

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF MASON

PLAINTIFF NAME,

Plaintiff,

v

File No. 2022XXXXXXXXX
HON. JEFFREY C. NELLIS

DEFENDANT NAME,

Defendant.

Plaintiff in Pro Per

Defendant in Pro Per

_____ PLAINTIFF _____ DEFENDANT'S TRIAL BRIEF

Introduction

Statement of Facts

Legal Argument

Conclusion & Relief Requested

COURT BRIEF

What is a legal brief and why is it important?

A legal brief is a document that argues your side over the other party's. It details why you should win or have a motion granted by the judge or other court officials. This is a crucial document as it provides contextual information for officials before a potential court appearance, and a platform for your argument. A legal brief can help make sure you always capture key elements in your legal brief.

What is included in a legal brief?

A legal brief should include:

- The name of the case.
- The names of the parties involved.
- The current stage of litigation.
- The legal issue being addressed.
- Relevant facts of the case.
- The rule of law applied.
- Your argument.
- A conclusion.

The name of the case

This section is relatively straightforward—every legal brief starts with the name of the plaintiff and defendant, formatted as: *plaintiff v defendant*.

The names of the parties involved

Clearly state who the plaintiff and the defendant are. You may also choose to abbreviate their names to just P or D.

The current stage of litigation

Identify the current stage of litigation in this case. Is this currently at trial or an appeal? What level of court, e.g., state or federal? And at what stage did this legal issue arise? Only include these details if they're applicable.

The legal issue being addressed

This section where you identify the legal issue that is being addressed in court. Essentially, you have to state the reason why both parties are coming to court.

Relevant facts to the case

This section is the main part of your legal brief and should include any relevant facts to support your argument for the case. The key for this section is including relevant facts. Don't include every single fact of the case, especially if it's insignificant (quality beats quantity).

Rule of law applied

Identify any rules of law applicable to the case. This can range from well-established negligence rules such as the reasonable person standard, or in certain cases, the court can choose to implement a new, unprecedented rule depending on the case.

Argument

This section is where you articulate your argument and side of the case. This can include using the rule of law applied by the court to the facts listed previously in the brief to support your

argument.

Conclusion

Summarize your document with a brief conclusion. What is the difference between a legal brief and a legal memorandum? Legal memo and legal briefs appear to be similar in structure. However, the purpose of these documents and the audience they're written for are different. Legal memos are versatile and can summarize legal issues for clients, partners, other legal professionals, or court officials. They can also be relatively informal. However, legal briefs are almost always exclusively court documents presented to judges or other court officials. You need to be more persuasive in your writing and learn how to structure an argument in a legal brief compared to a legal memo.

How do I write a legal brief?

A legal brief will provide a good structure to get you started, but you still need to write the brief. Here are a few tips to keep in mind while completing the brief:

- A legal brief is written for court officials. This is where your use of legalese will come in handy.
- Before you submit your legal brief to court officials, it's wise to have someone else review your work to catch any typos, grammatical issues, or any other errors.
- Be professional and concise in your language. A legal brief should be just that—brief. Remember to be succinct and resist the urge to highlight every single aspect of the case.
- Be persuasive with your writing, and don't use passive language.