
Writing Samples

A writing sample provides an employer with an example of how you organize and express your thoughts on paper. Your writing sample should highlight your legal reasoning and analytical skills, and should convince an employer that you can write clearly and concisely.

When Does an Employer Want a Writing Sample?

There is no hard and fast rule about submitting writing samples. Some employers request that writing samples accompany resumes and cover letters; others collect writing samples during the initial interview; and some ask for writing samples at call-back interviews. If you were not required to submit a writing sample prior to an interview, make sure to bring a copy of your writing sample to your interviews so you will be prepared to present it if requested. Be ready to discuss your writing sample in detail in an interview. As with all application documents that you submit to a potential employer, you must be prepared to explain all aspects of your writing sample. This may include a detailed description of the background facts, how and where you conducted legal research, your legal analysis and how you arrived at your legal conclusion(s).

What Type of Content Does a Legal Employer Want?

1. Provide legal writing. An employer wants to see a *good, legal* writing sample rather than work written prior to law school. This legal writing sample can be a piece you drafted for a legal writing course, or work you completed for a legal employer. Any non-legal writing you want to give employers should only supplement the legal writing sample you do provide.

2. Provide something from an actual or simulated legal position. Most employers ideally want to see legal writing that you wrote while working as a law clerk or an extern. If you do not yet have a sample like that, an alternative is a school exercise that mimics a “real world” product, such as a memorandum or trial brief written for a legal writing course. When using a writing sample that you drafted for a class, choose the assignment that earned the highest grade, and incorporate your professor’s comments and edits into your final writing sample. **Avoid** law review or other scholarly writings, which are customarily reviewed and edited extensively, and not accurate representatives of the time it would take for you to produce a document on the job. *Be sure to read Point #6!*

3. Provide persuasive writing, if possible. Your ability to write persuasively can give employers some degree of measure when they attempt to evaluate your advocacy skills. A well-written memorandum of points and authorities or a trial brief are excellent choices to use as a writing sample. Other non-persuasive, analytical kinds of writing, such as a bench memorandum for a judge, will work as well. You should **avoid** writing samples that do not require research, or are scholarly rather than practical in nature. Also, **avoid** using writing samples about lurid or

sensational subject matters. Finally, **avoid** writing samples about arcane subjects, **unless** you are sending them to employers who can appreciate them.

4. Provide something recent. Ideally, your legal writing skills should improve with time and experience, and employers are interested in your current skill level. Therefore, try to provide a writing sample you drafted within the last two years.

5. Provide your own work. At times a student may choose to submit a writing sample that is the result of a collaborative effort, or one that may appear to be someone else's work. If either situation is your case, you must provide an explanatory note that identifies which part of the sample is your original work. Even if you attach an explanatory note, it is still very easy for the employer to mistake someone else's writing for your work. Make it easy on the employer by drawing an "X" through, or deleting, the portions of the sample you did not write.

6. Obtain permission to use a product written for a job or externship, and redact confidential/sensitive information. If you use a sample from an employer or externship, you **must ask permission** before using the sample and **redact any confidential information**, such as the party names. It does not matter how well you write if you have demonstrated poor judgment and thoughtlessness by failing to remove all client names and other confidential information. If you must delete confidential information, insert fictitious material; it helps to maintain the flow of the text and makes the writing sample easier to read.

How to Edit, Format and Present Your Writing Sample:

1. Provide five to ten double-spaced pages. Always follow an employer's specific guidelines regarding a writing sample's length. If an employer does not set a minimum or maximum page limit, try to keep your writing sample between five and ten double-spaced pages. If you have chosen a sample that exceeds the employer's requirement (or exceeds ten pages), you should cut the sample to an acceptable length. If you do so, make sure that you do not delete any necessary context, and annotate the cover page—"I omitted Arguments IV and V." Put such annotations on your cover page, which should include your name, contact information, and an explanation of when and for whom you wrote the product.

Tip: If you are unsure as to what employers want, simply ask them.

2. Provide neat, well-edited writing samples employers can readily understand. Proofread your writing sample several times. Writing samples should be free of spelling, grammatical and typographical errors. They should be easy to read, with ample margins and readable font, neatly typed on plain white or off-white paper, and well-written (clear, concise, and coherent). Finally, include your name and **page numbers** on every page of your writing sample.

3. Always include a cover page with YOUR NAME ON IT! Believe it or not, your name is the most important and most often forgotten information on the writing sample. Make sure to draft a cover page that includes the same "heading" (with your name and contact information) from your resume and cover letter. In addition to your name and contact information, the writing sample cover page should include an explanation of when and for whom you wrote the product. If a writing sample is an excerpt of a longer piece, describe the nature of the larger document and provide context and background information regarding the excerpt.

Sample Writing Sample Cover Pages Appear Below

**ALLY McBEAL
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Writing Sample

This writing sample is an office memorandum, in its entirety, regarding whether a client may have a viable claim for intentional infliction of emotional distress pursuant to Illinois law. I drafted this memorandum for my Legal Writing I course in Fall 2011.

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Writing Sample

This writing sample is a portion of a Motion to Dismiss filed in the Circuit Court of Cook County in March 2012. I drafted this Motion on behalf of client “Good Guy Corporation,” a Third-Party Defendant, who sought to dismiss Counts II and III of “Peter Plaintiff’s” Third-Party Complaint. My supervising attorney, John Smith, reviewed this Motion and signed the final product before filing. Mr. Smith gave me permission to use this Motion as my writing sample, and he made minimal edits to the argument section.

The Motion has been excised for length and redacted to protect the identities of the parties. The original Motion sought dismissal based on three independent grounds; however, only sections one and two are included in this writing sample.