

Balancing the Arguments, Union of Saints

Legal term	Meaning
Adversarial reasoning	Examining opposing arguments, including the plaintiff's claims and the defendant's defenses.
Issue spotting and legal analysis	Identifying the legal questions, examining the facts, and applying the law to reach a conclusion.
Balancing the arguments	Evaluating the strengths and weaknesses of both sides' positions and supporting evidence.
Impartial adjudication	A judge or other authorized decision-maker evaluates both sides fairly and reaches a decision.
Weighing the evidence	Assessing the credibility, reliability, and persuasive force of the evidence presented by each side.
Deliberation	The process by which a judge or jury considers the evidence and arguments before reaching a decision.
Devil's advocacy	Deliberately challenging one position by considering the strongest counterarguments to test whether a conclusion is sound.

Looking at the case from both the plaintiff's and defendant's perspectives before deciding who should prevail, I would describe that as balanced legal analysis followed by impartial adjudication.

Lawyer's method of preparing a case, anticipating and rebutting opposing counsel's arguments. A lawyer examines the strongest version of the other side's case, identifies weaknesses in their own position, and develops responses.

For law school, this can be practiced through the IRAC or FIRAC method:

- F — Facts: Identify the relevant facts.
- I — Issue: Determine the legal question.
- R — Rule: Identify the applicable law.
- A — Application: Apply the law to both parties' arguments.
- C — Conclusion: Determine which argument is stronger under the applicable law.

In a civil case, the plaintiff generally must prove the claim by a preponderance of the evidence, while the defendant may challenge that proof or establish a defense. In a criminal case, the prosecution must prove guilt beyond a reasonable doubt.