

ANSWERING LAW PROBLEM QUESTIONS USING IRAC BY SETH DOE ESQ.

- I. How to determine a problem question
- II. Preliminary Reading of Problem Question
- III. Answering the Problem Question using IRAC

I. How to determine a problem question

A problem question is usually a set of facts that leads to a matter of contention or dispute between two or more parties.

An essay question is usually a directive to discuss or analyze a specific topic sentence. It can be to review a case or provide an opinion on a matter. On average, the essay questions are shorter and more direct.

5 main features of a problem question

- A. There is more than one party involved.
- B. There are a set of facts in a narrative or storyline format.
- C. There is at least a matter in contention (issue) between the parties.
- D. You're usually required to advise a party in the matter.
- E. There is a legal forum involved such as a party seeking to institute an action at the court or seeking a legal remedy.

II. Preliminary reading of a problem question:

1. Identify every party irrespective of whether or not they have a legal matter, whether or not they are your client to advise, whether or not they are the accused or victim (criminal case).
2. Identify the features and status quo of the parties.
Determine whether they are natural or artificial parties, married parties or belonging to the same family, citizen or foreigner, landlord or tenant, lessor or lessee, individual or state party (arm of government/institution).
If it's an artificial party what's the status quo of that party?
3. Identify the relevant facts

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Arlene Macdonald



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