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THE WRITING OF A
CASE NOTE BY KARL
NICKERSON

LLEWELLYN Editor-in-
Chief 1918—1919

RULES FOR THE
WRITING OF CASES BY
WILLIAM MURRAY

FIELD Case and
Comment Editor

1919—1920 PREPARED
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In testing whether the action was discriminatory, the Roma case stood for the principle that each individual should be treated as such and not a stereotyped member of the group 37. In reference to this case, Lord Hope held that a person's racial or ethnic background may be a first indication to the officer, but a further

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WRITING A CASE NOTE I. What is a Case Note?

Importantly, in a case note assignment, the job of the student is to convince the marker that they understand the case and the legal issues. This would normally mean referring relevant legal rules, both legislative and common law, and explaining what the ambiguity or legal

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issue was before the
court.

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to ensure that every
element of the exam
question is answered.
You may find the Table
of Contents to be a

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quick and useful
overview of the law to
be applied.

Case note assignment - Research & Learning Online

2 This contrasts to case
note and case
comment writing in the
USA where some law
schools have
established a format
for authoring case
notes and case
comments for

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submission to their journals. Whilst in the US the structure is not strictly required it is strongly encouraged. Case notes, which in the US are longer commentaries of up

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...

There are some common elements to most case notes (which you would have

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noticed if you read through a few): a summary of the facts and the reasoning in the case (also called the ratio), and an analysis of the judgment's implications. In this section, we will call these elements the case summary ...

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into a step-by-step guide, which you can use as a checklist in your exams to ensure that every element of the exam question is answered. You may find the Table of Contents to be a quick and useful overview of the law to be applied.

Understanding case notes and marker expectations ...

Most law journals regularly publish case

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notes, especially on recent decisions. You can choose: a general legal journal, such as the Law Institute Journal available for access in AUSTLII; a general academic journal, such as Monash University Law Review; or a journal dealing with a specific area of law such as the Journal of Equity available for access in Lexis Nexis.

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WRITING A CASE NOTE

I. What is a Case Note?

The basic difference between a case note, a comment, and an article is the breadth of the subject matter covered. A case note should analyze a single case. In contrast, a comment addresses an area of the law, focusing on specific issues, cases, and

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legislation.

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Law Identify the relevant case law and legislation Analysis Analyse and apply the law to the legal issue. This is the most important part, so ensure your legal analysis is very thorough. Conclusion Form a conclusion based on your analysis

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and application of the law, giving some practical advice to the hypothetical client.

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Law Identify the relevant case law and legislation
Analysis Analyse and apply the law to the legal issue.
This is the most important part, so ensure your legal analysis is very

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thorough. Conclusion
Form a conclusion
based on your analysis
and application of the
law, giving some
practical advice to the
hypothetical client.

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Law Identify the
relevant case law and
legislation Analysis
Analyse and apply the
law to the legal issue.

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This is the most important part, so ensure your legal analysis is very thorough. Conclusion Form a conclusion based on your analysis and application of the law, giving some practical advice to the hypothetical client.

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guide, which you can use as a ... Law Identify the relevant case law and legislation Analysis Analyse and apply the law to the legal issue. This is the most important ... Ace your exams in style with UniCramNotes in town! Criminal Law Notes ...

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Law Identify the

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relevant case law and legislation Analysis Analyse and apply the law to the legal issue. This is the most important part, so ensure your legal analysis is very thorough. Conclusion Form a conclusion based on your analysis and application of the law, giving some practical advice to the hypothetical client.

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or a journal dealing with a specific area of law such as Internet Law Bulletin. For these journals, you need to search for the case name (use the index for print volumes), then check whether the document is a case note. See an example. Another approach is to use a case citator, such as CaseBase or

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address every aspect
or issue in a particular
case but only those
that are significant.