# Case Brief Guidance

Single space and clearly label each section. A case brief should never exceed a page and a half (usually one page). I may not ask for you to provide all six sections for a given case, so read the assignment instructions. I have included an actual example below and note my comments about the facts, decision, and implications. **You are to use only the information in the actual case (no outside help), thus no citations are necessary. You should be sure to include quotation marks if you utilize a direct sentence or phrase.** A rubric for scoring is provided in the link below where you accessed this document.

**Sections Usually Needed and Clearly Label Each Section:**

1. Facts – In a paragraph **not to exceed a half of a page**, summarize the key events that led us to the presents courts review. This **must** include include the results of the lower courts as well.

2. Issue – What key question (maybe two) is the Supreme Court addressing? This is usually not whether the court of appeals got it right or wrong, but a legal issue that needs further examination or clarification. It is to be phrased as a question(s) and usually can be directly quoted.

3. Decision – What did the court decide with regards to the question **AND** what is the next course of action for the case or parties as described in the opinion? This should only two sentences max!

4. Reasoning – Why did the court decide the way they did? This should include the legal reasons for their decision and is likely as long as the facts section depending on the case.

5. Other opinions – Quickly identify what other opinions were written by Supreme Court Justices (concurring/dissenting) and by whom. You do not have to discuss what they said unless I specifically ask for that in the instructions for that case.

6. HRM/Business Implications – What will be the lasting impact of the courts decision on business and HRM practices? This section should probably be around 3 good solid sentences depending on the case.

**Example:**

**1. Facts of the Case**

The petitioner Barbara Grutter applied to the University of Michigan Law School in 1996 with a 3.8 GPA and a 161 LSAT score. Grutter was initially placed on a waitlist but was ultimately rejected by the Law School. Grutter filed suit in the United States District Court of the Eastern District of Michigan against the Regents of the university, the Dean of the Law School, the President of the university, and the Director of Admissions at the Law School. Grutter, a white female, claimed that they had discriminated against her on the basis of race which, violated the Fourteenth Amendment, Title VI of the Civil Rights Act, 78 Stat. 252, 42 U.S.C. § 2000d; and Rev. Stat. §1977, as amended, 42 U.S.C. § 1981. Grutter alleged that the University of Michigan used race as a predominant factor to grant admission to certain minority groups and that the respondents had “no compelling interest to justify their use of race in the admissions process. Grutter sued for compensatory and punitive damages, an offer of admission to the Law School, and an injunction that would prohibit the Law School from continuing to discriminate against applicants on the basis of race. The District Court granted Grutter’s motion for class certification and bifurcation of the trial into the liability and damages phases. The court defined the class as all applicants since and including 1995 that applied to the University of Michigan Law School and were rejected. It also defined these applicants as members of racial and ethnic groups, such as Caucasians, that the Defendants treated less favorably during the admissions process. The Court stated that it would decide whether or not that the school’s claim that diversity produced educational benefits was compelling. Dennis Shields, the Director of Admissions, claimed that he never instructed his staff to admit a specific number or percentage of minorities. He said he told them to take race into account along with all other factors. The Dean of the Law School Jeffery Lehman, stated that the role race played differed among each applicant with it playing no role for some and it being a determining factor for others. Dr. Kinley Larntz, an expert introduced by Grutter, introduced a grid to the Court, which showed data on admittees including their GPA, LSAT scores, and race. Dr. Larntz determined that race played a critical role in acceptance and that certain minorities were given a significant advantage in the application process. The District Court ruled that the Law School’s use of race as a factor in the admissions process was unlawful. The Court of Appeals reversed the District Courts decision on the basis that its admissions process only used race as a “plus” factor and that it was “virtually identical” to Harvard’s described approvingly by Justice Powell and amended to his *Bakke* opinion.

***This was too lengthy (cut in half)…just introduce why we have a case and what each court decided. Rationale for the lower courts would not be needed here.***

**2. Issue**

The main issue in this case is whether or not universities can use race as a factor in determining admissions. Specifically, does the use of race violate anti-discrimination laws or is it acceptable to promote diversity in education?

**3. Decision**

The Supreme Court affirmed the Court of Appeals decision to reverse the District Court’s decision.

***Yes, but holding what? The law school could validly consider race as a factor in admission decisions since it was flexible and not defined in value or weight. The issue question must be answered as well here.***

**4. Reasoning**

The Supreme Court reasoned that the University of Michigan had only used race as a “plus factor” and not as the primary determining factor. It also reasoned that the University recognized that its race-based admissions policies had a durational limit but that that limit had not yet been reached. It reasoned that the Equal Protection Clause does not prohibit Law School’s narrowly tailored use of race in admissions decisions to further a compelling interest in obtaining the educational benefits that flow from a diverse student body.

**5. Separate Opinions**

Justices Thomas, Scalia, Rhenquist, and Kennedy all had separate opinions. Justices Thomas and Scalia concurred with part of the decision but dissented with other parts such as whether or not the Equal Protection Clause was violated. Justices Rhenquist and Kennedy both dissented.

**6. HRM Implications**

Affirmative action remains a viable legal tool to be utilized for good reasons and done properly.

***A little too brief…expand.***