

THE BASICS OF ESSAY ANALYSIS

The Basics:

1. Narrow your issue
 - a. NOT “Did Tania’s letter constitute an offer?” or “Was an offer made?”
BUT **“Did Tania’s letter constitute an offer to Tommy?”**
2. The Rule
3. Transition Words (used after the rule/rule explanation section to signal that you’re moving onto applying the rule to the facts you were given):
 - a. HERE
 - b. IN THIS CASE
 - c. IN THE INSTANT CASE
4. In your analysis, link each element of the rule to a specific fact using words like:
 - a. BECAUSE
 - b. WHEN
 - c. SINCE
5. Comparison Words (to be used when you’re comparing / distinguishing a case from your given facts):
 - a. LIKE [____]
 - b. UNLIKE [____]
 - c. SIMILARLY
 - d. *IN CONTRAST*
6. Do not make up facts, but tell your reader what facts you need to know in order to resolve the issue and how the analysis may differ based on what the missing fact is

Doing this in a fact pattern: The Basics

1. The prima facie case: ie duty, breach, causation (but for and proximate)
2. Which one do we have to talk about the most? Lets say it is breach.
3. Still apply the rule to the facts for the other elements
4. Breach will perhaps need a little more expanding on the rule, perhaps more assumption of facts, and back and forth
5. Exceptions (its own IRAC)
6. Defenses (its own IRAC)