Importance of case law by Steve Mich

Article published on November 29th 2011 | Law

Case law is a word frequently appearing in procedures related to legal affairs. But most of the common people do not have an idea about what is case law and what is its importance in legal cases.

Set of selected judgments or judicial decisions which have interpreted certain laws is called as case law. A good lawyer should have a wide knowledge about such judgments and he should use that knowledge wisely to protect the interests of his client.

Different countries have different laws and even the laws of the same country can be interpreted in different ways. While giving a judgment, the judges will take all the arguments completed by both the sides and all the evidences produced in the court in to consideration. The statements of the witnesses also have importance in deciding the nature of the judgment. So, the judgment in a case may be different in various courts. When upper courts have the authorities to cancel the judgment of the lower courts, the case law plays an important role in legal cases. A good lawyer can argue the case in an upper court, holding a different judgment taken in a similar case. This may give a chance to change the judgment of the lower court. Studying case law is a part of the home work done by lawyers before appearing in court. This fact itself proves the importance of case law in legal proceedings.

Secondly, when a case has come before a court, the judge has to take a decision based on the details available in front of him. He can not take a decision of him self even if he knows the truth. He has to examine the clients, witnesses and also go through the evidences produced by the clients. So, a good lawyer can influence the judgment by a well planned argument. He can avoid certain parts in the statement of the witnesses which he may feel against the interests of his client and can use the remaining portion for the benefit of his client. In such situations, a case law may come for help. A good lawyer can come up with a different judgment happened in a similar case and he can hold it as an example how a court should think. He can point out the arguments that has been done in that case and the comments and observations recorded by the judge while delivering the judgment. If the lawyer goes through case law he can fined out certain good arguments too, which can be used in his case also.

Now, you might have understood the importance of case law in legal proceedings. Even you can point out some cases of similar nature if you have an idea about it. It may help your lawyer to serve you better.

Article Source:
http://www.articleside.com/law-articles/importance-of-case-law.htm - Article Side

Steve Mich - About Author:
Steve Mich is the author of this article and writes about Law news and other matters. For further details about case law please visit the a http://www.casecheck.co.uk.

Article Keywords:

case law

You can find more free articles on Article Side. Sign up today and share your knowledge to the community! It is completely FREE!