



What are the Parts of a Case Brief?

Rule of Law: This element of a case brief refers to the legal principle that the court applied to the case. It depends on the legal issue at hand and is not always straightforward.

Facts: The facts of the case will always be there in simplified form. So, this part should be easy. However, do not copy the statements verbatim. Rewrite them to ensure you have the facts in memory instead.

Be sure to include the following information in the facts of the case:

- The root cause of the legal action.
- The plaintiff and defendants. Do not use these generalized terms, but instead use their true names to make the brief clearer.
- The facts that led to the dispute under resolution.
- The holding of the trial court or jury and, if present,
- The Appellate Court's holding.

Issue: Issues are the questions of the law that the case raises, and they are often peculiar to the case. The court will state these explicitly, especially if the case is constitutional. Judges make decisions in answer to legal questions, unlike juries who make them based on facts. As such, the legal issue should be an exact question determining what legal questions the court is answering in the case. These questions should be such that you can satisfactorily answer them with a 'Yes' or 'No.'

Holding and Reasoning: What was the Court's disposition about the case? Did the defendant/appellant successfully argue their case or not? More specifically, what did the Court rule about the legal questions raised? As such, the first statement of this part should be written in answer to the questions in the Issue section. There are two ways to do this, designated by the acronyms CREAC and IRAC.

Issue

Rule

Application

Conclusion

Concurrence: Judges who agree with the decision but not the majority's reasoning may write their own concurrence stating their unique reasons. Summarize these in a few paragraphs, sticking to the major points made.

Dissent: A judge who disagrees with the majority opinion may write a separate dissent opinion. Like the concurrence, you should summarize the dissent in a few paragraphs, noting their reasons for doing so. Depending on what format you choose to use for your case brief, other parts you may decide to add include:

- Reasoning: How did the court arrive at the decision?
- Analysis: what is the significance of the case, and how does it relate to others of the same kind? What does the case prove about the court, the litigants, and the overall impact on society?
- Policy: You can state here if the court provides any reasons for adopting a new rule or relying on an old one. It will usually explain the purpose of rule, especially defining constitutional ones.

Note that every case brief must begin with a title and citation of the case being examined. The title must have a properly cited name of the case including the date. The template below should help you put things in order.