

How to write an essay answer

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There are many different essay writing techniques for law school exams as well as the bar exam. We believe that the most basic technique for essay writing is to use the IRAC method (Issue, Rule, Application, & Conclusion). The IRAC method can be utilized as follows:

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1. Read the question first. Determine the subject and spot the main issues. Number the issues and answer only the issues raised!
2. Read the essay question actively by underlining, highlighting, and boxing key information necessary to answer the issues raised.
3. Formulate an outline for your answer.
4. Reread, analyze and decide every issue; and
5. Write your answer.

Practice Essay Question #1

Twelve-year-old Billy purchased illegal fireworks from the Party Store (Assume there is a statute banning the sale of illegal fireworks). Billy brought the fireworks to the sidewalk in front of his school and began setting them off. As he lit a rocket, he stepped backwards into the street and was hit by a passing car. Billy's parents sued Party Store for negligence. Party Store admitted that its employee sold Billy the illegal fireworks, and then moved for summary disposition contending that the Plaintiffs had failed to state a claim upon which relief could be granted. Plaintiffs also moved for summary disposition.

Write a brief opinion for the trial judge analyzing and ruling on these motions.

Model Answer-Outline (IRAC):

1. Issue: Should the Plaintiff's and/or Defendant's motion for summary disposition be granted?
2. Rule: Define Negligence as "violation of a statute

3. Application:

a. Parent's argument: the Defendant admits liability by violating the statute.

b. Defendant's argument: No Probable cause

i. No probable cause

ii. No liability

4. Conclusion:

a. Plaintiff's Motion for Summary Disposition is denied

b. Defendant's Motion for Summary Disposition is granted.

Model Answer (IRAC):

Q#1

This is a Torts questions: Opinion of the Court

Issue: Party Store is guilty of violating a statute which makes the sale of fireworks illegal. Parents sue for negligence. Is the Party Store guilty of negligence?

I. Negligence (Rule of Law)

The elements of a negligence action are: duty, breach of the standard of care, proximate causation, and damages.

II. Violation of statute as prima facie negligence (Application of Rule and Facts)

Plaintiff's (Parents) Argument: Parents argue that Defendant admits to making the sale through its authorized employee, and therefore, admits to violating the anti-fireworks statute. Violating the statute creates a reputable presumption of negligence. Billy is protected by the statute.

Even without the statutory violation, Party Store may be negligent because it was foreseeable that a child would be hurt

by fireworks.Â

III.Â Proximate Cause (Application of Rule and Facts)

Defendantâ€™s (Party Store) Argument - Billy was injured when he backed away after he lit the rocket.Â Billy backed into the street and the path of a moving car.Â Billy caused his own injury by not paying attention to traffic and walking into it.Â The fireworks were not the most immediate proximate cause of Billyâ€™s injuries.Â

IV.Â Conclusion

Plaintiffâ€™s (Parents) motion for SMJ is denied.

Defendantâ€™s (Party Store) motion for SMJ for failure to state a provable claim is granted (i.e. there was no evidence of proximate causation).Â Case dismissed.Â

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