

Quick Guide: Answering a Legal Question

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Academic Support Program

ISSUE

- Brief statement of the legal question.
- Your reader wants to know immediately what issue you are seeking to resolve.
- Keep it open-ended.
- Provides the reader context for what your response will address.
- Be cautious of starting with a conclusion -- you may end up being too one-sided.
- Reference the law and a key fact or two to accurately orient the reader.

RULE

- Succinctly state the legal authority applicable to resolution of the legal issue.
- This is the legal “test” that a court would apply.
- Does not have to be just one sentence, but don’t write an entire dissertation on an area of law.
- Think carefully about whether a rule is comprised of several different elements. If so, you will likely IRAC each of these elements fully and independently.

ANALYSIS

- Apply the stated rule to new hypothetical facts.
- The most important facts from that hypothetical must be included in your analysis.
- How do the new facts “match up” with the rule?
- This will likely be the longest part of your answer to a legal question.
- Be sure to address “both sides of the coin” instead of just arguing for one side.
- Don’t just list the relevant facts – *explain* how they support each point of view.

CONCLUSION

- State your conclusion briefly in 1-2 sentences.
- Do not add new information – if you feel the need to explain more, review your analysis and include the information there.
- It is ok not to be 100% sure. Consider using words such as “likely” and “probably” instead of “definitely” and “clearly.”
- Give the reader some prediction instead of just writing, “I’m not sure, it could go either way.”