

How To Brief A Case

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Guides

HOW TO BRIEF A CASE



It is a set of notes, presented in a systematic way, in order to sort out the parties, identify the issues, ascertain what was decided, and analyze the reasoning behind decisions made by the courts.

Although student briefs always include the same items of information, the form in which these items are set out can vary. Before committing yourself to a particular form for briefing cases, check with your instructor to ensure that the form you have chosen is acceptable.

THE PARTIES AND HOW TO KEEP TRACK OF THEM

Beginning students often have difficulty identifying relationships between the parties involved in court cases. The following definitions may help.

Plaintiffs sue defendants in civil suits in trial courts.

The government (state or federal) prosecutes defendants in criminal cases in trial courts.

The losing party in a criminal prosecution or a civil action may ask a higher (appellate) court to review the case on the ground that the trial court judge made a mistake. If the law gives the loser the right to a higher court review, his or her lawyer will appeal. If the loser does not have this right, his or her lawyers may ask the court for a writ of certiorari. Under this procedure, the appellate court is being asked to exercise its lawful discretion in granting the case a hearing for review.

For example, a defendant convicted in a federal district court has the right to appeal.

Appellate brief

An appellate brief is a written legal argument presented to an appellate court. Its purpose is to persuade the higher court to uphold or reverse the trial court's decision. Briefs of this kind are therefore geared to presenting the issues involved in the case from the perspective of one side only. Appellate briefs from both sides can be very valuable to anyone assessing the legal issues raised in a case. Unfortunately, they are rarely published. The U.S. Supreme Court is the only court for which briefs are regularly available in published form. The *Landmark Briefs* series (REF: LAW KF 1019 .K6) includes the full texts of briefs relating to a very few of the many cases heard by this court; in addition, summaries of the briefs filed on behalf of the plaintiff or defendant for all cases reported are included in the U.S. Supreme Court Reports, Lawyer's Ed., 2nd series (REF: LAW KF 101 .A42).

Student brief

A student brief is a short summary and analysis of the case prepared for use in classroom discussion.

Filesize: 3.78 MB

Reviews

*It is not difficult in go through easier to understand. It normally fails to price too much. I am very happy to inform you that this is actually the greatest ebook i actually have read through within my personal lifestyle and can be he best publication for ever.
(Miss Ebony Brakus IV)*

HOW TO BRIEF A CASE



Speedy Publishing LLC. Paperback. Condition: New. 4 pages. Dimensions: 11.0in. x 8.5in. x 0.0in. Depending on the audience, briefing a case requires one of several techniques. Pulling out relevant and important facts for students on a mock trial team means choosing vague or controversial details that sparks discussion. Briefing a case for an appellate court or other legal entity still involves reviewing specific facts but primarily those supported by precedents which were previously overlooked. A concise reference guide gives tips and examples that help students, lawyers, and court personnel learn the best way to brief a case. This item ships from multiple locations. Your book may arrive from Roseburg,OR, La Vergne,TN. Paperback.



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