



CHOOSING THE RIGHT WRITING SAMPLE¹

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Chances are that a prospective employer will want to see a writing sample at some point during the application process. If you have options to choose from, you first need to decide which piece of writing to use before taking the steps to revise and prepare it. When choosing a writing sample, keep in mind these questions:

1. **What is your best piece of writing?** Your main goal in choosing a writing sample is to showcase your best work. In deciding which piece is your best, keep in mind:
 - Your best writing sample may *not* be the piece of writing for which you received the highest grade. A high grade may be a good indicator of the strength of a piece, but your best writing sample may end up being a different piece that you received helpful feedback on and have had the time to revise.
 - When did you write the piece? Picking a recently written piece is more likely to reflect your current abilities. If you are a 3L, your memo or brief from your Legal Practice: Writing and Analysis class likely does not represent your best writing, even if you received a good grade in the class. If you decide to use that 1L document, ensure that you have revised the document.
 - Make sure that you are comfortable with the piece you have selected. A prospective employer may very well ask you about the content of the paper in an interview, so pick a piece that you feel confident about discussing.
 - Remember, you are the ultimate evaluator of your work. Make sure you pick a piece that *you* feel comfortable and confident about.
2. **Who is your audience?** Be sure to think about the prospective employer and job you are applying for when selecting your writing sample. Traditional memos or briefs will work well for law firms or legal organizations because you want to showcase your ability to analyze the law and apply facts to it. A public interest employer may be more interested in seeing a writing sample that highlights a policy position on a legal or non-legal topic. If you are applying to a specialized position, the prospective employer may appreciate a piece of writing relating to a specific area of law. For example, if you took a seminar on environmental law and are applying to a non-profit that specializes in environmental law, a paper written for that class could help demonstrate both your interest and familiarity with

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that subject. But remember, the most important thing is to showcase your best writing. If you are choosing between your best piece of writing or a slightly more relevant piece of writing, go with your best writing.

If you are applying for a judicial internship or clerkship, keep in mind that judges' preferences will vary:

- The type of writing sample that a judge may want depends somewhat on the court the judge sits on. If you are applying for a clerkship in a trial court, for example, a legal brief or memo is better than a historical, theoretical, or policy-oriented paper.
- Be mindful that you will want to choose a writing sample that caters to the judge reading it. Therefore, you may not want to use a case comment criticizing a particular opinion if you want to work as an intern or clerk for the judge who authored it.
- Regardless of the court you are applying to remember that your writing sample must be a *legal* piece of writing and it must be *your* work.

3. Does the piece of writing reflect your own work? A writing sample should ideally be something that was researched, written, and edited only by you. A writing sample that was *commented* on by another individual, such as a professor or law fellow, is still considered your own work as long as no other person made edits or re-wrote parts of the paper. A piece that was heavily edited or co-authored by another individual is likely not the best option for a writing sample. If another individual did provide minor edits to your paper, indicate in your cover letter which parts of the paper include those edits. If the writing sample was drafted based on a closed research packet such as in a moot court competition, your cover letter should indicate that the document does not reflect independent research.

4. Do you need to ask permission to use the piece of writing? Sometimes you will be able to use a piece of writing that you worked on at a past job, internship, or externship. Before doing so, make sure to ask your past employer for permission. Some employers have a policy that prohibits you from using material prepared for them as a writing sample. If you are allowed to use a work document, make sure that any sensitive information is redacted.

5. Do you need to alter the piece of writing? Before you select a writing sample, you need to think about whether altering the piece of writing will take too much time or affect the essence of your writing. Consider if abiding by length requirements set by the employer would require you to add to or cut significant portions of your paper. If you are using a document that contains confidential information, consider whether the number of redactions necessary would make the paper confusing or difficult to read.

6. What is your next step? Your next step is to revise and prepare your selected piece of writing for use as a writing sample. Check out [Revising and Preparing a Writing Sample](#) on the Georgetown Law Writing Center's "Useful Documents" webpage.