I. A CASE OF ASSAULT: THE RISE AND FALL OF AN ALIBI

Meaningful case-properties, such as stories on what ‘really happened’ derive from contingent activities and vicissitudinous projects. They are ridden with prerequisites and demand much from the case-makers. In order to show how parties invest into their cases, I trace the rise and fall of an alibi-story in an assault case. I followed the alibi’s career from its first appearance to its demise.

The first case-study introduces case-making by accounting for a story-in-process and how its turns into something of legal relevance. We encounter the case-in-becoming on various levels: on the level of the individual case by not knowing yet what it will be all about; on the level of the individual idea or claim by not knowing yet whether it will turn into a fact; or on the level of the cast by not knowing yet who will serve as a witness. The case-study will show the absence of law on the surface level and the procedural prevalence of the story-form. Stories appear as core items of case-making: as something to design and arrange. Lawyers, accordingly, work as professional story-(re)tellers - as specialists who know where, when, and how to present stories in the procedural course.

The first case study, what is more, introduces the manifold textual data provided by the defence file plus related communications. I utilised all I could find in the records about Linda Queen’s (“our client” and later defendant) alibi-story and its procedural life in order to understand how it gained (and ultimately lost) relevance for ‘its’ Crown Court case. The data and its dating allowed me to follow the lawyers’ investments into the story and their professional calculations attached to them. However, a story is not just a passive object. The alibi-story bound together many details: places, episodes, the cast, reasons, etc. It arranged these details (or indices) in a temporal and social order. Both properties, the story’s detailedness and the ordering of details, offer some criteria to assess its validity. Because of these intrinsic qualities, stories allow legal amateurs as well as professionals, informed insiders as well as unacquainted outsiders to assess it. Stories seem to be the perfect interfaces to link law and common sense, judiciary and the people.
I chose the alibi because it allows me to highlight two aspects: its mobilisation, which are the investments necessary to turn it into a case-story, and the risks to be taken in the process of mobilisation. As a result, the case study shows the becoming and fading of Linda’s alibi on its way to the Crown Court: from its first appearance for the defence to its various manifestations. The alibi demands attention and investments in formal, literary, and strategic ways. It requires internal properties (temporal and spatial indices) and external properties (deadlines and formats of delivery). The reconstruction places the casework conducted at a certain point in time into an extended sequence of a procedural past and future. The reconstruction of the story’s career gives way to an understanding of procedure as a dynamic sense-making frame.

**THE ONTOLOGICAL VERSIONS OF THE ALIBI-STORY AND ITS ANALYSABILITY**

The alibi-story passes through a career that transcends single manifestations as text or talk. The career transgresses local employments, but also trans-local circulations. By ‘career’, I refer to the story’s changing status within the case-in-becoming. I infer the story’s status by determining whether and how the defence ensemble is willing to invest into it (for example to rewrite or ‘thicken’ it) at that time, and whether and how lawyer and client make use of the story (for example as a “defence statement” or in case summaries) to represent the defence. The analysis of the story’s career relates to “natural data,” meaning data that emerges by way of the participants’ casework and doing procedure.

The natural data provides us with three ontological versions of ‘what a story is’ in this legal setting: story as process, as event and as object. (1) *Story-as-process* marks out stages of production, a gradual completion from one version to the next. One finds arrays of versions in the file that my informants described as necessary to advancement and completion. In contrast, when it came to brief descriptions of the state

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1. See for a similar perspective, Limoges et al. (1990) and Cambrosio et al. (1991) who traced a policy dossier on its way through a ministry. Meehan (1993, 2000) reconstructed the making of police statistics or, as he calls it, their “organisational career” from the citizen’s call to the police response. Latour (1999a) followed samples of soil from the rain forest to the scientist’s desk.

2. Cicourel analysed accounts given in interviews, protocols, and reports in light of the practitioners’ interpretations and background assumptions. Similarly to the analysis suggested here, his ethnography on “juvenile justice” focuses on the ways “objects