

Case Briefing Assignment – Orientation 2011

You will learn legal reasoning and substantive law in law school by analyzing the written judicial decisions included in your casebooks. This teaching device is called the case method. To prepare for class, you will be expected to brief the cases assigned for that day.

A case brief is an organized, written summary of the essential elements of a judicial opinion. They are useful tools to assist you in learning how to analyze the law. In addition to class preparation, case briefs will be helpful in reviewing, creating outlines, and in preparing for the final examination.

To help you better understand this process, we will hold a case briefing session during orientation. **You will be expected to have read and prepared case briefs for two cases for this session; Peterson v. Sorlien, 299 N.W.2d 123 (Minn. 1980), and Eilers v. Coy, 582 F. Supp. 1093 (D. Minn. 1984).** These cases have been provided in .pdf format for you. Please restrict your case briefs to the issue of false imprisonment. (Extraneous matter has been deleted from your copies of these cases).

To brief a case, you must first carefully read the assigned cases to gain an overall understanding of the facts of the case, the decision rendered by the court, and the reasoning behind the court's decision. After you have read a case once for understanding, go back and read it a second time, identifying different parts of the case that will be the subject of discussion in your classes. Then write those parts down in summary fashion – your case brief – in order to assist you in your class discussions. Be sure when reading a case to look up any terms you do not understand in a legal dictionary such as Black's Law Dictionary.

A competent case brief contains at least four parts: Facts, Issue, Holding, and Reasoning:

FACTS: Here, state only the facts that are essential to the decision. The case may state that "a thirty-five-year-old woman slipped and fell on the wet floor in the Safeway grocery store on Fifth Avenue in Phoenix, Arizona." However, your case brief need only describe the incident as "a woman fell on a wet floor in a grocery store."

ISSUE: Formulating the issue is one of the hardest tasks in briefing a case. You must identify exactly what legal question the court was being asked to decide. This will often require understanding of what was going on procedurally in the case or what type of motion a court was being asked to decide. State the issue in the form of a yes or no question.

HOLDING: Answer "yes" or "no" to the question posed in your statement of the issue.

REASONING: Professors will spend most of each class discussing the reasoning of the cases you have read. This portion of your case brief should include the rule of law the court relied on or developed to answer the question raised by the issue. You should also note the logic the court followed in applying that rule to the facts as well as which facts the court relied on in reaching its decision. If the

court interpreted a statute, applied existing case law, or cited policy considerations in deciding the case, note that as well.

To assist you in preparing your briefs in Peterson v. Sorlien and Eilers v. Coy, we have provided you with a sample case brief as well as its underlying opinion, Meints v. Huntington, 276 F. 245 (8th Cir. 1921). Please read the Meints case as well as it also concerns false imprisonment and we will be discussing it in connection with the other cases.