IRAC Study Hall
IRAC Method Overview

• Issue

• Rule

• Analysis (or Application)

• Conclusion
One way to approach this:

• First, read the fact pattern
  – Jot down initial thoughts
  – What issues “jump out?”

• Second, read it again
  – This time, take more detailed notes of facts that may be significant

• Third, read it one more time.
  – Are you missing something that is not obvious?
What is the issue?

• What questions of law are in the fact pattern
  – Example: Did the defendant lifeguard owe a duty to rescue plaintiff swimmer who drowned while trespassing on a part of the beach?

• Are there any defenses?
  – Assumption of risk?
  – Consent?
  – Self-defense?
  – Public/private necessity?
Make an outline...

• Have a section for each issue you spot
• Identify the general rule for each issue
• List the relevant fact(s) under each rule
• Example
  – I. Issue
    • A. Rule
      – Relevant Fact 1
      – Relevant Fact 2
      – Relevant Fact 3
    » REACH CONCLUSION
Find the Rule!

• This is not the place to make your argument. Only discuss the applicable rule(s)

• Does the fact pattern itself identify a starting point?
  – Jurisdiction?
  – Does the problem tell you what cause of action at issue?

• Do you have to use Lexis?

• If in doubt, don’t forget non-legal search engines to start you in the right direction but remember these sources are NOT binding
  – Binding sources vs. non binding sources
    • Cases/Statutes
    • Websites
    • Your textbook or other course materials

• CITE ALL NON-ORIGINAL WORK IN YOUR RESPONSE
  – See NPC’s plagiarism policy
Analysis

• Apply the facts to the rule and make your argument!

• Are your facts similar to the cases you have found? (Analogize)
  – “The facts presented in the current matter are similar to *James v. Wade* because…”

• Are your facts not similar to the cases you have found? (Distinguish)
  – “The facts presented in the current matter are not similar to *James v. Wade* because…”

• Are there any exceptions under the statute?
Conclusion – Connecting the dots

• Summarize the main points of your Analysis section
• Reach a conclusion for each issue
• Add transitions to your outline to make it complete sentences/paragraphs
• Read the fact pattern one more time to make sure you didn’t miss anything
• Check your spelling and grammar!!!
Hypothetical Smith v. Bain

Tim Bain was about to turn 21. To celebrate, his parents, Robert and Katherine Bain, threw him a huge party at their lavish Miami Beach home the night before. All of Tim’s friends were invited, including many who already celebrated their 21st birthday. As such, Tim’s parents made sure there was plenty of wine and beer at the party, but decided not to buy any liquor.

Tim’s parents were very clear that alcohol consumption would be permitted only if the person drinking spent the night. Signs were put up around the house saying: “You must spend the night if you are drinking any alcohol – NO EXCEPTIONS.” Tim’s parents required each person to sign and date a contract providing: “I agree that if I drink any alcohol, I must spend the night at the Bain residence at 1234 Miami Beach, FL, no exceptions.”

Tim’s best friend, Russ Taylor, showed up with a bottle of scotch around 10 pm. Sure enough, the bottle immediately got passed around for shots. One of the attendees is Sara Estes, who turned 20 three months ago. Sara had been sipping on wine for most of the night until the bottle of scotch came her way. Since everyone else was taking a shot, she figured “What’s the harm?”
About an hour later, the party really got going. Russ poured out three remaining shots of scotch and asked Tim and Sara to finish with him. Since the scotch was Johnny Walker Blue, which happens to be outrageously expensive, but also very good, Sara and Tim agreed to take the shots.

At 1 am Sunday morning, the party started to wind down. Most people have crashed on the couch or floor. Russ passed out somewhere in the backyard. However, Sara and Tim were still awake on the couch. At this point, Tim had four shots of scotch and six beers. Sara had two shots of scotch, four glasses of wine and one beer.

After 45 minutes of listening to Sara ramble on about how *Keeping Up With the Kardashians* is “way better” than *True Life*, Tim lost his patience and moved in for a kiss. Unfortunately, Sara did not like being interrupted while discussing such an important topic, so she slapped Tim in the face, ran out the front door and sped off in her 2015 Ford Mustang GT.
Hypothetical *Smith v. Bain*

Five minutes into the drive home, Sara’s phone rang. It was Tim. Sara didn’t want to talk so she decided to send him a text while going 90 mph on the I-95 southbound lane. While she was texting, Sara lost control of the car and slammed into Jerry Smith, who was driving on the northbound lane. Jerry suffered massive injuries to his head and right leg.

Jerry now sues Robert and Katherine for $10 million in damages. Florida statute 768.125 is referenced throughout the complaint.

Please draft a memo that determines whether Robert and Katherine will be held liable for Jerry’s injuries solely based upon statutory liability created by Florida statute 768.125. Cite any relevant case law that supports your position.
Hypothetical - Practice

Please draft a memo that determines whether Robert and Katherine will be held liable for Jerry’s injuries solely based upon contract law principles. Cite any relevant case law that supports your position.