

Peer Review Worksheet for SOC

Peer Review Handout for Statement of the Case

Author: _____

Reviewer: _____

Instructions: Read through your partner's draft Statement of the Case, noting in the margins any parts that you think are particularly noteworthy, either because they are responsive to any of the questions below or because they raised other questions for you that you would like to discuss with your partner. Once you have completed your review and have written out answers to the questions below, exchange handouts with your partner and discuss your comments on one another's drafts. Keep in mind that we are at the early stages of the brief-writing process and that the goal of this exercise is to provide constructive feedback that will be helpful to the author in completing a draft of the brief.

1. Does the Statement of the Case include a procedural history? If so, does it appear in a logical place in the SOC from the reader's perspective?

2. Does the Statement of the Case include details and background that support the client's position (i.e., whether the protective sweep exception to the warrant requirement applies to the officers' search of Lebowski's home) *without* ignoring negative facts that are unfavorable to the client? (Explain.)

3. Point to a specific paragraph or sentence (give the page number where it appears below and make a note in the margin next to it) that you believe was particularly effective from the client's point of view and explain why you found it effective.

4. Is there anything that is omitted that you would suggest adding or expanding to tell the story more persuasively or to provide a more complete picture of what happened? (Explain)

5. Is the Statement of the Case persuasive without stretching the bounds of credulity? Or is the statement obviously "spinning" or outright distorting the truth? (Explain and give page numbers.)

6. Does the Statement of the Case cite to the record? Does it cite often enough for the reader to be able to find the testimony in the record that supports each assertion of fact?