**A TEN-POINT-TEMPLATE FOR BRIEFING A CASE**

**(Adapted from John Delaney’s Learning Legal Reasoning)**

1. **Caption & Case Citation**

Identify the opinion by using the caption (the name of the case) and the case citation (relevant reporter information, court, and date).

1. **Facts**

The facts the court relied on to make its decision—the outcome-determinative (also called “material,” “critical,” “relevant,” or “key”) facts. Include other facts only as necessary for your description to make sense. Be sure to identify the parties and, if helpful, their respective arguments.

1. **Procedural History**

The legal events that led to the decision you are reading. Include what the lower court decided, who appealed, and why the appeal was taken.

1. **Issue(s)**

This section defines the legal dispute before the court—the question the court is asked to decide. If the case addresses multiple issues, identify each issue separately.

1. **Holding(s)**

What the court decided in this particular case; the narrow answer to the issue. The holding often can be stated as a "yes" or "no" response to the issue. The holding is tied to the facts of the case before the court. The number of holdings is directly related to the number of issues presented by the case.

1. **Rule**

The legal principle for which the case stands, stated as a more general declarative statement that can be used to govern future cases involving similar legal issues and facts. The rule of the case is different from the holding—the holding is tied to the particular facts before the court; the rule of the case is not.

1. **\*Reasoning or Rationale\***

The steps the court took to arrive at its decision. How did the court apply legal rules to the particular facts of the case to arrive at its holding? Include policy reasons, if applicable: why the court thought the decision it reached was socially desirable.

1. **Judgment or Disposition**

What the court did as a result of its holding (e.g. affirm, reverse, remand, dismiss, etc.).

1. **Concurring/Dissenting Opinions**

Summarize the essential points of any concurring or dissenting opinions.

1. **Comments**

Critique the opinion: Did the court convince you? Why or why not? Did the court write any instructive dicta? (Remember that dicta are “assertions or statements . . . not necessary to address an issue presented by a party.”) How does this opinion connect to or otherwise fit in with other cases you have studied either in this assignment or previously in your courses?

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