



You want to place the case in its proper context, which will enable you to understand its relationships

You want to develop an understanding of the court's legal reasoning. The point of an opinion is for the court to explain why it has decided a case in a particular way.

To understand the legal reasoning in the case, ask yourself the following questions:

- What, at bottom, does the case really seem to be about?
- What arguments does the court use to justify its answer to the legal question you've identified?
- What other cases does the court cite for support?
  - Does it distinguish other cases?
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- Does this reasoning advance the recognition of the linguistic and/or human rights of Deaf individuals? If so, in what way?
- If the court did not decide in favor of the Deaf individuals involved in the case, what reasoning was used?
  - Does this reasoning represent any of the faulty logic associated with institutional oppression of Deaf individuals and/or other marginalized individuals? What markers indicate that?

Once you have gone through these levels of inquiry and have answers to the questions, the next part of the process is to create your summary and reflections. Your summary and reflection can be shared with a mentor and/or peers.

### **Prepare a Summary:**

This is a synopsis of the decision in your own words generated in either written English or ASL (taped). Create an accurate and concise description of the case - What is the citation of the matter; what is the legal issue(s) being decided by the court; what are the compelling facts related to the issue; what is the central position of each side of the issue (the position of the plaintiff/prosecutor and the position of the defendant) and what are the key points to their argument; what is the Court's decision?

Attempt to identify what the court viewed as the compelling reasons for the decision that was made. Typically, this will involve some discussion of the CASE LAW that the attorneys used to support their position on the issue(s). In the court's decision, the judge will discuss whether the court agrees that the CASE LAW<sup>1</sup> cited during the trial in fact applies or not.

### **Summarize Your Observations:**

You can convey your summary in written English or ASL (taped). In the summary, reflect on the analysis process and respond to the following questions:

- What is your reaction to the case as a whole? How does the case and the outcome impact you as an individual - separate from your work as an interpreter? Are there experiences you have had in your life that give you a particular observation or reaction to this case? How might these observations and reactions impact your work as an interpreter? As you leave this case, what impressions do you have about the legal system, the outcome of the case, and the work of interpreters within the legal system?
- What new information about the law, legal system and/or interpreting did you learn as a result of analyzing this case? How do you see yourself applying this information as an individual and interpreter practitioner?
- What questions still remain for you as a result of this case analysis? How can you go about finding the answers to these questions?

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<sup>1</sup>Case Law, often used interchangeably with the term Common Law, refers to the precedents and authority set by previous court rulings, judicial decisions and administrative legal findings or rulings. Case law has particular importance in the United States. Case law in this sense means the written opinions of appellate courts deciding a point of law. When judges have to make decisions on

**Group Exercises:**

A group of interpreters (3-4) can be assigned this task and divide up the elements of the analysis and then work together to discuss their findings and create the final analysis to submit to the mentor.

Multiple groups can analyze the same case and then engage in a facilitated discussion to