b)(1)(M) of the Federal Rules of Criminal Procedure to delete “possible departures under the Sentencing Guidelines.”

Rule 11. Pleas

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(b) Considering and Accepting a Guilty or Nolo Contendere Plea.

(1) Advising and Questioning the Defendant. Before the court accepts a plea of guilty or nolo contendere, the defendant may be placed under oath, and the court must address the defendant personally in open court. During this address, the court must inform the defendant of, and determine that the defendant understands, the following:

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(M) in determining a sentence, the court’s obligation to calculate the applicable sentencing-guideline range and to consider that range, possible departures under the Sentencing Guidelines, and other sentencing factors under 18 U.S.C. § 3553(a);

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