**Case Study**

### Teacher Instructions

Case studies take many forms. They include legal cases, based on court opinions, hypothetical situations concerning the topic being taught and real stories taken from personal experience or current events. Most case studies include five steps and can be done in large group or small teams.

**Procedure:**

1. Discuss the facts. What happened? Who is involved? What are their motives? Where did it happen? What facts are important? What facts are not relevant? What facts are missing?
2. Identify the critical issue. In other words, what is the question that needs to be answered? For example, in a murder case, did the defendant intend to kill the victim or was it an accident?
3. Discuss the arguments. What facts support each side? What law supports each side? Do other reasons exist that might help in the decision?
4. Determine the stage the case is at or the decision made. If it is a court case, what is the decision of the court? If it is a news article, has an arrest or a charge been made, a lawsuit filed? If it is a hypothetical situation, what do you think would happen next? What has happened in similar cases?
5. Evaluate the case. What is the impact of the case? What will happen in future similar cases? Was the problem solved for the parties? Is there a better way (i.e., mediation, community conferencing)?

**Mediation Discussion Questions for Case Studies**

1. What are the interests of all parties involved in this situation?

Rather than identifying the issues and positions/arguments, identify the interests. The interests are usually the basis for the positions/arguments and if explored fully can identify other ways of resolving the situation. Once the conversation focuses on positions, the potential areas of agreement and range of solutions are limited.

2. What action/items might meet the needs/interests of the parties?

In some cases, parties simply want acknowledgement that they have been wronged and an apology.

3. Will a law suit result in the needs/interests being met?

4. Did the court's resolution of this case meet the needs and interests of the parties?

5. What other methods of conflict resolution could be used?

**Student Handout: SUPREME COURT CASE STUDY GUIDE**

1. What is the name of the case?
2. What are the facts of the case?
   1. What happened?
   2. Who was involved?
   3. Why did they act as they did?
   4. How did the lower courts rule?
   5. Which facts are important? Why?
   6. What additional facts would you like to have?
3. What is the constitutional or legal issue?
   1. Who is the actor?
   2. Who was the recipient of the action?
   3. What action has caused the controversy presented in the case?
   4. What part of the Constitution or statute is involved?
   5. What question is the court being asked to answer?

4. What are the arguments?

* 1. What are the arguments for the petitioner?
  2. What are the arguments for the respondent?
  3. Which arguments are the strongest?

5.What is the Supreme Court’s decision and reasoning?

6. How do you feel about the decision?

7. What will be the impact of the decision?