

Model Brief: this is a sample only and is offered as a guide. Notes to remove are in italics.

Beggar v. Chooser

U.S. Supreme Court

1 U.S. 1 (2015)

Facts:

Summarize the legally relevant facts but not all facts unless used by the court in deciding the case.

For example, do not include dates (or day of the week) unless this is relevant to the decision.

Procedural History:

How did the case make its way through the judicial process to the Supreme Court (what happened in other courts before this one)?

Issue Presented:

(The issue presented is stated as a question or number of questions that the court will answer)

Decision:

(Decision is the response to issue presented; begin with Yes, or No. Continue the sentence to reference affirmed / reversed with respect to each lower court. Begin with the highest prior court and trace the precedent in this case to the trial court).

Holding:

(The holding becomes precedent – this case stands for the proposition that... – for future cases that rely / distinguish this case).

Reasoning:

This is the most important part of the brief. This section can also include your own reflections about why the Court may have decided the case the way that they did. For example, you could point out that moral considerations, economic and political values, pragmatic concerns, or other factors may be also be at play here and question whether the decision would have been the same if the political

climate were different. If your reasoning section includes some of your own thoughts about some of the unstated reasons behind why the Court decided the way that they did, make sure that you are clear and say something like “The economic interests may also have had influence in this decision” to show that you understand the difference between what the court said and did not say.

Precedents:

NOTE: *The preferred way (among many ways) for this class is to cite for this class is Beggar v. Chooser (2015); if the year is listed in the case. If no year is listed, then cite without year: Beggar v. Chooser 204 U.S. 311. Party names are in italics while reference to year (or book and page for the court) are not in italics.*

Concurrence/Dissent:

(You should include any concurrences or dissents here. Summarize the reasoning for each separate opinion. Concurrence means the judge / justice agrees with the decision but arrive at that point for different reasons).

Policy Discussion: Discuss the larger policy questions in the case (role of courts, fundamental rights, equality, etc.) For example, “The decision in the case reflected policy concerns because....” or “However, the decision in this case can lead to these potential policy issues”... or “Overall, the decision did not address this unresolved question.”

Your views: Which opinion do you agree with, and why? What did you think about the case, and did anything surprise you? Why or why not?