

Components of a case brief legal document

Law



A case brief is a legal document that summarizes the arguments that are presented to a court in favor of one party over the other in a case. The brief may also be a summary of facts that led to the court ruling in favor of one party over another according to Okrent (2009). A case brief generally contains the case name, the jurisdiction plus, date, parties involved (the defendant and the plaintiff), and the legal claims or defences that the favored party has (Jmls, nd).

As earlier noted, the claim contains facts about the legal defence or claim. These include facts that the court may find important when making a ruling. The legal defence or claim section ensures that all relevant facts are included; the facts relating to an event are normally organized in chronological order and organized separately as they are deemed to be relevant to every issue (Okrent, 2009).

After the facts have been presented, the procedural history of the case is included. This is the history of the case from the time a lawsuit was filed until it came before the court (Jmls, nd). For example, lower courts' decisions and the reasons for those decisions are presented in this section. Yet again, the decisions of any intermediate courts, as well as the basis of those decisions and the parties that appealed, are included.

In many cases, the procedural history is then followed by the issue. The issue is a legal question the court seeks to resolve; the question should be answered in 'yes' or 'no' format. The rule that governs the dispute and the material facts are also included in the issue (Jmls, nd). It is recommended that the parties be identified generally by their relation to the legal claim. The holding or the answer to the issue is then presented in a next section. It is however noted that the holding does not present the rule of the law.

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