

13: Introduction to IRAC Writing Structure

In Legal Research class, you learned to organize your research notes by issue, rather than by legal authority. One reason is to make the transition into IRAC structure easier. Think of it as assembling a puzzle: You won't get far just by staring at an individual puzzle piece (a case or a statute). Your chances for success are much greater if you group related puzzle pieces together, such as all of the edge pieces or all the pieces that have part of a tree on them (all cases or statutes related to a particular legal standard).

IRAC Components

IRAC is a paragraph-writing structure or framework. The letters stand for **I**ssue, **R**ule, **A**pplication, **C**onclusion. There are other ways to analyze a legal problem. But IRAC is easy to learn and is very effective in improving your ability to "apply the law to the facts," the essence of sound legal analysis.

The Issue.

The first step of your analysis is to state the issue. The issue defines the problem. It sets out the dispute between the parties. The issue is based upon the legal standard you are analyzing.

The Rule(s).

After laying out the issue, you need to set out the applicable rule(s). The reader needs to know what law will be applicable to the problem. Rules can be taken from statutes, cases, regulations or any other appropriate authorities.

The Application.

The law is only important as it applies to your client's factual situation. So after you set out the rule, you need to show how the rule applies to your client's situation. In your application section, you will take the facts of your case, and connect them to your rule, to say why each piece of the rule is met/not met, or weighs in favor of your client.

The Conclusion.

In your conclusion, tie your points together to answer the question raised in the Issue. Show the reader where the application of the law to the facts has taken you. Your conclusion is short, but necessary.

Why Should You Use IRAC?

Using IRAC gives you the benefit of continuity and clarity of writing; helps to organize your discussion, focusing on the legal issues and rules, rather than authorities; and makes your writing consistent and predictable. More importantly, having a structure to follow can ease writer's block and ensure you have a complete discussion of the client's legal question.

✓ Example

[Another person's perspective on why IRAC is a great writing structure.](#) This podcast transcript discusses law school exams, but it's equally applicable to the Discussion sections of a legal research memo.

Planning Your IRAC

Now that you know the IRAC components, the next step is to plan your IRAC for each Question Presented contained in your legal memo. Spending time planning what you are going to write before you begin drafting not only saves you time overall, but also makes it less likely you'll omit an important part of your IRAC analysis. Here are the recommended steps for planning your IRAC:

Step 1: Review the legal standard from your Question Presented.

The legal standard should always drive the discussion, so it's important to have that legal standard front and center as you begin planning your IRAC analysis. For your plan/outline, all you need is the "pure" legal standard from your Question Presented:

The State must prove beyond a reasonable doubt that Wonka “intentionally damaged” a building with fire.

Step 2: State your conclusion (the answer to the question you just wrote).

Knowing what your conclusion will be helps you to select appropriate authorities to examine in your Rule component, since you want to include the authorities that support your conclusion. The same is true for the client’s facts that you will describe in your Application component.

Step 3: Review your micro- and macro-synthesis relating to the Question Presented. Then, re-read the legal authorities.

Take the time to re-familiarize yourself with the analysis you’ve completed so far. Sometimes you gain new knowledge or perspective when you review something. Think of all the times you’ve re-watched a movie or re-read a novel and said to yourself, “I never noticed [xxx] before!”

Step 4: Outline your Rule component.

Many times, people use an outline or bulleted list for this part of the planning. Start your list with the statute or other legal authority that contains the legal standard in your Question Presented. Then, list the court cases you found that interpreted/applied the legal standard. Make sure to include the cases that you determined were most similar to your client’s facts when you did your macro-synthesis, especially the cases that are consistent with your conclusion regarding the likely outcome for the client.

Keep in mind that, when there are differences or conflicts between legal authorities of the same type, there are several rules of thumb for determining which legal authority is stronger:

- If two statutes conflict, the more specific statute is stronger than the general statute
- Supreme Court decisions are stronger than Court of Appeals decisions, regardless of the year of decision
- If the decisions are from the same level of court (for example, two decisions from the Court of Appeals), the more recent decision is usually stronger

Here’s what an outline of the Rules for the “**intentionally damaged**” Question Presented might look like:

Rules

- Statute: Section 943.02(1)(a), Wis. Stat. (20xx): “Whoever ... [b]y means of fire, intentionally damages any building of another without the other’s consent” is guilty of arson.
- *State v. Johnson*, 349 Wis. 2d 894, 455 N.W.2d 338 (1988): explains how “intent” is proven. Facts are similar to Wonka’s facts
- *State v. Rodriguez*, 548 Wis. 2d 293, 560 N.W.2d 81 (1993): clarifies what is needed to prove “intent.” Facts are mostly different from Wonka’s facts (do not use?)

It can also be helpful to include the cases you determined were not similar to your client’s facts, or that had an outcome that is opposite to your conclusion about what the client’s income should be. Even if you don’t use that case in your IRAC, it’s a good idea to document your decision not to use it – this will come in handy later.

You can also add some of the facts of the cases you include in your outline. Doing so will make it even easier to write the comparison of the caselaw facts and the client’s facts in your Application component.

Step 5: Outline your Application component.

This can be as simple as copying and pasting the legally significant facts you listed as part of your Question Presented. Even if it seems repetitive, it’s time well spent; it may even lead you to revise your Question Presented. Consider adding some of the contextual facts that you decided not to include in the Question Presented that are relevant to the legal standard.

Here’s what an outline of the Application for the “**intentionally damaged**” Question Presented might look like:

Application/Client facts that support my conclusion

- A fire occurred at the Chocolate Factory at 1 a.m. on January 30, [year], eight hours after the Factory had closed for the day,
- No one was inside the Factory when the fire started,
- Accelerants were used at several locations around the Factory,
- Mary Worth, who lives across the street from the Factory, told police she saw a man dancing in front of her house, wearing camouflage clothing and shouting “Burn, baby, burn!” When she was shown a photo lineup by police, she identified Wonka identified as the man she saw.
- The fire caused \$1,000,000 in damage to the Factory.
- Wonka is a co-owner of the Factory.
- The Factory’s records are being audited for financial irregularities due to operating at a loss for three years. The audit noted that \$1,000,000 is “missing from the books.”
- Wonka owns a \$1,000,000 Preferred Player’s Card from LaCasino.

You can also include a separate list of facts that do not support your conclusion. Even though your IRAC analysis might not include those facts, they will come in handy later.

Step 6: Repeat steps 1-5 for each Question Presented.

Even if the Rules and Applications seem to overlap or be repetitive across Questions Presented, it’s important to outline each one separately. Remember, you’ll be writing a separate analysis of each Question Presented in the Discussion section of your legal research memo.

Next, you’ll learn how to draft each IRAC component. Then, you’ll learn how to use the IRAC writing structure in the Discussion section of a legal research memorandum.

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