MEMORANDUM

To: All Rising Second-Year Students  
From: Career & Professional Development Center  
Date: Summer 2010  
Re: Effective Writing Samples

This memo (which is largely borrowed, with permission, from the fine work of Professors Dimond and Mullem) includes some advice for presenting an effective writing sample to prospective employers. There isn't one “right” way to present a legal writing sample, but the advice provided here follows a very mainstream approach.

**Objectives**

You want to demonstrate to prospective employers that you have the makings of a good lawyer. *This begins with presenting a polished, error-free document.* So, proof your document several times, and have others check behind you. This includes ensuring that all cases and sources have been properly cited.

More fundamentally, you must also demonstrate your ability to perform written analysis. Employers want to see your ability to fluently synthesize a legal rule, explain how that rule functions, and then apply it thoroughly to a set of facts. That means they want to see you use analogical reasoning to show how your application is consistent with precedent. In other words, they want to see you model the proven skills which underlie a successful law practice.

**What to use**

Keeping the above objectives in mind, select the document which represents your best written analysis of a legal issue to date. While you certainly may, you need not use one of your LARW memos as your official writing sample. In fact, as we have previously shared, we encourage you to seek out work this summer from which an independent writing sample can be created.

If you intend to use work produced during LARW as your writing sample to employers, we strongly recommend selecting your second (open research) office memo. This is because the closed-universe (non-researched) office memos written earlier typically do not demonstrate the kind of competence most legal employers are looking for in new associates.

**Format**

The formatting used in LARW is very much in the mainstream. Accordingly, absent solid extenuating circumstances, stick to it.

While you'll likely use heavier bond paper for your cover letter and resume, use normal copy paper for your writing sample and its cover page.
What to cut

Some employers may specify that they want writing samples of fewer than 10 pages. Others may ask for five or fewer pages. Still others request "short" samples. We view a request for a “short” writing sample as anything less than about 15 pages.

If your writing sample must be cut to meet an employer’s specifications, the first thing that you can delete is your Conclusion. However, if your Brief Answer is lacking in either law or facts, beef it up to include them, so that the Conclusion won’t be missed. The second thing that you could cut is your Facts section. Here's where having written a "factually-rich" Question Presented and Brief Answer pays off. Finally, if you still need to trim the document, cut one or more of your sub-issues. Retain the sub-issue or issues with the most sophisticated analysis. Also retain your umbrella section. The umbrella section will help your reader understand how the parts you cut fit together with what you've kept.

For sections you cut, retain each heading. Beneath each heading indicate that the material has been deleted. For example:

A. Issue # 1

[Omitted]

Conclusion

[Omitted]

What to add

Remember, your original academic work - no matter the form in which it was first presented - is yours to edit for use as a writing sample. As long as you are meeting the requirements of your prospective employer, feel free to add whatever you need to make your analysis more cogent. That said, be sure to note the important caveats and requirements concerning the use of work produced during the course of your summers on Page 4 of this memorandum.

Cover page

A good writing sample should be accompanied by a cover page that includes your contact information and a short explanatory note that describes the sample.

NOTE: A writing sample cover page is something distinct from the cover letter that you will include with most job applications.
A cover note for a writing sample introduces (very succinctly) your writing sample and provides whatever critical information that a reader might need to know about it.

Staple your cover page directly to your writing sample. Present your contact information exactly as it appears on your resume. For example:

Jane Student 1234  
Duke Way Durham, NC  
27708 (919) 555-1234  
jane.student@duke.edu

Skip down several lines beneath your contact information and center the heading for your cover page. Use the same font and format as appears on the major headings of the sample itself. For example:

Writing Sample

Skip another line and begin your text. Like your cover letter and resume, your cover note should be single-spaced.

In the note, provide your readers with whatever information they will need to understand what your writing sample is and where it came from. This is the place to mention any artificial limits on what you wrote, if any.

The cover note is also the place to describe what you've cut. Always offer to provide the entire document on request. The following example is a cover note for a memo where the writer has had to delete the Facts section along with one sub-issue to get down to five pages. The note may include a few lines describing the facts of the problem, but don't get carried away. You won't impress anyone with a multi-paragraph, single-spaced cover note that apparently reflects an attempt to get around the employer's requested page limit.

Writing Sample

This is a memorandum written for my Legal Analysis, Research and Writing course. The assignment restricted us to discussing the issue of ABC under XYZ law.
[A brief description of the pertinent facts is included here]

In order to cut this memorandum to five pages in length, I have deleted my Facts section and the first of the sub-issues I addressed in my analysis. I would be happy to send the complete document upon request.

One final note about cover notes: many of you will write memos this summer, wherever you are. Be sure to ask permission from your supervisor before using anything you write in the course of your work as a writing sample.

Once you secure permission, be sure to indicate that you have done so on your cover note. Also, be sure to delete or alter any confidential information. THE WORST thing you can do in a writing sample is to inadvertently disclose confidential information. The second to worst thing you can do is to leave a prospective employer with the impression that you did or that you're careless with that kind of information.

Feel free to contact us if we can be of any assistance!