How to Brief Cases

To fully understand the law with respect to business, you need to be able to read and understand court decisions. To make this task easier, you can use a method of case analysis that is called *briefing.* There is a fairly standard procedure that you can follow when you “brief” any court case. You must first read the case opinion carefully. When you feel you understand the case, you can prepare a brief of it.

Although the format of the brief may vary, typically it will present the essentials of the case under headings such as those listed below.

1. **. Citation.** Give the full citation for the case, including the name of the case, the date it wasdecided, and the court that decided it.
2. **. Facts.** Briefly indicate (a) the reasons for the lawsuit; (b) the identity and arguments of theplaintiff(s) and defendant(s), respectively; and (c) the lower court’s decision—if appropriate.
3. **. Issue.** Concisely phrase, in the form of a question, the essential issue before the court. (If morethan one issue is involved, you may have two—or even more—questions here.)
4. **. Decision.** Indicate here—with a “yes” or “no,” if possible—the court’s answer to the question (orquestions) in the *Issue* section above.
5. **. Reason.** Summarize as briefly as possible the reasons given by the court for its decision (ordecisions) and the case or statutory law relied on by the court in arriving at its decision.