

# WestlawNext CANADA

## Guidelines for Writing Legal Memoranda\*

The purpose of the legal memorandum is to answer one or more legal questions in the context of a specific set of facts. It should contain a thorough analysis of the relevant law and provide a well-reasoned answer to the questions posed.

*Generally speaking* there are seven main sections:

1. **Heading** – Your name, date, client involved and subject matter.
2. **Introduction** – Additional information on client, why the questions were asked and how the answers will be applied.
3. **Facts** – Detailed description of the *relevant* facts.
4. **Issues** – Outline the issues (and sub-issues) you have been asked to analyze. Frame them in terms of questions that you will ultimately answer. This is an on-going process.
5. **Conclusion** – Summarize the analysis and answer the questions set out in the *Issues* section.
6. **Analysis** – The facts are applied to the law to answer the questions posed. You should follow the sequence set out in the *Issues* section.
7. **List of Authorities** – Every statement **must** be supported by the case law and legislation you referenced or relied upon.
8. **Bibliography** – Include a list of all secondary sources consulted.

**Note:** The law firm or department where you work may have its own memorandum template that you must use, and may look different than the one described above.

\*Nancy McCormack, John Papadopoulos and Catherine Cotter, *The Practical Guide to Canadian Legal Research, Third Edition, Carswell, 2010.*