

CASE BRIEF

How to Write a Case Brief

Here is a sample brief of the case of *Eric J. v. Betty M.* (Cal. Appellate Case 1999), which you read for homework 1. Note that *Facts* and *Rationale* make up the bulk of the case brief. The facts have been retold in the author's own words. Not all facts were recited. The *Rationale* explains the court's holding and what it means as a rule of law. It cites the case law as well as the public policy that the court applied. The *Rationale* also explains how the court dealt with a possible contrary case.

Facts

Robert brought home his new girlfriend, Helen, and her eight-year-old son, Eric, to meet his mother, father, brothers, and sister and their spouses. The relationship between Robert and Helen continued and Helen and Eric were guests several times in different family homes. No family member told Helen about Robert's criminal history of felony child molestation. It was later discovered that Robert sexually molested Eric during some of these visits at the family homes all the while Robert was on parole for child molestation. Robert was convicted of molesting Eric and sent back to prison. Helen filed suit against Robert's family claiming they had a duty to warn her about Robert's criminal past and the potential danger to her child, and failing that duty they were liable for money damages for the harm suffered by Eric. The trial court dismissed the case on a nonsuit motion.

Issue

Whether the trial court properly dismissed the negligence claim based on the premise that family members of a convicted child molester have no affirmative duty to disclose that information to the molester's girlfriend who has an eight-year-old boy.

Holding

The appellate court affirmed the trial court, holding that the family members had no affirmative duty to disclose the information.

Rationale

The appellate court placed great weight upon the "no duty to aid" rule, developed "over the centuries" in courts. The court noted that a special relationship is required to

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Innovation in Methodology and Practice in Language Learning Christopher Williams, 2015-09-04 This volume is composed of 24 papers originally presented as talks at the VIII National Conference of the Italian Association of University Language Centres Associazione Italiana dei Centri Linguistici Universitari AICLU held at the University of Foggia Italy between 30 May and 1st June 2013 The contributions fall into five sections 1 keynote addresses from plenary speakers 2 innovative challenges for language centres 3 new developments in teaching language for specific purposes 4 proposals and case studies in Content and Language Integrated Learning and 5 the use of new technologies in language learning 18 papers are in English four in Italian one in French and one in German The fact that three quarters of the papers are in English reflects the way English has become the lingua franca of academic conferences today However in keeping with the ethos of CercleS Conf d ration Europ enne des Centres de Langues de l Enseignement Sup rieur the pan European organisation to which AICLU belongs which is strongly committed to promoting plurilingualism it was crucial that contributions would also be accepted in other languages The volume represents the state of the art in the field of language teaching and theory in university language centres not only in Italy but also in other parts of Europe and the Mediterranean and testifies to the rich variety of ways in which these centres are adapting and thriving in rapidly changing times

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A Handbook of Legal Education in Nigeria Emiri, Oghenemaro Festus, 2018-05-22 This book is on the nature and practice of legal education in Nigeria with comparative material sometimes deployed to shed light on current local situation The primary goal of legal education is to prepare students for the profession To do this a faculty will need to pay attention to a theory of learning to guide it in implementing a programme that will serve the mission It is hoped that the basic information here provided on the basic structure and content of legal education and ensuing challenges should point in more fruitful directions to all in the legal profession in Nigeria

Essentials of Lawyering Skills in Africa Festus Emiri, Ernest Owusu-Dapaa, 2020-07-01 In twenty two chapters divided into six parts for convenience the authors not only lay bare the art of lawyering but also provide invaluable nuggets of perfecting and excelling as a solicitor and advocate There is little doubt that the contents of this book dramatically make a lawyer especially the lawyer in Africa to be more effective more skilful and a proper lawyer useful to the client and society

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Legal Method and Writing Charles R. Calleros, 2002 By incorporating broad topical coverage case analysis study skills and appellate briefs Legal Method and Writing has proven its effectiveness to loyal users nationwide Some of the many strengths of this exceptionally clear and complete text after a comprehensive

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