

## SUGGESTIONS FOR SELECTING WRITING SAMPLES

Most prospective employers will want to see a sample of your written work. In the first year of law school there is little opportunity apart from the Legal Research and Writing class to produce documents that address legal issues. Many first-year students, therefore, use copies of their memoranda and briefs from their first-year course when asked to submit a writing sample. Second-year and third-year students may have more documents to choose from. They may have been working part-time or have had an externship or have handled cases in the legal clinic, and they may have produced documents in those endeavors that might be used as writing samples. Please understand, however, that it is always necessary to get permission from all of the people involved when you intend to use a document that you have prepared in any setting other than the classroom.

Very often there are significant confidentiality issues presented by the use of a legal document as a writing sample, and extreme care must be taken, even after permission is granted, not to breach the confidentiality of the parties involved. Often you can take care of this matter by speaking to your supervisor about being able to use the document as a writing sample later while you are drafting it. Some documents eventually do become a matter of public record; many do not. If you are striking out the names of the parties involved, make sure that their names really are illegible. Further, if you have worked on a document with others, make sure that you signal clearly to your potential employer exactly what parts of the document you authored and what parts were done by others.

You should, of course, select work that you consider to be good. You may want to go back over your work, especially if it is from the Legal Writing course. Often your skills in analysis and writing will have grown substantially since you did the assignment. Of course, you should do the corrections yourself, so that you won't be seen to represent that the work of another is yours. If you do rework a document or ask an instructor for help reworking a document, you should clearly indicate that to the potential employer, so that you won't be seen to have claimed that the document as it now stands was the one that you produced at first.

In making your selection consider the potential employer. Is it a large firm? Small firm? What kinds of practice? Do any of the documents that you have prepared seem more appropriate for the potential employer than others? Consider your reader. He or she is a busy decision-maker who will be scanning many writing samples. Have you submitted more than is necessary? Is the reader likely to see the significance of what you have submitted? Does the work that you have chosen put you in your best light?

In short, use your best work; always get permission; don't breach confidentiality; clearly identify any work that isn't yours; don't claim something about the document that isn't true; and consider the position of the firm and of your reader. These thoughts should help to make the selection of a writing sample a bit easier.



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