

# Why Briefing Cases Is an Essential Skill (and Why Case Summaries Should Not Be Abused)

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Many aspects of law school have changed over the years. From the way we interact with our professors to the opportunities we have as we build our bridges to practice, law school looks far different today than it did a few short decades ago. Not all changes are progressive, however, and not all tools are more helpful than they are detrimental.



The first thing you will learn how to do in law school is the crucial skill of briefing cases. As you become familiar with this concept, you'll realize that it is much more of an art to be perfected than it is a simple skill to be learned on the weekend. So, you'll want to spend some time (okay, lots of time) perfecting your craft.

## Do Not Rely on Case Summaries

In the ocean that is the law school, there are a few dangerous sharks (in the form of bad habits) that can take their toll on the unsuspecting law student when they least expect it. The Great White among these sharks? Relying upon case summaries rather than briefing cases. Case summaries exist anywhere you look. Online, in supplement books, for free, and for a price—anywhere you turn, some source has already summarized a case you're looking for. It can be tempting to reduce your workload and memorize these summaries rather than briefing the cases, but this is a slippery slope that has claimed more lives than it has saved.


If you haven't yet begun law school, you'll soon learn that a case (for the purposes of what you will find in law school case books) consists of a document called an opinion, which is basically what the reviewing court (a panel of judges) wrote about a particular case that they decided. In this, they explain the facts, the details, who did what, the old law, what they decided, and why they decided it. Briefing a case is the act of reading this opinion (sometimes multiple times) and pulling out the most important parts, like the facts, the decision of the court, and their rationale for deciding the way that they did.

## Briefing Cases Will Be a Huge Part of Your Career as a Lawyer

The truth is that briefing cases is not just a part of law school. More than likely, it will be a huge part of your career as a lawyer. The more time you spend early on in your time as a law student to perfect this art, the more efficient you will become, and the faster you will be able to read a case and find exactly what you are looking for. This will be hugely beneficial when a client's case requires legal research, and you can dissect dozens of cases in the time that it used to take to dissect a couple.

## Basic Things to Keep in Mind as You Learn to Brief Cases

### Everyone Has Their Own Process

For some, it helps to write down a ton of facts so you have all of the context you need, while others find it easier to write down the basic facts and focus on the discussion of the Court in full detail. Whatever your method, it will develop over time until it becomes instinctive. 

## Keep Things Simple

Remember, an easier way of asking yourself, “what was the rule of this case?” is to ask yourself, “why does this case exist?” or “what did the court want to change with this case?” Looking for facts that are important might seem fruitless as you highlight the entire page, but remember: what facts did the court bring up more than once in their discussion? Working backward (after you've read the case the first time) can often help.

## Case Summaries Found Online Do Have a Place in Your Routine

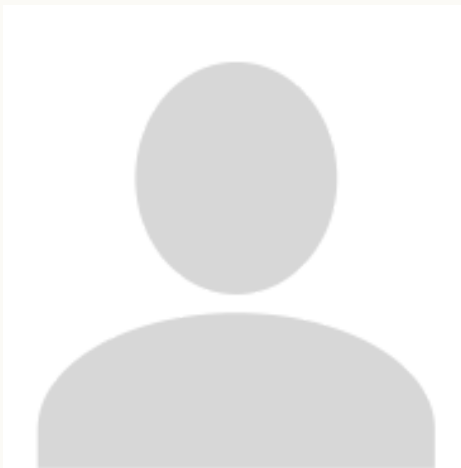
Sometimes, you need to read a summary to understand a case before reading the case due to complex fact patterns. Sometimes, you'll just need a break and some deserved sleep, so a shortcut might be warranted. It is important to remember, however, that briefing cases is a large part of being a lawyer. The better you get at it now, the more effective you'll be in the future.

When practicing, it will become equally as important that you read and analyze cases quickly as it is important that you do so accurately. Knowing where to look in the opinion, detecting the pattern of the judicial writing, and understanding the nuances of wording that the Court used will become an essential skill (some would say the most essential skill) of being an effective and efficient advocate for your client.

All in all, is there a time and a place to use case summaries down the line? Absolutely. But, there is a great difference between using them as a tool for efficiency and using them as a crutch for a skill that was sadly never honed.

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