Guidelines for Submitting Writing Samples to Employers

PURPOSE

Virtually every employer is looking for good legal reasoning and writing skills. To demonstrate those skills, you will be asked to submit a writing sample. The guidelines below will help you prepare an effective writing sample.

TYPES OF LEGAL WRITING

The four different types of legal writings are:

a. Application Analysis  “Legal writing” (memos, briefs, judicial opinions and law school exams)

b. Critical Analysis/Scholarly Work  Seminar papers, law review articles and case notes

c. Legal Drafting  Contracts, interrogatories and pleadings

d. Legal Correspondence  Letters to clients or other attorneys

When an employer requests a writing sample, it is almost always going to be something from the Application Analysis category, since it will be typical of what one will be expected to do in practice. In the end, the employer is asking you to demonstrate your ability to analyze legal issues and apply the facts to the law (i.e., an argument section of a brief).

SELECTING YOUR WRITING SAMPLE

I. Length

When you are asked to submit a writing sample as part of an employment application, ideally, you should choose a document that is between 6 – 10 pages in length, your own work, your BEST work and work that has not been edited by others. If your best work is a document more than ten pages in length, you should extract a portion (your analysis of the facts and argument, for example) and submit the document with a cover sheet (see example on next page) to provide context for the reader.

II. Source

Writing samples usually come from one of three sources:

a. First year writing class assignments are excellent writing samples, since they are one’s own work and are generally self-edited. Since writing skills should improve each year, the same writing sample can be utilized again and self-edited.
b. If you use a writing sample from work you have performed for an employer, you must first obtain permission from the employer to use the document and redact all client names from the copy. Fake names can be substituted, i.e., Smith or Jones or Plaintiff or Defendant. The document should be one that is written on one’s own. If you drafted a portion of a brief for your supervising attorney and only minor changes were made, the document can be used, but it must be made clear that only minor edits were made. A cover sheet should be added indicating the nature and extent of the edits, and the context of the sample.

c. For current and former judicial clerks who choose to submit a judicial opinion or order, it must be a published opinion or order. It also must be accompanied by a letter from the judge authorizing the use of the opinion or order.

Each writing sample should be written within two years of submission.

**COVER PAGE**

The cover sheet should include:

- The original purpose of the writing sample, such as a legal writing class assignment, moot court brief, internal memorandum for an employer, or court pleading.
- When and for whom the sample was written.
- The extent of editing by any third party.
- If the writing sample is an excerpt from a larger document, indicate the nature of that larger document including the issues addressed.
- If the writing sample contains confidential or privileged information, you must identify the steps taken (redactions, changed names, consent obtained from client or employer) to preserve the confidential nature of the document.

**Example of Cover Sheet**

**NAME**

(Contact information as used on your resume)

The attached writing sample is from a memo written for my Legal Method & Communication class during Fall Semester 20__. The assignment in this paper was to forecast the outcome of a case for my (fictional firm’s name) ___. In this fictional role, I was the associate attorney. My professor for this class was (fill in your professor’s name) ____. This writing sample is in its original format with no editing (or has minimal grammatical corrections after editing by my professor).

*If you received a particularly good grade in the Legal Method & Communication class, you can also include this information: I received a ____ on a 4.0 scale for this class.*