**Practice Pointer**: *When you evaluate which case/cases to use, remember that cases from the appropriate jurisdiction are essential for binding precedent.*

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***This is from Chapter 18 regarding Case Briefs***

Diagram, venn diagram

Description automatically generated**Binding vs Persuasive**

*Primary Sources “The Law”* can be either **binding** or **persuasive** depending on the jurisdiction.

These include: constitutions, statutes, court decisions (cases), administrative agency regulations (ICE regulations).

*Secondary Sources “About the law”*

can **ONLY** be **persuasive**

These include: law textbooks, law dictionaries, legal encyclopedias, legal periodicals.

**What does this have to do with precedent?**

When you are doing research for cases to use, especially in the **reasoning part** of a case brief you firstly want to find cases that are **BINDING** that way your case will follow a similar ruling due to the precedent set by the previous case.

**How can you figure it out?**

Ask yourself…

1. Are the legal issues in your case governed by state or federal law?
2. What court are you in?

**Why should one consider this point?**

As a paralegal you are expected to write case briefs, therefore this point is essential in knowing the correct way to explain the reasoning for the case ruling.