

Peter W. Martin

# Introduction to Basic Legal Citation

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# Introduction to Basic Legal Citation

Peter W. Martin

In the Supreme Court of the United States

the wrong conclusion from that premise.<sup>2</sup> The Court has “insisted \* \* \* that ‘a plaintiff must demonstrate standing separately for each form of relief sought.’” *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 352 (2006) (quoting *Friends of the Earth, Inc. v. Laidlaw Ewitt Servs. (TOC), Inc.*, 528 U.S. 167, 185 (2000)). Indeed, it was the dissenters in *City of Los Angeles v. Lyons*, 461 U.S. 95 (1983), who submitted that, once a plaintiff’s standing to assert a claim is established, “his requests for particular forms of relief [do not] raise any additional issues concerning his standing.” *Id.* at 114 (Marshall, J., dissenting). The majority, however, squarely rejected that position, holding that a plaintiff who a constitutional vic standing to secure

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*Introduction to*  
**BASIC LEGAL CITATION**

PETER W. MARTIN

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## **PREFACE** [Contents](#) | [Index](#)

This electronic publication was conceived in the summer of 1992. A small band of Cornell Law students, charged with identifying subjects on which computer-based materials would be particularly helpful, placed citation at the top of the list. With their assistance I prepared the first edition of *Introduction to Basic Legal Citation*. It was released on diskette that fall, one of the first hypertext publications of Cornell's Legal Information Institute (LII). Later reconfigured for the Web, where it still resides at: <http://www.law.cornell.edu/citation/>, the work has been updated regularly in the years since. Like that online version on which it is based, this e-book was most recently revised in the fall of 2012 to take account of changes in the citation rules of a small number of U.S. jurisdictions and the format of currency information furnished for statutes by LexisNexis and Westlaw. As was true of the editions released in 2011 and 2010 it is indexed to the fourth edition of the *ALWD Citation Manual* and the nineteenth edition of *The Bluebook*.

### **A Few Tips on Using *Introduction to Basic Legal Citation***

This is not a comprehensive citation reference work. Its limited aim is to serve as a tutorial on how to cite the most widely referenced types of U.S. legal material, taking account of local norms and the changes in citation practice forced by the shift from print to electronic sources. It begins with an introductory unit. That is followed immediately by one on "how to cite" the categories of authority that comprise a majority of the citations in briefs and legal memoranda. Using the full table of contents one can proceed through this material in sequence. The third unit, organized around illustrative examples, is intended to be used either for review and reinforcement of the prior "how to" sections or as an alternative approach to them. One can start with it since the illustrative examples for each document type are linked back to the relevant "how to" principles.

The sections on abbreviations and omissions, on typeface (italics and underlining), and on how citations fit into the larger project of legal writing that follow all support the preceding units. They are accessible independently and also, where appropriate, via links from the earlier sections. Finally, there are a series of cross reference tables tying this introduction to the two major legal citation reference works and to state-specific citation rules and practices.

The work is also designed to be used by those confronting a specific citation issue. For such purposes the table of contents provides one path to the relevant material. Another, to which the bar at the top of each major section provides ready access, is a topical index. This index is alphabetically arrayed and more detailed than the table of contents. Finally, the search function in your e-book reader software should allow an even narrower inquiry, such as one seeking the abbreviation for a specific word (*e.g.*, institute) or illustrative citations for a particular state, Ohio, say.

If the device on which you are reading this e-book allows it, the pdf format will enable you to print or to copy and paste portions, large or small, into other documents. However, since the



work is filled with linked cross references and both the table of contents and index rely on them, most will find a print copy far less useful than the electronic original.

### **Help with Citation Issues Beyond the Scope of this Work**

The "help" links available throughout the work lead back to this preface and its tips on how to find specific topics within its coverage. Being an introductory work, not a comprehensive reference, this resource has a limited scope and assumes that users confronting specialized citation issues will have to pursue them into the pages of *The Bluebook*, the *ALWD Citation Manual*, or a guide or manual dealing with the citation practices of their particular jurisdiction. The cross reference tables in sections [7-300](#) (Bluebook) and [7-400](#) (ALWD), incorporated by links throughout this work, are designed to facilitate such out references. Wherever you see [\[BB|ALWD\]](#) at the end of a section heading you can obtain direct pointers to more detailed material in *The Bluebook* (by clicking on BB) or *ALWD Citation Manual* (ALWD).

### **Comments, Corrections, Extensions**

Feedback on this e-book would be most welcome. What doesn't work, isn't clear, is missing, appears to be in error? Has a change occurred in one of the fifty states that should be reported? Comments of these and other kinds can sent by email addressed to [peter.martin@cornell.edu](mailto:peter.martin@cornell.edu) with the word "Citation" appearing in the subject line. Many of the features and some of the coverage of this reference are the direct result of past user questions and advice.

As an alternative or in addition, a companion "wiki" now allows users to raise questions, pose comments, elaborate upon the work's introductory treatment or extend its coverage to other types of material or jurisdictions. While I shall consult that wiki regularly and am committed to reviewing it carefully when updating *Basic Legal Citation*, this is primarily not an "ask the author" or "tell the author" forum. It aims rather to provide a framework that will allow those teaching and learning about legal citation, as well as professionals confronting an unfamiliar citation challenge, to discuss, extend and improve the underlying work. To access the wiki go to: <http://basiclegalcitation.wikispaces.com>.

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## § 1-000. BASIC LEGAL CITATION: WHAT AND WHY? [\[BB|ALWD\]](#)

### § 1-100. Introduction [Contents](#) | [Index](#) | [Help](#) | < | >

When lawyers present legal arguments and judges write opinions, they cite authority. They lace their representations of what the law is and how it applies to a given situation with references to statutes, regulations, and prior appellate decisions they believe to be pertinent and supporting. They also refer to persuasive secondary literature such as treatises, restatements, and journal articles. As a consequence, those who would read law writing and do law writing must master a new, technical language – "legal citation."

For many years, the authoritative reference work on "legal citation" was a manual written and published by a small group of law reviews. Known by the color of its cover, *The Bluebook* was the codification of professional norms that introduced generations of law students to "legal citation." So completely do many academics, lawyers, and judges identify the process with that book they may refer to putting citations in proper form as "Bluebooking" or ask a law student or graduate whether she knows how to "Bluebook." The most recent edition of *The Bluebook: A Uniform System of Citation*, the nineteenth, was published in 2010. In 2000 a competing reference appeared, one designed specifically for instructional use. Prepared by the Association of Legal Writing Directors, the *ALWD Citation Manual: A Professional System of Citation* (4th ed. 2010) has won wide acceptance in law schools.

Differences between the two are minor (and noted here). In the way that dictionaries both prescribe and reflect usage, so do these manuals. Both also reflect the environment of their creation – law schools with comprehensive print libraries and full access to the major commercial online legal information systems. The realities of professional practice in many settings, particularly at a time when digital distribution of legal materials is displacing print, lead to dialects or usages in legal citation neither manual includes.

This introduction to legal citation is focused on the forms of citation used in professional practice rather than those used in journal publication. For that reason, it does not cover *The Bluebook's* distinct typography rules for the latter. Furthermore, it aims to identify the more important points on which there is divergence between the rules set out in the two manuals and evolving usage reflected in legal memoranda and briefs prepared by practicing lawyers.

Like other new languages, "legal citation" is easier to read than it is to write, at least at first. The active use of any language requires greater mastery than the receiving and understanding of it. In addition, there is the potential confusion of dialects or other nonstandard forms of expression. As already noted, "legal citation," like other languages, does indeed have dialects. Most are readily understandable and thus pose little likelihood of confusion for a reader. To the beginning writer, however, they present a serious risk of misleading and inconsistent models. As a writer of "legal citation," you must take care that you check all references that you find in the work of others. This includes citations in court opinions. Commercial publishers have long viewed citation as a subtle form of advertising through branding. Thus, citations in decisions published in the multiple series of the National Reporter System of the Thomson Reuters unit known as West (from the Atlantic Reporter to the Federal Supplement)

have been altered by its editors to refer to other West publications. In addition, several important state courts, California and New York among them, have idiosyncratic citation norms for their own decisions. Many more cite their state's statutes and administrative regulations without repetition of a full abbreviation of the state's name in each reference, that being implied by context. While each of these courts is likely to accept – indeed, may even prefer – briefs using the same citation dialect, Federal courts in the same state may not. In short, copying and pasting citations from decisions and other references into one's own writing is almost certain to yield inconsistent, nonstandard, and even incomplete citations.

Changes in citation norms over time also caution against relying on source material for proper citation form. *The Bluebook* has been revised five times since 1990, substantially in 1991, controversially in 1996, and again in 2000, 2005, and 2010 (see [§ 7-200](#)). Because of these changes, citations you find in legal documents published in prior years, although they may have been totally conformed to citation standards at the time of writing, may need reformatting to comply with current ones. In other words, imported citations, even those imported from the most carefully edited pre-2010 journal articles, books, or opinions, may not be in proper current form. It should also be noted that *The Bluebook* itself has throughout these revisions set forth two distinct versions of citation – one for journals and an alternative set of "practitioner rules."

Few people find a dictionary the best starting point for learning a new language. For many of the same reasons neither *The Bluebook* nor the *ALWD Citation Manual* is a good primer. Like dictionaries, both manuals are designed as comprehensive reference works. This introduction refers to them throughout. But while *The Bluebook* and the *ALWD Citation Manual* aim at exhaustive coverage, these materials seek to introduce the basics through concise statements of principles and usage linked to examples. The aim is not to separate you from a full reference work; inevitably you will encounter unusual situations that require "looking up" the proper "rule" or abbreviation in the pages of one manual or the other. Instead, this introduction aims at building a basic mastery of "legal citation" as codified in those references – a level of mastery that should enable you to do all of your legal reading and much of your legal writing without having to reach for them. Since both *The Bluebook* and the *ALWD Citation Manual* embrace the full range of journal writing, they furnish guidance on how to cite all manner of references infrequently used in practitioner writing, including a variety of foreign law materials and historic references. By contrast, this introduction is limited to contemporary U.S. legal material.

Because this introduction is not a substitute for a comprehensive reference, you would be wise to introduce yourself to one or the other of the principal manuals as you proceed through this material. Read through its table of contents and introductory material. Each topic covered here includes links to tables providing references to coverage in *The Bluebook* and the *ALWD Citation Manual*. Observing how the manual that you have chosen (or others have chosen for you) arrays its more detailed treatment should be part of your initial exploration of each topic here.

There is no question but that striving for proper citation form will for a time seem a silly distraction. But as is true with other languages, those who use this one carefully make negative assumptions about the craft of those who don't. Being a simple language at its core, this one should fairly quickly become a matter of habit and, thus, no longer a distraction.

## § 1-200. Purposes of Legal Citation [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

What is "legal citation"? It is a standard language that allows one writer to refer to legal authorities with sufficient precision and generality that others can follow the references. Because writing by lawyers and judges is so dependent on such references, it is a language of abbreviations and special terms. While this encryption creates difficulty for lay readers, it achieves a dramatic reduction in the space consumed by the, often numerous, references. As you become an experienced reader of law writing, you will learn to follow a line of argument straight through the many citations embedded in it. Even so, citations are a bother until the reader wishes to follow one. The fundamental tradeoff that underlies any citation scheme is one between providing full information about the referenced work and keeping the text as uncluttered as possible. Standard abbreviations and codes help achieve a reasonable compromise of these competing interests.

A reference properly written in "legal citation" strives to do at least three things, within limited space:

- identify the document and document part to which the writer is referring
- provide the reader with sufficient information to find the document or document part in the sources the *reader* has available (which may or may not be the same sources as those used by the writer), and
- furnish important additional information about the referenced material and its connection to the writer's argument to assist readers in deciding whether or not to pursue the reference.

Consider the following illustration of the problem faced and the tradeoff struck by "legal citation." In 1989, the Supreme Court decided an important copyright case. There are countless sources of the full text opinion. One is LexisNexis, where the following appears prior to the opinion. If a lawyer, wanting to refer to all or part of that opinion, were to include all the identifying material shown in LexisNexis in her brief (with a similar amount of identifying material for other authorities) there would be little room for anything else. Readers of such a brief would have an impossible time following lines of argument past the massive interruptions of citation.

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COMMUNITY FOR CREATIVE NON-VIOLENCE ET AL. v. REID

No. 88-293

SUPREME COURT OF THE UNITED STATES

490 U.S. 730; 109 S. Ct. 2166; 104 L. Ed. 2d 811; 1989 U.S. LEXIS 2727; 57 U.S.L.W. 4607; 10 U.S.P.Q.2D (BNA) 1985; Copy. L. Rep. (CCH) P26,425; 16 Media L. Rep. 1769

March 29, 1989, Argued  
June 5, 1989, Decided

PRIOR HISTORY: CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT.

DISPOSITION: 270 U. S. App. D. C. 26, 846 F. 2d 1485, affirmed.

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In standard "legal citation," the reference to this opinion becomes simply:

*Cnty. for Creative Nonviolence v. Reid*, 490 U.S. 730 (1989).

With economy this identifies the document and allows another lawyer to retrieve the decision from a wide range of print and electronic sources. The "identifier" of "490 U.S. 730" suffices for a reader who has access to West's Supreme Court Reporter published by Thomson Reuters or to the Lawyers' Edition, Second Series published in print and online by LexisNexis or to Westlaw or to the myriad other online and disc-based sources of Supreme Court decisions. It also tells the reader that this is a 1989 decision of the United States Supreme Court (and not, say, a fifty year old opinion of a U.S. District Court).

The task of "legal citation" in short is to provide sufficient information to the reader of a brief or memorandum to aid a decision about which authorities to check as well as in what order to consult them and to permit efficient and precise retrieval – all of that, without consuming any more space or creating any more distraction than is absolutely necessary.

**§ 1-300. Types of Citation Principles** [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

The detailed principles of citation can be conceived of as falling into four categories:

**Full Address Principles:** Principles that specify completeness of the address or identification of a cited document or document portion in terms that will allow the reader to retrieve it.

**Other Minimum Content Principles:** Principles that call for the inclusion in a citation of additional information items beyond a retrieval address – the full name of the author of a journal article, the year a decision was rendered or a statutory codification last updated. Some of these principles are conditional, that is, they require the inclusion of a particular item under specified circumstances so that the absence of that item from a citation represents that those circumstances do not exist. The subsequent history of a case must be indicated when it exists, for example; the edition of a book must be indicated when there have been more than one. Most of these additional items either furnish a "name" for the cited document or information that will allow the reader to evaluate its importance.

**Compacting Principles:** Principles that reduce the space taken up by the information items included in a citation. These include standard abbreviations ("United States Code" becomes "U.S.C.") and principles that eliminate redundancy. (If the deciding court is communicated by the name of the reporter, it need not be repeated in the citation's concluding parentheses along with the date as it should otherwise be.)

**Format Principles:** Principles about punctuation, typography, order of items within a citation, and the like. Such principles apply to the optional elements in a citation as well as the mandatory ones. One need not report to the reader that a cited Supreme Court case was decided 5-4; but if one does, there is a standard form.

## § 1-400. Levels of Mastery [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

What degree of mastery of this language should one strive for – as a student, legal assistant, or lawyer?

Recall that a citation serves several purposes. Of those purposes, one is paramount – furnishing accurate and complete information that will enable retrieval of the cited document or document part. The element of citation that calls for immediate mastery is painstaking care in recording and presenting the complete address or retrieval ID of a document. Citing a case using the wrong volume or page number, citing a statute with an erroneous section number or without a necessary title number – errors like these cannot be explained away by the intricacies of citation. Their negative impact on readers is palpable. Consider the frustration you experience when you are given an erroneous or partial street address or an email address that bounces because of a typo; a judge's reaction to an erroneous citation is likely to be quite similar.

Since, in many cases, part of the clear address to a cited document includes an abbreviation, a small set of abbreviations must be mastered as soon as possible. A minimum set includes those that represent the reporters for contemporary federal decisions, those that represent codified federal statutes and regulations, and those that represent the regional reporters of state decisions. Whenever your research is centered in the law of a particular state, you will want also to memorize the abbreviations that represent the reporters, statutory compilations, and regulations of that state.

Less critical in terms of function but no more difficult to master are the abbreviations that indicate the deciding court when that information is not implicit in the name of the reporter. You should strive to master the abbreviations for the circuits of the U.S. Courts of



Appeals and those for the U.S. District Courts. Any time your research is centered in the law of a particular state you will want to master the abbreviations for its courts.

Last and least are the conventions for reducing the space consumed by case names. Including the full word "Environmental" in a case name rather than the abbreviation "Envtl." is, standing by itself, a trivial oversight. A consistent failure to abbreviate on the one hand or the use of idiosyncratic or inconsistent abbreviations on the other can produce inconvenience for the reader. Since your aim in nearly all law writing will be to persuade your reader, to win your reader over, you do not want to irritate or to convey an impression of carelessness. Therefore, a final review of one's citations against the standard abbreviations and omissions set forth in one or the other of the dominant manuals is an important step. In time, you will find that you have internalized most of those rules.

Writing legal citation follows thorough legal research. As you carry out your research, your notes should capture all the information you will need to write the necessary citations. That entails recording all the required items for a full citation. It doesn't mean that you should take the time in the midst of research to check proper abbreviations; that can be a later step. What you will want to achieve, as soon as possible, is knowledge of what information elements will be required in a full citation. Knowing what to note at the time you do your research will save you from having to pay return visits to sources simply to determine which circuit decided a particular case, what paragraph or page numbers are associated with the portion of a decision supporting your point, or how recently the statutory compilation on which you are relying was updated.

Learning to read legal citation should be your first goal. Since you are surrounded by citations in any cases or articles you read, that should be easy. Even this requires an active frame of mind, however; it is easy to skim past citations. As you read legal material exercise your growing command of legal citation by asking yourself occasionally about a cited source: What is it? How would I retrieve it? And when you are reading in an environment that permits ready access to cases, statutes or other cited material and you are curious about a point on which there are cited references (or your head simply needs a change of pace) follow a citation or two. Reading and following citations should not require use of a manual.

Ultimately you will be able to write most citations without use of this reference or a manual – most but not all. The old and the unusual will drive even the most experienced legal writer back to the pages of *The Bluebook* or the *ALWD Citation Manual* and, in states where one exists, a local citation guide.

## **§ 1-500. Citation in Transition: From Proprietary Print Citations to Vendor- and Medium-Neutral Schemes** [Contents](#) | [Index](#) | [Help](#) | [≤](#) | [≥](#)

Neither of the major citation manuals gives much hint of the intense policy debate over citation norms catalyzed by the shift from print to digital media. Over the past two decades online and disc-based law collections have become primary research tools for many, if not most, lawyers and judges. Simultaneously, the number of alternate sources of individual decisions, regulations, and statutes has exploded. Today, in many jurisdictions, legal research is carried out by means of at least a half dozen competing versions of appellate decisions distributed in print, via the Internet, and on disc. Because of these changes, there has been

growing pressure on those ultimately responsible for citation norms, namely the courts, to establish new rules that no longer presuppose that some one publisher's print volume (created over a year after the decisions or statutes it compiles were handed down or enacted) is the key reference. Several jurisdictions have responded; many more are sure to follow. On the other hand, work habits and established practices die hard, especially when they align with vested commercial interests.

In 1996, the American Bar Association approved a resolution recommending that courts adopt a uniform public domain citation system "equally effective for printed case reports and for case reports electronically published on computer disks or network services." It proceeded to lay out the essential components of such a system. The American Association of Law Libraries had previously gone on record for "vendor and media neutral" citation. An increasing number of state courts have adopted citation schemes embodying the core elements recommended by these national bodies. For example, North Dakota state court opinions released after January 1, 1997 are to be cited according to the following North Dakota Supreme Court rule:

When available, initial citations must include the volume and initial page number of the North Western Reporter in which the opinion is published. The initial citation of any published opinion of the Supreme Court released on or after January 1, 1997, contained in a brief, memorandum, or other document filed with any trial or appellate court and the citation in the table of cases in a brief must also include a reference to the calendar year in which the decision was filed, followed by the court designation of "ND", followed by a sequential number assigned by the Clerk of the Supreme Court. A paragraph citation should be placed immediately following the sequential number assigned to the case. Subsequent citations within the brief, memorandum or other document must include the paragraph number and sufficient references to identify the initial citation.

N.D. R. Ct. 11.6 (b).

The Rule provides examples, *e.g.*:

- *Smith v. Jones*, 1997 ND 15, 600 N.W.2d 900 (fictional).
- *Smith v. Jones*, 1996 ND 15, ¶ 21, 600 N.W.2d 900 (fictional).

For decisions of the North Dakota Court of Appeals, the formula is the same with the substitution of "ND App" for "ND." As intended, the system facilitates precise and immediate reference to a portion of a North Dakota appellate decision that is as effective whether the reader follows the citation using the court's own Web site or one of the commercial online services or finds it in a volume of the North Western Reporter. Since the key citation elements, including paragraph numbers, are embedded in each decision by the court, they are carried over into that print reporter and the commercial electronic services. As a complementary measure, the North Dakota Supreme Court Web site furnishes the North Western Reporter citations for all decisions in its database, which currently reaches back through 1966. Consequently, researchers need not consult a commercial source to obtain the volume and page numbers associated with over four decades of decisions.

While the formats and other details vary slightly, several other jurisdictions have implemented case citation schemes employing the same basic structure – case name, year, court, sequential number, and (within the opinion) paragraph number or numbers. In addition to North Dakota these include Colorado, Maine, Montana, New Mexico, Oklahoma, South Dakota, Utah, Vermont, Wisconsin, and Wyoming. In 2009 Arkansas began to designate its appellate decisions in this way, while retaining page numbers within the court-released pdf file as the means for pinpoint cites. Four other states, Louisiana, Mississippi, Ohio, and, most recently, Illinois, have adopted medium-neutral citation systems, but along significantly different lines. At the federal level, the progress has, to date, been minimal. The U.S. Court of Appeals for the Sixth Circuit began to apply medium-neutral citations to its own decisions in 1994, but it has never directed attorneys to use them or employed them itself in referring to prior decisions once they have appeared in the Federal Reporter series. Among district courts, the District of South Dakota appears to stand alone. Since 1996, some, although not all, of its judges have applied paragraph numbers and case designations in the format "2008 DSD 6" to their decisions and used the system in citations to them. (See [§ 2-230](#).)

Given their quite different structure codified statutes and regulations lend themselves to vendor- and medium-neutral citation. Evolving professional practice, influenced by the prevalence of electronic media, is reducing the hold that certain preferred print editions once held on statute and regulation citations. (See [§§ 2-335](#), [2-410](#).)

## § 1-600. Who Sets Citation Norms [Contents](#) | [Index](#) | [Help](#) | [≤](#) | [>](#)

There is no national citation standard-setting authority, and despite the tendency of citation manuals to attach the word "rule" to specific citation practices, their authoritative reach is, at best, limited to a specific sector – those writing for particular journals, editing material for one or another commercial publisher, submitting briefs to a particular court. For most law writing, the relevant citations norms are set by widely accepted professional usage.

The citation manual created by the editors of four law journals, the *Columbia Law Review*, the *Harvard Law Review*, the *University of Pennsylvania Law Review*, and *The Yale Law Journal*, invariably referred to as *The Bluebook*, was for decades the most widely used codification of national citation norms. Now in its nineteenth edition, *The Bluebook* governs the citation practices of the majority of U.S. student-edited law journals and has, through its successive editions, shaped the citation education and resulting citation habits of most U.S. lawyers.

The new *ALWD Citation Manual: A Professional System of Citation* (4th ed. 2010) has quickly gained a wide following in U.S. law schools, and since it aims to reflect current usage, it is highly consistent with *The Bluebook*.

An earlier competing academic project, *The University of Chicago Manual of Legal Citation*, which called itself the "Maroon Book," offered a distinctly different and less rigid set of rules. First published in 1989, it failed to win a significant following or affect professional practice except insofar as it recognized the importance of leaving "a fair amount of discretion to practitioners, authors, and editors." *Id.* at 9.

In some states, the norms set out in national manuals are supplemented or overridden by court rules about the content, composition, and format of legal memoranda and briefs. Most often

such rules are largely consistent with national norms but set out special and typically more detailed rules for the citation of cases, statutes, and regulations of the state in question. Some of these state-specific rules call for inclusion of an additional citation element, such as a medium-neutral or other official case citation. Others require less, as, for example, not calling for repetition of the state name or its abbreviation in all state statutory citations, that being implied. Only a handful of these court rules set out a markedly different citation format. While court-mandated citation rules of this sort formally apply only to documents filed with the specified courts, they are likely to influence professional citation practice within the state more generally.

Courts not only shape local citation norms by local rules governing brief format, their policies for publication and dissemination affect the means of citation. Only a court can effectively establish the means for vendor- and medium-neutral citation of its decisions. Courts that leave the association of an enduring, citable identification for each decision and its parts to a commercial publisher, by default, force the use of the dominant publisher's print citation scheme.

Some courts, including both the Supreme Court and court systems in a number of states, retain full editorial responsibility for citable, final and official versions of their opinions. Generally implemented through a public court reporter's office, this function invariably gives rise to detailed citation norms, as well as other rules of style, that apply to decisions distributed by the court. Where the court's citation format is significantly different from national norms, as it is, for example, in New York, that may or may not influence lawyer citation practice. Courts seriously implementing medium-neutral citation not only attach the necessary decision ID and paragraph numbering to each decision, but use it in citing prior cases.

The large commercial publishers also have their own distinct citation practices, in part designed to reinforce brand. A judge's citation to "*Butner v. United States*, 440 U.S. 48, 55 (1979)" when reported in West's National Reporter System becomes "*Butner v. United States*, 440 U.S. 48, 55, 99 S.Ct. 914, 59 L.Ed.2d 136 (1979)." Annotations in a West annotated code systematically place that company's National Reporter System citation for a case ahead of its volume and page number in an official state reporter. Annotations and summaries in the LexisNexis Lawyers' Edition of Supreme Court decisions cite to the same publisher's United States Code Service – e.g., "15 USCS § 637(d)."

As noted in the discussion of medium-neutral citation, two important national bodies, the American Bar Association (ABA) and American Association of Law Libraries (AALL), have sought to persuade courts, publishers, and lawyers to implement citation standards that are not keyed to print or to any specific publisher's offerings. The AALL has gone further and published a Universal Citation Guide. This guide sets out a blueprint for courts designing medium-neutral citation schemes for their own decisions, as well as complementary approaches to other types of legal authority that can be implemented simply through professional acceptance. See [AALL, Universal Citation Guide \(ver. 2.1 2002\)](#).

In the end, most of "legal citation," like most of any language, is established by evolving usage, reinforced in some cases, altered in others, by the members of distinct communities.

## § 2-100. How to Cite Electronic Sources

While the principal citation reference works still treat the citation of electronically accessed sources as though they were exceptional cases, increasingly online sources, disc and e-book publications constitute not only print alternatives, but preferred distribution channels. This is true for judicial opinions, statutes, regulations, journal articles, and government reports of many kinds. Not only are many legal materials now available in paired print and electronic editions put out by a single publisher, but sources have proliferated. Today, it is far less likely than it was only a few years ago that the person writing a legal document and that document's readers will be working from exactly the same sources in the same format.

This shift makes it important that, wherever possible, a citation furnish sufficient information about the cited material to enable a reader to pursue the reference without regard to format or immediate source. With the most frequently cited materials – cases, constitutions, statutes, regulations, and recent journal articles – this is typically not a challenge since most legal information distributors, whether commercial, public, or nonprofit, endeavor to furnish all the data necessary for source- and medium-independent citation.

So long as you are able to furnish all the citation information called for by [§ 2-200](#), there is no need to indicate whether you relied on any one of numerous online sources, an e-book or a disc instead of one of the several print editions for the text of a U.S. Supreme Court decision. Similarly, your citations to provisions of the U.S. Code or a comparable compilation of state statutes need not indicate whether you accessed them in print or from an electronic source, nor need you indicate that you accessed an article in a widely distributed law journal on LexisNexis, Westlaw or some other Internet site.

Citations making specific reference to an electronic source are necessary only when the cited material is not widely available from multiple sources and when identifying the electronic source is likely significantly to aid readers' access to it.

The relevant citation principles follow; section [3-100](#) provides basic examples.

## § 2-110. Electronic Sources – Core Elements <sup>[BB|ALWD]</sup>

### § 2-110(1) Examples

– Steve Kenney & John Borking, *The Value of Privacy Engineering*, 2002(1) J. Info. L. & Tech., <http://www2.warwick.ac.uk/fac/soc/law/ejl/jilt/2002-1/kenny/>.  
– World Bank, *Old Age Security: Pension Reform in China 2* (1997), [http://www-wds.worldbank.org/servlet/WDS\\_IBank\\_Servlet?pcont=details&eid=000178830\\_98101912211149](http://www-wds.worldbank.org/servlet/WDS_IBank_Servlet?pcont=details&eid=000178830_98101912211149).  
– American Bar Association, Section on Legal Education and Admissions to the Bar, *Legal Education Statistics from ABA-Approved Law Schools*, available at [http://www.americanbar.org/groups/legal\\_education/resources/statistics.html](http://www.americanbar.org/groups/legal_education/resources/statistics.html) (last visited Oct. 15, 2012).

**Principle 1:** Cite to material as it is denominated and organized in "print" unless much better access is available electronically. Even where an electronic source is used, if the material is reasonably available in print cite in relation to the print version, but follow that reference with a parallel citation to the electronic source if it is likely to aid retrieval. "Reasonably available" and "likely to aid retrieval" should, of course, be considered from the standpoint of those likely to read the work in which the citation will appear. The following signals can be used to indicate whether:

- the electronic source is the only known source or the print source is, as a practical matter, unavailable (no explanatory word or phrase)
- the electronic source is a parallel reference to a print source ("*available at*").

;*But see* [§ 2-115\(1\)](#)!

### § 2-110(2) Examples

– Steve Kenney & John Borking, *The Value of Privacy Engineering*, 2002(1) J. Info. L. & Tech., <http://www2.warwick.ac.uk/fac/soc/law/ejl/jilt/2002-1/kenny/>.  
– *United States v. Mena*, No. 08-5176-cr, 2010 U.S. App. LEXIS 1121, at \*4 (2d Cir. Jan. 20, 2010).  
– *United States v. Mena*, No. 08-5176-cr, 2010 WL 177220, at \*1 (2d Cir. Jan. 20, 2010).

**Principle 2:** The citation should consist of all the elements required for the basic document type (*e.g.*, case, constitution, statute, regulation), followed by the appropriate signal, and as complete an ID or address for the online electronic source as is available.

Examples of appropriate address information include:

- the full URL of a Web-based document
- a Westlaw or LexisNexis citation.



;*But see* [§ 2-115\(2\)](#)!

Where no unique address is available indicate the source and database identification information in a parenthetical, *e.g.*

- (VersusLaw)
- (LexisNexis, News & Business, News, Major World Publications)
- (LexisNexis Veterans Benefits Manual and Related Laws and Regulations CD-ROM).

Similarly, if a complete URL is either unavailable or unwieldy, provide a base URL and provide the steps that will retrieve the document in parenthesis, *e.g.*

- (follow "Data & Research" link; then follow "Policy Research Reports" link).

### § 2-110(3) Examples

– American Bar Association, Section on Legal Education and Admissions to the Bar, *Legal Education Statistics from ABA-Approved Law Schools*, available at [http://www.americanbar.org/groups/legal\\_education/resources/statistics.html](http://www.americanbar.org/groups/legal_education/resources/statistics.html) (last visited Oct. 15, 2012).

– Dep't of Veterans Affairs, M21-1, *The Adjudication Division* § 2.03 (LexisNexis Veterans Benefits Manual and Related Laws and Regulations CD-ROM, 2011).

**Principle 3:** A date should be furnished for an electronic source when the document citation does not itself carry that information unambiguously. That date should be the stated "current through" date or release date for a disc publication, the "through" date for online sources if available or a "last modified" or "last updated" date if one is furnished for the cited material or, failing all else, a "last visited" or "accessed" date. Where such a date is required, it should be placed at the end of the citation in a parenthetical. If there is already a parenthetical including source and database information (see above), the two should be combined, separated by a comma.

;*But see* [§ 2-115\(3\)](#)!

## § 2-115. Electronic Sources – Points of Difference in Citation Practice

### § 2-115 Examples:

- Steve Kenney & John Borking, *The Value of Privacy Engineering*, 2002(1) J. Info. L. & Tech. (Mar. 22, 2002), <http://www2.warwick.ac.uk/fac/soc/law/ejl/jilt/2002-1/kenny/>. [Per the *ALWD Citation Manual*.]
- American Bar Association, Section on Legal Education and Admissions to the Bar, *Legal Education Statistics from ABA-Approved Law Schools* (available at [http://www.americanbar.org/groups/legal\\_education/resources/statistics.html](http://www.americanbar.org/groups/legal_education/resources/statistics.html)) (accessed Oct. 15, 2012). [Per the *ALWD Citation Manual*.]
- World Bank, *Old Age Security: Pension Reform in China 2* (1997) (available at [http://www-wds.worldbank.org/servlet/WDS\\_IBank\\_Servlet?pcont=details&eid=000178830\\_98101912211149](http://www-wds.worldbank.org/servlet/WDS_IBank_Servlet?pcont=details&eid=000178830_98101912211149)) [Per the *ALWD Citation Manual*.]

**Point 1:** The *ALWD Citation Manual* treats these situations somewhat differently than the principle set out in § 2-110(1). It provides specifically for electronic journals, placing the URL, without signal, at the end of the citation, and for cases, where it places the URL or commercial database cite directly following the parties' names (see § 2-225). As to other material, whether available from both print and electronic sources or only electronic ones, it places the electronic address (URL, Westlaw or LexisNexis cite, database identifier) in a parenthetical preceded by "available in" or "available at".

**Point 2:** The first edition of the *ALWD Citation Manual* placed URLs in angle brackets; but now, like *The Bluebook*, it leaves them off.

**Point 3:** The *ALWD Citation Manual* favors the use of "last updated" over "last modified" and "accessed" over "last visited".

## § 2-120. Electronic Sources – Variants and Special Cases

### § 2-120 Example

- James Grimmelman, *The Structure of Search Engine Law 45* (New York Law School Legal Studies Research Paper No. 06/07-23, 2007), available at <http://ssrn.com/abstract=979568>.

Scholarly articles frequently appear online prior to their appearance in print, if, indeed, that ever occurs. Often, they are issued in an institution's working paper series. Where that is the case, the working paper designation and number should be included in the citation in the parenthesis containing the date.

## § 2-200. How to Cite Judicial Opinions [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

In the U.S. legal system, judicial opinions are probably the most frequently cited category of legal material. The articulated grounds of past judicial decisions are, in many instances, binding precedent for currently litigated matters. Under other circumstances, they are "persuasive" authority. In either event, if on point, they should be cited. In the context of legal citation, judicial opinions are commonly referred to as "cases" and organized collections of opinions are called "law reports" or "case reports." Most cited "cases" are opinions of appellate courts; however, trial court rulings on questions of law do on occasion produce decisions lawyers may wish to cite, despite their limited force as precedent.

Prior to the era of electronic information dissemination, many courts that produced large numbers of legal opinions selected only a fraction of them for "publication" in law reports. The remaining "unpublished cases" were, as a practical matter, unavailable for citation. The appearance of online systems ready, even eager, to pick up and distribute "unpublished" decisions forced courts to be clearer about the status of decisions they view as merely involving the routine application of settled law. *See* [§ 2-250](#).

Since the decisions of American courts generally deal with multiple issues and tend to be lengthy, recounting pre-litigation facts and procedural events of limited relevance to the points for which they might be cited, it is rarely enough simply to cite the case. Under most circumstances, a full case citation should include a reference to a specific portion or portions of the opinion. A reference that merely directs the reader to a decision of the U.S. Supreme Court and no more has a greater likelihood of frustrating than persuading. It is analogous to route directions that identify the city or neighborhood but fail to furnish a complete street address.

The relevant citation principles follow; section [3-200](#) provides both basic examples and sample case citations from all major U.S. jurisdictions.

## § 2-210. Case Citations – Most Common Form [BB|ALWD](#)

### § 2-210(a) Examples

- *Czapinski v. St. Francis Hosp., Inc.*, 2000 WI 80, 236 Wis. 2d 316, 613 N.W.2d 120.
- *Kootenai Env'tl. Alliance, Inc. v. Panhandle Yacht Club, Inc.*, 671 P.2d 1085 (Idaho 1983).

**Principle:** The core of a case citation consists of four elements:

**Element (a)** - The parties' names (often referred to as the "case name" or less frequently the "style" or "caption" of the case)

- Names are italicized or underlined ([§ 5-100](#))
- and boiled down using an extensive set of omissions ([§ 4-300](#)) and abbreviations ([§ 4-100](#)),

- with a lower case "v." replacing "versus",
- and ending with a comma separating this component from the next.

### § 2-210(b) Examples

– *Czapinski v. St. Francis Hosp., Inc.*, 2000 WI 80, 236 Wis. 2d 316, 613 N.W.2d 120.

– *Czapinski v. St. Francis Hosp., Inc.*, 2000 WI 80, ¶ 19, 236 Wis. 2d 316, 613 N.W.2d 120.

– *Kootenai Env'tl. Alliance, Inc. v. Panhandle Yacht Club, Inc.*, 671 P.2d 1085 (Idaho 1983).

– *Kootenai Env'tl. Alliance, Inc. v. Panhandle Yacht Club, Inc.*, 671 P.2d 1085, 1092 (Idaho 1983).

**Element (b)** - At least one ID or address for the case (often itself referred to as the "cite or "citation") consisting of

- a medium-neutral citation, if provided by the court, ([§ 2-230](#))
- failing that, one constructed of:
  - the reporter volume number
  - reporter name (abbreviated) ([§ 4-400](#))
  - the first page of the case in that volume.

If the reference is to a portion of the opinion (as in most instances it should be), the paragraph number or numbers of that portion (with a medium-neutral citation) or the page number or numbers of that part should follow the case ID or address, set off by a comma. (Citations to one or more specific point or points in an opinion are commonly referred to as "pinpoint" or "jump" citations.)

In some situations only one ID or reporter citation is required. In others, two or more should be provided in "parallel" – *i.e.*, in succession – separated by commas.

- Most courts that have implemented medium-neutral citation formats call for continued use of print-based case IDs in parallel, when available, although not parallel "pinpoint" pages since the paragraph numbers serve that purpose equally in print.
- When state cases are *cited to a court in the same state*, parallel addresses should be provided if the case is reported in both an official state reporter and a West regional reporter – the official reporter address coming first, the regional reporter address second, the two separated by a comma. Under other circumstances, state decisions that appear in a regional reporter are cited only to that reporter. This can mean that the same decision will have a different citation form when cited within its state than when cited in other states.

;*But see* [§ 2-215\(1\)](#)!

### § 2-210(c) Examples

- *Czapinski v. St. Francis Hosp., Inc.*, 2000 WI 80, 236 Wis. 2d 316, 613 N.W.2d 120.
- *Kootenai Env'tl. Alliance, Inc. v. Panhandle Yacht Club, Inc.*, 671 P.2d 1085 (Idaho 1983).

#### Element (c) The date

- The year of decision is enclosed in parentheses if it has not already appeared in the case ID.

### § 2-210(d) Examples

- *Czapinski v. St. Francis Hosp., Inc.*, 2000 WI 80, 236 Wis. 2d 316, 613 N.W.2d 120.
- *Kootenai Env'tl. Alliance, Inc. v. Panhandle Yacht Club, Inc.*, 671 P.2d 1085 (Idaho 1983).
- *Comm. to Prevent Mun. Bankr. v. Renne*, 77 F.3d 488 (9th Cir. 1996).
- *Pertman v. Swiss Bank Corp. Comprehensive Disability Prot. Plan*, 979 F. Supp. 726 (N.D. Ill. 1997).
- *IBM v. Universal Transcon. Corp.*, 191 A.D.2d 536, 595 N.Y.S.2d 106 (2d Dept. 1993).

#### Element (d) The court

- In any reference where the court is sufficiently identified by the case ID or reporter – as for example "WI" or "Wis." – no additional reference is necessary.
- The regional reporters covering numerous states and the reporters containing decisions of the lower federal courts do not sufficiently identify the court for a particular case. Consequently, that information must be added. Court identification is placed, in abbreviated form, in the parentheses containing the year of decision.
- The highest appellate court in a state is indicated by the abbreviation for the state standing alone. Furthermore, no notation at all is required when the state is indicated in a reporter name. For example, "(Kan. 1976)" indicates a 1976 decision of the Kansas Supreme Court while a decision of the Kansas Court of Appeals would be indicated by "(Kan. Ct. App. 1984)" and a decision of the Kansas Supreme Court cited to the official reporter would simply show the date. ;*But see* § 2-215(2)!
- Whether to indicate which of several circuits, districts, divisions or departments of a court rendered a decision depends both on the court and the context for the citation. Which circuit of the U.S. Courts of Appeals or which U.S. District Court handed down a decision is always indicated. With a decision from an intermediate level state court, the information should be included in any setting where it bears on the citation's authority or is otherwise important. Thus, in a state where the decisions of one department or circuit are not binding on another one, citations should identify

the unit that decided a case. When citing the same decision in another state there would be no need to do so.

## § 2-215. Case Citations – Points of Difference in Citation Practice

**Point 1:** Whether to use parallel case citations and, if not, which citation to use is a subject on which court rules often speak. The practice set out here is consistent with most of them, although a few state rules call for citations of decisions from other jurisdictions to include both an official reporter reference, if any, and a West regional reporter reference. See [§ 7-500](#).

**Point 2:** The *ALWD Citation Manual* rejects the dominant practice of including "Ct." when abbreviating the many intermediate state appellate courts. Its abbreviation for the Kansas Court of Appeals is, therefore, "Kan. App." rather than "Kan. Ct. App."

## § 2-220. Case Citations – Variants and Special Cases <sup>[BB|ALWD]</sup>

Most case citations refer to opinions that have already appeared in established print reporters and their conformed electronic counterparts. Opinions for which that is not true either because they are very recent or because the court or publisher of the relevant reporter did not consider the decision important enough for such dissemination call for alternative identification. The challenge in such a situation is to furnish the reader sufficient information to retrieve the document from one or more specialized sources. (This is one of the problems addressed by medium-neutral citation systems. See [§ 2-230](#).) The following alternatives can be used. While they are listed in order of traditional preference, the ultimate choice should be made in terms of the intended readers' likely access. (Before citing a decision that is not "published" because of the court's own judgment about its limited precedential importance, be sure to consult the court's rules. See [§ 2-250](#).)

### § 2-220(1) Examples

- *Flamme v. Wolf Ins. Agency*, [Insurance] Auto. L. Rep. (CCH) ¶ 18,307 (Neb. Nov. 8, 1991).
- *Collins v. United States*, 3 Fed. Est. & Gift Tax Rep. (CCH) ¶ 60,060 (W.D. Okla. Jan. 31, 1991).
- *United States v. Mena*, No. 08-5176-cr, 2010 U.S. App. LEXIS 1121, at \*4 (2d Cir. Jan. 20, 2010).
- *United States v. Mena*, No. 08-5176-cr, 2010 WL 177220, at \*1 (2d Cir. Jan. 20, 2010).
- *Everette v. Astrue*, No. C 07-3013 MEJ, slip op. at 6 (N.D. Cal. Feb. 9, 2009).

**Alternative 1:** With cases available in a print looseleaf service, the minimum ID or address (following the parties' names ([§ 2-210\(a\)](#)) consists of:

- a full service citation, the court (abbreviated), and the full date.



### § 2-220(2) Examples

- *Flamme v. Wolf Ins. Agency*, [Insurance] Auto. L. Rep. (CCH) ¶ 18,307 (Neb. Nov. 8, 1991).
- *Collins v. United States*, 3 Fed. Est. & Gift Tax Rep. (CCH) ¶ 60,060 (W.D. Okla. Jan. 31, 1991).
- *United States v. Mena*, No. 08-5176-cr, 2010 U.S. App. LEXIS 1121, at \*4 (2d Cir. Jan. 20, 2010).
- *United States v. Mena*, No. 08-5176-cr, 2010 WL 177220, at \*1 (2d Cir. Jan. 20, 2010).
- *Everette v. Astrue*, No. C 07-3013 MEJ, slip op. at 6 (N.D. Cal. Feb. 9, 2009).

**Alternative 2:** With cases available in electronic format but not yet in print, the minimum ID or address (following the parties' names ([§ 2-210\(a\)](#)) consists of:

- the docket number, a citation to the electronic source ([§ 2-100](#)), the "star" page number(s) assigned by the source for a pinpoint cite, the court (abbreviated and only to the extent not communicated by the online citation), and the full date.

⚠ *But see* [§ 2-225\(1\)](#)!

### § 2-220(3) Examples

- *Flamme v. Wolf Ins. Agency*, [Insurance] Auto. L. Rep. (CCH) ¶ 18,307 (Neb. Nov. 8, 1991).
- *Collins v. United States*, 3 Fed. Est. & Gift Tax Rep. (CCH) ¶ 60,060 (W.D. Okla. Jan. 31, 1991).
- *United States v. Mena*, No. 08-5176-cr, 2010 U.S. App. LEXIS 1121, at \*4 (2d Cir. Jan. 20, 2010).
- *United States v. Mena*, No. 08-5176-cr, 2010 WL 177220, at \*1 (2d Cir. Jan. 20, 2010).
- *Everette v. Astrue*, No. C 07-3013 MEJ, slip op. at 6 (N.D. Cal. Feb. 9, 2009).

**Alternative 3:** With cases available only from the court in slip opinion, the minimum address (following the parties' names ([§ 2-210\(a\)](#)) consists of:

- the docket number, the phrase "slip op." (for "slip opinion"), the court (abbreviated), and the full date.

⚠ *But see* [§ 2-225\(2\)](#)!

## § 2-225. Case Citations – More Points of Difference in Citation Practice

### § 2-225(1) Examples

- *McNamara v. Astrue*, No. 09-1124, 2010 U.S. App. LEXIS 175 (8th Cir. Jan. 5, 2010). [Per *The Bluebook*.]
- *McNamara v. Astrue*, \_\_\_ F.3d \_\_\_, 2010 U.S. App. LEXIS 175 (8th Cir. Jan. 5, 2010). [Per the *ALWD Citation Manual*.]
- *McNamara v. Astrue*, \_\_\_ F.3d \_\_\_, 2010 WL 10392 (8th Cir. Jan. 5, 2010). [Per the *ALWD Citation Manual*.]

**Point 1:** The *ALWD Citation Manual* suggests omission of the docket number from citations to cases that are in LEXIS or Westlaw. While that saves a modest amount of space, inclusion of the docket number facilitates access to the decision by those with access through another electronic source, whether it be a competing commercial online system or the court's own Web site.

### § 2-225(2) Examples

- *McNamara v. Astrue*, No. 09-1124, 2010 U.S. App. LEXIS 175 (8th Cir. Jan. 5, 2010). [Per *The Bluebook*.]
- *McNamara v. Astrue*, \_\_\_ F.3d \_\_\_, 2010 U.S. App. LEXIS 175 (8th Cir. Jan. 5, 2010). [Per the *ALWD Citation Manual*.]
- *McNamara v. Astrue*, \_\_\_ F.3d \_\_\_, 2010 WL 10392 (8th Cir. Jan. 5, 2010). [Per the *ALWD Citation Manual*.]

**Point 2:** When the decision is certain to appear in an established reporter but has not yet been published, the *ALWD Citation Manual* calls for inclusion of a skeletal print citation with three underlined spaces taking the place of the missing volume and page numbers.

## § 2-230. Medium-Neutral Case Citations <sup>[BB|ALWD]</sup>

In 1996, the American Bar Association approved a resolution recommending that courts adopt a uniform public domain citation system "equally effective for printed case reports and for case reports electronically published on computer disks or network services" and laying out the essential components of such a medium-neutral system (*see* § 1-500). The American Association of Law Libraries had previously gone on record for "vendor and media neutral" citation and has since issued a Universal Citation Guide that details an approach consistent with that urged by the ABA. An increasing number of jurisdictions have adopted citation schemes embodying some or all of the elements recommended by these national bodies. North Dakota is representative. Its court rules state in relevant part:

When available, initial citations must include the volume and initial page number of the North Western Reporter in which the opinion is published. The initial citation of any published opinion of the Supreme Court released on or after January 1, 1997, contained in a brief, memorandum, or other document filed with any trial or appellate court and the citation in the table of cases in a brief must also include a reference to the calendar year in which the decision was filed, followed by the court designation of "ND", followed by a

sequential number assigned by the Clerk of the Supreme Court. A paragraph citation should be placed immediately following the sequential number assigned to the case. Subsequent citations within the brief, memorandum or other document must include the paragraph number and sufficient references to identify the initial citation.

N.D. R. Ct. Rule 11.6 (b).

The Rule supplies examples, *e.g.*:

- *Smith v. Jones*, 1997 ND 15, 600 N.W.2d 900 (fictional).
- *Smith v. Jones*, 1996 ND 15, ¶ 21, 600 N.W.2d 900 (fictional).

For decisions of the North Dakota Court of Appeals, the formula is the same with the substitution of "ND App" for "ND." In jurisdictions adopting such a vendor- and medium-neutral citation scheme, that scheme should be used, together with one or more parallel reporter citations as may, indeed, be required by court rule or local practice.

While the formats and other details vary slightly, several other jurisdictions have implemented case citation schemes employing the same basic structure – case name, year, court, sequential number, and (within the opinion) paragraph number or numbers. In addition to North Dakota these include Colorado, Maine, Montana, New Mexico, Oklahoma, South Dakota, Utah, Vermont, Wisconsin, and Wyoming. In 2009 Arkansas began to designate its appellate decisions in this way, while retaining page numbers within the court-released pdf file as the means for pinpoint cites. Four other states, Louisiana, Mississippi, Ohio, and, most recently, Illinois, have adopted medium-neutral citation systems, but along the significantly different lines noted below. At the federal level, the progress has, to date, been minimal. The U.S. Court of Appeals for the Sixth Circuit began to apply medium-neutral citations to its own decisions in 1994, but it has never directed attorneys to use them or employed them itself in referring to prior decisions once they have appeared in the Federal Reporter series. Among district courts, the District of South Dakota appears to stand alone. Since 1996 some, although not all, of its judges have applied paragraph numbers and case designations in the format "2008 DSD 6" to their decisions and used the system in citations to them.

Ohio's case numbering approach operates across the entire state court system rather than court by court, with the result that successive decisions of the state supreme court may be numbered 3957 and 3995. (These system-wide numbers are assigned by the state's reporter of decisions.) Illinois, Louisiana, and Mississippi use the docket number as the case ID rather than generating a new one based on year and decision sequence. In addition, Louisiana uses slip opinion page numbers rather than paragraph numbers for pinpoint citation. The U.S. Court of Appeals for the Sixth Circuit does the same.

## § 2-240. Case Citations – Conditional Items [\[BB|ALWD\]](#)

The core of a case citation includes at least two items that communicate by their absence. In other words, a case citation is read with the expectation that *if* certain things have occurred they will be reported as additional elements of a reference. Citations that are silent on these subjects are taken as representing that these facts are absent.

A citation consisting only of the core items represents that a clear holding of a majority of the court stands for the proposition with which the writer has associated it. It also represents that there have been no legal proceedings in the case occurring after the cited opinion that affect its authority. Finally, with a court that releases both "published" and "unpublished" or "non-precedential" decisions, in the absence of any indication otherwise, the citation of a decision represents that it has been designated for publication.

#### § 2-240(1) Examples

- *City of Indianapolis v. Edmond*, 531 U.S. 31, 50 (2000) (Rehnquist, C.J., dissenting).
- *Edmond v. Goldsmith*, 183 F.3d 659 (7th Cir. 1999), *aff'd*, 531 U.S. 31 (2000).

**Principle 1:** If the citation is to a dissenting, concurring, or plurality opinion or to dictum, that fact should be reported in separate parentheses following the date

#### § 2-240(2) Examples

- *City of Indianapolis v. Edmond*, 531 U.S. 31, 50 (2000) (Rehnquist, C.J., dissenting).
- *Edmond v. Goldsmith*, 183 F.3d 659 (7th Cir. 1999), *aff'd*, 531 U.S. 31 (2000).

**Principle 2:** If there have been one or more subsequent actions in the case cited, citations to those actions should be reported following the core items, preceded by an abbreviation indicating the nature of the action (§ 4-200). However, denials of certiorari by the U.S. Supreme Court or of similar discretionary appeals by other courts need not be reported unless they are recent (within the past two years) or otherwise noteworthy.

#### § 2-240(3) Example

- *Davis v. Barnhart*, No. 05-10980, 2005 U.S. App. LEXIS 22201 (11th Cir. Oct. 12, 2005) (unpublished).

**Principle 3:** If the deciding court releases both "published" and "unpublished" or "nonprecedential" decisions and the latter carry less weight, decisions of that category should have the characterization given them by the court placed in parentheses following the date. That is unnecessary with US Court of Appeals decisions cited to West's Federal Appendix reporter since it contains only "unpublished" decisions. Before citing an unpublished decision, however, see § 2-250.

## § 2-250. Citing Unpublished Cases [\[ALWD\]](#)

Electronic distribution of judicial opinions has given wide access to decisions that the issuing courts did not view as important or precedential. A court's withholding of such decisions from print publication once effectively limited dissemination, but no longer. While [§ 2-220](#) outlines the format to use in citing "unpublished" cases, court rules may well instruct that decisions the court has affirmatively designated not to be published should not be cited at all (or at least not unless they bear directly on a subsequent matter as, for example, through *res judicata*). This may be true even if a decision has in fact been published in print. Since 2001, this has been the case with many U.S. Court of Appeals "unpublished" decisions because of West's new Federal Appendix reporter. Before you cite a decision that the deciding court has labeled "unpublished" or "non-precedential," you should consult that court's rules on this point.

## § 2-300. How to Cite Constitutions, Statutes, and Similar Materials [Contents](#) | [Index](#) | [Help](#)

In the United States, constitutions and statutes are structured in a way that allows citation of relevant provisions without regard to how any particular version or edition has been printed. In this fundamental sense, they are and long have been vendor- and medium-neutral. That is because articles, sections, clauses, and subsections rather than volumes and page numbers identify specific passages. This holds for such similar legal materials as local ordinances, on the one hand, and international agreements, on the other. While these several types of legal materials share this structural quality, constitutions and statutes differ dramatically from one another in a key respect – frequency of change. The compiled enactments of Congress and the legislatures of the states are constantly subject to amendment. This reality raises a risk, albeit not a large one in most situations, that the text of the statute to which a writer refers and the text consulted by a reader following the writer's citation, at some later date, may be different. The risk is a consequence of the possibility of intervening legislative change *per se* and also by the amount of time it took the respective publishers or disseminators to enter the change in their statutory compilations. Addressing this possibility calls for both writer and reader to pay serious attention to the date of the compilation relied on by the writer. That information must be delivered in some non-ambiguous fashion by a statutory citation, while references to provisions of the U.S. Constitution or a decision of the Supreme Court have, in the typical case, no reason to indicate the currency of the edition, collection, or compilation relied upon by the writer.

The relevant citation principles follow; section [3-300](#) provides both basic examples and samples from all major U.S. jurisdictions.

## § 2-310. Constitution Citations [BB|ALWD]

### § 2-310(a) Examples

- U.S. Const. art. III, § 2, cl. 2.
- U.S. Const. amend. XIII, § 2.
- N.Y. Const. art. I, § 9, cl. 2.

**Principle:** A citation to a provision of either the federal or a state constitution consists of two elements:

**Element (a)** - The name of the constitution

(The name consists of the abbreviation of the jurisdiction – *e.g.*, U.S. for United States, N.Y. for New York ([§ 4-500](#)) – and "Const.")

### § 2-310(b) Examples

- U.S. Const. art. III, § 2, cl. 2.
- U.S. Const. amend. XIII, § 2.
- N.Y. Const. art. I, § 9, cl. 2.

**Element (b)** - The cited part

(Parts often include articles (abbreviated "art."), amendments (abbreviated "amend.") and clauses (abbreviated "cl."), in addition to sections (§).)

No punctuation separates the name of the constitution from the first part identifier; commas separate successive subparts. Nothing is italicized or underlined.

### § 2-310(c) Examples

- U.S. Const. art. III, § 2, cl. 2.
- U.S. Const. amend. XVIII, § 2 (repealed 1933).
- N.Y. Const. art. I, § 9, cl. 2.

**Element (c)** - The date

No date is required unless the citation is to a provision or version of the constitution no longer in effect.

## § 2-320. Statute Citations – Most Common Form [BB|ALWD]

Statutory provisions are, whenever possible, cited to compilations. For any single U.S. jurisdiction, there is usually a single compilation scheme, ordering sections into topically clustered units, even though there may be multiple versions of the code or compilation, print and electronic, public and commercial. Until the recent proliferation of electronic sources, citation norms favored citation to one particular print compilation for each jurisdiction. Most citation manuals still appear to do so, but practice is rapidly adjusting to the reality that

electronic compilations are in general more up-to-date and therefore more widely used than print ones, that in most jurisdictions no single version is universally relied upon, and that up-to-date print compilations from other jurisdictions are maintained in very few law libraries.

#### § 2-320-1(a) Example

– 42 U.S.C. § 405(c)(2)(C) (2006 & Supp. 2010).

**Principle 1:** The core of a citation to a codified federal statutory provision consists of three elements:

**Element (a)** - The title number followed by a space and "U.S.C." (for "United States Code")

#### § 2-320-1(b) Example

– 42 U.S.C. § 405(c)(2)(C) (2006 & Supp. 2010).

**Element (b)** - The section number preceded by the section symbol and space

#### § 2-320-1(c) Examples

– 42 U.S.C. § 405(c)(2)(C) (2006 & Supp. 2010).  
– 42 U.S.C.A. § 405(c)(2)(C) (West 2011).  
– 42 U.S.C.S. § 405(c)(2)(C) (LexisNexis 1998 & Supp. 2011).  
– 42 U.S.C. § 405(c)(2)(C) (2012 through Jan. 3).  
– 42 U.S.C. § 405(c)(2)(C) (Bloomberg Law 2012)  
– 42 U.S.C. § 405(c)(2)(C) (Fastcase 2011)  
– 42 U.S.C.S. § 405(c)(2)(C) (LexisNexis 2012 through Pub. L. No. 112-195).  
– 42 U.S.C.A. § 405(c)(2)(C) (Westlaw 2012 effective Dec. 18, 2010).

**Element (c)** - An indication of the currency of the compilation relied upon, in parentheses. (With print compilations, this has traditionally been simply the year the volume or base volume and updating supplement relied upon were published. With electronic compilations, updated at least annually, this can be the year of the compilation relied upon. If the cited statutory provisions have been or may be volatile, an even more precise current "through" date is desirable whether print or electronic media are used. The precise form this takes will be governed by the form in which the compilation relied upon presents currency information. For example, Westlaw furnishes the effective date of the most recent amendment to the cited provision included in its compiled version rather than a "through" date.)

No punctuation separates these elements. Nothing is italicized or underlined.

;*But see* [§ 2-335!](#)



### § 2-320-2(a) Examples

- Iowa Code § 602.1614 (2012).
- Cal. Prob. Code § 141 (2012).

**Principle 2:** The core of a citation to a codified state statutory provision consists of three elements:

**Element (a)** - The name of the code (abbreviated)

### § 2-320-2(b) Examples

- Iowa Code § 602.1614 (2012).
- Cal. Prob. Code § 141 (2012).

**Element (b)** - The number of the section or part, using the division identifiers of the jurisdiction's code (In some states major divisions of the code are designated by name rather than by number.)

### § 2-320-2(c) Examples

- Iowa Code § 602.1614 (2012).
- Iowa Code Ann. § 602.1614 (West 1996 & Supp. 2012).
- Cal. Prob. Code § 141 (2012).
- Cal. Prob. Code Ann. § 141 (LexisNexis 2012 through ch. 876).
- Cal. Prob. Code § 141 (LoisLaw 2012).
- Cal. Prob. Code Ann. § 141 (Westlaw 2012 effective 1992).

**Element (c)** - An indication of the currency of the compilation relied upon, in parentheses. (With print compilations, this has traditionally been simply the year the volume or base volume and updating supplement relied upon were published. With electronic compilations, updated at least annually, this can be the year of the compilation relied upon. If the cited statutory provisions have been or may be volatile, an even more precise current "through" date is desirable whether print or electronic media are used. The precise form this takes will be governed by the form in which the compilation relied upon presents currency information. As noted above, Westlaw furnishes the effective date of the most recent amendment to the cited provision included in its compiled version rather than a "through" date.)

! *But see* [§ 2-335!](#)

## § 2-330. Statute Citations – Conditional items

### § 2-330(1) Examples

#### Official:

- 42 U.S.C. § 405(c)(2)(C) (2006 & Supp. 2010).
- Iowa Code § 602.1614 (2012).

#### Unofficial:

- 42 U.S.C.A. § 405(c)(2)(C) (West 2011) or 42 U.S.C.A. § 405(c)(2)(C) (Westlaw 2012).
- 42 U.S.C.S. § 405(c)(2)(C) (LexisNexis 1998 & Supp. 2011) or 42 U.S.C.S. § 405(c)(2)(C) (LexisNexis 2012).
- Iowa Code Ann. § 602.1614 (West 1996 & Supp. 2012) or Iowa Code Ann. § 602.1614 (Westlaw 2012).

**Principle 1:** If possible, the reference should be to the jurisdiction's designated "official" codification – such as the United States Code or Iowa Code. If an unofficial commercial codification is relied upon, it is customary to use that product's branded abbreviation if different from the official code (U.S.C.A. or U.S.C.S. rather than U.S.C.; Iowa Code Ann. rather than Iowa Code) and to place the publisher's name, brand, or online source (abbreviated) ahead of the currency information in the parentheses.

;*But see* [§ 2-335!](#)

### § 2-330(2) Examples

#### Statute not amended since last print codification:

- 42 U.S.C.S. § 405(a) (LexisNexis 1998).

#### Statute amended since last print codification:

- Iowa Code Ann. § 602.1614 (West 1996 & Supp. 2012).

#### Statute cited to an electronic codification:

- 42 U.S.C.S. § 405(c)(2)(C) (LexisNexis 2012).
- 42 U.S.C.A. § 405(c)(2)(C) (Westlaw 2012).
- Iowa Code Ann. § 602.1614 (Westlaw 2012).

**Principle 2:** The reader of a statutory citation will expect that it refers to the statute as currently in force unless the reference says otherwise. However, because statutes are continually subject to amendment and compilations are put together at different times and frequencies, it is useful even with a reference to a statute currently in force to be clear about the nature or source of the currency data.

If the statute appears in a print compilation volume last published in 1998 and research indicates the statute has not been amended, conventional practice would be to place 1998 as the year in parenthesis even though print supplements, pocket parts, or much more recent online compilations were consulted to verify the provision's currency.

Only if the statute had been amended since the principal volume of a cited compilation was published would conventional practice call for the citation to refer to a supplement or a more recent electronic compilation. It would have the the parenthetical read (Supp. 2012) if the writer relied on a print supplement or pocket part published sometime in 2012 for the full provisions of the statute, as amended, or (1996 & Supp. 2012) if the reader would have to bring the supplement or pocket part together with the principal volume for the full text of the reference. Use of an up-to-date electronic compilation simplifies the presentation of currency information.

!But see [§ 2-335!](#)

## § 2-335. Statute Citations – Points of Difference in Citation Practice

### § 2-335(1) Examples

- Mich. Comp. Laws § x (year).
- Ind. Code § x (year). [Publisher's brand and "Ann." omitted.]

**Point 1:** Both *The Bluebook* and the *ALWD Citation Manual* direct a writer to cite to a publicly produced or supervised statutory compilation (generally referred to as an "official" code) if the provisions referred to are contained in it. In other cases, conventional practice, encouraged by the major publishers and reflected in both citation guides, is to identify the publisher of a commercially produced statutory compilation, and, with the two principal annotated versions of the United States Code, to use abbreviations of their brand names (U.S.C.A. and U.S.C.S.). Especially, as sources and versions have multiplied, however, usage has moved toward the citing of statutes by means of their generic or "official" designation without regard to the source actually used by the writer. If followed rigorously, this approach involves dropping the superfluous notation ("Ann."), which simply indicates that the code relied upon was annotated, and leaving the publisher's name or brand out of the parenthesis containing the currency information. The existence or nonexistence of annotations in the compilation relied on by the writer has no bearing on the statutory language itself, and, as a consequence of the shifts in ownership and branding that have occurred in commercial law publishing and the divergence between print and electronic versions of compilations bearing the same brand, references to "the publisher" are no longer straightforward.

While this is the practice of many appellate courts, neither *The Bluebook* nor the *ALWD Citation Manual* goes so far. While both remove branding elements from the name of state (but not federal) statutory compilations, they still include references to the publisher in the following parenthetical. The *ALWD Citation Manual* does so in all cases where multiple print editions exist, even if one of them is designated "official" by the state. *The Bluebook* omits designating the publisher when the version has been designated "official" by the state. Both manuals include "Ann." when the cited code is annotated.

To illustrate, the official compilation of Indiana statutes is cited "Ind. Code § x (year)." According to *The Bluebook* citations to the commercial compilation of Indiana statutes long known as "Burns Indiana Statutes Annotated" should take the form "Ind. Code Ann. § x (LexisNexis year)" while those to "West's Annotated Indiana Code" should read "Ind. Code Ann. § x (West year)." The *ALWD Citation Manual* treats the latter identically but, reflecting

what turns out to have been a short-lived branding strategy of Reed Elsevier (the corporate parent of LexisNexis) would have citations to "Burns" (and U.S.C.S. plus many more) attributed to "Lexis." Currently, however, the online versions of "Burns" show the parent brand "LexisNexis" prominently and indicate that copyright is held by Matthew Bender & Company, "a member of the LexisNexis Group." Meanwhile, Thomson Reuters has returned to placing the brand "West" on its legal publications and services that, for a time, gave greater prominence to the Thomson name. Finally, the *ALWD Citation Manual* includes the publisher "Lexis" in citations to the Alaska Statutes ("Alaska Stat. § x (Lexis year)"), but *The Bluebook* does not ("Alaska Stat. § x (year)") since that compilation is official.

### § 2-335(2) Examples

- Mich. Comp. Laws § x (year through \_\_\_\_). [More complete "current through" date in place of year of "publication."]
- Ind. Code § x (year through \_\_\_\_). [More complete "current through" date in place of year of "publication."]

**Point 2:** It is the practice in the U.S. Supreme Court, the U.S. Courts of Appeals, and a majority of state courts to omit currency information from statute citations altogether unless the provisions have been or are likely to be subject to amendment. Further, as already noted in [§ 2-320](#), methods of indicating the currency of a cited statutory compilation are in flux. Traditional practice, based on the updating frequency of print compilations, called only for the year of the compilation cited. Regularly updated electronic versions of state statutes generally provide information on their cutoff or currency date with greater precision. Often this is specified not as a date, per se, but in terms of a "legislative event" – the last included enactment or the end of a session. The *AALL Universal Citation Guide* argues that the addition of this more exact currency information to the year is a more effective measure than year of publication or compilation alone in alerting the reader to the risk that the version of the statute he or she consults may be different, by virtue of legislative change, from that referenced by the citation. However, this recommendation has yet to be widely adopted.

### § 2-335(3) Examples

- AS x. [Per Alaska Supreme Court citation practice when citing to Alaska Statutes.]
- KRS x. [Per Kentucky Supreme Court citation practice when citing to Kentucky Revised Statutes.]
- R.C. x. [Per Ohio Supreme Court citation practice when citing to Ohio Revised Code.]

**Point 3:** One area of citation practice on which there is widespread state variation is the abbreviation of the state's own code. The abbreviations used on the examples in this introduction ([§ 3-320](#)), like the two dominant national citation references, are full enough to distinguish unambiguously between a citation to a provision of the Alaska Statutes and a section of the codes of Alabama, Arizona and Arkansas. Indeed, a standard and recurring component of state statute and regulation citations is an abbreviation of the state name. When context leaves little or no doubt about which state's statutes are being cited, including importantly briefs submitted to and decisions rendered by the courts of a particular state, significant citation space can be saved with little or no loss by having the state name supplied by

implication. In decisions of the Alaska Supreme Court and briefs submitted to it, "AS" is commonly used instead of "Alaska Stat."; in Kentucky it is understood that "KRS" stands for "Kentucky Revised Statutes" and not statutes of the state of Kansas. At the extreme, this form of state-specific citation dialect leaves off all explicit reference to the state. A reference in an Ohio brief to "R.C." is understood as referring to Ohio's "Revised Code"; one in a New York brief to a section of the "General Municipal Law" and one in a California brief to a section of the "Penal Code" are understood as referring to the respective state's codified statutes.

## § 2-340. Statute Citations – Variants and Special Cases <sup>[BB|ALWD]</sup>

### § 2-340(1) Examples

- House Page Board Revision Act of 2007, Pub. L. No. 110-2, 121 Stat. 4.
- House Page Board Revision Act of 2007, Pub. L. No. 110-2,  
[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110\\_cong\\_public\\_laws&docid=f:publ002.110.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_public_laws&docid=f:publ002.110.pdf).
- Health Risk Limits for Perfluorooctanoic Acid and Perfluorooctane Sulfonate, 2007 Minn. Laws ch. 37,  
<http://ros.leg.mn/bin/getpub.php?type=law&year=2007&sn=0&num=37>.

**Special Case 1 – Session Laws:** Don't cite a statute to the session laws (the compiled enactments of a legislative body during a particular session) if a codified version will serve your purposes. This principle confines session law citations to:

- very recent enactments (provisions not yet codified even in supplements or pocket parts or online versions),
- enactments that are not codified because they are not of general applicability,
- situations where the reference is to enactment itself or to provisions that have since been repealed or modified,
- provisions that are so scattered across the code that a reference to the session laws is more efficient, and
- those rare cases in which the language in the codified version differs in some significant way from the session laws.

A session law reference consists of: the name of the statute (or if not named "Act of [date]"), its public law number ("Pub. L. No.") or equivalent state designation, and the source. In the case of a recent enactment this will most likely be electronic. *See* § 2-110. Where a print source is used the reference consists of a volume or year number followed by the name of the publication, abbreviated ("Stat." or "U.S.C.C.A.N." in the case of a federal act) and a page number. The year of enactment, in parentheses, is included in cases where that information is not already part of one of the other citation components.

;*But see* § 2-335!

### § 2-340(2) Example

– Social Security Number Privacy and Identity Theft Prevention Act of 2003, H.R.2971, 108th Cong. § 101 (2003).

**Special Case 2 – Bills:** Bills are cited either when they support a point about the legislative history of an enactment or when the reference concerns proposed legislation that was not enacted.

### § 2-340(3) Example

– Social Security Act § 205(a), 42 U.S.C. § 405(a) (2006).

**Special Case 3 – Named Acts:** Some statutes are commonly referred to by name, and in some of these cases, section references from the original legislation are still widely used. Such references should never substitute for a core reference to the legislation as codified, but they can be added to it.

### § 2-340(4) Example

– I.R.C. § 6091.

**Special Case 4 – The Internal Revenue Code:** An important exception to the general norms for citation of federal statutes allows (but does not require) references to the Internal Revenue Code to be in the form: I.R.C. § \_\_\_\_\_. This is a substitute for 26 U.S.C. § \_\_\_\_\_ (2006). So long as it is clear from the context that the citation refers to the current tax code, the current year or "through date" need not be included.

### § 2-340(5) Examples

– U.C.C. § 2-202 (amended 2003).  
– Unif. Probate Code § 2-107 (amended 1990), 8(1) U.L.A. 87 (1998).  
– Model Bus. Corp. Act § 10.01 (2002).

**Special Case 5 – Uniform Acts and Model Codes:** When a uniform act or model act or code has been adopted by a state and is being referred to as the law of that state, it is cited like any other state law. When a reference is to the uniform law or model code apart from its adoption and interpretation in a particular state, the citation should consist of the name of the uniform law or code (as abbreviated), section number, and the year that law or code (or major subpart) was promulgated or last amended. In the case of uniform laws a parallel citation to the Uniform Laws Annotated (U.L.A.) may be helpful.

## § 2-350. Local Ordinance Citations <sup>[BB|ALWD]</sup>

### § 2-350 Examples

- Cincinnati, Ohio, Municipal Code § 302-3 (2012).
- Des Moines, Iowa, Municipal Code § 8.04.040 (2012).

Ordinances governing cities, towns, or counties are cited like statutes. Just as the standard form for a citation to a state statute includes the name of the state (abbreviated), an ordinance citation is prefaced by the name of the political subdivision it governs.

## § 2-360. Treaty Citations <sup>[BB|ALWD]</sup>

### § 2-360(1) Examples

- North American Free Trade Agreement, U.S.-Can.-Mex., art. 705(3), Dec. 17, 1992, 32 I.L.M. 289 (1993).
- United Nations Convention on the Rights of the Child, Nov. 20, 1989, <http://www2.ohchr.org/english/law/crc.htm>.
- Geneva Convention Relative to the Treatment of Prisoners of War art. 4.A.3, Aug. 12, 1949, 75 U.N.T.S. 135.

**Principle 1:** The core of a citation to a treaty, international convention, or other international agreement consists of three elements:

**Element (a)** - The name of the treaty or agreement

**Element (b)** - The date of signing or approval

**Element (c)** - A source for the text likely to be accessible to the reader

### § 2-360(2) Examples

- North American Free Trade Agreement, U.S.-Can.-Mex., art. 705(3), Dec. 17, 1992, 32 I.L.M. 289 (1993).
- United Nations Convention on the Rights of the Child, Nov. 20, 1989, <http://www2.ohchr.org/english/law/crc.htm>.
- Geneva Convention Relative to the Treatment of Prisoners of War art. 4.A.3, Aug. 12, 1949, 75 U.N.T.S. 135.

**Principle 2:** Three additional elements may be appropriate:

**Element (a)** - Conventions that are the product of an international organization should either include the organization's name as part of the name of the agreement or be preceded by that name.



**Element (b)** - So long as there are no more than three parties to the agreement, their names (abbreviated) should be listed, set off by commas and separated by hyphens, following the agreement's name.

**Element (c)** - When citing to a portion of the agreement, the cited subdivision, as designated in the agreement, should be included directly following the treaty name and parties, if listed.

## § 2-400. How to Cite Regulations, Other Agency and Executive Material [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

Regulations and other agency material, particularly the output of state agencies, has become dramatically more accessible as print distribution has been supplemented or supplanted by online dissemination. Print compilations of agency regulations in even the largest states tended to be expensive and hard to keep up-to-date, characteristics that confined them to large law libraries. Now most agency material is accessible on the Internet, much of it from public, non-fee sources. Many adjudicative agencies are also now placing their decisions at a public Web site. Greater accessibility should lead to more citation of this category of primary material.

The relevant citation principles follow; section [3-400](#) provides both basic examples and samples from all major U.S. jurisdictions.

## § 2-410. Regulation Citations – Most Common Form [BB|ALWD](#)

Like statutes, agency regulations are cited to codifications if possible.

### § 2-410(1) Examples

– 20 C.F.R. § 404.260 (2012) or 20 C.F.R. § 404.110 (2012 through Apr. 1).  
– 49 C.F.R. § 236.403 (2011) or 49 C.F.R. § 236.403 (2012 through Oct. 19).  
[April 1, 2012 is the cutoff date of the print compilation of title 20, October 1, 2011, the cutoff for title 49. The second version for title 49 is based on a more up-to-date commercial or government online source.]

**Principle 1:** The core of a citation to a codified federal regulation consists of three elements:

**Element (a)** - The title number followed by a space and "C.F.R." (for "Code of Federal Regulations")

**Element (b)** - The section number preceded by the section symbol and a space

**Element (c)** - The year of the most recent compilation of that title (Note that the print editions of the different titles are compiled on a staggered schedule.) or a more precise "through" date (in parentheses)

No punctuation separates these elements. Nothing is italicized or underlined.

## § 2-410(2) Examples

- Code Me. R. 12 170 7 § 5 (2012), <http://www.maine.gov/sos/cec/rules/12/170/170c007.doc>.
- Minn. R. 3050.2600 (2012), <http://www.revisor.mn.gov/rules/?id=3050.2600>.
- Tex. Admin. Code tit. 40, § 705.3101 (2012 effective Sept. 1), [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.viewtac](http://info.sos.state.tx.us/pls/pub/readtac$ext.viewtac).

**Principle 2:** The core of a citation to a codified state regulation consists of comparable elements, adjusted to the nomenclature of the particular codification. If the reader may not be familiar with how to access the code and it is online (as most state codes now are), a parallel electronic citation may be useful. See [§ 2-110](#).

!But see [§ 2-415](#)!

## § 2-415. Regulation Citations – Points of Difference in Citation Practice

### § 2-415 Examples

- 8 AAC 15.160 (2012). [Per Alaska Supreme Court citation practice when citing to Alaska Administrative Code.]
- 405 KAR 1:120. [Per Kentucky Supreme Court citation practice when citing to Kentucky Administrative Regulations Service.]

**Point 1:** State regulations are even more rarely cited outside the state in which they apply than state statutes are. Consequently, their abbreviations according to settled usage within a state often fill in the full identification of that state by implication. This is also true with statutes. (See [§ 2-335\(3\)](#).) Thus, while *The Bluebook* and *ALWD Citation Manual* call for Alaska regulations to be cited to "Alaska Admin. Code tit. x, § y (year)," in decisions of the Alaska Supreme Court and briefs submitted to it, an Alaska regulation will typically be cited "[title] AAC [section] (year)."

## § 2-420. Regulation Citations – Variants and Special Cases [\[BB|ALWD\]](#)

### § 2-420 Examples

- Authorization of Representative Fees, 74 Fed. Reg. 48381, 48384 (Sept. 23, 2009) (amending 20 C.F.R. § 404.1720).
- Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band, 75 Fed. Reg. 3639 (Jan. April 22, 2010) (amending 47 C.F.R. pt. 15).
- Adopted Permanent Rules Relating to Telephone Assistance Plans, 34 Minn. Reg. 818 (Dec. 7, 2009) (to be codified at Minn. R. 7817.0400).
- Federal Sentencing Guidelines Manual § 3E1.1 (2009).

**Special Case 1:** Federal regulations not yet codified or citations to a regulation as originally promulgated are cited to the *Federal Register* (Fed. Reg.), preceded by name or title of the

regulations. If the regulation is to be codified in C.F.R., the location where it will appear or the portion it amends should, in most cases, be furnished parenthetically.

**Special Case 2:** State regulations not yet codified or citations to regulations as originally promulgated are cited to an equivalent publication or Web site.

**Special Case 3:** Federal Sentencing Guidelines, which are not codified in C.F.R., are cited to the manual in which they are published by the U.S. Sentencing Commission.

## § 2-450. Agency Adjudication Citations <sup>[BB|ALWD]</sup>

### § 2-450 Examples

- National Treasury Empls. Union, Chapter 65, 57 F.L.R.A. No. 3 (Mar. 12, 2001).
- Altercare of Hartville, 321 N.L.R.B. 847 (1996).
- H H 3 Trucking Inc., 345 N.L.R.B. No. 59 (Sept. 15, 2005),  
<http://mynlrb.nlr.gov/link/document.aspx/09031d458007a338>.

Agency adjudications are cited the same as judicial opinions (cases) (*see* [§ 2-200](#)) with the following differences of detail:

**Principle 1:** Names are not italicized or underlined.

**Principle 2:** The cited name is that of the first private party only (abbreviated as with judicial opinions), or the official subject-matter title, omitting all procedural phrases. (If the procedural posture of the case is important information it can be summarized in a parenthetical phrase following the date.)

**Principle 3:** The agency's official reporter is cited whenever possible. If no official reporter citation is available, the decision is cited with agency's assigned identification number and full date, plus a parallel citation to an electronic source, an unofficial reporter or service if possible.

**Principle 4:** If the name of the agency is not adequately revealed by the name of the reporter, it should be included (abbreviated) in the parentheses ahead of the date.

;*But see* [§ 2-455](#)!

## § 2-455. Agency Adjudication Citations – Points of Difference in Citation Practice

### § 2-455 Examples

- *Natl. Treas. Empls. Union, Chapter 65 v. IRS*, 57 F.L.R.A. No. 3 (Mar. 12, 2001). [Per the *ALWD Citation Manual*.]
- *Altercare of Hartville*, 321 N.L.R.B. 847 (1996). [Per the *ALWD Citation Manual*.]
- *H H 3 Trucking Inc.*, 345 N.L.R.B. No. 59 (Sept. 15, 2005), <http://mynlrb.nlr.gov/link/document.aspx/09031d458007a338>. [Per the *ALWD Citation Manual*.]

**Point 1:** The *ALWD Citation Manual* calls for a format more tightly analogous to that employed for judicial opinions, including the italicizing of party names.

## § 2-470. Agency Report Citations <sup>[BB|ALWD]</sup>

### § 2-470 Examples

- 1981 S.E.C. Ann. Rep. 21.
- U.S. Gen. Accounting Office, *GAO-02-802, SSA: Enhanced Procedures and Guidance Could Improve Service and Reduce Overpayments to Concurrent Beneficiaries* 11 (2002).

**Principle 1:** Citations to agency reports, published periodically in volumes, take the same form as journal articles (*see* [§ 2-800](#)).

**Principle 2:** Citations to agency reports that are titled and disseminated separately take the same form as books by institutional authors (*see* [§ 2-720\(1\)](#)). Where the agency numbers its reports, as does the U.S. Government Accountability Office (formerly the General Accounting Office) that designation should be included as part of the title.

## § 2-480. Citations to Executive Orders and Proclamations – Most Common Form <sup>[BB|ALWD]</sup>

### § 2-480(1) Examples

- Exec. Order No. 12,893, 59 Fed. Reg. 4233 (Jan. 31, 1994).
- Proclamation No. 7202, 3 C.F.R. 48 (2000).

**Principle 1:** The core of a citation to a federal executive order or presidential proclamation consists of four elements:

**Element (a)** - The designation "Exec. Order" or "Proclamation" followed by a space and "No." (for number)

**Element (b)** - The order or proclamation number followed by a comma and space

**Element (c)** - A citation to the Federal Register in which the order or proclamation was published (*see* § 2-420) or if it is likely to be more accessible the Code of Federal Regulations edition into which it was compiled (i.e. that for the following year) followed by a space

**Element (d)** - The date or year in parenthesis (the date of the Federal Register publication or the year of the C.F.R. compilation, not the date of the order or proclamation)

#### § 2-480(2) Examples

– Principles for Federal Infrastructure Investments, Exec. Order No. 12,893, 59 Fed. Reg. 4233 (Jan. 31, 1994), <http://www.archives.gov/federal-register/executive-orders/pdf/12893.pdf>.  
– To Eliminate Circumvention of the Quantitative Limitations Applicable to Imports of Wheat Gluten, Proclamation No. 7202, 3 C.F.R. 48 (2000), [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000\\_cfr\\_3v1&docid=3CFR7202.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_cfr_3v1&docid=3CFR7202.pdf).

**Principle 2:** Two additional additional elements may be appropriate:

**Element (a)** - The core elements can be preceded by the title of the order or proclamation followed by a comma and space

**Element (b)** - With recent documents a parallel electronic citation may be useful; all executive orders and proclamations from 1993 on are accessible online. *See* § 2-110.

#### § 2-480(3) Examples

– Mich. Exec. Order No. 2003-4 (Feb. 27, 2003), <http://www.michigan.gov/granholm/0,4587,7-168-21975-62542--,00.html>.  
– Ill. Exec. Order No. 2003-6 (Feb. 7, 2003), <http://www2.illinois.gov/Government/ExecOrders/Documents/2003/execorder2003-6.pdf>.

**Principle 3:** The core of a citation to a state governor's executive order or proclamation consists of comparable elements preceded by the state abbreviation, adjusted to the nomenclature of the particular compilation in which it appears (if any).

## § 2-485. Citations to Executive Orders and Proclamations – Points of Difference in Citation Practice

### § 2-485 Examples

- Exec. Order No. 12,893, 59 Fed. Reg. 4233 (Jan. 31, 1994). [Per *The Bluebook*.]
- Proclamation No. 7202, 3 C.F.R. 48 (2000), available at [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000\\_cfr\\_3v1&docid=3CFR7202.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_cfr_3v1&docid=3CFR7202.pdf). [Per *The Bluebook*.]
- *Principles for Federal Infrastructure Investments*, Exec. Or. 12893, 59 Fed. Reg. 4233 (Jan. 31, 1994). [Per the *ALWD Citation Manual*.]
- *To Eliminate Circumvention of the Quantitative Limitations Applicable to Imports of Wheat Gluten*, Exec. Proc. 7202, 3 C.F.R. 48 (1999) (available at [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000\\_cfr\\_3v1&docid=3CFR7202.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_cfr_3v1&docid=3CFR7202.pdf)). [Per the *ALWD Citation Manual*.]

**Point 1:** The *ALWD Citation Manual* calls for slightly different designations of orders and proclamations, omits the abbreviation "No." and does not place commas in the numbers. It also places the title of the order or proclamation in italics, when included, and treats parallel Internet citations slightly differently.

## § 2-490. Citations to Attorney General and Other Advisory Opinions – Most Common Form <sup>[BB|ALWD]</sup>

### § 2-490(1) Examples:

- 38 Op. Att'y Gen. 98 (1934).
- Op. Off. Legal Counsel (Aug. 10, 2005).
- 86 Cal. Att'y Gen. Op. No. 03-105 (June 19, 2003).
- 90 Md. Att'y Gen. Op. 17 (2005).

**Principle 1:** The core of a citation to an advisory opinion by the U.S. Attorney General, state counterparts, and similar legal officers consists of two sets of elements:

**Element (a)** - The name of the office issuing the opinion (abbreviated) and the abbreviation "Op."

**Element (b)** - A volume and page number followed by the year if the opinion has been published. The opinion number, if any, and full date if it has not been.

### § 2-490(2) Examples

- Authority Under the Defense Base Closure and Realignment Act to Close or Realign National Guard Installations Without the Consent of State Governors, Op. Off. Legal Counsel (Aug. 10, 2005), [http://www.justice.gov/olc/2005/050810\\_brac\\_opinion.pdf](http://www.justice.gov/olc/2005/050810_brac_opinion.pdf).
- Hearing Conducted by Local Board Under Ed §4-205(c) Is a Quasi-Judicial Function to Which the Open Meetings Act Does Not Apply, 90 Md. Att'y Gen. Op. 17 (2005), <http://www.oag.state.md.us/Opinions/2005/90oag17.pdf>.

**Principle 2:** Two additional additional elements may be appropriate:

**Element (a)** - The core elements can be preceded by the title of the opinion followed by a comma and space

**Element (b)** - With recent opinions a parallel electronic citation may be useful. See [§ 2-110](#).

### § 2-490(3) Examples

- 86 Cal. Att'y Gen. Op. No. 03-105 (June 19, 2003).
- Hearing Conducted by Local Board Under Ed §4-205(c) Is a Quasi-Judicial Function to Which the Open Meetings Act Does Not Apply, 90 Md. Att'y Gen. Op. 17 (2005).

**Principle 3:** The core of a citation to a state officer's advisory opinion consists of the same elements as citations to those of federal officers; however, the office name is preceded by the state abbreviation and the abbreviation "Op." is shifted to the end.



## § 2-495. Citations to Attorney General and Other Advisory Opinions – Points of Difference in Citation Practice

### § 2-495 Examples

- Authority Under the Defense Base Closure and Realignment Act to Close or Realign National Guard Installations Without the Consent of State Governors, Op. Off. Legal Counsel (Aug. 10, 2005), *available at* [http://www.justice.gov/olc/2005/050810\\_brac\\_opinion.pdf](http://www.justice.gov/olc/2005/050810_brac_opinion.pdf). [Per *The Bluebook*.]
- 86 Cal. Att'y Gen. Op. No. 03-105 (June 19, 2003), *available at* <http://ag.ca.gov/opinions/pdfs/03-105.pdf>. [Per *The Bluebook*.]
- Hearing Conducted by Local Board Under Ed §4-205(c) Is a Quasi-Judicial Function to Which the Open Meetings Act Does Not Apply, 90 Md. Att'y Gen. Op. 17 (2005), *available at* <http://www.oag.state.md.us/Opinions/2005/90oag17.pdf>. [Per *The Bluebook*.]
- *Authority Under the Defense Base Closure and Realignment Act to Close or Realign National Guard Installations Without the Consent of State Governors*, Op. Off. Legal Counsel (Aug. 10, 2005) (*available at* [http://www.justice.gov/olc/2005/050810\\_brac\\_opinion.pdf](http://www.justice.gov/olc/2005/050810_brac_opinion.pdf)). [Per the *ALWD Citation Manual*.]
- 86 Cal. Att'y Gen. Op. 03-105 (June 19, 2003) (*available at* <http://ag.ca.gov/opinions/pdfs/03-105.pdf>). [Per the *ALWD Citation Manual*.]
- *Hearing Conducted by Local Board Under Ed §4-205(c) Is a Quasi-Judicial Function to Which the Open Meetings Act Does Not Apply*, 90 Md. Att'y Gen. Op. 17 (2005) (*available at* <http://www.oag.state.md.us/Opinions/2005/90oag17.pdf>). [Per the *ALWD Citation Manual*.]

**Point 1:** The *ALWD Citation Manual* omits the abbreviation "No.", places the title of the opinion in italics, when included, and treats parallel Internet citations slightly differently.

## § 2-500. How to Cite Arbitration Decisions [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### § 2-500 Examples

- *FAA v. NATCA*, 2009 WL 2380087 (May 22, 2009) (Bierig, Arb.).
- *United States - Tax Treatment for "Foreign Sales Corporations,"* World Trade Organization No. 108 (Aug. 30, 2002) (Falconer, Chambovey & Seung Wha Chang, Arbs.).

**Principle 1:** Citations to arbitration decisions or awards take the same form as court cases if the adversarial parties are named. See [§ 2-210](#).

**Principle 2:** Citations to arbitration decisions or awards take the same form as administrative adjudications if the adversarial parties are not named. See [§ 2-450](#).

**Principle 3:** In either case the citation should include one additional information item – the arbitrator's last name – in parentheses at the end of the citation.

## § 2-600. How to Cite Court Rules [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### § 2-600 Examples

- Fed. R. Civ. P. 12(b)(6).
- Fed. R. Crim. P. 7(b).
- Haw. Fam. Ct. R. 106.
- N.J. Ct. R. 3:8-3.

**Principle:** Rules of evidence or procedure are cited by name of the set of rules (beginning with the jurisdiction) and the rule number. The name is abbreviated. According to *The Bluebook*, the current edition of the *ALWD Citation Manual*, and widespread practice, no date need be included so long as the citation's reference is to the rule currently in effect.

## § 2-700. How to Cite Books [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

The relevant citation principles follow; section [3-700](#) provides basic examples.

## § 2-710. Book Citations – Most Common Form [\[BB|ALWD\]](#)

### § 2-710(a) Examples

- 2 Calvin W. Corman, *Limitation of Actions* § 12.3 (1991).
- Henry Julian Abraham, *Justices, Presidents, and Senators* 290-95 (5th ed. 2008).

**Principle:** A standard book citation consists of the following elements (in order):

**Element (a)** - The volume number (if it is a multi-volume work)

⚠ *But see* [§ 2-715\(1\)](#)!

### § 2-710(b) Examples

- 2 Calvin W. Corman, *Limitation of Actions* § 12.3 (1991).
- Henry Julian Abraham, *Justices, Presidents, and Senators* 290-95 (5th ed. 2008).
- Wayne R. LaFare & Austin W. Scott, *Criminal Law* § 5.4 (2d ed. 1986).
- Eugene F. Scoles et al., *Conflict of Laws* § 13.20, n.10 (5th ed. 2010).

**Element (b)** - The full name of the author(s) followed by a comma

- Works by more than two authors are cited using the first author's name and "et al." unless the inclusion of the other authors' names is significant.
- Works by two authors are cited using both names separated by "&"
- Each author's full name should be given as it appears on the publication, but omitting any appended titles or academic degrees, such as Prof. or Ph.D.

⚠ *But see* [§ 2-715\(2\)](#)!

### § 2-710(c) Examples

- 2 Calvin W. Corman, *Limitation of Actions* § 12.3 (1991).
- Henry Julian Abraham, *Justices, Presidents, and Senators* 290-95 (5th ed. 2008).
- Wayne R. LaFave & Austin W. Scott, *Criminal Law* § 5.4 (2d ed. 1986).
- Eugene F. Scoles et al., *Conflict of Laws* § 13.20, n. 10 (5th ed. 2010).

**Element (c)** - Title (italicized or underlined), with all words other than prepositions and conjunctions begun with a capital letter

### § 2-710(d) Examples

- 2 Calvin W. Corman, *Limitation of Actions* § 12.3 (1991).
- Henry Julian Abraham, *Justices, Presidents, and Senators* 290-95 (5th ed. 2008).
- Wayne R. LaFave & Austin W. Scott, *Criminal Law* § 5.4 (2d ed. 1986).
- Eugene F. Scoles et al., *Conflict of Laws* § 13.20, n. 10 (5th ed. 2010).

**Element (d)** - Cited portion(s) of the book indicated by section, paragraph, or page number.

### § 2-710(e) Examples

- 2 Calvin W. Corman, *Limitation of Actions* § 12.3 (1991).
- Henry Julian Abraham, *Justices, Presidents, and Senators* 290-95 (5th ed. 2008).
- Wayne R. LaFave & Austin W. Scott, *Criminal Law* § 5.4 (2d ed. 1986).
- Eugene F. Scoles et al., *Conflict of Laws* § 13.20, n. 10 (5th ed. 2010).

**Element (e)** - A parenthesis containing the edition number (if there have been multiple editions) and year of publication

;*But see* [§ 2-715\(3\)](#)!

## § 2-715. Book Citations – Points of Difference in Citation Practice

### § 2-715 Examples

- Calvin W. Corman, *Limitation of Actions* vol. 2, § 12.3 (Little, Brown & Co. 1991). [Per the *ALWD Citation Manual*.]
- Eugene F. Scoles, Peter Hay, Patrick J. Borchers & Symeon C. Symeonides, *Conflict of Laws* § 13.20, n. 10 (5th ed., West 2010). [Per the *ALWD Citation Manual*.]
- Henry Julian Abraham, *Justices, Presidents, and Senators* 290-95 (5th ed., Rowman & Littlefield 2008). [Per the *ALWD Citation Manual*.]

**Point 1:** While longstanding conventional practice, as reflected in *The Bluebook*, is to place the volume number of a multi-volume work before the author's name, the *ALWD Citation Manual* calls for a volume number to be placed following the title with the other subdivision information.

**Point 2:** *The Bluebook* and the *ALWD Citation Manual* call for the same treatment of multiple authors. The former more than the latter, however, indicates a presumption that with more than two authors "et al." should be used.

**Point 3:** The *ALWD Citation Manual* calls for routine inclusion of the publisher's name (abbreviated) in the parentheses, before the year of publication. Where there is an edition number the publisher's name follows it, separated by a comma. *The Bluebook* directs insertion of the publisher's name only when that is necessary in order to distinguish different publishers' editions.

## § 2-720. Book Citations – Variants and Special Cases

### § 2-720(1) Examples

- Enron Corp., *2000 Annual Report* 30 (2001).
- Nolan J. Malone, U.S. Bureau of the Census, *Evaluating Components of International Migration: Consistency of 2000 Nativity Data* (2001).
- Research & Pub. Policy Dep't, Nat'l Urban League, *The Impact of Social Security on Child Poverty* 5 (2000).

### Special Case 1 – Works by Institutional Authors: [\[BB/ALWD\]](#)

Works by institutional authors are cited like books by individuals with the name of the institution substituting for the name of an individual author. If an individual author is credited for the work along with the institution, both are listed with the individual author coming first. Where multiple units or division of the institution are listed on the work, the citation includes the smallest unit first and then skips to the largest, omitting all in between. In cases where an individual author is cited, the name of that author substitutes for the smallest unit.

### § 2-720(2) Examples

- *Vill. of Grand View v. Skinner*, 22 *Envtl. L. Rep. (Envtl. Law Inst.)* 20120 (2d Cir. Oct. 24, 1991).
- *Norling v. Valley Contracting*, [2 *Wages-Hours*] *Lab. L. Rep. (CCH)* ¶ 35,543 (D.N.D. June 11, 1991).
- *Flamme v. Wolf Ins. Agency*, [*Insurance*] *Auto. L. Rep. (CCH)* ¶ 18,307 (Neb. Nov. 8, 1991).

### Special Case 2 – Services: [\[BB/ALWD\]](#)

Compilations organized around specialized fields include a wide variety of material, ranging from statutes to brief commentary. They are a frequent source of otherwise unpublished cases.

Citations to material in such a service include the name or title of the cited document in accordance with the rules applicable to its type (cases, administrative material, etc.). The portion of the citation identifying the document's address in the service includes: volume, abbreviated title (not italicized), publisher in parentheses, subdivision. In cases where the

volume designation is not simply a number it should be placed in brackets to separate it from the work's title. The date accompanying the citation (in most cases, at the end, in parenthesis) is the full date of the cited document.

### § 2-720(3) Examples

- Restatement (Second) of Contracts § 30 (1981).
- Restatement (Second) of Judgments § 57 cmt. b, illus. 3 (1982).

### Special Case 3 – Restatements: [\[BB|ALWD\]](#)

Restatements are not attributed to an author; they are cited simply by name, subdivision, and year.

### § 2-720(4) Example

- Francis M. Dougherty, Annotation, *Insurer's Tort Liability for Wrongful or Negligent Issuance of Life Policy*, 37 A.L.R.4th 972, 974 (1985).
- Francis M. Dougherty, Annotation, *Insurer's Tort Liability for Wrongful or Negligent Issuance of Life Policy*, 37 A.L.R.4th 972, at § 1 (1985).

### Special Case 4 – Annotations: [\[BB|ALWD\]](#)

Annotations in the *American Law Reports* (A.L.R.) are treated as articles in a collection or journal. Since the online versions in LexisNexis and Westlaw fail to show original interior pagination, they require the use of section numbers in any pinpoint reference.

## § 2-800. How to Cite Articles and Other Law Journal Writing [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

The relevant citation principles follow; section [3-800](#) provides both basic examples and further samples from a diversity of major U.S. law journals.

## § 2-810. Journal Article Citations – Most Common Form [\[BB|ALWD\]](#)

### § 2-810(a) Examples

- James Wilson Harshaw III, *Not Enough Time?: The Constitutionality of Short Statutes of Limitations for Civil Child Sexual Abuse Litigation*, 50 Ohio St. L.J. 753 (1989).
- Naomi R. Cahn, *Civil Images of Battered Women: The Impact of Domestic Violence on Child Custody Decisions*, 44 Vand. L. Rev. 1041 (1991).
- Steven G. Calabresi & Kevin H. Rhodes, *The Structural Constitution: Unitary Executive, Plural Judiciary*, 105 Harv. L. Rev. 1155, 1158 (1992).
- Thomas L. Irving et al., *The Significant Federal Circuit Cases Interpreting §112*, 41 Am. U. L. Rev. 621 (1992).
- Frank H. Easterbrook, *Substance and Due Process*, 1982 Sup. Ct. Rev. 85, 114.

**Principle:** The components of a journal article citation are, in order:

**Element (a)** -The full name of the contributing author followed by a comma

- Works by more than two authors are cited using the first author's name and "et al." unless the inclusion of the other authors' names is significant.
- Works by two authors are cited using both names separated by "&"
- Middle names are NOT reduced to initials unless that is how they appear in the original work.

#### § 2-810(b) Examples

– James Wilson Harshaw III, *Not Enough Time?: The Constitutionality of Short Statutes of Limitations for Civil Child Sexual Abuse Litigation*, 50 Ohio St. L.J. 753 (1989).  
– Naomi R. Cahn, *Civil Images of Battered Women: The Impact of Domestic Violence on Child Custody Decisions*, 44 Vand. L. Rev. 1041 (1991).  
– Steven G. Calabresi & Kevin H. Rhodes, *The Structural Constitution: Unitary Executive, Plural Judiciary*, 105 Harv. L. Rev. 1155, 1158 (1992).  
– Frank H. Easterbrook, *Substance and Due Process*, 1982 Sup. Ct. Rev. 85, 114.

**Element (b)** - The article title in full (italicized or underlined) followed by a comma, with all words other than prepositions and conjunctions begun with a capital letter

#### § 2-810(c) Examples

– James Wilson Harshaw III, *Not Enough Time?: The Constitutionality of Short Statutes of Limitations for Civil Child Sexual Abuse Litigation*, 50 Ohio St. L.J. 753 (1989).  
– Naomi R. Cahn, *Civil Images of Battered Women: The Impact of Domestic Violence on Child Custody Decisions*, 44 Vand. L. Rev. 1041 (1991).  
– Steven G. Calabresi & Kevin H. Rhodes, *The Structural Constitution: Unitary Executive, Plural Judiciary*, 105 Harv. L. Rev. 1155, 1158 (1992).  
– Frank H. Easterbrook, *Substance and Due Process*, 1982 Sup. Ct. Rev. 85, 114.

**Element (c)** - The volume number

- If the journal has no separate volume number but is paginated consecutively through a year's issues use the year as the volume number.

### § 2-810(d) Examples

- James Wilson Harshaw III, *Not Enough Time?: The Constitutionality of Short Statutes of Limitations for Civil Child Sexual Abuse Litigation*, 50 *Ohio St. L.J.* 753 (1989).
- Naomi R. Cahn, *Civil Images of Battered Women: The Impact of Domestic Violence on Child Custody Decisions*, 44 *Vand. L. Rev.* 1041 (1991).
- Steven G. Calabresi & Kevin H. Rhodes, *The Structural Constitution: Unitary Executive, Plural Judiciary*, 105 *Harv. L. Rev.* 1155, 1158 (1992).
- Frank H. Easterbrook, *Substance and Due Process*, 1982 *Sup. Ct. Rev.* 85, 114.

**Element (d)** - The journal name (abbreviated)

### § 2-810(e) Examples

- James Wilson Harshaw III, *Not Enough Time?: The Constitutionality of Short Statutes of Limitations for Civil Child Sexual Abuse Litigation*, 50 *Ohio St. L.J.* 753 (1989).
- Naomi R. Cahn, *Civil Images of Battered Women: The Impact of Domestic Violence on Child Custody Decisions*, 44 *Vand. L. Rev.* 1041 (1991).
- Steven G. Calabresi & Kevin H. Rhodes, *The Structural Constitution: Unitary Executive, Plural Judiciary*, 105 *Harv. L. Rev.* 1155, 1158 (1992).
- Frank H. Easterbrook, *Substance and Due Process*, 1982 *Sup. Ct. Rev.* 85, 114.

**Element (e)** - The page number(s)

- The first page of the article always appears.
- If the citation is to a portion of the article, those pages should be listed as well, set off from the first page with a comma.

### § 2-810(f) Examples

- James Wilson Harshaw III, *Not Enough Time?: The Constitutionality of Short Statutes of Limitations for Civil Child Sexual Abuse Litigation*, 50 *Ohio St. L.J.* 753 (1989).
- Naomi R. Cahn, *Civil Images of Battered Women: The Impact of Domestic Violence on Child Custody Decisions*, 44 *Vand. L. Rev.* 1041 (1991).
- Steven G. Calabresi & Kevin H. Rhodes, *The Structural Constitution: Unitary Executive, Plural Judiciary*, 105 *Harv. L. Rev.* 1155, 1158 (1992).
- Frank H. Easterbrook, *Substance and Due Process*, 1982 *Sup. Ct. Rev.* 85, 114.

**Element (f)** - The year of publication in parentheses (unless it is contained in the volume number)



## § 2-820. Journal Article Citations – Variants and Special Cases <sup>[BB|ALWD]</sup>

Journal material other than articles by contributing authors is cited in similar form with the following differences of detail:

### § 2-820(1) Examples

- John Moustakas, **Note**, *Group Rights in Cultural Property: Justifying Strict Inalienability*, 74 Cornell L. Rev. 1179, 1183 n.12 (1989).
- Helen L. Parise, **Comment**, *The Proper Extension of Tort Liability Principles in the Managed Care Industry*, 64 Temple L. Rev. 977 (1991).
- Brian Victor, **Case Comment**, *The Citizen and the Serpent: State v. Rockholt and Entrapment in New Jersey*, 38 Rutgers L. Rev. 589 (1986).
- Betsy Vencil, **Comment**, 26 Nat. Resources J. 606 (1986).

### Special Case 1 – Student Writing by a Named Student:

- The category or type of piece is added after author's name (set off by commas).
- The piece is identified only by category if there is no title or only a long digest-like heading.  
;But see [§ 2-825\(1\)](#)!

### § 2-820(2) Examples:

- **Note**, *Computer Intellectual Property and Conceptual Severence*, 103 Harv. L. Rev. 1046, 1057 (1990).
- **Book Note**, *Selling One's Birth Rights*, 102 Harv. L. Rev. 1074 (1989) (reviewing Martha A. Field, *Surrogate Motherhood* (1988)).
- **Recent Development**, 1979 Wash. U. L.Q. 1161, 1164.

### Special Case 2 – Unsigned Student Writing:

- The category or type of piece is indicated where author's name would appear.
- The piece is identified only by category if there is no title or only a long digest-like heading.  
;But see [§ 2-825\(1\)](#)!

### § 2-820(3) Examples

- John M. Balkin, *Nested Opposition*, 99 Yale L.J. 1669 (1990) (reviewing John M. Ellis, *Against Deconstruction* (1989)).
- Anthony E. Cook, *The Temptation and Fall of Original Understanding*, 1990 Duke L.J. 1163 (book review).
- Book Note, *Selling One's Birth Rights*, 102 Harv. L. Rev. 1074 (1989) (reviewing Martha A. Field, *Surrogate Motherhood* (1988)).

### Special Case 3 – Book Reviews:

- If the review is by an author who is not student editor, the core citation is followed by a parenthetical simply identifying the piece as a book review or indicating the work reviewed.
- If the review by a student editor, it is cited like other student journal writing and given the category "Book Note".  
;But see [§ 2-825\(1\)](#)!

### § 2-820(4) Examples

- Charles Nesson, *Agent Orange Meets the Blue Bus: Factfinding at the Frontiers of Knowledge*, 66 B.U. L. Rev. 521 (1986). [Part of a symposium]
- Project, *Nineteenth Annual Review of Criminal Procedure: United States Supreme Court and Court of Appeals 1988-1989*, 78 Geo. L.J. 699 (1990).
- Symposium, *Probability and Inference in the Law of Evidence*, 66 B.U. L. Rev. 377 (1986).

### Special Case 4 – Symposia and the Like:

- Articles that are part of a symposium or survey are cited independently unless the name of the symposium must be added to the title of the article for its scope to be clear.
- If the symposium or survey is cited as a unit, include the appropriate category label before the title of the unit unless the title already includes the term.

### § 2-820(5) Examples

- John D. Feerick, **Dedication**, *George Bundy Smith - A Good Lawyer*, 68 Alb. L. Rev. 207 (2005).
- Jamin B. Raskin, **Tribute**, *Burton D. Wechsler, Scholar of Struggle*, 52 Am. U. L. Rev. 9 (2002).
- C. Edwin Baker, **Commentary**, *Media Structure, Ownership Policy, and the First Amendment*, 78 S. Cal. L. Rev. 733 (2005).
- **Tribute**, *John L. Garvey*, 49 Cath. U. L. Rev. 1 (1999).

### Special Case 5 – Tributes, Dedications and Other Specially Labeled Articles:

- With articles carrying a designation like "Tribute," "Dedication," or "Commentary," that label should be added after author's name (set off by commas).
- If there is no named author, the designation is indicated where the author's name would appear.

### § 2-820(6) Examples

- Michael Heise, *Are Single-sex Schools Inherently Unequal?*, Cornell L.F., **Fall/Winter 2004, at 6, 7.**
- Steve Weinberg, *Missing and Presumed Murdered*, A.B.A. J., **Sept. 1995, at 62.**

### Special Case 6 – Articles in Journals with Separate Pagination in Each Issue:

- With articles appearing in journals that have separate, nonconsecutive pagination in each issue or in special issues that are separately paginated, the volume number is not indicated, but the issue is identified by the date, as it appears on the cover, set off by commas, following the journal name.
- Page numbers, preceded by the word "at," follow the issue date.

## § 2-825. Journal Article Citations – Points of Difference in Citation Practice

### § 2-825 Examples

- John Moustakas, **Note**, *Group Rights in Cultural Property: Justifying Strict Inalienability*, 74 Cornell L. Rev. 1179, 1183 n.12 (1989). [Per *The Bluebook*.]
- John Moustakas, **Student Author**, *Group Rights in Cultural Property: Justifying Strict Inalienability*, 74 Cornell L. Rev. 1179, 1183 n.12 (1989). [Per the *ALWD Citation Manual*.]
- John D. Feerick, **Dedication**, *George Bundy Smith - A Good Lawyer*, 68 Alb. L. Rev. 207 (2005). [Per *The Bluebook*.]
- John D. Feerick, *George Bundy Smith - A Good Lawyer*, 68 Alb. L. Rev. 207 (2005). [Per the *ALWD Citation Manual*.]
- Steve Weinberg, *Missing and Presumed Murdered*, A.B.A. J., **Sept. 1995, at 62.** [Per *The Bluebook*.]
- Steve Weinberg, *Missing and Presumed Murdered*, **81 ABA J. 62 (Sept. 1995)**. [Per the *ALWD Citation Manual*.]

**Point 1:** Instead of distinguishing student writing by following the author's name with a specific category or type label such as "Note" the *ALWD Citation Manual* calls for use of the generic label "Student Author".

**Point 2:** The *ALWD Citation Manual* does not call for the inclusion of an article's special designation in its citation.

**Point 3:** With separately paginated issues, the *ALWD Citation Manual* does not leave off the volume number or move the page number to a different location, but identifies the issue by the date or number appearing on the cover, in the concluding parenthesis. (It also abbreviates the American Bar Association as "ABA" rather than "A.B.A.")

## § 2-900. How to Cite Documents from Earlier Stages of the Same Case

[BB|ALWD](#) | [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### § 2-900 Examples

- (R. at 30.)
- (Smith Aff. ¶ 6.)
- (Compl. ¶ 10.)
- (Horn Dep. 99:23-101:5, July 22, 2005, ECF No. 22.)

References to the record and other case documents in a brief or memorandum are placed in parentheses. The document's name is not italicized or underlined, but initial letters are capitalized. Standard abbreviations ([§ 4-900](#)) exist for many of the document types. Pinpoint citations are indicated using the division (paragraph, number, page) of the document in question. Citation to a particular page (or range of page numbers) in the record is, customarily, preceded by the word "at" followed by the page number. The date of the event is furnished with depositions, trial testimony, and in other situations where it will aid the reader. When the document is held in a court case management system like the federal courts' CM/ECF which assigns document numbers that designation should also be included.

§ 3-000. EXAMPLES – CITATIONS OF ... [Contents](#) | [Index](#) | [Help](#) | [≤](#) | [≥](#)

§ 3-100. Electronic Sources

§ 3-110. Electronic Citations – Core Elements

**Illustrations**

[American Bar Association, Section on Legal Education and Admissions to the Bar, \*Legal Education Statistics from ABA-Approved Law Schools\*, available at \[http://www.americanbar.org/groups/legal\\\_education/resources/statistics.html\]\(http://www.americanbar.org/groups/legal\_education/resources/statistics.html\) \(last visited Oct. 15, 2012\).](#)

[Dep't of Veterans Affairs, M21-1, \*The Adjudication Division § 2.03\* \(LexisNexis Veterans Benefits Manual and Related Laws and Regulations CD-ROM, 2011\).](#)

§ 3-200. Judicial Opinions [Contents](#) | [Index](#) | [Help](#) | [≤](#) | [≥](#)

§ 3-210. Case Citations – Most Common Form

**Illustrations**

[Wilson v. Mar. Overseas Corp.](#), [150 F.3d 1](#), [6-7](#) ([1st Cir. 1998](#)).

[Meier v. Said](#), [2007 ND 18](#), [¶ 22](#), [726 N.W.2d 852](#).

For short form examples see [§ 6-520](#).

**Additional Examples**

Full Range of: [Federal Court Decisions](#) | [State Court Decisions](#)

**Federal Case Citations:**

- [Supreme Court](#)
- [Courts of Appeals](#)
- [Court of Appeals for the Federal Circuit](#)
- [District Courts](#)

- [Bankruptcy Courts and Bankruptcy Panels](#)
- [Court of Federal Claims](#)
- [Tax Court](#)
- [Military Service Courts of Criminal Appeals](#)

## Supreme Court

- *Brown v. Helvering*, 291 U.S. 193, 203 (1934).
- *John Doe Agency v. John Doe Corp.*, 493 U.S. 146, 159-60 (1934) (Stevens, J., dissenting).
- *Cornish v. D.C. Bd. on Prof'l Responsibility*, 117 S. Ct. 547, 136 L. Ed. 2d 430 (1996).
- *Cammisano v. U.S. Senate Permanent Subcomm. on Investigations*, 454 U.S. 1084 (1981).
- *Office of Pers. Mgmt. v. Richmond*, 496 U.S. 414 (1990).
- *Scott v. Harris*, 127 S. Ct. 1769 (2007).
- *Lawrence v. Florida*, 166 L. Ed. 2d 924 (2007).
- *Scott v. Harris*, 75 U.S.L.W. 4297 (U.S. Apr. 30, 2007).

## Courts of Appeals

- *Shames v. Cal. Travel & Tourism Op. Comm'n*, 607 F.3d 611 (9th Cir. 2010).
- *Antonov v. Cnty. of Los Angeles Dep't of Pub. Soc. Servs.*, 103 F.3d 137 (9th Cir. 1996).
- *Chatchka v. Soc'y for Concerned Citizens Interested in Equal.*, 69 F.3d 666 (5th Cir. 1996).
- *Comm. to Prevent Mun. Bankr. v. Renne*, 77 F.3d 488 (9th Cir. 1996).
- *Cong. Fin. v. Commercial Tech., Inc.*, 74 F.3d 1253 (11th Cir. 1995).
- *Shoemaker v. Accreditation Council for Graduate Med. Educ.*, 87 F.3d 1322 (9th Cir. 1996).
- *Natural Res. Def. Council v. NRC*, 216 F.3d 1180 (D.C. Cir. 2000).
- *Wilson v. Mar. Overseas Corp.*, 150 F.3d 1 (1st Cir. 1998).
- *Phillips Exeter Acad. v. Howard Phillips Fund, Inc.*, 196 F.3d 284 (1st Cir. 1999).
- *Grace Bible Fellowship, Inc. v. Me. Sch. Admin. Dist. No. 5*, 941 F.2d 45 (1st Cir. 1991).
- *A.B.C. Bus Lines v. Urban Mass Transp. Admin.*, 831 F.2d 360 (1st Cir. 1987).
- *Orange Cnty. Agric. Soc'y, Inc. v. Comm'r*, 893 F.2d 529 (2d Cir. 1990).
- *Shiau v. U.S. Dep't of Agric.*, 895 F.2d 1410 (2d Cir. 1989).
- *S'holders v. Sound Radio*, 109 F.3d 873 (3d Cir. 1997).
- *Barry v. Bergen Cnty. Prob. Dep't*, 128 F.3d 152 (3d Cir. 1997).
- *Tillman v. Lebanon Cnty. Corr. Facility*, 221 F.3d 410 (3d Cir. 2000).
- *Johnstone v. N. Am. Van Lines*, 958 F.2d 363 (3d Cir. 1992).
- *Opticians Ass'n of Am. v. Indep. Opticians of Am.*, 920 F.2d 187 (3d Cir. 1990).
- *Little Princess Assocs. v. Passgo, Inc.* 922 F.2d 832 (3d Cir. 1990).
- *Philadelphia Marine Trade Ass'n v. Local 1242, Int'l Longshoremens's Ass'n*, 915 F.2d 1561 (3d Cir. 1990).
- *S.C. State Ports Auth. v. NLRB*, 914 F.2d 49 (4th Cir. 1990).
- *Gulf Atl., Inc. v. Gen. Elec. Co.*, 878 F.2d 1430 (4th Cir. 1989).
- *Stewart Glass & Mirror, Inc. v. U.S. Auto Glass Disc. Ctrs., Inc.*, 200 F.3d 307 (5th Cir. 2000).
- *Cobb v. Delta Exps., Inc.*, 186 F.3d 675 (5th Cir. 1999).
- *Moore v. U.S. Auto. Ass'n*, 800 F.2d 1147 (5th Cir. 1987).
- *BAW Mfg. Co. v. Slaks Fifth Ave., Ltd.*, 547 F.2d 928 (5th Cir. 1977).
- *United States ex rel. Interstate Mech. Contrs., Inc. v. Int'l Fid. Ins. Co.*, 200 F.3d 456 (6th Cir. 2000).
- *Wooddell v. Int'l Bhd. of Elec. Workers, Local 71*, 907 F.2d 151 (6th Cir. 1990), *rev'd* 112 S. Ct. 494 (1991).



- *NLRB v. Dist. 29*, 921 F.2d 645 (6th Cir. 1990).
- *Schoonover v. Black Bros. Co.*, 914 F.2d 258 (6th Cir. 1990).
- *Buchanan v. Apfel*, 249 F.3d 485, 2001 FED App. 0138P (6th Cir.).
- *Kennedy v. Nat'l Juvenile Det. Ass'n*, 187 F.3d 690 (7th Cir. 1999).
- *Travis v. Gary Cmty. Mental Health Ctr.*, 921 F.2d 108 (7th Cir. 1990), *cert. denied*, 112 S. Ct. 60 (1991).
- *A.G. Edwards & Sons, Inc. v. Pub. Bldg. Comm'n*, 921 F.2d 118 (7th Cir. 1990).
- *Trs. of Cent. States Health & Welfare Fund v. Lamberti*, 878 F.2d 384 (7th Cir. 1989).
- *Hair v. Helena Chem. Co.*, 915 F.2d 1579 (8th Cir. 1990).
- *Mo. Hous. Dev. Comm'n v. Brice*, 919 F.2d 1306 (8th Cir. 1990).
- *Ark. State Bank Comm'r v. Resolution Trust Corp.*, 911 F.2d 161 (8th Cir. 1990).
- *Crain v. Bd. of Police Comm'rs of the Metro. Police Dep't*, 920 F.2d 1402 (8th Cir. 1990).
- *Am. Prof'l Testing Serv. v. Harcourt Brace Jovanovich Legal & Prof'l Publ'ns*, 108 F.3d 1147 (9th Cir. 1997).
- *Benton Franklin Riverfront Trailway & Bridge Comm. v. Skinner*, 914 F.2d 1496 (9th Cir. 1990).
- *Ins. Co. of Pa. v. Associated Int'l Ins. Co.*, 922 F.2d 516 (9th Cir. 1990)
- *Morrell Constr. v. Home Ins. Co.*, 920 F.2d 576 (9th Cir. 1990).
- *Olguin v. Inspiration Consol. Copper Co.*, 740 F.2d 1468 (9th Cir. 1984).
- *Dillon v. Fibreboard Corp.*, 919 F.2d 1488 (10th Cir. 1990).
- *Comm'n Workers of Am. v. Southeastern Elec. Coop.*, 882 F.2d 467 (10th Cir. 1989).
- *Haagen-Dazs Co. v. Masterbrand Distribs.*, 918 F.2d 183 (11th Cir. 1990).
- *Tally-Ho, Inc. v. Coast Cmty. Coll. Dist.*, 889 F.2d 1018 (11th Cir. 1989).
- *Nat'l Distrib. Co. v. James B. Beam Distilling Co.* 845 F.2d 307 (11th Cir. 1988).

### **Court of Appeals for the Federal Circuit**

- *Or. Steel Mills, Inc. v. United States*, 862 F.2d 1541 (Fed. Cir. 1988).

### **District Courts**

- *Hollander v. Inst. For Research on Women & Gend. At Columbia Univ.*, No. 08 Civ. 7286 (LAK) (KNF), 2009 U.S. Dist. LEXIS 34942 (S.D.N.Y. Apr. 15, 2009).
- *Huangyan Imp. & Exp. Corp. v. Nature's Farm Prods.*, No. 99 Civ. 9404 (SHS), 2000 U.S. Dist. LEXIS 12335 (S.D.N.Y. Aug. 25, 2000).
- *Villar v. Crowley Mar. Corp.*, 780 F. Supp. 1467 (S.D. Tex. 1992).
- *Diaz v. Antilles Conversion & Exp., Inc.*, 62 F. Supp. 2d 463 (D.P.R. 1999).
- *Glen Holly Entm't, Inc. v. Tektronix, Inc.*, 100 F. Supp. 2d 1073 (C.D. Cal. 1999).
- *Perlman v. Swiss Bank Corp. Comprehensive Disability Prot. Plan*, 979 F. Supp. 726 (N.D. Ill. 1997).
- *Natural Res. Def. Council v. Fox*, 93 F. Supp. 2d 531 (S.D.N.Y. 2000).
- *Chatoff v. West Publ'g Co.*, 948 F. Supp. 176 (E.D.N.Y. 1996).
- *Haghighi v. Russian-American Broad. Co.*, 945 F. Supp. 1233 (D. Minn. 1996).
- *Upjohn Co. v. Mova Pharm. Corp.*, 936 F. Supp. 55 (D.P.R. 1996).
- *N.J. Tpk. Auth. v. PPG Indus.*, 16 F. Supp. 2d 460 (D.N.J. 1998).
- *Trs. of the Univ. of Pa. v. Mayflower Transit*, Civil Action No. 97-1111, 1997 U.S. Dist. LEXIS 14577, (E.D. Pa. Sept. 16, 1997).
- *Azalea Meats, Inc. v. Muscat*, 246 F. Supp. 780 (S.D. Fla. 1965).
- *Glinsey v. Baltimore & O.R.R.*, 356 F. Supp. 984 (N.D. Ohio 1973), *rev'd*, 495 F.2d 565 (6th Cir. 1974).
- *Post v. Textron, Inc.*, 554 F. Supp. 419 (W.D. Mich. 1983).
- *Hotchner v. Barrymore*, 31 F. Supp. 928 (E.D.N.Y. 1940).
- *Lamkin v. Bowen*, 721 F. Supp. 263 (D. Colo. 1989).
- *Allen v. Hunter*, 65 F. Supp. 365 (D. Kan. 1946).

- *Navajo Freight Lines v. Bibb*, 159 F. Supp. 385 (S.D. Ill. 1958).
- *McRae v. Publ'ns Int'l*, 985 F. Supp. 1036 (D. Kan. 1997).
- *Van Houten v. Ralls*, 290 F. Supp. 67 (D. Nev. 1967).
- *United States v. Love*, 141 F.R.D. 315 (D. Colo. 1992).

## Bankruptcy Courts and Bankruptcy Panels

- *Weiner v. Perry, Settles & Lawson, Inc.*, 208 B.R. 69 (B.A.P. 1st Cir. 1997).

## Court of Federal Claims

- *Ex'r of Estate of Wicker v. United States*, 43 Fed. Cl. 172 (1999).
- *Express Foods, Inc. v. United States*, 229 Ct. Cl. 733 (Cl. Ct. 1981).\*
- *Youngstown Steel Equip. Sales, Inc. v. United States*, 20 Cl. Ct. 517 (1990), *rev'd*, 935 F.2d 281 (Fed. Cir. 1991).

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\* The parenthetical reference "Cl. Ct." must be included in pre-1982 cites to the Ct. Cl. reporter but is unnecessary in cases cited to the Cl. Ct. reporter.

## Tax Court

- *Allied Equip. Leasing II v. Comm'r*, 97 T.C. 575 (1991).

## Military Service Courts of Criminal Appeals

- *United States v. Zamberlan*, 45 M.J. 491 (C.A.A.F. 1997).
- *United States v. Myers*, 25 M.J. 573 (A.F.C.M.R. 1987), *petition denied*, 27 M.J. 20 (C.M.A. 1988).
- *United States v. Young*, 24 M.J. 626 (A.C.M.R. 1987).

## State Case Citations:

In states where a citation variant appears against a different background there is a distinct case citation format used within the jurisdiction by state courts and those submitting memoranda or briefs to them.

- [Alabama](#) | [Alaska](#) | [Arizona](#) | [Arkansas](#)
- [California](#) | [Colorado](#) | [Connecticut](#) | [Delaware](#)
- [District of Columbia](#) | [Florida](#) | [Georgia](#) | [Hawaii](#)
- [Idaho](#) | [Illinois](#) | [Indiana](#) | [Iowa](#)
- [Kansas](#) | [Kentucky](#) | [Louisiana](#) | [Maine](#)
- [Maryland](#) | [Massachusetts](#) | [Michigan](#) | [Minnesota](#)
- [Mississippi](#) | [Missouri](#) | [Montana](#) | [Nebraska](#)
- [Nevada](#) | [New Hampshire](#) | [New Jersey](#) | [New Mexico](#)
- [New York](#) | [North Carolina](#) | [North Dakota](#) | [Ohio](#)
- [Oklahoma](#) | [Oregon](#) | [Pennsylvania](#) | [Rhode Island](#)
- [South Carolina](#) | [South Dakota](#) | [Tennessee](#) | [Texas](#)
- [Utah](#) | [Vermont](#) | [Virginia](#) | [Washington](#)
- [West Virginia](#) | [Wisconsin](#) | [Wyoming](#)

## Alabama

- *Se. Meats of Pelham, Inc. v. City of Birmingham*, 895 So. 2d 909 (Ala. 2004).
- *Talton Telecomm. Corp. v. Coleman*, 665 So. 2d 914 (Ala. 1995).
- *Piersol v. ITT Phillips Drill Div., Inc.*, 445 So. 2d 559 (Ala. 1989).
- *Mims v. Am. Fed'n of Gov't Emps.*, 531 So. 2d 661 (Ala. 1988).
- *Gov't & Civic Emps. Org. Comm. v. Windsor*, 262 Ala. 285, 78 So. 2d 646 (1955).\*
- *Gov't & Civic Emps. Org. Comm. v. Windsor*, 78 So. 2d 646 (Ala. 1955).
- *State Dep't of Pub. Health v. Boackle-Phipps Foods*, 594 So. 2d 1234 (Ala. Civ. App. 1991).
- *Tracy v. Tracy*, 939 So. 2d 48 (Ala. Civ. App. 2006).
- *Sanders v. State*, 947 So. 2d 432 (Ala. Crim. App. 2006).

\* Publication of Alabama Reports and Alabama Appellate Court Reports (Ala. App.) ceased in 1976. In-state references to decisions appearing in those reports should, where possible, include parallel citations to them. Note that Alabama has two intermediate appellate courts, one with civil and one with criminal jurisdiction.

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## Alaska

- *Alaska Far E. Corp. v. Newby*, 630 P.2d 533 (Alaska 1981).
- *Parks v. State*, 731 P.2d 597 (Alaska Ct. App. 1987).
- *Parks v. State*, 731 P.2d 597 (Alaska App. 1987).\*

\* In-state references to Alaska Court of Appeals decisions generally use this slightly more economical format. For more examples, see [§ 7-500](#).

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## Arizona

- *Tom Reed Gold Mines Co. v. United E. Mining Co.*, 39 Ariz. 533, 8 P.2d 449 (1932).\*
- *Tom Reed Gold Mines Co. v. United E. Mining Co.*, 8 P.2d 449 (Ariz. 1932).
- *Spurlock v. Santa Fe Pac. R.R. Co.*, 143 Ariz. 469, 694 P.2d 299 (Ct. App. 1984).\*
- *Spurlock v. Santa Fe Pac. R.R. Co.*, 143 Ariz. 469, 694 P.2d 299 (App. 1984).\*\*
- *Spurlock v. Santa Fe Pac. R.R. Co.*, 694 P.2d 299 (Ariz. Ct. App. 1984).
- *Johnson Int'l, Inc. v. City of Phoenix*, 192 Ariz. 466, 470-71 ¶ 26, 967 P.2d 607, 611-12 (App. 1998).\*\*
- *Johnson Int'l, Inc. v. City of Phoenix*, 967 P.2d 607, 611-12 (Ariz. Ct. App. 1998).

\* In-state references to decisions appearing in Arizona Reports should, where possible, include parallel citations to those reports.

\*\* In-state references also generally use this slightly more economical abbreviation of the Court of Appeals. In addition, decisions rendered since January 1, 1998, include paragraph numbers which are generally used, together with rather than instead of page numbers, in in-state pinpoint citations. For more examples, see [§ 7-500](#).

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## Arkansas

- *Whiteside v. Russellville Newspapers, Inc.*, 2009 Ark. 135, 295 S.W.3d 798.\*
- *Whiteside v. Russellville Newspapers, Inc.*, 295 S.W.3d 798 (Ark. 2009).
- *Magnolia Sch. Dist. No. 14 v. Ark. State Bd. of Educ.*, 303 Ark. 666, 799 S.W.2d 791 (1990).\*
- *Magnolia Sch. Dist. No. 14 v. Ark. State Bd. of Educ.*, 799 S.W.2d 791 (Ark. 1990).
- *All City Glass & Mirror v. McGraw Hill Info. Sys. Co.*, 295 Ark. 520, 750 S.W.2d 395 (1988).\*
- *All City Glass & Mirror v. McGraw Hill Info. Sys. Co.*, 750 S.W.2d 395 (Ark. 1988).
- *Bronakowski v. Lindhurst*, 2009 Ark. App. 513, 324 S.W.3d 719. \*
- *Bronakowski v. Lindhurst*, 324 S.W.3d 719 (Ark. 1990).
- *Aetna Cas. & Sur. Co. v. Dyer*, 6 Ark. App. 211, 639 S.W.2d 536 (1982).\*
- *Aetna Cas. & Sur. Co. v. Dyer*, 639 S.W.2d 536 (Ark. Ct. App. 1982).

\* In-state references to decisions appearing in Arkansas Reports should, where possible, include parallel citations to those reports. Citations to decisions from 2009 on should instead use the state's medium-neutral citation system.

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## California

- *Green v. State of California*, 42 Cal. 4th 254, 260, 165 P.3d 118, 121, 64 Cal. Rptr. 3d 390, 393 (2007).\*
- (*Green v. State of California* (2007) 42 Cal.4th 254, 260.)\*\*
- *Green v. State of California*, 165 P.3d 118, 121 (Cal. 2007).
- *Coal. of Concerned Cmty's., Inc. v. City of Los Angeles*, 34 Cal. 4th 733, 101 P.3d 563, 21 Cal. Rptr. 3d 676 (2005).\*
- *Coal. of Concerned Cmty's., Inc. v. City of Los Angeles*, 101 P.3d 563 (Cal. 2005).
- *Cal. Educ. Facilities Auth. v. Priest*, 12 Cal. 3d 593, 526 P.2d 513, 116 Cal. Rptr. 361 (1974).\*
- *Cal. Educ. Facilities Auth. v. Priest*, 526 P.2d 513 (Cal. 1974).
- *Sakotas v. Workers' Comp. Appeals Bd.*, 80 Cal. App. 4th 262, 95 Cal. Rptr. 2d 153 (2000).\*
- *Sakotas v. Workers' Comp. Appeals Bd.*, 95 Cal. Rptr. 2d 153 (Ct. App. 2000).
- *Salinas v. Atchison, Topeka & Santa Fe Ry. Co.*, 5 Cal. App. 4th 1, 6 Cal. Rptr. 2d 446 (1992).\*
- *Salinas v. Atchison, Topeka & Santa Fe Ry. Co.*, 6 Cal. Rptr. 2d 446 (Ct. App. 1992).

\* In-state references to decisions appearing in California Reports or California Appellate Reports should, where possible, include parallel citations to them.

\*\* In addition, they may but need not use the distinctive format employed by the California courts and set out in the *California Style Manual*. For examples, see [§ 7-500](#).

## Colorado

- *People v. Padilla-Lopez*, 2012 CO 49, ¶ 18, 279 P.3d 651\*
- *People v. Padilla-Lopez*, 279 P.3d 651, 656 (Colo. 2012).
- *City of Greeley v. Poudre Valley Rural Elec.*, 744 P.2d 739 (Colo. 1987), *appeal dismissed*, 485 U.S. 949 (1988).
- *B.K. Sweeney Elec. Co. v. Poston*, 110 Colo. 139, 132 P.2d 443 (1942).\*
- *B.K. Sweeney Elec. Co. v. Poston*, 132 P.2d 443 (Colo. 1942).
- *Vaccaro v. Am. Family Ins. Group*, 2012 COA 9, ¶ 18, 275 P.3d 750.\*
- *Vaccaro v. Am. Family Ins. Group*, 132 P.3d 750 (Colo. Ct. App. 2012).
- *People v. Petschow*, 119 P.3d 495 (Colo. App. 2004).\*
- *People v. Petschow*, 119 P.3d 495 (Colo. Ct. App. 2004).
- *Serv. Merch. Co. v. Schwartzberg*, 971 P.2d 654 (Colo. Ct. App. 1997).
- *Vessels Oil & Gas Co. v. Coastal Ref. & Mktg., Inc.*, 764 P.2d 391 (Colo. Ct. App. 1988).

\* Publication of Colorado Reports ceased in 1980. In-state references to decisions appearing in those reports should, where possible, include parallel citations to them. In addition, in-state references to decisions of the Court of Appeals can follow the practice of the Colorado courts and use a slightly more economic abbreviation of the court. For more examples, see [§ 7-500](#). Citations to decisions from 2012 on can use the state's medium-neutral citation system instead of citations to the regional reporter; they need not include a parallel citation.

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## Connecticut

- *Tovish v. Gerber Elecs.*, 212 Conn. 814, 565 A.2d 538 (1989).\*
- *Tovish v. Gerber Elecs.*, 565 A.2d 538 (Conn. 1989).
- *Hansen v. Ohio Cas. Ins. Co.*, 239 Conn. 549, 687 A.2d 1262 (1995).\*
- *Hansen v. Ohio Cas. Ins. Co.*, 687 A.2d 1262 (Conn. 1995).
- *Vogel v. Maimonides Acad. of W. Conn., Inc.*, 58 Conn. App. 624, 754 A.2d 824 (2000).\*
- *Vogel v. Maimonides Acad. of W. Conn., Inc.*, 754 A.2d 824 (Conn. App. Ct. 2000).
- *Chaleunphone v. Slater Rd. Assocs.*, 26 Conn. App. 946, 602 A.2d 47 (1992).\*
- *Chaleunphone v. Slater Rd. Assocs.*, 602 A.2d 47 (Conn. App. Ct. 1992).
- *Bishop's Corner Assocs. Ltd. P'shp v. Serv. Merch. Co.*, 45 Conn. Supp. 443, 720 A.2d 531 (1997).\*
- *Bishop's Corner Assocs. Ltd. P'shp v. Serv. Merch. Co.*, 720 A.2d 531 (Conn. Super. Ct. 1997).

\* In-state references to decisions appearing in Connecticut Reports, Connecticut Appellate Reports, or Connecticut Supplement should, where possible, include citations to them. Indeed, state rules specify that citations in the argument portion of a brief should be to the official reports alone.

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## Delaware

- *Reagan v. Del. Ass'n of Prof'l Eng'rs*, 577 A.2d 755 (Del. 1990).
  - *In re Polaroid Corp. S'holders Litig.*, 560 A.2d 491 (Del. 1989).
  - *Istituto Bancario Italiano SpA v. Hunter Eng'g Co.*, 449 A.2d 210 (Del. 1981).
  - *Bank of Am. Nat'l Trust & Sav. Assoc. v. GAC Props. Credit, Inc.*, 389 A.2d 1304 (Del. Ch. 1978).
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## District of Columbia

- *Croom v. United States*, 546 A.2d 1006 (D.C. 1988).
- *Lennon v. United States Theatre Corp.*, 287 U.S. App. D.C. 202, 920 F.2d 996 (1990).\*
- *Lennon v. United States Theatre Corp.*, 920 F.2d 996 (D.C. Cir. 1990).

\* References to decisions of the U.S. Court of Appeals for the D.C. Circuit in briefs submitted to D.C. courts should include citations to the United States Court of Appeals Reports in addition to the Federal Reporter.

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## Florida

- *Swofford v. Richards Enters., Inc.*, 515 So. 2d 231 (Fla. 1987).
- *City of N. Miami v. Fla. Defenders of the Env't*, 481 So. 2d 1196 (Fla. 1985).
- *Gore v. Space Sci. Servs.*, 697 So. 2d 841 (Fla. 1st DCA 1997).\*
- *Gore v. Space Sci. Servs.*, 697 So. 2d 841 (Fla. Dist. Ct. App. 1997).
- *S.O.S. Reprod. Sys. of Tampa, Inc. v. Saxon Bus. Prods., Inc.*, 320 So. 2d 500 (Fla. 3d DCA 1975).\*
- *S.O.S. Reprod. Sys. of Tampa, Inc. v. Saxon Bus. Prods., Inc.*, 320 So. 2d 500 (Fla. Dist. Ct. App. 1975).

\* In-state references to decisions of the District Court of Appeal should indicate the district, and in similar fashion references to the Circuit Court should indicate the circuit and references to the County Court, the county. The format for doing so is set out in the Florida rules. For those rules and more examples, see [§ 7-500](#).

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## Georgia

- *Retention Alts., Ltd. v. Hayward*, 285 Ga. 437, 678 S.E.2d 877 (2009).\*
- *Retention Alts., Ltd. v. Hayward*, 678 S.E.2d 877 (Ga. 2009).
- *Dalcor Mgmt., Inc. v. Sewer Rooter, Inc.*, 423 S.E.2d 419 (Ga. Ct. App. 1992).
- *S & S Mach. Co. v. Intermar S.S. Corp.*, 189 Ga. App. 13, 374 S.E.2d 767 (1988).\*
- *S & S Mach. Co. v. Intermar S.S. Corp.*, 374 S.E.2d 767 (Ga. Ct. App. 1988).

\* In-state references to decisions appearing in Georgia Reports or Georgia Appeals Reports should, where possible, include citations to them.

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## Hawaii

- [Pac. Concrete Fed. Credit Union v. Kauanoë](#), 62 Haw. 334, 614 P.2d 936 (1980).\*
- [Pac. Concrete Fed. Credit Union v. Kauanoë](#), 614 P.2d 936 (Haw. 1980).
- [Krohnert v. Yacht Sys. Haw., Inc.](#), 4 Haw. App. 190, 664 P.2d 738 (1983).\*
- [Krohnert v. Yacht Sys. Haw., Inc.](#), 664 P.2d 738 (Haw. Ct. App. 1983).

\* In-state references to decisions appearing in Hawaii Reports or Hawaii Appellate Reports should, where possible, include citations to them. Hawaii Appellate Reports ended in 1994. Since 1994, Hawaii Reports have included decisions of both the Hawaii Supreme Court and the Hawaii Intermediate Court of Appeals.

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## Idaho

- [Kootenai Envtl. Alliance, Inc. v. Panhandle Yacht Club, Inc.](#), 105 Idaho 622, 671 P.2d 1085 (1983).\*
- [Kootenai Envtl. Alliance, Inc. v. Panhandle Yacht Club, Inc.](#), 671 P.2d 1085 (Idaho 1983).
- [McCorkle v. Nw. Mut. Life Ins. Co.](#), 112 P.3d 838 (Idaho Ct. App. 2005).
- [Jones v. Mountain States Tel. & Tel. Co.](#), 105 Idaho 520, 620 P.2d 1305 (Ct. App. 1983).\*
- [Jones v. Mountain States Tel. & Tel. Co.](#), 620 P.2d 1305 (Idaho Ct. App. 1983).

\* In-state references to decisions appearing in Idaho Reports should, where possible, include citations to them.

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## Illinois

- [Snyder v. Heidelberg](#), 2011 IL 111052, 953 N.E.2d 415.\*
- [Snyder v. Heidelberg](#), 953 N.E. 415 (Ill. 2011).
- [Linden Bros. v. Practical Elec. & Eng'g Publ'g Co.](#), 309 Ill. 132, 140 N.E. 874 (1923).\*
- [Linden Bros. v. Practical Elec. & Eng'g Publ'g Co.](#), 140 N.E. 874 (Ill. 1923).
- [People v. Hansen](#), 2011 IL App (2d) 081226, 952 N.E.2d 82.\*
- [People v. Hansen](#), 952 N.E.2d 82 (Ill. App. Ct. 2011).
- [Lewis v. Rutland Twp.](#), 359 Ill. App. 3d 1076, 824 N.E.2d 1213 (2005).\*
- [Lewis v. Rutland Twp.](#), 824 N.E.2d 1213 (Ill. App. Ct. 2005).
- [Jastram v. Lake Villa Sch. Dist. 41](#), 192 Ill. App. 3d 599, 549 N.E.2d 9 (1989).\*
- [Jastram v. Lake Villa Sch. Dist. 41](#), 549 N.E.2d 9 (Ill. App. Ct. 1989).

\* In-state references to decisions appearing in Illinois Reports or Illinois Appellate Court Reports should, where possible, include citations to them. Citations to decisions from 2011 on should instead use the state's medium-neutral citation system. Illinois court rules allow, but do not require, parallel citations to the North Eastern Reporter.

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## Indiana

- [Slater v. Akron Exch. State Bank](#), 221 Ind. 497, 49 N.E.2d 344 (1943).\*
- [Slater v. Akron Exch. State Bank](#), 49 N.E.2d 344 (Ind. 1943).
- [Lovko v. Lovko](#), 179 Ind. App. 1, 384 N.E.2d 166 (1978).\*
- [Lovko v. Lovko](#), 384 N.E.2d 166 (Ind. Ct. App. 1978).
- [Arth Main St. Drugs, Inc. v. A-1 Beverage Comm'n](#), 404 N.E.2d 65 (Ind. Ct. App. 1980).

\* Publication of Indiana Court of Appeals Reports ceased in 1979; Indiana Reports, in 1981. In-state references to decisions appearing in those reports should, where possible, include parallel citations to them.

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## Iowa

- [Iowa Fed'n of Labor v. Iowa Dep't of Job Serv.](#), 427 N.W.2d 443 (Iowa 1988).
- [City of Sioux City v. Bd. of Trs. of Fire Ret. Sys.](#), 348 N.W.2d 643 (Iowa Ct. App. 1984).
- [Bates v. Quality Ready-Mix Co.](#), 261 Iowa 696, 154 N.W.2d 852 (1967).\*
- [Bates v. Quality Ready-Mix Co.](#), 154 N.W.2d 852 (Iowa 1967).

\* Publication of Iowa Reports ceased in 1968. In-state references to decisions appearing in those reports should, where possible, include parallel citations to them.

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## Kansas

- [Farmers Ins. Co. v. Sw. Bell Tel. Co.](#), 279 Kan. 976, 113 P.3d 258 (2005).\*
- [Farmers Ins. Co. v. Sw. Bell Tel. Co.](#), 113 P.3d 258 (Kan. 2005).
- [Cent. Fin. Co. v. Stevens](#), 221 Kan. 1, 558 P.2d 122 (1976).\*
- [Cent. Fin. Co. v. Stevens](#), 558 P.2d 122 (Kan. 1976).
- [De Graeve v. Sw. Bell Tel. Co.](#), 9 Kan. App. 2d 753, 687 P.2d 1380 (1984).\*
- [De Graeve v. Sw. Bell Tel. Co.](#), 687 P.2d 1380 (Kan. Ct. App. 1984).

\* In-state references to decisions appearing in Kansas Reports or Kansas Court of Appeals Reports should, where possible, include citations to them.

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## Kentucky

- *Dep't of Revenue v. Isaac W. Bernheim Found., Inc.*, 505 S.W.2d 762 (Ky. 1974).
- *Cement Transp., Inc. v. Hodges*, 505 S.W.2d 32 (Ky. App. 1974).\*
- *Cement Transp., Inc. v. Hodges*, 505 S.W.2d 32 (Ky. Ct. App. 1974).
- *Louisville Title Mortg. Co. v. Commonwealth*, 299 Ky. 224, 184 S.W.2d 963 (1944).
- *Louisville Title Mortg. Co. v. Commonwealth*, 184 S.W.2d 963 (Ky. Ct. App. 1944).

\* In-state references should indicate the deciding court using this slightly different format set out in Kentucky rules.

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## Louisiana

- *State v. Smith*, 98-1417, p. 15 (La. 6/29/01); 793 So. 2d 1199, 1208.\*
- *State v. Smith*, 793 So. 2d 1199, 1208 (La. 2001).
- *Charles v. St. Mary Ironworks, Inc.*, 96-2923 (La. 3/14/97); 689 So. 2d 1380.\*
- *Charles v. St. Mary Ironworks, Inc.*, 689 So. 2d 1380 (La. 1997).
- *Wilson v. Grosjean Contractors, Inc.*, 97-0012 (La. 3/14/97); 690 So. 2d 25.\*
- *Wilson v. Grosjean Contractors, Inc.*, 690 So. 2d 25 (La. 1997).
- *Mellon Fin. Servs. Corp. #7 v. Alexander*, 551 So. 2d 632 (La. 1989).
- *First Metro. Bank v. Plaia*, 386 So. 2d 94 (La. 1980), *on remand*, 389 So. 2d 870 (La. Ct. App. 1980).
- *Economy Carpets Mfrs. v. Better Bus. Bureau, Inc.*, 341 So. 2d 555 (La. 1977).
- *Siemssen v. Manpower Temp. Servs.*, 95-80 (La.App. 5 Cir, 5/30/95); 656 So. 2d 1115.\*
- *Siemssen v. Manpower Temp. Servs.*, 656 So. 2d 1115 (La. Ct. App. 1995).
- *Roberts v. La. State Univ. Med. Ctr.*, 554 So. 2d 230 (La. Ct. App. 1989).

\* In-state references to decisions from 1994 forward should include a medium-neutral citation which, under Louisiana rules, consists of the docket number and date in the format shown here.

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## Maine

- *Beale v. Sec'y of State*, 1997 ME 82, ¶ 7, 693 A.2d 336.\*
- *Beale v. Sec'y of State*, 693 A.2d 336, 339 (Me. 1997).
- *Larochelle v. Hodsdon*, 1997 ME 53, ¶ 13, 690 A.2d 986.\*
- *Larochelle v. Hodsdon*, 690 A.2d 986, 989 (Me. 1997).
- *Bazinet v. Concord Gen. Mut. Ins. Co.*, 513 A.2d 279 (Me. 1986).

\* In-state references to decisions from 1997 forward should include a medium-neutral citation which, under Maine rules, consists of the year, the state postal abbreviation, and a sequential decision number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court.

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## Maryland

- [Three Garden Vill. Ltd. P'ship v. United States Fid. & Guar. Co.](#), 318 Md. 98, 567 A.2d 85 (1989).\*
- [Three Garden Vill. Ltd. P'ship v. United States Fid. & Guar. Co.](#), 567 A.2d 85 (Md. 1989).
- [Mclean Contracting Co. v. Md. Transp. Auth.](#), 70 Md. App. 514, 521 A.2d 1251.\*
- [Mclean Contracting Co. v. Md. Transp. Auth.](#), 521 A.2d 1251 (Md. Ct. Spec. App.), *cert. denied*, 527 A.2d 51 (Md. 1987).

\* In-state references to decisions appearing in Maryland Reports or Maryland Appellate Reports should, where possible, include citations to them. Note that the Maryland Court of Appeals is the state's highest court and the Maryland Court of Special Appeals, an intermediate appellate court.

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## Massachusetts

- [WBZ-TV4 v. Exec. Office of Labor](#), 414 Mass. 767, 610 N.E.2d 923 (1993).\*
- [WBZ-TV4 v. Exec. Office of Labor](#), 610 N.E.2d 923 (Mass. 1993).
- [McKenzie v. Brigham & Women's Hosp.](#), 405 Mass. 432, 541 N.E.2d 325 (1989).\*
- [McKenzie v. Brigham & Women's Hosp.](#), 541 N.E.2d 325 (Mass. 1989).
- [Ne. Avionics, Inc. v. City of Westfield](#), 63 Mass. App. Ct. 509, 827 N.E.2d 721 (2005).\*
- [Ne. Avionics, Inc. v. City of Westfield](#), 827 N.E.2d 721 (Mass. App. Ct. 2005).
- [Apahouser Lock & Sec. Corp. v. Carvelli](#), 25 Mass. App. Ct. 1117, 522 N.E.2d 1016 (1988).\*
- [Apahouser Lock & Sec. Corp. v. Carvelli](#), 522 N.E.2d 1016 (Mass. App. Ct. 1988).

\* In-state references to decisions appearing in Massachusetts Reports or Massachusetts Appeals Court Reports should, where possible, include citations to them.

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## Michigan

- *Booker v Med Pers Pool*, 456 Mich 913; 572 NW2d 656 (1997).\*
- *Booker v. Med. Pers. Pool*, 572 N.W.2d 656 (Mich. 1997).
- *Renshaw v Coldwater Hous Comm'n*, 381 Mich 590; 165 NW2d 5 (1969).\*
- *Renshaw v. Coldwater Hous. Comm'n*, 165 N.W.2d 5 (Mich. 1969).
- *Nat'l Ctr for Mfg Scis v City of Ann Arbor*, 221 Mich App 541; 563 NW2d 65 (1997).\*
- *Nat'l Ctr. for Mfg. Scis. v. City of Ann Arbor*, 563 N.W.2d 65 (Mich. Ct. App. 1997).
- *Gordon Food Serv, Inc v Grand Rapids Material Handling Co*, 183 Mich App 241; 454 NW2d 137 (1989).\*
- *Gordon Food Serv., Inc. v. Grand Rapids Material Handling Co.*, 454 N.W.2d 137 (Mich. Ct. App. 1989).
- *Med. Soc'y of NJ v NJ Dep't of Law & Pub Safety*, 183 Mich App 241; 454 NW2d 137 (1989).\*
- *Med. Soc'y of N.J. v. N.J. Dep't of Law & Pub. Safety*, 454 N.W.2d 137 (Mich. Ct. App. 1989).

\* In-state references to decisions appearing in Michigan Reports or Michigan Appeals Reports should, where possible, include citations to them, in parallel with citations to the regional reporter. The format shown above (including the absence of periods called for by *The Bluebook* and a semi-colon separating the parallel citations) is that set out in the Michigan rules. Those rules deviate in numerous other respects from the citation norms of *The Bluebook*, for both Michigan and out-of-state authority. For those rules and more examples, see [§ 7-500](#).

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## Minnesota

- *Minnegasco, Inc. v. Cnty. of Carver*, 447 N.W.2d 878 (Minn. 1989).
- *Great W. Cas. Co. v. Christenson*, 450 N.W.2d 153 (Minn. Ct. App. 1990).

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## Mississippi

- *Blackledge v. Omega Ins. Co.*, 98-CA-00380-SCT (¶ 7), 740 So. 2d 295 (Miss. 1998) (en banc).\*
- *Blackledge v. Omega Ins. Co.*, 740 So. 2d 295, 299 (Miss. 1998) (en banc).
- *ABC Mfg. Corp. v. Doyle*, 97-CT-01376-SCT (¶ 14), 749 So. 2d 43 (Miss. 1997) (en banc).\*
- *ABC Mfg. Corp. v. Doyle*, 749 So. 2d 43, 46 (Miss. 1997) (en banc).
- *Hartford Accident & Indem. Co. v. Foster*, 528 So. 2d 255 (Miss. 1988).

\* In-state references to decisions from July 1, 1997, forward should include a medium-neutral citation which, under Mississippi rules, consists of the clerk-assigned case number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court.

## Missouri

- *Lewis v. St. Louis Indep. Packing Co.*, 3 S.W.2d 244 (Mo. 1928).
  - *Ex rel. Dir. of Revenue, Mo. v. McKenzie*, 936 S.W.2d 590 (Mo. Ct. App. 1996).
  - *Imperial Util. Corp. v. Cytron*, 673 S.W.2d 858 (Mo. Ct. App. 1984).
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## Montana

- *Prescott v. Innovative Res. Grp.*, 2010 MT 35, ¶ 19, 355 Mont. 220, 225 P.3d 1253.\*
- *Prescott v. Innovative Res. Grp.*, 225 P.3d 1253, 1256 (Mont. 2010).
- *Johnson v. Mont. Dep't of Labor & Indus.*, 240 Mont. 288, 783 P.2d 1355 (1989).\*
- *Johnson v. Mont. Dep't of Labor & Indus.*, 783 P.2d 1355 (Mont. 1989).

\* In-state references to decisions appearing in Montana Reports should, where possible, include citations to those reports, in parallel with citations to the regional reporter. In addition, in-state references to decisions from 1998 forward should include a medium-neutral citation which, under Montana rules, consists of the year, the state postal abbreviation, and a sequential decision number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court.

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## Nebraska

- *NI Indus., Inc v. Husker-Hawkeye Distrib., Inc.*, 233 Neb. 808, 448 N.W.2d 157 (1989).\*
- *NI Indus., Inc v. Husker-Hawkeye Distrib., Inc.*, 448 N.W.2d 157 (Neb. 1989).
- *Johnson v. Johnson*, 15 Neb. App. 292, 726 N.W.2d 194 (2006).\*
- *Johnson v. Johnson*, 726 N.W.2d 194 (Neb. Ct. App. 2006).

\* In-state references to decisions appearing in Nebraska Reports or Nebraska Court of Appeals Reports should, where possible, include citations to those reports.

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## Nevada

- *Brisbin v. State Indus. Ins. Sys.*, 105 Nev. 1024, 810 P.2d 318 (1989).\*
- *Brisbin v. State Indus. Ins. Sys.*, 810 P.2d 318 (Nev. 1989).

\* In-state references to decisions appearing in Nevada Reports should, where possible, include citations to those reports.

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## New Hampshire

- *Psychiatric Inst. of Am. v. Mediplex, Inc.*, 130 N.H. 125, 536 A.2d 169 (1987), later proceeding, 132 N.H. 177, 564 A.2d 818 (1989).\*
- *Psychiatric Inst. of Am. v. Mediplex, Inc.*, 536 A.2d 169 (N.H. 1987), later proceeding, 564 A.2d 818 (N.H. 1989).

\* In-state references to decisions appearing in New Hampshire Reports should, where possible, include citations to those reports.

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## New Jersey

- *Dep't of Env'tl. Prot. v. Lennan*, 147 N.J. 579, 688 A.2d 1055 (1997).\*
- *Dep't of Env'tl. Prot. v. Lennan*, 688 A.2d 1055 (N.J. 1997).
- *Essex Cnty. Welfare Bd. v. Dep't of Insts. & Agencies*, 75 N.J. 232, 381 A.2d 349 (1978).\*
- *Essex Cnty. Welfare Bd. v. Dep't of Insts. & Agencies*, 381 A.2d 349 (N.J. 1978).
- *Diehl v. Diehl*, 389 N.J. Super. 443, 913 A.2d 803 (App. Div. 2006).\*
- *Diehl v. Diehl*, 913 A.2d 803 (N.J. Super. Ct. App. Div. 2006).
- *Davis v. City of Plainfield*, 389 N.J. Super. 424, 913 A.2d 166 (Ch. Div. 2006).\*
- *Davis v. City of Plainfield*, 913 A.2d 166 (N.J. Super. Ct. Ch. Div. 2006).

\* In-state references to decisions appearing in New Jersey Reports or New Jersey Superior Court Reports should, where possible, include citations to those reports. With Superior Court decisions, the division of the court should be indicated: App. Div., Ch. Div. or Law Div.

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## New Mexico

- *Coates v. Wal-Mart Stores, Inc.*, 1999-NMSC-013, 127 N.M. 47, 976 P.2d 999.\*
- *Coates v. Wal-Mart Stores, Inc.*, 976 P.2d 999 (N.M. 1999).
- *Golden Oil Co. v. Chace Oil Co.*, 2000-NMCA-005, ¶ 16, 128 N.M. 526, 994 P.2d 772.\*
- *Golden Oil Co. v. Chace Oil Co.*, 994 P.2d 772, 776 (N.M. Ct. App. 2000).
- *Gallegos v. Citizens Ins. Agency*, 108 N.M. 722, 779 P.2d 99 (1989).\*
- *Gallegos v. Citizens Ins. Agency*, 779 P.2d 99 (N.M. 1989).
- *Buckingham v. Health S. Rehab. Hosp.*, 124 N.M. 419, 952 P.2d 20 (Ct. App. 1997).\*
- *Buckingham v. Health S. Rehab. Hosp.*, 952 P.2d 20 (N.M. Ct. App. 1997).
- *Gallegos v. Yeargin W. Constructors*, 104 N.M. 623, 725 P.2d 599 (Ct. App. 1986).\*
- *Gallegos v. Yeargin W. Constructors*, 725 P.2d 599 (N.M. Ct. App. 1986).

\* In-state references to decisions appearing in New Mexico Reports should, where possible, include citations to those reports, in parallel with citations to the regional reporter. In addition in-state references to decisions from 1996 forward should include a medium-neutral citation which, under New Mexico rules, consists of the year, a court identifier, and a sequential decision number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court.

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## New York

- *Anderson v. Rehab. Programs Found.*, 90 N.Y.2d 810, 688 N.E.2d 1381, 666 N.Y.S.2d 99 (1997).\*
- *Anderson v. Rehab. Programs Found.*, 688 N.E.2d 1381 (N.Y. 1997).
- *Berkowitz v. Chavo Int'l Inc.*, 74 N.Y.2d 893, 547 N.E.2d 105, 547 N.Y.S.2d 850 (1989).\*
- *Berkowitz v. Chavo Int'l Inc.*, 547 N.E.2d 105 (N.Y. 1989).
- *M.I.F. Sec. Co. v. R.C. Stamm & Co.*, 60 N.Y.2d 936, 459 N.E.2d 193, 471 N.Y.S.2d 84 (1983).\*
- *M.I.F. Sec. Co. v. R.C. Stamm & Co.*, 459 N.E.2d 193 (N.Y. 1983).
- *Medici v. Dalton Sch., Inc.*, 34 N.Y.2d 735, 313 N.E.2d 789, 357 N.Y.S.2d 496 (1974).\*
- *Medici v. Dalton Sch., Inc.*, 313 N.E.2d 789 (N.Y. 1974).
- *Schwartz v. Pub. Adm'r*, 24 N.Y.2d 65, 246 N.E.2d 725, 298 N.Y.S.2d 955 (1968).\*
- *Schwartz v. Pub. Adm'r*, 246 N.E.2d 725 (N.Y. 1968).
- *Brown v. N.Y. City Econ. Dev. Corp.*, 234 A.D.2d 33, 650 N.Y.S.2d 213 (1st Dep't 1996).\*
- *Brown v. N.Y. City Econ. Dev. Corp.*, 650 N.Y.S.2d 213 (N.Y. App. Div. 1996).
- *Hugo v. A & A Maint. Enter.*, 269 A.D.2d 357, 702 N.Y.S.2d 387 (2d Dep't 2000).\*
- *Hugo v. A & A Maint. Enter.*, 702 N.Y.S.2d 387 (N.Y. App. Div. 2000).
- *Laro Maint. Corp. v. Culkan*, 267 A.D.2d 431, 700 N.Y.S.2d 490 (2d Dep't 1999).\*
- *Laro Maint. Corp. v. Culkan*, 700 N.Y.S.2d 490 (N.Y. App. Div. 1999).
- *City of New York v. Park S. Assocs.*, 146 A.D.2d 537, 538 N.Y.S.2d 441 (1st Dep't 1989).\*
- *City of New York v. Park S. Assocs.*, 538 N.Y.S.2d 441 (N.Y. App. Div. 1989).
- *IBM v. Universal Transcon. Corp.*, 191 A.D.2d 536, 595 N.Y.S.2d 106 (2d Dep't 1993).\*
- *IBM v. Universal Transcon. Corp.*, 595 N.Y.S.2d 106 (N.Y. App. Div. 1993).

\* In-state references to decisions appearing in New York Reports, Appellate Division Reports, or New York Miscellaneous Reports should, where possible, include citations to them. In addition, in-state references to decisions of the Supreme Court Appellate Division should normally indicate the Department.

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## North Carolina

- *Chestnut v. Private Inv. Corp.*, 32 N.C. 363, 373 S.E.2d 542 (1988).\*
- *Chestnut v. Private Inv. Corp.*, 373 S.E.2d 542 (N.C. 1988).
- *Nolan v. Forsyth Mem'l Hosp.*, 124 N.C. App. 670, 478 S.E.2d 676 (1996).\*
- *Nolan v. Forsyth Mem'l Hosp.*, 478 S.E.2d 676 (N.C. Ct. App. 1996).
- *Joyner v. Town of Weaverville*, 94 N.C. App. 588, 380 S.E.2d 536, (1989).\*
- *Joyner v. Town of Weaverville*, 380 S.E.2d 536, (N.C. Ct. App. 1989).

\* In-state references to decisions appearing in North Carolina Reports or North Carolina Court of Appeals Reports should, where possible, include citations to them, in parallel with citations to the regional reporter.



## North Dakota

- *Linderkamp v. Hoffman*, 1997 ND 64, ¶ 11, 562 N.W.2d 734.\*
- *Linderkamp v. Hoffman*, 562 N.W.2d 734, 737 (N.D. 1997).
- *Cont'l Res., Inc. v. Farrar Oil Co.*, 1997 ND 31, ¶ 12, 559 N.W.2d 841.\*
- *Cont'l Res., Inc. v. Farrar Oil Co.*, 559 N.W.2d 841, 845 (N.D. 1997).
- *State v. Roberson*, 1998 ND App 15, ¶ 12, 586 N.W.2d 687.\*
- *State v. Roberson*, 586 N.W.2d 687, 690 (N.D. Ct. App. 1998).
- *Norden Lab., Inc. v. Rotenberger*, 358 N.W.2d 518 (N.D. 1984).
- *Dutchuk v. Bd. of Cnty. Comm'rs*, 429 N.W.2d 21 (N.D. Ct. App. 1988).

\* In-state references to decisions from 1997 forward should include a medium-neutral citation which, under North Dakota rules, consists of the year, a court identifier, and a sequential decision number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court.

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## Ohio

- *Office of Disciplinary Counsel v. Shrode*, 95 Ohio St. 3d 137, 2002-Ohio-1759, 766 N.E.2d 597, ¶ 8.\*
- *Office of Disciplinary Counsel v. Shrode*, 766 N.E.2d 597 (Ohio 2002).
- *Davis v. Columbus State Cmty. Coll.* (1997), 78 Ohio St. 3d 1488, 678 N.E.2d 1227.\*
- *Davis v. Columbus State Cmty. Coll.*, 678 N.E.2d 1227 (Ohio 1997).
- *Metro. Prop. & Liab. Ins. Co. v. Kott* (1980), 62 Ohio St. 2d 114, 116, 403 N.E.2d 985.\*
- *Metro. Prop. & Liab. Ins. Co. v. Kott*, 403 N.E.2d 985, 986 (Ohio 1980).
- *Johnston v. Akron Ctr. for Reprod. Health, Inc.* (1990), 68 Ohio App. 3d 655, 589 N.E.2d 432, *motion overruled*, 56 Ohio St. 3d 713, 565 N.E.2d 836.\*
- *Johnston v. Akron Ctr. for Reprod. Health, Inc.*, 589 N.E.2d 432 (Ohio Ct. App.), *motion overruled*, 565 N.E.2d 836 (Ohio 1990).

\* In-state references to decisions appearing in Ohio State Reports, Ohio Appellate Reports, or Ohio Miscellaneous Reports should, where possible, include citations to them. Ohio court practice is to place the year immediately following the parties' names rather than at the end of the citation. In addition, in-state references to decisions from 2002 forward should include a medium-neutral citation which, under Ohio rules, consists of the year, "Ohio", and a sequential decision number in the format shown in the first example. Pinpoint cites can be to the paragraph numbers assigned by the court reporter or, with pre-2002 decisions, to the official report alone.

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## Oklahoma

- *Oliver v. Farmers Ins. of Cos.*, 1997 OK 71, ¶ 6, 941 P.2d 985.\*
- *Oliver v. Farmers Ins. of Cos.*, 941 P.2d 985, 987 (Okla. 1997).
- *ABC Coating Co. v. J. Harris & Sons Ltd.*, 747 P.2d 271 (Okla. 1987).
- *Peacock v. State*, 2002 OK CR 21, ¶ 5, 46 P.3d 713.\*
- *Peacock v. State*, 46 P.3d 713, 714 (Okla. Crim. App. 2002).
- *State ex rel. Gibson v. 1997 Dodge*, 2001 OK CIV APP 130, ¶ 15, 35 P.3d 1009.\*
- *State ex rel. Gibson v. 1997 Dodge*, 35 P.3d 1009, 1013 (Okla. Civ. App. 2001).

\* In-state references to decisions from 1997 forward should include a medium-neutral citation which, under Oklahoma rules, consists of the year, a court identifier, and a sequential decision number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court. Note that the Oklahoma Court of Criminal Appeals rather than the Oklahoma Supreme Court is the state's court of last resort in criminal matters.

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## Oregon

- *Necanicum Inv. Co. v. Emp't Dep't*, 345 Or 518, 200 P3d 129 (2008).\*
- *Necanicum Inv. Co. v. Emp't Dep't*, 345 P.3d 200 (Or. 2009).
- *Rocky B. Fisheries, Inc. v. N. Bend Fabrication & Mach., Inc.*, 297 Or 82, 679 P2d 1367 (1984).\*
- *Rocky B. Fisheries, Inc. v. N. Bend Fabrication & Mach., Inc.*, 679 P.2d 1367 (Or. 1984).
- *Schilling v. SAIF Corp.*, 109 Or App 494, 820 P2d 471 (1991).\*
- *Schilling v. SAIF Corp.*, 820 P.2d 471 (Or. Ct. App. 1991).

\* In-state references to decisions appearing in Oregon Reports or Oregon Reports, Court of Appeals, should, where possible, include citations to them, abbreviated as illustrated above (omitting the periods called for by *The Bluebook*).

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## Pennsylvania

- [Blakeney v. Green's Rest.](#), 550 Pa. 689, 704 A.2d 1380 (1997).\*
- [Blakeney v. Green's Rest.](#), 704 A.2d 1380 (Pa. 1997).
- [Beckwith Mach. Co. v. Commonwealth](#), 485 Pa. 337, 402 A.2d 661 (1979).\*
- [Beckwith Mach. Co. v. Commonwealth](#), 402 A.2d 661 (Pa. 1979).
- [Bullocks v. Aliquippa & S. R.R. Co.](#), 364 Pa. Super. 642, 525 A.2d 812, *appeal denied*, 516 Pa. 621, 532 A.2d 19 (1987).\*
- [Bullocks v. Aliquippa & S. R.R. Co.](#), 525 A.2d 812 (Pa. Super. Ct.), *appeal denied*, 532 A.2d 19 (Pa. 1987).
- [Wells v. Cendant Mobility Fin. Corp.](#), 2006 PA Super 363, ¶ 9, 913 A.2d 929, 933.\*
- [Wells v. Cendant Mobility Fin. Corp.](#), 913 A.2d 929, 933 (Pa. Super. Ct. 2006).
- [Weaver v. Pa. Bd. of Prob. & Parole](#), 688 A.2d 766 (Pa. Commw. Ct. 1997).
- [Keystone Outdoor Adver. v. Commonwealth](#), 687 A.2d 47 (Pa. Commw. Ct. 1996).

\* In-state references to decisions appearing in Pennsylvania State Reports, Pennsylvania Superior Court Reports, or Pennsylvania Commonwealth Reports should, where possible, include citations to them, in parallel with citations to the regional reporter. The Pennsylvania Superior Court Reports ceased publication in 1998; the Pennsylvania Commonwealth Reports, in 1994. In addition, in-state references to decisions of the Superior Court should include a medium-neutral citation which consists of the year, a court identifier, and a sequential decision number in the format shown here. Pinpoint cites can be to the paragraph numbers assigned by that court.

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## Rhode Island

- [Brown & Sharp Mfg. Co. v. King](#), 404 A.2d 857 (R.I. 1979).
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## South Carolina

- [Myrtle Beach Seafood Mkt., Inc. v. Rikard](#), 266 S.C. 52, 221 S.E.2d 399 (S.C. 1976).\*
- [Myrtle Beach Seafood Mkt., Inc. v. Rikard](#), 221 S.E.2d 399 (S.C. 1976).
- [Carolina Chems., Inc. v. S.C. Dep't of Health & Env'tl. Control](#), 290 S.C. 498, 351 S.E.2d 575 (Ct. App. 1986).\*
- [Carolina Chems., Inc. v. S.C. Dep't of Health & Env'tl. Control](#), 351 S.E.2d 575 (S.C. Ct. App. 1986).

\* In-state references to decisions appearing in South Carolina Reports should, where possible, include citations to those reports, in parallel with citations to the regional reporter.

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## South Dakota

- *Jansen v. Lemmon Fed. Credit Union*, 1997 S.D. 44, ¶ 10, 562 N.W.2d 122, 125.\*
- *Jansen v. Lemmon Fed. Credit Union*, 562 N.W.2d 122, 125 (S.D. 1997).
- *Bohlmann v. Lindquist*, 1997 S.D. 42, ¶ 13, 562 N.W.2d 578, 581.\*
- *Bohlmann v. Lindquist*, 562 N.W.2d 578, 581 (S.D. 1997).
- *Driscoll v. Great Plains Mktg. Co.*, 322 N.W.2d 478 (S.D. 1982).

\* In-state references to decisions from 1996 forward should include a medium-neutral citation which, under current South Dakota rules, consists of the year, the state abbreviation (S.D.), and a sequential decision number in the format shown here. Pinpoint cites should include the paragraph numbers assigned by the court.

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## Tennessee

- *Reagan v. Tenn. Mun. League*, 751 S.W.2d 842 (Tenn. 1988).
  - *Franklin Distrib. Co. v. Crush Int'l (U.S.A.), Inc.*, 726 S.W.2d 926 (Tenn. Ct. App. 1986).
- 

## Texas

- *Mariner Fin. Grp., Inc. v. Bossley*, 79 S.W.3d 30 (Tex. 2002).
- *Castaldo v. State*, 78 S.W.3d 345 (Tex. Crim. App. 2002).
- *Birnbaum v. Alliance of Am. Insurers*, 994 S.W.2d 766 (Tex. App.—Austin 1999, pet. denied).\*
- *Birnbaum v. Alliance of Am. Insurers*, 994 S.W.2d 766 (Tex. App. 1999).
- *Scoggins v. Best Indus. Unif. Supply Co.*, 899 S.W.2d 276 (Tex. App.—Houston [14th Dist.] 1995, no writ).\*
- *Scoggins v. Best Indus. Unif. Supply Co.*, 899 S.W.2d 276 (Tex. App. 1995).
- *Walls Reg'l Hosp. v. Altaras*, 903 S.W.2d 36 (Tex. App.—Waco 1994, orig. proceeding).\*
- *Walls Reg'l Hosp. v. Altaras*, 903 S.W.2d 36 (Tex. App. 1994).

\* In-state references to decisions of the Texas Courts of Appeals should include a designation of the court plus an indication of any subsequent proceeding in the format shown.

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## Utah

- [Utah Farm Bureau Ins. Co. v. Crook](#), 1999 UT 47, ¶ 6, 980 P.2d 685.\*
- [Utah Farm Bureau Ins. Co. v. Crook](#), 980 P.2d 685, 686 (Utah 1999).
- [Fitz v. Synthes](#), 1999 UT 103, ¶ 11, 990 P.2d 391.\*
- [Fitz v. Synthes](#), 990 P.2d 391, 393 (Utah 1999).
- [Arrow Indus., Inc. v. Zions First Nat'l Bank](#), 767 P.2d 935 (Utah 1988).

\* In-state references to decisions from 1999 forward should include a medium-neutral citation which, under Utah rules, consists of the year, the state postal abbreviation, and a sequential decision number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court.

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## Vermont

- [Serecky v. Nat'l Grange Mut. Ins.](#), 2004 VT 63, ¶ 15, 177 Vt. 58, 857 A.2d 775.\*
- [Serecky v. Nat'l Grange Mut. Ins.](#), 857 A.2d 775, 781 (Vt. 2005).
- [Ins. Co. of N. Am. v. Miller's Mut. Ins. Ass'n](#), 139 Vt. 255, 427 A.2d 354 (1981).\*
- [Ins. Co. of N. Am. v. Miller's Mut. Ins. Ass'n](#), 427 A.2d 354 (Vt. 1981).

\* In-state references to decisions appearing in Vermont Reports should, where possible, include citations to those reports, in parallel with citations to the regional reporter. In addition in-state references to decisions from 2003 forward should include a medium-neutral citation which, under Vermont rules, consists of the year, the state postal abbreviation, and a sequential decision number in the format shown here. Pinpoint cites should include the paragraph numbers assigned by the court. Vermont rules also call for the use of medium-neutral cites for cases from other jurisdictions that have adopted them.

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## Virginia

- [Government Emps. Ins. Co. v. Moore](#), 266 Va. 155, 580 S.E.2d 823 (2003).\*
- [Government Emps. Ins. Co. v. Moore](#), N.A., 580 S.E.2d 823 (Va. 2003).
- [Khanna v. Dominion Bank of N. Va., N.A.](#), 237 Va. 242, 377 S.E.2d 378 (1989).\*
- [Khanna v. Dominion Bank of N. Va., N.A.](#), 377 S.E.2d 378 (Va. 1989).
- [First Fed. Sav. & Loan v. Gryder](#), 909 Va. App. 60, 383 S.E.2d 755 (1989).\*
- [First Fed. Sav. & Loan v. Gryder](#), 383 S.E.2d 755 (Va. Ct. App. 1989).

\* In-state references to decisions appearing in Virginia Reports or Virginia Court of Appeals Reports should, where possible, include citations to them, in parallel with citations to the regional reporter.

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## Washington

- [State v. Heddrick](#), 166 Wn.2d 898, ¶ 20, 215 P.3d 201 (2009).\*
- [State v. Heddrick](#), 215 P.3d 201, 206 (2009).
- [Shorewood W. Condo. Ass'n v. Sadri](#), 140 Wn.2d 47, 992 P.2d 1008 (2000).\*
- [Shorewood W. Condo. Ass'n v. Sadri](#), 992 P.2d 1008 (Wash. 2000).
- [First United Methodist Church of Seattle v. Hearing Exam'r for Seattle Landmarks Pres. Bd.](#), 129 Wn.2d 238, 916 P.2d 374 (1996).\*
- [First United Methodist Church of Seattle v. Hearing Exam'r for Seattle Landmarks Pres. Bd.](#), 916 P.2d 374 (Wash. 1996).
- [People's Org. for Wash. Energy Res. v. Utilities & Transp. Comm'n](#), 104 Wn.2d 798, 711 P.2d 319 (1985).\*
- [People's Org. for Wash. Energy Res. v. Utilities & Transp. Comm'n](#), 711 P.2d 319 (Wash. 1985).
- [Cameron v. Murray](#), 151 Wn. App. 646, ¶ 14, 214 P.3d 150 (2009).\*
- [Cameron v. Murray](#), 214 P.3d 150, 155 (2009).
- [Graves v. Vaagen Bros. Lumber, Inc.](#), 55 Wn. App. 908, 781 P.2d 895 (1989).\*
- [Graves v. Vaagen Bros. Lumber, Inc.](#), 781 P.2d 895 (Wash. Ct. App. 1989).

\* In-state references to decisions appearing in Washington Reports or Washington Appellate Reports should, where possible, include citations to them, abbreviated as illustrated above ("Wn." rather than *The Bluebook's* "Wash."), in parallel with citations to the regional reporter. Pinpoint cites need only use the page numbers in the official report or in the case of decisions issued since 2004 the paragraph numbers appearing in the official report.

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## West Virginia

- [Syl. pt. 3, Cline v. Paramount Pac., Inc.](#), 156 W. Va. 641, 196 S.E.2d 87 (1973).\*
- [Cline v. Paramount Pac., Inc.](#), 196 S.E.2d 87 (W. Va. 1973).

\* In-state references to decisions appearing in West Virginia Reports should, where possible, include citations to those reports, in parallel with citations to the regional reporter. Case holdings should, where possible, be cited to syllabus points in the format illustrated.

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## Wisconsin

- [Aicher v. Wis. Patients Comp.](#), 2000 WI 98, ¶ 53, 237 Wis. 2d 99, 613 N.W.2d 849.\*
- [Aicher v. Wis. Patients Comp.](#), 613 N.W.2d 849, 865 (Wis. 2000).
- [Strasser v. Transtech Mobile Fleet Serv., Inc.](#), 2000 WI 87, ¶ 60, 236 Wis. 2d 435, 613 N.W.2d 142.\*
- [Strasser v. Transtech Mobile Fleet Serv., Inc.](#), 613 N.W.2d 142, 155-56 (Wis. 2000).
- [Sudgen v. Bock](#), 2002 WI App 49, 251 Wis. 2d 344, 641 N.W.2d 693.\*
- [Sudgen v. Bock](#), 641 N.W.2d 693 (Wis. Ct. App. 2002).
- [Blossom Farm Prods. Co. v. Kasson Cheese Co.](#), 134 Wis. 2d 458, 401 N.W.2d 10 (1987).\*
- [Blossom Farm Prods. Co. v. Kasson Cheese Co.](#), 401 N.W.2d 10 (Wis. 1987).
- [Lipke v. Waushara Elec. Coop.](#), 151 Wis. 2d 784, 447 N.W.2d 394 (Ct. App. 1989).\*
- [Lipke v. Waushara Elec. Coop.](#), 447 N.W.2d 394 (Wis. Ct. App. 1989).

\* In-state references to decisions appearing in Wisconsin Reports should, where possible, include citations to those reports, in parallel with the regional reporter. In addition, in-state references to decisions from 2000 forward should include a medium-neutral citation which, under Wisconsin rules, consists of the year, a court identifier, and a sequential decision number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court.

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## Wyoming

- [State v. Nelson](#), 2002 WY 99, ¶ 6, 49 P.3d 185 (Wyo. 2002).\*
- [State v. Nelson](#), 49 P.3d 185, 188 (Wyo. 2002).
- [Wagner v. Wyo. Prod. Credit Ass'n](#), 773 P.2d 927 (Wyo. 1989).

\* In-state references to decisions from 2001 forward should include a medium-neutral citation which, under Wyoming rules, consists of the year, the state postal abbreviation, and a sequential decision number in the format shown here. Pinpoint cites should be to the paragraph numbers assigned by the court. From January 1, 2004, forward the inclusion of a parallel cite is optional.



### § 3-220. Case Citations – Variants and Special Cases

#### **Illustrations**

[Flamme v. Wolf Ins. Agency, \[Insurance\] Auto. L. Rep. \(CCH\) ¶ 18,307 \(Neb. Nov. 8, 1991\).](#)

[Collins v. United States, 3 Fed. Est. & Gift Tax Rep. \(CCH\) ¶ 60,060 \(W.D. Okla. Jan. 31, 1991\).](#)

[United States v. Mena, No. 08-5176-cr, 2010 U.S. App. LEXIS 1121, at \\*4 \(2d Cir. Jan. 20, 2010\).](#)

[United States v. Mena, No. 08-5176-cr, 2010 WL 177220, at \\*1 \(2d Cir. Jan. 20, 2010\).](#)

[Everette v. Astrue, No. C 07-3013 MEJ, slip op. at 6 \(N.D. Cal. Feb. 9, 2009\).](#)

### § 3-230. Medium-Neutral Case Citations

#### **Illustration**

[Linderkamp v. Hoffman, 1997 ND 64, ¶ 11](#), 562 N.W.2d 734.

#### **Additional Examples**

- [Sixth Circuit, U.S. Court of Appeals](#)
- [Arkansas](#)
- [Colorado](#)
- [Illinois](#)
- [Louisiana](#)
- [Maine](#)
- [Mississippi](#)
- [Montana](#)
- [New Mexico](#)
- [North Dakota](#)
- [Ohio](#)
- [Oklahoma](#)

- [Pennsylvania Superior Court](#)
- [South Dakota](#)
- [Utah](#)
- [Vermont](#)
- [Wisconsin](#)
- [Wyoming](#)

## § 3-240. Case Citations – Conditional Items

### **Illustrations**

*City of Indianapolis v. Edmond*, 531 U.S. 31, 50 (2000)  
[\(Rehnquist, C.J., dissenting\)](#).

*Edmond v. Goldsmith*, 183 F.3d 659 (7th Cir. 1999), [aff'd](#),  
[531 U.S. 31 \(2000\)](#).

*Davis v. Barnhart*, 2005 U.S. App. LEXIS 22201 (11th Cir.  
Oct. 12, 2005) [\(unpublished\)](#).

## § 3-300. Constitutions and Statutes [Contents](#) | [Index](#) | [Help](#) | < | >

### § 3-310. Constitutions

#### **Illustration**

[U.S. Const. amend. XIV, § 1](#).

For short form examples see [§ 6-530](#).

#### **Additional Examples**

U.S. Const. art. III, § 2, cl. 2.

U.S. Const. amend. XIII, § 2.

N.Y. Const. art. I, § 9, cl. 2.

## § 3-320. Statute Citations – Most Common Form

### *Illustrations*

[42 U.S.C. § 405\(c\)\(2\)\(C\) \(2006 & Supp. 2010\)](#).

[Iowa Code § 602.1614 \(2012\)](#).

For short form examples see [§ 6-530](#).

### **Additional Examples**

[Federal Statute Citations](#) | [State Statute Citations](#)

### **Federal Statute Citations:**

[42 U.S.C. § 405\(c\)\(2\)\(C\) \(2006 & Supp. 2010\)](#).

[42 U.S.C.A. § 405\(c\)\(2\)\(C\) \(West 2011\)](#).

[42 U.S.C.S. § 405\(c\)\(2\)\(C\) \(LexisNexis 1998 & Supp. 2011\)](#).

[42 U.S.C.S. § 405\(c\)\(2\)\(C\) \(LexisNexis 2012 through Pub. L. No. 112-195\)](#).

[42 U.S.C.A. § 405\(c\)\(2\)\(C\) \(Westlaw 2012 effective Dec. 18, 2010\)](#).

### **State Statute Citations**

In states where a citation variant appears against a different background there is a distinct statute citation format used within the jurisdiction by state courts and those submitting memoranda or briefs to them.

- [Alabama](#) | [Alaska](#) | [Arizona](#) | [Arkansas](#)
- [California](#) | [Colorado](#) | [Connecticut](#) | [Delaware](#)
- [District of Columbia](#) | [Florida](#) | [Georgia](#) | [Hawaii](#)
- [Idaho](#) | [Illinois](#) | [Indiana](#) | [Iowa](#)
- [Kansas](#) | [Kentucky](#) | [Louisiana](#) | [Maine](#)
- [Maryland](#) | [Massachusetts](#) | [Michigan](#) | [Minnesota](#)
- [Mississippi](#) | [Missouri](#) | [Montana](#) | [Nebraska](#)
- [Nevada](#) | [New Hampshire](#) | [New Jersey](#) | [New Mexico](#)
- [New York](#) | [North Carolina](#) | [North Dakota](#) | [Ohio](#)
- [Oklahoma](#) | [Oregon](#) | [Pennsylvania](#) | [Rhode Island](#)
- [South Carolina](#) | [South Dakota](#) | [Tennessee](#) | [Texas](#)
- [Utah](#) | [Vermont](#) | [Virginia](#) | [Washington](#)
- [West Virginia](#) | [Wisconsin](#) | [Wyoming](#)

## Alabama

- Ala. Code § 7-1-101 ([{currency information}](#)).\*
- Ala. Code § 7-1-101 (LexisNexis [{currency information}](#)).\*

Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (West in this case). The *AALL Universal Citation Guide* would not include the publisher in any case.

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## Alaska

- Alaska Stat. § 45.01.101 ([{currency information}](#)).\*
- AS 45.01.101.\*\*

\* The *ALWD Citation Manual* identifies the publisher even when its version is "official" being produced under contract with the state (LexisNexis in this case); *The Bluebook* does not. The *AALL Universal Citation Guide* would not include the publisher in any case.

\*\* Within Alaska, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to. See Alaska Stat. § 01.05.011 (2009).

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## Arizona

- Ariz. Rev. Stat. § 47-1101 ([{currency information}](#)).
- Ariz. Rev. Stat. Ann. § 47-1101 ([{currency information}](#)).\*
- Ariz. Rev. Stat. Ann. § 47-1101 (LexisNexis [{currency information}](#)).\*
- A.R.S. § 47-1101 ([{currency information}](#)).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the third example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (West in this case - the second example). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Arizona, this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes are referred to. See Ariz. Rev. Stat. § 1-101 (2009).

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## Arkansas

- [Ark. Code § 4-1-101](#) ([currency information](#)).
- [Ark. Code Ann. § 4-1-101](#) ([currency information](#)).\*
- [Ark. Code Ann. § 4-1-101](#) (West [currency information](#)).\*
- [A.C.A. § 4-1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the third example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (LexisNexis in this case - the second example). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Arkansas this more economical statutory citation format, without currency information, is sometimes used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to. See Ark. Code § 1-2-113(c) (2009).

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## California

- [Cal. Com. Code § 1101](#) ([currency information](#)).
- [Cal. Com. Code § 1101](#) (Deering [currency information](#)).\*
- [Cal. Com. Code § 1101](#) (West [currency information](#)).\*
- [Commercial Code § 1101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - Deering (now owned by LexisNexis) in the second example, West in the third. The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

Where this example has the abbreviation for "Commercial" citations to California's other subject matter codes should substitute their abbreviations - e.g., "Civ." for "Civil" or "Prob." for "Probate."

\*\* Within California, this statutory citation format, with no explicit indication of jurisdiction and no currency information, but spelling out the name of the cited code in full, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

## Colorado

- Colo. Rev. Stat. § 4-1-101 ([{currency information}](#)).
- Colo. Rev. Stat. Ann. § 4-1-101 (West [{currency information}](#)).\*
- [§ 1-101, 4 C.R.S. \({currency information}\)](#)\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the third example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (LexisNexis in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Colorado, this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes are referred to.

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## Connecticut

- Conn. Gen. Stat. § 42a-1-101 ([{currency information}](#)).
- Conn. Gen. Stat. Ann. § 42a-1-101 (West [{currency information}](#)).\*
- [General Statutes § 42a-1-101](#)\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Connecticut, this statutory citation format, with no explicit indication of jurisdiction and no currency information, but spelling out the name of the code in full, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Delaware

- Del. Code tit. 6, § 1-101 ([{currency information}](#)).\*
- Del. Code Ann. tit. 6, § 1-101 ([{currency information}](#)).\*
- 6 Del. C. § 1-101.\*\*

\* The *ALWD Citation Manual* identifies the publisher even when its version is "official" being produced under contract with the state (LexisNexis in this case); *The Bluebook* does not. Both call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Delaware this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to. See Del. Code Ann. tit. 1, 101(b) (2009).

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## District of Columbia

- D.C. Code § 28:1-101 ([{currency information}](#)).\*
- D.C. Code Ann. § 28:1-101 (LexisNexis [{currency information}](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (West in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

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## Florida

- Fla. Stat. § 671.1-101 ([{currency information}](#)).
- Fla. Stat. Ann. § 671.1-101 (LexisNexis [{currency information}](#)).\*
- Fla. Stat. Ann. § 671.1-101 (West [{currency information}](#)).\*
- § 671.1-101, Fla. Stat. ([{currency information}](#)).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Florida, this altered citation order is used in decisions of the state's own courts and submissions to them.

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## Georgia

- [Ga. Code Ann. § 11-1-101 \({currency information}\)](#).\*
- [Ga. Code Ann. § 11-1-101 \(West {currency information}\)](#).\*
- [O.C.G.A. § 11-1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Georgia, this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to. See Ga. Code Ann. § 1-1-8(e) (2009).

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## Hawaii

- [Haw. Rev. Stat. § 490:1-101 \({currency information}\)](#).
- [Haw. Rev. Stat. Ann. § 490:1-101 \(LexisNexis {currency information}\)](#).\*
- [HRS § 490:1-101 \({currency information}\)](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Hawaii, this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, typically after a first statutory reference using a less abbreviated form.



## Idaho

- [Idaho Code Ann. § 28-1-101](#) ([currency information](#)).\*
- [I.C. § 28-1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (LexisNexis in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Idaho, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Illinois

- [810 Ill. Comp. Stat. § 5/1-101](#) ([currency information](#)).
- [810 Ill. Comp. Stat. Ann. § 5/1-101](#) (LexisNexis [currency information](#)).\*
- [810 Ill. Comp. Stat. Ann. § 5/1-101](#) (West [currency information](#)).\*
- [810 ILCS 5/1-101](#) ([currency information](#)).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Illinois, this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes are referred to.

## Indiana

- Ind. Code § 26-1-1-101 ([{currency information}](#)).
- Ind. Code Ann. § 26-1-1-101 (LexisNexis [{currency information}](#)).\*
- Ind. Code Ann. § 26-1-1-101 (West [{currency information}](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

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## Iowa

- Iowa Code § 554.1101 ([{currency information}](#)).
- Iowa Code Ann. § 554.1101 (West [{currency information}](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

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## Kansas

- [an. Stat. Ann. § 84-1-101](#) ([currency information](#)).
- [Kan. Stat. Ann. § 84-1-101](#) (West [currency information](#)).\*
- [K.S.A. § 84-1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Kansas, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Kentucky

- [Ky. Rev. Stat. Ann. § 355.1-101](#) (LexisNexis [currency information](#)).\*
- [Ky. Rev. Stat. Ann. § 355.1-101](#) (West [currency information](#)).\*
- [KRS § 355.1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the first example, West in the second. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Kentucky, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Louisiana

- [La. Rev. Stat. Ann. § 10:1-101](#) ([currency information](#)).\*
- [La. Code Civ. Proc. Ann. § 10:1-101](#) ([currency information](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not indicate whether the version used was annotated.

Where this example has the abbreviation for "Code of Civil Procedure" citations to Louisiana's other subject matter codes should substitute their abbreviations - e.g., "Civ. Code" for "Civil Code" or "Code Crim. Proc." for "Code of Criminal Procedure."

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## Maine

- [Me. Rev. Stat. Ann. tit. 11, § 1-101](#) ([currency information](#)).\*
- [11 M.R.S.A. §1-101](#) ([currency information](#)).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not indicate whether the version used was annotated.

\*\* Within Maine, this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes are referred to.

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## Maryland

- [Md. Code, Com. Law § 1-101](#) ([currency information](#)).
- [Md. Code Ann., Com. Law § 1-101](#) (LexisNexis [currency information](#)).\*
- [Md. Code Ann., Com. Law § 1-101](#) (West [currency information](#)).\*
- [Md. Code](#) ([currency information](#)), [Commercial Law Art., § 1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

Where this example has the abbreviation for "Commercial Law" citations to Maryland's other subject matter divisions should substitute their abbreviations - e.g., "Crim. Law" for "Criminal Law" or "Ins." for "Insurance."

\*\* Within Maryland, this altered citation format is used in decisions of the state's own courts and submissions to them.

## Massachusetts

- [Mass. Gen. Laws ch. 106, § 1-101](#) ([{currency information}](#)).
- [Mass. Ann. Laws ch. 106, § 1-101](#) (LexisNexis [{currency information}](#)).\*
- [Mass. Gen. Laws Ann. ch. 106, § 1-101](#) (West [{currency information}](#)).\*
- [G. L. c. 106, § 1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Massachusetts, this more economical statutory citation format, with no explicit indication of jurisdiction and no currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Michigan

- [Mich. Comp. Laws § 440.1101](#) ([{currency information}](#)).
- [Mich. Stat. Ann. § 19.1101](#) (LexisNexis [{currency information}](#)).\*
- [Mich. Comp. Laws Ann. § 440.1101](#) (West [{currency information}](#)).\*
- [MCL 440.1101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Michigan, this more economical statutory citation format set out in court rules is used in decisions of the state's own courts and submissions to them. For those rules, see [§ 7-500](#).

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## Minnesota

- [Minn. Stat. § 336.1-101](#) ([{currency information}](#)).
- [Minn. Stat. Ann. § 336.1-101](#) (West [{currency information}](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

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## Mississippi

- [Miss. Code Ann. § 75-4-101](#) ([currency information](#)).\*
- [Miss. Code Ann. § 75-4-101](#) (West [currency information](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (LexisNexis in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated. The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

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## Missouri

- [Mo. Rev. Stat. § 400.1-101](#) ([currency information](#)).
- [Mo. Ann. Stat. § 400.1-101](#) (West [currency information](#)).\*
- [§ 400.1-101, RSMo](#) [currency information](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Missouri this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes are referred to.

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## Montana

- [Mont. Code Ann. § 30-2A-101](#) ([currency information](#)).\*
- [§ 30-2A-101, MCA](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not indicate whether the version used was annotated.

\*\* Within Montana, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

## Nebraska

- [Neb. Rev. Stat. § 2-101](#) ([{currency information}](#)).
- [Neb. Rev. Stat. Ann. § 2-101](#) (LexisNexis [{currency information}](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

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## Nevada

- [Nev. Rev. Stat. § 104.1101](#) ([{currency information}](#)).
- [Nev. Rev. Stat. Ann. § 104.1101](#) (LexisNexis [{currency information}](#)).\*
- [Nev. Rev. Stat. Ann. § 104.1101](#) (West [{currency information}](#)).\*
- [NRS 104.1101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Nevada, this more economical statutory citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to. See Nev. Rev. Stat. § 220.170(4) (2009).

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## New Hampshire

- [N.H. Rev. Stat. Ann. § 382-A: 1-101](#) ([{currency information}](#)).\*
- [N.H. Rev. Stat. Ann. § 382-A: 1-101](#) (LexisNexis [{currency information}](#)).\*
- [RSA 382-A: 1-101](#) ([{currency information}](#)).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (West in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within New Hampshire this more economical statutory citation format, with no explicit indication of jurisdiction, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes are referred to.

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## New Jersey

- N.J. Rev. Stat. § 12A:1-101 ([{currency information}](#)).
- N.J. Stat. Ann. § 12A:1-101 (West [{currency information}](#)).\*
- N.J.S.A. 12A:1-101.\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within New Jersey, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## New Mexico

- N.M. Stat. § 55-1-101 ([{currency information}](#)).
- N.M. Stat. Ann. § 55-1-101 (LexisNexis [{currency information}](#)).\*
- N.M. Stat. Ann. § 55-1-101 (West [{currency information}](#)).\*
- NMSA 1978, § 55-1-101 ([{currency information}](#)).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within New Mexico, this more economical statutory citation format is used in decisions of the state's own courts and submissions to them.

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## New York

- N.Y. U.C.C. Law § 1-101 (Consol. [{currency information}](#)).\*
- N.Y. U.C.C. Law § 1-101 (Gould [{currency information}](#)).\*
- N.Y. U.C.C. Law § 1-101 (McKinney [{currency information}](#)).\*
- [U.C.C. Law § 1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - the LexisNexis Consolidated Law Service in the first example, its Gould brand in the second, West's McKinney brand in the third. The *AALL Universal Citation Guide* would not include the publisher or brand in any case.

Where this example has the abbreviation for "Uniform Commercial Code" citations to New York's other subject matter divisions should substitute their abbreviations - e.g., "Dom. Rel." for "Domestic Relations" or "Ins." for "Insurance."

\*\* Within New York this statutory citation format, with no explicit indication of jurisdiction and no currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## North Carolina

- N.C. Gen. Stat. § 25-1-101 ([{currency information}](#)).
- N.C. Gen. Stat. Ann. § 25-1-101 (West [{currency information}](#)).\*
- [N.C.G.S. § 25-1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (LexisNexis in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within North Carolina, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

## North Dakota

- N.D. Cent. Code § 41-01-01 ([{currency information}](#)).
- [N.D.C.C. § 41-01-01.\\*](#)

\* Within North Dakota this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Ohio

- Ohio Rev. Code § 1301.01 ([{currency information}](#)).\*
- Ohio Rev. Code Ann. § 1301.01 (LexisNexis [{currency information}](#)).\*
- Ohio Rev. Code Ann. § 1301.01 (West [{currency information}](#)).\*
- [R.C. 1301.01.\\*\\*](#)

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Ohio, this more economical statutory citation format, with no explicit indication of jurisdiction and no currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Oklahoma

- Okla. Stat. tit. 12A, § 1-101 ([{currency information}](#)).
- Okla. Stat. Ann. tit. 12A, § 1-101 (West [{currency information}](#)).\*
- [12A O.S. § 1-101.\\*\\*](#)

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Oklahoma, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Oregon

- [Or. Rev. Stat. § 71.1010](#) ([currency information](#)).
- [Or. Rev. Stat. Ann. § 71.1010](#) (West [currency information](#)).\*
- [ORS 71.1010](#)\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Oregon, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Pennsylvania

- [13 Pa. Cons. Stat. § 1101](#) ([currency information](#)).
- [13 Pa. Cons. Stat. Ann. § 1101](#) (West [currency information](#)).\*
- [13 Pa.C.S. § 1101](#)\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Pennsylvania, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Rhode Island

- [R.I. Gen. Laws § 6-1-1](#) ([currency information](#)).
- [G.L. 1956 § 6-1-1](#).\*

\* Within Rhode Island, this more economical statutory citation format, with no explicit indication of jurisdiction and no currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## South Carolina

- [S.C. Code Ann. § 36-1-101](#) ([currency information](#)).\*
- [S.C. Code Ann. § 36-1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not indicate whether the version used was annotated.

\*\* Within South Carolina, this citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## South Dakota

- [S.D. Codified Laws § 57A-1-101](#) ([currency information](#)).
- [SDCL 57A-1-101](#).\*

\* Within South Dakota, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Tennessee

- [Tenn. Code Ann. § 47-1-101](#) ([currency information](#)).\*
- [Tenn. Code Ann. § 47-1-101](#) (West [currency information](#)).\*
- [T.C.A. § 47-1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (LexisNexis in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Tennessee, this more economical statutory citation format, without currency information, is often used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Texas

- [Tex. Bus. & Com. Code § 1.101](#) ([{currency information}](#)).
- [Tex. Bus. & Com. Code Ann. § 1.101](#) (Vernon [{currency information}](#)).\*
- [TEX. BUS. & COM. CODE § 1.101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West's Vernon brand in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

Where this example has the abbreviation for "Business and Commerce" citations to Texas's other subject matter divisions should substitute their abbreviations - e.g., "Educ." for "Education" or "Ins." for "Insurance."

\*\* Within Texas, this slightly altered citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Utah

- [Utah Code § 70A 1-101](#) ([{currency information}](#)).
- [Utah Code Ann. § 70A 1-101](#) ([{currency information}](#)).\*
- [Utah Code Ann. § 70A 1-101](#) (West [{currency information}](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the third example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (LexisNexis in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

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## Vermont

- [Vt. Stat. Ann. tit. 9A, § 1-101](#) ([{currency information}](#)).\*
- [9A V.S.A. § 1-101](#).\*\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not indicate whether the version used was annotated.

\*\* Within Vermont, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Virginia

- Va. Code Ann. § 8.1-101 ([{currency information}](#)).\*
- Va. Code Ann. § 8.1-101 (West [{currency information}](#)).\*
- [Code § 8.1-101.\\*\\*](#)

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. In jurisdictions where there are multiple print editions, the *ALWD Citation Manual* identifies all publishers even the one whose version is "official" being produced under contract with the state (LexisNexis in this case). Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Virginia, this more economical statutory citation format, with no explicit indication of jurisdiction and no currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

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## Washington

- Wash. Rev. Code § 62A 2-101 ([{currency information}](#)).
- Wash. Rev. Code Ann. § 62A 2-101 (LexisNexis [{currency information}](#)).\*
- Wash. Rev. Code Ann. § 62A.2-101 (West [{currency information}](#)).\*
- [RCW 62A 2-101.\\*\\*](#)

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within Washington, this more economical statutory citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's statutes and which version are referred to.

## West Virginia

- W. Va. Code § 46-1-101 ([{currency information}](#)).
- W. Va. Code Ann. § 46-1-101 (LexisNexis [{currency information}](#)).\*
- W. Va. Code Ann. § 46-1-101 (West [{currency information}](#)).\*
- [W.Va.Code, 46-1-101.\\*\\*](#)

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - LexisNexis in the second example, West in the third. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

\*\* Within West Virginia this slightly altered citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Wisconsin

- Wis. Stat. § 402.101 ([{currency information}](#)).
- Wis. Stat. Ann. § 402.101 (West [{currency information}](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of the state - West in the second example. Both also call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not include the publisher in any case nor would it indicate whether the version used was annotated.

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## Wyoming

- Wyo. Stat. § 34.1-1-101 ([{currency information}](#)).
- Wyo. Stat. Ann. § 34.1-1-101 ([{currency information}](#)).\*

\* Both *The Bluebook* and *ALWD Citation Manual* call for adding the designation "Ann." when the compilation's name includes the word "annotated." The *AALL Universal Citation Guide* would not indicate whether the version used was annotated.

**§ 3-340. Statute Citations – Variants and Special Cases**

**§ 3-341. Session Laws**

**Illustrations**

[House Page Board Revision Act of 2007, Pub. L. No. 110-2, 121 Stat. 4.](#)

[Health Risk Limits for Perfluorooctanoic Acid and Perfluorooctane Sulfonate, 2007 Minn. Laws ch. 37,   
http://ros.leg.mn/bin/getpub.php?type=law&year=2007&sn=0&num=37.](#)

**§ 3-342. Bills**

**Illustration**

[H.R. 2971, 108th Cong. § 101 \(2003\).](#)

**§ 3-343. Named Statutes, Original Section Numbers**

**Illustration**

[Social Security Act § 223\(e\), 42 U.S.C. § 423\(e\) \(2006\).](#)

**§ 3-344. Internal Revenue Code**

**Illustration**

[I.R.C. § 21.](#)

**§ 3-345. Uniform Acts and Model Codes**

**Illustrations**

[U.C.C. § 2-202 \(amended 2003\).](#)

[Unif. Probate Code § 2-107 \(amended 1990\), 8\(I\) U.L.A. 87 \(1998\).](#)



[Model Bus. Corp. Act § 10.01 \(2002\).](#)

### § 3-350. Local Ordinance Citations

#### Illustration

[Cincinnati, Ohio, Municipal Code § 302-3 \(2012\).](#)

### § 3-360. Treaty Citations

#### Illustration

[North American Free Trade Agreement, U.S.-Can.-Mex., art. 705\(3\), Dec. 17, 1992, 32 I.L.M. 289 \(1993\).](#)

### § 3-400. Regulations, Other Agency and Executive Material [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### § 3-410. Regulation Citations – Most Common Form

#### *Illustrations*

[49 C.F.R. § 236.403 \(2011\).](#)

[Code Me. R. 12 170 7 § 5 \(2012\).](#)

For short form examples see [§ 6-540](#).

## **Additional Examples - State Regulation Citations**

In states where a citation variant appears against a different background there is a distinct regulation citation format used within the jurisdiction by state courts and those submitting memoranda or briefs to them.

*The Bluebook* and *ALWD Citation Manual* frequently diverge in their abbreviations for compilations of state regulations. *The Bluebook* normalizes all code abbreviations to begin with the state name. For example, Maine's compilation, as published by Weil (now owned by LexisNexis) is entitled "Code of Maine Rules." The *ALWD Citation Manual* renders that as "Code Me. R."; but *The Bluebook* converts it to "Me. Code. R." A comparable divergence exists with all 12 states plus the District of Columbia for which Weil publishes regulations. In all instances where there are competing abbreviations, the following chart includes the one that tracks the name given the compilation by the state itself or the principal publisher. In addition, while *The Bluebook* sometimes, but not consistently, includes the name of the publisher of a compilation, e.g., Weil, in the concluding parenthesis, ahead of the currency information, the following examples, following the approach of the *ALWD Citation Manual* and the *AALL Universal Citation Guide*, omit reference to the publisher in all cases.

- [Alabama](#) | [Alaska](#) | [Arizona](#) | [Arkansas](#)
- [California](#) | [Colorado](#) | [Connecticut](#) | [Delaware](#)
- [District of Columbia](#) | [Florida](#) | [Georgia](#) | [Hawaii](#)
- [Idaho](#) | [Illinois](#) | [Indiana](#) | [Iowa](#)
- [Kansas](#) | [Kentucky](#) | [Louisiana](#) | [Maine](#)
- [Maryland](#) | [Massachusetts](#) | [Michigan](#) | [Minnesota](#)
- [Mississippi](#) | [Missouri](#) | [Montana](#) | [Nebraska](#)
- [Nevada](#) | [New Hampshire](#) | [New Jersey](#) | [New Mexico](#)
- [New York](#) | [North Carolina](#) | [North Dakota](#) | [Ohio](#)
- [Oklahoma](#) | [Oregon](#) | [Pennsylvania](#) | [Rhode Island](#)
- [South Carolina](#) | [South Dakota](#) | [Tennessee](#) | [Texas](#)
- [Utah](#) | [Vermont](#) | [Virginia](#) | [Washington](#)
- [West Virginia](#) | [Wisconsin](#) | [Wyoming](#)

## Alabama

- Ala. Admin. Code r. 250-X-5-.05 ([currency information](#)).
- 

## Alaska

- Alaska Admin. Code tit. 8, § 15.160 ([currency information](#)).
- 8 AAC 15.160 ([currency information](#)).\*

\* Within Alaska, this more economical regulation citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations are referred to.

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## Arizona

- Ariz. Admin. Code R9-10-248 ([currency information](#)).
- A.A.C. R9-10-248.\*

\* Within Arizona, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Arkansas

- Code Ark. R. § \_\_\_\_ ([currency information](#)).
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## California

- Cal. Code Regs. tit. 14, § 757 ([currency information](#)).
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## Colorado

- 3 Code Colo. Regs. § 702-4-7-2 ([currency information](#)).
- 3 C.C.R. 702-4-7-2 ([currency information](#)).\*

\* Within Colorado, this more economical regulation citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations are referred to.

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## Connecticut

- [Conn. Agencies Regs. § 199-589-1](#) ([currency information](#)).
- [Regs., Conn. State Agencies § 199-589-1](#).\*

\* Within Connecticut, this slightly different format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Delaware

- [14-505 Del. Code Regs. § 4.1](#) ([currency information](#)).
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## District of Columbia

- [D.C. Mun. Regs. tit. 5, § 602.1](#) ([currency information](#)).
- [5 DCMR § 4.1](#).\*

\* Within D.C., this more economical regulation citation format, without currency information, is used in decisions of the district's courts and submissions to them.

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## Florida

- [Fla. Admin. Code Ann. r. 29F-9.004](#) ([currency information](#)).
- [Fla. Admin. Code R. 29F-9.004](#).\*

\* Within Florida, this more economical regulation citation format is used, without currency information or annotation abbreviation, is used in decisions of the state's own courts and submissions to them.

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## Georgia

- [Ga. Comp. R. & Regs. r. 272-2-.07\(1\)\(u\)](#) ([currency information](#)).
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## Hawaii

- [Haw. Admin. R. § 38-5.2](#) ([currency information](#)).
- [HAR § 17-202-1\(b\)](#).\*

\* Within Hawaii, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Idaho

- [Idaho Admin. Code r. 07.05.01.500](#) ([currency information](#)).
- [IDAPA 07.05.01.500](#).\*

\* Within Idaho, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Illinois

- [Ill. Admin. Code tit. 2, pt. 551](#) ([currency information](#)).
- [2 Ill. Admin. Code pt. 551](#) ([currency information](#)).\*

\* Within Illinois, this slightly different format is used in decisions of the state's own courts and submissions to them.

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## Indiana

- [Ind. Admin. Code tit. 45, r. 1-1-64](#) ([currency information](#)).
- [45 IAC 1-1-64](#).\*

\* Within Indiana, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Iowa

- [Iowa Admin. Code r. 111-7.2](#) ([currency information](#)).
-

## Kansas

- [Kan. Admin. Regs. § 92-12-72](#) ([currency information](#)).
- [K.A.R. 92-12-72](#).\*

\* Within Kansas, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Kentucky

- [405 Ky. Admin. Regs. 1:120, § 4\(2\)](#) ([currency information](#)).
- [405 KAR 1:120, § 4\(2\)](#).\*

\* Within Kentucky, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Louisiana

- [La. Admin. Code tit. 7, § 8791](#) ([currency information](#)).
- 

## Maine

- [Code Me. R. 12 152 12 § 5](#) ([currency information](#)).
- [12 152 CMR 12 § 5](#) ([currency information](#))\*.

\* Within Maine, this more economical regulation citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations are referred to.

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## Maryland

- [Code Md. Regs. 21.11.05.01.B](#) ([currency information](#)).
- [COMAR 21.11.05.01.B](#).\*

\* Within Maryland, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Massachusetts

- [105 Code Mass. Rules § 531.252](#) ([currency information](#)).

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## Michigan

- [Mich. Admin. Code r. 209.21](#) ([currency information](#)).
- [currency information](#) AC, R 209.21.\*

\* Within Michigan, this more economical regulation citation format set out in court rules is used in decisions of the state's own courts and submissions to them. For those rules, see [§ 7-500](#)

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## Minnesota

- [Minn. R. 1550.1760](#) ([currency information](#)).

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## Mississippi

- [Code Miss. R. 26-000-001](#) ([currency information](#)).

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## Missouri

- [Mo. Code Regs. tit.8, § 60-2.025\(9\)](#) ([currency information](#)).
- [8 CSR 60-2.025\(9\)](#).\*

\* Within Missouri, this more economical regulation citation format, with no explicit indication of jurisdiction and no currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Montana

- [Admin. R. Mont. 20.25.401\(4\)](#) ([currency information](#)).
- [Rule 20.25.401\(4\), ARM](#).\*

\* Within Montana this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Nebraska

- [291 Neb. Admin. Code, ch. 8, § 002.07E6](#) ([currency information](#)).

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## Nevada

- [Nev. Admin. Code § 289.110](#) ([currency information](#)).
- [NAC 289.110](#).\*

\* Within Nevada, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## New Hampshire

- [N.H. Code Admin. R. Lab. 403.01](#) ([currency information](#)).
- [N.H. Admin. Rules Lab, 403.01](#).\*

\* Within New Hampshire, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

Where this example has the abbreviation for "Labor" substitute the abbreviation for the department issuing rules as abbreviated in them.

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## New Jersey

- [N.J. Admin. Code § 5:93-1.3](#) ([currency information](#)).
- [N.J.A.C. 5:93-1.3](#).\*

\* Within New Jersey, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## New Mexico

- [N.M. Admin. Code § 11.4.7.10](#) ([currency information](#)).
- [11.4.7.10 NMAC](#) ([currency information](#)).\*

\* Within New Mexico, this more economical regulation citation format is used in decisions of the state's own courts and submissions to them. Since 2000 the administrative code has been formatted with the full section number preceding the abbreviation "NMAC."

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## New York

- [9 N.Y. Comp. Codes R. & Regs. § 591.3](#) ([currency information](#)).
- [9 NYCRR 591.3](#).\*

\* Within New York, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## North Carolina

- [17 N.C. Admin. Code 5C.0703](#) ([currency information](#)).
- [17 NCAC 5C.0703](#).\*

\* Within North Carolina, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## North Dakota

- [N.D. Admin. Code 75-02-04.1-09\(2\)\(j\)](#) ([currency information](#)).
- [N.D.A.C. § 75-02-04.1-09\(2\)\(j\)](#).\*

\* Within North Dakota, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Ohio

- [Ohio Admin. Code 1501:13-1-02](#) ([currency information](#)).
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## Oklahoma

- [Okla. Admin. Code § 715:10-15-10\(3\) \(currency information\)](#).
- [O.A.C. 715:10-15-10\(3\) \(currency information\)](#).\*

\* Within Oklahoma, this more economical regulation citation format is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations are referred to.

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## Oregon

- [Or. Admin. R. 471-031-0090 \(currency information\)](#).
- [OAR 471-031-0090](#).\*

\* Within Oregon, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Pennsylvania

- [1 Pa. Code § 1.4 \(currency information\)](#).
- 

## Rhode Island

- [Code R.I. R. 04 000 010 \(currency information\)](#).
- [Code R.I. Reg. 04 000 010 \(currency information\)](#).\*

\* Within Rhode Island, this slightly different citation format is used in decisions of the state's own courts and submissions to them.

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## South Carolina

- [S.C. Code Regs. 38-005 \(currency information\)](#).
- [S.C. Code Regs. 38-005](#).\*

\* Within South Carolina, this citation format, omitting currency information, is used in decisions of the state's own courts and submissions to them.

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## South Dakota

- [Admin. R. S.D. 5:02:08.19](#) ([currency information](#)).
- [ARSD 5:02:08.19](#).\*

\* Within South Dakota, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Tennessee

- [Tenn. Comp. R. & Regs. 0520-4-1-.03](#) ([currency information](#)).
- [Tenn. Comp. R. & Regs. 0520-4-1-.03](#).\*

\* Within Tennessee, this citation format, omitting currency information, is used in decisions of the state's own courts and submissions to them.

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## Texas

- [Tex. Admin. Code tit. 16, § 23.24](#) ([currency information](#)).
- [16 TEX. ADMIN. CODE § 23.24](#).\*

\* Within Texas, this slightly altered citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Utah

- [Utah Admin. Code r. 212-8](#) ([currency information](#)).
- [Utah Admin. Code r. 212-8](#).\*

\* Within Utah, this citation format, omitting currency information, is used in decisions of the state's own courts and submissions to them.

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## Vermont

- [Code Vt. R. 12 003 001-6](#) ([currency information](#)).
- [4 Code of Vermont Rules 12 003 001-6](#) ([currency information](#)).\*

\* Within Vermont, this altered citation format is used in decisions of the state's own courts and submissions to them.

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## Virginia

- [19 Va. Admin. Code 30-20-40](#) ([currency information](#)).
- [19 VAC 30-20-40](#).\*

\* Within Virginia, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## Washington

- [Wash. Admin. Code 173-27-140\(1\)](#) ([currency information](#)).
- [WAC 173-27-140\(1\)](#).\*

\* Within Washington, this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them, under circumstances where there is little ambiguity about which jurisdiction's regulations and which version are referred to.

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## West Virginia

- [W. Va. Code R. § 127-2-3.1](#) ([currency information](#)).
- [W. Va. C.S.R. § 127-2-3.1](#).\*

\* Within West Virginia this more economical regulation citation format, without currency information, is used in decisions of the state's own courts and submissions to them.

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## Wisconsin

- [Wis. Admin. Code Trans. § 101.04\(3\)](#) ([currency information](#)).
- [Wis. Admin. Code § Trans. 101.04\(3\)](#) ([currency information](#)).\*

\* Within Wisconsin, this slightly altered citation format is used in decisions of the state's own courts and submissions to them.

Where this example has the abbreviation for "Transportation" substitute the abbreviation for the department issuing rules as abbreviated in them.

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## Wyoming

- 025-220-001 Code Wyo. R. § 4(t) ([currency information](#)).
- 3 Weil's Code of Wyoming Rules, Department of Employment, Workers' Compensation Commission, Workers' Compensation Rules, Regulations and Fee Schedules, ch. 1, § 4(t), 025 220 001-4 ([currency information](#)).\*

\* Within Wyoming, this expanded citation format is used in decisions of the state's own courts and submissions to them.

## § 3-420. Regulation Citations – Variants and Special Cases

### *Illustrations*

[Authorization of Representative Fees, 74 Fed. Reg. 48381, 48384 \(Sept. 23, 2009\) \(amending 20 C.F.R. § 404.1720\).](#)

[Revisions to Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band, 75 Fed. Reg. 3639 \(Jan. April 22, 2010\) \(amending 47 C.F.R. pt. 15\).](#)

[Adopted Permanent Rules Relating to Telephone Assistance Plans, 34 Minn. Reg. 818 \(Dec. 7, 2009\) \(to be codified at Minn. R. 7817.0400\).](#)

## § 3-450. Agency Adjudications

### *Illustrations*

[National Treasury Employees Union, Chapter 65, 57 F.L.R.A. No. 3 \(Mar. 12, 2001\).](#)

[Altercare of Hartville., 321 N.L.R.B. 847 \(1996\).](#)

[H H 3 Trucking Inc., 345 NLRB No. 59 \(Sept. 15, 2005\), <http://mynlrb.nlr.gov/link/document.aspx/09031d458007a338>.](#)

### § 3-470. Agency Report Citations

#### *Illustrations*

[1981 S.E.C. Ann. Rep. 21.](#)

[U.S. General Accounting Office, \*SSA: Enhanced Procedures and Guidance Could Improve Service and Reduce Overpayments to Concurrent Beneficiaries\* 11 \(2002\).](#)

### § 3-480. Executive Orders and Proclamations

#### *Illustrations*

[Exec. Order No. 12,893, 59 Fed. Reg. 4233 \(Jan. 31, 1994\).](#)

[Proclamation No. 7202, 3 C.F.R. 48 \(2000\).](#)

[Mich. Exec. Order No. 2003-4 \(Feb. 27, 2003\),  
<http://www.michigan.gov/granholm/0,4587,7-168-21975-62542--,00.html>.](#)

### § 3-490. Attorney General and Other Advisory Opinions

#### *Illustrations*

[38 Op. Att'y Gen. 98 \(1934\).](#)

[Authority Under the Defense Base Closure and Realignment Act to Close or Realign National Guard Installations Without the Consent of State Governors, Op. Off. Legal Counsel \(Aug. 10, 2005\).](#)

[86 Cal. Att'y Gen. Op. No. 03-105 \(June 19, 2003\).](#)

§ 3-500. Arbitration Decisions [Contents](#) | [Index](#) | [Help](#) | < | >

**Illustration**

[United States - Tax Treatment for "Foreign Sales Corporations," World Trade Organization No. 108 \(Aug. 30, 2002\) \(Falconer, Chambovey & Seung Wha Chang, Arbs.\)](#).

§ 3-600. Court Rules [Contents](#) | [Index](#) | [Help](#) | < | >

**Illustrations**

[Fed. R. Civ. P. 12\(b\)\(6\)](#).

[Fed. R. Crim. P. 7\(b\)](#).

[Haw. Fam. Ct. R. 106](#).

[N.J. Ct. R. 3:8-3](#).

§ 3-700. Books [Contents](#) | [Index](#) | [Help](#) | < | >

§ 3-710. Book Citations – Most Common Form

**Illustration**

[2 Calvin W. Corman, \*Limitation of Actions\* § 12.1 \(1991\)](#).

[Henry Julian Abraham, \*Justices, Presidents and Senators\* 290-95 \(5th ed. 2008\)](#).

[Wayne R. LaFave & Austin W. Scott, \*Criminal Law\* § 5.4 \(2d ed. 1986\)](#).

[Eugene F. Scoles et al., \*Conflict of Laws\* § 13.20, n.10 \(5th ed. 2010\)](#).

For short form examples see [§ 6-550](#).

## § 3-720. Book Citations – Variants and Special Cases

### § 3-721. Works by Institutional Authors

#### Illustrations

Enron Corp., 2000 Annual Report 30 (2001).

Nolan J. Malone, U. S. Bureau of the Census, *Evaluating Components of International Migration: Consistency of 2000 Nativity Data* (2001).

Research and Public Policy Department, National Urban League, *The Impact of Social Security on Child Poverty* 5 (2000).

### § 3-722. Services

#### Illustrations

*Vill. of Grand View v. Skinner*, 22 *Envtl. L. Rep. (Envtl. L. Inst.)* 20120 (2d Cir. Oct. 24, 1991).

*Norling v. Valley Contracting*, [2 *Wages-Hours*] *Lab. L. Rep. (CCH)* ¶ 35,543 (D.N.D. June 11, 1991).

*Flamme v. Wolf Ins. Agency*, [*Insurance*] *Auto. L. Rep. (CCH)* ¶ 18,307 (Neb. Nov. 8, 1991).

### § 3-723. Restatements

#### Illustrations

Restatement (Second) of Contracts § 30 (1981).

Restatement (Second) of Judgments § 57 cmt. b, illus. 3 (1982).



## § 3-724. Annotations

### Illustrations

[Francis M. Dougherty, Annotation, \*Insurer's Tort Liability for Wrongful or Negligent Issuance of Life Policy\*, 37 A.L.R.4th 972, 974 \(1985\).](#)

## § 3-800. Articles and Other Law Journal Writing [Contents](#) | [Index](#) | [Help](#) | [≤](#) | [≥](#)

### § 3-810. Journal Article Citations – Most Common Form

#### Illustration

[Dan T. Coenen, \*The Constitutional Case Against Intracircuit Nonacquiescence\*, 75 Minn. L. Rev. 1339, 1341 \(1991\).](#)

For short form examples see [§ 6-560](#).

#### Additional Examples

Steven L. Carter, *The Right Questions in the Creation of Constitutional Meaning*, 66 B.U. L. Rev. 71 (1986).

Linda Liefland, *Career Patterns of Male and Female Lawyers*, 35 Buff. L. Rev. 601 (1986).

David A. Strauss, *Persuasion, Autonomy, and Freedom of Expression*, 91 Colum. L. Rev. 334 (1991).

Robert F. Nagel, *How Useful is Judicial Review in Free Speech Cases?*, 69 Cornell L. Rev. 302 (1984).

Michael Pertschuk & Kenneth M. Davidson, *What's Wrong With Conglomerate Mergers?*, 48 Fordham L. Rev. 1 (1979).

Steven G. Calabresi & Kevin H. Rhodes, *The Structural Constitution: Unitary Executive, Plural Judiciary*, 105 Harv. L. Rev. 1155, 1158 (1992).

Toni M. Massaro, *Shame, Culture and American Criminal Law*, 89 Mich. L. Rev. 1880 (1991).

Dan T. Coenen, *The Constitutional Case Against Intracircuit Nonacquiescence*, 75 Minn. L. Rev. 1339, 1341 (1991).

James Wilson Harshaw III, *Not Enough Time?: The Constitutionality of Short Statutes of Limitations for Civil Child Sexual Abuse Litigation*, 50 Ohio St. L.J. 753 (1989).

David A.J. Richards, *Originalism Without Foundations*, 65 N.Y.U. L. Rev. 1373 (1990) (reviewing Robert Bork, *The Tempting of America: The Political Seduction of the Law*).

Edward Rubin, *Television and the Experience of Citizenship*, 68 Tex. L. Rev. 1155 (1990).

John J. Gibbons, *Fictions*, 20 Seton Hall L. Rev. 344 (1990).

Herbert Hovenkamp, *The First Great Law & Economics Movement*, 42 Stan. L. Rev. 993 (1990).

David C. Williams, *The Borders of the Equal Protection Clause: Indians as Peoples*, 38 UCLA L. Rev. 759 (1991).

Richard A. Epstein, *All Quiet on the Eastern Front*, 58 U. Chi. L. Rev. 555 (1991).

Rebecca L. Brown, *Separated Powers and Ordered Liberty*, 139 U. Pa. L. Rev. 1513 (1991).

Naomi R. Cahn, *Civil Images of Battered Women: The Impact of Domestic Violence on Child Custody Decisions*, 44 Vand. L. Rev. 1041 (1991).

William R. Stuntz, *Warrants and Fourth Amendment Remedies*, 77 Va. L. Rev. 881 (1991).

Allan R. Stein, *Erie and Court Access*, 100 Yale L.J. 1935 (1991).

Frank H. Easterbrook, *Substance and Due Process*, 1982 Sup. Ct. Rev. 85, 114.

Steven J. Rollins, *Perceived Handicap Under the Wisconsin Fair Employment Act*, 1988 Wis. L. Rev. 639.

## § 3-820. Journal Articles – Variants and Special Cases

### (1) Student Writing by a Named Student

#### Illustrations

[John Moustakas, Note, \*Group Rights in Cultural Property: Justifying Strict Inalienability\*, 74 Cornell L. Rev. 1179, 1183 n.12 \(1989\).](#)

[Betsy Vencil, Comment, 26 Nat. Resources J. 606 \(1986\).](#)

## **Additional Examples**

Christopher M. Walters, Comment, *Admission of Testimony on Eyewitness Identification*, 73 Cal. L. Rev. 1402 (1985).

Thomas J. Mahoney, Jr., Note, *The Tax Benefit Rule After Hillsboro*, 37 Case W. Res. L. Rev. 362 (1986).

Mary Morton, Note, *The Hearsay Rule and Epistemological Suicide*, 74 Geo. L.J. 1301 (1986).

Scott H. Brandt, Recent Decision, 64 Temple L. Rev. 1007 (1991).

Kerwin E. Miller, Case Note, 28 How. L.J. 313 (1985).

Lorelei Van Wei, Note, *Private Facts Tort: The End Is Here*, 52 Ohio St. L.J. 299 (1991).

Stephen J. Legatzke, Note, *The Equitable Recoupment Doctrine in United States v. Dalm: Where's the Equity*, 10 Va. Tax Rev. 861 (1991).

Helen L. Parise, Comment, *The Proper Extension of Tort Liability Principles in the Managed Care Industry*, 64 Temp. L. Rev. 977 (1991)

J. Brett Pritchard, Note, *Conduct and Belief in the Free Exercise Clause: Developments and Deviations in Lyng v. Northwest Indian Cemetary Protective Association*, 76 Cornell L. Rev. 268, 281 (1990).

Brian Victor, Case Comment, *The Citizen and the Serpent: State v. Rockholt and Entrapment in New Jersey*, 38 Rutgers L. Rev. 589 (1986).

## **(2) Unsigned Student Writing**

### **Illustrations**

[Recent Case, 103 Harv. L. Rev. 1732 \(1990\).](#)

[Recent Development, 1979 Wash. U.L.Q. 1161, 1164.](#)

[Recent Development, 104 Harv. L. Rev. 1723 \(1991\).](#)

### **Additional Examples**

Note, *Computer Intellectual Property and Conceptual Severence*, 103 Harv. L. Rev. 1046, 1057 (1990).

### **(3) Book Reviews**

#### **Illustrations**

[John M. Balkin, \*Nested Opposition\*, 99 Yale L.J. 1669 \(1990\) \(reviewing John M. Ellis, \*Against Deconstruction\* \(1989\)\).](#)

[Book Note, \*Generalizing Justice\*, 103 Harv. L. Rev. 1384, 1389 \(1990\) \(reviewing Lenore E. Walker, \*Terrifying Love: Why Battered Women Kill and How Society Responds\* \(1989\)\).](#)

#### **Additional Examples**

Gerald Caplan, *A Review of Death by Installments by Arthur S. Miller and Jeffrey H. Bowman*, 57 Geo. Wash. L. Rev. 1643 (1989) (book review).

Anthony E. Cook, *The Temptation and Fall of Original Understanding*, 1990 Duke L.J. 1163 (book review).

Tom A. Glassberg, Book Note, *Defending White-Collar Crime: A Game Without Rules*, 63 Wash. U. L.Q. 831 (1985) (book review).

Book Note, *Selling One's Birth Rights*, 102 Harv. L. Rev. 1074 (1989) (reviewing Martha A. Field, *Surrogate Motherhood* (1988)).

### **(4) Symposia and the Like**

#### **Illustrations**

[Project, \*Nineteenth Annual Review of Criminal Procedure: United States Supreme Court and Court of Appeals 1988-1989\*, 78 Geo. L.J. 699 \(1990\).](#)

[Symposium, \*Probability and Inference in the Law of Evidence\*, 66 B.U. L. Rev. 377 \(1986\).](#)

§ 4-100. Words Abbreviated in Case Names [\[BB|ALWD\]](#)

Set out below is a table of words and their *Bluebook* abbreviations with links to examples:

[A-B](#) | [C](#) | [D-E](#) | [F-L](#) | [M-O](#) | [P-R](#) | [S-Z](#)

Abbreviate the listed words wherever they appear in a party's name that is part of a citation. In addition, abbreviate any state that is included in a party name. (See [§ 4-500](#).) When the case is being referred to in a sentence of the text itself rather than simply as a citation only the words starred [\*] in the table below should be abbreviated and then only when not at the beginning of a party's name.

Any other word of eight letters or more not on the following list may also be abbreviated if the abbreviation chosen saves substantial space and reasonably connotes the original word. As a consequence of this *Bluebook* principle case names prepared according to the *ALWD Citation Manual's* far more extensive list of "General Abbreviations" will, for the most part, comply, as well, with *The Bluebook*. There are a few minor points of divergence, however, and one systematic difference, on which the *ALWD Citation Manual* has recently softened its stance. For a number of words, but following no consistent pattern, *The Bluebook* uses contractions (e.g., Eng'r and Int'l, though curiously Env'tl.). Prior to the fourth edition, the *ALWD Citation Manual* abbreviations used no apostrophes; all ended with periods (e.g., Engr. and Intl.). The fourth edition authorizes use of contractions as an alternative (e.g., Engr. or Eng'r, Intl. or Int'l.).

Except when the abbreviation list explicitly provides for the plural, the plural of a listed word is abbreviated by adding an "s" to the abbreviation of the singular.

Thus:

- Eng'r Eng'rs
- Enter. Enters.
- Mfr. Mfrs.

---

**A-B**

- Academy - Acad. [«e.g.»](#)
- Administrative or Administration - Admin. [«e.g.»](#)
- Administrator or Administratrix - Adm'[r,x] [«e.g.»](#)
- Advertising - Adver. [«e.g.»](#)
- Agriculture or Agricultural - Agric. [«e.g.»](#)
- Alternative - Alt. [«e.g.»](#)
- America or American - Am. [«e.g.»](#)

- And \* - & [«e.g.»](#)
- Associate - Assoc. [«e.g.»](#)
- Association \* - Ass'n [«e.g.»](#)
- Atlantic - Atl. [«e.g.»](#)
- Authority - Auth. [«e.g.»](#)
- Automobile or Automotive - Auto. [«e.g.»](#)
- Avenue - Ave. [«e.g.»](#)
- Bankruptcy - Bankr. [«e.g.»](#)
- Board - Bd. [«e.g.»](#)
- Broadcast or Broadcasting - Broad. [«e.g.»](#)
- Brotherhood - Bhd. [«e.g.»](#)
- Brothers \* - Bros. [«e.g.»](#)
- Building - Bldg. [«e.g.»](#)
- Business - Bus. [«e.g.»](#)

## C

- Casualty - Cas. [«e.g.»](#)
- Center or Centre - Ctr. [«e.g.»](#)
- Central - Cent. [«e.g.»](#)
- Chemical - Chem. [«e.g.»](#)
- Coalition - Coal. [«e.g.»](#)
- College - Coll. [«e.g.»](#)
- Commission - Comm'n [«e.g.»](#)
- Commissioner - Comm'r [«e.g.»](#)
- Committee - Comm. [«e.g.»](#)
- Communication - Commc'n [«e.g.»](#)
- Community - Cmty. [«e.g.»](#)
- Company \* - Co. [«e.g.»](#)
- Compensation - Comp. [«e.g.»](#)
- Condominium - Condo. [«e.g.»](#)
- Congress or Congressional - Cong. [«e.g.»](#)
- Consolidated - Consol. [«e.g.»](#)
- Construction - Constr. [«e.g.»](#)
- Continental - Cont'l [«e.g.»](#)
- Cooperative - Coop. [«e.g.»](#)
- Corporation \* - Corp. [«e.g.»](#)
- Correction, Correctional, or Corrections - Corr. [«e.g.»](#)
- County - Cnty. [«e.g.»](#)

## D-E

- Defense - Def. [«e.g.»](#)
- Department - Dep't [«e.g.»](#)
- Detention - Det. [«e.g.»](#)
- Development - Dev. [«e.g.»](#)
- Director - Dir. [«e.g.»](#)
- Discount - Disc. [«e.g.»](#)

- Distributor or Distributing - Distrib. [«e.g.»](#)
- District - Dist. [«e.g.»](#)
- Division - Div. [«e.g.»](#)
- East or Eastern - E. [«e.g.»](#)
- Economic, Economical, Economics, or Economy - Econ. [«e.g.»](#)
- Education or Educational - Educ. [«e.g.»](#)
- Electric, Electrical, Electricity, or Electronic - Elec. [«e.g.»](#)
- Employee - Emp. [«e.g.»](#)
- Employer or Employment - Emp'[r,t] [«e.g.»](#)
- Engineer - Eng'r [«e.g.»](#)
- Engineering - Eng'g [«e.g.»](#)
- Enterprise - Enter. [«e.g.»](#)
- Entertainment - Entm't [«e.g.»](#)
- Environment - Env't [«e.g.»](#)
- Environmental - Env'tl. [«e.g.»](#)
- Equality - Equal. [«e.g.»](#)
- Equipment - Equip. [«e.g.»](#)
- Examiner - Exam'r [«e.g.»](#)
- Exchange - Exch. [«e.g.»](#)
- Executive - Exec. [«e.g.»](#)
- Executor or Executrix - Ex'[r,x] [«e.g.»](#)
- Export, Exportation, or Exporter - Exp. [«e.g.»](#)

## ***F-L***

- Federal - Fed. [«e.g.»](#)
- Federation - Fed'n [«e.g.»](#)
- Fidelity - Fid. [«e.g.»](#)
- Finance, Financial, or Financing - Fin. [«e.g.»](#)
- Foundation - Found. [«e.g.»](#)
- Gender - Gen'd. [«e.g.»](#)
- General - Gen. [«e.g.»](#)
- Government - Gov't [«e.g.»](#)
- Group - Grp. [«e.g.»](#)
- Guaranty - Guar. [«e.g.»](#)
- Hospital - Hosp. [«e.g.»](#)
- Housing - Hous. [«e.g.»](#)
- Import, Importation, or Importer - Imp. [«e.g.»](#)
- Incorporated \* - Inc. [«e.g.»](#)
- Indemnity - Indem. [«e.g.»](#)
- Independent - Indep. [«e.g.»](#)
- Industry, Industries, or Industrial - Indus. [«e.g.»](#)
- Information - Info. [«e.g.»](#)
- Institute or Institution - Inst. [«e.g.»](#)
- Insurance - Ins. [«e.g.»](#)
- International - Int'l [«e.g.»](#)
- Investment - Inv. [«e.g.»](#)
- Laboratory - Lab. [«e.g.»](#)

- Liability - Liab. [«e.g.»](#)
- Limited \* - Ltd. [«e.g.»](#)
- Litigation - Litig. [«e.g.»](#)

## **M-O**

- Machine or Machinery - Mach. [«e.g.»](#)
- Maintenance - Maint. [«e.g.»](#)
- Management - Mgmt. [«e.g.»](#)
- Manufacturer - Mfr. [«e.g.»](#)
- Manufacturing - Mfg. [«e.g.»](#)
- Maritime - Mar. [«e.g.»](#)
- Market - Mkt. [«e.g.»](#)
- Marketing - Mktg. [«e.g.»](#)
- Mechanic or Mechanical - Mech. [«e.g.»](#)
- Medical or Medicine - Med. [«e.g.»](#)
- Memorial - Mem'l [«e.g.»](#)
- Merchant, Merchandise, or Merchandising - Merch. [«e.g.»](#)
- Metropolitan - Metro. [«e.g.»](#)
- Mortgage - Mortg. [«e.g.»](#)
- Municipal - Mun. [«e.g.»](#)
- Mutual - Mut. [«e.g.»](#)
- National - Nat'l [«e.g.»](#)
- North or Northern - N. [«e.g.»](#)
- Northeast or Northeastern - Ne. [«e.g.»](#)
- Northwest or Northwestern - Nw. [«e.g.»](#)
- Number \* - No. [«e.g.»](#)
- Opinion - Op. [«e.g.»](#)
- Organization or Organizing - Org. [«e.g.»](#)

## **P-R**

- Pacific - Pac. [«e.g.»](#)
- Partnership - P'ship [«e.g.»](#)
- Person, Personal, or Personnel - Pers. [«e.g.»](#)
- Pharmaceuticals or Pharmaceutics - Pharm. [«e.g.»](#)
- Preserve or Preservation - Pres. [«e.g.»](#)
- Probation - Prob. [«e.g.»](#)
- Product or Production - Prod. [«e.g.»](#)
- Professional - Prof'l [«e.g.»](#)
- Property - Prop. [«e.g.»](#)
- Protection - Prot. [«e.g.»](#)
- Public - Pub. [«e.g.»](#)
- Publication - Publ'n [«e.g.»](#)
- Publishing - Publ'g [«e.g.»](#)
- Railroad - R.R. [«e.g.»](#)



- Railway - Ry. [«e.g.»](#)
- Refining - Ref. [«e.g.»](#)
- Regional - Reg'l [«e.g.»](#)
- Rehabilitation - Rehab. [«e.g.»](#)
- Reproduction or Reproductive - Reprod. [«e.g.»](#)
- Resource or Resources - Res. [«e.g.»](#)
- Restaurant - Rest. [«e.g.»](#)
- Retirement - Ret. [«e.g.»](#)
- Road - Rd. [«e.g.»](#)

## S

- Savings - Sav. [«e.g.»](#)
- School or Schools - Sch. [«e.g.»](#)
- Science - Sci. [«e.g.»](#)
- Secretary - Sec'y [«e.g.»](#)
- Security or Securities - Sec. [«e.g.»](#)
- Service - Serv. [«e.g.»](#)
- Shareholder - S'holder [«e.g.»](#)
- Social - Soc. [«e.g.»](#)
- Society - Soc'y [«e.g.»](#)
- South or Southern - S. [«e.g.»](#)
- Southeast or Southeastern - Se. [«e.g.»](#)
- Southwest or Southwestern - Sw. [«e.g.»](#)
- Steamship or Steamships - S.S. [«e.g.»](#)
- Street - St. [«e.g.»](#)
- Subcommittee - Subcomm. [«e.g.»](#)
- Surety - Sur. [«e.g.»](#)
- System or Systems - Sys. [«e.g.»](#)

## T-Z

- Technology - Tech. [«e.g.»](#)
- Telecommunication - Telecomm. [«e.g.»](#)
- Telephone or Telegraph - Tel. [«e.g.»](#)
- Temporary - Temp. [«e.g.»](#)
- Township - Twp. [«e.g.»](#)
- Transcontinental - Transcon. [«e.g.»](#)
- Transport or Transportation - Transp. [«e.g.»](#)
- Trustee - Tr. [«e.g.»](#)
- Turnpike - Tpk. [«e.g.»](#)
- Uniform - Unif. [«e.g.»](#)
- University - Univ. [«e.g.»](#)
- Utility - Util. [«e.g.»](#)
- Village - Vill. [«e.g.»](#)
- West or Western - W. [«e.g.»](#)

**§ 4-200. Abbreviations for Words Used in Providing Case Histories** [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

- acquiescing - acq.
- affirmed - aff'd
- affirming - aff'g
- certiorari - cert.
- jurisdiction - juris.
- memorandum - mem.
- nonacquiescing - nonacq.
- probable - prob.
- rehearing - reh'g
- reversed - rev'd
- reversing - rev'g

**§ 4-300. Words Omitted in Case Names** [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

**§ 4-300(1) Examples**

– *Horn v. N.Y. Times Co.*, 100 N.Y.2d 85, 790 N.E.2d 753, 760 N.Y.S.2d 378 (2003).  
**not**  
– *Horn v. The N.Y. Times Co.*, 100 N.Y.2d 85, 790 N.E.2d 753, 760 N.Y.S.2d 378 (2003).  
**but**  
– *In re The N.Y. Times Co.*, 837 F.2d 599 (2d Cir. 1988).  
– *Barlow v. The Queen*, [2009] UKPC 30.

**Principle 1:** Omit "the" when used as the first word of a party name

**except:**

- when part of name of an object subject to in rem proceeding **or**
- "The King/Queen".

**§ 4-300(2) Examples**

– *Colonial Vill., Ltd. v. Washington Cnty. Bd. of Revision*, 2009 Ohio 4975.  
**not**  
– *Colonial Vill., Ltd. v. Washington Cnty. Bd. of Revision, Colonial Terrace Apartments v. Washington Cnty. Bd. of Revision, Colonial Terrace Apartments II v. Washington Cnty. Bd. of Revision*, 2009 Ohio 4975.

**Principle 2:** Omit subsequent actions listed after the first one (when a case consolidates several different actions).

### § 4-300(3) Examples

– *Buenz v. Frontline Transp. Co.*, 227 Ill. 2d 302, 882 N.E.2d 525 (2008).

**not**

– *Buenz v. Frontline Transp. Co.*, *China Ocean Shipping Co. Ams.*, 227 Ill. 2d 302, 882 N.E.2d 525 (2008).

**Principle 3:** Omit all parties after the first one listed on each side.

### § 4-300(4) Examples

– *In re 123 Court St.*, 00 N.Y.S.3d 123 (1999) (fictional citation).

**not**

– *In re 123 Court St.*, *Ithaca, New York, the Car, and other chattels*, 00 N.Y.S.3d 123 (1999) (fictional citation).

– *State v. 123 Court St.*, 00 N.Y.S.3d 123 (1999) (fictional citation).

**not**

– *State v. Property known as 123 Court St., Ithaca, N.Y.*, 00 N.Y.S.3d 123 (1999) (fictional citation).

**Principle 4:** In "in rem" cases:

- Omit all items after the first one listed.
- Omit all words other than the common street address in "in rem" cases involving real estate.

### § 4-300(5) Examples

– *In re Altman*, 00 N.Y.S.3d 123 (1999) (fictional citation).

**not**

– *In re Altman on behalf of Harrison*, 00 N.Y.S.3d 123 (1999) (fictional citation).

– *Vizier ex rel. Prince v. Champion*, 00 N.Y.S.3d 123 (1999) (fictional citation).

**not**

– *Vizier on behalf of Prince v. Champion*, 00 N.Y.S.3d 123 (1999) (fictional citation).

– *Thomas ex rel. Baldwin v. Sommers*, 00 N.Y.S.3d 123 (1999) (fictional citation).

**not**

– *In re Thomas ex rel. Baldwin v. Sommers*, 00 N.Y.S.3d 123 (1999) (fictional citation).

– *In re Anita*, 00 N.Y.S.3d 123 (1999) (fictional citation).

**not**

– *In the matter of Anita*, 00 N.Y.S.3d 123 (1999) (fictional citation).

**Principle 5:** Treat procedural phrases as follows:

- Omit all procedural phrases other than the first.
- Reduce all remaining procedural phrases that are roughly equivalent to "on behalf of" or "for the use of" to *ex rel.*
- In adversarial proceedings omit all procedural phrases other than *ex rel.*

- Reduce all remaining procedural phrases that are roughly equivalent to "In the matter of," "Petition of," and the like to *In re*.

#### § 4-300(6) Examples

- |   |
|---|
| <p>– <i>Smith v. Jones</i>, 00 N.Y.S.3d 123 (1999) (fictional citation).<br/> <b>not</b><br/>         – <i>Smith v. Jones, Executor</i>, 00 N.Y.S.3d 123 (1999) (fictional citation).</p> |
|---|

**Principle 6:** Omit terms like "trustee," "executor," or "administrator" that described a named party.

#### § 4-300(7) Examples

- |  |
|--|
| <p>– <i>Dukakis v. Massachusetts</i>, 00 U.S. 123 (1999) (fictional citation).<br/> <b>not</b><br/>         – <i>Dukakis v. Commonwealth of Massachusetts</i>, 00 U.S. 123 (1999) (fictional citation).</p>                |
| <p>– <i>Dukakis v. Commonwealth</i>, 00 Mass. 123, 00 N.E.2d 123 (1999) (fictional citation).<br/> <b>not</b><br/>         – <i>Dukakis v. Massachusetts</i>, 00 Mass. 123, 00 N.E.2d 123 (1999) (fictional citation).</p> |

**Principle 7:** Omit "State of" or its equivalents

**except:** when citing decisions of the courts of the state in question, in which case omit the name of the state instead and keep "State" or the equivalent term.

#### § 4-300(8) Examples

- |   |
|---|
| <p>– <i>Angelo v. Common Council of Syracuse</i>, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).<br/> <b>not</b><br/>         – <i>Angelo v. Common Council of City of Syracuse</i>, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).</p>     |
| <p>– <i>Tarson v. City of Syracuse Dept. of Pub. Works</i>, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).<br/> <b>not</b><br/>         – <i>Tarson v. Syracuse Dept. of Pub. Works</i>, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).</p> |

**Principle 8:** Omit "City of" or its equivalents

**except:** when the phrase begins a party name.

### § 4-300(9) Examples

– *Glen v. Sewer District*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

**not**

– *Glen v. Sewer District of East Lansing*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

**Principle 9:** Omit all locational phrases

**except:**

- those left following application of the the prior rule about "City of" **or**
- when the omission would leave only one word in the name.

### § 4-300(10) Examples

– *Ivan v. United States*, 00 U.S. 123 (1999) (fictional citation).

**not**

– *Ivan v. United States of America*, 00 U.S. 123 (1999) (fictional citation).

**Principle 10:** Omit "of America" after "United States".

### § 4-300(11) Examples

– *Smith v. Jones*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

**not**

– *Smith v. Jenny Q. Jones*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

**but**

– *Smith v. Jenny Q. Jones, Inc.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

– *In re Anita Q.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

– *Smith v. Chun Quon*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

**Principle 11:** Omit first and middle names or initials of individuals

**except:**

- when included in the name of a business
- when the party's surname is abbreviated
- when the party's given name follows the surname (as is true of Chinese, Korean and Vietnamese names, for example).

## § 4-300(12) Examples

– *Werner v. Tarson Pools Co.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

**not**

– *Werner v. Tarson Pools Co., Ltd.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

**Principle 12:** Omit "Inc.," "Ltd.," "N.A.," or "F.S.B.," and similar terms if the name also contains words like "Co.," "Corp.," "R.R.," "Bros.," or "Ass'n" that indicate a business firm.

## § 4-400. Reporters and Courts [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### § 4-410. Reporter and Court Abbreviations – Federal Courts

Supreme Court: [«e.g.»](#)

Courts of Appeals: [«e.g.»](#)

District Courts: [«e.g.»](#)

Other: [«e.g.»](#)

### § 4-420. Reporter and Court Abbreviations – The States and D.C.

All fifty states: [«e.g.»](#)

## § 4-500. State Abbreviations [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

- Alabama - Ala. [«e.g.»](#)
- Alaska - Alaska [«e.g.»](#)
- Arizona - Ariz. [«e.g.»](#)
- Arkansas - Ark. [«e.g.»](#)
- California - Cal. [«e.g.»](#)
- Colorado - Colo. [«e.g.»](#)
- Connecticut - Conn. [«e.g.»](#)
- Delaware - Del. [«e.g.»](#)
- District of Columbia - D.C. [«e.g.»](#)
- Florida - Fla. [«e.g.»](#)
- Georgia - Ga. [«e.g.»](#)
- Hawaii - Haw. [«e.g.»](#)
- Idaho - Idaho [«e.g.»](#)
- Illinois - Ill. [«e.g.»](#)
- Indiana - Ind. [«e.g.»](#)
- Iowa - Iowa [«e.g.»](#)
- Kansas - Kan. [«e.g.»](#)
- Kentucky - Ky. [«e.g.»](#)
- Louisiana - La. [«e.g.»](#)

- Maine - Me. [«e.g.»](#)
- Maryland - Md. [«e.g.»](#)
- Massachusetts - Mass. [«e.g.»](#)
- Michigan - Mich. [«e.g.»](#)
- Minnesota - Minn. [«e.g.»](#)
- Mississippi - Miss. [«e.g.»](#)
- Missouri - Mo. [«e.g.»](#)
- Montana - Mont. [«e.g.»](#)
- Nebraska - Neb. [«e.g.»](#)
- Nevada - Nev. [«e.g.»](#)
- New Hampshire - N.H. [«e.g.»](#)
- New Jersey - N.J. [«e.g.»](#)
- New Mexico - N.M. [«e.g.»](#)
- New York - N.Y. [«e.g.»](#)
- North Carolina - N.C. [«e.g.»](#)
- North Dakota - N.D. [«e.g.»](#)
- Ohio - Ohio [«e.g.»](#)
- Oklahoma - Okla. [«e.g.»](#)
- Oregon - Or. [«e.g.»](#)
- Pennsylvania - Pa. [«e.g.»](#)
- Rhode Island - R.I. [«e.g.»](#)
- South Carolina - S.C. [«e.g.»](#)
- South Dakota - S.D. [«e.g.»](#)
- Tennessee - Tenn. [«e.g.»](#)
- Texas - Tex. [«e.g.»](#)
- Utah - Utah [«e.g.»](#)
- Vermont - Vt. [«e.g.»](#)
- Virginia - Va. [«e.g.»](#)
- Washington - Wash. [«e.g.»](#)
- West Virginia - W. Va. [«e.g.»](#)
- Wisconsin - Wis. [«e.g.»](#)
- Wyoming - Wyo. [«e.g.»](#)

**§ 4-600. Months** [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

- January - Jan.
- February - Feb.
- March - Mar.
- April - Apr.
- May - May
- June - June
- July - July
- August - Aug.
- September - Sept.
- October - Oct.
- November - Nov.
- December - Dec.

§ 4-700. Frequently Cited Journals [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

- Boston University Law Review - B.U. L. Rev. [«e.g.»](#)
- Buffalo Law Review - Buff. L. Rev. [«e.g.»](#)
- California Law Review - Cal. L. Rev. [«e.g.»](#)
- Case Western Reserve Law Review - Case W. Res. L. Rev. [«e.g.»](#)
- Columbia Law Review - Colum. L. Rev. [«e.g.»](#)
- Cornell Law Review - Cornell L. Rev. [«e.g.»](#)
- Duke Law Journal - Duke L.J. [«e.g.»](#)
- Fordham Law Review - Fordham L. Rev. [«e.g.»](#)
- Georgetown Law Journal - Geo. L.J. [«e.g.»](#)
- George Washington Law Review - Geo. Wash. L. Rev. [«e.g.»](#)
- Harvard Law Review - Harv. L. Rev. [«e.g.»](#)
- Howard Law Journal - How. L.J. [«e.g.»](#)
- Michigan Law Review - Mich. L. Rev. [«e.g.»](#)
- Minnesota Law Review - Minn. L. Rev. [«e.g.»](#)
- New York University Law Review - N.Y.U. L. Rev. [«e.g.»](#)
- Ohio State Law Journal - Ohio St. L.J. [«e.g.»](#)
- Rutgers Law Review - Rutgers L. Rev. [«e.g.»](#)
- Seton Hall Law Review - Seton Hall L. Rev. [«e.g.»](#)
- Stanford Law Review - Stan. L. Rev. [«e.g.»](#)
- Supreme Court Review - Sup. Ct. Rev. [«e.g.»](#)
- Temple Law Review - Temp. L. Rev. [«e.g.»](#)
- Texas Law Review - Tex. L. Rev. [«e.g.»](#)
- UCLA Law Review - UCLA L. Rev. [«e.g.»](#)
- University of Chicago Law Review - U. Chi. L. Rev. [«e.g.»](#)
- University of Pennsylvania Law Review - U. Pa. L. Rev. [«e.g.»](#)
- Vanderbilt Law Review - Vand. L. Rev. [«e.g.»](#)
- Virginia Law Review - Va. L. Rev. [«e.g.»](#)
- Washington University Law Quarterly - Wash. U. L.Q. [«e.g.»](#)
- Wisconsin Law Review - Wis. L. Rev. [«e.g.»](#)
- Yale Law Journal - Yale L.J. [«e.g.»](#)



## § 4-800. Spacing between Abbreviated Words and Periods in Abbreviations [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### § 4-810. Spacing between Abbreviated Words [\[BB|ALWD\]](#)

#### § 4-810(1) Examples

- David A.J. Richards, *Originalism Without Foundations*, 65 N.Y.U. L. Rev. 1373 (1990) (reviewing Robert Bork, *The Tempting of America: The Political Seduction of the Law*).
- *Orange Cnty. Agric. Soc’y, Inc. v. Comm’r*, 893 F.2d 529 (2d Cir. 1990).
- *Natural Res. Def. Council v. NRC*, 216 F.3d 1180 (D.C. Cir. 2000).
- = space

**Principle 1:** Successive words abbreviated with a single capital letter are normally not separated from one another with a space.

**Principle 2:** Longer abbreviations are separated from one another and from single letter abbreviations with a space.

**Principle 3:** In journal titles, successive single letters that refer to an entity are separated from other single letter abbreviations with a space.

**Principle 4:** Numbers, including ordinal numbers (2d, 4th), are treated as single letters.

## § 4-820. Periods in Abbreviations [\[BB|ALWD\]](#)

#### § 4-820(1) Examples

- David A.J. Richards, *Originalism Without Foundations*, 65 N.Y.U. L. Rev. 1373 (1990) (reviewing Robert Bork, *The Tempting of America: The Political Seduction of the Law*).
- *Orange Cnty. Agric. Soc’y, Inc. v. Comm’r*, 893 F.2d 529 (2d Cir. 1990).
- *Natural Res. Def. Council v. NRC*, 216 F.3d 1180 (D.C. Cir. 2000).

**Principle 1:** In general abbreviations should end in a period.

**Principle 2:** However, in abbreviations that are contractions ending with an apostrophe and the last letter of the word should not be followed by a period..

**Principle 3:** In addition, entities that are commonly referred to by their initials may be abbreviated using those initials without periods.

The most frequently cited and their abbreviations are:

- Affidavit - Aff.
- Answer - Answer
- Brief - Br.
- Complaint - Compl.
- Court - Ct.
- Declaration - Decl.
- Defendant - Def.
- Deposition - Dep.
- Discovery - Disc.
- Document - Doc.
- Exhibit - Ex.
- Hearing - Hr'g
- Interrogatory - Interrog.
- Memorandum - Mem.
- Motion - Mot.
- Opinion - Op.
- Petition - Pet.
- Plaintiff - Pl.
- Record - R.
- Transcript - Tr.

## § 5-000. UNDERLINING AND ITALICS [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

When briefs and memoranda were prepared on typewriters, emphasized text was underlined. While older citation reference works may still call for underlining, that format has largely been replaced by the use of italics, made possible by word-processing software and modern printers.

### § 5-100. In Citations [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

The following citation elements should be italicized:

- case names (including procedural phrases)
- book titles
- titles of journal articles
- introductory signals used in citation sentences or clauses
- prior or subsequent history explanatory phrases
- words or phrases attributing one cited authority to another source
- the cross reference words: "*id.*," "*supra*," and "*infra*"

If underlining is used instead of italics it should continue under successive words that are part of the same phrase but break between items. When "*e.g.*" appears with another signal the two together are treated as a single item. Punctuation that is part of any of the above elements is italicized along with it, but punctuation that separates that element from other parts of the citation should not be.

### § 5-200. In Text [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

The following words or phrases should be italicized when they appear in the text of a brief or legal memorandum:

- references to titles or case names in the text without full citation (even those which would, in full citation, not be underlined)
- foreign words that have not been assimilated into lawyer jargon
- quoted words that were italicized in the original
- emphasized words

**§ 5-300. Citation Items Not Italicized** [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

The following citation types or elements should not be italicized:

- constitutions
- statutes
- restatements
- names of reporters and services
- names of journals
- rules
- regulations
- other administrative materials

Indeed, all items for which italics is not specified should appear without it.

## § 6-000. PLACING CITATIONS IN CONTEXT [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### § 6-100. Quoting [\[BB|ALWD\]](#)

**Principle 1:** Short quotations (fewer than 50 words) are generally enclosed in quotation marks [«e.g.»](#). Any quotation marks within such a quote are converted to a single mark (').

**Principle 2:** Longer quotations (50 words or more) and shorter quotations to which the author wishes to give special emphasis are set off from the text by being indented both right and left (without quotation marks) [«e.g.»](#).

**Principle 3:** Both forms of quotation are followed immediately by a citation to the quoted work. (With an indented quotation the citation is not part of the indented material, but begins flush with the left margin [«e.g.»](#).) When the quoted work itself includes a quotation, that quotation should if possible be attributed to the original work in a parenthetical clause. And when that quotation shows alterations or omissions that should be indicated with the parenthetical clause "(alteration in original)".

**Principle 4:** Changes to a quoted work are shown with square brackets and ellipses (" . . . ") [«e.g.»](#). When omitted material comes at the beginning of a quotation the omission is shown by capitalizing the first letter of the first quoted word and placing that letter in brackets rather than with ellipses. Changes in emphasis and omissions of citations or footnotes are indicated by parenthetical clauses.

### § 6-200. Citations and Related Text [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

**Principle 1:** While footnote citation is the norm for law journal and treatise writing, citations in memoranda and briefs are integrated with the text [«e.g.»](#).

**Principle 2:** Under most circumstances citations should take the form of citation sentences, beginning with capital letters and ending with periods, directly following the sentence they support or the quotation they identify [«e.g.»](#). When a citation or citations relate to a portion of a sentence they should be embedded in the sentence as a citation clause, set off by commas, directly following that portion [«e.g.»](#).

**Principle 3:** Multiple citations whether within a citation sentence or a citation clause are set off from one another with semi-colons [«e.g.»](#).

### § 6-300. Signals [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

Citing an authority without any preceding word to clarify or qualify its connection to the text represents that the citation directly states the proposition or identifies a quotation or authority with which the citation is associated [«e.g.»](#). There is a standard set of clarifying or qualifying words used with citations. Placed in front of a citation these words are italicized (or underlined). When instead they form the verb of a sentence that includes the citation they are not italicized (or underlined). No comma separates the signal from the rest of the citation,

except for "e.g." which needs a comma before and after it. Only the signal beginning a citation sentence has its initial letter capitalized. The standard clarifying or qualifying words include:

**(a) Signals that indicate support.**

- *E.g.*,
  - Authority states the proposition with which the citation is associated. Other authorities, not cited, do as well [«e.g.»](#). "E.g." used with other signals (in which case it is preceded by a comma) similarly indicates the existence of other authorities not cited.
- *Accord*
  - Used following citation to authority referred to in text when there are additional authorities that either state or clearly support the proposition with which the citation is associated, but the text quotes only one. Similarly, the law of one jurisdiction may be cited as being in accord with that of another [«e.g.»](#).
- *See*
  - Authority supports the proposition with which the citation is associated either implicitly or in the form of dicta [«e.g.»](#).
- *See also*
  - Authority is additional support for the proposition with which the citation is associated (but less direct than that indicated by "see" or "accord"). "See also" is commonly used to refer readers to authorities already cited or discussed [«e.g.»](#). The use of a parenthetical explanation of the source material's relevance following a citation introduced by "see also" is encouraged.
- *Cf.*
  - Authority supports by analogy "Cf." literally means "compare." The citation will only appear relevant to the reader if it is explained. Consequently, parenthetical explanations of the analogy are strongly recommended [«e.g.»](#).

**(b) Signals that suggest a useful comparison.**

- *Compare ... with ...*
  - Comparison of authorities that supports proposition. Either side of the comparison can have more than one item linked with "and" [«e.g.»](#). Parenthetical explanations of comparison are strongly recommended.

**(c) Signals that indicate contradiction.**

- *Contra*
  - Authority directly states the contrary of the proposition with which the citation is associated [«e.g.»](#).
- *But see*
  - Authority clearly supports the contrary of the proposition with which citation is associated [«e.g.»](#).
- *But cf.*
  - Authority supports the contrary of the position with which the citation is associated by analogy. Parenthetical explanations of the analogy are strongly

recommended. The word "but" is omitted from the signal when it follows another negative signal [«e.g.»](#).

**(d) Signals that indicate background material.**

- *See generally*
  - Authority presents useful background. Parenthetical explanations of the source materials' relevance are encouraged [«e.g.»](#).

**(e) Combining a signal with "e.g."**

- *E.g.*,
  - In addition to the cited authority, there are numerous others that state, support, or contradict the proposition (with the other signal indicating which) but citation to them would not be helpful or necessary. The preceding signal is separated from "e.g." by a comma [«e.g.»](#).

**§ 6-400. Order** [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

Sometimes multiple citations or "strings" are necessary.

**Principle 1:** When a series of citations includes material grouped after more than one signal, the signals should appear in the order in which they are listed in [§ 6-300](#).

**Principle 2:** [Section 6-300](#) breaks signals (and their references) into four different "types": [\(a\)](#) supportive; [\(b\)](#) comparative; [\(c\)](#) contradictory; and [\(d\)](#) background. Signals of the same type must be strung together within a single citation sentence and separated by semicolons. According to *The Bluebook* signals of different types should be grouped in different citation sentences. In other words, a period should end the string of authorities indicating support, and any authorities in contradiction, preceded by the appropriate signal, should follow in a separate citation sentence. The *ALWD Citation Manual* allows all to be contained in a single sentence with only a semicolon separating the four different categories and their signals.

**Principle 3:** When more than one citation is preceded by the same signal, the citations are grouped by type in the following order:

- constitutions (U.S. first, followed by states in alphabetical order\*)
- statutes (U.S. first, followed by states in alphabetical order\*)
- cases (U.S. first, followed by states in alphabetical order\* and grouped within each jurisdiction by court in descending order, with decisions of a single court\*\* arranged chronologically, most recent first)
- regulations (U.S. first, followed by states in alphabetical order\*)
- books (arranged alphabetically by last name of author)
- journal articles (arranged alphabetically by last name of author)

\* If the writing concerns the law of a particular state, citations to the constitution, statutes, cases, and regulations of that state should, however, precede the rest.

\*\* *The Bluebook* and the *ALWD Citation Manual* take opposing positions on whether the circuits of the U.S. Courts of Appeals and different districts of the U.S. District Courts should be treated as separate courts for this purpose. *The Bluebook* states without qualification that all circuits should be viewed as one court, while the *ALWD Citation Manual* specifies that each circuit and district be treated as a separate court. Neither approach works in all cases. In a brief to the Second Circuit of the U.S. Courts of Appeals or a U.S. District Court on whom its decisions are binding, decisions of that circuit should be treated as one court, while those of other circuits can reasonably be lumped together as those of a single court. *The Bluebook's* approach, as applied to courts with subunits, is inappropriate in any context where decisions of all those circuits or districts or divisions do not carry the same precedential weight.

## § 6-500. Short Form Citations [\[BB|ALWD\]](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

**Principle:** Once a full citation to a case, statute, regulation, book or journal article has been provided, subsequent references within the same discussion can be less complete. The less complete or "short form" citation must clearly identify the referenced work. Short form citations should only be used where the reader will find it easy to return to the full citation.

Short form examples:

- [Cases](#)
- [Constitutions and Statutes](#)
- [Regulations](#)
- [Books](#)
- [Journal Articles](#)



## § 6-520. Short Form Citations - Cases

### **Full Citation**

*Brown v. Helvering*, 291 U.S. 193, 203 (1934).

### **Short Form Citations**

*Brown*, 291 U.S. at 203.

291 U.S. at 203.

*Id.* at 203.

The short form should include an identifiable portion of the case name unless it appears in the passage supported by the citation or it follows immediately after the full citation so that use of "*id.*" is appropriate.

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### **Full Citation**

*Opticians Ass'n of Am. v. Ind. Opticians of Am.*, 920 F.2d 187 (3d Cir. 1990).

### **Short Form Citation**

*Opticians Ass'n*, 920 F.2d at 187.

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### **Full Citation**

*United States v. Wilson*, 503 U.S. 329 (1992).

### **Short Form Citation**

*Wilson*, 503 U.S. at 334-36.

not:

*United States*, 503 U.S. at 334-36

Do NOT use the name of a governmental or other common litigant as the short form name.

### **Full Citation**

*Hansen v. Ohio Cas. Ins. Co.*, 239 Conn. 549, 687 A.2d 1262 (1995).

### **Short Form Citation**

*Hansen*, 239 Conn. at 551, 687 A.2d at 1269.

239 Conn. at 551, 687 A.2d at 1269.

*Id.* at 551, 687 A.2d at 1269.

In cases of parallel citation include both in the short form.

## **§ 6-530. Short Form Citations - Constitutions and Statutes**

### **Full Citation**

U.S. Const. art. III, § 2, cl. 2.

### **Short Form Citation**

*Id.*

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### **Full Citation**

Narcotics Penalties and Enforcement Act of 1986, Pub. L. No. 99-570, § 1002, 100 Stat. 3207-2 (1986).

### **Short Form Citations**

§ 1002.

Narcotics Penalties and Enforcement Act § 1002.

§ 1002, 100 Stat. 3207-2.

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**Full Citation**

42 U.S.C. § 405(c)(2)(C) (2006 & Supp. 2010).

**Short Form Citations**

42 U.S.C. § 405(c)(2)(C).

§ 405(c)(2)(C).

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**Full Citation**

Vt. Stat. Ann. tit. 9A, § 1-101 (current through Dec. 31, 2011).

**Short Form Citations**

Title 9A, § 1-101.

§ 1-101.

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**Full Citation**

H.R. 3957, 101st Cong., 2d Sess. 2 (1990).

**Short Form Citation**

H.R. 3957.

**§ 6-540. Short Form Citations - Regulations**

**Full Citation**

46 C.F.R. § 292 (2011).

**Short Form Citations**

46 C.F.R. § 292.

§ 292.

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### **Full Citation**

Federal Motor Vehicle Safety Standards; Occupant Crash Protection, 57 Fed. Reg. 26,609 (1992).

### **Short Form Citation**

Federal Motor Vehicle Safety Standards, 57 Fed. Reg. 26,609.

## **§ 6-550. Short Form Citations - Books**

### **Full Citation**

E. Allen Farnsworth, *Contracts* § 9.3 (1982).

### **Short Form Citations**

*Id.*

*Id.* § 9.4.

Use *supra* if not referring to the immediately preceding authority.

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### **Full Citation**

Henry Julian Abraham, *Justices, Presidents and Senators* 390-95 (5th ed. 2008).

### **Short Form Citations**

Abraham, *supra*.

Abraham, *supra* at 390.

Use *id.* if the authority is the same as the immediately preceding authority. Use *supra* if not referring to the immediately preceding authority.

## § 6-560. Short Form Citations - Journal Articles

### **Full Citation**

Stephen J. Legatzke, Note, *The Equitable Recoupment Doctrine in United States v. Dalm: Where's the Equity*, 10 Va. Tax Rev. 861 (1991).

### **Short Form Citations**

*Id.*

*Id.* at 862.

Legatzke, *supra*.

Legatzke, *supra* at 862.

Use *id.* if the authority is the same as the immediately preceding authority. Use *supra* if not referring to the immediately preceding authority.

## § 6-600. Context Examples [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

**Adapted from Respondent's Brief, *Int'l Soc'y for Krishna Consciousness, Inc. v. Lee*, 505 U.S. 672 (1992).**

Since the 1974 decision in *Lehman v. City of Shaker Heights*, 418 U.S. 298 (1974), this Court has relied upon public forum analysis to decide cases in which persons have sought to use government property for expressive activity in violation of rules which restrict or prohibit such activity. See *United States v. Kokinda*, 497 U.S. 720, 725 (1990).

This Court has held that a site owned by the government is a traditional public forum only if it is among "those places which 'by long tradition or by government fiat have been devoted to assembly and debate.'" *Cornelius*, 473 U.S. at 802, quoting, *Perry Educ. Ass'n*, 460 U.S. at 45. This description hearkens back to the often-quoted passage from *Hague v. CIO*, 307 U.S. 496 (1939):

Wherever the title of streets and parks may rest, they have immemorially been held in trust for the use of the public and, time out of mind, have been used for purposes of assembly, communicating thoughts between citizens, and discussing public questions. Such use of the streets and public places has, from ancient times, been a part of the privileges, immunities, rights, and liberties of citizens.

*Id.* at 515.

The Port Authority airports' sole purpose of facilitating air travel is reflected in all of their characteristics - planning, operation, design, usage, financing, lack of integration with

neighboring communities, presence of captive audiences, and unique congestion and security problems. These characteristics both attest to the special purpose of the Port Authority air terminals and distinguish them from traditional public fora. In previous cases, this Court has examined the nature of alleged public fora to determine their public forum status. *See, e.g., Kokinda*, 497 U.S. 720; *Greer*, 424 U.S. 824; *Lehman*, 418 U.S. 298 .

#### 4. Captive Audiences

The presence of captive audiences in air terminals distinguish such terminals from the traditional public fora of streets and parks. Captive audiences exist throughout the air terminals – at enplaning and deplaning points, at ticket counters, security checkpoints, baggage conveyor belts, and car rental and other ground transportation counters. At all of these locations, travelers tend to remain in place in order to complete travel-related tasks (Superintendent's Statement at 58-60 (JA 458); Anderson Affidavit at 9 (JA 488)). *See Doughty, supra* note 13, at 7. As noted by Justice Douglas with regard to the patrons of public transportation vehicles, the rights of such captive audiences "to be free from forced intrusions on their privacy" would be violated if they were forced to be the object of uninvited persuasion. *Lehman*, 418 U.S. at 307 (1974) (Douglas, J., concurring); *cf. Consolidated Edison Co. of N.Y. v. Public Serv. Comm'n*, 447 U.S. 530, 542 (1980).

This Court has explicitly stated that a public forum does not exist merely because persons are freely permitted to enter a government owned site. Indeed, the Court has ". . . expressly rejected the suggestion that 'whenever members of the public are permitted freely to visit a place owned or operated by the Government, then that place becomes a "public forum" for purposes of the First Amendment.'" *United States v. Albertini*, 472 U.S. 675, 686 (1985) (*quoting Greer*, 424 U.S. at 836); *see also United States v. Grace*, 461 U.S. 171, 177 (1983).

Finally, it is equally clear that the usefulness of government property as a site for expressive activity does not make such property a traditional public forum under applicable Supreme Court precedent. In *Members of the City Council v. Taxpayers for Vincent*, 466 U.S. 789 (1984), which held that lampposts are not public fora for the posting of signs, this Court rejected in unequivocal terms the proposition that a publicly-owned facility is a public forum because it would be a useful place for the communication of ideas: "Lampposts can of course be used as signposts, but the mere fact that government property can be used as a vehicle for communication does not mean that the Constitution requires such uses to be permitted. *Cf. United States Postal Serv. v. Greenburgh Civic Ass'ns*, 453 U.S. at 131." *Id.* at 814 (footnote omitted); *see also Albertini*, 472 U.S. at 686; *Greer*, 424 U.S. at 838 n.10.

Plaintiffs' reference to the alleged decline of downtown street life by the development of skyways and other street alternatives in city centers is clearly irrelevant to the issue at bar. The merits or demerits of such developments should be debated by planning commissions or zoning boards who determine the nature of our cities. *See, e.g., William H. Whyte, City 193-221* (1988). Any perceived failure of responsible planning bodies to foster the development of urban streetscapes provides no basis for holding that the Port Authority air terminals are public fora.

Second, the alleged role of rail terminals as public fora is irrelevant because rail terminals, unlike Port Authority air terminals, are located in the center of a city. If the concourse of

Grand Central Station or the waiting room of a small town rail depot served as a meeting place for people going about their daily business, it was because the rest of the community was a sidewalk's width away. *See* H. Roger Grant & Charles H. Bohi, *The Country Railroad Station in America* 8-9 (1978); William D. Middleton, *Grand Central* 109 (1978). Clearly, the same is not true of the Port Authority's air terminals. Although two people in Midtown Manhattan might agree to meet "under the golden clock" of Grand Central Terminal whether or not they were going to take a train, *see* William D. Middleton, *Grand Central* 109 (1978), it is highly unlikely that two people who had no intention of taking air flights would agree to meet at any of the Port Authority airports.

Moreover, contrary to Plaintiff's assertions, as an historical matter, it is far from clear that rail stations and terminals served as public fora in the First Amendment sense. Plaintiffs fail to document that solicitation and distribution of literature actually occurred at railroad terminals. Plaintiffs also ignore the fact that railroad terminals were privately owned, and, therefore, any solicitation or distribution of literature which took place was at the pleasure of the private entities which owned the terminals. *See generally* *United Transp. Union v. Long Island R.R.*, 455 U.S. 678, 686 (1982); H. Roger Grant & Charles H. Bohi, *The Country Railroad Station in America* 11-15 (1978).(22)

The distribution of literature has similar effects on pedestrian flow. Air passengers must alter their path to avoid the distributor, or pause to take literature and perhaps stop to read it or to throw it in a wastebin. Significantly, Plaintiff's themselves concede that "literature distribution . . . might well be as disruptive to a traveller 'hurrying to catch a plane or to arrange ground transportation' as a request for a voluntary donation." Petition for Writ of Certiorari at 22 (citation omitted). And, of course, if Plaintiffs were entitled to engage in such activity, others would have the right to do so as well. As noted by this Court in *Heffron v. ISKCON*, "The inquiry must not only involve ISKCON, but all other organizations that would be entitled to distribute, sell or solicit if the . . . rule may not be enforced with respect to ISKCON." 452 U.S. 640, 654 (1981); *accord* *Clark v. Community for Creative Non-Violence*, 468 U.S. 288, 296-97 (1984).

It is well established that even in a public forum, the government is not powerless to regulate First Amendment activity. Although it is true that all communication may not be excluded from a public forum, content-neutral regulations may be enforced if they are reasonable and narrowly tailored to serve significant governmental interests, and leave open ample alternative channels of communication. *E.g.*, *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. at 46; *Clark*, 468 U.S. at 293. The Port Authority's restriction of solicitation and distribution of literature to sidewalks adjacent to air terminal buildings satisfies this test.

**Adapted from *Children of Bedford, Inc. v. Petromelis*, 77 N.Y.2d 713, 726-727, 573 N.E.2d 541, 553, 570 N.Y.S.2d 453, 464 (1991), vacated, 112 S.Ct. 859 (1991).**

If the only purpose of section 632-a was to compensate victims, however, petitioners' contention that the State's needs could be met by other, less burdensome means would be more persuasive. Manifestly, article 22 and the general civil procedures address that need. Section 632-a provides not only a method for victims to obtain compensation, however, it also meets other compelling governmental interests. First, it preserves the victim's equitable right to assets earned by a criminal as a result of the victimization. *Compare* Executive Law 631

with 632-a. If there is no victim a necessary requirement for implementation of the statute is lacking, section 632-a does not apply and the criminal may discuss the crime without restraint. *E.g., compare Halmi v. Crime Victims Bd.*, N.Y. L.J., June 5, 1986, at 12 (N.Y. Sup. Ct. June 4 1986), *aff'd*, 128 A.D.2d 411 (prostitution is victimless crime) and *St. Martins Press v. Zweibel*, N.Y. L.J., Feb. 26, 1990, at 25 (N.Y. Sup. Ct. Feb. 24, 1990) (securities fraud based on leaking market information) with *Simon & Schuster v. Fischetti*, 916 F.2d 777 (2d. Cir. 1991) and this case. But if there are victims and the criminal profits from reenactment or depiction of the crime, then the victims who have been injured by the criminal act, and the State, which has been called upon to render aid to those victims, should have the first claim to that money. They should be compensated before the criminal.

**Adapted from *McCann v. Scaduto*, 71 N.Y.2d 164, 182-183, 519 N.E.2d 309, 326, 524 N.Y.S.2d 398, 416-417 (1987).**

We reject the above arguments for the Secretary's exercise of an interim rate authority essentially for the same reasons that the court below rejected them. The Natural Gas Act, like most modern ratemaking statutes, provides for a plenary ratemaking authority and vests in it one body, there, the Federal Power Commission. As the Supreme Court held in *Tennessee Gas*, an interim authority follows naturally from a plenary authority under the usual "necessary and proper" clause. What the government has failed to understand in urging upon us a similar argument in the present case is that such a holding necessarily depends upon the existence of a plenary authority. In this case the rate developer has none; the scheme set out in section 5 of the Flood Control Act of 1944 divides rate authority and vests it in two separate branches of the government. The government's suggested approach assumes the validity of their conclusion even before the process of deduction has begun. *But see Montana Power Co. v. Edwards*, 531 F. Supp. 8 (D. Or. 1981) (adopting the approach attacked in this paragraph); *Pacific Power & Light Co. v. Duncan*, 499 F. Supp. 672 (D. Or. 1980) (same); *cf. Colorado River Energy Distribs. Ass'n v. Lewis*, 516 F. Supp. 926 (D.D.C. 1981) (correctly relying on *Tennessee Gas* in hydroelectric ratemaking case under section 9(c) of the Reclamation Project Act of 1939, 43 U.S.C. § 485h(c) (1976), which gives the Secretary plenary authority). To resolve this case, we are forced to examine the substantive provisions of the Flood Control and DOE Acts, which we have done in the first three Parts of this opinion.

**Adapted from Respondent's Brief, *United States v. Navajo Nation*, No. 01-1375 (Oct. 9, 2002)**

#### A. The Ideal of Tribal Self-Determination Does Not Dilute Trust Duties.

In the space of 20 pages, the Government's brief transforms the modern federal policy favoring tribal self-determination from a supposed "focus" of IMLA to its "central aim." *See* Pet. Br. 18, 19, 20, 38. *Contra Kerr-McGee*, 471 U.S. at 200. It repeatedly offers, never with any citation to authority, that the historic requirement of federal approval of Indian land transactions is merely to give "backstop protection" to the tribes, whatever that might be. *E.g.*, Pet. Br. 18, 43, 49. *Contra Tuscarora*, 362 U.S. at 118-19; *Sunderland*, 266 U.S. at 234. The Government unsuccessfully asserted in *Mitchell II* that the federal policy favoring Indian self-determination compromises trust duties. *See* Brief for the United States, No. 81-1748, at 35. That argument has gained no force in the intervening 20 years.



## § 7-000. CROSS REFERENCE TABLES [Contents](#) | [Index](#) | [Help](#) | [≤](#) | [≥](#)

### § 7-100. Introduction

The principles and practices described in this *Introduction to Basic Legal Citation* are elaborated in far greater specificity (and with differences noted throughout this work) in two citation references widely used in U.S. law schools.

This concluding segment contains a set of point by point cross-references to those books. Tables set out in subsequent sections have been designed to enable users of this introduction to find the relevant treatment of each citation principle or category of material covered here in either *The Bluebook* ([§ 7-300](#)) or the *ALWD Citation Manual* ([§ 7-400](#)), whichever they are working from.

In addition, because the current *Bluebook* is but the latest in a long succession of editions, it being the nineteenth, this segment offers an inventory of the most recent changes of significance. See [§ 7-200](#).

A concluding table ([§ 7-500](#)) furnishes state by state access to citation examples of the three most frequently cited categories of primary law material – cases, statutes, and regulations – noting those points on which the norms and practice of each state diverge from the prescriptions of the "national" guides.

## 19th edition

The nineteenth edition made even fewer significant changes than its immediate predecessor. The "Bluepages" – the sole title now given the introductory material introduced in the eighteenth – and accompanying tables expanded from forty-three pages to fifty-one. Expansion and elaboration occurred throughout, most notably in the concluding set of tables (which comprise over half the volume). They grew by nearly forty percent. The bulk of that growth was concentrated in T2's coverage of foreign jurisdictions, from the Argentine Republic to the Republic of Zambia.

### Electronic Media

Finally acknowledging that the Internet has for many types of legal material supplanted print distribution, *The Bluebook* now sanctions citation to electronic documents obtained from reliable online sources "as if they were the original print," permitting the omission of URL information in such cases.

## 18th edition

*The Bluebook's* eighteenth edition made few changes of substance. The book's format was revised; numerous rules were clarified; the treatment of foreign and international materials was expanded; and the tables were both added to and extended. *The Bluebook* continues to deal predominantly with the citation needs and norms of law journal writing. However, the material previously relegated to nineteen pages of "practitioner notes" has, in this latest edition, been expanded into a first section entitled "An Introduction to Basic Legal Citation" (this work's title since its release in 1993). That section is accompanied by a new set of tables furnishing references to local (jurisdiction-specific) citation rules and style guides, information that has been included in the *ALWD Citation Manual* from the start.

### Electronic Media

*The Bluebook's* coverage of Internet-based material significantly expanded and rationalized. While the seventeenth edition divided Internet citations into three categories, the eighteenth reduced the number to two – direct citations of material accessible only online and parallel citations furnished to facilitate access to material distributed in print, but not widely available in that form.

## 17th edition

### Introductory Signals

The introductory signal rule changes made by the sixteenth edition were reversed in the seventeenth. Rule 1.2 now provides as it did prior to 1996. "E.g." is back as a separate signal and "contra" is restored.

### **Case Name Abbreviations**

Rule 10.2.2 no longer spares the first or only word of a party name from abbreviation if it is in the table of abbreviated words (T.6). In addition, that table has been expanded.

### **Recognition of Vendor- and Medium-Neutral Case Citations**

Rule 10.3.3 acknowledges the spreading phenomenon of court adopted vendor- and medium-neutral citation systems, requires the use of such a system where the jurisdiction has adopted one. 10.3.1(b) requires the addition of a parallel citation to a regional reporter even though the rule establishing a vendor, medium-neutral citation system may not.

### **Listing of Authors**

Previously the Bluebook insisted on use of "*et al.*" rather than a full listing of author names when a book had more than two authors. The revised Rule 15.1.1 loosens up to permit a full list when "the names of the authors are relevant."

### **Recognition of Electronic Media**

Electronic and other nonprint resources (commercial online systems, public and commercial internet sites, CD-ROM, Microform and more) have been broken out of Rule 17 (which now deals only with unpublished and forthcoming sources) and placed in a new Rule 18. (The former Rules 18, 19, and 20 have been renumbered accordingly.)

References to treatment of this work's topics in *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds., 19th ed. 2010)

- § 1-000. What and Why?
  - *The Bluebook*: pp.1-2, B1
- § 2-110. Electronic Sources – Core Elements
  - *The Bluebook*: B10, 18.2 The Internet, 18.3 Commercial Electronic Databases, 18.4 CD-ROM and Other Electronic Storage Media
- § 2-210. Case Citations – Most Common Form
  - *The Bluebook*: B4, Rule 10, 10.2 Case Names, 10.3 Reporters and Other Sources, 10.4 Court and Jurisdiction, 10.5 Date or Year, T1 United States Jurisdictions, T6 Case Names and Institutional Authors in Citations, T7 Court Names, T10 Geographical Terms
- § 2-220. Case Citations – Variants and Special Cases
  - *The Bluebook*: Rule 10, 10.8 Special Citation Forms
- § 2-230. Medium-Neutral Case Citations
  - *The Bluebook*: Rule 10, 10.3.3 Public Domain Format
- § 2-240. Case Citations – Conditional Items
  - *The Bluebook*: Rule 10, 10.6 Parenthetical Information Regarding Cases, 10.7 Prior and Subsequent History, T8 Explanatory Phrases
- § 2-310. Constitution Citations
  - *The Bluebook*: B6, Rule 11, T1 United States Jurisdictions
- § 2-320. Statute Citations – Most Common Form
  - *The Bluebook*: B5, Rule 12, 12.2 Choosing the Proper Citation Form, 12.3 Current Official and Unofficial Codes, T1 United States Jurisdictions
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- § 2-350. Local Ordinance Citations
  - *The Bluebook*: Rule 12, 12.9.2 Ordinances
- § 2-360. Treaty Citations
  - *The Bluebook*: Rule 21, 21.4 Treaties and Other International Agreements
- § 2-410. Regulation Citations – Most Common Form
  - *The Bluebook*: B5, Rule 14, 14.2 Rules, Regulations, and Other Publications, T1 United States Jurisdictions
- § 2-420. Regulation Citations – Variants and Special Cases
  - *The Bluebook*: Rule 14, 14.2 Rules, Regulations, and Other Publications, T1 United States Jurisdictions
- § 2-450. Agency Adjudication Citations
  - *The Bluebook*: Rule 14, 14.3 Administrative Adjudications and Arbitrations, T1 United States Jurisdictions

- § 2-470. Agency Report Citations
  - *The Bluebook*: Rule 14, 14.2 Rules, Regulations, and Other Publications, T1 United States Jurisdictions
- § 2-480. Executive Orders and Proclamations
  - *The Bluebook*: Rule 14, 14.2 Rules, Regulations, and Other Publications, T1 United States Jurisdictions
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  - *The Bluebook*: Rule 14, 14.2 Rules, Regulations, and Other Publications, T1 United States Jurisdictions
- § 2-500. How to Cite Arbitrations
  - *The Bluebook*: Rule 14, 14.3 Administrative Adjudications and Arbitrations, T1 United States Jurisdictions
- § 2-600. How to Cite Court Rules
  - *The Bluebook*: Rule 12, 12.9.3 Rules of Evidence and Procedure
- § 2-710. Book Citations – Most Common Form
  - *The Bluebook*: B8, Rule 15, 15.1 Author, 15.2 Editor or Translator, 15.3 Title, 15.4 Edition, Publisher, and Date
- § 2-720(1). Works by Institutional Authors
  - *The Bluebook*: Rule 15, 15.1(c) Institutional authors
- § 2-720(2). Services
  - *The Bluebook*: Rule 19, 19.1 Citation Form for Services, T15 Services
- § 2-720(3). Restatements
  - *The Bluebook*: Rule 12, 12.9.5 Model Codes, Restatements, Standards, and Sentencing Guidelines
- § 2-720(4). Annotations
  - *The Bluebook*: Rule 16, 16.7.6 Annotations
- § 2-810. Journal Article Citations – Most Common Form
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- § 2-900. Documents from Earlier Stages of a Case
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References to the treatment of this work's topics in *ALWD Citation Manual* (4th ed. 2010)

- § 1-000. What and Why?
  - *ALWD Citation Manual*: pp. 3-8
- § 2-110. Electronic Sources – Core Elements
  - *ALWD Citation Manual*: 38.0 General Information about Online and Electronic Citation Formats, 39.0 Westlaw and LexisNexis, 40.0 World Wide Web Sites, 41.0 Electronic Mail and Messages, 42.0 CD-ROMs and E-Readers
- § 2-210. Case Citations – Most Common Form
  - *ALWD Citation Manual*: 12.0 Cases
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- § 2-230. Medium-Neutral Case Citations
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The following table provides links to the citation forms for cases, statutes, and regulations in all fifty states and the District of Columbia. For each it also provides a sample of in-state citation practice drawing upon a decision of the state's highest court and notes any explicit citation rules governing briefs and memoranda submitted to that court.

- **Alabama** [[Cases](#)] [[Statutes](#)] [[Regulations](#)] [[Examples and Rules](#)]
- **Alaska** [[Cases](#)] [[Statutes](#)] [[Regulations](#)] [[Examples and Rules](#)]
- **Arizona** [[Cases](#)] [[Statutes](#)] [[Regulations](#)] [[Examples and Rules](#)]
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- **California** [[Cases](#)] [[Statutes](#)] [[Regulations](#)] [[Examples and Rules](#)]
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### Examples from *Ex parte Beverly Enterprises-Alabama, Inc.*, 812 So. 2d 1189 (Ala. 2001)

....

The Alabama Administrative Code prescribes 18 different standards for the CON Review Board to use when applicants are competing for available beds. See Ala. Admin. Code (State Health Planning and Development Agency), Rule 410-1-6-.01 through .18. The CON Review Board subsequently voted 4-3 to award all 72 beds to Mercy. Beverly appealed this decision to an FHO, asserting that the CON Review Board had made substantial errors of fact and law, had violated fixed standards, had failed to apply the correct criteria, and had acted in an arbitrary and capricious manner.

....

The Court of Civil Appeals affirmed the judgment of the circuit court, without an opinion. In its petition for certiorari review, Beverly claims that the holding of the Court of Civil Appeals conflicts with that of *Forest Manor, Inc. v. State Health Planning & Development Agency*, 723 So. 2d 75 (Ala.Civ.App. 1998), in two areas. It argues (1) that the opinion of the Court of Civil Appeals conflicted with its holding in *Forest Manor* that the CON Review Board's wrongful application of its review criteria renders the decision arbitrary, and (2) that the decision by the Court of Civil Appeals to reinstate the CON Review Board's original award deviated from the scope of review set forth in *Forest Manor*.

The standard of judicial review applied to rulings of administrative agencies differs from that applied to rulings of trial courts. An appellate court will affirm a ruling of a lower court if there is any valid reason to do so, even a reason not presented to -- or rejected by -- the lower court. See *McKenzie Methane Corp. v. M-W Drilling, Inc.*, 653 So. 2d 982, 984 (Ala. 1995). See also *Smith v. Equifax Servs., Inc.*, 537 So. 2d 463 (Ala. 1988). . . .

In *Forest Manor*, the main dispute centered on which entity was entitled to the presumption of correctness on appeal -- the CON Review Board or the FHO. The Court of Civil Appeals properly resolved the dispute in that case in favor of the FHO:

"Thus, because the FHO's order (and not the CONRB's order) is the final agency decision to which a presumption of correctness applies, we must determine whether his conclusions ... were themselves 'arbitrary, capricious, or [contrary to] applicable law.'"

*Forest Manor*, 723 So. 2d at 80. See also, Ala. Administrative Code, Rule 410-1-8-.26. "The agency order shall be taken as prima facie just and reasonable and the court shall not substitute its judgment for that of the agency as to the weight of the evidence on questions of fact ...." § 41-22- 20(k), Ala. Code 1975. "The decision of the fair hearing officer is the final decision of the Board." *Alacare Home Health Servs., Inc. v. Baptist Hosp. of Gadsden, Inc.*, 655 So. 2d 995, 996 (Ala.Civ.App. 1994).

. . . .

Before the trial court's denial of the motion to dismiss, there had been instructive, but nonbinding, revenue rulings issued by the Alabama Department of Revenue; those rulings indicate that the rental tax could be billed to or passed on to the lessee as a tax or as an additional cost of the lease. Ala. Admin. Code (Dep't of Rev.), chapter 810-6-5-.09 ("Leasing and Rental of Tangible Personal Property").

. . . .

**Ala. R. App. P. 28, <http://judicial.alabama.gov/library/rules/ap28.pdf>.**

(a) Brief of the Appellant/Petitioner.

The brief of the appellant or the petitioner, if a petition for a writ of certiorari is granted and the writ issues, shall comply with the form requirements of Rule 32. In addition, the brief of the appellant or the petitioner shall contain under appropriate headings and in the order here indicated:

. . . .

(10) *Argument*. An argument containing the contentions of the appellant/petitioner with respect to the issues presented, and the reasons therefor, with citations to the cases, statutes, other authorities, and parts of the record relied on. Citations of authority shall comply with the rules of citation in the latest edition of either *The Bluebook: A Uniform System of Citation* or *ALWD [Association of Legal Writing Directors] Citation Manual: A Professional System of Citation* or shall otherwise comply with the style and form used in opinions of the Supreme

Court of Alabama. Citations shall reference the specific page number(s) that relate to the proposition for which the case is cited; ....

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### Examples from *State v. Dupier*, 118 P.3d 1039 (Alaska 2005)

....

The court of appeals summarized the charges against Dupier, Miller, and Twohy and the trial court proceedings as follows . . . [State v. Dupier](#), 74 P.3d 922, 927-28 (Alaska App. 2003).

....

The facts of this case are undisputed. Appellees John Dupier, Rodman E. Miller, and Philip J. Twohy each held Individual Fishing Quotas (IFQs) to fish in federal waters. In 2001, after fishing legally in federal waters, the fishers separately attempted to land their catches in Alaska without first obtaining state permits from the Commercial Fisheries Entry Commission (CFEC). None of the fishers attempted to fish in state waters. The State charged the fishers with possessing commercially taken fish in state waters without having a valid interim-use permit, in violation of [20 AAC 05.110](#).

....

The scope of the CFEC's authority to require permits within state waters turns on the language in the Alaska statutes governing interim-use permits, particularly [AS 16.43.210\(a\)](#), but also [AS 16.43.140\(a\)](#), [AS 16.10.267\(a\)\(1\)](#), and [AS 16.05.675](#). Following the court of appeals decision in this case, the legislature amended [AS 16.43.210\(a\)](#) so that it is now clear that the CFEC may issue interim-use permits for all Alaska fisheries, regardless of whether the fishery is subject to limited entry.

....

The State argues that the 2004 amendment to AS 16.43.210(a) serves as a legislative clarification of pre-existing law. But in [Hillman v. Nationwide Mut. Fire Ins. Co.](#), we reasoned: "While the legislature is fully empowered to declare present law by legislation, it is not institutionally competent to issue opinions as to what a statute passed by an earlier legislature meant." [758 P.2d 1248, 1252-53 \(Alaska 1988\)](#). We have followed the *Hillman* rule in a number of subsequent cases. *See State, Dep't of Revenue v. OSG Bulk Ships, Inc.*, [961 P.2d 399, 406 n.13 \(Alaska 1998\)](#); *Univ. of Alaska v. Tumeo*, [933 P.2d 1147, 1156 \(Alaska 1997\)](#); *Hickel v. Cowper*, [874 P.2d 922, 925 n.7 \(Alaska 1994\)](#); *Flisock v. State, Div. of Ret. & Benefits*, [818 P.2d 640, 645 \(Alaska 1991\)](#); *Wrangell Forest Prods. v. Alderson*, [786 P.2d 916, 918 n.1 \(Alaska 1990\)](#). In this case, we decline to treat the 2004 amendment as a legislative clarification of the pre-existing law.

....

**Alaska R. App. P. 212(c), <http://www.state.ak.us/courts/app.htm#212>.**

(c) Substantive Requirements.

(1) Brief of Appellant.

The brief of the appellant shall contain the following items under appropriate headings and in the order here indicated:

....

(I) An argument section, which shall contain the contentions of the appellant with respect to the issues presented, and the reasons therefor, with citations to the authorities, statutes and parts of the record relied on. The section may be preceded by a summary. Each major contention shall be preceded by a heading indicating the subject matter. References to the record shall conform to the requirements of subparagraph (c)(8).

....

(8) References in Briefs to the Record.

(A) References in Cases in Which Excerpts are Prepared.

References in the briefs to parts of the record reproduced in an excerpt shall be to the pages of the excerpt at which those parts appear. The form for references to pages of the excerpt is [Exc. \_\_\_\_]. Briefs may reference parts of the record not reproduced in an excerpt. The form for references to pages of the transcript is [Tr. \_\_\_\_] and to pages of the trial court file is [R. \_\_\_\_]. The form for references to untranscribed portions of the electronic record is [CD (#), at Time 00:00:00 or Tape (#), at Log 00:00:00]

.

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**Examples from *Ry-Tan Constr., Inc. v. Wash. Elem. Sch. Dist. No. 6*, 210 Ariz. 419, 111 P.3d 1019 (2005)**

....

¶17 Section 27 of the Restatement (Second) of Contracts provides that:

Manifestations of assent that are in themselves sufficient to conclude a contract will not be prevented from so operating by the fact that the parties also manifest an intention to prepare and adopt a written memorial thereof; but the circumstances may show that the agreements are preliminary negotiations.

Restatement (Second) of Contracts § 27 (1981). In support of the proposition that Arizona has adopted this section, the court refers to three recent decisions of the court of appeals. See *Tabler v. Indus. Comm'n*, 202 Ariz. 518, 521 ¶10, 47 P.3d 1156, 1159 (App. 2002); *Johnson Int'l, Inc. v. City of Phoenix*, 192 Ariz. 466, 470-71 ¶26, 967 P.2d 607, 611-12 (App. 1998); *AROK Constr. Co. v. Indian Constr. Servs.*, 174 Ariz. 291, 297, 848 P.2d 870, 876 (App. 1993).

....

¶19 Ry-Tan also argues that the Arizona School District Procurement Code (the Code), *Ariz. Admin. Code (A.A.C.) R7-2-1001 to R7-2-1195*, dramatically altered the landscape of school procurement contracts and effectively displaced the common law rule of Covington. The state board of education adopted the Code in 1987 pursuant to legislative authority. *A.R.S. § 15-213.J (Supp. 2004)*. By its terms, the Code governs the "expenditure of public monies" for a school district's procurement of "construction, materials and services." *A.A.C. R7-2-1002.A*.

¶20 The legislature, of course, can modify or abrogate the common law. To do so, however, it must express its intent clearly and, "absent a clear manifestation of legislative intent to abrogate the common law, we interpret statutes with every intendment in favor of consistency with the common law." *Pleak v. Entrada Prop. Owners' Ass'n*, 207 Ariz. 418, 422 ¶12, 87 P.3d 831, 835 (2004) (citation omitted).

....

**Ariz. R. Civ. App. P. 13(a)**, <http://azrules.westgroup.com/>.

### Rule 13. Briefs

(a) Brief of the Appellant.

The brief of the appellant shall concisely and clearly set forth under the appropriate headings and in the order here indicated:

....

(6) An argument which shall contain the contentions of the appellant with respect to the issues presented, and the reasons therefor, with citations to the authorities, statutes and parts of the record relied on. The argument may include a summary. With respect to each contention raised on appeal, the proper standard of review on appeal shall be identified, with citations to relevant authority, at the outset of the discussion of that contention. Citation of authorities shall be to the volume and page number of the official reports and also when possible to the unofficial reporters.

---

**Note:** The same text appears in the rules of criminal procedure. *Ariz. R. Crim. P. 31.13(c)(1)(vi)*.

## Examples from *Hinojosa v. State*, 2009 Ark. 301

....

Hinojosa filed a motion to suppress, contending that his statements and the physical evidence were illegally seized as a result of an unlawful traffic stop. Sergeant Drown testified at the suppression hearing that he stopped Hinojosa because the license plate frame on his truck obscured the identification of the plate's issuing state in violation of [Ark. Code Ann. § 27-14-716](#). Hinojosa asserted that the license plate cover did not violate Arkansas or Arizona law, and that Sergeant Drown's mistake of law rendered the traffic stop without probable cause and, therefore, illegal. The circuit court denied the motion to suppress in an order issued on November 5, 2007, and filed a letter containing its findings regarding the suppression motion the same day. Quoting from [Travis v. State](#), 331 Ark. 7, 959 S.W.2d 32 (1998) and [Burris v. State](#), 330 Ark. 66, 73, 954 S.W.2d 209, 213 (1997), the trial court stated in the letter of findings that the supreme court had previously held that a law enforcement officer's mistake of law does not negate probable cause; instead, "all that is required is that the officer had probable cause to believe that a traffic violation had occurred." Hinojosa entered a conditional plea of guilty, reserving his right to appeal the suppression ruling under [Ark. R. Crim. P. 24.3\(b\)](#), and filed a timely notice of appeal.

....

When this court grants a petition for review of a decision by the court of appeals, it reviews the case as though it had originally been filed with this court. [Brookshire v. Adcock](#), 2009 Ark. 207, 307 S.W.3d 22. In reviewing a circuit court's denial of a motion to suppress evidence, the appellate court conducts a de novo review based on the totality of the circumstances, reviewing findings of historical facts for clear error and determining whether those facts give rise to reasonable suspicion or probable cause, giving due weight to inferences drawn by the circuit court. [Sims v. State](#), 356 Ark. 507, 157 S.W.3d 530 (2004). This court will reverse the circuit court only if the ruling is clearly against the preponderance of the evidence. *Id.* Additionally, this court defers to the circuit court's superior position to judge the credibility of witnesses. *Id.*

....

**Ark. Sup. Ct. & Ct. App. R. 4-2(a), 5-2(b),**  
[http://courts.state.ar.us/rules/rules\\_sc\\_coa/article4.cfm](http://courts.state.ar.us/rules/rules_sc_coa/article4.cfm),  
[http://courts.state.ar.us/rules/rules\\_sc\\_coa/article5.cfm](http://courts.state.ar.us/rules/rules_sc_coa/article5.cfm).

### Rule 4-2. Contents of briefs.

#### (a) Contents.

The contents of the brief shall be in the following order:



....

(7) **Argument.** Arguments shall be presented under subheadings numbered to correspond to the outline of points to be relied upon. For each issue, the applicable standard of review shall be concisely stated at the beginning of the discussion of the issue. Citations of decisions of the Arkansas Supreme Court and Court of Appeals must be from the official reports, and all citations to both official and unofficial reports shall follow the format prescribed in Rule 5-2. All citations of decisions of any other court must state the style of the case and cite the official reporter (including a regional reporter so designated by the issuing court) in which the case is found. If the case is also reported by unofficial publishers, including an unofficial electronic database, one of these should also be cited. Reference in the argument portion of the parties' briefs to material found in the abstract and addendum shall be followed by a reference to the page number of the abstract or addendum at which such material may be found. . . .

**Rule 5-2. Opinions.**

....

(b) **Official Reports.**

(1) The Arkansas Reports and the Arkansas Appellate Reports shall contain the official report of decisions of the Supreme Court and Court of Appeals issued before February 14, 2009. The official report of decisions issued after that date shall be an electronic file created, authenticated, secured, and maintained by the Reporter of Decisions on the Arkansas Judiciary website.

(2) After an opinion is announced, the Reporter shall post a preliminary report of the opinion's text on the website. This version is subject to editorial corrections. After the mandate has issued, and any needed editorial corrections are made, the Reporter shall replace the preliminary report with an authenticated and secure electronic file containing the permanent and final report of the decision.

(3) Every report of every decision shall contain an official citation created by the Reporter. This citation shall include the year in which the decision was issued, the abbreviated name of the issuing court, and the sequential appellate decision number for the year. For example, the citation *White v. Green*, 2010 Ark. 171, reflects that the decision was issued in 2010, by the Arkansas Supreme Court, and was the one hundred seventy-first opinion issued by that court that calendar year. The citation *Roe v. State*, 2010 Ark. App. 745, reflects that this decision was made by the Court of Appeals and was the seven hundred forty-fifth appellate opinion issued by that court in calendar year 2010.

(c) **Precedential Value.** Every Supreme Court and Court of Appeals opinion issued after July 1, 2009, is precedent and may be relied upon and cited by any party in any proceeding. Opinions of the Supreme Court and Court of Appeals issued before July 1, 2009, and not designated for publication shall not be cited, quoted, or referred to by any court or in any argument, brief, or other materials presented to any court (except in continuing or related litigation upon an issue such as *res judicata*, collateral estoppel, or law of the case).

(d) Uniform citation.

(1) Decisions included in the Arkansas Reports and Arkansas Appellate Reports shall be cited in all court papers by referring to the volume and page where the decision can be found and the year of the decision. Parallel citations to the regional reporter, if available, are required. Pinpoint citations to specific pages are strongly encouraged. For example:

*Smith v. Jones*, 338 Ark. 556, 558, 999 S.W.2d 669, 670 (1999).

*Doe v. State*, 74 Ark. App. 193, 198, 45 S.W.3d 860, 864 (2001).

(2) Published decisions issued between February 14, 2009, and July 1, 2009, and all decisions issued after July 1, 2009, and available on the Arkansas Judiciary website shall be cited in all court papers by referring to the case name, the year of the decision, the abbreviated court name, and the appellate decision number. Arkansas Supreme Court shall be abbreviated “Ark.” Arkansas Court of Appeals shall be abbreviated “Ark. App.” Parentheticals containing a date or court abbreviation shall not be used. Parallel citations to the regional reporter, if available, are required. If the regional reporter citation is not available, then parallel citations to unofficial sources, including unofficial electronic databases, may be provided. Pinpoint citations to specific pages are strongly encouraged. A pinpoint citation to the official version of a decision on the Arkansas Judiciary website shall refer to the page of the electronic file where the matter cited appears. For example:

*Smith v. Hickman*, 2009 Ark. 12, at 1, 273 S.W.3d 340, 343.

*Doe v. State*, 2009 Ark. App. 318, at 7, 2009 WL 240613, at \*8.

*White v. Green*, 2010 Ark. 171, at 3, 2010 WL 3109899, at \*2.

*Roe v. State*, 2010 Ark. App. 745, at 6, 279 S.W.3d 495, 497.

(3) When an unpublished decision may be cited in continuing or related litigation pursuant to subdivision (c), the opinion’s date determines the citation form. Opinions issued before February 14, 2009, shall be cited by referring to the case name, the appellate docket number, the abbreviated name of the issuing court and the complete date of the opinion in the first parenthetical, and including “unpublished” in a second parenthetical. Opinions issued after February 14, 2009, and before July 1, 2009, shall be cited by referring to the case name, the year of the decision, the abbreviated court name, the appellate decision number, and including “unpublished” in a parenthetical. Parallel citations to unofficial sources, including unofficial electronic databases, may be provided. For example:

*Holt v. Newbern*, No. CA07-345, slip op. at 4, 2008 WL 30117, at \*2 (Ark. App. Apr. 16, 2008) (unpublished).

*Byrd v. Battle*, 2009 Ark. App. 114, at 8, 2009 WL 47129, at \*6 (unpublished).

Examples from *Zuckerman v. Bd. of Chiropractic Exam'rs*, 29 Cal. 4th 32, 53 P.3d 119, 124 Cal. Rptr. 2d 701 (2002)

....

Under California law, the State Board of Chiropractic Examiners (Board) may discipline any chiropractor who engages in professional misconduct. A chiropractor accused of misconduct is entitled to a hearing before an administrative law judge, whose proposed decision is reviewed by the Board. A chiropractor found to have committed misconduct may be ordered to pay the "reasonable costs of investigation and prosecution of the case," including attorney fees, that the Board incurred "up to the date of the hearing . . . ." ( [Cal. Code Regs., tit. 16, § 317.5.](#))

....

Hearings are ordinarily held before an administrative law judge employed by the Office of Administrative Hearings. ( [Gov. Code, §§ 11502, 11517.](#)) After a hearing, the administrative law judge submits a proposed decision to the Board (*id.*, [§ 11517, subd. \(c\)](#)), which may adopt it, reduce the proposed penalty, or, as occurred in this case, reject the proposed decision and decide the case itself. If the Board chooses the latter option, it may base its decision on the record of the hearing before the administrative law judge (as occurred here) or it may take new evidence. (*Ibid.*) The Board's decisions are subject to judicial review by administrative mandamus. ( [Code Civ. Proc., § 1094.5.](#))

....

Zuckerman argues that regulation 317.5 is facially unconstitutional. He claims it violates his due process rights by discouraging chiropractors whom the Board has accused of misconduct from requesting a hearing on the charges. We evaluate the merits of a facial challenge by considering [\*39] "only the text of the measure itself, not its application to the particular circumstances of an individual." ( [Tobe v. City of Santa Ana](#) (1995) 9 Cal. 4th 1069, 1084, [40 Cal. Rptr. 2d 402, 892 P.2d 1145].) A plaintiff challenging the facial validity of a statute "cannot prevail by suggesting that in some future hypothetical situation constitutional problems may possibly arise as to the particular *application* of the statute." ( [Pacific Legal Foundation v. Brown](#) (1981) 29 Cal.3d 168, 180, [172 Cal. Rptr. 487, 624 P.2d 1215].)

....

Zuckerman also argues that the Board's enabling legislation does not authorize regulation 317.5, and that the regulation therefore exceeds the Board's jurisdiction. The Court of Appeal summarily rejected the claim, relying on [Oranen v. State Board of Chiropractic Examiners](#) (1999) 77 Cal. App. 4th 258, 261-263 [90 Cal. Rptr. 2d 287], which held that regulation 317.5 is authorized by sections 4 and 10 of the Act. We do not address this issue because it is not within the scope of our order granting the Board's petition for review.

....  
**Cal. Ct. R. 1.200,**  
[http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=one&linkid=rule1\\_200](http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=one&linkid=rule1_200).

### **Rule 1.200 Format of Citations**

Citations to cases and other authorities in all documents filed in the courts must be in the style established by either the *California Style Manual* or *The Bluebook: A Uniform System of Citation*, at the option of the party filing the document. The same style must be used consistently throughout the document.

**Cal. Ct. R. 3.1113,**  
[http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=three&linkid=rule3\\_1113](http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=three&linkid=rule3_1113)

#### **(c) Case citation format**

A case citation must include the official report volume and page number and year of decision. The court must not require any other form of citation.

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#### **Examples from *Kowalchik v. Brohl*, 2012 COA 49**

....

¶33 When interpreting a statute, we must consider rules of grammar and common usage, [section 2-4-101, C.R.S. 2011](#), but we may ignore obvious mistakes, such as in punctuation. *See, e.g., Palmer v. Diaz*, 214 P.3d 546, 556 (Colo. App. 2009). From a grammatical and common usage perspective, application of the phrase "that donates a conservation easement as an entity" to the list in [section 39-22-522\(1\)](#) is unclear. Therefore, the section is ambiguous. *See People v. Renfro*, 117 P.3d 43, 49 (Colo. App. 2004) (where words chosen by legislature are unclear in their common understanding, or capable of two or more reasonable constructions leading to different results, statute is ambiguous).

....

¶37 This interpretation is consistent with DOR regulations. *See* [1 CCR 201-1, Reg. 39-22-522\(3\)\(h\)](#) (precluding transfer of CE credit to pass-through entity). In matters of statutory interpretation, "we give great deference to an agency's interpretation of the statute, looking only to whether the agency's regulation is based on a permissible construction of the statute." *Smith v. Farmers Ins. Exch.*, 9 P.3d 335, 340 (Colo. 2000).

....

**Colo. C.J. Directive 12-01,**

[http://www.courts.state.co.us/Courts/Supreme\\_Court/Directives/CJD%2012-01.pdf](http://www.courts.state.co.us/Courts/Supreme_Court/Directives/CJD%2012-01.pdf)

**PUBLIC DOMAIN CITATION FORMAT FOR COLORADO SUPREME COURT  
AND COLORADO COURT OF APPEALS CASES**

Given the increasing amount of legal research being conducted via the internet and other electronic resources and the desire to promote equal access to Colorado’s system of justice, this Chief Justice Directive establishes a public domain citation format that will support the use of Colorado case law in both book and electronic formats.

Legal practitioners and self-represented parties will be permitted—but not required—to use the public domain citation format instead of citing to the *Pacific Reporter*. Irrespective of which citation format is used, a parallel citation to the other format is also not required.

Beginning January 1, 2012, the Clerk of the Colorado Supreme Court and the Clerk of the Colorado Court of Appeals shall assign to all opinions announced for publication a citation that shall include:

- 1 The calendar year in which the opinion is announced;
- 2 Followed by the court designator “CO” for published opinions announced by the Colorado Supreme Court, or followed by the court designator “COA” for published opinions announced by the Court of Appeals; and
- 3 Followed by a consecutive Arabic numeral, beginning in each new calendar year with the number “1”; for example: “2012 CO 1” for the first published opinion announced by the Colorado Supreme Court in 2012, and “2012 COA 1” for the first published opinion announced by the Colorado Court of Appeals in 2012.

This public domain citation shall appear on the title page of each published opinion announced by the Supreme Court and by the Court of Appeals. All publishers of Colorado Supreme Court and Colorado Court of Appeals materials are requested to include this public domain citation within the heading of each Colorado opinion they publish on or after January 1, 2012. In addition:

**Numbered paragraphs.** Beginning with the first paragraph of text, each paragraph in every published opinion shall be numbered consecutively beginning with a “¶” symbol followed by an Arabic numeral—beginning with the number “1”—flush with the left margin, opposite the first word of the paragraph. Paragraph numbers shall continue consecutively throughout the text of the majority opinion and on through any concurrence or dissent. Footnotes and paragraphs within footnotes shall not be numbered, nor shall markers, captions, headings, or numerated titles that merely divide sections of opinions. Block-indented, single-spaced portions of a paragraph shall not be numbered as a separate paragraph. All publishers of Colorado Supreme Court and Colorado Court of Appeals materials are requested to include these paragraph numbers in each opinion they publish.

**Unpublished opinions.** Opinions that are not designated for official publication pursuant to C.A.R. 35(f) shall not be assigned a public domain citation.

**Modification, revision, or other substantive amendment.** In the case of opinions that are modified, revised, or otherwise substantively amended by subsequent order of the Supreme Court or of the Court of Appeals, the public domain citation of the modified, revised, or amended opinion shall be the same as the original public domain citation but followed by the letter “M”; for example, “2012 CO 1M” in the case of a modified Colorado Supreme Court opinion, and “2012 COA 1M” in the case of a modified Colorado Court of Appeals opinion. In the event an opinion is modified, revised, or otherwise substantively amended more than once, the public domain citation of any additional modified, revised, or amended opinion shall be the same as the original public domain citation but designated with the letter “M” followed by a hyphen and the appropriate Arabic numeral; for example: “2012 CO 1M-2” in the case of a Colorado Supreme Court opinion modified a second time, and “2012 CO 1M-3” in the case of a Colorado Supreme Court opinion modified a third time, and so on.

**Withdrawn, vacated, and reissued opinions.** In the case of opinions that are withdrawn or vacated by a subsequent order of the Supreme Court or of the Court of Appeals, the public domain citation of the withdrawing or vacating order shall be the same as the original public domain citation but followed by the letter “W”; for example, “2012 CO 1W” in the case of a withdrawn or vacated Colorado Supreme Court opinion, and “2012 COA 1W” in the case of a withdrawn or vacated Colorado Court of Appeals opinion. In addition, the withdrawn or vacated opinion shall be removed from the electronic database of opinions maintained by the Supreme Court, and all publishers of Colorado Supreme Court and Colorado Court of Appeals materials are requested to remove withdrawn or vacated opinions from their electronic databases. An opinion that is reissued in place of a withdrawn or vacated opinion shall be assigned the next consecutive number appropriate to the date on which the reissued opinion is announced.

**Examples of proper public domain citation format.** The public domain citation format applies to published opinions announced by the Colorado Supreme Court and the Colorado Court of Appeals on or after January 1, 2012. The following examples are not real cases and are used for illustrative purposes only:

**Colorado Supreme Court:**

**Primary citation:**

*Smith v. Jones*, 2012 CO 22.

**Primary citation with pinpoint citation:**

*Smith v. Jones*, 2012 CO 22, ¶¶ 13–14.

**Subsequent citation with pinpoint citation:**

*Smith*, ¶¶ 13–14.

***Id.* citation with pinpoint citation:**

*Id.* at ¶¶ 13–14.

## Colorado Court of Appeals:

### Primary citation:

*Jones v. Smith*, 2012 COA 35.

### Primary citation with pinpoint citation:

*Jones v. Smith*, 2012 COA 35, ¶¶ 44–45.

### Subsequent citation with pinpoint citation:

*Jones*, ¶¶ 44–45.

### *Id.* citation with pinpoint citation:

*Id.* at ¶¶ 44–45.

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## Examples from *Ruffin v. Dep't of Pub. Works*, 50 Conn. Supp. 98, 914 A.2d 617 (2006)

....

The failure to place the plaintiff's name on the reemployment list for those laid off and to have hired her from it cannot be considered in excess of statutory authority because the plaintiff lost her job due to a disability as opposed to a lack of work. While the plaintiff's position was not held for her while on her last medical leave of absence, it remained open and she could have been placed in it if she was able to return to public works' financial management unit. The position was lost to public works only *after* the plaintiff's separation from state service. A layoff is for "any cause other than disability, delinquency, incompetency, misconduct or neglect of duty . . . ." [General Statutes § 5-241\(a\)](#); [Regs., Conn. State Agencies § 5-241-2](#). A layoff is a separation from state service by reason of the state's economic situation as opposed to disability. [Sullivan v. Morgan](#), 160 Conn. 176, 183, 276 A.2d 899 (1970). State employees who have been laid off, unlike those state employees who are separated from service due to a disability, are entitled to the placement of their names on the reemployment list for laid off employees. [General Statutes § 5-241](#); [Regs., Conn. State Agencies § 5-241-2](#). The defendants, then, acted in compliance with the applicable statutes and regulations.

....

The plaintiff's construction of the State Personnel Act fails to read its provisions as a whole and is contrary to its terms. The defendants would have acted in excess of their statutory authority only if they had put the plaintiff's name on the reemployment list for laid off employees and rehired her from that list because that would have been in violation of the State Personnel Act. This is factually distinguishable from [Cox v. Aiken](#), 86 Conn. App. 587, 590, 862 A.2d 319 (2004), cert. granted on other grounds, 273 Conn. 916, 871 A.2d 370 (2005), where the plaintiff alleged that the state acted in excess of statutory authority when it laid off a state employee with less seniority than Cox in violation of § 5-241.

....

**Conn. R. App. P § 67-11,**  
[http://www.jud.ct.gov/Publications/PracticeBook/PB\\_2012.pdf](http://www.jud.ct.gov/Publications/PracticeBook/PB_2012.pdf)

### **Sec. 67-11. Table of Authorities; Citation of Cases**

(a) In the table of authorities, citations to state cases shall be to the official reporter first, if available, followed by the regional reporter. Citations to cases from jurisdictions having no official reporter shall identify the court rendering the decision. Citations to opinions of the United States Supreme Court shall be to the United States Reports, if therein; otherwise, such citations shall be to the Supreme Court Reporter, the Lawyer's Edition, or United States Law Week, in that order of preference.

(b) In the argument portion of a brief, citations to Connecticut cases shall be to the official reporter only. Citations to other state cases may be to either the official reporter or the regional reporter. United States Supreme Court cases should be cited as they appear in the table of authorities.

(c) If a case is not available in print and is available on an electronic database, such as LEXIS, Westlaw, CaseBase or LOIS, the case shall be cited to that database. In the table of authorities, citations to such cases shall include the case name; docket number; name of the database and, if applicable, numeric identifiers unique to the database; court name; and full date of the disposition of the case. Screen, page or paragraph numbers shall be preceded by an asterisk. In the argument portion of a brief, such cases shall be cited only by name and database. If such a case is published in a print reporter after the filing of the party's brief, but prior to the case on appeal being orally argued or submitted for decision on the record and briefs, the party who cited the unreported case shall, by letter, inform the chief clerk of the print citation of that case.

**Delaware:** [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | < | >

### **Examples from *Johnson v. State*, 741 A.2d 1026 (Del. 1999)**

....

Superior Court Criminal Rule 7(e) permits an amendment to the indictment at any time before a verdict "if no additional or different offense is charged and if substantial rights of the defendant are not prejudiced." In this case, the indictment on the three firearm charges was amended prior to opening statements to reflect the proper statutory section number. Initially, the indictment cited to [11 Del. C. § 1447](#) (possession of a deadly weapon during the commission of a felony). The indictment was amended to cite to [11 Del. C. § 1447A](#) (possession of a firearm during the commission of a felony). As originally drafted, the indictment properly asserted the elements of a charge of possession of a firearm during the commission of a felony. Because no new, additional or different offense was alleged as a



result of the amendment, it was not plain error for the Superior Court to permit amendment of the indictment to reflect the proper statutory section.

....

*Claire v. State*, Del. Supr., 294 A.2d 836, 838 (1972) (amendment to "obvious error in statutory designation" was not an abuse of discretion).

....

**Del. Sup. Ct. R. 14(g),**  
<http://courts.delaware.gov/forms/download.aspx?id=39368>.

#### **14. Briefs and appendices; contents.**

....

(g) Form of citations.

The following shall be the form of citations:

(i) Reported Opinions. The style of citation shall be as set forth in THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION, with no reference to State Reporter Systems or other parallel citations. For example:

Melson v. Allman , 244 A.2d 85 (Del. 1968).

Prince v. Bensinger , 244 A.2d 89 (Del. Ch. 1968).

State v. Pennsylvania R.R. Co. , 244 A.2d 80 (Del. Super. Ct. 1968).

(ii) Unreported Opinions. The style of citation shall be any of the three alternatives set forth below:

LEXIS Citation Form: Fox v. Fox , 1998 Del. LEXIS 179 (Del. Supr.).

OR

Westlaw Citation Form: Fox v. Fox , 1998 WL 280361 (Del. Supr.).

OR

Delaware Citation Form: Fox v. Fox , Del. Supr., No. 510, 1997,  
Berger, J. (May 14, 1998).

(iii) Other Authority. The style of citation to any other type of authority, including but not limited to statutes, books, and articles, shall be as set forth in THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION.

**Examples from *Dorsey v. District of Columbia*, 917 A.2d 639 (D.C. 2007)**

....

D.C. Code § 50-2303.03 (b) (2001 & 2006 Supp.) requires that "[a] duplicate of each notice of infraction shall be served on the person to whom it is issued" and that "[t]he original or a facsimile thereof shall be filed with the Department [of Motor Vehicles]...." Pursuant to regulation, a notice of infraction may be issued from a hand-held electronic device. 18 DCMR §3000.7 (2006). 18 DCMR § 3000.9 (2006), in turn, provides that "[u]ploading of the data contained in hand-held electronic devices into the automatic ticket database shall be deemed the filing of a facsimile with the Department . . . ." Mr. Dorsey complains that this regulation violates the statute because the detailed printout produced by the data base is not an "exact copy" of the notice of infraction.

....

Many of Mr. Dorsey's complaints are generalized, and we will not consider them because he has not alleged injury in fact. *See generally York Apartments Tenants Ass'n v. District of Columbia Zoning Comm'n*, 856 A.2d 1079, 1084 (D.C. 2004) (discussing the requirements for standing). The complaint does identify three parking tickets he received, and he does have standing to complain about them. Yet, so far as the complaint alleges or we could discern from oral argument, Mr. Dorsey did not appear at a hearing to contest those tickets. Moreover, he did not move to set aside the default judgments entered against him. He stated that he had concluded from years of experience that it would be futile to move to vacate those judgments.

....

D.C. Code § 1-301.42 (2001) provides that "[f]or any speech or debate made in the course of their legislative duties, the members of the Council shall not be questioned in any other place." Patterned after the Speech or Debate Clause of the Constitution, Art. I, § 6, cl. 1, this statute was enacted in part to provide Council members with the same protection afforded to members of Congress "against civil actions and criminal prosecutions that threaten to delay and disrupt the legislative process." COUNCIL OF THE DISTRICT OF COLUMBIA, COMMITTEE ON THE JUDICIARY AND CRIMINAL LAW, REPORT ON BILL 1-34, THE "LEGISLATIVE PRIVILEGE ACT OF 1975," at 2 (Dec. 4, 1975). *See Gross v. Winter*, 277 U.S. App. D.C. 406, 414-15, 876 F.2d 165, 173-74 (1989) (discussing purpose of D.C. statute, which previously was codified at D.C. Code § 1-223 (1981)).

....

**D.C. Ct. App. R 28(g),**

[http://www.dccourts.gov/internet/documents/DCCA\\_Rules-1-01-11.pdf](http://www.dccourts.gov/internet/documents/DCCA_Rules-1-01-11.pdf).

(g) Citations.

A published opinion or order of this court may be cited in any brief. Unpublished orders or opinions of this court may not be cited in any brief, except when relevant (1) under the doctrines of law of the case, res judicata, or collateral estoppel; (2) in a criminal case or proceeding involving the same defendant; or (3) in a disciplinary case involving the same respondent.

**D.C. Super. Ct. Civ. P.R. 12-I(e),**

<http://www.dccourts.gov/internet/documents/Civil-Rules-Jan-2012.pdf>.

. . . . All citations to cases decided by the United States Court of Appeals for the District of Columbia Circuit shall include the volume number and page of both U.S. App. D.C. and the Federal Reporter.

---

**Note:** The format of citations in the published opinions of the D.C. Court of Appeals is the subject of a detailed guide, *Citation and Style Guide* (2009), <http://www.dccourts.gov/internet/documents/RevisedCitationGuide2009.pdf>.

**Florida:** [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

**Examples from *North Lauderdale v. SMM Properties, Inc.*, 825 So. 2d 343 (Fla. 2002)**

. . . .

Pursuant to Florida law, "first response medical aid" is considered one of the routine duties of a firefighter, and firefighters are required to take 40 hours of training of first response medical aid. *See* §§ 401.435(1), 633.35(2), Fla. Stat. (1997); Fla. Admin. Code R. 4A-37.055(21). First response medical aid is routinely provided by policemen, firefighters, lifeguards, etc., as necessary "on-scene patient care before emergency medical technicians or paramedics arrive." § 401.435(1), Fla. Stat. The duties of the medical response teams in Lake County seem to fit precisely within the parameters of routine "first response medical aid" because the teams there had the duty to "stabilize patients and provide them with initial medical care." 695 So. 2d 667-69; *see also Water Oak Management Corp. v. Lake County*, 673 So. 2d 135 (Fla. 5th DCA 1996). There was no mention of the provision of comprehensive emergency medical transportation services as part of the integrated fire protection service discussed in Lake County.

....

Having concluded that the facts of the instant case differ from Lake County, we must determine whether the special assessment at issue here nonetheless meets the first prong of the special assessment test; in other words, whether the special assessment for emergency medical services provides a special benefit to the assessed property. We traditionally defer to the legislative body's determination of special benefits. See *City of Boca Raton v. State*, 595 So. 2d 25, 30 (Fla. 1992); *South Trail Fire Control Dist. v. State*, 273 So. 2d 380, 383 (Fla. 1973) (determination of special benefits is one of fact for legislative body and apportionment of the assessments is a legislative function). "The standard is the same for both prongs; that is, the legislative determination as to the existence of special benefits and as to the apportionment of costs of those benefits should be upheld unless the determination is arbitrary." *Sarasota County v. Sarasota Church of Christ*, 667 So. 2d 180, 184 (Fla. 1995).

....

**Fla. R. App. P. 9.800**, <http://www.4dca.org/appellate rules.pdf#page=74>.

## **RULE 9.800. UNIFORM CITATION SYSTEM**

This rule applies to all legal documents, including court opinions. Except for citations to case reporters, all citation forms should be spelled out in full if used as an integral part of a sentence either in the text or in footnotes. Abbreviated forms as shown in this rule should be used if the citation is intended to stand alone either in the text or in footnotes.

### (a) Florida Supreme Court.

- (1) 1846-1886: *Livingston v. L'Engle*, 22 Fla. 427 (1886).
- (2) *Fenelon v. State*, 594 So. 2d 292 (Fla. 1992).
- (3) For recent opinions not yet published in the Southern Reporter, cite to Florida Law Weekly:  
*Traylor v. State*, 17 Fla. L. Weekly S42 (Fla. Jan. 16, 1992).  
If not therein, cite to the slip opinion:  
*Traylor v. State*, No. 70,051 (Fla. Jan. 16, 1992).

### (b) Florida District Courts of Appeal.

- (1) *Sotolongo v. State*, 530 So. 2d 514 (Fla. 2d DCA 1988); *Buncayo v. Dribin*, 533 So.2d 935 (Fla. 3d DCA 1988).
- (2) For recent opinions not yet published in Southern Reporter, cite to Florida Law Weekly:  
*Myers v. State*, 16 Fla. L. Weekly D1507 (Fla. 4th DCA June 5, 1991).  
If not therein, cite to the slip opinion: *Myers v. State*, No. 90-1092 (Fla. 4th DCA June 5, 1991).

### (c) Florida Circuit Courts and County Courts.

- (1) *Whidden v. Francis*, 27 Fla. Supp. 80 (Fla. 11th Cir. Ct. 1966).
- (2) *State v. Alvarez*, 42 Fla. Supp. 83 (Fla. Dade Cty. Ct. 1975).

(3) For opinions not published in Florida Supplement, cite to Florida Law Weekly: State v. Campeau, 16 Fla. L. Weekly C65 (Fla. 9th Cir. Ct. Nov. 7, 1990).  
If not therein, cite to the slip opinion:  
State v. Campeau, No. 90-4363 (Fla. 9th Cir. Ct. Nov. 7, 1990).

(d) Florida Administrative Agencies. (Cite if not in Southern Reporter.)

(1) For decisions of the Public Employees Relations Commission: Indian River Educ. Ass'n v. School Bd., 4 F.P.E.R. 4262 (1978).

(2) For decisions of the Florida Public Service Commission: In re Application of Tampa Elec. Co., 81 F.P.S.C. 2:120 (1981).

(3) For decisions of all other agencies: Insurance Co. v. Department of Ins., 2 F.A.L.R. 648-A (Fla. Dept. of Insurance 1980).

(e) Florida Constitution. (Year of adoption should be given if necessary to avoid confusion.)

Art. V, § 3(b)(3), Fla. Const.

(f) Florida Statutes (Official).

§ 350.34, Fla. Stat. (1973).

§ 120.53, Fla. Stat. (Supp. 1974).

(g) Florida Statutes Annotated. (To be used only for court-adopted rules, or references to other nonstatutory materials that do not appear in an official publication.)

32 Fla. Stat. Ann. 116 (Supp. 1975).

(h) Florida Laws. (Cite if not in Fla. Stat. or if desired for clarity or adoption reference.)

(1) After 1956: Ch. 74-177, § 5, at 473, Laws of Fla.

(2) Before 1957: Ch. 22000, Laws of Fla. (1943).

(i) Florida Rules.

Fla. R. Civ. P. 1.180.

Fla. R. Jud. Admin. 2.035.

Fla. R. Crim. P. 3.850.

Fla. R. Work. Comp. P. 4.113.

Fla. Prob. R. 5.120.

Fla. R. Traf. Ct. 6.165.

Fla. Sm. Cl. R. 7.070.

Fla. R. Juv. P. 8.070.

Fla. R. App. P. 9.100.

Fla. R. Med. 10.010.

Fla. R. Arb. 11.010.

Fla. Fam. L. R. P. 12.010.

Fla. Admin. Code R. 8H-3.02.

Fla. Code Jud. Conduct, Canon 5B.  
Fla. Bar Code Prof. Resp. D.R. 1-101(A).  
R. Regulating Fla. Bar 4-1.10.  
Fla. Bar Found. By-Laws, art. 2.18(b).  
Fla. Bar Found. Charter, art. 3.4.  
Fla. Bar Integr. R., art XI, rule 11.09.  
Fla. Bd. Bar Exam. R. III.  
Fla. Jud. Qual. Comm'n R. 9. Fla. Std. Jury Instr. (Civ.) 6.4(c).  
Fla. Std. Jury Instr. (Crim.) 2.03.  
Fla. Std. Jury Instr. (Crim.) Robbery.  
Fla. Stds. Imposing Law. Sancs. 9.3.  
Fla. Stds. Imposing Law. Sancs. (Drug Cases) 3.  
Fla. Bar Admiss. R., art. III.

(j) Florida Attorney General Opinions.

Op. Att'y Gen. Fla. 73-178 (1973).

(k) United States Supreme Court.

*Sansone v. United States*, 380 U.S. 343 (1965). (Cite to United States Reports, if published therein; otherwise cite to Supreme Court Reporter, Lawyer's Edition, or United States Law Week, in that order of preference. For opinions not published in these reporters, cite to Florida Law Weekly Federal: *California v. Hodari D.*, 13 Fla. L. Weekly Fed. S249(U.S. Apr. 23, 1991).

(l) Federal Courts of Appeals.

*Gulf Oil Corp. v. Bivins*, 276 F.2d 753 (5th Cir.1960). For opinions not published in the Federal Reporter, cite to Florida Law Weekly Federal: *Cunningham v. Zant*, 13 Fla. L. Weekly Fed. C591 (11th Cir. March 27,1991).

(m) Federal District Courts.

*Pugh v. Rainwater*, 332 F. Supp. 1107 (S.D. Fla. 1971). For opinions not published in the Federal Supplement, cite to Florida Law Weekly Federal: *Wasko v. Dugger*, 13 Fla. L. Weekly Fed. D183 (S.D. Fla. Apr. 2, 1991).

(n) Other Citations. When referring to specific material within a Florida court's opinion, pinpoint citation to the page of the Southern Reporter where that material occurs is optional, although preferred. All other citations shall be in the form prescribed by the latest edition of *The Bluebook: A Uniform System of Citation*, The Harvard Law Review Association, Gannett House, Cambridge, Mass. 02138. Citations not covered in this rule or in *The Bluebook* shall be in the form prescribed by the Florida Style Manual published by the Florida State University Law Review, Tallahassee, Fla. 32306.

(o) Case Names.

Case names shall be underscored (or italicized) in text and in footnotes.

Georgia: [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

**Examples from *Hollingsworth Concrete Prods., Inc.*, 274 Ga. 210, 553 S.E.2d 270 (2001)**

....

Donald Kendrix sought workers' compensation benefits following an accident that occurred while he was working for Hollingsworth Concrete Products, Inc. The Administrative Law Judge denied the claim because Kendrix tested positive for marijuana and cocaine after the accident and failed to rebut the presumption found in [O.C.G.A. § 34-9-17 \(b\) \(2\)](#) that the accident was caused by the illegal use of controlled substances. The appellate division affirmed, as did the superior court. We granted Kendrix's application to appeal to consider whether [O.C.G.A. § 34-9-17 \(b\) \(2\)](#) violates equal protection by differentiating between legal and illegal drug use. Because there is a rational basis for distinguishing between workers who are injured while taking prescription medication and those who are injured while taking illegal substances, we affirm.

....

When a controlled substance is given by prescription, the use of that drug is regulated by several factors that are not present when a drug is taken illegally. A physician determines the proper dosage and duration the medication should be taken. The doctor also informs the patient of any limitations on activities that should be observed while on the medication. Additionally, the regulations governing the pharmacist who fills the prescription provide another safeguard against misuse of a controlled substance. [Ga. Comp. R. & Regs. r. 480-1 et seq.](#)

....

The presumption in [O.C.G.A. § 34-9-17 \(b\) \(2\)](#) furthers the state's legitimate goal of reducing workplace accidents and increasing productivity by discouraging illegal drug use. [Georgia Self-Insurers Guaranty Trust Fund v. Thomas](#), 269 Ga. 560, 562 (501 S.E.2d 818) (1998); *see also* [Ester v. National Home Centers, Inc.](#), 335 Ark. 356, 981 S.W.2d 91, 96 (Ark. 1998) (upholding constitutionality of similar provision in Arkansas law).

....

Ga. Sup. Ct. R. 22, <http://www.gasupreme.us/rules/#22>.

#### Rule 22. BRIEFS: ARGUMENT AND AUTHORITY.

Any enumerated error not supported by argument or citation of authority in the brief shall be deemed abandoned. All citations of authority must be full and complete. Georgia citations must include the volume and page number of the official Georgia reporters (Harrison, Darby or Lexis). Cases not yet reported shall be cited by the Supreme Court or Court of Appeals case number and date of decision. The enumeration of errors shall be deemed to include and present for review all judgments necessary for a determination of the errors specified.

Ga. Ct. App. R. 24(c), <http://www.gaappeals.us/rules2/rules.php?name=BRIEFS>.

#### Rule 24. Preparation.

....

(d) Citations. All citations of cases shall be by name of the case as well as by volume, page and year of the Official Report. Cases not yet reported shall be cited by the Court of Appeals or Supreme Court case number and date of decision.

Hawaii: [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

#### Examples from *State v. Kotis*, 91 Haw. 319, 984 P.2d 78 (1999)

....

On September 10, 1992, Kotis was indicted for (1) murder in the second degree, in violation of [Hawai'i Revised Statutes \(HRS\) § 707-701.5\(1\) \(1993\)](#), (2) kidnapping, in violation of [HRS § 707-720\(1\)\(e\) \(1993\)](#), and (3) terroristic threatening in the first degree, in violation of [HRS § 707-716\(1\)\(d\) \(1993\)](#). The charges arose from an incident that occurred on or about September 7, 1992, in which Kotis allegedly threatened his wife, Lynne Kotis, and her companion, Gregory Wittman, with a knife, restrained Lynne with intent to terrorize her, and caused Lynne's death while in possession of a firearm.

....

The Department of Health appears to have arrived at the same conclusion, as demonstrated by [HAR § 11-175-45 \(1988\)](#), the rule promulgated to enforce [HRS § 334E-2](#). That rule provides in relevant part . . . .

Because Kotis was involuntarily hospitalized by order of the circuit court, HAR § 11-175-45(b)(3) applies to his case and authorizes the director's motion for an order of involuntary medication. Administrative rules, like statutes, have the force and effect of law. [State v. Kirn](#),



70 Haw. 206, 208, 767 P.2d 1238, 1239-40 (1989) (citing *Abramson v. Board of Regents, University of Hawaii*, 56 Haw. 680, 548 P.2d 253 (1976), and *Aguiar v. Hawaii Hous. Auth.*, 55 Haw. 478, 522 P.2d 1255 (1974)); *Baldeviso v. Thompson*, 54 Haw. 125, 129, 504 P.2d 1217, 1221 (1972) (citing *State v. Kimball*, 54 Haw. 83, 503 P.2d 176 (1972)).

....

**Hawaii R. App. P. 28,**  
[http://www.courts.state.hi.us/docs/court\\_rules/rules/hrap.htm#Rule%2028](http://www.courts.state.hi.us/docs/court_rules/rules/hrap.htm#Rule%2028).

## **Rule 28. BRIEFS**

....

### **(b) Opening Brief.**

Within 40 days after the filing of the record on appeal, the appellant shall file an opening brief, containing the following sections in the order here indicated:

(1) A subject index of the matter in the brief with page references and a table of authorities listing the cases, alphabetically arranged, text books, articles, statutes, treatises, regulations, and rules cited, with references to the pages in the brief where they are cited. Citation to Hawai'i cases since statehood shall include both the state and regional reporters. Citation to foreign cases may be to only the regional reporters. Where cases are generally available only from electronic databases, citation may be made thereto, provided that the citation contains enough information to identify the database, the court, and the date of the opinion.

**Idaho:** [Supreme Court citation practice](#) | [Citation Rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

**Examples from *Am. Falls Reservoir Dist. No. 2 v. Idaho Dep't of Water Res.*, 143 Idaho 862, 154 P.3d 433 (2007)**

....

In 1994, pursuant to statutory authority found in Idaho Code sections 42-603 and 42-1805, the Director of the Idaho Department of Water Resources (Director), promulgated the CM Rules to provide the procedures for responding to delivery calls "made by the holder of a senior-priority surface or ground water right against the holder of a junior-priority ground water right in an area having a common ground water supply." *IDAPA 37.03.11.001*. Thereafter, the CM Rules were submitted to the Idaho Legislature in 1995 pursuant to *I.C. § 67-5291*.

....

In an appeal from an order granting summary judgment, the standard of review is the same as the standard used by the district court in ruling on a motion for summary judgment. *State v. Rubbermaid Incorporated*, 129 Idaho 353, 355-356, 924 P.2d 615, 617-618 (1996); *Thomson*

*v. Idaho Ins. Agency, Inc.*, 126 Idaho 527, 529, 887 P.2d 1034, 1036 (1994). Upon review, the Court must liberally construe facts in the existing record in favor of the nonmoving party, and draw all reasonable inferences from the record in favor of the nonmoving party. *Id.*; *Bonz v. Sudweeks*, 119 Idaho 539, 541, 808 P.2d 876, 878 (1991). Summary judgment is appropriate if "the pleadings, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law." *McCoy v. Lyons*, 120 Idaho 765, 769, 820 P.2d 360, 364 (1991). If there are conflicting inferences contained in the record or reasonable minds might reach different conclusions, summary judgment must be denied. *Bonz*, 119 Idaho at 541, 808 P.2d at 878.

....

The court further justified its incorporation of this case's facts into its analysis by asserting that I.C. § 67-5278 "contemplates the use of a factual history of a case when determining a rule's validity." Idaho Code section 67-5278 provides a means by which a party may gain standing before a district court, prior to exhausting administrative remedies, in order to seek a declaratory judgment on a rule's validity. The statute requires that the rule itself or its "threatened application" interfere with or impair, or threaten to interfere with or impair, the legal rights or privileges of the petitioner. I.C. § 67-5278; *Rawson v. Idaho State Bd. Of Cosmetology*, 107 Idaho 1037, 1041, 695 P.2d 422, 426 (Ct.App. 1985).

....

**Idaho S. Ct. Internal R 15,**  
[http://www.isc.idaho.gov/rules/Internal\\_Rules\\_ISC\\_2008.pdf](http://www.isc.idaho.gov/rules/Internal_Rules_ISC_2008.pdf).

**(e) Uniform System of Citation.**

Citations appearing in opinions shall be in conformity with statutory provision of this state, the rules of this Court and if not therein covered, in conformity with the current edition of "A Uniform System of Citation," published and distributed by the Harvard Law Review Association, or the "ALWD (Association of Legal Writing Directors) Citation Manual: A Professional System of Citation."

**Illinois:** [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | < | >

**Examples from *Hines v. Dep't of Pub. Aid*, 221 Ill. 2d 222, 850 N.E.2d 148 (2006)**

....

Following briefing and a hearing, the circuit court entered a detailed order, recounting the pertinent facts of the case and reviewing the governing law. In the circuit court's view, section 5-13 of the Public Aid Code (305 ILCS 5/5-13 (West 2002)) and 89 Ill. Adm. Code § 102.200, an administrative regulation based on that statute, permitted the Department to seek reimbursement from Beverly's estate for the Medicaid payments it had made on Julius' behalf.

....

Where, as here, the language of a statute is clear and unambiguous, the court must enforce it as written. It may not annex new provisions or substitute different ones, or read into the statute exceptions, limitations, or conditions which the legislature did not express. *People ex rel. Department of Professional Regulation v. Manos*, 202 Ill. 2d 563, 568, 782 N.E.2d 237, 270 Ill. Dec. 43 (2002), quoting *Bronson v. Washington National Insurance Co.*, 59 Ill. App. 2d 253, 261-62, 207 N.E.2d 172 (1965). Moreover, as the appellate court correctly observed, it is a basic principle of statutory construction that "the enumeration of exceptions in a statute is construed as an exclusion of all other exceptions." 358 Ill. App. 3d at 232, quoting *People ex rel. Sherman v. Cryns*, 203 Ill. 2d 264, 286, 786 N.E.2d 139, 271 Ill. Dec. 881 (2003). In cases such as this, where a statute specifies exceptions to a general rule, no exceptions other than those designated will be recognized. *In re Estate of Tilliski*, 390 Ill. 273, 283, 61 N.E.2d 24 (1945). The appellate court was therefore correct to conclude that the Medicaid Act cannot be construed as permitting the state to look to the estate of a spouse of a recipient of medical assistance for reimbursement of costs correctly paid on the recipient's behalf.

....

**Ill. Sup. Ct. R. 6,**  
[http://www.state.il.us/court/SupremeCourt/Rules/Art I/ArtI.htm#6](http://www.state.il.us/court/SupremeCourt/Rules/Art%20I/ArtI.htm#6).

### **Rule 6. Citations**

Citation of Illinois cases filed prior to July 1, 2011, and published in the Illinois Official Reports shall be to the Official Reports, but the citation to the North Eastern Reporter and/or the Illinois Decisions may be added. For Illinois cases filed on or after July 1, 2011, and for any case not published in the Illinois Official Reports prior to that date and for which a public-domain citation has been assigned, the public-domain citation shall be given and, where appropriate, pinpoint citations to paragraph numbers shall be given; a citation to the North Eastern Reporter and/or the Illinois Decisions may be added but is not required. Citation of cases from other jurisdictions that do not utilize a public-domain citation shall include the date and may be to either the official state reports or the National Reporter System, or both. If only the National Reporter System citation is used, the court rendering the decision shall also be identified. For other jurisdictions that have adopted a public-domain system of citation, that citation shall be given along with, where appropriate, pinpoint citations to paragraph numbers; a parallel citation to an additional case reporter may be given but is not required. Textbook citations shall include the date of publication and the edition. Illinois statutes shall generally be cited to the Illinois Compiled Statutes (ILCS) but citations to the session laws of Illinois or to the Illinois Revised Statutes shall be made when appropriate. Citations of cases must be by title, to the page of the volume where the case begins, and to the pages upon which the pertinent matter appears in at least one of the reporters cited. It is not sufficient to use only *supra* or *infra*. Citation of Illinois cases shall be to the official reports, but the citation to the North Eastern Reporter and/or the Illinois Decisions may be added. Quotations may be cited from either the official reports or the North Eastern Reporter or the Illinois Decisions. Citation of cases from other jurisdictions shall include the date and may be to either the official State reports or the National Reporter System, or both. If only the National Reporter System citation is used, the court rendering the

decision shall also be identified. Textbook citations shall include the date of publication and the edition. Illinois statutes shall generally be cited to the Illinois Compiled Statutes (ILCS) but citations to the session laws of Illinois shall be made when appropriate. Prior to January 1, 1997, statutory citations may be made to the Illinois Revised Statutes instead of or in addition to the Illinois Compiled Statutes.

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### Examples from *Healthscript, Inc. v. State*, 770 N.E.2d 810 (Ind. 2002)

....

Defendant filed a motion to dismiss, arguing that Defendant could not be charged under [Ind. Code § 35-43-5-7.1\(a\)\(1\)](#) for the acts that the State had alleged. Defendant also filed a motion to suppress regarding a search warrant, which Defendant contends was illegally obtained. The trial court rejected both claims and certified its rulings for interlocutory appeal. The Court of Appeals reversed the trial court's ruling on Defendant's motion to dismiss. See *Healthscript, Inc., v. State*, 740 N.E.2d 562 (Ind. Ct. App. 2000) (on rehearing).

....

Reduced to its essentials, this is a case about whether a criminal statute, [Ind. Code § 35-43-5-7.1\(a\)\(1\)](#) (Supp. 1997), is sufficiently definite to put Defendant on notice that its alleged conduct was proscribed.

....

The State alleged that Defendant charged between \$ 22.50 and \$ 25.00 per 9000 milliliters to three other customers while charging the Medicaid program \$ 181.00 per 9000 milliliters. According to the State, the resulting payments exceeded \$ 50,000. It was the State's theory, then, that Defendant did not comply with [Ind. Admin. Code tit. 405 r. 1-6-21.1\(g\)\(3\)](#) when it overcharged the Medicaid program; that this in turn violated [Ind. Code § 12-15-21-1](#) because Defendant did not abide by its agreement to "comply with the ... rules governing [Medicaid];" and Defendant therefore committed a class C felony under the Medicaid Fraud Statute, [Ind. Code § 35-43-5-7.1\(a\)\(1\)](#), by submitting a claim in violation of [Ind. Code § 12-15](#).

....

We have held that the Legislature may constitutionally delegate rule-making powers to an administrative agency if that delegation is accompanied by sufficient standards to guide the agency in the exercise of its statutory authority. *Barco Beverage Corp. v. Indiana Alcoholic Beverage Com'n*, 595 N.E.2d 250, 253-54 (Ind. 1992) (quoting *Taxpayers Lobby of Indiana, Inc. v. Orr*, 262 Ind. 92, 103, 311 N.E.2d 814, 819 (1974)).

....

## Rule 22. Citation Form

Unless otherwise provided, a current edition of a Uniform System of Citation (Bluebook) shall be followed.

**A. Citation to Cases.** All Indiana cases shall be cited by giving the title of the case followed by the volume and page of the regional and official reporter (where both exist), the court of disposition, and the year of the opinion, e.g., *Callender v. State*, 193 Ind. 91, 138 N.E. 817 (1922); *Moran v. State*, 644 N.E.2d 536 (Ind. 1994). If the case is not contained in the regional reporter, citation may be made to the official reporter. Where both a regional and official citation exist and pinpoint citations are appropriate, pinpoint citations to one of the reporters shall be provided. Designation of disposition of petitions for transfer shall be included, e.g., *State ex rel. Mass Transp. Auth. of Greater Indianapolis v. Indiana Revenue Bd.*, 144 Ind. App. 63, 242 N.E.2d 642 (1968), *trans. denied by an evenly divided court* 251 Ind. 607, 244 N.E.2d 111 (1969); *Smith v. State*, 717 N.E.2d 127 (Ind. Ct. App. 1999), *trans. denied*.

## B. Citations to Indiana Statutes, Regulations and Court Rules.

1. Citation to Indiana statutes, regulations, and court rules shall comply with the following citation format for initial references and subsequent references:

- **INITIAL**
  - **SUBSEQUENT**
- Ind. Code §34-1-1-1 (20xx)
  - I.C. §34-1-1-1
- Ind. Admin. Code tit. 34, r. 12-5-1 (20xx)
  - 34 IAC 12-5-1
- Ind. Trial Rule 56
  - T.R. 56
- Ind. Crim. Rule 4(B)(1)
  - Crim. R. 4(B)(1)
- Ind. Post-Conviction Rule 2(2)(b)
  - P-C.R. 2(2)(b)
- Ind. Appellate Rule 8
  - App. R. 8
- Ind. Original Action Rule 3(A)
  - Orig. Act. R. 3(A)
- Ind. Child Support Rule 2
  - Child Supp. R. 2
- Ind. Child Support Guideline 3(D)
  - Child Supp. G. 3(D)
- Ind. Small Claims Rule 8(A)
  - S.C.R. 8(A)
- Ind. Tax Court Rule 9
  - Tax Ct. R. 9

- Ind. Administrative Rule 7(A)
  - Admin. R. 7(A)
- Ind. Judicial Conduct Canon 2(A)
  - Jud. Canon 2(A)
- Ind. Professional Conduct Rule 6.1
  - Prof. Cond. R. 6.1
- Ind. Alternative Dispute Resolution Rule 2
  - A.D.R. 2
- Ind. Admission and Discipline Rule 23(2)(a)
  - Admis. Disc. R. 23(2)(a)
- Ind. Evidence Rule 301
  - Evid. R. 301
- Ind. Jury Rule 12
  - J.R. 12

Effective July 1, 2006, the Indiana Administrative Code and the Indiana Register are published electronically by the Indiana Legislative Services Agency. For materials published in the Indiana Administrative Code and Indiana Register prior to that date, use the citation forms set forth above. For materials published after that date, reference to the appropriate URL is necessary for a reader to locate the official versions of these materials. The following citation format for initial references and subsequent references shall be used for materials published in the Indiana Administrative Code and Indiana Register on and after July 1, 2006:

Initial: 34 Ind. Admin. Code 12-5-1 (2006)

(see <http://www.in.gov/legislative/iac/>)

Subsequent: 34 I.A.C. 12-5-1

Initial: Ind. Reg. LSA Doc. No. 05-0065 (July 26, 2006)

(see <http://www.in.gov/legislative/register/irtoc.htm>)

Subsequent: I.R. 05-0065

2. Citations to County Local Court Rules adopted pursuant to Ind. Trial Rule 81 shall be cited by giving the county followed by the citation to the local rule, e.g. Adams LR01-TR3.1-1.

**C. References to the Record on Appeal.** Any factual statement shall be supported by a citation to the page where it appears in an Appendix, and if not contained in an Appendix, to the page it appears in the Transcript or exhibits, e.g., Appellant’s App. p.5; Tr. p. 231-32. Any record material cited in an appellate brief must be reproduced in an Appendix or the Transcript or exhibits. Any record material cited in an appellate brief that is also included in an Addendum to Brief should include a citation to the Appendix or Transcript and to the Addendum to Brief.

**D. References to Parties.** References to parties by such designations as “appellant” and “appellee” shall be avoided. Instead, parties shall be referred to by their names, or by descriptive terms such as “the employee,” “the injured person,” “the taxpayer,” or “the school.”

**E. Abbreviations.** The following abbreviations may be used without explanation in citations and references: Addend. (addendum to brief), App. (appendix), Br. (brief), CCS (chronological case summary), Ct. (court), Def. (defendant), Hr. (hearing), Mem. (memorandum), Pet. (petition), Pl. (plaintiff), Supp. (supplemental), Tr. (Transcript).

Iowa: [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | < | >

**Examples from *Al-Khattat v. Eng'g & Land Surveying Examining Bd.*, 644 N.W.2d 18 (Iowa 2002)**

....

There are two ways to become licensed as a professional engineer in Iowa: (1) licensure by examination; and (2) licensure by comity. The first method applies to applicants seeking original licensure as a professional engineer in Iowa. To obtain initial licensure, an applicant must satisfy each of the following requirements:

*a.* (1) Graduation from a course in engineering of four years or more in a school or college which, in the opinion of the board, will properly prepare the applicant for the examination in fundamental engineering subjects.

....

*b.* Successfully passing a written, oral, or written and oral examination in fundamental engineering subjects which is designed to show the knowledge of general engineering principles. . . . [i.e., the Fundamentals of Engineering examination]

*c.* . . . [A] specific record of four years or more of practical experience in engineering work which is of a character satisfactory to the board.

*d.* Successfully passing a written, oral, or written and oral examination designed to determine the proficiency and qualifications to engage in the practice of engineering. . . . [i.e., the Principles and Practice of Engineering examination]

**Iowa Code § 542B.14(1).** The NCEES prepares the two examinations administered to initial licensure applicants. **Iowa Admin. Code r. 193C--1.4(4) (1997).** Both are written, uniform examinations. *Id.* The Fundamentals exam "covers general engineering principles," *id.* r. 193C--1.4(4)(a), and is intended to satisfy the requirements of section 542B.14(1)(b), while the Principles and Practice exam addresses "proficiency and qualification to engage in the practice of professional engineering," *id.* r. 193C--1.4(4)(b), and is intended to satisfy the requirements of section 542B.14(1)(d).

....



Furthermore, the Board has consistently interpreted section 542B.20 to reject comity licensure where the applicant has not satisfied standards comparable to those required of initial licensure applicants in Iowa. See *Horner v. State Bd. of Eng'g Exam'rs*, 253 Iowa 1, 8-9, 110 N.W.2d 371, 375 (1961). No evidence was produced indicating the Board has issued comity licensure to an applicant who has not taken an examination comparable in design to the Principles and Practice of Engineering examination.

....

Iowa R. App. P. 6.904, <http://www.legis.state.ia.us/DOCS/ACO/CR/LINC/02-02-2011.chapter.6.pdf>.

### **Rule 6.904 Briefs.**

....

6.904(2) To legal authorities.

a. Cases. In citing cases, the names of parties must be given. In citing Iowa cases, reference must be made to the volume and page where the case may be found in the North Western Reporter. If the case is not reported in the North Western Reporter, reference must be made to the volume and page where the case may be found in the Iowa Reports. In citing cases, reference must be made to the court that rendered the opinion and the volume and page where the opinion may be found in the National Reporter System, if reported therein. E.g., \_ N.W.2d \_ (Iowa 20\_); \_ N.W.2d \_ (Iowa Ct. App. 20\_); \_ S.W.2d \_ (Mo. Ct. App. 20\_); \_ U.S.\_, \_ S. Ct.\_, \_ L. Ed. 2d \_ (20\_); \_ F.3d\_ (\_ Cir. 20\_); \_ F. Supp. 2d \_ (S.D. Iowa 20\_). When quoting from authorities or referring to a particular point within an authority, the specific page or pages quoted or relied upon shall be given in addition to the required page references.

b. Iowa Court Rules. When citing the Iowa Court Rules parties shall use the following references: (1) "Iowa R. Civ. P."; "Iowa R. Crim. P."; "Iowa R. Evid."; "Iowa R. App. P."; "Iowa R. of Prof'l Conduct"; and "Iowa Code of Judicial Conduct" when citing those rules. (2) "Iowa Ct. R." when citing all other rules.

c. Unpublished opinions or decisions. An unpublished opinion or decision of a court or agency may be cited in a brief if the opinion or decision can be readily accessed electronically. Unpublished opinions or decisions shall not constitute controlling legal authority. When citing an unpublished opinion or decision a party shall include an electronic citation indicating where the opinion may be readily accessed online. E.g., No. \_\_\_\_\_, \_\_\_\_\_ WL \_\_\_\_\_, at \* \_\_\_\_ (\_\_\_\_ 20\_\_).

d. Other authorities. When citing other authorities, references shall be made as follows:

(1) Citations to codes shall include the section number and date.

(2) Citations to treatises, textbooks, and encyclopedias shall include the edition, section, and page.



(3) Citations to all other authorities shall include the page or pages. When treatises or textbooks are cited, the edition must be designated. In citing authorities other than cases, references shall be made as follows: Codes, to section number; treatises, textbooks and encyclopedias, to section and page; all others, to page or pages. Use of the “supra” and “infra” forms of citation is discouraged.

e. Internal cross-references. Use of "supra" and "infra" is not permitted.

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**Examples from *Schmidt v. Kan. State Bd. of Technical Professions*, 271 Kan. 206, 21 P.3d 542 (2001)**

....

Michael Schmidt, a licensed engineer, appeals the decision of the Shawnee County District Court affirming an order of the Kansas State Board of Technical Professions (the Board). The Board determined that certain construction drawings prepared by Schmidt constituted the practice of architecture as defined by [K.S.A. 2000 Supp. 74-7003](#). The Board further held that Schmidt, unlicensed to practice architecture, was in violation of the regulations pertaining to professional conduct established by [K.A.R. 66-6-4\(e\) \(1995 Supp.\)](#) which regulations prohibit a licensee from affixing a signature, seal, or both, to a plan dealing with a subject matter outside the licensee's field of competence. The Board publicly censured Schmidt because he affixed his engineer's seal to documents dealing with the subject matter of architecture, an area which it held to be outside his field of competence as established by his education, training and licensing. The Board also required that he pay costs of \$ 5,000, an amount the Board determined was a portion of the Board's investigative cost, expenses, and attorneys fees in prosecuting the matter, and an amount equal to the statutory limit.

....

Because the primary issue in this appeal involves the interpretation of statutes and regulations, the rules of statutory construction set forth in [Todd v. Kelly](#), 251 Kan. 512, 516, 837 P.2d 381(1992), apply. ""In order to ascertain the legislative intent, courts are not permitted to consider only a certain isolated part or parts of an act, but are required to consider and construe together all parts thereof *in pari materia*."" [Landry v. Graphic Technology, Inc.](#), 268 Kan. 359, 365, 2 P.3d 758 (2000) (quoting *Todd*, 251 Kan. at 516).

Similarly, when interpreting administrative regulations, the courts generally will defer to an agency's interpretation of its own regulations. The agency's interpretation will not be disturbed unless it is clearly erroneous or inconsistent with the regulation. [Murphy v. Nelson](#), 260 Kan. 589, 595, 921 P.2d 1225 (1996). However, the administrative agency may not use its power to issue regulations which alter the legislative act which is being administered. [In re Tax Appeal of Newton Country Club Co.](#), 12 Kan. App. 2d 638, 647, 753 P.2d 304, *rev. denied* 243 Kan. 779 (1988).

....  
**Kan. Ct. R. 6.08,**  
[http://www.kscourts.org/rules/Appellate\\_Rules/Rule%206.08.pdf](http://www.kscourts.org/rules/Appellate_Rules/Rule%206.08.pdf).

### **Rule 6.08 References Within Briefs**

In the body of a brief, unless the context particularly requires a distinction between parties as appellant or appellee, they should normally be referred to by their status in the district court, e.g., plaintiff, defendant, etc., or by name. References to court cases shall be by the official citations followed by any generally recognized reporter system citations.

**Kentucky:** [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### **Examples from *Adams v. NHC Healthcare*, 199 S.W.3d 163 (Ky. 2006)**

....  
Noting that the facts complied with both **KRS 342.730(1)(c)1 and 2**, the ALJ determined that the claimant could return immediately to other regular employment at the same or a greater wage and awarded benefits under **KRS 342.730(1)(c)2**. Although the Workers' Compensation Board affirmed on the first two issues and found no error in the corrected order denying reconsideration, it determined that the evidence and *Fawbush v. Gwinn*, 103 S.W.3d 5 (Ky. 2003), compelled an award under **KRS 342.730(1)(c)1**. The Court of Appeals reversed on that issue but affirmed otherwise.

The claimant raises four arguments. He asserts that **803 KAR 25:010, § 14(2)** entitled him to introduce evidence regarding his social security disability award after proof time closed; that overwhelming evidence compelled the ALJ to find him totally disabled; that the corrected order on his petition for reconsideration violated **KRS 342.125**; and that the ALJ misapplied *Fawbush v. Gwinn*, supra, when finding that he could work as a med tech despite ordering the employer to pay for a walker. Having concluded that nothing required the ALJ to consider evidence submitted after proof time closed; that substantial evidence supported the finding of partial disability; that the entry of a corrected order denying consideration did not violate **KRS 342.125** or the regulations; and that substantial evidence supported the application of **KRS 342.730(1)(c)2**, we affirm.

....  
**Ky. Civ. R. 76.12(4)(g),** [http://www.louisvillelaw.com/civil\\_rules/cr76\\_12.htm](http://www.louisvillelaw.com/civil_rules/cr76_12.htm).

### **76.12 BRIEFS**

....  
(4)(g) Form of citations.

All citations of Kentucky Statutes shall be made from the official edition of the Kentucky Revised Statutes and may be abbreviated "KRS." The citation of Kentucky cases reported after January 1, 1951, shall be in the following form for decisions of the Supreme Court and its predecessor court: Doe v. Roe, \_\_\_ S.W.2d \_\_\_ or \_\_\_ S.W.3d \_\_\_ (Ky. [date]), or for reported decisions of the present Court of Appeals, Doe v. Roe, \_\_\_ S.W.2d \_\_\_ or \_\_\_ S.W.3d \_\_\_ (Ky. App. [date]). For cases reported prior thereto both Kentucky Reports and Southwestern citations shall be given.

Louisiana: [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### Examples from *State v. Alfonso*, 99-1546 (La. 12/07/99), 753 So. 2d 156

....

La. Adm. Code tit. 76, Part VII, § 343E5 (1995), as adopted by the Wildlife and Fisheries Commission (Commission) purportedly pursuant to La. Rev. Stat. 56:333A, requires each mullet permit holder to file information returns monthly during the three-month mullet season fixed by the Legislature, reporting the number of pounds of mullet taken commercially during the preceding month and the commercial dealers to whom the mullet were sold. The criminal charges filed against the forty defendants were apparently based on audits of seafood dealers and commercial fishermen by enforcement personnel of the Department of Wildlife and Fisheries (DWF).

....

La. Rev. Stat. 56:6(25)(a), pertaining to all wildlife and fish, authorizes the Commission to "promulgate rules and regulations, subject to the provisions of the Administrative Procedures Act, to set seasons, times, places, size limits, quotas, daily take, and possession limits, based upon biological and technical data . . . ."

....

This court, while recognizing that the Louisiana Constitution unequivocally mandates the separation of powers among the three branches of state government, has traditionally distinguished in delegation cases between delegation of legislative authority, which necessarily violates the separation of powers, and delegation of ministerial or administrative authority, which does not. *State v. All Pro Paint and Body Shop, Inc.*, 93-1316, pp. 6-7 (La. 7/5/94), 639 So. 2d 707, 711. Accordingly, although the Legislature may not delegate primary legislative power, it may declare its will and, after fixing a primary standard, may confer upon administrative officers in the executive branch the power to "fill up the details" by prescribing administrative rules and regulations. *Adams v. State Dep't of Health*, 458 So. 2d 1295, 1298 (La. 1984). Thus the Legislature may delegate to administrative boards and agencies of the state the power "to ascertain and determine the facts upon which the laws are to be applied and enforced." *State v. Taylor*, 479 So. 2d 339, 341 (La. 1985).

....

**Section 8. Citation of Louisiana Appellate Decisions.**

A. The following rules of citation of Louisiana appellate court decisions shall apply:

(1) Opinions and actions issued by the Supreme Court of Louisiana and the Louisiana Court of Appeal following December 31, 1993 shall be cited according to a uniform public domain citation form with a parallel citation to West's Southern Reporter.

(a) The uniform public domain citation form shall consist of the case name, docket number excluding letters, court abbreviation, and month, day and year of issue, and be followed by a parallel citation to West's Southern Reporter, e.g.:

Smith v. Jones, 93-2345 (La. 7/15/94); 650 So. 2d 500, or Smith v. Jones, 93-2345 (La.App. 1 Cir. 7/15/94); 660 So.2d 400.

(b) If a pinpoint public domain citation is needed, the page number designated by the court shall follow the docket number and be set off with a comma and the abbreviation "p.", and may be followed by a parallel pinpoint citation to West's Southern Reporter, e.g.:

Smith v. Jones, 94-2345, p. 7 (La. 7/15/94); 650 So.2d 500, 504

(2) Opinions issued by the Supreme Court of Louisiana for the period between December 31, 1972 and January 1, 1994, and all opinions issued by the Courts of Appeal from the beginning of their inclusion in West's Southern Reporter in 1928 until January 1, 1994, shall be cited according to the form in West's Southern Reporter:

(a) The citation will consist of the case name, Southern Reporter volume number, title abbreviation, page number, court designation, and year, e.g.:

Smith v. Jones, 645 So.2d 321 (La. 1990)

(b) A parallel public domain citation following the same format as that for post-January 1, 1994 opinions may be added after the Southern Reporter citation, but is not required.

(3) Opinions issued by the Supreme Court of Louisiana prior to the discontinuation of the official Louisiana Reports in 1972 and opinions issued by the Court of Appeal prior to their inclusion in the Southern Reporter in 1928 shall be cited in accordance with pre-1994 practice, as follows:

(a) Cite to Louisiana Reports, Louisiana Annual Reports, Robinson, Martin, Reports of the Louisiana Courts of Appeal, Peltier, Teisser, or McGloin if therein, and to the Southern Reporter or Southern 2d therein.

(b) A parallel public domain citation following the same format as that for post-January 1, 1994 opinions may be added, but is not required.

B. These rules shall apply to all published actions of the Supreme Court of Louisiana and the Louisiana Courts of Appeal issued after December 31, 1993. Citation under these rules in court documents shall become mandatory for all documents filed after July 1, 1994.

**La. Unif R. Ct. App. 2-12.4,** <http://www.la-fcca.org/index.php/clerks-office/uniform-rules/11-uniform-rules-rule-2>

#### **2-12.4. Appellant's Brief**

Citation of Louisiana cases shall be in conformity with Section VIII of the Louisiana Supreme Court General Administrative Rules. Citations of other cases shall be to volume and page of the official reports (and when possible to the unofficial reports). It is recommended that where United States Supreme Court cases are cited, all three reports be cited, e.g., *Miranda v. Arizona*, 384 U.S. 436, 86 S.Ct. 1602, 16 L.Ed.2d 694 (1966). When a decision from another state is cited, a copy thereof should be attached to the brief.

The argument on a specification or assignment of error in a brief shall include a suitable reference by volume and page to the place in the record which contains the basis for the alleged error. The court may disregard the argument on that error in the event suitable reference to the record is not made.

**Maine:** [Supreme Judicial Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#)  
|>

**Examples from *Botting v. Dep't of Behavioral & Developmental Servs.*, 2003 ME 152, 838 A.2d 1168**

....

The RRMHS regulations are a set of rules promulgated by BDS pursuant to its authority set forth in [34-B M.R.S.A. § 3003 \(1988 & Pamph. 2003\)](#).

....

As a condition of DHS licensure, hospitals like TAMC are required to comply with the RRMHS regulations. *See* [13 C.M.R. 10 144 112-69 § XXIII\(F\) \(2003\)](#). DHS rules also provide that, under agreement with DHS, BDS shall conduct surveys and inspections for compliance with the RRMHS regulations, *id.*, but vest BDS with no other specific enforcement authority over individual grievances, *see id.* The RRMHS regulations purport to apply to, among other agencies, "all public or private inpatient psychiatric institutes and units." [13 C.M.R. 14 193 001-4, Introduction \(1995\)](#).

....

We review an agency decision, appealed from the Superior Court acting as an appellate court, "directly for abuse of discretion, errors of law, or findings not supported by the evidence."

*Centamore v. Dep't of Human Servs.*, 664 A.2d 369, 370 (Me. 1995). Here, where the question is one of statutory interpretation we review for errors of law. See *Daniels v. Tew Mac Aero Servs., Inc.*, 675 A.2d 984, 987 (Me. 1996). Unless the meaning of a statute is clear or within our own expertise, we will defer to an agency's interpretation of a statute it administers when the agency's interpretation is both reasonable and within the agency's own expertise. See *Guilford Transp. Indus. v. PUC*, 2000 ME 31, ¶¶ 6-11, 746 A.2d 910, 912-13; *Chevron U.S.A. Inc. v. Natural Res. Def. Council, Inc.*, 467 U.S. 837, 843-44, 81 L. Ed. 2d 694, 104 S. Ct. 2778 (1984). Therefore, when the statute is unclear and it is within the agency's expertise, we "limit our review to determining whether the agency's conclusions are unreasonable, unjust or unlawful in light of the record." *Guilford Transp. Indus.*, 2000 ME 31, ¶¶ 6, 11, 746 A.2d at 912 (quoting *Pine Tree Tel. & Tel. Co. v. PUC*, 634 A.2d 1302, 1304 (Me. 1993)).

....

### **Me. Admin. Order, No. SJC-216 (Aug. 20, 1996).**

The order of this Court, dated January 27, 1966, as amended by the order of December 1, 1982, is further amended to read as follows:

1. The *Atlantic Reporter* is the official publication of the Court's opinions commencing January 1, 1966.
2. Opinions issued on or after January 1, 1966, and before January 1, 1997, shall be cited in the following style:

*Westman v. Armitage*, 215 A.2d 919 (Me. 1966)

3. Opinions issued on or after January 1, 1997, shall include the calendar year, the sequential number assigned to the opinion within that calendar year, and shall be cited in the following style:

*Smith v. Jones*, 1997 ME 7, 685 A.2d 110

4. The sequential decision number shall be included in each opinion at the time it is made available to the public and the paragraphs in the opinion shall be numbered. The official publication of each opinion issued on or after January 1, 1997 shall include the sequential number in the caption of the opinion and the paragraph numbers assigned by the Court.

5. Pinpoint citations shall be made by reference to paragraph numbers assigned by the Court in the following style:

*Smith v. Jones*, 1997 ME 7, para 14, 685 A.2d 110

6. Memorandum Decisions and Summary Orders shall not be published in the *Atlantic Reporter* and shall not be cited as precedent for a matter addressed therein.

[This order and all others of its vintage were withdrawn in 2005. See Me. Admin. Order, No. JB-05-01 (Aug. 1, 2005), [http://www.courts.state.me.us/rules\\_adminorders/adminorders/JB-05-1.html](http://www.courts.state.me.us/rules_adminorders/adminorders/JB-05-1.html). However, it continues to govern citation practice in Maine.]

---

**Note:** See also University of Maine School of Law, *Uniform Maine Citations* (2012 ed.), <http://mainelaw.maine.edu/academics/pdf/UMC2012.pdf> (which seeks to aid Maine practitioners in preparing legal briefs and memoranda, and Maine justices and judges in writing opinions, by providing a system of citation for the materials most frequently cited in the state).

**Maryland:** [Court of Appeals citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | < | >

**Examples from *State Comm'n on Human Relations v. Talbot County Det. Ctr.*, 370 Md. 115, 803 A.2d 527 (2002)**

....

The Maryland Commission on Human Relations ("Commission") is an independent agency charged with investigating complaints of discrimination in employment, housing and public accommodations under Article 49B of the Maryland Code and bringing legal and equitable actions pertaining to those violations. See [Md. Code \(1957, 1998 Repl. Vol.\)](#), Art. 49B, § 10.

....

The Detention Center, in its response dated July 3, 2001, asserted that the Circuit Court lacked subject matter jurisdiction over the Petition for Temporary Injunctive Relief. The Detention Center further alleged that the Commission's authority to investigate was limited to the investigative mechanisms set forth in [Title 14, Subtitle 3 of the Code of Maryland Regulations](#). Specifically, the Detention Center argued that the Commission is only allowed to: (1) require a fact-finding conference; (2) require the respondent to promptly provide answers to requests for information; (3) serve interrogatories on a respondent; and (4) issue subpoenas, if necessary, to compel the attendance and testimony of witnesses or the production of documents. See [COMAR 14.03.01.04](#). With respect to the latter, the Detention Center claimed that the use of the word "testimony" indicated that the Commission's interviews of the witnesses should be formal recorded proceedings, and thus the Commission had no authority to conduct interviews confidentially and in the absence of a representative from the Detention Center. 4

....

Maryland's anti-discrimination laws are embodied in Article 49B of the Maryland Code, as is the Commission's investigatory and enforcement authority with respect to the anti-discrimination legislation. The Commission's comprehensive investigatory powers include the authority to hold investigatory hearings for fact finding, file civil actions for injunctive relief,



receive and issue complaints alleging discrimination, conduct investigations into discrimination complaints, endeavor to reach conciliation between the parties, and initiate and pursue litigation to enforce compliance. See Md. Code, Art. 49B, §§ 3, 4, 9A . 10, 11, 12; *Molesworth v. Brandon*, 341 Md. 621, 631, 672 A.2d 608, 613 (1996) (citing *Weathersby v. Kentucky Fried Chicken Nat'l Management Co.*, 86 Md. App. 533, 545, 587 A.2d 569, 574 (1991); *rev'd on other grounds*, 326 Md. 663, 607 A.2d 8 (1992)); *Gutwein v. Easton Publishing Co.*, 272 Md. 563, 564-65, 325 A.2d 740, 741 (1974). The Commission's enforcement powers, then, cover the gamut, from investigation to commencement and pursuit of litigation.

....

Generally, appellate courts review a trial court's determination to grant or deny injunctive relief for an abuse of discretion because trial courts, sitting as courts of equity, are granted broad discretionary authority to issue equitable relief. See *J. L. Matthews, Inc. v. Maryland-National Capital Park & Planning Comm.*, 368 Md. 71, 93, 792 A.2d 288, 301 (2002). See *El Bey v. Moorish Sci. Temple of Am.*, 362 Md. 339, 354-55, 765 A.2d 132, 140 (2001) (stating that while normally a trial court's decision to grant or deny injunctive relief is reviewed for an abuse of discretion, "no such deference [is given] when we find 'an obvious error in the application of the principles of equity'" (quoting *Western Md. Dairy, Inc. v. Chenowith*, 180 Md. 236, 244, 23 A.2d 660, 665 (1941)); *Colandrea v. Wilde Lake Community Ass'n, Inc.*, 361 Md. 371, 394, 761 A.2d 899, 911 (2000).

....

**Md. R. 1-104, 8-504, <http://www.lexisnexis.com/hottopics/mdcode/>.**

#### **Rule 1-104. Unreported opinions.**

(a) Not authority.- An unreported opinion of the Court of Appeals or Court of Special Appeals is neither precedent within the rule of stare decisis nor persuasive authority.

(b) Citation.- An unreported opinion of either Court may be cited in either Court for any purpose other than as precedent within the rule of stare decisis or as persuasive authority. In any other court, an unreported opinion of either Court may be cited only (1) when relevant under the doctrine of the law of the case, res judicata, or collateral estoppel, (2) in a criminal action or related proceeding involving the same defendant, or (3) in a disciplinary action involving the same respondent. A party who cites an unreported opinion shall attach a copy of it to the pleading, brief, or paper in which it is cited.

#### **Rule 8-504. Contents of brief.**

a) Contents.

A brief shall comply with the requirements of Rule 8-112 and include the following items in the order listed:



(1) A table of contents and a table of citations of cases, constitutional provisions, statutes, ordinances, rules, and regulations, with cases alphabetically arranged. When a reported Maryland case is cited, the citation shall include a reference to the official Report.

**Examples from *City Council of Agawam v. Energy Facilities Siting Bd.*, 437 Mass. 821, 776 N.E.2d 1002 (2002)**

....

Pursuant to its statutory mission to "provide a reliable energy supply for the commonwealth with a minimum impact on the environment at the lowest possible cost," [G. L. c. 164, § 69H](#), the board is charged with issuing construction permits for energy generation facilities. [G. L. c. 164, § 69J 1/4](#), inserted by St. 1997, c. 164, § 210. On June 20, 1995, Berkshire filed a petition to construct, requesting such a permit from the board.

....

The board's regulations regarding the issuance of certificates divide the certificate application process into two parts: an initial petition, [980 Code Mass. Regs. § 6.02 \(1993\)](#); and an application, [980 Code Mass. Regs. § 6.03 \(1993\)](#). When an energy generating company files an initial petition for a certificate, the board may either grant the initial petition (and proceed to consider the subsequent application) or consolidate that petition with the application and consider them both in a combined hearing. [980 Code Mass. Regs. § 6.02 \(4\)](#). The board in this case chose the latter course.

....

The scope of our review of board decisions is limited to determining whether they conform to the Massachusetts and Federal Constitutions, the provisions of [§§ 69H-69O](#), and the board's rules and regulations; whether they are supported by substantial evidence in the record of the board's proceedings; and whether they were arbitrary, capricious, or an abuse of the Board's discretion. [G. L. c. 164, § 69P](#). See [Andover v. Energy Facilities Siting Bd.](#), 435 Mass. 377, 378-379, 758 N.E.2d 117 (2001). The party appealing from a decision of the board bears the burden of showing that the decision is invalid. *Id.* at 379.

....

Mass. R. App. P. 16(g),  
<http://www.lawlib.state.ma.us/source/mass/rules/appellate/mrap16.html>.

## RULE 16. BRIEFS

....

(g) Massachusetts Reports between 17 Massachusetts and 97 Massachusetts shall be cited by the name of the reporter. Any other citation shall include, wherever reasonably possible, a reference to any official report of the case or to the official publication containing statutory or similar material. References to decisions and other authorities should include, in addition to the page at which the decision or section begins, a page reference to the particular material therein upon which reliance is placed, and the year of the decision; as, for example: 334 Mass. 593, 597-598 (1956). Quotations of Massachusetts statutory material shall include a citation to either the Acts and Resolves of Massachusetts or to the current edition of the General Laws published pursuant to a resolve of the General Court.

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**Examples from *Huggett v. Dep't of Natural Resources*, 464 Mich. 711, 629 N.W.2d 915 (2001)**

....

This case requires us to decide whether plaintiffs' proposed activities to build and operate a commercial cranberry farm in a wetland is exempt from the statutory wetland permit requirements, [MCL 324.30304](#), because it is a farming activity that is not subject to the permit requirements under the farming activities exemption provided by [MCL 324.30305\(2\)\(e\)](#). We conclude that the farming activities exemption is not so broad that it encompasses plaintiffs' proposal. Also, the proposed cranberry farm does not fall within the production and harvesting draining exemption to the wetland permit requirements, [MCL 324.30305\(2\)\(j\)](#), or the existing farming exemption to the requirements, [MCL 324.30305\(3\)](#), that we ordered the parties to address. Therefore, plaintiffs must obtain a wetland permit to proceed with the proposed cranberry farm. Accordingly, we affirm the judgment of the Court of Appeals.

....

When a statute uses a general term followed by specific examples included within the general term, as the farming activities exemption does, the canon of statutory construction *eiusdem generis* applies. See [Belanger v Warren Bd of Ed](#), 432 Mich 575, 583; 443 NW2d 372 (1989). This canon gives effect to both the general and specific terms by "treating the particular words as indicating the class, and the general words as extending the provisions of the statute to everything embraced in that class, though not specifically named by the particular words." *Id.*, quoting 2A Sands, Sutherland Statutory Construction (4th ed), § 47.17, p 166. In light of the

specific terms, the general term is restricted to include only things of the same kind, class, character, or nature as those specifically enumerated. See *Sands Appliance Servs, Inc v Wilson*, 463 Mich 231, 242; 615 NW2d 241 (2000).

....

We note that plaintiffs' land is adjacent to Lake 16. However, the trial court did not make a finding whether the land is "contiguous" to Lake 16 as that term is used in § 30305(2)(j), which is defined in administrative rules promulgated by the Department of Natural Resources. See 1999 AC, R 281.921; see also MCL 324.30319(1) (directing the DNR to promulgate rules to enforce part 303). Therefore, we do not consider whether plaintiffs' land could fall into the exception to the draining exemption.

....

**Mich. Admin. Order 2006-3,**  
<http://coa.courts.mi.gov/rules/documents/9michiganuniformsystemofcitation.pdf>.

## I. Citation of Authority

### A. Citation of Cases

#### 1. Initial Citation.

The first time a case is cited in an opinion, either in the body of the text or in a footnote, cite in full the official reporter of its jurisdiction (where available), and include the parallel citation of the regional reporter.

*Mayberry v Pryor*, 422 Mich 579; 374 NW2d 683 (1985).

If a case is first cited in an order, either in the body of the text or in a footnote, cite the official report only.

*Mayberry v Pryor*, 422 Mich 579 (1985).

Where an official citation is not yet available, provide blanks for the volume and page numbers.

*Mayberry v Pryor*, \_\_\_\_ Mich \_\_\_\_; 374 NW2d 683 (1985).

#### 2. Subsequent Citation.

a. Once cited in full in the text, a case need not be cited again in full in the text or a footnote. Subsequent reference in the text or in a footnote may use any of the following shortened forms:

E.g., *Mayberry*; *Mayberry, supra*; *Mayberry v Pryor*. (N.B.: "Id." may be used as a subsequent reference *only* if no other authority intervenes between the previous citation of the same source and "id.")

b. Where a case is cited in full in a footnote, a subsequent short-form citation may be used in a subsequent footnote to refer the reader to the full citation:

*Mayberry*, n 4 *supra*.

### 3. Point or "jump" citation.

a. To refer to an internal page of an opinion, cite the official reporter where available:

1) *initial citation*: include the "jump" page in the complete citation:

*Mayberry v Pryor*, 422 Mich 579, 587; 374 NW2d 683 (1985); or

2) *subsequent citation*: append the "jump" page to any short-form citation:

*Mayberry, supra*, p 587; *Mayberry, supra* at 587; *Mayberry*, p 587; *id.*, p 587; *id.* at 587; 422 Mich 587.

(N.B.: The form of the short-form citation must be consistent throughout an opinion. Do not mix *Mayberry, supra*, p 587, with *Mayberry, supra* at 587.)

b. If the official report of a case is not yet available, refer to the "jump" page in an unofficial report:

1) *initial citation*: *Galster v Woods (On Rehearing)*, 173 Cal App 3d 529, \_\_\_\_; 219 Cal Rptr 500, 509 (1985);

2) *subsequent citation*: *Galster, supra*, 219 Cal Rptr 509; or *id.*, 219 Cal Rptr 509; or 219 Cal Rptr 509 (N.B.: it is *mandatory* in this situation that the identity of the *unofficial* reporter be shown because references to pages not otherwise identified are presumed to be to the *official* reporter.)

### 4. Case names.

a. *Italicizing*. Names of cases should be italicized both in the text of an opinion and in footnotes. Underscoring no longer should be used to indicate italics.

b. *Official sources*. Cite the name of a case as set forth on the first page of the official reporter as fully as necessary for recognition. Do not show *et al.*, *et ux.*, or like references to other parties in a case name, but do show *ex rel* (for on the *Relation of* or *for the use and benefit of*) and the relator's name.

**Note:** The full order sets out a complete *Michigan Uniform System of Citation*, "a comprehensive scheme for citation of authority in documents filed with or issued by Michigan courts."

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### Examples from *Breza v. City of Minnetrista*, 725 N.W.2d 106 (Minn. 2006)

....

Breza sought a writ of mandamus from the district court. The district court found that Breza "applied for an exemption for the 5,757 square feet that had been filled," n6 and that the city took more than one year to respond to the application. The court held that Breza's request was approved by operation of law under [Minn. Stat. § 15.99](#), and issued a writ of mandamus compelling the city to approve his exemption request. The city appealed to the Minnesota Court of Appeals, which reversed. [Breza v. City of Minnetrista](#), 706 N.W.2d 512, 519 (Minn. App. 2005). That court held that because the city did not have the authority to grant an exemption for more than 400 square feet, the city had fully satisfied its official duties and a writ of mandamus was therefore not appropriate. *Id.* at 518-519.

....

Breza brought this action seeking a writ of mandamus. To be entitled to mandamus relief, Breza must show that: 1) the city "failed to perform an official duty clearly imposed by law"; 2) he "suffered a public wrong" and was specifically injured by the city's failure; and 3) he has "no other adequate legal remedy." See [N. States Power Co. v. Minn. Metro. Council](#), 684 N.W.2d 485, 491 (Minn. 2004). The district court's decision to issue the writ was based on the determination that Breza's application was approved by operation of law. When a decision on a writ of mandamus is based solely on a legal determination, we review that decision de novo. See [Castor v. City of Minneapolis](#), 429 N.W.2d 244, 245 (Minn. 1988).

....

Finally, the legislature has defined ten specific types of activities for which an exemption from the no-filling-without-replacement prohibition can be approved. Local government units (LGUs) like the city have the authority to grant exemptions. [Minn. R. 8420.0210 \(1999\)](#) ("Local government units may offer exemption certificates as part of the wetland program in their jurisdiction.").

....

Examples from *Nichols v. State*, 2000-KA-00807-SCT, 826 So. 2d 1288 (Miss. 2002)

....

¶ 9. Nichols argues that the trial court abused its discretion in sentencing him to the maximum sentence authorized by [Miss. Code Ann. § 97-17-33](#). In addition, he claims that the trial judge relied upon incorrect information that he was guilty of prior felony convictions. Further, Nichols asserts that the excessive and disproportionate sentence was a violation of the Eighth Amendment of the United States Constitution which prohibits cruel and unusual punishment.

¶ 10. "Sentencing is within the complete discretion of the trial court and not subject to appellate review if it is within the limits prescribed by statute." *Wall v. State*, 718 So. 2d 1107, 1114 (Miss. 1998)(quoting *Hoops v. State*, 681 So. 2d 521, 537 (Miss. 1996)). Accord, *Berry v. State*, 722 So. 2d 706, 707 (Miss. 1998). In *Fleming v. State*, 604 So. 2d 280, 302 (Miss. 1992), this Court held that the general rule in Mississippi is that a sentence that does not exceed the maximum term allowed by the statute cannot be disturbed on appeal. However, this Court will review a sentence that allegedly imposed a penalty that is disproportionate to the crime. *Id.*

....

Miss. R. App. P. 28(f), [http://www.mssc.state.ms.us/rules/msrulesofcourt/rules\\_of\\_appellate\\_procedure.pdf](http://www.mssc.state.ms.us/rules/msrulesofcourt/rules_of_appellate_procedure.pdf).

## RULE 28. BRIEFS

....

(f) References in Briefs to the Record and Citations. All briefs shall be keyed by reference to page numbers (1) to the record excerpts filed pursuant to Rule 30 of these Rules, and (2) to the record itself.

(1) The Supreme Court and the Court of Appeals shall assign paragraph numbers to the paragraphs in all published opinions. The paragraph numbers shall begin at the first paragraph of the text of the majority opinion and shall continue sequentially throughout the majority opinion and any concurring or dissenting opinions in the order that the opinions are arranged by the Court.

(2) All Mississippi cases shall be cited to either:

(i) the *Southern Reporter* and, in cases decided prior to 1967, the official Mississippi Reports (e.g., *Smith v. Jones*, 699 So.2d 100 (Miss. 1997)); or

(ii) for cases decided from and after July 1, 1997, the case numbers as assigned by the Clerk's Office (e.g., *Smith v. Jones*, 95-KA-01234-SCT (Miss. 1997)).

(3) Quotations from cases and authorities appearing in the text of the brief shall be cited in one of the following ways:

(i) preceded or followed by a reference to the book and page in the *Southern Reporter* and/or the Mississippi Reports where the quotation appears (e.g., *Smith v. Jones*, 699 So.2d 100, 102 (Miss. 1997)); or

(ii) in cases decided from and after July 1, 1997, preceded or followed by a reference to the case number assigned by the Clerk's Office and paragraph number where the quotation appears (e.g., *Smith v. Jones*, 95-KA-01234-SCT (¶1) (Miss. 1997)); or

(iii) in cases decided from and after July 1, 1997, preceded or followed by a reference to the book and paragraph number in the *Southern Reporter* where the quotation appears (e.g., *Smith v. Jones*, 699 So.2d 100 (¶1) (Miss. 1997)); or

(iv) in cases decided prior to July 1, 1997, preceded or followed by a reference to the case number assigned by the Clerk's Office and paragraph number where the quotation appears when the case is added to the Court's Internet web site in the new format, i.e., with paragraph numbers (e.g., *Smith v. Jones*, 93-CA-05678-SCT (¶1) (Miss. 1995)); or

(v) preceded or followed by a parallel citation using both the book citation and the case number citation.

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### Examples from *State ex rel. Sunshine Enters. of Mo., Inc. v. Bd. of Adjustment*, 64 S.W.3d 310 (Mo. 2002)

....

The city denied Sunshine a merchant's license, based on the zoning district of the address. See [sec. 94.270 RSMo 2000](#). Sunshine appealed to the Board, for approval or a variance. After the appeal was filed, but before the hearing, the city passed Ordinance 2074, amending the "definitions" in the zoning code.

....

Under-\$ 500 lending has the same or similar characteristics as personal services and financial institutions. Sections 400.370.B, D, H. Short-term consumer loans are similar to a personal service, as indicated by the exclusion of pawn shops and check cashing establishments. Section 400.370.B. Under-\$ 500 lenders - like banks, savings and loan associations, and credit unions - offer unsecured loans to consumers. See [secs. 362.105, 369.144\(15\), 369.229, 369.695.1, 370.070\(2\), 370.300, 370.310 RSMo 2000; 4 CSR 140-20.046 \(2001\)](#). Thus, under-\$ 500 lending is a permitted use. [Sections 400.370.B, D, H.](#)

....



The city claims that, even if permitted by [section 400.370](#), Sunshine is excluded by Ordinance 2074. The city views Ordinance 2074 as a land use "zoning" regulation. See [secs. 89.010-040 RSMo 2000](#). Zoning ordinances are presumptively within the police power. [Flora Realty and Inv. Co. v. City of Ladue](#), 362 Mo. 1025, 246 S.W.2d 771, 778 (Mo. banc 1952); [State ex rel. Helujon, Ltd. v. Jefferson County](#), 964 S.W.2d 531, 536 (Mo. App. 1998). This Court has long held that ordinances that are regulatory, but not prohibitory, do not conflict with state law. [Teefey](#), 24 S.W.3d at 685-86; [Page Western, Inc. v. Community Fire Prot. Dist.](#), 636 S.W.2d 65, 67 (Mo. banc 1982); [State ex rel. Hewlett v. Womach](#), 355 Mo. 486, 196 S.W.2d 809, 814 (Mo. banc 1946).

....

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Examples from *Briese v. Mont. Pub. Emples. Ret. Bd.*, 2012 MT 192, 366 Mont. 148, 285 P.3d 550

....

¶ 14 Mootness is a threshold issue which must be resolved before addressing the underlying dispute. [Med. Marijuana Growers Ass'n v. Corrigan](#), 2012 MT 146, ¶ 18, 365 Mont. 346, 281 P.3d 210 (citing [Povsha v. City of Billings](#), 2007 MT 353, ¶ 19, 340 Mont. 346, 174 P.3d 515). The mootness doctrine is one of several doctrines designed to limit the judicial power of this Court to justiciable controversies—that is, controversies "upon which a court's judgment will effectively operate, as distinguished from . . . dispute[s] invoking a purely political, administrative, philosophical, or academic conclusion." [Progressive Direct Ins. Co. v. Stuvenga](#), 2012 MT 75, ¶ 16, 364 Mont. 390, 276 P.3d 867. The fundamental question to be answered in any review of possible mootness is "whether it is possible to grant some form of effective relief to the appellant." [Stuvenga](#), ¶ 37.

¶ 15 MPERB claims that it is impossible to grant effective relief to Erene because, once the payments commenced, MPERB had fully discharged its obligations under the law. MPERB cites [§ 19-2-803, MCA](#), in support of its position.

....

¶ 18 When denying Erene's initial claim for benefits in 2008, MPERA did not inform her of her right to challenge the denial by appeal to MPERB. Under [Admin. R. M. 2.43.1501\(2\) \(2003\)](#), Erene had the right to appeal MPERA's decision to MPERB. MPERA, in two separate letters to Erene dated May 30, 2008, (1) stated that MPERA was "require[d]" to honor the 2006 change of beneficiaries, and (2) informed Erene that she "must complete, have notarized and return to this office" the claim forms for the children before being provided with the payment options that were available. It gave no indication that further review was available by appeal to MPERB under [Admin. R. M. 2.43.1501\(2\)](#) at that time. As a matter of due process, MPERA was obligated to inform Erene of any right to appeal and the procedures for seeking such appeal. See [Pickens v. Shelton-Thompson](#), 2000 MT 131, ¶ 13, ¶ 15, 300 Mont. 16, 3



P.3d 603 (citing Mont. Const. art. II, § 17; *Dorwart v. Caraway*, 1998 MT 191, ¶ 76, 290 Mont. 196, 966 P.2d 1121).

....

**Mont. Sup. Ct. Internal Op. Rules, § VII,**  
[http://courts.mt.gov/content/library/docs/cite\\_cases.pdf](http://courts.mt.gov/content/library/docs/cite_cases.pdf).

(1) At the time of issuance, this Court shall assign to all opinions and to those orders designated by this Court for publication (hereinafter referred to as substantive orders), a citation which shall include the calendar year in which the opinion or substantive order is issued followed by the Montana U.S. Postal Code (MT) followed by a consecutive number beginning each year with "1" (for example, 1998 MT 1). This citation shall be known as the public domain or neutral-format citation and shall appear on the title page of each opinion and on the first page of each substantive order issued by this Court. State Reporter Publishing Company and West Group are requested to publish this public domain, neutral-format citation within the heading of each opinion or substantive order published by those companies.

(2) Beginning with the first paragraph of text, each paragraph in every such opinion and substantive order shall be numbered consecutively beginning with a ¶ symbol followed by an Arabic numeral, flush with the left margin, opposite the first word of the paragraph. Paragraph numbers shall continue consecutively throughout the text of the majority opinion or substantive order and any concurring or dissenting opinions or rationale. Paragraphs within footnotes shall not be numbered nor shall markers, captions, headings or Roman numerals which merely divide opinions or sections thereof. Block-indented single-spaced portions of a paragraph shall not be numbered as a separate paragraph. State Reporter Publishing Company and West Group are requested to publish these paragraph numbers in each opinion or substantive order published by those companies.

(3) In the case of opinions which are not to be cited as precedent (variously referred to as unpublished, "noncite," or memorandum opinions) and in the case of all substantive orders (unless otherwise specifically designated by this Court), the consecutive number in the public domain or neutral-format citation shall be followed by the letter "N" to indicate that the opinion or substantive order is not to be cited as precedent in any brief, motion or document filed with this Court or elsewhere (for example, 1998 MT 1N). Any "N" citation, nevertheless, shall be listed along with the result, case title and Supreme Court cause number in the quarterly table of noncitable cases issued by this Court and published by State Reporter Publishing Company and West Group.

(4) In the case of opinions or substantive orders which are withdrawn or vacated by a subsequent order of this Court, the public domain, neutral-format citation of the withdrawing or vacating order shall be the same as the original public domain, neutral-format citation but followed by a letter "W" (for example, 1998 MT 1W). An opinion or substantive order issued in place of one withdrawn or vacated shall be assigned the next consecutive number appropriate to the date on which it is issued.

(5) In the case of opinions or substantive orders which are amended by a subsequent order of this Court, the public domain, neutral-format citation of the amending order shall be the same

as the original public domain, neutral-format citation but followed by a letter "A" (for example, 1998 MT 1A). Amended paragraphs shall contain the same number as the paragraph being amended. Additional paragraphs shall contain the same number as the immediately preceding original paragraph but with the addition of a lower case letter (for example, if two new paragraphs are added following paragraph 13 of the original opinion, the new paragraphs will be numbered ¶ 13a and ¶ 13b). If a paragraph is deleted, the number of the deleted paragraph shall be skipped in the sequence of paragraph numbering in any subsequently published version of the amended opinion or substantive order, provided that at the point where the paragraph was deleted, there shall be a note indicating the deletion of that paragraph.

(6)The following are examples of citations to Montana Supreme Court opinions:

For cases decided before January 1, 1998:

Primary cite: Roe v. Doe (1997), 284 Mont. 301, 989 P.2d 472.

Primary cite with pinpoint cite: Roe v. Doe (1997), 284 Mont. 301, 305, 989 P.2d 472, 475.

Pinpoint cite alone: Roe, 284 Mont. at 305, 989 P.2d at 475.

For cases decided from and after January 1, 1998:

Primary cite: Doe v. Roe, 1998 MT 12, 286 Mont. 175, 989 P.2d 1312.

Primary cite with pinpoint cite: Doe v. Roe, 1998 MT 12, ¶¶ 44-45, 286 Mont. 175, ¶¶ 44-45, 989 P.2d 1312, ¶¶ 44-45.

Pinpoint cite: Doe, ¶¶ 44-45.

IT IS FURTHER ORDERED that the citation formats adopted herein are in addition to and supplement the current citation formats used by this Court. The Montana Reports is the official reporter of this Court's opinions and this Court will continue to cite to both its official reporter and to the regional, Pacific, reporter in addition to the public domain, neutral-format citation. This Court encourages the adoption and use of these formats in all briefs, memoranda and other documents filed in this Court.

#### **Mont. Sup.Ct. Order of Jan. 22, 2009**

Pursuant to its authority under Article VII, Section 2(3) of the Constitution of the State of Montana, this Court filed an order on December 16, 1997, adopting citation formats for use in its opinions, including a public domain or neutral-format citation. The Court has now determined to simplify the format set forth in that order for pinpoint citations to opinions decided after January 1, 1998, by eliminating the requirement that paragraph number(s) be repeated for all three sources cited.

THEREFORE, IT IS ORDERED that, effective immediately, proper pinpoint citations to opinions decided by this Court after January 1, 1998, shall be in the form shown in the following example:

*Doe v. Roe*, 1998 MT 12, ¶¶ 44-45, 286 Mont. 175, 989 P.2d 1312

In all other respects, the Court's order filed December 16, 1997, shall remain unchanged.

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Examples from *Bethesda Found. v. Neb. Dep't of Soc. Serv.*, 243 Neb. 130, 498 N.W.2d 86 (1993)

.....

The Nebraska Department of Social Services is responsible for the administration of the medicaid program pursuant to [Neb. Rev. Stat. § 68-1018 et seq. \(Reissue 1990\)](#). In administering the program, the department reimburses medicaid-certified nursing home facilities for the cost of care to medicaid-eligible patients. The department determines payment or reimbursement rates for a nursing home based on allowable costs incurred by the facility. Payment for long-term-care services is set forth in [471 Neb. Admin. Code, § 12-011 et seq. \(1987\)](#). Rates paid to long-term-care providers must be "reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities to provide services in conformance with state and federal laws, regulations, and quality and safety standards." [471 Neb. Admin. Code § 12-011.02](#).

.....

Since October 17, 1977, the Nebraska medicaid program has recognized depreciation as an allowable cost. The regulations also provide for the recapture of depreciation upon the sale of a long-term-care facility for a profit. Depreciation in [471 NAC 12-011.08D](#) refers to real property only. A long term care facility which is sold for a profit and has received NMAP payments for depreciation, shall refund to the Department the lower of - 1. The amount of depreciation allowed and paid by the Department between July 1, 1976, and the time of sale of the property; or 2. The product of the ratio of depreciation paid by the Department since July 1, 1976, to the total depreciation accumulated by the facility (adjusted to total allowable depreciation under the straight-line method, if any other method has been used) times the difference in the sale price of the property over the book value of the assets sold. .

..

[471 Neb. Admin. Code § 12-011.08D](#).

.....

This court has previously determined that the department's change in its depreciation recapture regulation did not have a retroactive effect and therefore could not violate a

provider's right to due process. See *H.H.N.H., Inc. v. Department of Soc. Servs.*, 234 Neb. 363, 451 N.W.2d 374 (1990). Bethesda is not entitled to conclude that its depreciation reimbursement was not subject to being recaptured upon the sale of its facilities, and it did not have a constitutionally protected property right in those reimbursements.

....

**Neb. Ct. R. App. Pract. 2-109,**  
<http://www.supremecourt.ne.gov/rules/pdf/Ch2Art1.pdf#page=19>.

## 9. BRIEFS.

....

### C. General Rules for Preparation of Briefs.

In the preparation of the brief, the following general rules shall be observed:

....

(4) Every reference to a reported case shall set forth the title thereof, the volume and page where found, the tribunal deciding the case, and the year decided. If the cited opinion is long, it shall also refer to the page where the pertinent portion of the opinion is found. Nebraska cases shall be cited by the Nebraska Reports and/or Nebraska Appellate Reports, but may include citation to such other reports as may contain such cases.

(5) If a current statute is relied upon, it must be cited from the last published revision or compilation of the statutes, or supplement thereto, if contained therein; if not contained therein, to the session laws wherein contained, or the legislative bill as enacted.

(6) Citations to textbooks, encyclopedias, and other works shall give the title, edition, year of publication, volume number, section, and page where found.

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**Examples from *Nev. Tax Comm'n v. Nev. Cement Co.*, 36 P.3d 418 (Nev. 2001)**

....

In contrast to a retail sale, items that are sold for resale are tax exempt. These items are purchased for the purpose of being resold. More specifically, no sales tax applies to property purchased for resale in the regular course of business. This sale-for-resale exemption from the sales tax is found under the definition of "retail sale" in *NRS 372.050*, which provides that a retail sale is "a sale for any purpose other than resale in the regular course of business of tangible personal property."

....

Our decision finds support in the Department's tax regulation pertaining to property used in manufacturing. We have previously stated that the interpretation by the agency charged with administering a statute is persuasive, and that great deference should be given to that interpretation if it is within the language of the statute. See *Collins Discount Liquors v. State of Nevada*, 106 Nev. 766, 768, 802 P.2d 4, 5 (1990); *Nevada Power Co. v. Public Serv. Comm'n*, 102 Nev. 1, 4, 711 P.2d 867, 869 (1986). NAC 372.370(1) states that a tax applies to the sale of tangible personal property purchased "for the purpose of use in manufacturing, producing, or processing tangible personal property and not for the purpose of physically incorporating it into the manufactured article to be sold." Subsection (2) of that regulation states that a tax does not apply to the sale of tangible personal property purchased "for the purpose of incorporating it into the manufactured article to be sold." NAC 372.370 focuses on the purpose for which property is purchased. The requirement that the purpose be "primary" is implicit. NAC 372.370 is therefore consistent with NRS 372.050, and sets forth a primary-purpose test.

....

## Nev. Sup. Ct. R. 123

### RULE 123. Citation to unpublished opinions and orders

An unpublished opinion or order of the Nevada Supreme Court shall not be regarded as precedent and shall not be cited as legal authority except when the opinion or order is (1) relevant under the doctrines of law of the case, res judicata or collateral estoppel; (2) relevant to a criminal or disciplinary proceeding because it affects the same defendant or respondent in another such proceeding; or (3) relevant to an analysis of whether recommended discipline is consistent with previous discipline orders appearing in the state bar publication.

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### Examples from *State v. Caswell*, 146 N.H. 243, 769 A.2d 387 (2001)

....

We next consider the defendant's argument that the trial court erred by admitting Sergeant Bourque's testimony to establish that the Intoxilyzer was properly certified and operating properly at the time of the test. RSA 265:85 (Supp. 2000) provides that "no tests of . . . breath authorized by RSA 265:84, IV shall be considered as evidence in any proceeding before any . . . court unless such test is performed in accordance with methods prescribed by the commissioner of the department of health and human services." These rules are codified in *New Hampshire Code of Administrative Rules, Part He-P 2207*, and became effective April 1, 1996. As a result, we review the evidence presented at trial in accordance with these rules.

....

Rule He-P 2207.05 (a) provides that "the forensic breath testing supervisor II shall conduct a preventive maintenance check on each approved instrument 6 months after the initial check and at 6 month intervals." This rule further states that the "the forensic breath testing supervisor II shall certify the accuracy of the approved instrument by signing and dating the preventive maintenance check form, pursuant to **RSA 265:90, II.**" **N.H. Admin. Rules, He-P 2207.05 (d).** It is incumbent upon the State to establish that the breath test has been conducted in accordance with the rules, including the successful completion of the required preventive maintenance check and the certification of the Intoxilyzer's accuracy. See **RSA 265:85, IV (Supp. 2000).**

....

There are no administrative rules or statutes governing the admissibility of radar evidence. It is a "fundamental principle that the results of scientific tests are inadmissible unless there is proof that the test device was operating accurately and that the test was performed by qualified individuals." **State v. Ahern, 122 N.H. 744, 745, 449 A.2d 1224 (1982).** "This imposes a responsibility upon the proponent seeking admission of such evidence to establish the prima facie reliability of any test results." **State v. Lee, 134 N.H. 392, 395, 593 A.2d 235 (1991).**

....

**N.H. Sup. Ct. R. 16, <http://www.courts.state.nh.us/rules/scr/scr-16.htm>.**

### **Rule 16. Briefs.**

....

(9) All references in a brief or memorandum of law to the appendix or to the record must be accompanied by the appropriate page number.

Citations to Supreme Court of the United States cases that cannot be made to the official *United States Reports* or to the *Supreme Court Reporter* shall include the month, day, and year of decision or a reference to *United States Law Week*. Citations to other federal decisions not presently reported shall identify the court, docket number, and date.

Citations to the decisions of this court may be to the New Hampshire Reports only. Citations to other State court decisions may either be: (a) to the official report and to the West Reporter system, with the year of decision; or (b) to the West Reporter only, in which case the citation should identify the State court by name or level, and should mention the year of decision.

**Examples from *Toll Bros., Inc. v. Township of W. Windsor*, 173 N.J. 502, 803 A.2d 53 (2002)**

....

This is a second round Mount Laurel exclusionary zoning case brought by Toll Brothers, Inc. (Toll Brothers) against the Township of West Windsor, the Township Committee of the Township of West Windsor, and the Planning Board of the Township of West Windsor (collectively "West Windsor" or the "Township"). Toll Brothers, the owner of a 293 acre tract of land located in West Windsor, alleged below that the Township had engaged in exclusionary zoning in violation of the New Jersey Constitution and the Fair Housing Act of New Jersey (FHA), [N.J.S.A. 52:27D-301 to -329](#), and sought a builder's remedy from the trial court.

....

Under [N.J.A.C. 5:93-5.15\(d\)1 to -5.15\(d\)2](#), COAH outlines its bonus credit system for rental units. For every one rental unit made available to the general public, COAH grants the municipality two units of credit, *id.* at -5.15(d)1; age-restricted rental units produce 1.33 units of credit. *Id.* at -5.15(d)2.

....

Our analysis of these issues entails a two-tiered inquiry, each subject to a separate and distinct standard of review. The determination whether market demand should be considered in assessing whether a municipality's zoning ordinances are exclusionary is a question of law that we review de novo. [Balsamides v. Protameen Chem., Inc.](#), 160 N.J. 352, 372, 734 A.2d 721 (1999) (stating that "matters of law are subject to a de novo review"). We give deference to the trial court's factual findings, e.g., that West Windsor's sewer requirements are cost generative, as such findings should not be disturbed "when supported by adequate, substantial and credible evidence." [Rova Farms Resort, Inc. v. Investors Ins. Co. of Am.](#), 65 N.J. 474, 484, 323 A.2d 495 (1974).

....

**N.J. Ct. R. 2:6-2, <http://www.judiciary.state.nj.us/rules/r2-6.htm>.**

**2:6-2. Contents of Appellant's Brief**

(a) Formal Brief. Except as otherwise provided by R. 2:6-4(c)(1) (statement in lieu of brief), by R. 2:9-11 (sentencing appeals), and by paragraph (b) of this rule, the brief of the appellant shall contain the following material, under distinctive titles, arranged in the following order:

....

(5) The legal argument for the appellant, which shall be divided, under appropriate point headings, distinctively printed or typed, into as many parts as there are points to be argued. New Jersey decisions shall be cited to the official New Jersey reports by volume number but if not officially reported that fact shall be stated and unofficial citation made. All other state court decisions shall be cited to the National Reporter System, if reported therein and, if not, to the official report. In the citation of all cases the court and year shall be indicated in parentheses except that the year alone shall be given in citing the official reports of the United States Supreme Court, the Supreme Court of New Jersey, and the highest court of any other jurisdiction.

---

**Note:** The format of citations in the opinions of the New Jersey courts is the subject of a detailed *Manual of Style for Legal Citation in New Jersey*, <http://www.judiciary.state.nj.us/appdiv/manualonstyle.pdf>.



**Examples from *Qwest Corp. v. N.M. Public Regulation Comm'n*, 2006-NMSC-42, 140 N.M. 440, 143 P.3d 478**

....

{20} Agencies are created by statute, and limited to the power and authority expressly granted or necessarily implied by those statutes. *PNM Elec. Servs. v. Pub. Util. Comm'n*, 1998-NMSC-17, ¶ 10, 125 N.M. 302, 961 P.2d 147. Statutory interpretation is a question of law which we review de novo. *Pub. Serv. Co. v. Pub. Util. Comm'n*, 1999-NMSC-40, ¶ 14, 128 N.M. 309, 992 P.2d 860. "Because statutory construction is outside the realm of the Commission's expertise, we afford little, if any, deference to the Commission on this matter." *Id.* (citation omitted). Our primary concern is to determine and give effect to legislative intent, looking first to the plain language of the statute. *Id.* ¶ 18. We hold that the New Mexico Telecommunications Act and the AFOR plan and order authorize the PRC's credit or refund incentive.

....

{27} Qwest argues that there are statutory limits to the PRC's enforcement authority. The PRC "may apply to the district court for injunctions to prevent violations of any provision of the New Mexico Telecommunications Act . . . or of any rule or order of the [PRC] issued pursuant to that act," Section 63-9A-20, and "impose an administrative fine on a telecommunications provider for any act or omission that the provider knew or should have known was a violation of any applicable law or rule or order of the [PRC]," *NMSA 1978, § 63-7-23(B) (2000)*. Qwest argues that the PRC is limited to these two mechanisms to enforce Qwest's compliance. We refuse to so limit the PRC's regulatory authority. The Legislature has given the PRC the discretion "to enforce [its] orders by appropriate administrative action *and* court proceedings." Section 8-8-4(B)(5) (emphasis added). Since the Legislature has implicitly authorized that the PRC create and enforce this incentive on Qwest, the incentive is an appropriate administrative action. We find that these statutes provide the PRC additional avenues to prevent violations of the New Mexico Telecommunications Act.

....

{50} Section 8-8-4(B)(10) allows the PRC to adopt "reasonable administrative, regulatory and procedural rules" to carry out its duties. Pursuant to this legislative directive, the PRC has passed rules to conduct hearings. A non-party is afforded the opportunity to comment on the record, "but such statement shall not be considered by the [PRC] as evidence." *NMAC 17.1.2.26(F) (2001)*. Regulations also allow a non-original party to intervene in a proceeding, *NMAC 17.1.2.26(A)*, and if the intervention motion is granted, the entity has the same rights as original parties, *NMAC 17.1.2.26(D)(7)*. Such rights include submitting proposed findings and conclusions, orders, and briefs. *NMAC 17.1.2.38*.

....

**N. M. Sup. Ct. R. 23-112, New url:**  
<http://www.nmonesource.com/nmnxtadmin/NMPublic.aspx>.

**23-112. Citations for pleadings and other papers.**

A. Applicability. This rule governs the form of citations included in pleadings and papers filed in the courts of this state.

B. State appellate court citations. For citation to opinions of the New Mexico Supreme Court and New Mexico Court of Appeals, use of the vendor neutral citation with citation to both reporters is required. For citations for opinions issued prior to January 1, 1996, that do not have a vendor neutral citation, follow citation rules in *The Bluebook: A Uniform System of Citation*.

C. Subsequent history. Subsequent history, when cited, shall include the vendor neutral citation for certiorari information, as assigned by the Supreme Court. When a vendor neutral citation number is not available, the Supreme Court docket number shall be substituted for the vendor neutral citation..

D. Pinpoint citations. If a pinpoint citation is used:

(1) for opinions issued after 1996 that have a paragraph number, the paragraph number shall be used after the vendor neutral citation.

(2) for opinions issued prior to 1997 or if paragraph numbering is unavailable, the applicable page number of the New Mexico Reports and Pacific Reporter print publication shall be used.

E. Citation to New Mexico statutes. Citations to the New Mexico statutes shall be to the chapter, article and section of the 1978 compilation of the New Mexico Statutes Annotated (NMSA).

F. Citation to court rules and uniform jury instructions. Citation to the rules, uniform jury instructions and forms promulgated or approved by the Supreme Court shall be to the New Mexico Rules Annotated (NMRA) version by set and rule number. You may also use the citation form approved by the Supreme Court and published in the NMRA. For example, Rule 4A-100 NMRA provides that rules published in set number 4A of the NMRA may be cited as "Domestic Relations Form 4A-\_\_\_". If the rule has been amended since the date the proceedings were filed, it may be necessary to refer to the year of the version of the rule relied upon in the pleading or paper. In such cases the year of the NMRA is added after "NMRA".

G. Administrative code. If a pleading or paper cites a state agency rule or regulation, the New Mexico Administrative Code (NMAC) shall be cited using Title, Chapter, Part and Section. It may also be necessary to use a year after "NMAC" to identify the year of the rule applicable to the pending case;

H. Bluebook citations. Except as provided in Paragraphs A through F and the appendix of this rule, the form of citations as set forth in the current edition of *The Bluebook: A Uniform System of Citation* shall be used for all citation reference for all pleadings and other papers filed in all courts in this state.

Examples from *Aliessa v. Novello*, 96 N.Y.2d 418, 754 N.E.2d 1085, 730 N.Y.S.2d 1 (2001)

....

Plaintiffs brought a class action in Supreme Court seeking a declaration that **Social Services Law § 122** violates article XVII, sections 1 and 3 of the New York State Constitution and the Equal Protection Clauses of the United States and New York State Constitutions. The putative class consists of "all Lawful Permanent Residents who entered the United States on or after September 22, 1996 and all [PRUCOLs] who, but for the operation of New York Social Services Law § 122, would be eligible for Medicaid coverage in New York State." The State moved to dismiss or, in the alternative, for summary judgment, for which plaintiffs cross-moved. Deferring its decision on class certification, Supreme Court denied the State's motion and granted in part plaintiff's motion for summary judgment, declaring that section 122 of the Social Services Law violates article XVII, § 1 of the New York State Constitution and the Equal Protection Clauses of the United States and New York Constitutions. (*Aliessa v Whalen*, 181 Misc 2d 334.)

Three days later, the Appellate Division decided *Alvarino v Wing* (261 AD2d 255). In that case, resident aliens argued that **Social Services Law § 95** unconstitutionally denied them food assistance. The court held that because the State enacted the statute in direct response to a Federal supplemental appropriations bill (Pub L 105-18), the challenged classification should be evaluated, for equal protection purposes, under a rational basis standard rather than the strict scrutiny standard Supreme Court had employed.

....

If a State wants to extend Medicaid benefits to others, it is free to proceed at its own expense. New York has done so. It has provided non-federally subsidized Medicaid benefits to certain categories of individuals, including residents between the ages of 21 and 65 whose income and resources fall below a statutory "standard of need" and who are not otherwise entitled to federally subsidized Medicaid (*see*, **Social Services Law § 366 [1]**; **18 NYCRR 360-3.3 [b]**). Thus, New York State's Medicaid system has two components: one that is federally subsidized and one that the State funds entirely on its own.

....

The State argues that the allocation scheme here does not contravene Tucker. It contends that the Constitution affords it discretion to set levels of benefits for the needy and, in the exercise of that discretion, it has provided plaintiffs full safety net assistance and emergency medical treatment. We agree that article XVII, § 1 affords the State wide discretion in defining who is needy and in setting benefit levels. Indeed, in *Matter of Barie v Lavine* (40 NY2d 565, 566), this Court upheld a regulation that required welfare recipients to participate in a work referral program and denied them benefits for 30 days if they failed to comply.

....

In this context, plaintiffs and amici argue that when such patients are treated in emergency settings, the hospitals are not permitted to release them without a discharge plan for necessary continuing health care services, citing **Public Health Law § 2803 (1) (g)**. Because they cannot be readily discharged, many remain in hospital facilities. Those who are discharged experience a cycle of emergency, recovery, stabilization, deterioration and the onset of another emergency. All of this, plaintiffs and amici contend, could be avoided through ongoing medical treatment.

....

**N.Y. Ct. App. R. Pract. § 500.1(g),**  
[http://www.courts.state.ny.us/ctapps/500rules10.htm#500\\_1](http://www.courts.state.ny.us/ctapps/500rules10.htm#500_1).

....

(g) Citation form. Where New York authorities are cited in any submissions, New York Official Law Report citations shall be included, if available.

---

**Note:** The format of citations in the published opinions of the New York courts is the subject of a detailed manual of the New York State Law Reporting Bureau, the New York *Official Reports Style Manual* (2012), [http://www.courts.state.ny.us/reporter/Styman\\_Menu.htm](http://www.courts.state.ny.us/reporter/Styman_Menu.htm).

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**Examples from *Craig v. County of Chatham*, 356 N.C. 40, 565 S.E.2d 172 (2002)**

....

The enactment and operation of a general, statewide law does not necessarily prevent a county from regulating in the same field. However, preemption issues arise when it is shown that the legislature intended to implement statewide regulation in the area, to the exclusion of local regulation. See **N.C.G.S. § 160A-174(b) (5) (2001)**. "Municipal by-laws and ordinances must be in harmony with the general laws of the State, and whenever they come in conflict with the general laws, the by-laws and ordinances must give way." ***State v. Williams*, 283 N.C. 550, 552, 196 S.E.2d 756, 757 (1973)** (quoting ***Town of Washington v. Hammond*, 76 N.C. 33, 36. (1877)**). The law of preemption is grounded in the need to avoid dual regulation. See, e.g., **283 N.C. at 554, 196 S.E.2d at 759**.

....

Turning now to the Health Board Rules enacted by the Chatham County Board of Health, we note that they contain more stringent rules than those established in the EMC regulations. However, **N.C.G.S. § 130A-39** specifically grants local boards of health the power to enact

rules which are more strict when they are "required to protect the public health." N.C.G.S. § 130A-39(b). In an effort to protect the environment, the EMC has created a system of permitting and inspection which regulates waste management systems on farms, including swine farms of more than 250 swine. See 15A NCAC 2H .0217(a) (1) (A) (Sept. 2001).

....

In holding that the Swine Ordinance and the Health Board Rules were preempted by state law, the Court of Appeals reasoned that the Chatham County Board of Commissioners and the Chatham County Board of Health sought to regulate an area in which the General Assembly had provided a "complete and integrated regulatory scheme" of swine farm regulations. *Craig v. County of Chatham*, 143 N.C. App. 30, 545 S.E.2d 455 (2001); see also N.C.G.S. § 160A-174(b) (5). We concur in this assessment.

....

**N.C. R. App. P., App. B,**  
<http://www.aoc.state.nc.us/www/public/html/pdf/therules.pdf>.

#### TABLE OF CASES AND AUTHORITIES

Immediately following the index and before the inside caption, all briefs, petitions, and motions that are ten pages or greater in length shall contain a table of cases and authorities. Cases should be arranged alphabetically, followed by constitutional provisions, statutes, regulations, and other textbooks and authorities. The format should be similar to that of the index. Citations should be made according to the most recent edition of *A Uniform System of Citation*. Citations to regional reporters shall include parallel citations to official state reporters.

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**Examples from *Zarrett v. Zarrett*, 1998 ND 49, 574 N.W.2d 855**

....

[¶8] A trial court has continuing power to modify an earlier child support order. *E.g.*, *Steffes v. Steffes*, 1997 ND 49, ¶14, 560 N.W.2d 888; *Eklund v. Eklund*, 538 N.W.2d 182, 185 (N.D. 1995). Child support orders are given only "limited finality," resulting in an exception to the rule of claim preclusion. *Eklund*, 538 N.W.2d at 185. Thus, res judicata ordinarily will not prevent reexamination of a child support order, and, if the motion to modify support comes more than one year after the earlier order, N.D.C.C. § 14-09-08.4(3) "directs the court to modify it to meet the guidelines." *Eklund*, 538 N.W.2d at 186; see also *Nelson*, 547 N.W.2d at 744. The statutory scheme clearly envisions periodic reviews of child support orders to ensure support is at all times consistent with the current guidelines amount. See N.D.C.C. § 14-09-08.4. The trial court erred in applying the doctrine of res judicata in this case.

....

[¶12] Robert asserts that, even if the stipulation is unenforceable, the court could have nevertheless reached the same result by treating the \$33,000 college payments as a "continued or fixed expense" over which he had no control under N.D.A.C. § 75-02-04.1-09(2)(j), thereby rebutting the presumptively correct amount under the guidelines. The trial court made no specific finding the presumptively correct amount had been rebutted, as required by the guidelines. *See, e.g., In re L.D.C., 1997 ND 104, ¶8, 564 N.W.2d 298*. Furthermore, deviation from the guidelines amount is appropriate only if the court first finds by a preponderance of the evidence that a deviation "is in the best interest of the supported children." N.D.A.C. § 75-02-04.1-09(2). There is no evidence in this record, nor a finding by the court, that it is in Diana and David's best interest to allow Robert to pay less than the guidelines amount for their support.

....

**N.D. R. Ct. 11.6,**  
<http://www.court.state.nd.us/Court/Rules/NDROC/RULE11.6.htm>.

(a) Citations Before January 1, 1997. The initial citation of any published opinion of the Supreme Court released before January 1, 1997, contained in a brief, memorandum, or other document filed with any trial or appellate court and a citation in the table of cases in a brief must include a reference to the volume and page number of the North Western Reporter in which the opinion is published. Subsequent citations within a brief, memorandum, or other document must include the page number and sufficient reference to identify the initial citation.

(b) Citations After January 1, 1997. When available, initial citations must include the volume and initial page number of the North Western Reporter in which the opinion is published. The initial citation of any published opinion of the Supreme Court or Court of Appeals released on or after January 1, 1997, contained in a brief, memorandum, or other document filed with any trial or appellate court and the citation in the table of cases in a brief must also include a reference to the calendar year in which the decision was filed, followed by the court designation of "ND" for the Supreme Court or "ND App" for the Court of Appeals followed by a sequential number assigned by the Clerk of the Supreme Court. A paragraph citation should be placed immediately following the sequential number assigned to the case. Subsequent citations within the brief, memorandum or other document must include the paragraph number and sufficient references to identify the initial citation.

## EXPLANATORY NOTE

Rule 11.6 was adopted, effective March 5, 1997, subject to comment, to implement the use of medium-neutral case citations in North Dakota.

### *For Illustrative Purposes.*

Cite to a North Dakota Supreme Court Opinion published prior to January 1, 1997 as follows:

*Smith v. Jones*, 500 N.W.2d 600, 601 (N.D. 1994).  
*Smith*, 500 N.W.2d at 601.  
*Id.* at 602.  
*Black v. Black*, 79 N.D. 100, 101, 60 N.W.2d 500, 501 (1953).  
*Black*, 79 N.D. at 101, 60 N.W.2d at 501.  
*Id.* at 103, 60 N.W.2d at 502.

Cite to a North Dakota Supreme Court Opinion published after January 1, 1997, as follows:

Before publication in North Western Reporter:

*Smith v. Jones*, 1997 ND 15.

After publication in North Western Reporter:

*Smith v. Jones*, 1997 ND 15, 600 N.W.2d 900.

Spot cite to a North Dakota Supreme Court Opinion published after January 1, 1997, as follows:

Before publication in North Western Reporter:

*Smith v. Jones*, 1997 ND 15, ¶ 21.  
*Smith*, 1997 ND 15, ¶¶ 21-25.  
*Id.* at ¶ 15.

After publication in North Western Reporter:

*Smith v. Jones*, 1997 ND 15, ¶ 21, 600 N.W.2d 900.  
*Smith*, 1997 ND 15, ¶¶ 21-25, 600 N.W.2d 900.  
*Id.* at ¶¶ 15.

The use of the ¶ symbol in spot citations is necessary to distinguish paragraph numbers from page numbers. "N.D." (with periods) refers to the "North Dakota Reports," which were published between 1890 and 1953. "ND" (without periods) refers to the database containing the electronic version of opinions filed after January 1, 1997. North Dakota Court of Appeals



cases filed after January 1, 1997 are to be cited in the same manner as North Dakota Court Supreme Court cases using the database identifier "ND App" (without periods).

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Examples from *State ex rel. Kolcinko v. Ohio Police & Fire Pension Fund*, 2012 Ohio 46, 131 Ohio St. 3d 111, 961 N.E.2d 178

....

{¶2} "Because the final OP & F board decision is not appealable, mandamus is available to correct an abuse of discretion by the board in denying disability benefits." *State ex rel. Tindira v. Ohio Police & Fire Pension Fund*, 130 Ohio St.3d 62, 2011 Ohio 4677, 955 N.E.2d 963, ¶ 28. A clear legal right to the requested relief in mandamus exists "where the board abuses its discretion by entering an order which is not supported by 'some evidence.'" *Kinsey v. Bd. of Trustees of Police & Firemen's Disability & Pension Fund of Ohio*, 49 Ohio St.3d 224, 225, 551 N.E.2d 989 (1990).

{¶3} In November 2009, the board of trustees upheld its previous decision denying Kolcinko's application for disability-retirement benefits. Kolcinko claimed entitlement to an award of benefits under [R.C. 742.38\(D\)\(1\)](#), which provides, "A member of the fund who is permanently and totally disabled as the result of the performance of the member's official duties as a member of a police or fire department shall be paid annual disability benefits in accordance with division (A) of section 742.39 of the Revised Code." "'Totally disabled' means a member of the fund is unable to perform the duties of any gainful occupation for which the member is reasonably fitted by training, experience, and accomplishments," and "[p]ermanently disabled' means a condition of disability from which there is no present indication of recovery." [R.C. 742.38\(D\)\(1\)\(a\) and \(b\)](#).

....

{¶7} Under [R.C. 742.38](#) and [Ohio Adm.Code 742-3-05](#), the OP & F board is vested with the exclusive authority to evaluate the weight and credibility of the medical evidence in determining a member's entitlement to disability-retirement benefits. Notwithstanding Dr. Poa's and Dr. Resnick's conclusion that Kolcinko was permanently disabled, they further noted that Dr. Francis McCafferty had observed that Kolcinko complained of "certain patterns or combinations of features that are unusual or atypical in clinical populations but relatively common among individuals feigning mental disorder." Dr. Poa and Dr. Resnick opined that Kolcinko had a lower whole-person impairment (12 percent) than the 15 percent figure determined by Dr. Smarty.

....



**Ohio Sup. Ct. R. for the Reporting of Decisions (2012),**  
<http://www.supremecourt.ohio.gov/LegalResources/rules/reporting/Report.pdf>.

**Rule 2.5 Format.**

....

All text of opinions of the Supreme Court shall have numbered paragraphs to assist in the pinpoint citation of specific portions of the opinion. Numbering shall exclude paragraphs of the syllabus, footnotes, headings, block quotations, and editorial content from legal publishers. In all respects, the format of opinions posted to the Supreme Court website shall conform to the conventions adopted by the Supreme Court Reporter of Decisions.

....

**Rule 2.6. Citations.**

Citations in opinions of the Supreme Court shall follow the Writing Manual adopted by the Supreme Court.

....

**Rule 3.2. Supreme Court Website Designated the Ohio Official Reports.**

The Supreme Court hereby designates the Supreme Court website as the Ohio Official Reports for opinions of the courts of appeals and the Court of Claims as of July 1, 2012.

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**Note:** The manual referenced in the reporter’s rules contains detailed citation rules. By its term they apply only to the format of Ohio Supreme Court opinions. However, to quote from the manual’s preface “Although judges and lawyers are not required to conform to the Writing Guide, they are strongly encouraged to use it in writing opinions and briefs.” See Ohio Sup. Ct., *Writing Manual: A Guide to Citations, Style, and Opinion Writing* (2012), <http://www.sconet.state.oh.us/ROD/manual.pdf>.

Examples from *Okla. Pub. Employees Ass'n v. Okla. Dep't of Cent. Servs.*, 2002 OK 71, 55 P.3d 1072

....

¶6 The trial court granted summary judgment against Central Services and DHS. Summary judgment is an adjudication on the merits of the controversy. *Union Oil Co. of California v. Board of Equalization of Beckham County*, 1996 OK 40, 913 P.2d 1330, 1333. It is appropriate "where there is no dispute as to the material facts or as to the inferences to be drawn from undisputed facts, and the law favors the movant's claim or liability-defeating defense." *Harkrider v. Posey*, 2000 OK 94, ¶8, 24 P.3d 821, 824 - 825. When the facts are not in dispute a plaintiff's standing may adjudicated on a motion for summary judgment. *Beville v. Curry*, 2001 OK 1, ¶9, 39 P.3d 754, 758; *Herring v. State ex rel. Oklahoma Tax Commission*, 1995 OK 28, 894 P.2d 1074, 1076. No facts are in dispute relevant to the standing of the OPEA.

....

¶15 DHS and Central Services further argue that the non-OPEA-members as individuals lack standing to bring the suit. The individuals are family members, guardians, or parents of residents at Greer Center. First, we note that "The voluntary placement of a child in an institution for the mentally retarded by the child's parents shall not, by itself, abrogate the rights and authority of the parents." 10 O.S. 1991 § 1415(A). Further, in facilities operated by the Department of Human Services all residents of institutions for the mentally retarded "who are eighteen (18) years of age or older shall have a guardian appointed by a court." *Id.* at § 1415(B). However, in some cases after an assessment is performed the appointment of a guardian is not warranted and a guardian is not appointed. *Id.* at § 1415(C). DHS does not challenge the status of the parents and guardians as proper representatives of the residents of Greer.

....

¶24 DHS argues that it possesses the constitutional authority to formulate specific policies on how it will perform those duties assigned to it by the Legislature and the People. DHS relies upon Okla. Const. Art. 25 § 4. It points to the constitutional language stating that: "The Commission shall formulate the policies, and adopt rules and regulations for the effective administration of the duties of the Department." The constitutional power to formulate policies resides in the Commission for Human Services and not the Department of Human Services. The Commission may exercise a legislative power to formulate a policy while the Director of the Department exercises executive and administrative duties imposed upon the Department. Okla. Const. Art. 25 § 4. The Oklahoma Administrative Code (O.A.C.) states that "The Commission is responsible for formulating Department Policies and adopting rules and regulations for the effective administration of programs under the jurisdiction of the Department." O.A.C. 340:1-1-3(b) (1996). In summary, the Legislature and the People define

the duties of the Department, Okla. Const. Art. 25 § 1, the Department carries out those duties, Okla. Const. Art. 25 § 1, the Commission creates policies and rules for the Department to carry out the duties of the Department, Okla. Const. Art. 25 § 4, and the Director possesses executive and administrative power to implement the policies and rules created by the Commission.

....

¶25 DHS argues that Art. 25 § 4 vests DHS (or the Commission) with legislative power apart from the Legislature or the people, and that this power includes the ability to perform certain acts not granted by the Legislature. The policies, rules, and regulations for DHS are for the administration of the duties of the Department. We said in *City of Sand Springs v. Department of Public Welfare*, 1980 OK 36, 608 P.2d 1139, "This mandatory constitutional requirement that the Commission formulate policies for the effective administration of its duties is indicative of a constitutional mandate from the people to the Commission to legislate when necessary to accomplish effectively the duties imposed upon the body." *Id.* 608 P.2d 1146. Public officials and agencies possess those powers granted by law, by constitution or statute, and those officials and agencies cannot expand those powers by their own authority. *See Marley v. Cannon*, 1980 OK 147, 618 P.2d 401, where we said that an "agency created by statute may only exercise those powers granted by statute and cannot expand those powers by its own authority." *Id.* 618 P.2d at 405. The duties of the Department are not created by DHS, but by the People and the Legislature, Okla. Const. Art. 25 § 1, and implemented in accordance with the rules of the Commission, Okla. Const. Art. 25 § 4.

....

**Okla. Sup. Ct. R. 1.11, 1.200,**  
<http://www.oscn.net/applications/oscn/index.asp?ftdb=STOKRUSC&level=1>.

## 1.11

....

### (L) CITATION TO AUTHORITY.

The citation to opinions of the Oklahoma Supreme Court and the Oklahoma Court of Civil Appeals shall be in accordance with Rule 1.200(c), (d) and (e). The citation of other authorities shall be to the volume and page of the National Reporter System, if applicable, or to some selected case system, if practical. Where a decision cited in the brief is not included in the National Reporter System a copy may be included in an appendix to the brief. See Rules 1.11(i)(1) and 1.191(d). Citations to decisions of the United States Supreme Court shall be to the official reporter, the United States Reports, and may also include parallel citations to other reporters, or to some selected case system, if practical.

## 1.200

....

### (E) CITATION TO DESIGNATION BY SUPREME COURT AND REPORTERS.

Published opinions of the Oklahoma Supreme Court promulgated after May 1, 1997 shall bear as an official cite the Oklahoma Supreme Court's paragraph citation form in accordance with this Rule. Opinions of the Oklahoma Court of Civil Appeals that are published after May 1, 1997 shall bear as an official citation form the Oklahoma Supreme Court's paragraph citation form in accordance with this Rule. The numbers of the paragraphs are assigned by the Court. The parallel cite to the official reporter is also required.

The court designation for the Oklahoma Supreme Court is OK when the paragraph citation form is used. The Court designation for the Oklahoma Court of Civil Appeals is "OK CIV APP" for the purposes the Supreme Court paragraph citation form. The court designation for Court of Appeals of Indian Territory is IT when the paragraph citation form is used to cite opinions of that court.

Prior to January 1, 1998 citation to opinions of the Oklahoma Supreme Court and Court of Civil Appeals shall include citations to Pacific and Pacific 2d Reporters. Citation to the Supreme Court's paragraph citation is allowed as a parallel cite, but not required. Effective January 1, 1998, Citation to opinions of the Oklahoma Supreme Court shall be as follows:

1. *Oklahoma Supreme Court Opinions Promulgated Prior to May 1, 1997.* Opinions promulgated (filed) prior to May 1, 1997 shall be cited by reference to the Pacific and Pacific 2nd Reporters. Parallel citation to the Supreme Court's official paragraph citation form is strongly encouraged for opinions promulgated prior to May 1, 1997. Parallel citation to Oklahoma Reports is allowed. However, parallel citation to Oklahoma Reports shall not be made when the Supreme Court's official paragraph citation form is used.

Examples of permissible citation form for opinions prior to May 1, 1997:

*Skinner v. Braum's Ice Cream Store*, 1995 OK 11, 890 P.2d 922.  
*Skinner v. Braum's Ice Cream Store*, 1995 OK 11, ¶9, 890 P.2d 922.  
*Skinner v. Braum's Ice Cream Store*, 1995 OK 11, 890 P.2d 922, 925.  
*Skinner v. Braum's Ice Cream Store*, 890 P.2d 922 (Okla.1995)  
*Skinner v. Braum's Ice Cream Store*, 890 P.2d 922, 925 (Okla.1995).  
*Skinner v. Braum's Ice Cream Store*, 890 P.2d 922 (Okla.1995).  
*Skinner v. Braum's Ice Cream Store*, 890 P.2d 922, 925 (Okla.1995).  
*Skinner v. Braum's Ice Cream Store*, Okl., 890 P.2d 922 (1995).  
*Skinner v. Braum's Ice Cream Store*, Okl., 890 P.2d 922, 925 (1995).

In "*Skinner v. Braum's Ice Cream Store*, 1995 OK 11, ¶9, 890 P.2d 922" "1995" refers to the year the opinion was promulgated, "OK" is the court designation for the Oklahoma Supreme Court, "11" is the number of the opinion in 1995 assigned to that opinion by the Oklahoma

Supreme Court, " ¶9" is paragraph number 9 of the opinion as designated by the Supreme Court, and "890 P.2d 922" is the parallel citation to Pacific 2d Reporter.

2. *Oklahoma Supreme Court Opinions Promulgated After May 1, 1997.* Opinions promulgated (filed) after May 1, 1997 shall be cited by reference to the Supreme Court's official paragraph citation form. Parallel citation to Pacific 2nd and subsequent Pacific Reporters is REQUIRED. The parallel cite to Pacific 2d Reporter may include a cite to the specific page of that Reporter if a specific paragraph is cited. When the Supreme Court paragraph citation form is used citation to a footnote need not include the paragraph number where the note occurs in the opinion.

Examples of citation form for post-May 1, 1997 opinions using a pre-May 1, 1997 opinion:

*Skinner v. Braum's Ice Cream Store*, 1995 OK 11, 890 P.2d 922.

*Skinner v. Braum's Ice Cream Store*, 1995 OK 11, ¶9, 890 P.2d 922.

*Skinner v. Braum's Ice Cream Store*, 1995 OK 11, ¶9, 890 P.2d 922, 925.

*Skinner v. Braum's Ice Cream Store*, 1995 OK 11, n. 10, 890 P.2d 922.

An opinion cited subsequent to issuance of the mandate therein but prior to official publication shall be cited using the following as an example: *Wilkinson v. Dean Witter Reynolds, Inc.*, 1997 OK 20, P.2d , (mandate issued April 3, 1997).

In a matter where no mandate issues an opinion may be cited prior to official publication when the time to file a petition for rehearing has lapsed and no petition for rehearing was filed. The following is an example: *Edwards v. Basel Pharmaceuticals*, 1997 OK 22, P.2d , (petition for rehearing not filed).

3. *Opinions of the Oklahoma Court of Civil Appeals.* Published opinions of the Oklahoma Court of Civil Appeals promulgated after May 1, 1997 shall be cited by reference to the Supreme Court's official paragraph citation form. Parallel citation to Pacific 2nd Reporters is required. Published opinions prior to May 1, 1997 shall be cited using the Pacific Reporter 2d, and parallel citation to the paragraph citation form is strongly encouraged. Opinions of the Court of Civil Appeals, no matter when published, are subject to the other provisions of Rule 1.200.

4. *Citation to Opinions Supported by Less Than a Majority.* The paragraph citation form is also used to designate material in a published opinion where that opinion is supported by less than a majority of the members of the Supreme Court. When material from such an opinion is cited the name of the author, names of any Justices joining the opinion, and the type of opinion MUST be designated in the cite. For example, to cite paragraph number nine of the dissenting opinion in *Edwards v. Basel Pharmaceuticals*, 1997 OK 22, P.2d . The correct citation form is: *Edwards v. Basel Pharmaceuticals*, 1997 OK 22, ¶9, P.2d , (Opala, J., dissenting in part). A footnote of this dissenting opinion is cited thus: *Edwards v. Basel Pharmaceuticals*, 1997 OK 22, n.12, P.2d , (Opala, J., dissenting in part). A published opinion, or part thereof, of the Supreme Court has no precedential effect unless a majority of the Court have joined therein.

**Okla. Crim. App. R. 3.5(C),**

<http://www.oscn.net/applications/oscn/Index.asp?ftdb=STOKRUCR&level=1>

C. Argument and Citation of Authorities.

(1) Both parties must provide a brief argument, exhibiting a clear statement of the point of law or fact to be discussed, with a reference to the pages of the record filed and the authorities relied upon in support of each point raised.

(2) Citation to opinions of the Oklahoma Court of Criminal Appeals shall include citations to Pacific, Pacific 2nd, and Pacific 3rd Reporters. Citation to the Court's official paragraph citation form is allowed as a parallel cite, but not required. Effective January 1, 1998, citation to opinions of the Oklahoma Court of Criminal Appeals shall be as follows:

(a) Oklahoma Court of Criminal Appeals Opinions in which mandate has issued prior to January 1, 1954, shall include citations to Pacific and Pacific 2nd Reporters. Parallel citation to Oklahoma Criminal Reports is strongly encouraged. Examples of permissible citation form include:

- (i) *Hunter v. State*, 97 Okl.Cr. 402, 264 P.2d 997 (1953).
- (ii) *Hunter v. State*, 97 Okl.Cr. 402, 264 P.2d 997, 998 (1953).
- (iii) *Hunter v. State*, 97 Okl.Cr. 402, 403, 264 P.2d 997, 998 (1953).
- (iv) *Hunter v. State*, 264 P.2d 997 (Okl.Cr.1953).
- (v) *Hunter v. State*, 264 P.2d 997, 998 (Okl.Cr.1953).

(b) Oklahoma Court of Criminal Appeals Opinions in which mandate has issued after January 1, 1954, shall include citations to Pacific, Pacific 2nd, and Pacific 3rd Reporters. Parallel citation to the official paragraph citation form of the Oklahoma Court of Criminal Appeals is strongly encouraged. Examples of permissible citation form include:

- (i) *Burns v. State*, 1955 OK CR 46, 282 P.2d 258.
- (ii) *Burns v. State*, 1955 OK CR 46, 282 P.2d 258, 259.
- (iii) *Burns v. State*, 1955 OK CR 46, ¶9, 282 P.2d 258, 259.
- (iv) *Burns v. State*, 282 P.2d 258 (Okl.Cr.1955).
- (v) *Burns v. State*, 282 P.2d 258, 259 (Okl.Cr.1955).

In "*Burns v. State*, 1955 OK CR 46, ¶9, 282 P.2d 258", "1955" refers to the year the mandate issued, "OK CR" is the court designation for the Oklahoma Court of Criminal Appeals, "46" is the number of that 1955 opinion assigned by the Court, "¶9" is

paragraph number 9 of the opinion as designated by the Court, and "282 P.2d 258" is the parallel citation to the Pacific 2nd reporter.

(c) An opinion cited subsequent to issuance of the mandate but prior to official publication shall include citation to the Oklahoma Bar Journal. Parallel citation to the official paragraph citation form of the Oklahoma Court of Criminal Appeals is strongly encouraged. Examples of permissible citation form include:

(i) *Robinson v. State*, 1997 OK CR 24, 68 OBJ 1379 (1997).

(ii) *Robinson v. State*, 1997 OK CR 24, 68 OBJ 1379, 1381(1997).

(iii) *Robinson v. State*, 1997 OK CR 24, ¶3, 68 OBJ 1379, 1381 (1997).

(iv) *Robinson v. State*, 68 OBJ 1379 (Okl.Cr.1997).

(v) *Robinson v. State*, 68 OBJ 1379, 1381 (Okl.Cr.1997).

(d) Opinions of the Oklahoma Court of Criminal Appeals issued for publication shall be published on the Court's World Wide Web site, [www.occa.state.ok.us](http://www.occa.state.ok.us). Such opinions may not be cited as authority in a subsequent appellate opinion nor used as authority by a trial court until the mandate in the matter has issued. After the mandate has issued, the opinion as published on the Web site shall constitute the official paragraph citation form of the Oklahoma Court of Criminal Appeals. See Rule 1.0 (D) for citation to Rules.

(3) In all instances, an unpublished opinion is not binding on this Court. However, parties may cite and bring to the Court's attention the unpublished opinions of this Court provided counsel states that no published case would serve as well the purpose for which counsel cites it, and provided further that counsel shall provide opposing counsel and the Court with a copy of the unpublished opinion.

(4) Citation to opinions of the United States Supreme Court shall include each of the following: U.S., S.Ct., L.Ed. (year).

(5) Citation to Oklahoma Uniform Jury Instructions - Criminal (Second) shall be as follows: Instruction No. \_\_\_\_\_, OUJI-CR(2d); and citation to revised instructions shall be noted with the addition of (Supp. \_\_\_\_\_) (Year).

(6) Failure to present relevant authority in compliance with these requirements will result in the issue being forfeited on appeal. *See Stafford v. State*, 800 P.2d 738 , 741 (Okl.Cr.1990); *Walton v. State*, 744 P.2d 977 , 979 (Okl.Cr.1987); *S.R.S. v. State*, 728 P.2d 515 , 518 (Okl.Cr.1986).

Oregon: [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

Examples from *Coats v. State*, 334 Or. 587, 54 P.3d 610 (2002)

....

The Oregon Bureau of Labor and Industries (BOLI) had promulgated administrative rules construing [ORS 279.350\(1\)](#) to apply to all workers at the "site of work." See [OAR 839-016-0004\(19\)](#). Plaintiff and ODOT agreed to incorporate those rules as terms of their contract. As explained below, central to the parties' contract dispute in this case are two subsections of a BOLI rule that identified the circumstances under which rock quarries, or so-called "borrow pits," would be considered part of the "site of work."

....

The state moved to dismiss the complaint for lack of subject matter jurisdiction, citing [Alto v. State Fire Marshall](#), 319 Or 382, 876 P2d 774 (1994), for the proposition that a circuit court lacks jurisdiction to review the validity of agency rules in the context of a declaratory judgment action. While that motion was pending, ODOT withheld payments on the contract. Plaintiff then filed an amended complaint in which he alleged that he had complied with the terms of the contract, including the prevailing wage rules, and that ODOT's decision to withhold payments was a breach of the parties' contract. In addition, because ODOT's decision was based on a determination that plaintiff had failed to comply with the prevailing wage rules, plaintiff argued that the circuit court had acquired subject matter jurisdiction to review the validity of those rules under this court's decision in [Hay v. Oregon Dep't of Transportation](#), 301 Or 129, 719 P2d 860 (1986). ODOT counterclaimed for breach of contract, and both parties then moved for summary judgment.

....

**Or. R. App. P. 5.20, 5.35,**  
[http://www.ojd.state.or.us/web/ojdpublishations.nsf/Files/2011ORAPsfromPubs.pdf/\\$File/2011ORAPsfromPubs.pdf](http://www.ojd.state.or.us/web/ojdpublishations.nsf/Files/2011ORAPsfromPubs.pdf/$File/2011ORAPsfromPubs.pdf).

**Rule 5.20 REFERENCE TO EVIDENCE AND EXHIBITS; CITATION OF AUTHORITIES**

....

(4) Guidelines for style and conventions in citation of authorities may be found in the Oregon Appellate Courts Style Manual.

(5) Cases affirmed without opinion by the Court of Appeals should not be cited as authority.

**Rule 5.35 APPELLANT'S BRIEF: INDEX**

The appellant's combined brief and excerpt shall begin with:

....



(3) an index of all authorities referred to, classified by cases (alphabetically arranged and with complete citations), constitutional and statutory provisions, texts, treatises, and other authorities, and indicating the pages of the brief where the authorities are cited. Citations are to be in the form prescribed by the Oregon Appellate Courts Style Manual. Reference to "*passim*" or "et seq." in the index of authorities is discouraged.

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**Note:** The *Oregon Appellate Courts Style Manual* (2002), [http://www.law.cornell.edu/state\\_samples/OR\\_Style\\_Manual\\_2002.pdf](http://www.law.cornell.edu/state_samples/OR_Style_Manual_2002.pdf), lays out distinctive citation conventions for a full range of legal authority.

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### **Examples from *Commonwealth v. Beam*, 567 Pa. 492, 788 A.2d 357 (2002)**

....

Following a hearing, the common pleas court denied the request for preliminary injunction and, on Beam's motion, granted summary judgment in his favor and dismissed the Department's complaint. The Department appealed, and the Commonwealth Court affirmed. See *Commonwealth, Dep't of Transp. v. Beam*, 756 A.2d 1179 (Pa. Cmwlth. 2000). In their reasoning, the reviewing courts focused on the Department's capacity to seek injunctive relief in a judicial forum. While recognizing that the Department's enumerated powers included the authority to issue airport licenses, see 74 Pa.C.S. § 5301(b)(1), and that its regulations establish procedures for license revocation and suspension, see 67 Pa. Code § 471.3(g), the courts nevertheless found no statute or regulation conferring authority to commence a civil action. Stressing the precept that an agency charged with the administration of a statute can act only within the strict confines of that statute, and therefore can seek to enforce compliance only with specific legislative authorization, the Commonwealth Court and the common pleas court concluded that the Department bore airport licensing enforcement responsibility but presently lacked the means by which to compel compliance. See 756 A.2d at 1181-82. We allowed appeal to consider this conclusion.

....

This Court has long adhered to the precept that the power and authority exercised by administrative agencies must be conferred by legislative language that is clear and unmistakable. See *United Artists' Theater Circuit, Inc. v. City of Phila.*, 535 Pa. 370, 389, 635 A.2d 612, 622 (1993) ("A doubtful power does not exist." (citations omitted)); *Commonwealth, Dep't of Env'tl. Resources v. Butler County Mushroom Farm*, 499 Pa. 509, 513, 454 A.2d 1, 3 (1982). At the same time, we recognize that the General Assembly has prescribed that legislative enactments are generally to be construed in such a manner as to effect their objects and promote justice, see 1 Pa.C.S. § 1928(c), and, in assessing a statute, courts are directed to consider the consequences of a particular interpretation, as well as other

factors enumerated in the Statutory Construction Act. See *Butler County Mushroom Farm*, 499 Pa. at 516-17, 454 A.2d at 5-6 (citing 1 Pa.C.S. § 1921(a))(observing that "statutory construction is not an exercise to be undertaken without considerations of practicality, precept and experience[, "as ignoring such considerations may result in a forced and narrow interpretation that does not comport with legislative intent). Based upon such considerations, the rule requiring express legislative delegation is tempered by the recognition that an administrative agency is invested with the implied authority necessary to the effectuation of its express mandates. See *Butler County Mushroom Farm*, 499 Pa. at 513, 454 A.2d at 4; *Pennsylvania Human Relations Com. v. St. Joe Minerals Corp., Zinc Smelting Div.*, 476 Pa. 302, 310, 382 A.2d 731, 736; *Day v. Public Service Comm'n (Yellow Cab Co.)*, 312 Pa. 381, 384, 167 A. 565, 566 (1933).

....

**Pa. R. App. P. 2119(b),**  
<http://www.pacode.com/secure/data/210/chapter21/s2119.html>.

(b) Citations of authorities.

Citations of authorities must set forth the principle for which they are cited. Citations of uncodified statutes shall make reference to the book and page of the Laws of Pennsylvania (Pamphlet Laws) or other official edition, and also to a standard digest, where the statutes may be found. Citations of provisions of the Pennsylvania Consolidated Statutes may be in the form: "1 Pa.C.S. § 1928 (rule of strict and liberal construction)" and the official codifications of other jurisdictions may be cited similarly. Quotations from authorities or statutes shall also set forth the pages from which they are taken. Opinions of an appellate court of this or another jurisdiction shall be cited from the National Reporter System, if published therein, and to the official reports of Pennsylvania appellate courts, if published therein.

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**Examples from *Cullen v. Town Council of Lincoln*, 893 A.2d 239 (R.I. 2006)**

....

There can be no doubt that the town's ability to adopt ordinances that govern the construction and regulation of a public sewer system is both provided for by law, P.L. 1984, ch. 270, and falls squarely within the municipal police power, see *Mill Realty Associates v. Crowe*, 841 A.2d 668, 674 (R.I. 2004) ("maintaining a public water supply and requiring that builders construct extensions to the town's public water system falls squarely within [a municipality's] police power"); *Munroe v. Town of East Greenwich*, 733 A.2d 703, 710 (R.I. 1999) ("zoning, land development and subdivision regulations constitute a valid exercise of [a municipality's] police power"). Proper exercise of this police power is accomplished exclusively by enacting

municipal ordinances; however, a town council has discretion to impose requirements additional to an ordinance when provided for in the ordinance itself.

....

We think that this case does not warrant excepting petitioners from the ordinary requirement that they make at least one meaningful application to a state agency before seeking a remedy in the courts by pleading futility. First, the council was presented with evidence that DEM might not be so quick to deny petitioners' application. In addition, petitioners' self-serving conclusion that traversing designated wetlands would present as grave a danger as their proposed pump station route is ultimately only meaningless speculation since DEM is the agency vested with the exclusive power to make precisely this determination. See generally [G.L. 1956 §§ 2-1-18 through 2-1-24](#). Furthermore, while DEM's regulations may require it to deny a particular tie-in route if an alternate is available which does not traverse a designated area, see Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, Department of Environmental Management, [12 Code R.I. Reg. 190-25-9.05\(E\)\(2\)\(b\) \(2001\)](#), it is unclear what DEM would do if the pump station route is no longer available due to the council's denial of petitioners' application.

....

**R.I. Sup. Ct. R. 16(j),**  
<http://www.courts.ri.gov/Courts/SupremeCourt/Supreme%20Court%20Rules/Supreme-Rules-Article1.pdf>.

(j) Unpublished orders. Unpublished orders will not be cited by the Court in its opinions and such orders will not be cited by counsel in their briefs. Unpublished orders shall have no precedential effect.

**South Carolina:** [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<|>](#)

**Examples from *Johnson v. Collins Entm't Co.*, 349 S.C. 613, 564 S.E.2d 653 (2002)**

....

The defendants argue plaintiffs cannot rely on [S.C. Code Ann. § 12-21-2804\(B\)](#) as a "predicate act" for their RICO claim because in [Video Gaming Consultants, Inc. v. South Carolina Dep't of Revenue](#), 342 S.C. 34, 535 S.E.2d 642 (2000), this Court declared all of section 12-21-2804(B) unconstitutional. We disagree. In *Video Gaming*, we limited our holding to the first clause of section 12-21-2804(B).

....

"When the issue is the constitutionality of a statute, every presumption will be made in favor of its validity and no statute will be declared unconstitutional unless its invalidity appears so clearly as to leave no doubt that it conflicts with the constitution." *State v. Jones*, 344 S.C. 48, 58, 543 S.E.2d 541, 546 (2001) (citations omitted). This general presumption of validity can be overcome only by a clear showing the act violates some provision of the constitution. *Main v. Thomason*, 342 S.C. 79, 535 S.E.2d 918 (2000); *State v. Brown*, 317 S.C. 55, 451 S.E.2d 888 (1994); see also *Westvaco Corp. v. South Carolina Dep't of Revenue*, 321 S.C. 59, 467 S.E.2d 739 (1995).

....

The Court of Appeals correctly ruled on this issue in *Justice v. Pantry*, 330 S.C. 37, 496 S.E.2d 871 (Ct. App. 1998), *aff'd as modified*, 335 S.C. 572, 518 S.E.2d 40 (1999).

....

Furthermore, although the statute itself does not define "special inducement," the regulations of DOR do clarify the term. 27 S.C. Code Reg. 117-190.1 provides:

Any attempt to influence a person to play video game machines is an inducement and is strictly prohibited by the statute. A location will be subject to the various civil or criminal penalties imposed by the statute for offering any of the following inducements . . . .

**S.C. App. Pract. R. 268,**  
<http://www.sccourts.org/courtReg/displayRule.cfm?ruleID=268.0&subRuleID=&ruleType=APP>.

## CITATION OF SOUTH CAROLINA AUTHORITY

To provide guidance on citing South Carolina authority, the following forms of citation are given. Once cited in the form given, the authority may thereafter be cited in an abbreviated form. Additional guidance on citation of authority may be found in *A Uniform System of Citation* published by the Harvard Law Review Association, *A Guide to South Carolina Legal Research and Citation* published by the S.C. Bar C.L.E. Division, or other publications.

(a) South Carolina Constitution. The South Carolina Constitution should be cited in the following manner: S.C. Const. art. IV, § 4.

(b) Statutes and Regulations.

(1) Statutes which appear in a hardbound volume of the Code of Laws of South Carolina should be cited in the following form: S.C. Code Ann. § 1-2-345 (1976). Where the statute appears in a replacement hardbound volume, the citation should include the date appearing on the spine of the volume or the copyright date of the volume in the following form: S.C. Code Ann. § 11-35-1210 (1986). Statutes which appear in the supplement to the Code of Laws of South Carolina should be cited in the following form: S.C. Code Ann. § 6-7-890 (Supp. 1988).

(2) Statutes which have not yet been codified should be cited by the number of the Act, and the year and page number where it appears in the South Carolina Acts and Joint Resolutions in the following form: Act No. 100, 1985 S.C. Acts 277.

(3) Regulations which appear in the Code of Laws of South Carolina should be cited in the following manner: 23 S.C. Code Ann. Regs. 19-501 (1976). Regulations which appear in the supplement to the Code of Laws of South Carolina should be cited in the following manner: 24A S.C. Code Ann. Regs. 61-40 (Supp. 1988). The date used in the citation shall be the latest copyright date of the volume or supplement.

(c) Court Rules. Court rules should be cited by the rule number and the abbreviations shown:

(1) South Carolina Appellate Court Rules: Rule \_\_\_\_, SCACR.

(a) Rules of Professional Conduct, Rule \_\_\_\_, RPC, Rule 407, SCACR.

(b) Rules for Lawyer Disciplinary Enforcement, Rule \_\_\_\_, RLDE, Rule 413 SCACR.

(c) Code of Judicial Conduct, Rule \_\_\_\_, CJC, Rule 501, SCACR.

(d) Rules for Judicial Disciplinary Enforcement, Rule \_\_\_\_, RJDE, Rule 502, SCACR.

(2) South Carolina Rules of Civil Procedure: Rule \_\_\_\_, SCRCP.

(3) South Carolina Rules of Criminal Procedure: Rule \_\_\_\_, SCRCrimP.

(4) South Carolina Rules of Family Court: Rule \_\_\_\_, SCRFC.

(5) South Carolina Rules of Probate Court: Rule \_\_\_\_, SCRPC.

(6) South Carolina Rules of Magistrates Court: Rule \_\_\_\_, SCRMC.

(7) South Carolina Rules of Evidence: Rule \_\_\_\_, SCRE.

(d) Appellate Court Decisions.

(1) Published opinions or orders of the Supreme Court or Court of Appeals should be cited in the following manner: *State v. Williams*, 297 S.C. 404, 377 S.E.2d 309 (1989); *Andrews v. Piedmont Air Lines*, 297 S.C. 367, 377 S.E.2d 127 (Ct. App. 1989). If a published opinion does not appear in a reporter, it should be cited in the following manner: *Donahue v. Donahue*, Op. No. 23083 (S.C. Sup. Ct. filed Sept. 25, 1989); *Satcher v. Berry*, Op. No. 1383 (S.C. Ct. App. filed July 31, 1989). Further, if the opinion has been published in the Advance Sheets published by the Supreme Court, the opinion should be cited in the following manner: *State v. Victor*, Op. No. 23118 (S.C. Sup. Ct. filed Dec. 11, 1989) (Davis Adv. Sh. No. 29 at 5). If a published order does not appear in a reporter, it should be cited by its order number: *State v. Smith*, 89-OR-25 (S.C. Ct. App. dated March 1, 1989), or by reference to the date of the order if no order number has been assigned: *State v. Smith*, S.C. Sup. Ct. Order dated March 1, 1989. Further, if the order has been published on the front of the Advance Sheets the order should be cited in the following manner: *State v. Foster*, S.C. Sup. Ct. Order dated June 9, 1989 (Davis Adv. Sh. No. 14).

(2) Memorandum opinions and unpublished orders have no precedential value and should not be cited except in proceedings in which they are directly involved. Memorandum opinions may be cited in the following form: *Burns v. Burns*, Op. No. 89-MO-110 (S.C. Ct. App. filed July 31, 1989). Unpublished orders may be cited in a similar manner as provided for published orders under Rule 239(d)(1).

(3) The South Carolina Equity Reports, beginning with 1 Desaussure Equity and ending with 14 Richardson Equity should be cited in the following manner: *Taylor v. Taylor*, 4 S.C.Eq. (4 Des. Eq.) 165 (1811). The following table of cross references is provided:

- **Reporter**
  - **Citation to be Used**
- 1 Desaussure
  - 1 S.C. Eq. (1 Des. Eq.)
- 2 Desaussure
  - 2 S.C. Eq. (2 Des. Eq.)
- 3 Desaussure
  - 3 S.C. Eq. (3 Des. Eq.)
- 4 Desaussure
  - 4 S.C. Eq. (4 Des. Eq.)
- Harper
  - 5 S.C. Eq. (Harp. Eq.)
- 1 McCord
  - 6 S.C. Eq. (1 McCord Eq.)
- 2 McCord
  - 7 S.C. Eq. (2 McCord Eq.)
- Bailey
  - 8 S.C. Eq. (Bail. Eq.)
- Richardson's Cases
  - 9 S.C. Eq. (Rich. Cas.)
- 1 Hill
  - 10 S.C. Eq. (1 Hill Eq.)
- 2 Hill
  - 11 S.C. Eq. (2 Hill Eq.)
- Riley
  - 12 S.C. Eq. (Ril. Eq.)
- Dudley
  - 13 S.C. Eq. (Dud. Eq.)
- Rice
  - 14 S.C. Eq. (Rice Eq.)
- Cheves
  - 15 S.C. Eq. (Chev. Eq.)
- McMullen
  - 16 S.C. Eq. (McMul. Eq.)

- Speers
  - 17 S.C. Eq. (Speers Eq.)
- 1 Richardson
  - 18 S.C. Eq. (1 Rich. Eq.)
- 2 Richardson
  - 19 S.C. Eq. (2 Rich. Eq.)
- 1 Strobhart
  - 20 S.C. Eq. (1 Strob. Eq.)
- 2 Strobhart
  - 21 S.C. Eq. (2 Strob. Eq.)
- 3 Strobhart
  - 22 S.C. Eq. (3 Strob. Eq.)
- 4 Strobhart
  - 23 S.C. Eq. (4 Strob. Eq.)
- 3 Richardson
  - 24 S.C.Eq. (3 Rich.Eq.)
- 4 Richardson
  - 25 S.C.Eq. (4 Rich.Eq.)
- 5 Richardson
  - 26 S.C.Eq. (5 Rich.Eq.)
- 6 Richardson
  - 27 S.C.Eq. (6 Rich.Eq.)
- 7 Richardson
  - 28 S.C.Eq. (7 Rich.Eq.)
- 8 Richardson
  - 29 S.C.Eq. (8 Rich.Eq.)
- 9 Richardson
  - 30 S.C.Eq. (9 Rich.Eq.)
- 10 Richardson
  - 31 S.C.Eq. (10 Rich.Eq.)
- 11 Richardson
  - 32 S.C.Eq. (11 Rich.Eq.)
- 12 Richardson
  - 33 S.C.Eq. (12 Rich.Eq.)
- 13 Richardson
  - 34 S.C.Eq. (13 Rich.Eq.)
- 14 Richardson
  - 35 S.C.Eq. (14 Rich.Eq.)

(4) The South Carolina Law Reports beginning with 1 Bay and ending with 15 Richardson should be cited in the following manner: Roche v. Chaplin, 17 S.C.L. (1 Bail.) 419 (1830). The following table of cross references is provided:

- **Reporter**
  - **Citation to be Used**
- 1 Bay
  - 1 S.C.L. (1 Bay)
- 2 Bay
  - 2 S.C.L. (2 Bay)
- 1 Brevard
  - 3 S.C.L. (1 Brev.)
- 2 Brevard
  - 4 S.C.L. (2 Brev.)
- 2 Brevard
  - 5 S.C.L. (3 Brev.)
- 1 Treadway
  - 6 S.C.L. (1 Tread.)
- 2 Treadway
  - 7 S.C.L. (2 Tread.)
- 1 Mill (Constitutional)
  - 8 S.C.L. (1 Mill)
- 2 Mill (Constitutional)
  - 9 S.C.L. (2 Mill)
- 1 Nott and McCord
  - 10 S.C.L. (1 Nott & McC.)
- 2 Nott and McCord
  - 11 S.C.L. (2 Nott & McC.)
- 1 McCord
  - 12 S.C.L. (1 McCord)
- 2 McCord
  - 13 S.C.L. (2 McCord)
- 3 McCord
  - 14 S.C.L. (3 McCord)
- 4 McCord
  - 15 S.C.L. (4 McCord)
- Harper
  - 16 S.C.L. (Harp.)
- 1 Bailey
  - 17 S.C.L. (1 Bail.)
- 2 Bailey
  - 18 S.C.L. (2 Bail.)
- 1 Hill
  - 19 S.C.L. (1 Hill)
- 2 Hill
  - 20 S.C.L. (2 Hill)
- 3 Hill
  - 21 S.C.L. (3 Hill)



- Riley
  - 22 S.C.L. (Ril.)
- Dudley
  - 23 S.C.L. (Dud.)
- Rice
  - 24 S.C.L. (Rice)
- Cheves
  - 25 S.C.L. (Chev.)
- 1 McMullen
  - 26 S.C.L. (1 McMul.)
- 2 McMullen
  - 27 S.C.L. (2 McMul.)
- 1 Speers
  - 28 S.C.L. (1 Speers)
- 2 Speers
  - 29 S.C.L. (2 Speers)
- 1 Richardson
  - 30 S.C.L. (1 Rich.)
- 2 Richardson
  - 31 S.C.L. (2 Rich.)
- 1 Strobbart
  - 32 S.C.L. (1 Strob.)
- 2 Strobbart
  - 33 S.C.L. (2 Strob.)
- 3 Strobbart
  - 34 S.C.L. (3 Strob.)
- 4 Strobbart
  - 35 S.C.L. (4 Strob.)
- 5 Strobbart
  - 36 S.C.L. (5 Strob.)
- 3 Richardson
  - 37 S.C.L. (3 Rich.)
- 4 Richardson
  - 38 S.C.L. (4 Rich.)
- 5 Richardson
  - 39 S.C.L. (5 Rich.)
- 6 Richardson
  - 40 S.C.L. (6 Rich.)
- 7 Richardson
  - 41 S.C.L. (7 Rich.)
- 8 Richardson
  - 42 S.C.L. (8 Rich.)
- 9 Richardson
  - 43 S.C.L. (9 Rich.)
- 10 Richardson
  - 44 S.C.L. (10 Rich.)
- 11 Richardson
  - 45 S.C.L. (11 Rich.)

- 12 Richardson
  - 46 S.C.L. (12 Rich.)
- 13 Richardson
  - 47 S.C.L. (13 Rich.)
- 14 Richardson
  - 48 S.C.L. (14 Rich.)
- 15 Richardson
  - 49 S.C.L. (15 Rich.)

**Examples from *Baker v. Atkinson*, 2001 SD 49, 625 N.W.2d 265**

....

[¶18] The county commission and Frawley did not dispute that these statutes create a legal duty to act. The dispute centered on the form of the petition. The county commission and Frawley argue that if the form of the petition does not meet the requirements set forth by statute, then no duty arises under either [SDCL 7-18A-16](#) or [7-18A-15.1](#). With this in mind, and since the issue of a legal duty to act is not in dispute, this Court need only determine the petition's validity. This Court is cognizant that SDCL 2-1-11 requires that initiative and referendum petitions "shall be liberally construed, so that the real intention of the petitioners may not be defeated by a mere technicality." For this reason "we begin with a presumption that petitions which are circulated, signed, and filed are valid." [Larson v. Hazeltine, 1996 S.D. 100, ¶19, 552 N.W.2d 830, 835 \(citations omitted\)](#).

....

[¶20] The form of a referendum petition is set forth in [SDCL ch 2-1](#) and [SDAR ch 5:02:08](#). More specifically, [SDCL 7-18A-17](#) and [SDAR 5:02:08.19](#) govern the form of the petition. [SDCL 7-18A-17](#) provides:

If the matter intended to be covered by a referendum petition is the whole of any ordinance or resolution, the petition shall contain the title of such ordinance or the subject of such resolution, and the date of its passage, but if only a portion of such ordinance or resolution is intended to be covered by the petition, such portion shall be set out at length.

....

**S.D. R. Civ. App. P. § 15-26A-69.1,**  
<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=15-26A-69.1>.

(1) The initial citation of any published opinion of the Supreme Court released prior to January 1, 1996, in a brief, memorandum, or other document filed with the Court and the

citation in the table of cases in a brief shall include a reference to the volume and page number of the South Dakota Reports or North Western Reporter in which the opinion is published. Subsequent citations within the brief, document, or memorandum shall include the page number and sufficient references to identify the initial citation.

(2) The initial citation of any published opinion of the Supreme Court released on or after January 1, 1996, in a brief, memorandum, or other document filed with the Court and the citation in the table of cases in a brief shall include a reference to the calendar year in which the decision was announced, the Court designation of "S.D.", and a sequential number assigned by the Clerk of the Supreme Court. Citation to specific portions of the opinion shall be made to the paragraph number assigned by the Clerk of the Supreme Court. A paragraph citation should be placed immediately following the sequential number assigned to the case. Subsequent citations within the brief, document, or memorandum shall include the paragraph number and sufficient references to identify the initial citation.

When available, initial citations shall include the volume and initial page number of the North Western Reporter in which the opinion is published.

Tennessee: [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | < | >

### Examples from *In re T.K.Y.*, 205 S.W.3d 343 (Tenn. 2006)

....

Without making any reference to the statutory definition of "legal parent" in Tennessee Code Annotated section 36-1-113, the Court of Appeals determined that Mr. Y. was the legal father of T.K.Y. Relying on its decision in *State ex rel. Cihlar v. Crawford*, 39 S.W.3d 172 (Tenn. Ct. App. 2000), the Court of Appeals held that because Mr. Y. and Mr. P. both satisfied the presumptions in the paternity statute, *Tenn. Code Ann. § 36-2-304(a)*, the question of legal parenthood was to be determined using a best-interests-type analysis, considering "the existence of a family unit, the stability of the family environment, sources of the child's support, the child's relationship with the presumptive father(s), and the child's physical, mental and emotional needs." *See Cihlar*, 39 S.W.3d at 185. However, as we have explained, that analysis omitted the critical step of recognizing that, pursuant to the statutory scheme, Mr. P. is not merely the biological father but he is also the legal father. Therefore, his parental rights may only be terminated pursuant to the statute, and a best-interests analysis is relevant if and only if termination is appropriate. Unless and until grounds for termination of Mr. P.'s rights have been proven, he is the legal father of T.K.Y.

....

The decision to award retroactive child support lies within the discretion of the juvenile court. *State ex rel Coleman v. Clay*, 805 S.W.2d 752, 755 (Tenn. 1991). However, the trial court's discretion is cabined by the statutory requirement that it must presumptively apply the Child Support Guidelines. *Tenn. Code Ann. § 36-5-101(e)(1)(A) (2005)*. The trial court's discretion is further limited by Tennessee Code Annotated section 36-2-311(a)(11)(A) (2005), which

states a presumption that child support "shall be awarded retroactively to the date of the child's birth." See also Child Support Guidelines, [Tenn. Comp. R. & Regs. 1240-2-4-.06](#).

....

**Tenn. R. App. P. 27(h)**, <http://www.tsc.state.tn.us/rules/rules-appellate-procedure/27>.

### **Rule 27. Content of Briefs.**

....

#### **(h) Citation of Authorities.**

Citation of cases must be by title, to the page of the volume where the case begins, and to the pages upon which the pertinent matter appears in at least one of the reporters cited. It is not sufficient to use only *supra* or *infra* without referring to the page of the brief at which the complete citation may be found. Citation of Tennessee cases may be to the official or South Western Reporter or both. Citation of cases from other jurisdictions must be to the National Reporter System or both the official state reports and National Reporter System. If only the National Reporter System citation is used, the court rendering the decision must also be identified. All citations to cases shall include the year of decision. Citation of textbooks shall be to the section, if any, and page upon which the pertinent matter appears and shall include the year of publication and edition if not the first edition. Tennessee statutes shall generally be cited to the Tennessee Code Annotated, Official Edition, but citations to the session laws of Tennessee shall be made when appropriate. Citations of supplements to the Tennessee Code Annotated shall so indicate and shall include the year of publication of the supplement.

**Texas:** [Supreme Court citation practice](#) | [Citation rule\(s\)](#) [Contents](#) | [Index](#) | [Help](#) | [<](#) | [>](#)

### **Examples from *Gilbert v. El Paso County Hosp. Dist.*, 38 S.W.3d 85 (Tex. 2001)**

....

The Texas Constitution and the Texas Tax Code contain truth-in-taxation provisions that require local government units to tell their taxpayers each year how the next year's property tax rates will compare with the current year's. See TEX. CONST. art. VIII, § 21; [TEX. TAX CODE § 26.04](#). As part of this taxpayer notice, taxing units must show how much money, if any, they estimate that they will have left over from previous years' maintenance and operations and debt service funds. See [TEX. TAX CODE § 26.04\(e\)\(2\)](#). We must decide whether this disclosure requirement covers only property taxes left over in these funds, or whether it also covers revenues accumulated from other sources.

....

The El Paso Hospital District operates R.E. Thomason General Hospital in El Paso. Constitutionally and by statute, the District has "full responsibility for furnishing medical and hospital care for indigent and needy persons residing in the district." **TEX. HEALTH & SAFETY CODE § 281.046**; *see also* TEX. CONST. art. IX, § 4. To discharge this responsibility and to perform its other functions, the District is authorized to assess a tax on property in the District. *See* TEX. CONST. art. IX, § 4. In addition to property taxes, the District receives money from paying patients, its cafeteria, and Medicaid.

The District participates in the Medicaid Disproportionate Share Program, which provides extra revenue to hospitals that serve a high proportion of indigent patients. *See* **1 TEX. ADMIN. CODE § 355.8065(a)**. This revenue is significant to the District; in 1997, the District received almost as much in Disproportionate Share ("Dispro") Funds as it received in property taxes. n1 The District must use Dispro revenues to serve poor patients, but the parties agree that this requirement is the only relevant limit on the District's use of Dispro money.

....

The Tax Code authorizes the taxing unit to adopt a rate for each fiscal year that is high enough to pay its debts and to meet its maintenance and operation needs. *See id.* § 26.05(a). Depending on the unit's debts, service plans, and accumulated surplus or deficit, this rate may be lower than, higher than, or equal to the previous year's rate. *See Texas Co. v. Panhandle Indep. Sch. Dist.*, 72 S.W.2d 957, 959 (Tex. Civ. App.--Amarillo 1934, writ ref'd) (holding overall tax levy, within statutory limits, to be a discretionary matter for the taxing authority). If the unit wishes to adopt a rate higher than either the effective tax rate or the rollback tax rate, however, the taxing unit must hold a public hearing before adopting it. *See* **TEX. TAX CODE § 26.05(d)**. Moreover, in a special election after the taxing unit has adopted the annual tax rate, voters can cut taxes back to the rollback tax rate, perhaps forcing the taxing unit to alter its plans. *See id.* § 26.07; *Vinson v. Burgess*, 773 S.W.2d 263 (Tex. 1989).

....

#### Note:

While there is no required citation form statewide, one Texas appellate court requires citation in accordance with the *Texas Rules of Form*, published by the [Texas Law Review](#), and others encourage its use.

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Examples from *Menzies v. Galetka*, 2006 UT 81, 150 P.3d 480

....

¶19 . . . The current regulations contain a tiered system for the payment of attorney fees, which compensates counsel according to the procedural stage of the post-conviction proceedings reached. *See* **Utah Admin. Code r. 25-14-4**. Under this system, the maximum

amount of compensation an attorney may receive for representing a petitioner in a post-conviction death penalty case is \$ 37,500. *Id.* Under these rules, the Division of Finance will also "pay reasonable litigation expenses not to exceed a total of \$ 20,000 in any one case for court-approved investigators, expert witnesses, and consultants." **Utah Admin. Code r. 25-14-5.**

....

¶48 On April 22, 2004, Menzies filed a notice of appeal with the district court indicating that he would seek review of the court's denial of 60(b) relief as well as the order regarding the destruction of the inadmissible documents. Menzies' appeal is now before this court. We have jurisdiction pursuant to **Utah Code Ann. § 78-2-2(3)(i) (2002).**

....

¶65 The first question we must consider is whether Menzies' 60(b) motion was timely. A motion under 60(b) must "be made within a reasonable time and for reason[] (1) . . . not more than 3 months after the judgment . . . was entered." Utah R. Civ. P. 60(b). In cases where subsection (b)(1) applies, a movant may not attempt to circumvent the three-month filing period by relying on another subsection. ***Russell v. Martell*, 681 P.2d 1193, 1195 (Utah 1984); *Laub v. S. Cent. Utah Tel. Ass'n.*, 657 P.2d 1304, 1308 (Utah 1982); *Richins v. Delbert Chipman & Sons Co.*, 817 P.2d 382, 387 (Utah Ct. App. 1991).** Under rule 60(b), a reasonable time "depends upon the facts of each case, considering such factors as the interest in finality, the reason for the delay, the practical ability of the litigant to learn earlier of the grounds relied upon, and prejudice to other parties." ***Gillmor v. Wright*, 850 P.2d 431, 435 (Utah 1993)** (citations and internal quotation marks omitted). In general, the moving party satisfies the reasonable time requirement if she shows "that she acted diligently once the basis for relief became available, and that the delay in seeking relief did not cause undue hardship to the opposing party." ***Workman v. Nagle Constr., Inc.*, 802 P.2d 749, 752 (Utah Ct. App. 1990)** (citation and internal quotation marks omitted).

....

¶68 The problem with the State's argument is that the State fails to distinguish between a motion that is properly supported for purposes of the particularity requirement and a motion that is timely filed for purposes of avoiding the limitations provisions of 60(b). Both rule 7 and rule 4-501 are designed to "promote the policies of (1) mitigating prejudice to opposing parties by allowing that party to respond to the motion . . . and (2) assuring that a court can be apprised of the basis of a motion and rule upon it with a proper understanding." See ***Holmes Dev., LLC v. Cook*, 2002 UT 38, ¶ 58, 48 P.3d 895** (discussing requirements for motions to amend). If a party fails to "comply with Utah's formal motion practice rules," a district court may, within its discretion, deny the motion on the grounds that it is insufficient. *Id.* ¶ 59. However, sufficiency is not a logically necessary component of timeliness. A party can timely move the court for relief despite the fact that its motion may be insufficient because, for example, it lacks particularity. In such a situation, the court has the discretion, consistent with the policy concerns noted above, either to deny the motion as being insufficient or to allow the party to supplement the originally insufficient motion. In the case before us, the district court chose the latter option, holding that Menzies' 60(b) motion was timely filed and that

Menzies should be allowed to supplement the motion under the circumstances. The district court was entirely within its discretion to do so.

....

**Utah Sup. Ct. Standing Order 4,**  
<http://www.utcourts.gov/resources/rules/urap/Supctso.htm#4>.

Effective March 1, 2000, the initial citation of any published opinion of the Utah Supreme Court or the Utah Court of Appeals, released on or after January 1, 1999, in any brief, table of cases in the brief, memorandum, or other document filed in the Utah Supreme Court or the Utah Court of Appeals, shall include the case name, the year the opinion was issued, identification of the court that issued the opinion (UT for Utah Supreme Court and UT App for the Utah Court of Appeals), and the sequential number assigned to the opinion by the respective court. Citation to specific portions of the opinion shall be made by reference to the paragraph numbers assigned by the court. A comma and then a paragraph symbol (¶) should be placed immediately following the sequential number assigned to the case. Subsequent citations within the brief, document, or memorandum should include the paragraph number and sufficient references to identify the initial citation. *Initial citations shall also include the volume and initial page number of the Pacific Reporter in which the opinion is published.* When an opinion is in slip form awaiting inclusion in a Pacific Reporter volume, the slip opinion form should be used. A pinpoint citation is not required in the parallel citation to the Pacific Reporter since the paragraph numbers assigned by the court are included in the Pacific Reporter version. Likewise, it is not necessary to include the year the case was published since that will be evident from the initial citation.

Examples of an initial citation to a Utah Supreme Court opinion or a Utah Court of Appeals opinion issued on or after January 1, 1999, using fictitious decisions, would be as follows:

Before publication in Utah Advance Reports:

*Smith v. Jones*, 1999 UT 16.  
*Smith v. Jones*, 1999 UT App 16.

Before publication in Pacific Reporter but after publication in Utah Advance Reports:

*Smith v. Jones*, 1999 UT 16, 380 Utah Adv. Rep. 24.  
*Smith v. Jones*, 1999 UT App 16, 380 Utah Adv. Rep. 24.

After publication in Pacific Reporter:

*Smith v. Jones*, 1999 UT 16, 998 P.2d 250.  
*Smith v. Jones*, 1999 UT App 16, 998 P.2d 250.

Examples of a pinpoint citation to a Utah Supreme Court opinion or a Utah Court of Appeals opinion issued on or after January 1, 1999, would be as follows:

Before publication in Utah Advance Reports:

*Smith v. Jones*, 1999 UT 16, ¶21.  
*Smith v. Jones*, 1999 UT App 16, ¶21.  
*Smith v. Jones*, 1999 UT App 16, ¶¶21-25.

Before publication in Pacific Reporter but after publication in Utah Advance Reports:

*Smith v. Jones*, 1999 UT 16, ¶21, 380 Utah Adv. Rep. 24.  
*Smith v. Jones*, 1999 UT App 16, ¶21, 380 Utah Adv. Rep. 24.



After publication in Pacific Reporter:

*Smith v. Jones*, 1999 UT 16, ¶21, 998 P.2d 250.

*Smith v. Jones*, 1999 UT App 16, ¶21, 998 P.2d 250.

If the immediately preceding authority is a post-January 1, 1999, opinion, cite to the paragraph number:

*Id.* at ¶15.

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### Examples from *Morin v. Essex Optical*, 2005 VT 15, 868 A.2d 729

....

¶3. At the time of injury, claimant's average weekly wage was \$ 475, and her resulting weekly workers' compensation benefit was \$ 317. During the period between her injury and the Commissioner's compensation decision, she received a cost of living adjustment to her temporary benefits every July 1 as mandated by [21 V.S.A. § 650\(d\)](#). As a result, she was receiving weekly compensation of \$ 469 from July 1, 2001 through June 30, 2002. In July 2002, the annual cost of living adjustment would have increased her benefit to \$ 489, an amount in excess of her \$ 475 average weekly wage at the time of her injury. Defendant's insurance carrier refused to increase claimant's benefit. Claimant submitted the question to the Commissioner in a motion for summary judgment, arguing that she was entitled to continued yearly increases under [21 V.S.A. § 650\(d\)](#) irrespective of whether her benefit amount exceeded her average weekly wage at the time of her injury. The Commissioner denied the motion, and claimant appealed. On appeal, the Commissioner submitted the following certified question: "Did the Department of Labor and Industry err in its interpretation of [21 V.S.A. § 650\(d\)](#) in concluding that a permanent total disability claimant's weekly compensation rate could not exceed her average weekly wage?" We answer this question in the affirmative.

¶4. This appeal involves a question of law, and "if the Commissioner's conclusions are supported by the findings and reflect the correct interpretation of the law, we will affirm the Commissioner's decision." [Butler v. Huttig Bldg. Prods.](#), 2003 VT 48, ¶ 9, 175 Vt. 323, 830 A.2d 44. Further, we will defer to the Commissioner's construction of the Workers' Compensation Act, "absent a compelling indication of error." [Wood v. Fletcher Allen Health Care](#), 169 Vt. 419, 422, 739 A.2d 1201, 1204 (1999). Even under our deferential standard, we conclude that the Commissioner's decision in this case is not supported by the findings and reflects an unjust and unreasonable interpretation of the law. See [Clodgo v. Rentavision, Inc.](#), 166 Vt. 548, 550, 701 A.2d 1044, 1045 (1997) (noting that we will not affirm an unjust interpretation).

....

¶9. Defendant relies upon 21 V.S.A. § 601(19), arguing that "under the plain meaning of [that section] the claimant's workers' compensation benefit is capped at the full amount of her average weekly wage." . . . Defendant's plain meaning argument is apparently based on the second sentence of the section. That sentence applies, however, only "where the employee's average weekly wage computed under section 650 of this title is lower than the minimum weekly compensation." At the time of injury, claimant's average weekly wage was \$ 475 per week and, as conceded by defendant's counsel at oral argument, was above the minimum weekly compensation then in effect. Indeed, even if this statute were construed to apply beyond initial calculation of the compensation rate, claimant's average weekly wage of \$ 475 continues to be higher than the current minimum of \$ 305. Workers' Compensation Rule 16.1000, 3 Code of Vermont Rules 24 010 003-17 to -18 (2004), available at <http://www.state.vt.us/labind/wcomp/Rule16.rates.htm> (last modified Nov. 18, 2004) [hereinafter Workers' Compensation Rule].

....

**Vt. R. App. P. 28.2, <http://www.lexisnexis.com/hottopics/vtstatutesconstctrules>.**

## CITATIONS

(a) Form of Opinions. All opinions issued by the Supreme Court on or after January 1, 2003, will be sequentially numbered within the year of issuance, beginning with the number "1". Within each opinion, each paragraph will be numbered, beginning with the number "1". Any official or unofficial publication of an opinion issued after January 1, 2003, must include the sequential number of the opinion in the caption of the opinion and the paragraph numbers in the body of the text.

(b) Citation of Vermont Opinions. The citation of any opinion of the Vermont Supreme Court issued on or after January 1, 2003, must, immediately after the title of the case, indicate the year of issuance in four digits followed by the abbreviation "VT" and must include the sequential opinion number, followed by citations to the official and unofficial print reporters. Pinpoint citations may be made only by reference to the paragraph numbers in the body of the text. Citations must be made in the following style: *Smith v. Jones*, 2001 VT 1, ¶ 12, 169 Vt. 203, 850 A.2d 421.

(c) Citation of Other Opinions. An opinion of any other court that has been published with sequential and paragraph numbering similar to that required by subdivision (a) of this rule must be cited in a form similar to that provided in subdivision (b).

(d) Citation of Unpublished Judicial Dispositions Permitted. A party may cite any unpublished judicial opinion, order, judgment, or other written disposition notwithstanding that it may have been designated as "unpublished," "not for publication," "non-precedential," "not precedent," or the like. If a party cites such an unpublished judicial opinion, order, judgment, or other written disposition, the party must file and serve a copy of that opinion, order, judgment, or disposition with the brief or other paper in which it is cited.

**Examples from *Davenport v. Little-Bowser*, 269 Va. 546, 611 S.E.2d 366 (2005)**

....

In its brief and in much of its oral argument, the Commonwealth argued that "this Court should defer to the Executive Branch's interpretation unless that interpretation is patently unreasonable and represents an abuse of discretion" and that "it is well established that the interpretation of the agency entrusted with the administration of a statute is entitled to deference by this Court." In support of these contentions, the Commonwealth cites *Department of Taxation v. Westmoreland Coal Co.*, 235 Va. 94, 366 S.E. 2d 78, 4 Va. Law Rep. 2024 (1988); *Forst v. Rockingham Poultry Mktg. Coop.*, 222 Va. 270, 279 S.E. 2d 400 (1981); *Commonwealth v. Lucky Stores, Inc.*, 217 Va. 121, 225 S.E. 2d 870 (1976); *Commonwealth v. Bluefield Sanitarium*, 216 Va. 686, 222 S.E. 2d 526 (1976); and *Commonwealth v. Appalachian Elec. Power Co.*, 193 Va. 37, 68 S.E. 2d 122 (1951).

....

The Commonwealth's first statutory interpretation argument involves 12 VAC § 5-550-100 involving a certificate of live birth and 12 VAC § 5-550-330 concerning the issuance of a new certificate after, among other circumstances, adoption. The Commonwealth reasons that a certificate of live birth provides for listing of a mother and a father and a new certificate "shall be on the form in use at the time of birth." 12 VAC § 5-550-330. The Commonwealth argues that Code § 32.1-261(B) provides that "when a new certificate of birth is established pursuant to subsection A of this section ...it shall be substituted for the original certificate of birth." Because the statute requires "substitution" and the certificate of live birth provides for a listing of a mother and a father, any new certificate "on the same form in use at the time of birth" is inadequate to list two same-sex adoptive parents.

....

Additionally, the Court of Appeals of Virginia has stated that

"the interpretation which an administrative agency gives its [law] must be accorded great deference." *Virginia Real Estate Bd. v. Clay*, 9 Va. App. 152, 159, 384 S.E. 2d 622, 626, 6 Va. Law Rep. 663 (1989). "The trial courts may reverse the administrative agency's interpretation only if the agency's construction of its [law] is arbitrary or capricious or fails to fulfill the agency's purpose as defined by its basic law." *Id.* at 161, 384 S.E. 2d at 627."

*Jackson v. W.*, 14 Va. App. 391, 400-401, 419 S.E. 2d 385, 390, 8 Va. Law Rep. 2880 (1992). Applying the well-established precedent of this Court and of the Court of Appeals, I would accord the Registrar's interpretation of Code § 32.1-261 the deference to which it is entitled, and I would affirm the judgment of the circuit court.

....

**Va. Sup. Ct. R 5:27(a), 5:28(a),**  
<http://www.courts.state.va.us/courts/scv/rulesofcourt.pdf>.

Opening Brief of Appellant.

The opening brief of appellant shall contain:

(a) A table of contents and table of authorities with cases alphabetically arranged. Citations of all authorities shall include the year thereof.

---

**Note:** Similar rules apply to other filings with the court.

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**Examples from *Dot Foods, Inc. v. Dep't of Revenue*, 166 Wash. 2d 912, 215 P.3d 185 (2009)**

¶1 C. Johnson, J. - This case involves a challenge to the Department of Revenue's (Department) interpretation of RCW 82.04.423, which provides a tax exemption for certain out-of-state sellers. Until 2000, the Department treated Dot Foods, Inc. Click for Enhanced Coverage Linking Searches, an out-of-state seller, as exempt from Washington's business and occupation (B&O) tax. At all relevant times, Dot sold consumer and nonconsumer products through its direct seller's representative, Dot Transportation, Inc. (DTI), and some of the consumer products ultimately ended up in permanent retail establishments. In 1999, in amending WAC 458-20-246, the Department revised its interpretation of the qualifications needed for the exemption. This revision changed the Department's prior interpretation, and under the new interpretation, Dot no longer qualified for the exemption for any of its sales. Dot filed suit challenging this interpretation, and the trial court entered summary judgment in favor of the Department, which the Court of Appeals affirmed. We reverse.

....

¶3 For many years, Dot received a B&O tax exemption for 100 percent of its sales pursuant to RCW 82.04.423, which exempts from the tax “gross income derived from the business of making sales at wholesale or retail” if the seller meets several criteria listed in the statute. RCW 82.04.423(1). Among these criteria, the out-of-state seller must “[m]ake[?] sales in this state exclusively to or through a direct seller's representative.” RCW 82.04.423(1)(d). Under the statute, a “direct seller's representative” is one who buys, sells, or solicits the sale of consumer products in places other than a permanent retail establishment. RCW 82.04.423(2). Between 1997 and 2000, Dot received B&O tax-exempt status even though it sold both consumer and nonconsumer products. Also, Dot received this tax exemption during this time even though some of the products purchased from Dot were later sold to permanent retail establishments without Dot's or DTI's involvement.

....

¶14 The Department argues that its statutory interpretation is entitled to judicial deference. While we give great deference to how an agency interprets an ambiguous statute within its area of special expertise, “such deference is not afforded when the statute in question is unambiguous.” *Densley v. Dep't of Ret. Sys.*, 162 Wn.2d 210, 221, 173 P.3d 885 (2007). The Department's argument for deference is a difficult one to accept, considering the Department's history interpreting the exemption. Initially, and shortly after the statutory enactment, the Department adopted an interpretation which is at odds with its current interpretation. One would think that the Department had some involvement or certainly awareness of the legislature's plans to enact this type of statute. As a general rule, where a statute has been left unchanged by the legislature for a significant period of time, the more appropriate method to change the interpretation or application of a statute is by amendment or revision of the statute, rather than a new agency interpretation.

....

**Wash. Gen. R. 14,**  
[http://www.courts.wa.gov/appellate\\_trial\\_courts/supreme/?fa=atc\\_supreme.style](http://www.courts.wa.gov/appellate_trial_courts/supreme/?fa=atc_supreme.style)  
[e.](http://www.courts.wa.gov/appellate_trial_courts/supreme/?fa=atc_supreme.style)

#### 14. Format for Pleadings and Other Papers

....

(d) Citation Format. Citations shall conform with the format prescribed by the Reporter of Decisions. (See Appendix 1.)

The opening brief of appellant shall contain:

(a) A table of contents and table of authorities with cases alphabetically arranged. Citations of all authorities shall include the year thereof.

---

**Note:** While a prior rule requiring that citations in a brief conform to the form used in the current volumes of the Washington Reports has been rescinded, the style sheet of the state's Office of Reporter of Decisions continues to be a useful guide. *The Bluebook* is largely incorporated by reference, modified by a set of local abbreviations in the Appendix 1 to Rule 14(d), [http://www.courts.wa.gov/appellate\\_trial\\_courts/supreme/?fa=atc\\_supreme.style](http://www.courts.wa.gov/appellate_trial_courts/supreme/?fa=atc_supreme.style).

A 2004 order of the Washington Supreme Court directs the publisher of Washington appellate decisions to add paragraph numbers to them. Order No. 25700-B-447, [http://www.courts.wa.gov/appellate\\_trial\\_courts/supreme/?fa=atc\\_supreme.paraOrder](http://www.courts.wa.gov/appellate_trial_courts/supreme/?fa=atc_supreme.paraOrder). The order authorizes but does not require the use of those paragraph numbers for pinpoint citations. "After an opinion is published in the official reports, a pinpoint citation should be made to page numbers in the official reports, to paragraph numbers from the official reports, or to both." *Id.*

## Examples from *Sedgmer v. McElroy Coal Co.*, 220 W.Va. 66, 640 S.E.2d 129 (2006)

....

We proceed, having held that "[a] circuit court's entry of summary judgment is reviewed de novo." Syl. Pt. 1, *Painter v. Peavy*, 192 W. Va. 189, 451 S.E.2d 755 (1994). Furthermore, we observe that "[a] motion for summary judgment should be granted only when it is clear that there is no genuine issue of fact to be tried and inquiry concerning the facts is not desirable to clarify the application of the law." Syl. Pt. 3, *Aetna Cas. & Sur. Co. v. Federal Ins. Co. of New York*, 148 W. Va. 160, 133 S.E.2d 770 (1963); Syl. Pt. 1, *Williams v. Precision Coil, Inc.*, 194 W. Va. 52, 459 S.E.2d 329 (1995). With these standards in mind, we turn to the case before us.

....

West Virginia law expressly provides an exemption from employee civil liability claims for work-related injuries to employers who are in good standing with the Workers' Compensation laws of the state *W. Va. Code § 23-2-6* (1991).

....

While Consolidation Coal was initially cited for a violation of *36 C.S.R. 33-4.1*, the West Virginia Office of Miners' Health, Safety & Training later reviewed the evidence. The Notice of Violation was subsequently vacated, with the Coal Mine Safety Board of Appeals noting that, "[t]he evidence indicates that the cited regulation was not violated as alleged in the Notice of Violation."

....

**W. Va. Tr. Ct. R. 6.02**, <http://www.courtswv.gov/legal-community/court-rules/trial-court/chapter-1.html>.

### 6.02 Citation Form

Citations in motions and memoranda must be in a generally accepted citation form.

#### Note:

Case holdings are generally cited to syllabus points in the format illustrated by the example above.

Examples from *State v. T.J. Int'l, Inc.*, 2001 WI 76, 244 Wis. 2d 481, 628 N.W.2d 774

....

¶4 We conclude that the definition of "business closing" in [Wis. Stat. § 109.07\(1\)\(b\)](#) does not include the sale of business assets where there is no actual operational shutdown--permanent or temporary--of the employment site. Where, as here, the transfer of ownership continues rather than interrupts or ceases the operation of the employment site, there is no "business closing" under the statute, and no 60-day notice of the sale is required. Accordingly, we affirm the court of appeals' reversal of the judgment of the circuit court.

....

¶18 The court of appeals reversed, concluding that the plain language of the statute's definition of "business closing" required a "permanent or temporary shutdown of an employment site," and because the Hawkins plant never shut down, there was no "business closing" within the meaning of the statute. [State v. T.J. Int'l, Inc.](#), 2000 WI App 181, ¶10, 238 Wis. 2d 173, 617 N.W.2d 256. We accepted the State's petition for review.

¶19 We review a circuit court order granting or denying a motion for summary judgment independently, using the same methodology as the circuit court. [Jankee v. Clark County](#), 2000 WI 64, ¶48, 235 Wis. 2d 700, 612 N.W.2d 297. Summary judgment is appropriate when there are no genuine issues of material fact in dispute and the moving party is entitled to judgment as a matter of law. [Wis. Stat. § 802.08\(2\)](#).

....

¶32 We note that [Wis. Admin. Code § DWD 279.002 \(Apr., 2001\)](#), entitled "Interpretation" specifies that "whenever possible, this chapter will be interpreted in a manner consistent with the Federal Worker Adjustment and Retraining Notification Act, 29 USC 2101 et seq., the federal regulations and court decisions interpreting that Act to the extent that the provisions of federal and state law are the same." Both defendants cite federal cases interpreting the WARN Act in support of their positions. We agree with the State that none of these cases is particularly helpful to our analysis of the Wisconsin law.

....

Wis. Sup. Ct. R. chapt. 80, [http://www.wicourts.gov/supreme/sc\\_rules.jsp](http://www.wicourts.gov/supreme/sc_rules.jsp).

**SCR 80.001 Definition.**

In this chapter, "public domain citation" means the calendar year in which an opinion, rule, order, or other item that is to be published is issued or ordered to be published, whichever is

later, followed by the designation of the court issuing the opinion, rule, order, or other item, followed by the sequential number assigned to the opinion, rule, order, or other item by the clerk of the court, in the following form:

2000 WI 14  
2001 WI App 9

**SCR 80.01 Official publications.**

(1) The supreme court designates the Wisconsin Reports as published by Lawyers Cooperative Publishing and the Wisconsin Reporter edition of the North Western Reporter published by West Group as official publications of the opinions, rules, and orders of the court of appeals and the supreme court and other items designated by the supreme court. If any authorized agency of this state publishes the opinions, rules, orders, and other matters of the court of appeals and the supreme court in a format approved by the supreme court after January 1, 1979, that publication shall also be designated as an official publication.

(2) The official publication of each opinion, rule, order, and other item of the supreme court issued on or after January 1, 2000, shall set forth the public domain citation of the opinion, rule, order, or other item and shall include the paragraph numbering of the opinion.

(3) The official publication of each opinion, rule, order, and other item of the court of appeals ordered to be published on or after January 1, 2000, shall set forth the public domain citation of the opinion, rule, order, or other item and shall include the paragraph numbering of the opinion.

**SCR 80.02 Proper citation.**

(1) The citation of any published opinion of the court of appeals or the supreme court in the table of cases in a brief and the initial citation in a memorandum or other document filed with the court of appeals or the supreme court shall include, in the order set forth, a reference to each of the following:

(a) the public domain citation, if it exists;

(b) the volume and page number of the Wisconsin Reports in which the opinion is published;

(c) the volume and page number of the North Western Reporter in which the opinion is published;

(2) Subsequent citations shall include at least one of the references in sub. (1) and shall be internally consistent.

(3)

(a) Citation to specific portions of an opinion issued or ordered to be published prior to January 1, 2000, shall be by reference to page numbers, in the following form:



*Smith v. Jones*, 214 Wis. 2d 408, 412.  
*Doe v. Roe*, 595 N.W.2d 346, 352.

(b) Citation to specific portions of an opinion issued on or after January 1, 2000, shall be by reference to paragraph numbers, in the following form:

*Smith v. Jones*, 2000 WI 14, ¶6  
*Smith v. Jones*, 214 Wis. 2d 408, ¶12  
*Doe v. Roe*, 2001 WI App 9, ¶17  
*Doe v. Roe*, 595 N.W.2d 346, ¶27

(c) Citation to specific portions of an opinion issued prior to January 1, 2000, and ordered to be published after January 1, 2000, shall be by reference to paragraph numbers if they exist or to page numbers if paragraph numbers do not exist.

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**Examples from *Amoco Prod. Co. v. Bd. of County Comm'rs*, 2002 WY 154, 55 P.3d 1246 (Wyo. 2002)**

....

[¶4] In 1985, State regulations concerning the Wyoming mineral tax system were amended and, in part, allowed take-in-kind owners, like Amoco with respect to the Properties, to file their own reports with the State and directly pay related taxes. [DOR Rules, ch. XXI, § 7\(c\)](#). In addition, in 1989, the State of Wyoming, Department of Audit (DOA) was created to supervise the Wyoming mineral tax system. [Wyo. Stat. Ann. § 9-2-2003](#). Upon its institution, the DOA began to perform oil and gas audits. Likewise, separate from these audits, other counties within Wyoming, including Sweetwater County, began to conduct their own audits primarily through contract arrangements. The contract auditor retained by Sweetwater County reviewed production reports for the Properties and found significant volumes of unreported production for the years 1980 through 1985. These findings were sent to the State of Wyoming, Department of Revenue (DOR) for review and assessment.

....

[¶10] Our standard of review is well established. We recently reiterated this standard of review in the case of [Bevan v. Fix](#), 2002 WY 43, ¶13, 42 P.3d 1013, ¶13 (Wyo. 2002):

Summary judgment is appropriate if the record, viewed in the light most favorable to the non-moving party, reveals that no genuine issues of material fact exist and the prevailing party is entitled to judgment as a matter of law. [Worley v. Wyoming Bottling Co., Inc.](#), 1 P.3d 615, 620 (Wyo. 2000); [Terry v. Pioneer Press, Inc.](#), 947 P.2d 273, 275 (Wyo. 1997); [Davis v. Wyoming Medical Center, Inc.](#), 934 P.2d 1246, 1250 (Wyo. 1997); W.R.C.P. 56(c). A fact is material if it establishes or refutes an essential element of a claim or defense. [Tidwell v. HOM, Inc.](#), 896 P.2d 1322, 1324 (Wyo. 1995). In evaluating summary

judgment, we apply the same standards as the trial court, without affording any deference to the trial court's decisions on issues of law. *Wilder v. Cody Country Chamber of Commerce*, 868 P.2d 211, 216 (Wyo. 1994).

....

**Wyo. Sup. Ct., Order Adopting a Uniform or Neutral-Format Citation (Oct. 2, 2000), [http://www.courts.state.wy.us/LawLibrary/univ\\_cit.pdf](http://www.courts.state.wy.us/LawLibrary/univ_cit.pdf).**

This Matter came before the Court by direction of the Board of Judicial Policy and Administration, in recognition of the increasing level of legal research being conducted via the Internet and other electronic resources, to adopt a public domain, neutral-format citation which will support use of legal sources in both the traditional book and electronic formats. Accordingly, IT IS ORDERED that, from and after January 1, 2001:

(1) At the time of issuance, this Court shall assign to all opinions and to those orders designated by this Court for publication (hereinafter referred to as substantive orders) a citation which shall include the calendar year in which the opinion or substantive order is issued followed by the Wyoming U.S. Postal Code (WY) followed by a consecutive number beginning each year with "1" (for example, 2001 WY 1). This public domain, neutral-format citation shall appear on the title page of each opinion and on the first page of each substantive order issued by this Court. All publishers of Wyoming Supreme Court materials are requested to include this public domain, neutral-format citation within the heading of each opinion or substantive order they publish.

(2) Beginning with the first paragraph of text, each paragraph in every such opinion and substantive order shall be numbered consecutively beginning with a symbol followed by an Arabic numeral, flush with the left margin, opposite the first word of the paragraph. Paragraph numbers shall continue consecutively throughout the text of the majority opinion or substantive order and any concurring or dissenting opinions or rationale. Paragraphs within footnotes shall not be numbered nor shall markers, captions, headings or Roman numerals, which merely divide opinions or sections thereof. Block-indented single-spaced portions of a paragraph shall not be numbered as a separate paragraph. All publishers of Wyoming Supreme Court materials are requested to include these paragraph numbers in each opinion or substantive order they publish.

(3) In the case of opinions which are not to be cited as precedent (per curium opinions) and in the case of all substantive orders (unless otherwise specifically designated by this Court), the consecutive number in the public domain or neutral-format citation shall be followed by the letter "N" to indicate that the opinion or substantive order is not to be cited as precedent in any brief, motion or document filed with this Court or elsewhere (for example, 2001 WY 1N).

(4) In the case of opinions or substantive orders which are withdrawn or vacated by a subsequent order of this Court, the public domain, neutral-format citation of the withdrawing or vacating order shall be the same as the original public domain, neutral-format citation but followed by a letter "W" (for example, 2001 WY 1W). An opinion or substantive order issued in place of one withdrawn or vacated shall be assigned the next consecutive number appropriate to the date on which it is issued.

(5) In the case of opinions or substantive orders which are amended by a subsequent order of this Court, the public domain, neutral-format citation of the amending order shall be the same as the original public domain, neutral-format citation but followed by a letter "A" (for example, 2001 WY 1A). Amended paragraphs shall contain the same number as the paragraph being amended. Additional paragraphs shall contain the same number as the immediately preceding original paragraph but with the addition of a lower case letter (for example, if two new paragraphs are added following paragraph 13 of the original opinion, the new paragraphs will be numbered 13a and 13b). If a paragraph is deleted, the number of the deleted paragraph shall be skipped in the sequence of paragraph numbering in any subsequently published version of the amended opinion of substantive order, provided that at the point where the paragraph was deleted, there shall be a note indicating the deletion of that paragraph.

(6) For cases decided between January 1, 2001, and December 31, 2003, for documents filed with the Court, a proper citation shall also include the volume and initial page number of the West Pacific Reporter in which the opinion is published. For cases decided after December 31, 2003, reference to the volume and initial page number of the West Pacific Reporter in which the opinion is published shall be optional in documents filed with the Court. The Wyoming Reporter will remain the official reporter of this Court's opinions and, where West Pacific Reporter citations are available at the time an opinion is issued, this Court will continue to cite to the West Pacific Reporter in addition to the public domain, neutral-format citation in all of its opinions.

(7) The following are examples of proper citations to Wyoming Supreme Court opinions:

**For cases decided before January 1, 2001:**

Primary cite:

Roe v. Doe, 989 P.2d 472 (Wyo. 1997).

Primary cite with pinpoint cite:

Roe v. Doe, 989 P.2d 472, 475 (Wyo. 2001).

Pinpoint cite alone:

Roe, 989 P.2d at 475.

**For cases decided from and after January 1, 2001 to December 31, 2003:**

Primary cite:

Doe v. Roe, 2001 WY 12, 989 P.2d 1312 (Wyo. 2001).

Primary cite with pinpoint cite:

Doe v. Roe, 2001 WY 12, ¶44, 989 P.2d 1312, ¶44 (Wyo. 2001).

Pinpoint cite:

Doe, ¶44-45.

**For cases decided from and after December 31, 2003:**

Primary cite:

Doe v. Roe, 2001 WY 12 or  
Doe v. Roe, 2001 WY 12, 989 P.2d 1312 (Wyo. 2001).

Primary cite with pinpoint cite:

Doe v. Roe, 2001 WY 12, ¶44-45. or  
Doe v. Roe, 2001 WY 12, ¶44, 989 P.2d 1312, ¶44 (Wyo. 2001).

Pinpoint cite:

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This index contains links to the many topics covered in this introduction to legal citation. It can be used like a print index. Its entries are alphabetically arrayed with linked cross references. To find and then scroll through the entries beginning with a particular letter, click on the letter or range of letters you want.

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