NCCaseCluster

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Stored: {qv}<notecards>1.3L>library>NCCaseCluster, .lcom, .ted
Last updated: March 17, 1988 by Peggy Irish.
See also NCCluster and NCScreen library packages and the CaseCluster notefile in 1.3k>demo>.

INTRODUCTION

Loading this package causes the creation of several new Notecards types making up a card clustering facility. This facility forms the heart of a legal case analysis demo designed by Art Farley. Users who wish to create their own specialized clusters should use this package as an example. (See the NCCluster package for further details.)

The following describes the new types defined by this package, the legal motivation for the CaseCluster, and how the package can be demo'ed using the Boone-v-Coe sample case record.

STRUCTURE OF THE CASECLUSTER

Like every cluster type, the *CaseCluster* has a head card, a text card containing links to four child cards. After creating a CaseCluster card, the user is asked to provide a title. This will become the head card's title and will be used to generate titles for the child cards. Call these child cards Issues, Facts, Decision, and Rationale. Their titles are constructed by concatenating the cluster's title with the strings ":Issues", ":Facts", etc. The Issues and Decision cards are simply empty text cards. The Facts card is an instance of the new card type *Facts*, a specialization of a text card in which certain predefined text appears automatically at creation time. The only one of the four children containing further structure is the Rationale card, an instance of the new *Rationale* card type.

The Rationale card contains the arguments used to reach a decision for the case in question. Creating a Rationale card causes one sample argument to be constructed in the form of an *Argument* card and linked as a child of the Rationale card. Argument cards are instances of the Argument type, a specialization of Browser, which browse a predefined substructure. An argument structure consists of four

cards representing rules and support for those rules. Specifically, there is a *DecisionRule* card, a *LegalStatusRule* card, and two *RuleSupport* cards. These are simply text cards containing predefined text and links.

Thus, creating a CaseCluster actually builds two levels of structure, one from the definition of the CaseCluster type and a second from the Argument cards.

The first time a CaseCluster is created, the user is queried as to whether the fileboxes CasesBox, IssuesBox, FactsBox, DecisionsBox, and RationalesBox should be created. Answering yes causes these boxes to be created and filed in the top level Contents box. Thereafter, any CaseClusters created have their child cards filed in the appropriate filebox.

LEGAL MOTIVATION FOR THE CASECLUSTER PACKAGE

The basic elements of a case brief are represented by the four cards that come up upon creation of the cluster. It is assumed we are briefing a court decision. The Facts card holds the case history, both in terms of agreed upon facts that occurred in the world giving rise to the case and the history of legal moves made thus far (petitions, decisions, appeals). The Issues card is used to hold significant points about the case (like head notes for legal decisions). The Decision indicates what was decided in the court decision at hand, being briefed.

Finally, the Rationale card holds a structured representation of the arguments presented for and against the decision. A decision structure is made up of elements known as legal rules. of which there are several types. A Legal Decision rule concludes a decision, given a legal context and actions or states of the world (e.g., a contract exists and has been breached and x dollars has been spent in reliance on the contract, then x dollars rewarded to relier). A legal context is established by Legal Status and Legal Action rules that translate real-world actions into legal consequences (e.g., a letter with certain content constitutes an offer, the receiver being then in the status of offeree). Every legal rule has associated with it a Support card indicating its basis for existence (statute, principle, case law).

Rules can be used in many cases. The construction and specialization of legal rules is a primary activity in the formation of legal arguments.

DEMO'ING THE CASECLUSTER PACKAGE

To demonstrate this package, one can walk creation of such a notefile using thed in <notecards>1.3k>demo>. Be sure that the NCCaseCluster package is loaded before

opening the notefile.

One can also demonstrate creation of such a notefile using the TEdit file {qv}<notecards>1.3l>library>Boone-v-Coe.ted. This card should be up on the screen when a fresh instance of CaseCluster is created. When the four parts of the case come up on the screen, sample sentences from the Boone-v-Coe case record can be copied into one or more of the cluster cards. For example, the last paragraph can be copied into the Decision card and the first sentence of the record can be copied into the Facts card under LEGAL FACTS. Finally, the sample Argument card in the Rationale card should be brought up and explained according to the description above.