



CHOOSING THE RIGHT WRITING SAMPLE¹

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When applying for a job, chances are that a prospective employer will want to see a writing sample. 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:

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. Although your grade may be a good indicator of the strength of the piece, if you have another piece on which you received useful feedback and have the time to revise it, that paper may turn out to be your best writing sample.
- When did you write the piece? Even if you got an A on your Legal Practice: Writing and Analysis memo and it is well-written, if you are a 2L or 3L, your writing has probably matured since then, so you would be better off picking a piece written more recently.
- Make sure that you are comfortable with the piece you have selected. A prospective employer may very well ask you to explain it in an interview. Remember, you are the ultimate evaluator of your work, so choose a piece that *you* feel the most confident with.

2. Who is your audience? In selecting your writing sample, be sure to think the prospective employer and job you are applying for. 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. However, 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 that subject.
- If you are applying for a judicial internship or clerkship, keep in mind that judges' preferences will vary.
 - Recently, more judges are looking for something written for a past job,

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rather than a fictitious assignment that only allows you to use certain cases or resources.

- 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. Co-authored pieces are not ideal because it is difficult for the judge to discern what is your own work.
- Make sure that you accurately describe, apply and cite to the right law in your writing sample. It does not matter if you think your audience will be familiar with that law or if that law is less known. You *always* want to make sure that the law is correct.

3. 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.

4. 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. For example, if your best piece of writing requires a lot of redacting and too much has to be removed, it may not be the best writing sample.

5. 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.