

## 14: Using the IRAC Writing Structure

Now that you have your plan/outline for how you are going to write your IRAC analyses to discuss each of your Questions Presented, it's time to start writing! Once again, the recommended order of drafting each of your IRAC components is different from the order in which they will appear in your final draft. The correct order is **Issue, Rule, Application, Conclusion**.

### IRAC Issue

The **Issue** is presented in the first sentence of your first IRAC paragraph. Make your issue narrow, specific, and focuses on the legal standard identified in your Question Presented. Using the Question Presented you already drafted is a great starting point. After all, taking time to “reinvent the wheel” is not an efficient use of your time. Using what you’ve already written also helps to keep the language you use consistent across different sections of your legal memo.

Here’s the first Question Presented we drafted for Willy Wonka:

1. Will the State be able to prove beyond a reasonable doubt that Wonka “intentionally damaged” the Chocolate Factory when the facts show:
  - a. A fire occurred at the Chocolate Factory several hours after the Factory had closed for the day;
  - b. Accelerants were used at several locations around the Factory;
  - c. Wonka was identified as the person dancing across the street from the fire shouting “Burn, baby, burn;”
  - d. The Factory’s records are being audited for financial irregularities; and
  - e. Wonka owns a \$1,000,000 Preferred Player’s Card from LaCasino?

We don’t need (or want) all of this information at the beginning of our IRAC. We just need the legal standard and a few facts for context. Depending on your writing style, you can write your issue as a question or a statement. Regardless of whether you choose to write a question or a statement, make sure your issue is a complete sentence. Do **not** start your sentence with the word “whether” – it will nearly always result in a sentence fragment. Here’s how we can pare it down to make it a better starting point for our IRAC:

#### ✓ Example IRAC Issues

Will the State be able to prove beyond a reasonable doubt that Wonka “intentionally damaged” the Chocolate Factory with fire?

The first element the State must prove beyond a reasonable doubt is that Wonka “intentionally damaged” the Chocolate Factory with fire.

The issue is whether the State will be able to prove beyond a reasonable doubt that Wonka “intentionally damaged” the Chocolate Factory with fire.

When writing your issue, avoid the following pitfalls:

☹ writing the Issue too broadly. Instead, use the specific legal standard from your Question Presented. That means you don’t want to write an issue asking whether someone will be held liable or found guilty, or whether someone will successfully prove a cause of action such as negligence or breach of contract. Doing so will result in IRAC analyses that contain too many Rules, which may come across as a list of authorities, and too many facts in the Application. Each legal standard requiring full analysis should have its own IRAC analysis.

☹ writing an Issue that does not need full analysis. Depending on the client’s facts and circumstances, there may be some elements of proof required by a statute or a cause of action that don’t need full analysis. For example, part of Wisconsin’s arson statute requires the use of fire to cause damage. In Willy Wonka’s case, there is no question that fire was used; thus, even though the use of fire is a required statutory element, we don’t need a full analysis of whether Wonka used fire. Instead, it makes sense to include that element as a contextual part of a legal standard that does require full analysis, as you see in the examples above.

☹ including too much information in your Issue sentence. If you include every legally significant fact from your Question Presented in your Issue sentence, it’s likely the sentence will be too long and difficult to read. Instead, include just enough

facts to give the legal standard some context and leave the details for the Application component.

☹ combining the legal standards from two or more Questions Presented. This can be tempting to do, especially if you'll be using many of the same legal authorities and client facts when you discuss the legal standards. Keep in mind that, even if you repeat legal authorities and facts, the focus will be different for each legal standard.

### IRAC Conclusion

By the time you're ready to draft your IRAC, you've already decided how, based on your synthesis, you would answer the question raised in the Issue. You write this answer in your **Conclusion**. Because these two components are so closely related, makes sense to write the Conclusion right after you write the Issue.

Think of your Issue and Conclusion as matching bookends. The easiest way to write your Conclusion is to copy and paste your Issue and revise it so that it is a statement of what you think the outcome will be rather than question. Make sure to add a word to the beginning of the sentence to transition to the conclusion. For example:

#### ✓ Example IRAC Conclusion

Therefore, the State will be able to prove beyond a reasonable doubt that Wonka "intentionally damaged" the Chocolate Factory with fire.

If you prefer not to use the copy/paste/revise method, you can write the Conclusion from scratch; just make sure the Conclusion is directly related to the Issue. To test if your Conclusion is focused on the issue raised, read the Issue at the beginning of the IRAC sequence, then read the conclusion. If the Issue and the Conclusion read like a question and a reasoned answer that responds directly to the question raised, then you have stayed focused and adequately addressed the Issue.

One more thing to consider when writing your conclusion: because the conclusion logically flows from the Rule and Application components of your discussion, the words you use should reflect your level of certainty/confidence in the correctness of your conclusion. If the Rules are clear and consistent with one another and the client's legally significant facts are undisputed, it's appropriate to write that something "will" happen. However, if there is room for reasonable differences in opinion as to which legal authorities should apply and how they should apply, you should qualify your conclusion with words such as "likely," "unlikely" or even the phrase "most likely." The same is true if the legally significant facts are disputed, unclear, or subject to multiple reasonable inferences.

#### ✓ Example IRAC Conclusion -- when the conclusion is not 100% certain

Therefore, the State will **likely** be able to prove beyond a reasonable doubt that Wonka "intentionally damaged" the Chocolate Factory with fire.

Even though this seems simple, it's actually quite common for writers to forget to write a conclusion, perhaps because it's so obvious. To avoid this problem, make sure your conclusion starts with a good word, such as thus, therefore or hence. Then, make sure the last sentence has many of the same words as the Issue.

### IRAC Rules

The next part of your IRAC analysis is the **Rule**. This is usually the longest part of your IRAC analysis, as it contains an in-depth explanation of your macro-synthesis and legal analysis. The Rule component should address the specific legal standard identified in your Issue. Also, be sure to address each authority in proper hierarchical order – Constitutions, Statutes, Administrative Rules, Case law and secondary authority (if any).

As with the Reasoning section of a case brief, when writing the Rule component of your IRAC, I recommend using a formula similar to what you see in the steps below. This makes it less likely you'll omit important legal authorities or forget to discuss them

in detail. Using the same structure repeatedly also helps with writer's block, and the consistency makes your writing more predictable and easier to follow.

### Step 1: Specify the portion of the statute, administrative rule or common law containing the legal standard.

The first sentence in your Rule component should expressly refer to the statutory language that forms the basis for the legal standard identified in the Issue component along with its correct and complete *Bluebook* citation. By now, you've been working with the language long enough that you should feel comfortable paraphrasing it so that you're only including the part of the legal standard you are discussing (though you can certainly quote the statute directly). Add a transitional phrase at the beginning of this sentence to show a relationship to the Issue sentence.

#### ✓ Example IRAC Issue with Transition to the Rule (new items in boldface)

Will the State be able to prove beyond a reasonable doubt that Wonka “intentionally damaged” the Chocolate Factory with fire? **To secure an arson conviction, §943.02(1)(a), Wis. Stat. (1996), requires proof that the accused “intentionally” damaged another person’s building with fire.**

Of course, there are other ways to correctly write this sentence. The key is to make sure you include the specific language, you cite the statute involved, and you like the way the sentence sounds when you read it out loud.

### Step 2: Briefly explain why analysis of the legal standard is necessary.

The explanation should be simple and brief – just enough to let the reader know why we're here, and what other authorities you will be using to analyze the legal standard. If the legal standard comes from a statute or administrative rule, usually the most common reasons are that the word or phrase that forms the basis of the legal standard is not defined in the statute or in related statutes, or the word or phrase that forms the basis of the legal standard was recently changed.

Once you've explained the reason your analysis is necessary, generally introduce the reader to the legal authorities you'll be discussing next. If there is more than one type of legal authority you'll be using, introduce them in the order in which you'll be discussing them (which should be the hierarchical order previously mentioned).

#### ✓ Example (new items in boldface)

Will the State be able to prove beyond a reasonable doubt that Wonka “intentionally damaged” the Chocolate Factory with fire? To secure an arson conviction, §943.02(1)(a), Wis. Stat. (1996), requires proof that the accused “intentionally” damaged another person’s building with fire. **Although Wisconsin’s arson statute does not define the word “intent,” Wisconsin Courts have interpreted the word “intentionally” as used in the statute.**

### Step 3: Describe in detail your macro-synthesis/analysis of the legal authorities related to the legal standard.

Now it is time to fully discuss the court decision(s) you identified in your IRAC outline/plan as best supporting your conclusion as to how you would answer the question raised in the Issue. Don't over-summarize; instead, write as though your reader has no idea what any of the court decisions say.

Most often, discussion of a court decision begins with the “rule of the case” – the Court's statement as to how it defined or interpreted the legal standard. If you are using the decision to define a word or phrase in the legal standard, start with that definition (for example, the *Miller* Court defined “procure for” as ...). From there, explain what the decision says about how the requirements of the legal standard are met (or not met). Use the Reasoning section of your case brief to help you. Fully discuss what the decision

says about the definition, interpretation, or requirements of the legal standard before moving on to an explanation of how the court decision applied the legal standard to the facts involved in the appeal.

Including the facts from the court decision is important. First, the facts place the legal standard and its definition, interpretation, or requirements in context, helping the reader to better understand what the court said without having to read the entire decision. Second, if you don't include the facts from the court decision, your analysis will be incomplete; you need the facts from the court decision to compare to the client's facts that you will write in your Application component. Without this comparison, there is no credible basis for your conclusion as to how the court decision will impact the client.

If you are discussing more than one court decision as part of your Rule component, make sure to

- Completely discuss each court decision before moving on to the next one.
- Start a new paragraph with each new court decision
- Use a transition to show how the court decisions relate to one other (Similarly, in contrast, the (Court of Appeals or Supreme Court) further explained (or clarified, or restricted, etc.) ...
- Compare the court decisions to one another with respect to rules of law or factual similarities/differences. Again, write as though your reader has never read any of the decisions you are discussing.

Finally, if you are discussing multiple legal authorities in your Rule component, end the Rule component with a "wrap it up" statement (or paragraph, if necessary) that reflects your macro-synthesis of these authorities, explaining how they come together to form the "big picture" of what the legal standard means. There are a few ways to do this, depending on what flows the best with what you've already written. Many writers like to use a summative transitional phrase such as, "Based on these authorities ..." This signals the reader that we are done writing about the Rules and the Application is coming soon.

Here's what the next paragraphs of our Rule component for the Wonka memo might look like:

#### ✓ Example

The Wisconsin Supreme Court, while not defining "intent" directly, described the type of proof that would support a determination that the accused "intentionally" damaged another person's building with fire: "Intent can be inferred from the following facts: use of an accelerant, the setting of the fire during a time of the day when the area is likely to be unpopulated, or any other facts tending to show hostility or intent to cause damage."

*State v. Johnson*, 349 Wis. 2d 894, 455 N.W.2d 338 (1988). In *Johnson*, the defendant, Randy Johnson, was accused of arson to a school. The school caught fire at 3 a.m. on Easter Sunday. A search of Randy's home yielded some clothes that smelled of smoke and gasoline. The fire inspector's report revealed the presence of gasoline in the area where the fire started. An empty gas can was found in the football field behind the high school. Witnesses also testified that Randy's Chemistry class was scheduled to take a big exam the following Monday. Randy's Chemistry teacher testified that Randy needed to earn an A on the exam or he would fail the class. The *Johnson* court held that this evidence was sufficient to prove that Randy intentionally set fire to the school, even though there was no evidence that he was seen in the area of the fire. As a result, Randy's conviction of arson was upheld.

In a later case, the Supreme Court clarified the quantity and quality of proof based on inferences that is needed to support a determination of "intent." *State v. Rodriguez*, 548 Wis. 2d 293, 560 N.W.2d 81 (1993). Specifically, the *Rodriguez* Court stated that more is required than just the presence of accelerants or vague suspicion. The Court clarified that proving "intent" beyond a reasonable doubt requires more than just evidence of the presence of accelerants at the site coupled with "vaguely suspicious" circumstances. In *Rodriguez*, a fire started on defendant Alex Rodriguez's back porch at 5 p.m. on a Saturday, causing damage to his home. At the time of the fire, due to a renovation project at the home, the door to the back porch had been boarded up, such that Rodriguez needed to go out the front door and around the home to access the back porch. Rodriguez was at home when the fire started, and immediately called the fire department to report the fire. Several days later, Rodriguez made a claim with his insurance company, which denied the claim, calling the fire "suspicious" and noting that accelerants were present on the back porch where the fire started. Rodriguez testified that he always kept his grill, charcoal, and charcoal lighter fluid on the back porch. Witnesses for the insurance company were unable to describe any other evidence that the fire had been set intentionally. The *Rodriguez* Court held that this evidence was not sufficient to prove that he intentionally set the fire. As a result, Rodriguez's conviction of arson was overturned.

Based on the *Johnson* and *Rodriguez* cases, a determination of "intent" needs to be based on objective evidence in addition to use of accelerants. The evidence should support an inference that the defendant had motive and desire to set

the fire. Additionally, any “innocent” explanations for the circumstances surrounding the fire must be considered and weighed with all other evidence relating to a defendant’s intent to damage another person’s building with fire.

When writing your Rule component, avoid the following pitfalls:

- ⊗ omitting reference to the statute (or other legal authority) containing the legal standard
- ⊗ Lack of transitions to show relationships between the legal authorities being discussed. You don’t want your Rule component to be comprised of several disjointed paragraphs discussing legal authorities, or anything else that just looks like an authorities list
- ⊗ insufficient discussion of the rules of law from the court decisions. Thoroughly and completely explain the definitions, interpretations, or requirements you detailed in the Reasoning section of your case brief.
- ⊗ insufficient discussion of the facts from the court decisions. Include the legally significant facts from the court decision that you included in the Reasoning section of your case brief.
- ⊗ excessive direct quotations from the legal authorities. Use your own words as much as possible.
- ⊗ Injecting the client’s facts in the discussion of the Rules. Save it for the Application component.
- ⊗ improper citation format. Use complete Bluebook citation form for statutes, and for court decisions the first time you cite them. Italicize titles as required.

### *IRAC Application*

Next comes the **Application** of the Rule to your client’s facts. The Application is the bridge between the Rule and the Conclusion; it is where you detail the similarities/differences between the client’s facts and circumstances and the facts and circumstances contained in the legal authorities you discussed in the Rule.

Because you have already written the Facts statement in your memo, this is a good starting point for your IRAC Application. Here are some suggested steps for drafting your Application component:

1. Start a new paragraph for your Application component.
2. Copy and paste what you previously wrote in the Facts Statement section of your memo.
3. Review the portion of your Macro-Synthesis worksheet where you compared the client’s facts to the facts from the court decisions you used in your Rule.
4. Delete from your IRAC Application component any client facts that are not directly comparable to the facts from the court decisions you used in your Rule. Because you already tell the complete story in your Facts Statement section, you only need to tell part of the story in each IRAC Application.
5. Add a transition to the beginning of the Application paragraph that previews whether you think the client’s facts are similar to or different from the facts from the court decisions you used in your Rule. Examples include
  1. “Our client’s facts are similar to (or different from) the facts in [name of case]”
  2. “In contrast (or similarly), in our client’s case ...”

Once you’ve written your first draft of the Application component, it’s important to review and revise it. Some tips to consider when revising:

- Use people’s names (Willy Wonka, Charlie Bucket) rather than party designations (defendant, victim, plaintiff). If you really want to use party designations, use them in combination with names (Defendant Wonka).
- When using “short forms” of names, double-check for clarity. If multiple people have the same last name, using unique first names will make your writing clearer.
- Change the order in which you discuss the client’s facts in your IRAC Application component to that they match the order in which you discussed similar/different facts from the court decisions you used in your Rule.
- Make sure you aren’t missing any client facts that are legally significant to the legal standard you are discussing. Directly comparing side-by-side the facts from the court decisions you used in your Rule to your client facts in your Application can be

helpful. Did the court decision mention accelerants? Make sure your Application component does too, even if it means writing in your Application component that a particular fact or circumstance existing in the court decision is missing (or different) in the client’s situation. Include all of the client facts that support your conclusion that the client’s result should be the same as/different from that of the court decision(s) you discussed in your Rule.

- Be careful not to get into a detailed discussion of legal authorities. While it’s okay to mention the authority as part of your comparison, resist the temptation to rehash the authority’s facts in your Application component.

Finally, it’s useful to end the Application component with a “wrap it up” statement of how the client’s facts and circumstances as a whole relate to the legal standard. There are a few ways to do this, depending on what flows the best with what you’ve already written. Many writers like to use a summative transitional phrase such as, “Based on these facts ...” This signals the reader that we are done writing about the details and the conclusion is coming soon.

### ✓ Example IRAC Application

In this case, similar to the *Johnson* case, Mr. Wonka’s intent to destroy the factory can be inferred from many facts. The fire inspector’s report noted use of accelerants in several sites. The fire started sometime after 1 a.m., long after the factory was closed. Finally, a witness testified that he saw Mr. Wonka dancing around across the street from the fire, yelling repeatedly, “Burn, baby burn!” Unlike *Rodriguez*, here there is ample evidence in addition to the presence of accelerants that tends to show intent. All of these facts -- and especially the witness’ testimony -- demonstrate Wonka’s general hostility toward the factory, as well as his desire that the fire damage the factory.

## TRANSITIONS AND SIGNPOSTING

Using transitional words and phrases as signposts in your writing will help guide the reader through your analysis. Remember that you want to make your writing as accessible as possible to your reader. The reader, using your transitions, can better follow your analysis because you have shown the reader how each sentence relates to the next. The reader will find your writing to be more credible because the reader will not struggle to understand your point.

You do not need to include a transition with every sentence! This will clutter your writing and make it more difficult to understand your analysis. Instead, use transitions when you want to signal that you are

1. Moving on to the next item in a list
2. Providing an example
3. Generalizing
4. Analogizing or comparing
5. Presenting an opposing viewpoint
6. Emphasizing a particular thought
7. Expanding to explain intricacies of a larger concept
8. Concluding a piece of analysis or argument

Below are lists with suggested words and phrases you can use to signpost in your writing.

| Sequencing | Introducing an Example | Generalizing | Analogy/Comparison |
|------------|------------------------|--------------|--------------------|
|            |                        |              |                    |

|  |  |   |  |
|--|--|---|--|
| <ul style="list-style-type: none"> <li>• After</li> <li>• Finally</li> <li>• Initially</li> <li>• Before</li> <li>• First, second, etc., Last</li> <li>• During</li> <li>• Further</li> <li>• Later</li> <li>• Meanwhile</li> <li>• Subsequently</li> <li>• Until</li> <li>• Next</li> <li>• Then</li> <li>• Since</li> <li>• To begin with</li> </ul> | <ul style="list-style-type: none"> <li>• As in</li> <li>• In particular</li> <li>• Say</li> <li>• For Example</li> <li>• Like</li> <li>• Such as</li> <li>• For Instance</li> <li>• Namely</li> <li>• To demonstrate</li> <li>• Including</li> <li>• Notably</li> <li>• To illustrate</li> </ul> | <ul style="list-style-type: none"> <li>• As a rule</li> <li>• In general</li> <li>• Usually</li> <li>• For the most part</li> <li>• In most cases</li> <li>• Generally</li> <li>• On the whole</li> </ul> | <ul style="list-style-type: none"> <li>• Also</li> <li>• Here</li> <li>• Much like</li> <li>• And</li> <li>• Identically</li> <li>• On one hand</li> <li>• In comparison</li> <li>• Similarly</li> <li>• Comparatively</li> <li>• In like manner To</li> <li>• Compared to</li> <li>• In the same way</li> <li>• Together with</li> <li>• Compared with</li> <li>• Just as</li> <li>• Equally</li> <li>• Likewise</li> </ul> |
|--|--|---|--|

| <b>Contrast/Opposition</b>   | <b>Emphasis</b>   | <b>Explanation</b>   | <b>Conclusion</b>   |
|--|---|--|---|
| <ul style="list-style-type: none"> <li>• Alternatively</li> <li>• Despite</li> <li>• Notwithstanding</li> <li>• Although</li> <li>• Even though</li> <li>• On the contrary</li> <li>• At the same time</li> <li>• However</li> <li>• On the other hand</li> <li>• Besides</li> <li>• In contrast</li> <li>• Rather</li> <li>• But</li> <li>• Nevertheless</li> <li>• Regardless</li> <li>• By contrast</li> <li>• Nonetheless</li> <li>• Though</li> <li>• Conversely</li> <li>• Unlike</li> </ul> | <ul style="list-style-type: none"> <li>• Additionally</li> <li>• Especially</li> <li>• Indeed</li> <li>• Again</li> <li>• Even more</li> <li>• In effect</li> <li>• Apart from this</li> <li>• Explicitly</li> <li>• In fact</li> <li>• By analogy</li> <li>• Furthermore</li> <li>• Markedly</li> <li>• Certainly</li> <li>• Importantly</li> <li>• Moreover</li> <li>• Namely</li> <li>• Significantly</li> <li>• To emphasize</li> <li>• Particularly</li> <li>• Specifically</li> </ul> | <ul style="list-style-type: none"> <li>• Additionally</li> <li>• Frequently</li> <li>• Moreover</li> <li>• Also</li> <li>• Furthermore</li> <li>• More specifically</li> <li>• And</li> <li>• In detail</li> <li>• Namely</li> <li>• Another reason</li> <li>• In like manner</li> <li>• As well</li> <li>• In other words</li> <li>• To clarify</li> <li>• Besides</li> <li>• In particular</li> <li>• To explain</li> <li>• By the same token</li> <li>• In relation to</li> </ul> | <ul style="list-style-type: none"> <li>• Accordingly</li> <li>• As a consequence</li> <li>• Because</li> <li>• Finally</li> <li>• In conclusion</li> <li>• In summary</li> <li>• Lastly</li> <li>• On balance</li> <li>• Overall</li> <li>• So</li> <li>• Therefore</li> <li>• Thus</li> <li>• To conclude</li> <li>• To summarize</li> <li>• Ultimately</li> </ul> |

## FINALIZE YOUR IRAC

After you've completed the process detailed on the previous pages, put your IRAC components in their correct order: **I**ssue, **R**ule, **A**pplication, **C**onclusion. Proofread carefully!

## ✓ Example completed IRAC Analysis

Will the State be able to prove beyond a reasonable doubt that Wonka “intentionally damaged” the Chocolate Factory with fire? To secure an arson conviction, §943.02(1)(a), Wis. Stat. (1996), requires proof that the accused “intentionally” damaged another person’s building with fire. Although Wisconsin’s arson statute does not define the word “intent,” Wisconsin Courts have interpreted the word “intentionally” as used in the statute.

The Wisconsin Supreme Court, while not defining “intent” directly, described the type of proof that would support a determination that the accused “intentionally” damaged another person’s building with fire: “Intent can be inferred from the following facts: use of an accelerant, the setting of the fire during a time of the day when the area is likely to be unpopulated, or any other facts tending to show hostility or intent to cause damage.” *State v. Johnson*, 349 Wis. 2d 894, 455 N.W.2d 338 (1988). In *Johnson*, the defendant, Randy Johnson, was accused of arson to a school. The school caught fire at 3 a.m. on Easter Sunday. A search of Randy’s home yielded some clothes that smelled of smoke and gasoline. The fire inspector’s report revealed the presence of gasoline in the area where the fire started. An empty gas can was found in the football field behind the high school. Witnesses also testified that Randy’s Chemistry class was scheduled to take a big exam the following Monday. Randy’s Chemistry teacher testified that Randy needed to earn an A on the exam or he would fail the class. The Johnson court held that this evidence was sufficient to prove that Randy intentionally set fire to the school, even though there was no evidence that he was seen in the area of the fire. As a result, Randy’s conviction of arson was upheld.

In a later case, the Supreme Court clarified the quantity and quality of proof based on inferences that is needed to support a determination of “intent.” *State v. Rodriguez*, 548 Wis. 2d 293, 560 N.W.2d 81 (1993). Specifically, the *Rodriguez* Court stated that more is required than just the presence of accelerants or vague suspicion. The Court clarified that proving “intent” beyond a reasonable doubt requires more than just evidence of the presence of accelerants at the site coupled with “vaguely suspicious” circumstances. In *Rodriguez*, a fire started on defendant Alex Rodriguez’s back porch at 5 p.m. on a Saturday, causing damage to his home. At the time of the fire, due to a renovation project at the home, the door to the back porch had been boarded up, such that Rodriguez needed to go out the front door and around the home to access the back porch. Rodriguez was at home when the fire started, and immediately called the fire department to report the fire. Several days later, Rodriguez made a claim with his insurance company, which denied the claim, calling the fire “suspicious” and noting that accelerants were present on the back porch where the fire started. Rodriguez testified that he always kept his grill, charcoal, and charcoal lighter fluid on the back porch. Witnesses for the insurance company were unable to describe any other evidence that the fire had been set intentionally. The *Rodriguez* Court held that this evidence was not sufficient to prove that he intentionally set the fire. As a result, Rodriguez’s conviction of arson was overturned.

Based on the *Johnson* and *Rodriguez* cases, a determination of “intent” needs to be based on objective evidence in addition to use of accelerants. The evidence should support an inference that the defendant had motive and desire to set the fire. Additionally, any “innocent” explanations for the circumstances surrounding the fire must be considered and weighed with all other evidence relating to a defendant’s intent to damage another person’s building with fire.

In this case, similar to the *Johnson* case, Mr. Wonka’s intent to destroy the factory can be inferred from many facts. The fire inspector’s report noted use of accelerants in several sites. The fire started sometime after 1 a.m., long after the factory was closed. Finally, a witness testified that he saw Mr. Wonka dancing around across the street from the fire, yelling repeatedly, “Burn, baby burn!” Unlike *Rodriguez*, here there is ample evidence in addition to the presence of accelerants that tends to show intent. All of these facts -- and especially the witness’ testimony -- demonstrate Wonka’s general hostility toward the factory, as well as his desire that the fire damage the factory. Therefore, the State will likely be able to prove beyond a reasonable doubt that Wonka “intentionally damaged” the Chocolate Factory with fire.

Now you have a cohesive, thorough and complete legal analysis that is easy to read and understand.

### Wash, rinse, repeat ...

Repeat the writing process detailed above for each Question Presented, using the same numbering system you used for your Questions Presented. Even if the Rules and Applications seem to overlap or be repetitive, it’s important to fully analyze each Question Presented separately, using IRAC structure for each one.

By now, you are deeply familiar with the legal standards, legal authorities, and legally significant client facts involved in answering the client's question. Resist the temptation to over-summarize! Legal analysis is meant to be detail-oriented; it's not meant to be a cliff-hanger murder mystery. That means there will likely be a fair amount repetition.

Next, you'll learn how to use the IRAC writing structure in the Discussion section of a legal research memorandum.

---

14: Using the IRAC Writing Structure is shared under a [CC BY-SA 4.0](#) license and was authored, remixed, and/or curated by Beth R. Pless, J.D. (Northeast Wisconsin Technical College).

- **1.16: Transitions and Signposting** by Jean Mangan, Brittany Blanchard, Gabrielle Gravel, Chase Lyndale, & Connely Doizé is licensed [CC BY-SA 4.0](#). Original source: <https://alg.manifoldapp.org/projects/legal-writing-manual>.