

Self-Evaluation for the Legal Analysis Section of a Document (Memo, Brief, Scholarly Writing)

I. LARGE-SCALE ORGANIZATION

- A. Have you started your analysis section with a roadmap that previews the law (or your arguments)?
- B. Create a reader-based outline by reading only your topic sentences and writing a one- or two-word description of the point of each topic sentence. Does this “reader-based” outline match the outline you created before writing the document?
- C. Read the substance of each paragraph. Does the paragraph actually discuss the issue that your topic sentence addresses?
- D. Do you provide a conclusion at the end of each section to let the reader know that you have completed the discussion of that section, and to tell the reader your reasons for the outcome or your argument for that section?

II. LEGAL ANALYSIS

- A. Do you present and explain the rule or policy that applies to each particular issue?
- B. Do you analyze that rule, using statutory interpretation techniques, case analogies, policy arguments, or regulatory interpretations?
- C. Do you apply the facts (or your arguments) to the law for clear comparisons?
- D. When using cases, do you set out the facts, reasoning, and holding of the prior cases and clearly compare them to our facts to reach a clear conclusion?

III. PURPOSE

- A. Do you present arguments for both sides of each issue you address?
- B. Do you answer the question for the lawyer or provide a clear thesis?
- C. Is your answer or thesis consistent throughout the document?

IV. CITATION & POLISHING

- A. Did you cite to legal authority correctly?
- B. Have you checked for sentence structure and grammar issues?
- C. Have you proofed for typos (beyond spell check)?