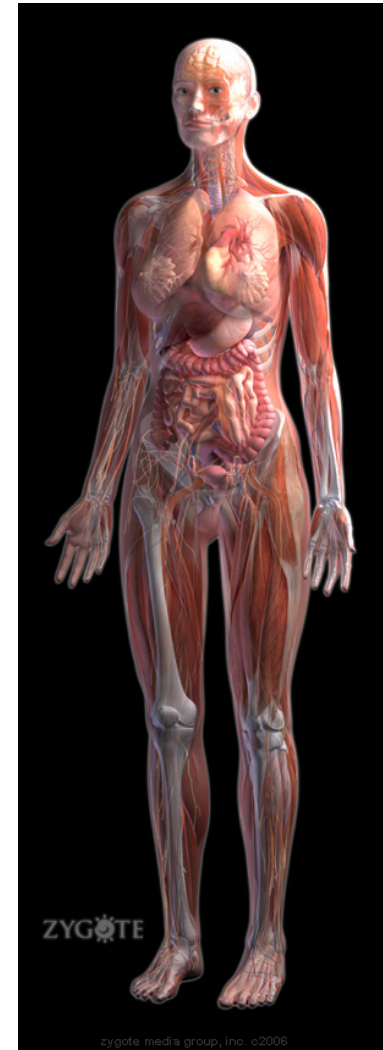


Anatomy of a Judicial Decision

1. Caption
2. Page numbering
3. Headnotes
4. Parties
5. Procedural History
6. Facts
7. Issue
8. Reasoning
9. Holding
10. Judgment
11. Separate Opinions



Anatomy of a Case

Caption

1. Parties
2. Docket #
3. Court
4. Locator info (reporter, volume, page)
5. Date decided

Anatomy of a Case

Page numbering

* 469

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Headnotes & Other Editorial Material

1. Headnotes = Summaries of points of law discussed in decision prepared by editor. Categorized so you can look up other cases with same headnote.
2. Other editorial material.
3. These are not part of the judicial opinion. They are added by (fallible) editors, so should never be cited.

Anatomy of a Case

Parties

- Parties = litigants' basic role in case

Procedural History

Procedural history = Procedural events that take place after the lawsuit has been filed, most importantly:

1. Cause of action
2. Remedy sought
3. Judgment below
4. Procedural act claimed to be erroneous

Anatomy of a Case

Facts

Determinative facts = Essential to controversy because it will determine the court's decision.

Anatomy of a Case

Issue

Issue = Question Presented = Legal question
court must answer to decide the case.

To be answerable, the question must include:

1. Choice of law
2. Specific enactment or common law provision involved.
3. Specific legal issue
4. Determinative facts of the case

Anatomy of a Case

Holding

Holding

=The answer to the Issue.

= The legal consequence given the specific set of determinative facts. E.g.:
“Where determinative facts A & B, the legal consequence is X.”

Anatomy of a Case

Reasoning

Reasoning = Court's reasons used in choosing a rule and reaching a decision by applying the rule to the facts.

- Rule
- Rule Proof
- Rule Application to Facts

Rule = General principle from statute or case law that can be applied to specific facts of pending case to make decision.

Rule proof = Explanation of the rule and reasons given by the court for why this rule is the law in the jurisdiction.

Rule application = Application of the rule to the facts of the case.

Anatomy of a Case

Judgment

1. Judgment = court's procedural order.
2. Most common appellate court judgments:
 - Affirm = Don't disturb judgment below.
 - Vacate = Annul order determined to be improper.
 - Reverse = Direct entry of judgment for other party.
(Sometimes, reverse is synonymous with vacate).
 - Remand = Return case to lower ct for further proceedings—may accompany vacate or reverse.

Anatomy of a Case

Separate Opinion

1. Dissent = judge disagrees with judgment (result).
2. Concurrence = judge agrees with judgment but for different reasons.