

CASE NOTE GUIDE

What is a case note?

A case note is a summary of a case usually accompanied by an identification of key legal issues and an analysis of the judicial decisions and application of the law.

Searching for a case

Make sure you check your instructions before searching for a suitable case as you may have been asked to select a case on a particular area of law or from a specific jurisdiction, i.e. Victoria.

Here are some helpful ways to search for a case:

- Use a search engine such as [Austlii](#)
- Use a textbook on the area of law that you are interested in (law texts will refer to cases so this may be a good starting point)
- Ask the [library](#) for help



An example of key elements in a case note

A case note can be structured in multiple ways so always refer to the specific instructions given by your educator. However, the below structure may help to provide you with an idea of the key components of a case note.

Introduction:

Provide the reader with an overview of your chosen area and case as well as the key arguments you make in the case analysis section. Don't forget the case name and citation.

Case summary:

See next page

Additional resources

- Monash University Law: Writing Case Notes

<http://guides.lib.monash.edu/law-research-writing/case-notes>

- Survive Law

<http://survivelaw.com/index.php/blogs/study/348-how-to-write-a-case-note>

Case summary:

Outline the formal and substantial details of the case. This means that you need to explain what the facts of the case are and what has happened with the case beforehand (i.e. is this an appeal from an earlier trial).

Identification of legal issues:

Identify and explain the legal issues being contended (what is the relevant law at the centre of the case and what are the parties contending in relation to this), the judge's reasoning (this is the judge's commentary and logic as to how they have reached their decision), and the orders made in application of the relevant rules (the decision itself and what the court ordered).

Case analysis:

Analyse the application of the rules to the facts in order to evaluate the judicial decisions and conclusion of the case. Consider whether a different outcome could have been reached if the law was applied differently. In a nutshell, you need to evaluate the court's decision.

Conclusion:

Re-state the key factors from the case itself and reinforce your main points from the case analysis.