



Case Brief Structure

- Case Name and Citation – Name – (i.e., *Plessy v. Ferguson*) – italicized
-*Plaintiff v. Defendant, Petitioner v. Respondent, Appellant v. Appellee*
The moving party is always the first party name in the case.
The moving party is the one bringing the action (the party who is suing, prosecuting, or appealing). *Plessy* is the moving party.
- Citation – 163 U.S. 537 (1896) – reference for the case, includes volume number in published case report series, and the first page. “U.S.” is the U.S. Reports, where Supreme Court decisions are published, “163” is the volume number in the reports, and “537” is the first page of the case in volume 163. “1896” is year the case was decided.
- Facts of the Case – Background description. Who are the parties to this case? How did this case end up in court? What’s going on? What is the dispute?
- Procedural or Prior History - If this decision is an appeal, how did the lower courts decide this case? (i.e., District Court held in favor of the appellee, the Appellate Court affirmed (or reversed) the District Court, and the case is now before this present Court on appeal).
- Question Presented – This is the question the Court is deciding. In the brief, it should be written in the form of a question (i.e., Is Louisiana’s law requiring racial segregation on its trains unconstitutional, as a violation of the Thirteenth Amendment and equal protection under the Fourteenth Amendment?).
- Case Holding - The answer to the Question Presented – Yes or No. (i.e., No. The Court held that the Louisiana law was constitutional and did not violate the Thirteenth Amendment or Fourteenth Amendment).
- Analysis - Majority - This is the section where you discuss the reasons behind the Court’s holding. It’s the “why?” after the answer to the Question Presented. Here you examine the Court’s majority opinion and also if there were any concurring opinions (a separate opinion written by a justice or judge who agreed with the majority’s holding, but differed on the reasoning behind the holding).
- This is also the place where you will include the “rule” or “legal precedent” or “legal principle” established by the majority opinion. This is the part that will be used to evaluate similar cases in the future. (i.e., in *Plessy*, the Court found that “separate but equal” train cars were



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constitutional. After the case, the Court will evaluate similar state segregation laws by applying this “separate but equal” rule or test).

Analysis - Dissent -

If there is one, you will discuss a dissenting opinion in this section (an opinion written by one or more justices or judges in the minority expressing the reasons why he or she did not agree with the majority). You will examine the reasons why the author of this dissenting opinion disagreed with the majority.

Your Opinion on the Case –

In this section you will give your opinion about the case and the Court’s holding and majority opinion (and dissents if any). Did the Court decide the case correctly? Why? Why not? If you were on the Court, how would you decide the case? What would be the reasoning behind your decision and your rule in the case?