

NATHENSON.ORG: THE IFRAC STRUCTURE OF COURT OPINIONS, CASE BRIEFS, AND ESSAY WRITING

What is IRAC?

IRAC is a commonly used way of describing the basic structure of a law school essay, referring to *issue*, *rule*, *analysis*, and *conclusion*. In reality, the IRAC structure permeates other forms of legal writing as well such as court opinions and case briefs. Once you understand the purpose of these three forms of legal writing, you'll be better prepared to read opinions, write case briefs, and practice writing essay examination answers. As shown below, variants of IRAC (such as IFRAC or FIRAC) are commonly used paradigms of structuring several forms of legal writing that you will do in your first year. You should come back to this handout regularly as your understanding of legal writing and analysis expand. Early in the semester, however, you will want to use this handout to help you to understand *reading* cases and *briefing* cases. [A case-briefing template based on this handout can be found here.](#) You should use it in writing your case briefs for this class.

What is IRAC? IFRAC? FIRAC?

ISSUE: the legal question or questions that the court must answer.

FACTS: includes historical facts, legally relevant facts, and the procedural posture of the case.

RULE: the law that resolves the legal question(s).

ANALYSIS: The reasoning, i.e., *rationale*, that explains and justifies the court's decision.

CONCLUSION: The *holding*, i.e., what the court did legally and procedurally

The audience, purpose, and structure of opinions, briefs, and essays

	Audience (who you are writing for)	Purpose	Structure
Court opinion	Litigants, other judges, lawyers, professors, law students, other branches of government, public	To inform the audience of the holding (outcome) of the case as well as its rationale (the underlying reasoning); to persuade that audience of the correctness of the result.	IFRAC
Case brief	Yourself	To prepare for class; to learn the material; later, to review and to outline	FIRAC
Essay answer	Professor	To demonstrate: 1) your level of knowledge of the material; 2) your ability to do legal analysis; and 3) your ability to provide a well-written and organized essay	IRAC

The basic structure of opinions, briefs, and essays

Court opinions	Case briefs	Essay answers
<p><i>Structure: IFRAC</i></p>	<p><i>Structure: FIRAC</i></p>	<p><i>Structure: IRAC</i></p>
<p><i>Issue:</i> Many court opinions begin with a recitation of the main issue or “question presented.” Look for portions of the opinion that identify the issue.</p>	<p><i>Facts:</i></p> <ul style="list-style-type: none"> ● Case name & citation ● Procedural history & posture ● Legally material historical facts ● Statement of the case: a short blurb explaining what the case is about 	<p><i>Do not provide raw facts!</i> Do not bother telling a story. No need to include a recitation of facts because they are provided in the fact pattern; instead, use facts as part of your analysis.</p>
<p><i>Facts:</i> The opinion will typically provide the materially relevant historical facts as well as the procedural history & posture of the case. If the opinion is written by an appellate court, the opinion will also typically explain what was decided in the lower courts.</p>	<p><i>Issue:</i> The question(s) the court must decide. Note that there may be multiple issues and sub-issues.</p>	<p><i>Issue:</i> Articulate the legal question to be answered. You can often find this in the “call of the question.”</p>
<p><i>Rule:</i> The court will next determine the law to be applied. In some cases, the court will simply articulate the governing law. In other cases, the court will need to decide what the law is.</p>	<p><i>Rule:</i> The law the court’s decision is based on. That law may be the Constitution, a Congressional statute, a FRCP, judge-made law, or a combination. Also, there may be multiple rules depending on the complexity of the issues.</p> <p>It is well worth noting pinpoint cites of relevant rules in your case briefs as I often ask in class where the relevant law can be found in the court opinion.</p>	<p><i>Rule:</i> Articulate the governing law. Note that in essays involving multiple issues or sub-issues, you may have to do multiple IRACs.</p>
<p><i>Analysis:</i> The court will apply the law to the facts. In doing so it will typically take care to justify the decision and to address any worthy counterarguments.</p>	<p><i>Analysis:</i> The court’s rationale or reasoning (why the court did what it did). P.S., “rationale” and “reasoning” mean the same thing.</p> <p>Important points should also have pinpoint cites.</p>	<p><i>Analysis:</i> Provide analysis, i.e., apply the law to the facts. This will require providing counterarguments when there is a plausible counterargument to be made.</p>
<p><i>Conclusion:</i> The court will typically close by indicating its holding, i.e., the result of the decision. This may mean reversing, vacating, or affirming. Pay close attention to the holding, as it sometimes means the case is over and other times means the case will continue.</p>	<p><i>Conclusion:</i> The court’s holding (what court did legally & procedurally, the result).</p> <p>Note that courts oftentimes use the words “holding” interchangeably to refer to: 1) the rule of law; and 2) the outcome of the case. For class purposes, “holding” refers to the outcome of the case.</p>	<p><i>Conclusion:</i> Provide a sub-conclusion for each sub-issue as well as an overall conclusion.</p>