**CASE BRIEF**

**How to Write a Case Brief

1. Select a useful case brief format**
There are many different ways to brief a case. You should use the format that is most useful for your class and exam preparations. Regardless of form, every brief should include the following information in steps 2-9.

**2. Use the right caption when naming the brief**
A brief should begin with the case name, the court that decided it, the year it was decided, and the page on which it appears in the casebook.

**3. Identify the case facts**
Next, state the facts of the case. This section is necessary because legal principles are defined by the situations in which they arise. Include in your brief only those facts that are legally relevant. A fact is legally relevant if it had an impact on the case's outcome. For example, in a personal injury action arising from a car accident, the color of the parties' cars seldom would be relevant to the case's outcome. Similarly, if the plaintiff and defendant presented different versions of the facts, you should describe those differences only if they are relevant to the court's consideration of the case. Because you will not know which facts are legally relevant until you have read and deciphered the entire case, do not try to brief a case while reading it for the first time.

**4. Outline the procedural history**
With the statement of facts, you have taken the case to the point at which the plaintiff filed suit. The next section of the brief, the procedural history, begins at that point and ends with the case's appearance in the court that wrote the opinion you are reading. For a trial court opinion, identify the type of legal action the plaintiff brought. For an appellate court opinion, also describe how the trial court and, if applicable, the lower appellate court decided the case and why.

**5. State the issues in question**
You are now ready to describe the opinion you are briefing. In this section of the brief, state the factual and legal questions that the court had to decide. To analyze a case properly, you must break it down to its component parts.

**6. State the holding in your words**
In this section, separately answer each question in the issues section. For quick reference, first state the answer in a word or two, such as "yes" or "no." Then in a sentence or two, state the legal principle on which the court relied to reach that answer (the "holding").

**7. Describe the court's rationale for each holding**
You now should describe the court's rationale for each holding. This section of the case brief may be the most important, because you must understand the court's reasoning to analyze it and to apply it to other fact situations, such as those on the exam. Starting with the first issue, describe each link in the court's chain of reasoning.

**8. Explain the final disposition**
Describe the final disposition of the case. Did the court decide in favor of the plaintiff or the defendant? What remedy, if any, did the court grant? If it is an appellate court opinion, did the court affirm the lower court's decision, reverse it in whole or in part, or remand the case for additional proceedings?

**9. Include other opinions**
Concurring and dissenting opinions are included in a casebook when they present an interesting alternative analysis of the case. Therefore, you should describe the analysis in your case brief. It will help you see the case in a different light.