

Exercise 9-3

This exercise is an opportunity for you to practice your case briefing skills with respect to the two cases you used the pre-reading and reading strategies in Exercise 9-1. Copy and then complete the briefing form below for both cases:

Facts:

Operative Facts: (*State each fact upon which the court relied in making its decision and any other facts necessary to follow the court's reasoning.*)

Procedural Facts: (*What happened in the courts?*)

Issue:

When (*A-identify the character*)

Does (*B-identify the situation*)

To (*C-identify the recipient, if any*)

What (D-identify the possible outcome) happens?

Holding:

When (A-identify the character in terms of status)

Does (B-identify the situation in general terms)

To (C-identify the recipient, if any, in general terms)

What (D-identify the outcome-what did the judge decide) happens?

Rationale:

Rule (State and paraphrase it)

As stated by the Court:

Paraphrase:

A SIMPLE, TWO-PAGE STUDY GROUP CONTRACT

1. **Commitment to Group Success.** Each member of this group hereby commits to working towards the law school success of every other member of the group. We will manifest this commitment in the following ways:

1.1 _____

1.2 _____

1.3 _____

Initials: _____

2. **Commitment to Preparation for Group Meetings.** Each member of this group commits to being personally responsible for preparing for each group session and holding everyone else in the group accountable for preparing for each group session.

Preparation for each session will consist of: *(Note: you may simply say that group members must do whatever learning activity(ies) the group assigned itself at the previous group session.)*

A group member will be deemed unprepared for a group session if: *(state a standard for making this determination, such as lack of written evidence that the group member has done the work or vote of the other members of the group)*

A group member deemed unprepared for ____ group session(s) must:

A group member deemed unprepared for ___ group session(s) will be removed from the group.

Initials: _____

3. **Commitment to Group Communication.** Each group member hereby commits to the following communication goals for group meetings:

Goal 1: _____

Goal 2: _____

Goal 3: _____

Goal 4: _____

Goal 5: _____

Initials: _____

4. **Signatures.** By signing this agreement, each member commits herself or himself to the terms listed above.

_____	_____
_____	_____
_____	_____

