

YOUR WRITING SAMPLE

While your cover letters and resumes are obvious writing samples, you should be prepared to submit a formal legal writing sample as well. While a writing sample alone will not get you a job, *it clearly can be your undoing* if you submit something inappropriate. The following are some tips for selecting your writing sample.

1. Text of Writing Sample

A writing sample must be entirely your own work. Do not plagiarize. Not only could plagiarizing prevent you from getting a summer job, it could potentially prevent you from being certified to take a bar examination upon graduation. Thus, do ensure your sample is entirely your own work. Many first year students use the memorandum they prepared for their legal writing course in the fall.

A writing sample should demonstrate your ability to analyze a legal issue.

Consequently, the sample should contain a set of facts, a discussion of the relevant case or statutory law, and a conclusion drawn from the application of the law to the facts. Using these guidelines, writing samples that may be *inappropriate* include a book review, university thesis, or paper for a law school seminar based on a more jurisprudential topic. If you have written something that has been published, you might offer this as a secondary sample if asked. Students often use a memorandum prepared for their first-year legal writing class or an original piece written specifically for this purpose.

Your writing sample should be substantially unedited by anyone else. For obvious reasons, a sample that was substantially edited by a journal editor or a legal employer or that was coauthored will not be given much weight. If significant parts of the sample were not edited, you may indicate those parts on the document. If you have an *unedited* sample that might appear to have been edited, it is acceptable to attach a cover sheet with a brief explanation saying, “The following is an unedited memorandum I wrote as a paralegal at Arnold & Porter. I have been given express permission to use it as a writing sample.”

If you select a document originally prepared for an employer, you must also be careful not to breach any confidences or attorney-client privileges. You must obtain permission from your employer before using such a sample and, as addressed above, you might want to explain this on a cover sheet. If you need to redact confidential information such as a client name, it is preferable to rename the client generically and to inform the reader of this change on a cover sheet or in a footnote (*e.g.*, ABC Corporation). Please have your legal writing instructor review your writing sample before submitting it.

2. Length

Although there is no definitive length for a writing sample, a 5-10 page document is ideal. If your sample has fewer than 5 pages but clearly shows your analytical ability, use it. You may use a section of a larger work, but if you do, be sure to preface the sample with an explanatory note that (1) explains the larger task and the selected issue(s), and (2) offers any facts necessary to a full understanding of the excerpted analysis. In other words, conceptualize the sample. Your explanatory note may be composed on a separate

cover page or included as an introductory paragraph at the beginning of your writing sample.

If you redact internal sections of a document in order to shorten it, make this clear to the reader so that if it is a legal area they are familiar with they do not assume that you left out an important argument. For example, if you are using a memorandum or brief that has separate sections, you could redact one section but leave its title:

II. Mr. Smith's failure to read the arbitration clause is probably not a valid defense.

This section of the memorandum was redacted for the sake of brevity.

3. Final Tips

Your writing sample may be submitted on regular, photocopy quality paper. It should be stapled in the upper left-hand corner. Make sure each copy is clean and neat.

Proofread. Your goal is to submit a document that is free from errors in spelling, grammar and punctuation, as it *will* be checked for errors, even in citation form.

Candidates routinely lose potential jobs due to sloppy writing samples.

You do not need to submit a writing sample to an employer until it has been requested.

However, you should bring copies of your writing sample to all interviews.