

A Simple Analytical Peerceptiv Assignment

The assignment below calls for students to draft and review a simple IRAC (issue, rule, application, conclusion) legal analysis. I have also used Peerceptiv for assignments calling for students to draft an evaluative rule explanation paragraph, an evaluative rule application section, and a statement of facts, either evaluative or persuasive. This assignment can be adjusted for any of those purposes and for many, many more.

Instructions

Draft a simple IRAC analysis of the legal issue presented by the following hypothetical (Dressler & Garvey, 2022). A good answer will start with a clear statement of the issue followed by a statement of all applicable legal rules. Next, the essay will apply the rules to the facts, pointing out where the facts do AND DO NOT meet the legal standard. A good answer will end with a clear answer to the question posed by the assignment.

Your submission should be submitted no later than 11:59 p.m. on Day 0. All reviews must be completed no later than 11:59 p.m. on Day 4. All feedback on reviews must be completed no later than 11:59 p.m. on Day 6. The writing score will constitute 30% of the assignment score. The reviewing score will constitute 50% of the assignment score. The feedback score will constitute 20% of the assignment score. This is an ungraded assignment. Scores are solely for your information.

Hypothetical

Howard and Wilma, husband and wife, were sitting at their kitchen table late one evening, arguing angrily with one another about their family finances. Wilma had recently lost her job and she was still looking for a new one. As a result, she wanted to economize dramatically in all family spending, at least until she was back at work again and bringing home a regular paycheck. Howard, on the other hand, thought that Wilma would get another job soon

and he argued that, until she did, their family's continuing quality of life was more important than keeping their savings account intact. More specifically, Howard wanted to dip into their savings to pay for a trip for them to take their two kids to Disney World for a few days.

Wilma thought that it was absolutely ridiculous to take a vacation like that when it would so heavily deplete their savings at a time when she was unemployed. Their argument raged on and on. Each of them got really carried away arguing with one another. And each of them got progressively angrier and angrier. As their arguments got more heated, they each began screaming at one another as well. Eventually, still screaming, Howard bolted upright and walked over to the kitchen counter, picked up the toaster oven, and heaved it in Wilma's direction. It missed her by two feet, sailing over head, and smashing against the back wall.

Wilma then jumped up and picked up a dinner plate that had been sitting on the counter and threw it at Howard, missing him by a good foot and smashing it against the wall. After another five minutes of exchanging heated epithets back and forth, Wilma simply stomped out the kitchen door and went into the backyard, fuming about what was happening and muttering loudly about Howard. After another five minutes had passed, Wilma stomped back into the kitchen, slamming the kitchen door behind her. She began yelling once again at Howard, who was still sitting at the kitchen table at that point, his head in his hands.

Wilma headed toward the knife rack on the kitchen wall. "Look," Howard began to say to Wilma, head still in hands, not looking up, "I'm sorry I overreacted just a little bit there. I shouldn't have thrown anything at you, I know, but you're being so irrational that—..." Before Howard could finish this sentence, however, Wilma screamed at him, "I'm irrational? I'm irrational? You son of a bitch! Is this irrational?" And saying that, she quickly grabbed a long,

serrated kitchen knife from the rack and lunged right at him, stabbing him in his back three times.

The family did not go to Disney World. Howard subsequently died as a result of these stab wounds. Wilma has now been charged with first degree murder in the killing of Howard. Is she likely to be found guilty of this offense? Why or why not?

Rubric & Comments

For each criterion listed, please rate the submission on a scale of 1 to 5:

- 1 This submission meets this criterion as well as any of the samples we reviewed in class.
- 2 This submission falls between a 1 and a 3.
- 3 This submission meets this criterion pretty well but leaves some room for improvement.
- 4 This submission falls between a 3 and a 5.
- 5 This submission does not clearly meet this criterion.

Criteria

Rate each criterion on the above scale from 1 to 5. Unless you use a 1 rating, please explain specifically why you gave the rating you did and constructively how the submission could be improved to warrant a higher rating.

- Does the answer begin with a clear issue statement that includes the legal standard and the most critical legally relevant facts?
- Does answer accurately state the portions of any rules and exceptions needed to analyze and decide the issue?

- Does answer fully and accurately apply the stated rule to relevant facts, identifying any nuanced distinctions, counterarguments and uncertainties?
- Does answer accurately state the portions of any rules and exceptions needed to analyze and decide the issue?
- Does answer state and justify correct conclusion or, if debatable, provide a principled basis for the conclusion chosen?
- Is submission written and organized so that it is easy to understand?

Feedback

For each review you receive, please rate the feedback for helpfulness on a scale of 1 to 5, with 1 being the most helpful and 5 being the least helpful. If you choose any rating but 1, please explain how the feedback could have been more helpful to you. Remember that you are not evaluating whether you liked or agreed with the feedback but rather, if you were going to take the reviewer's suggestion, you would have enough information to do so.