



FROM THE DESK OF THE WRITING SPECIALIST

Embracing a Continuous Improvement Mindset in Student Drafting Through the Development of Writing Samples

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1. Introduction

Every opportunity to connect with a student is an opportunity for learning. In the Writing Resource Center (WRC) at the University of Illinois Chicago School of Law (UIC Law), one way we help students learn the fundamentals of drafting and improve their skills is through one-on-one coaching sessions. In the typical 30-minute session, students are coached on drafting assignments, research and seminar papers, and writing samples.¹ I advise students to pause before submitting a paper to an employer as a writing sample. Instead, I encourage students to visit the WRC to *develop* a writing sample, meaning students transform a completed assignment or paper into a writing sample. This step is critical because before using a prior assignment as a writing sample, a student must re-

¹ Coaching sessions at the WRC can be extended for students with accommodations.

view and edit it for any technical errors, like typos or grammar issues, and substantive issues, that if not addressed can be unfavorable to an applicant.² In addition, depending on the timing, the prior assignment or paper may not be the best showcase of a student's current skills, and the writing sample should be the best example of what a student can produce.³ More importantly for the purpose of this discussion, the development of a writing sample provides a unique learning opportunity for students to improve their drafting skills through a process of self-assessment, reflection, and revision.

Since it is not customary to think of writing samples as a vehicle for additional learning inputs, I surmise that this concept may cause tension within the legal writing community and across professional communities. It makes sense. The notion of *developing* a writing sample raises valid concerns about the document being "overworked" and not representative of a student's actual drafting ability. However, it could (and I would offer it does) have the opposite effect. While developing writing samples, students take a deep dive into their writing, allowing us to tackle persistent issues and resolve them. These students often have drafting breakthroughs during our sessions and comment on both the impact and value of the process for their learning. Here are a couple examples of student feedback:

Student 1- The writing sample process with Professor McCain has helped develop my writing skills and prepared me not only for my moot court competition, where I placed as a quarterfinalist, but also for my externships with the Illinois Supreme Court and the United States District Court for the North District of Illinois.

The development of my writing sample, with live feedback, was a meticulous and labor-intensive process. I believe sending a writing sample back and forth with redlines is less time consuming on both the student and professor. However, the process of developing a writing sample, with live feedback, is well worth the extra effort. This back and forth with Professor McCain, in which we analyzed every sentence and word choice of my writing sample, has altered my own inner monolog[ue] for the better. When Professor McCain would correct a certain phrasing, or challenge what I was trying to articulate, I would have the opportunity to see how a new reader perceived each sentence. During this process, I also could offer feedback to what I actually wanted to express. By offering my explanation to Professor McCain, this helped me better articulate what I was trying to express not only through my writing, which was the main objective, but in turn increased my oral advocacy

² See Mark E. Wojcik, *The Right Writing Sample*, 37 STUDENT LAW. 18, 21-22 (2009).

³ K.K. DuVivier, *Reviewing Writing Samples*, 35 COLO. LAW. 87, 87 (2006).

skills. This invaluable exchange is lost in sending students feedback via redlining.

Student 2 - It was a pleasure to work with you on this process and I want to thank you so much for taking the time going through this paper with me. Your advice and expertise was invaluable and has helped me become a better writer.

2. Continuous Improvement

For more than a decade, one of the most significant shifts in education has been the emergence of continuous improvement science.⁴ “Continuous school improvement is a cyclical process intended to help groups of people in a system—from a class to a school district or even a network of many districts—set goals, identify ways to improve, and evaluate change.”⁵ The concept started in manufacturing and has been used to change the health-care field and other industries.⁶ In 2020, lecturer and adjunct professor Chance Meyer made the case for why law schools need to shift from the customary ways of doing things to continuous improvement methods.⁷ The WRC agrees with this needed shift and has incorporated the principles of continuous improvement in our work. The principles are integral to how we evaluate data, engage in cycles of inquiry, and spread practice, which in short, means disseminating information about successful approaches and methods to the larger community.

At the WRC, we were intentional about including writing sample review as one of our services, messaging to students our different approach to writing samples, and explaining how it could benefit their writing in the short and long-term. For students, most of the communications about writing samples are of the how-to variety, i.e., what to include, cover pages, revision steps, do’s and don’ts. In countless articles from career related platforms, like LinkedIn and Indeed for

⁴ See Karen Shakman, et al., *A Primer for Continuous Improvement in Schools and Districts*, EDC.ORG 1, 2 (Feb. 2017), <https://www.edc.org/sites/default/files/uploads/primer-for-continuous-improvement.pdf>.

⁵ Sarah D. Sparks, *A Primer on Continuous School Improvement*, EDWEEK.ORG (Feb. 16, 2018), <https://www.edweek.org/policy-politics/a-primer-on-continuous-school-improvement/2018/02>.

⁶ See *id.*

⁷ See Chance Meyer, *Law Schools Need Improvement Science, Now More Than Ever*, SYLLABUS, Spring 2020 (ABA), https://www.americanbar.org/groups/legal_education/publications/syllabus_home/volume-51-2019-2020/syllabus-spring-2020-51-3/law-schools-need-improvement-science/. See generally John Mixon & Gordon Otto, *Continuous Quality Improvement, Law, and Legal Education*, 43 EMORY L.J. 393 (1994) (discussing continuous quality improvement, which works together with continuous improvement).

example, you will find basic information on writing samples. In the law school context, UIC Law's Career Services Office provides a resource guide with instructions on drafting writing samples and an example of a cover sheet.⁸ Other law schools follow suit with similar materials.⁹ In his article on writing samples, written for the ABA's *Student Lawyer*, Professor Mark Wojcik from UIC Law discusses how to choose a writing sample, urges students to have a range of samples, and offers steps for editing writing samples.¹⁰ Beyond those useful materials, there doesn't seem to be any detailed discussion that adds much to the general discourse on writing samples. Rethinking writing samples, with a continuous improvement mindset, allows us to take a more proactive approach to our students' learning by helping them *develop* writing samples and supporting their growth as drafters.

3. Writing Sample Coaching Sessions

When we work with students on developing a writing sample, students engage in a process of self-assessment, reflection, and revision over the course of two to three coaching sessions. During the initial session, we discuss the writing sample process, job application requirements, and how a writing sample will be used. In this session, students also begin the self-assessment and reflect on their writing.

Self-Assessment

The self-assessment is a series of questions that the student answers about their writing. I usually ask:

- How would you rate your level of confidence as a legal writer?
- What are your strengths?
- In what areas do you struggle?

Reflection

Afterwards, I have students take some time for a more in-depth examination into their writing process. The purpose of the reflection is for students to

⁸ U. ILL. CHIC. SCH. LAW, *Student Resources* (References/Transcripts/Writing Sample Guide), <https://law.uic.edu/student-support/career-services/student-resources>.

⁹ See also *Revising and Preparing a Writing Sample*, GEORGETOWN LAW, <https://www.law.georgetown.edu/wp-content/uploads/2020/04/RevisingAndPreparingAWriting-Sample2016.pdf>, which is a 2016 compilation of several former handouts from Georgetown Law, some of which were written and revised by Hillary Coyne, Kristen Murray, Elizabeth Glasgow, Adam Briggs, Elizabeth Connelly, and Lauren Dolecki, and currently compiled and revised by Celia Belmonte and Prof. Frances DeLaurentis.

¹⁰ See generally Wojcik, *supra* note 2.

think back on the course assignment or paper and become reacquainted with their writing process. For the assignment or paper, I ask students:

- When was it drafted, what was it drafted for, and what were the course requirements?
- How do you feel about this piece of writing? Which section did you feel was most successful or passionate about? What was least successful?
- What would you have done differently?

Revision

Before I provide any feedback, I ask students to do an in-depth read of the document and then do a revision. We discuss how the document needs to move from being professor specific to the larger audience of employers. I remind students that to be a good writer, they need to be a good reader. As the first step in their revision process, students are asked to put on their reader hat and review the document with fresh eyes. Oftentimes, this is not difficult because students have not looked at the document since it was written, which could be several months or even more than a year ago. I provide guidelines for both a technical and substantive review of the document. Prior to the second appointment, students must submit a cover page and revision to the document.

Most students are a bit surprised by the undertaking involved in *developing* a writing sample. However, students who are interested in becoming better drafters appreciate the opportunity and are willing to journey with me to improve their skills. In the follow-up sessions, we discuss their writing and then identify and resolve any issues. Our concentration is on clarity, and I probe constantly about whether the student is communicating in a clear and effective manner. The process is student-led, and they play an active role in making their revisions. Students must commit the time in between sessions and other course work to develop their writing samples.

4. Conclusion

The student response and outcomes from embracing a continuous improvement mindset to writing samples are positive and consistent with my end goal, which is emphasizing the importance of legal writing and fostering productive learning opportunities for my students.¹¹ I believe in the 3Cs: competent, capable, confident. When students arrive at a new position, I want them to be competent in fundamental drafting skills. Through the process of developing their

¹¹ See Cecilia A. Silver, *Risk-Free Trial: Reviewing Writing Samples to Broaden Student Engagement*, 29 SECOND DRAFT 39, 39-40 (2016) (describing writing center specialist's process of reviewing student writing samples).

writing samples, we put on our improvement hats and work through issues and points of disconnect, focusing on the fundamentals. I also want students to be capable of drafting any document they are tasked to prepare and be confident in their own ability (not view writing as a weakness). In my experience, students who commit to *developing* a writing sample become more self-aware and equipped to be successful drafters in the profession.