

IRAC: Exams versus Office Memoranda¹

IRAC and CRAC or CREAC are acronyms in the legal profession for the methodology that lawyers use to structure legal analysis: Issue, Rule, Analysis/Application, and Conclusion.

Two first year courses at Mitchell Hamline that conduct a deep dive into the structure of legal analysis are Legal Methods and Legal Analysis, Research, and Communication (LARC). Here are the focuses of these courses:

Legal Methods	LARC
Teaches a standard IRAC structure, which is suitable for law school exams and the bar exam because it facilitates the analysis of problems involving large numbers of issues largely resolved by the application of black-letter law.	Teaches a more advanced IRAC structure—usually referring to this structure as CRAC or CREAC—for use in legal practice when writing office memoranda or related practice-oriented documents that involve deeper analysis of a few issues that often require extensive use of cases and analogical reasoning, in addition to the application of black-letter law.

IMPORTANT: What law students are learning about the structure of legal analysis in these two courses is **not** different: LARC merely explores applying the IRAC/CRAC methodology in a different setting, which requires adding to the guidelines you learn in Legal Methods in several ways.

- Exam-writing in Legal Methods is focused on issue-spotting, laying out the black letter law, and doing a thorough analysis of how this law applies to a short hypothetical fact pattern. Law students must identify several issues, build several IRACs, and discuss the issues efficiently in a timed environment.
- The practice-oriented writing in LARC is focused on understanding a complicated client situation from a variety of materials, understanding several applicable cases, and engaging in an in-depth analysis not only of how the law applies to your client’s situation, but also how your client’s situation compares and contrasts to applicable cases.
- Both courses present the same fundamental structure of legal analysis.

Therefore, be flexible and appreciate the overlap and interplay between these two courses. By doing so, you will attain a higher-level understanding of how to structure legal analysis and how to analyze legal problems in different contexts. The following chart compares exam-oriented writing with practice-oriented writing and shows how the material you master in Legal Methods—even though it focuses on how to write exams—serves as a building block for practice-oriented writing in LARC and law practice:

¹ Written by Dena Sonbol, Tom Cobb, & Nicole Coon

	Exam-Oriented Writing - Legal Methods	Practice-Oriented Writing - LARC
		IRAC is also called CRAC or CREAC
I	<ul style="list-style-type: none"> • End the issue statement with a period. • Limit the issue statement to relevant facts and claim. 	<ul style="list-style-type: none"> • C: It is conventional in practice-oriented writing to begin with a conclusion instead of an issue statement. Some law offices or courts prefer to have a question rather than a conclusion. • Include detailed facts in the conclusion rather than just a bare legal issue statement.
R	<ul style="list-style-type: none"> • The rule paragraph(s) should contain the elements of the rule and their definitions. 	<ul style="list-style-type: none"> • The rule paragraph(s) are often more elaborate. They may be broken down by element and often contain the general rule in question, important definitions, more specific sub-rules, AND case illustrations. • The rule paragraph(s) should contain citations to primary authority.
A	<ul style="list-style-type: none"> • Legal Methods refers to the “A” as “Analysis.” • Exam-writing involves deductive/rule-based analysis. There are no case comparisons. • Counterarguments should be considered in exam-writing, typically by noting the point, followed by the counterpoint, and then stating which argument will prevail and why. 	<ul style="list-style-type: none"> • LARC generally refers to the “A” as “Application.” • Legal writing in practice often involves deductive/rule-based analysis AND analogical reasoning/reasoning by example. There ARE often case comparisons. • Counterarguments often need to be considered in legal writing in practice, and the discussion is often more extensive than in exam writing.
C	<ul style="list-style-type: none"> • All exams should include a conclusion. 	<ul style="list-style-type: none"> • All legal writing should include a conclusion.