

## **GUIDELINES FOR PREPARING A LEGAL WRITING SAMPLE**

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This brief essay provides a set of guidelines to help law students choose and polish a writing sample for submission to prospective employers. More often than not, prospective employers will request that attorney and law student job applicants provide writing samples with their résumés and other application materials. It is wise to treat this employer request with the same high level of professionalism that you apply to other aspects of your job search.

### **ALLOCATE TIME TO CHOOSE AND PREPARE A WRITING SAMPLE**

Well in advance of the deadline for application; review the written work you have produced during your law school career. Find those writing assignments that best demonstrate your legal acumen. In other words, make sure that the writing sample contains enough substantive law so that the employer/reader can pass judgment on your ability to communicate substantive legal concepts in writing. I cannot emphasize how critical it is to begin this process well in advance of the date for submission of your job application. I have had too many students approach me days before a job interview asking for help preparing their writing samples. When I explained the process of preparing a writing sample, they became entirely overwhelmed given their many responsibilities and time constraints.

It does not matter whether the writing sample you choose is a Legal Research and Writing assignment, an exam on which you did well, or a legal memorandum or trial brief you drafted as a clinic student, intern or law clerk. Any one of these writings can be edited with an eye to producing an effective writing sample.

### **CHOOSE A WRITING SAMPLE THAT REFLECTS YOUR CURRENT LEGAL ABILITIES**

Keep in mind, however, that your writing sample should reflect your current legal abilities. In other words, if you are in your final semester of law school and choose to base your writing sample on a writing assignment you completed in your first year of law school, make sure that you revise and edit your work to reflect your current legal abilities. Presumably, you have developed your legal skills over the intervening time period and, accordingly, your writing sample should be improved to reflect your current level of legal skill. Even if you choose to use a more recent example of your writing, you should begin with a critical substantive review of the work to make sure that it reflects the best work you can do.

### **EDIT FOR STYLE, PUNCTUATION AND GRAMMAR**

It goes without saying that any writing sample should be edited to eliminate all errors of grammar and punctuation. If this has been a weak point in your writing, I would strongly recommend that you use one of the many effective guides to legal writing style (e.g., Enquist & Gates, [Just Writing: Grammar, Punctuation and Style for the Legal Writer](#); Garner, [Legal Writing in Plain English](#); Goldstein and Lieberman, [The Lawyer's Guide to Writing Well](#); Wydick, [Plain English for Lawyers](#)). Similarly, check all citations carefully to make sure that they conform to professional standards as set forth in the Blue Book or ALWD Citation Manual.

In this regard, do not be shy about asking a friend, colleague or a member of the law school faculty to review your sample. While employers expect the writing sample to be entirely your

own work, it is not "cheating" to ask someone else to review your final draft to make sure that the writing sample is without spelling, grammar or punctuation errors and is substantively sound.

### **SUBMIT A SAMPLE OF APPROPRIATE LENGTH**

You are not obligated to submit a writing sample in the form it was originally presented. First, this may not be possible. Some employers set a strict page limit for writing samples. In that case, you may, for example, decide to submit only part of a trial brief or legal memorandum. Similarly, if you submit a law school exam that was originally hand-written in a blue book, you will most definitely type it using a word processing program and conform your final submission to the length requirement set by the employer. Second, if the employer does not specify the length of the sample, it is prudent to submit a writing sample of between five and ten pages. In any case, plan to allocate time to submit your sample in the appropriate form.

### **PROVIDE A COVER LETTER WITH YOUR WRITING SAMPLE**

No matter which type of writing sample you submit - law school exams and papers, or pleadings produced for actual or simulated litigation - it is essential to edit for context, clarity and to protect client confidentiality. In this regard, it is essential to include a cover letter with your submission to provide your reader with a context for your writing. The cover letter should inform the employer/reader that you are submitting an excerpt from a longer piece of writing. This sometimes requires a short paragraph to contextualize the edited submission. Similarly, use the cover letter to explain the larger context of a pleading or legal memorandum if it is not self-evident from the writing itself.

If the submission is a pleading that originated in actual litigation or an internal office memorandum, you must edit the document to remove any information that may reveal client confidences or distract the reader from focusing on your writing ability. Sometimes, law school writing projects contain silly or funny names of parties that are intended to add some levity to the writing process. If that is the case, consider changing the names so as not to detract from the seriousness of the subject matter. All this can be imparted to the reader in a cover letter explaining the scope of the initial writing and that this is an edited version of an earlier writing effort.

### **BE AWARE OF THE PROFESSIONAL SIGNIFICANCE OF YOUR WRITING SAMPLE**

Even the appearance of your writing sample is important. Check to make sure that you are not ending the page with a subheading without text below it. Make sure that the pagination and margins are correct. If for any reason you change the original names of the parties, it is wise not to "white out" or "black out" the names. If at all possible, obtain a copy of the document on a floppy disk and replace the original names with fictitious names. The reader of your writing sample will appreciate this small effort on your part.

Finally, as with any other aspect of your job search, learn about the employer and tailor your submission to address the character of the job you are seeking. If possible, submit a writing sample that substantively addresses an area of law relevant to the position you are seeking. For instance, if you are submitting an application for a litigation position, consider submitting a trial court brief that demonstrates knowledge of substantive law and procedure. This strategy may lead you to conclude that it is wise to have more than one writing sample on hand.

In sum, a critical aspect of your job search is taking the necessary time to prepare an effective writing sample. It is not less important than your résumé and job interview. Take it seriously. The Western New England University School of Law Legal Research and Writing Faculty are happy to assist you in this effort. In addition to attending periodic seminars offered by Career Services and the LRW program, please consider setting up a meeting with any of the LRW faculty to help you prepare your writing sample.