What is a case note?

A ‘case note’ usually involves:

- a summary of a case, and
- an analysis of the case and its broader implications

You need to check the assignment instructions and answer the question.

Your assignment needs to be written in full. No dot points, no table format or any other note-taking style is permitted.

The summary needs to be written in cohesive paragraphs, citing the given case, and using your own words throughout.

The key sections involve analysing the ratio. The critique will be structured in an essay format - an introduction with thesis statement, body with sub-headings and topic sentences per paragraph, and a conclusion emphasising your argument.

What goes into a case summary?

This is your understanding of the case in your own words, as briefly and succinctly as possible (aim at less than 10% of the word count, or else proportional to the marks). It should include:

- choose the most authoritative report series
- case citation
- parties and brief facts
- type of court and history of the case
- date(s)
- judge(s)

and should then objectively cover the major aspects of the judgment, including:

- the major arguments presented by counsel
- ratio per judge
- decision
- type of court
- date
- judge
- parties
- case citation
- type of court
- history of the case
- decision

Read your assignment instructions carefully to make sure you are emphasising those areas highlighted by your lecturers.

What goes into a case analysis?

This section asks you to adopt a position regarding the judgment, analysing why you consider the case important. You need to write analytically, creating an argument supported by evidence.

Look for 'grey' areas arising from specific issues considered in the decision. You may need to research the legislation and pay particular attention to the cases mentioned in the judgment.

This is basically a research essay, with all claims substantiated and referenced, and with a clear and logical argument defined by sub-headings. You should adopt a clear position from which to examine the significance of the case, so include a thesis statement in your introduction. In developing your argument, you will draw on the case and other materials to discuss why the case is significant in the legal context.

Depending on the assignment, you should:

- look for one or more major features
- identify and analyse differences in the judges’ reasoning
- consider the impact or significance of a case
- consider possible areas of legislative reform
- analyse the strengths and weaknesses of the case
- discuss the doctrine of precedent in action
- How the facts are being compared with past cases by each side, and analyse how the legal arguments made by counsel have been used by each judge

Visit the Law Library Guide - Research and writing tab and select ‘writing case notes’ from the drop down menu. Here you can find case note examples, more advice and useful links.

You can also look at published case notes in law journals or drop in to talk to a Learning Skills Adviser.