**CASE BRIEF**

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.

**Caption**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. 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.
 **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.

**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.

**Issues**
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. 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.

**Holdings**
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"). The holding is the answer to the issue. If there are multiple issues, then you should state a holding for each issue. The holding succinctly states the court’s ultimate conclusion, but does not fully explain the conclusion. Write the holding as a single sentence that begins with “yes” or “no,” followed by the word “because.” Doing this will ensure that you directly answer the issue and provide a brief reason for the court’s conclusion.

**Rationale**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. The court must justify its holding by providing reasons for answering the issue in the way that it did. The rationale is a summary of the reasons that explain how the court reached its decision. The goal for this part of your brief is to understand how the court used the rules of law to resolve the dispute. The court will state the applicable rules of law, and they can be found in readings from your textbook as well. You should summarize how the court applied the rules to the facts to reach its conclusions.

**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?

 **Concurring and Dissenting Opinion**

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. Concurrences and dissents **tell us what the Justices think about an area of the law, and** they often contain valuable clues as to what other cases they’re looking for, and what areas of law they wish to influence. Accordingly, these are heavily studied by appellate lawyers (that is, lawyers who handle appeals from a lower court judgment to a higher court), in determining what sorts of challenges in future cases might be appealing to one Judge or another.