

What is IRAC?

IRAC stands for Issue, Rule, Application, Conclusion. It is one way to structure legal analysis. An effective essay (no matter the overall length) follows some form of the IRAC structure where it is organized around each of these elements for each and every issue and subissue identified as a legal problem.

IRAC is an extremely useful tool in organizing any law related essay answer. It is not the only way to structure an answer, but it helps to make sure all bases are covered. So, until you achieve the level of mental and written fluency where you can weave together rule and fact in a seamless tapestry and transition between thoughts without loss of either the substance or your reader, you might choose to rely on some form of IRAC to keep focused. Use IRAC as tool for organizing your thinking and your writing. Think of it as a weaving loom that is there only to support the threads of your argument, while you weave and create an intricately beautiful piece of fabric, i.e. a complete, logical argument. Soon, the process will become automatic and you will rely less and less on the loom. Until then, you have something you can rely on to guide you through the process.

How to IRAC

1. State the issue

The issue is the most important element in the analysis and must be stated in a way to show what is in controversy. The legal question weaves together the rule and the facts particular to the problem you identified.

Articulate the issue by creating the legal question presented by the facts. To find the issue, ask: "what is in controversy in these facts." (Of course you need to know the law to find a legal question in the facts.) Use the "whether, when" structure to help you isolate and write an issue statement. Some professors might not want to see this particular language - "the issue is whether." You achieve the same result with other words - "Did" or "Can." Don't get fixated on language. Follow your professor's instruction, either way you achieve the same result: identification of the legal problem.

You should always use the following language to guide your thought process: "*The issue is whether,*" . . . then identify and state the legal conclusion you want the court to reach . . . *Don committed a battery, (or an offer was made, or the court can assert personal jurisdiction)* . . . and connect to the "relevant" facts (the relevant facts being those facts which impact the outcome) . . . *when he pushed Pam even though he knew she was in no danger of being hit by the bicyclist (or when he said, "would you buy my watch for \$500 in cash next Tuesday?" or when the defendant conducted business in the forum state, had an office and a full-time staff, and paid state taxes).* When completed, the sentence will read: "*The issue is*

whether Don committed a battery when he pushed Pam even though he knew she was in no danger of being hit by the bicyclist."

2. State the law

After you have the issue, you must articulate the rule. The rule and the facts are inextricably linked. Your analysis of the facts will not make sense unless you have first identified the rule which determines the legal meaning to be attributed to those facts.

Use building blocks for writing the rule of law, consider:

- ◆ Elements
- ◆ Definitions
- ◆ Exceptions to the general rule
- ◆ Limitations to the rule
- ◆ Defenses

When writing, follow a hierarchy of concepts by:

- ◆ Moving from the general to the specific
- ◆ Defining each legal term of art

Identify:

- ◆ The consequences of applying the rule - what will happen?
- ◆ What are the consequences of this rule in this situation?

Which leads you to consider:

- ◆ What does application of the rule mean here? What will be its effect?

3. Analyze the facts in light of the law

The analysis or application is the heart of the discussion and sometimes works better combined with the rule. It is where you examine the issues raised by the facts in light of the rule. Your statement of the rule will drive your organization of the analysis. You simply match up each element you have identified in the rule (in order) with a fact, using the word "because" to make the connection between rule and fact. "Because" is the single most important word to use when writing the analysis. Using the word "because" forces you to make the connection between rule and fact. Also make use of the words "as" and "since" – they serve the same function as "because" and sometimes will sound less redundant when used in the same paragraph as "because."

4. Conclusion

Conclude each issue before drawing your final overall conclusion. There is no right or wrong answer, only logical analysis based on the rule and the facts which lead to a reasonable conclusion. *Note: Repeat the process for each issue you identify – each issue forms the basis for a separate IRAC analysis.*

Examples

1a. Don't write:

In this case, while Pete the police officer was giving Dan a sobriety test, he noticed that Dan fit the description of an eyewitness to the robbery, giving the police officer probable cause to arrest Dan.

1b. Do write:

In this case, Pete the police officer realized that Dan fit the description of the suspect, providing probable cause for arrest, because Dan was extremely tall at 6'4", was wearing a green and tan sweater with purple patches and pointy-toed alligator cowboy boots, fitting the description provided by the eyewitness to the robbery.

2a. Don't write:

ABC Inc. engaged Dr. Jones to develop a drug that reduced hair loss. Dr. Jones worked in his own laboratory, hired and fired his own assistants and set their working hours as well as his own. He meets with the President of ABC every Friday morning to discuss progress on the project, and at this time, Dr. Jones submits his timesheet for payment. The President pays Dr. Jones weekly.

2b. Do write:

Here, Dr. Jones can be considered an independent consultant for ABC Inc. because he completes all the research and development work in his own laboratory, in a separate facility from that of ABC, where he has direct control over the employees because he hired his own assistants, setting their work hours. He also exercises direct control over his own work because he sets his own work hours and only meets with ABC once a week. Further, since he only meets with the President of ABC on a weekly basis to discuss progress on development of the hair loss product, the President does not supervise Dr. Jones on a daily basis as to the work which goes on in the laboratory.