

Business Law - Writing a Case Brief

Cases are put in writing so that lawyers, judges, and other interested parties will know about them. They are published in books called reporters. A case is identified by a citation which consists of the names of the parties followed by the volume number, the name of the reporter, and the beginning page number of the case. For example, Taylor v. Fitz Coal Company, 618 S.W.2d 432, Ky is the citation for the Taylor case which can be found in volume 618 of the Southwestern Reporter second series beginning on page 432.

Attorneys and others may review precedent cases for use in a similar type case on which they are currently working. They will write a case brief summarizing the important facts and issues of the case and include this information in briefs to be presented in court.

You will be writing case briefs during this class beginning today using the following guidelines:

- The brief should be 1 to 2 pages in length, typed
- Double space between sections
- The case citation should be centered with the parties underlined
- The four sections should be labeled
- Paragraphs should be indented

Example:

Jane Doe
September 21, 2008

Business Law
Mrs. E. Schupp

Lensey Corp. v. Wong, 403 N.E. 2d 1066 (Illinois)

Statement of the Facts

The Wongs are appealing a judgment that stated they must pay the rent, which they withheld from Lensey Corp. for breach of an implied warranty on habitability. Beginning on August 1, 2000, the Wongs sent several letters to Lensey Corp. notifying them of the poor conditions of the leased property which included no electricity . . .

Legal Issue

Does implied warranty of habitability apply to single family dwelling?

Court's Decision

Yes.

Reason for Court's Decision

In Spring v. Little the Illinois Supreme Court stated that multiunit dwellings have an implied warranty of . . .