

PREPARING A WRITING SAMPLE

Choosing a Writing Sample

During your first year you will probably use an assignment from your first-year Legal Writing class, because it is likely the only work you have that shows the analytical skills most valued by employers. You should explain that the sample reflects your work in fulfillment of course requirements for a legal writing class. If you use an assignment that you received help on, you must explain that the work has benefited from comments made by your professor. It is preferable to use a memo you did not receive help on – for many students this is the final project of the semester.

Update Your Sample Frequently

When you are an upper-level student, it is best if you can use something other than work from your first-year legal writing class. Your analytical skills and writing skills will continue to improve over the course of your three years in law school, and you should provide your best work. Ideally you will have had an opportunity to write an analytical piece for a summer position or an upper-level course. If you use work from a summer job or internship, you should ask your employer for permission to use the work as a writing sample. The employer may ask you to redact confidential information (see page two).

Create a Writing Portfolio

Consider preparing more than one document as a writing sample, particularly if you are in your second or third year of law school. You might offer an employer several different types of samples, showing that your legal writing

If you have any questions about your writing sample, please contact
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experience is not limited to a single type of document. One employer might be very interested in seeing a scholarly article, while another might want to see only practical writing. Consider varying the sample, depending on your audience. If the firm or agency you are applying to focuses its practice on litigation, consider submitting a litigation document, such as a motion to dismiss or an appellate brief. If the employer's focus is transactional, consider submitting an example of any drafting work you have done, such as a contract provision.

Choose a Sample You Like

Employers may ask substantive questions about your work during the interview, so choose work that you are sincerely interested in, if possible. Before an interview, be sure to review the sample so you can discuss it intelligently if asked.

Pay Attention to Length

Writing samples should generally be between 5 and 10 pages. But more importantly, pay attention to writing-sample guidelines provided by the employer. If an employer imposes a particular page limit, be sure to follow it. If your best work is longer than 10 pages, see page 2 for advice on providing an excerpt.

Preparing Your Writing Sample

Proofread

Careful proofreading is extremely important. A writing sample with typos or grammatical errors could eliminate you from consideration. Pay particular attention to your issue statement, brief answer, headings, topic sentences, and roadmaps; these are the items most likely to be noticed if an employer skims your writing sample.

Provide only an excerpt

It is acceptable to provide only an excerpt of a document, as long as you provide sufficient context for the reader and offer to provide the entire document upon request (see advice below). The sections with legal analysis are more important than the section describing the facts of the case, so your priority should be to include your Discussion or Analysis section.

If the Discussion section is too long, choose the best subsections, and include them along with the headings corresponding with the subsections that were omitted. Indicate the omission of subsections in a manner consistent with the Redbook or bluebook rules on the omission of material.

Redact Confidential Information

If the work was performed for an employer, you may need to alter names and perhaps remove other confidential information. Use fictional names rather than blacking out information, as blacked-out information is distracting and will make your writing sample harder to read. In your cover sheet (see below), you can explain that confidential information has been changed. Do not attempt to use humorous names or pop-culture references because doing so may cause you to appear unprofessional.

Consider Document Appearance

Choose a font that is easy to read and not too unusual—a proportional, serif, book font is recommended. Most experts agree that line spacing somewhere between single and double spacing is

most easily readable, such as 1.5. Submit writing samples in .pdf format to ensure that the document will appear to the employer exactly as you intend.

See [Typography for Lawyers](#), by Matthew Butterick (JonesMcClure 2010), or his website typographyforlawyers.com for detailed guidance on font choice, line spacing, and overall document appearance.

Components of a Cover Sheet

Describe the context in which the sample was written, and be specific. If it was written for an employer, explain that you have the employer's permission to use the sample and that any confidential information has been changed or removed.

Explain whether the work has been edited. In many instances, your writing may have benefited from comments made by a professor or supervisor. Employers are aware that it is unlikely you prepared the work without any input from anyone else; it will reflect well on you to disclose the degree to which the document reflects another person's comments and suggestions. **However, if the work is entirely your own, be sure to say so explicitly.** Some judges, in particular, may require that you submit only unedited work.

Provide a very brief summary of the assignment and its background facts. You want to be sure the sample is easy to read and understand, and giving some context serves this purpose. If the sample is an excerpt, explain how the document has been abridged and offer to provide the entire document.

Remember that the cover sheet is itself a kind of writing sample, as is your cover letter or email. Be sure to take care with all the elements of your application.

SAMPLE COVER MEMO

TO: Eleanor Roosevelt, Hiring Partner
FROM: Amy J. Griffin
SUBJECT: Attached writing sample
DATE: September 7, 2016

I completed the attached brief for my Legal Writing II course during the spring of my first year of law school. The attached version of the brief has benefitted from comments made by my Legal Writing professor. Though I prepared the brief jointly with a partner, I was solely responsible for writing the attached argument section.

For the purposes of this assignment, I represented a fictional inmate named Marcos Perez. Perez filed a claim in federal district court, arguing that a prison guard had violated his Eighth Amendment right to be free from cruel and unusual punishment. The district court granted summary judgment in favor of the guard, finding insufficient evidence that the guard had actual knowledge of any risk to Perez. In this brief to the Seventh Circuit Court of Appeals, I argued on Perez's behalf that summary judgment was inappropriate, because there remained a genuine dispute of material fact regarding the guard's knowledge.

For the sake of brevity, I have included only the argument section of the brief. The entire brief is available upon request.

Another example: I completed the attached memorandum during the summer after my first year of law school while I was an intern at the Boulder County District Attorney's Office. The District Attorney's Office gave me permission to use the work as a writing sample. To preserve confidentiality and at the request of the District Attorney's Office, some parts of the memorandum have been redacted, and the names of the parties have been changed. Although I researched and wrote the memorandum myself, it reflects some minor comments and suggestions made by my supervisor.

In the interest of brevity, I have included only one of three issues discussed in the memorandum. The entire memorandum is available upon request.

Alternative format using resume header:

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I completed the attached memorandum for my Legal Writing course during the fall of my first year of law school. Though I was solely responsible for writing this memo, the attached version of the memo has benefitted from comments made by my Legal Writing professor.

For the purposes of this assignment, I was asked to assess the strength of my client's claim for intentional infliction of emotional distress. I have included one of two discussion sections here; the entire memo is available upon request.

Alternative language if you use an assignment you completed on your own:

I completed the attached memorandum for my Legal Writing course during the fall of my first year of law school. This memo, the final assignment of the semester, had to be completed independently; students were not permitted to receive any help from the professor. Thus, the writing is entirely my own and has not benefitted from any edits or suggestions made by my professor.

For the purposes of this assignment, I represented a fictional client named Josephine Forest. I was asked to assess the strength of her claim for intentional infliction of emotional distress. The entire memo is included here.