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## **Legal Reasoning The Methods Of**

Legal reasoning is a method of thought and argument used by lawyers and judges when applying legal rules to specific interactions among



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legal persons. Legal reasoning in the case of a court's ruling is found in the 'Discussion or Analysis' section of the judicial ruling. It is here that the court gives reason for its legal ruling, and it helps other courts, lawyers and judges to use and follow the ruling in subsequent proceedings.

**What is Legal Reasoning (and how**

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**to apply it correctly)?**

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This article will throw more light on that question. The laws

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made by the legislature are to be interpreted by the judiciary in case of disputes. Since the law is usually expressed in a general language, it means the lawyers of the parties and the judge has to determine through practical reasoning whether the law applies to particular facts.

## **METHODS OF LEGAL REASONING**

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Tip of the Week: Five Methods of Legal Reasoning

1. Rule-Based Reasoning:
2. Reasoning by Analogy.
3. Distinguishing Cases.
4. Reasoning by Policy.
5. Inductive Reasoning.

## **Legal Skills Prof Blog - TypePad**

WHAT IS LEGAL REASONING. The main purpose of studying legal method is to equip the law student

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with the right tools to enable him to think like a lawyer. This is what would be addressed by discussing legal reasoning. To understand it better, it would be best if the meaning of legal reasoning is expatiated upon.

## **LEGAL REASONING AND APPROACH TO PROBLEMS - The Jet Lawyer**

legal reasoning are the

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tools of the lawyer's trade. In this section, we learn about these tools and practice using them creatively.

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The first step in effective legal reasoning is the ability to read a legal rule – such as an article in a code – and figure out how it works. Laws are often written in a way that makes them difficult to understand.

## **Forms of Legal**

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## **Reasoning**

Finally, legal reasoning is dialectical reasoning; it is characteristically concerned with the weighing of opposing claims, whether expressed in legislative debate, in forensic argument, or the like.

These three basic characteristics of legal reasoning impose upon it certain logical requirements.

## **Legal Reasoning |**

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## **Encyclopedia.com**

The book attempts to describe and criticize four methods used in legal practice, legal dogmatics and legal theory: logic, analysis, argumentation and hermeneutics. Apart from a presentation of basic ideas connected with the above mentioned methods, the essays contained in this book seek to answer questions concerning...



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## **Methods of Legal Reasoning | Jerzy Stelmach | Springer**

Though it sounds really simple, legal reasoning or analysis may not be that simple, especially for law students. So various methods have been formulated to make the process easier to understand. IRAC is one such method of legal reasoning.

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## **Explanation of IRAC Method of Legal Reasoning with ...**

The IRAC Method. The IRAC method is the standard of legal writing, structured to communicate logical reasoning in a precise fashion. The key to such precise communication is to give the audience an efficient and effective argument by presenting all pertinent facts, applicable rules,

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and the logical framework of that argument.

## **The IRAC Method | Law School Survival**

Abductive reasoning is one reasoning method used in the scientific method (although the method is deductive at its core, abductive reasoning can be used to help us “imagine” hypotheses and tests which can then be applied to the method).

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## **The Different Types of Reasoning Methods Explained and ...**

Legal reasoning is the particular method of arguing used when applying legal rules to particular interactions among legal persons. While particularly relevant to the

**LEGAL REASONING - UMass**  
AN INTRODUCTION TO

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LEGAL REASONING

EDWARD H. LEV,\* THIS

I is an attempt to describe generally the process of legal reasoning in the field of case law and in the interpretation of statutes and of the Constitution. It is important that the mechanism of legal reasoning should not be concealed by its pretense. The pretense is

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## **An Introduction to Legal Reasoning**

Methods of Legal Reasoning from a Postmodern

Perspective. Pages 211-221. Back Matter. Pages 223-234. PDF.

About this book.

Introduction. The book attempts to describe and criticize four methods used in legal practice, legal dogmatics and legal theory: logic, analysis, argumentation and

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hermeneutics. Apart from a presentation of basic ideas ...

## **Methods of legal reasoning | SpringerLink**

The subject of legal reasoning appears to occupy the more practical end of the spectrum of jurisprudential theorising. Surely if anything matters in our attempts to understand law, it matters how

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judges do and/or  
should decide cases,  
and that we have an  
account which  
adequately explains  
and can perhaps be  
used to guide or justify  
their activities.

## **Interpretation and Coherence in Legal Reasoning (Stanford**

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2007] DISCOVERING  
THE LOGIC OF LEGAL  
REASONING 1689 B

however, is a  
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concerted effort within our profession to articulate the general logic of our method of reasoning, and to do so in a way that is useful in solving legal problems and which provides us a normative ideal of sound reasoning.

## **DISCOVERING THE LOGIC OF LEGAL REASONING**

I. Legal Reasoning B  
Generally, All legal

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reasoning follows one path. No legal

argument can be accepted or rejected without all of the

following pieces. 1)

Issue - What specifically is being

debated? 2) Rule -

What legal rule governs this issue? 3)

Facts - What are the facts relevant to this

Rule? 4) Analysis -

Apply the rule to the facts.

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## **I. Legal Reasoning - Generally - MIT**

### **CSAIL**

MODULE 3 - Various Approaches to Legal Reasoning Introduction to Legal Reasoning

MODULE 4- Reading, interpreting and Analyzing Law 4.1 Statutes and

subordinate legislation 4.2 Cases MODULE 5 -

Logical Reasoning and Analysis 5.1 Basic

Concepts in Logic and Legal Reasoning:

Read Book Legal Reasoning The Methods Of Propositions, Arguments, Explanations, Paraphrasing (3 hours)

**Legal Methods - Course Outline**

The main arguments of the proponents of the IRAC methodology say it reduces legal reasoning to the application of a formula that helps organize the legal analysis. Since an organized legal

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analysis is easier to follow and reduces errors in reasoning, therefore, the proponents argue that the IRAC is a very useful tool.

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