

PROBLEM QUESTION ANSWERS (1): AN OVERVIEW

SL: Hi, I'm Sabrina.

EN: And I'm Eric. Welcome to the Quick Guide to Legal Writing. In this series, we'll explore a number of language tips for writing answers to problem questions.

SL: As a law student, do you ever find yourself wondering how to answer hypothetical legal problem questions? You know the kind: you're provided with a set of facts and asked to give legal advice. If you ever have to do this kind of assignment, then stay tuned. This series should be useful for you.

EN: Right. We'll be demonstrating a way to organize your answer called IRAC: Issue, Rule, Application, Conclusion. IRAC allows you to discuss the legal consequences of a factual situation in a systematic and logical way.

SL: Be careful though, IRAC is not the only way to organize an answer to a legal problem question: it's just one strategy among many. Don't make the mistake of being overly rigid in your approach: when you answer a problem question, you need to organize it in a flexible way that takes into account the specific facts and legal issues raised.

EN: Throughout this series, we'll use examples from a Business Law problem question that we found in our exam database. Here's what happened:

SL: One day, Susan bought a hair dryer from a shop called 'Hair Goods'. The hair dryer was manufactured by Hair Production Co. Ltd., which had advised retailers to test it for efficiency and safety before selling. Now, this wasn't just any old hair dryer. It was a new kind that dried hair very quickly, by generating a lot of heat.

EN: Now, on the box of each hair dryer there was a warning label which said, "User must not use the hair dryer with wet hands. For further information and advice on this product, please contact Hair Production Co. Ltd." So, this hair dryer generates a lot of heat and can't be used with wet hands.

SL: When Susan bought the hair dryer from Hair Goods she also bought some hair tonic to use with it, and this hair tonic contained a small amount of alcohol. Susan first washed her hair, then applied the hair tonic and began to dry her hair. Unfortunately, her hands were still wet at this point in time. Almost immediately, flames started in the hair dryer and Susan's hair caught fire! Poor Susan suffered serious injuries as a result. One of the weaknesses of the hairdryer was that it could not be used together with anything that contained alcohol, so Susan decided to sue the retailer (Hair Goods) and the manufacturer (Hair Production Co. Ltd.) for her injuries.

EN: As you can see, the case of the exploding hairdryer involves three possible parties: Susan, the woman who was injured by the hair dryer; Hair Goods, the shop which sold the hair dryer to Susan; Hair Production Co. Ltd., the manufacturer of the hair dryer.

SL: The main issues are: 1) whether Hair Production, the manufacturer, is liable for Susan's injury in an action for negligence; and 2) whether Hair Goods, the retailer, is liable for Susan's injury in an action for breach of contract.

EN: In upcoming episodes, you'll learn the legal writing skills that you need to answer this problem question. By the end of the series, answering legal problem questions should be a breeze!

SL: Thanks for watching, and see you in the next episode!

EN: Bye-bye!