The Writing Sample

The purpose of a writing sample
The purpose of a writing sample is to illustrate how you organize and express your thoughts in writing. Legal employers use the writing sample to determine whether your skills and abilities meet their standards. Your writing sample should demonstrate your legal reasoning and analytical skills as well as your ability to communicate succinctly.

When to submit a writing sample
You should submit a writing sample when an employer specifically requests it. It is also appropriate to take copies of your writing sample to an interview and provide a copy upon request. Generally, you should not send a writing sample when sending networking letters or when responding to a job announcement and the employer did not request one.

The type of writing sample you should submit
Legal employers want to see a legal writing sample and not work written prior to law school. Acceptable writing samples include memoranda, briefs, drafts of law review articles, and trial court motions. Some employers prefer a persuasive writing sample that will allow them to evaluate your written advocacy skills while others will accept a predictive, analytical writing piece such as a bench memorandum for a judge. Currently, there is an on-going discussion on submitting law review articles and scholarly writings given the rigorous editing process.

Sources for a legal writing sample include writing assignments from your law school writing classes and real-world examples from legal internships, externships, clinical placements or current legal job. When possible, your writing sample should fit the type of practice of the prospective employer; however, the ultimate criterion should be the quality of the writing. You should also avoid lurid material that may distract the employer from the merits of the writing and leave a negative impression.

Your own work
A writing sample must be your own work product. If you select a writing sample that is the result of a collaborative effort, you must excerpt or identify the sections that you wrote.

Include a cover page
It is recommended that you prepare a cover page for each writing sample. The purpose of the cover page is to provide context and information on why and when the sample was created (class assignment, internship, etc.). The cover page should also include information on edits, redactions and, if excerpted, provide an explanation of what sections are being submitted and omitted.
Your cover page should be brief (do not exceed one page) and follow the same format of your cover letter or resume with your name and contact information at the top of the page. It should also include a simple header centered at the top identifying it as a writing sample cover page. The header can be as simple as ‘Writing Sample.’

**Proper length**
If an employer sets a minimum or maximum page limit, you should adhere to those specifications. If, however, the employer does not, the general consensus is that it should be between five to ten pages in length, double-spaced and reflect work written within the past eighteen to twenty-four months. It is important to note that there are some exceptions when applying for judicial clerkships.

If your sample exceeds the page requirements, you can select an excerpt from the sample as long as you provide an explanation in the cover page explaining the context of the excerpt, including facts and issues that will provide the reader with a complete understanding of the work product. You should also ensure that the selected excerpt demonstrates your analytical and legal reasoning skills and ability to communicate clearly and concisely.

**Obtain permission and redact confidential/sensitive information**
If you are using a real-world writing sample, you should obtain permission to use it and redact confidential or sensitive information that would reveal the identity of the clients or attorneys, even if that information is in a public record. You can use general titles such as Plaintiff/Defendant or Lessee/Lessor. If you are using a law school writing sample, you should remove silly or funny names of parties designed to add levity to the writing process.

**Proofread, edit, and polish your writing sample**
Your writing sample should be free of spelling, grammatical, and typographical errors. You should proofread it several times and periodically update the sources cited and double-check the citation formats. Ask friends, colleagues, and law school writing professors to review it to ensure that it is substantively sound. It should also be visually appealing and easy to read with ample margins and a readable font, and it should be typed on plain white paper. You should also include a header or footer with your name and page number on every page.