

## Dimming the Court's *Brooke Group* Bright Line Administrable Rule?

As noted in my [earlier post](#), the Supreme Court's *Brooke Group* rule is held out as the primary example of an administrable bright line rule aimed at controlling the costs of type I error. In practice, the *Brooke Group* above cost rule is not as bright as one might wish. The Achilles heel of the *Brooke Group* cost based rule is the failure to clarify what the relevant cost is.

[Read the full piece here.](#)