

Introduction to Basic Legal Citation

Peter W. Martin

No. 12-96

In the Supreme Court of the United States

SHELBY COUNTY, ALABAMA, PETITIONER

v.

ERIC H. HOLDER, JR., ATTORNEY GENERAL, ET AL.

Constitution and statutes:

U.S. Const.:

| | |
|------------------|---------------|
| Art. IV | 8 |
| Amend. X | 8 |
| Amend. XIV | <i>passim</i> |
| Amend. XV | <i>passim</i> |

| | |
|--|---|
| Act of Aug. 6, 1975, Pub. L. No. 94-73, Tit. II, 89 Stat. 400 | 5 |
|--|---|

| | |
|---|---|
| Civil Rights Act of 1957, Pub. L. No. 85-315, 71 Stat. 634 | 2 |
|---|---|

Civil Rights Act of 1960,

Civil Rights Act of 1964,

Stat. 241

Fannie Lou Hamer, Rosa
King Voting Rights A
Amendments Act of 2
Stat. 577

§ 2(b)(1)-(2), 120 St

TABLE OF AUTHORITIES

Cases:

| | |
|--|-------------------|
| <i>Arlington Heights v. Metropolitan Hous. Dev. Corp.</i> , 429 U.S. 252 (1977) | 22 |
| <i>City of Boerne v. Flores</i> , 521 U.S. 507 (1997) ... | 8, 16, 24, 28, 30 |
| <i>City of Rome v. United States</i> , 446 U.S. 156 (1980) | 5, 16, 19, 28 |
| <i>Crawford v. Marion Cnty. Election Bd.</i> , 553 U.S. 181 (2008) | 31 |
| <i>Georgia v. Ashcroft</i> , 539 U.S. 461 (2003) | 6 |
| <i>Georgia v. United States</i> , 411 U.S. 526 (1973) | 5, 16 |
| <i>Gonzales v. Raich</i> , 545 U.S. 1 (2005) | 22 |
| <i>Kimel v. Florida Bd. of Regents</i> , 528 U.S. 62 (2000) | 30 |
| <i>Lopez v. Monterey Cnty.</i> , 525 U.S. 266 (1999) | 5, 16, 28 |

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Introduction to

BASIC LEGAL CITATION

PETER W. MARTIN

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Table of Contents

- [PREFACE](#)
- **§ 1-000. BASIC LEGAL CITATION: WHAT AND WHY?**
 - [§ 1-100](#). Introduction
 - [§ 1-200](#). Purposes of Legal Citation
 - [§ 1-300](#). Types of Citation Principles
 - [§ 1-400](#). Levels of Mastery
 - [§ 1-500](#). Citation in Transition
 - [§ 1-600](#). Who Sets Citation Norms
- **§ 2-000. HOW TO CITE ...**
 - [§ 2-100](#). Electronic Sources
 - [§ 2-110](#). Electronic Sources – Core Elements
 - [§ 2-115](#). Electronic Sources – Points of Difference in Citation Practice
 - [§ 2-120](#). Electronic Sources – Variants and Special Cases
 - [§ 2-200](#). Judicial Opinions
 - [§ 2-210](#). Case Citations – Most Common Form
 - [§ 2-215](#). Case Citations – Points of Difference in Citation Practice
 - [§ 2-220](#). Case Citations – Variants and Special Cases
 - [§ 2-225](#). Case Citations – More Points of Difference in Citation Practice
 - [§ 2-230](#). Medium-Neutral Case Citations
 - [§ 2-240](#). Case Citations – Conditional Items
 - [§ 2-250](#). Citing Unpublished Cases
 - [§ 2-300](#). Constitutions, Statutes, and Similar Materials
 - [§ 2-310](#). Constitution Citations
 - [§ 2-320](#). Statute Citations – Most Common Form
 - [§ 2-330](#). Statute Citations – Conditional Items
 - [§ 2-335](#). Statute Citations – Points of Difference in Citation Practice
 - [§ 2-340](#). Statute Citations – Variants and Special Cases
 - [Session Laws](#)
 - [Bills](#)
 - [Named Statutes](#)
 - [Internal Revenue Code](#)

- [Uniform Acts and Model Codes](#)
 - [§ 2-350](#). Local Ordinance Citations
 - [§ 2-360](#). Treaty Citations
 - [§ 2-400](#). Agency and Executive Material
 - [§ 2-410](#). Regulation Citations – Most Common Form
 - [§ 2-415](#). Regulation Citations – Points of Difference in Citation Practice
 - [§ 2-420](#). Regulation Citations – Variants and Special Cases
 - [§ 2-450](#). Agency Adjudication Citations
 - [§ 2-455](#). Agency Adjudication Citations – Points of Difference in Citation Practice
 - [§ 2-470](#). Agency Report Citations
 - [§ 2-480](#). Executive Orders and Proclamations – Most Common Form
 - [§ 2-490](#). Citations to Attorney General and Other Advisory Opinions – Most Common Form
 - [§ 2-500](#). Arbitration Decisions
 - [§ 2-600](#). Court Rules
 - [§ 2-700](#). Books
 - [§ 2-710](#). Book Citations – Most Common Form
 - [§ 2-720](#). Book Citations – Variants and Special Cases
 - [Institutional Authors](#)
 - [Services](#)
 - [Restatements](#)
 - [Annotations](#)
 - [§ 2-800](#). Articles and Other Law Journal Writing
 - [§ 2-810](#). Journal Article Citations – Most Common Form
 - [§ 2-820](#). Journal Article Citations – Variants and Special Cases
 - [Student Writing by a Named Student](#)
 - [Unsigned Student Writing](#)
 - [Book Reviews](#)
 - [Symposia and the Like](#)
 - [Tributes, Dedications and Other Specially Labeled Articles](#)
 - [Articles in Journals with Separate Pagination in Each Issue](#)
 - [§ 2-900](#). Documents from Earlier Stages of the Same Case
- **§ 3-000. EXAMPLES – CITATIONS OF ...**

- [§ 3-100](#). Electronic Sources
- [§ 3-200](#). Judicial Opinions
 - [§ 3-210](#). Case Citations – Most Common Form
 - [Federal](#)
 - [State](#)
 - [§ 3-220](#). Case Citations – Variants and Special Cases
 - [§ 3-230](#). Medium-Neutral Case Citations
 - [§ 3-240](#). Case Citations – Conditional Items
- [§ 3-300](#). Constitutions, Statutes, and Similar Materials
 - [§ 3-310](#). Constitutions
 - [§ 3-320](#). Statute Citations – Most Common Form
 - [§ 3-340](#). Statute Citations – Variants and Special Cases
 - [Session Laws](#)
 - [Bills](#)
 - [Named Statutes](#)
 - [Internal Revenue Code](#)
 - [Uniform Acts and Model Codes](#)
 - [§ 3-350](#). Local Ordinance Citations
 - [§ 3-360](#). Treaty Citations
- [§ 3-400](#). Regulations, Other Agency and Executive Material
 - [§ 3-410](#). Regulation Citations – Most Common Form
 - [§ 3-420](#). Regulation Citations – Variants and Special Cases
 - [§ 3-450](#). Agency Adjudication Citations
 - [§ 3-470](#). Agency Report Citations
 - [§ 3-480](#). Citations to Executive Orders and Proclamations
 - [§ 3-490](#). Citations to Attorney General and Other Advisory Opinions
- [§ 3-500](#). Arbitration Decisions
- [§ 3-600](#). Court Rules
- [§ 3-700](#). Books
 - [§ 3-710](#). Book Citations – Most Common Form
 - [§ 3-720](#). Book Citations – Variants and Special Cases
 - [Institutional Authors](#)
 - [Services](#)
 - [Restatements](#)
 - [Annotations](#)
- [§ 3-800](#). Articles and Other Law Journal Writing
 - [§ 3-810](#). Journal Article Citations – Most Common Form

- [§ 3-820](#). Journal Article Citations – Variants and Special Cases
 - [Student Writing by a Named Student](#)
 - [Unsigned Student Writing](#)
 - [Book Reviews](#)
 - [Symposia and the Like](#)
- **§ 4-000. ABBREVIATIONS AND OMISSIONS USED IN CITATIONS**
 - [§ 4-100](#). Words in Case Names
 - [§ 4-200](#). Case Histories
 - [§ 4-300](#). Omissions in Case Names
 - [§ 4-400](#). Reporters and Courts
 - [§ 4-500](#). States
 - [§ 4-600](#). Months
 - [§ 4-700](#). Journals
 - [§ 4-800](#). Spacing and Periods
 - [§ 4-900](#). Documents from Earlier Stages of a Case
- **§ 5-000. UNDERLINING AND ITALICS**
 - [§ 5-100](#). In Citations
 - [§ 5-200](#). In Text
 - [§ 5-300](#). Citation Items Not Italicized
- **§ 6-000. PLACING CITATIONS IN CONTEXT**
 - [§ 6-100](#). Quoting
 - [§ 6-200](#). Citations and Related Text
 - [§ 6-300](#). Signals
 - [§ 6-400](#). Order
 - [§ 6-500](#). Short Form Citations
 - [§ 6-520](#). Short Form Citations – Cases
 - [§ 6-530](#). Short Form Citations – Constitutions and Statutes
 - [§ 6-540](#). Short Form Citations – Regulations
 - [§ 6-550](#). Short Form Citations – Books
 - [§ 6-560](#). Short Form Citations – Journal Articles
 - [§ 6-600](#). Context Examples
 - [§ 6-700](#). Tables of Authorities
- **§ 7-000. REFERENCE TABLES**
 - [§ 7-100](#). Introduction
 - [§ 7-200](#). Significant Changes in *The Bluebook*
 - [§ 7-300](#). Cross Reference Table: *The Bluebook*
 - [§ 7-400](#). Cross Reference Table: *ALWD Guide to Legal Citation*

- [§ 7-500](#). Table of State-Specific Norms and Practices
- [TOPICAL 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 summer of 2016 to reflect the release of a new, free citation guide, *The Indigo Book*, and the publication of *The Supreme Court's Style Guide*. Like all prior revisions this one also included a thorough review of the relevant appellate practice rules of federal and state courts, and the latest edition of *The Bluebook*, released in 2015. It is linked to the new *Indigo Book*. As has been true of all editions released since 2010, it is also indexed to the *The Bluebook* and the *ALWD Guide to Legal Citation*. Importantly, however, it documents the many respects in which contemporary legal writing, very often following guidelines set out in court rules or style guides, diverges from the citation formats specified by those academic texts.

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 path is through the work’s 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.

Help with Citation Issues Beyond the Scope of this Work

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 Guide to Citation](#), [The Indigo Book](#), 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](#) | [IB](#)] 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 Guide to Legal Citation* (ALWD) or *The Indigo Book*(IB).

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 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.

Additional Resources

A complementary series of "Citing ... in brief" video tutorials offers a quick start introduction to citation of the major categories of legal sources. These videos are also useful for review.

Currently, the following are available:

1. [Citing Judicial Opinions ... in Brief](#) (8.5 minutes)
 2. [Citing Constitutional and Statutory Provisions ... in Brief](#) (14 minutes)
 3. [Citing Agency Material ... in Brief](#) (12 minutes)
-

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

§ 1-100. Introduction

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. Court rules go so far as to authorize judges to reject arguments that are not supported by cited authority. Lawyers who appeal on the basis of arguments for which they have cited no authority can be sanctioned. 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 twentieth, was published in 2015. In 2000 a competing reference appeared, one designed specifically for instructional use. Prepared by the Association of Legal Writing Directors, the *ALWD Guide to Legal Citation* (5th ed. 2014) has won wide acceptance in law school legal writing programs. Expansive copyright and trademark claims by the proprietors of *The Bluebook* spawned the latest entry in the field, *The Indigo Book*, released in 2016. Working under the guidance of NYU copyright expert, Professor Christopher Sprigman, a team of students spent over a year meticulously separating the “system of citation” reflected in *The*

Bluebook from that manual's expressive content – its language, examples, and organization. *The Indigo Book* is the result. Like the *ALWD Guide to Legal Citation*, it endeavors to instruct those who would write legal briefs or memoranda on how to cite U.S. legal materials in conformity with the system of citation codified in the most recent edition of *The Bluebook* while avoiding infringement of that work's copyright. Unlike the other two guides, it is free and freely copyable.

Differences among these guides are microscopic (and noted here). In the way that dictionaries both prescribe and reflect usage, so do these manuals. All three reflect their origins. They are prepared in law schools with comprehensive print libraries and access to the most expensive commercial online legal information systems. Their principal focus is on the type of writing that law students and law professors do and that academic law journals publish. The realities of professional practice in many settings, particularly at a time when digital distribution of legal materials has largely displaced print, lead to dialects or usages in legal citation none of these manuals includes. And the type of writing required of lawyers and judges and the context lead to citation practices quite different from those appropriate to published articles.

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 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 major manuals and evolving usage reflected in legal memoranda and briefs prepared by practicing lawyers.

As is true with other languages, learning to read “legal citation” is easier than learning to write it fluently. 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. The nation’s highest court has its own distinctive citation style. In addition, 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. Several important state courts, California, Illinois, 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 six times since 1990, substantially in 1991, controversially in 1996, and again in 2000, 2005, 2010, and 2015 (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-2015 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.”

What about the feature now part of many online services that enables users to block text and copy it together with its “citation” into their notes? With some services users are even invited to select among a number of different citation formats. Regrettably, even the best (and most expensive) do not remove the need for researchers to know and apply the detailed citation norms applicable to the brief or memorandum they will ultimately prepare. There are several reasons for this gap between promise and performance. To begin, the most prominent services continue to view citation as a means of branding. Any statutory provision retrieved with citation from Westlaw or Lexis will cite to the publisher’s proprietary version of the jurisdiction’s code rather than provide the reference in its official or generic format. Case citations retrieved from Westlaw give unnecessary prominence to the publisher’s *National Reporter System* volume and page numbers. Secondly, none of the services delivers all the information that a writer will need for a complete citation across all types of material. Many fail to include the page or paragraph number of a specific passage copied from within a case. All fail to include the subsection, paragraph, and subparagraph numbers of a copied statutory or regulatory provision. What this means is that before you can safely rely on citations delivered by an online service you must have mastered legal citation sufficiently to know what additional information you will need to append to them manually in your notes, what portion of the citations furnished you can safely delete, and the extent to which you will need to reformat what remains.

Few people find a dictionary the best starting point for learning a new language. For many of the same reasons neither *The Bluebook*, the *ALWD Guide to Legal Citation*, nor *The Indigo Book* is a good primer. Like dictionaries, these manuals are designed as comprehensive

reference works. This introduction refers to them throughout. But while they 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 a more comprehensive manual. Instead, this introduction aims at building a basic mastery of “legal citation” as codified in the major 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 *The Bluebook* and the *ALWD Guide to Legal Citation* 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 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 Guide to Legal Citation*, as well as links directly into *The Indigo Book* itself. 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 from the core project of writing. 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

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 encoding 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 Lexis Classic, 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.

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; Copy. L. Rep. (CCH)
P26,425; 16 Media L. Rep. 1769; 10 U.S.P.Q.2D (BNA)
1985

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.

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

Cnty. for Creative Non-Violence 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. Enter “490 U.S. 730” as a search on Google and it will lead directly to the decision. The rest of the citation tells the reader that this is a 1989 decision of the United States Supreme Court (and not, say, a recent opinion of a U.S. District Court) and who the parties were.

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

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

Core Identification Principles: Principles that specify the minimum elements necessary to identify 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 formula – the full name of the author of a journal article, the year a decision was rendered or a book, published. 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 if 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

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 fails because of a typo; a judge's reaction to an erroneous citation is likely to be quite similar.

Since, in many cases, the standard retrieval formula for 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 case reports, 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 different courts.

Last and least are the conventions for reducing the space consumed by case names and journal titles. 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 the dominant manuals or a local equivalent 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 or copy 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*, the *ALWD Guide to Legal Citation*, or *The Indigo Book* 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

None of the major citation manuals gives much hint of the intense policy debate over citation norms or the dramatic changes in professional practice 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 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, online, 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 contains were handed down or enacted) is the key reference. Some 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 it 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 step, 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 five decades of decisions.

While the formats and other details vary slightly, 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 that have appeared in the *Federal Reporter* series. Among district courts, the District of South Dakota appears to stand alone. Between 1996 and 2009 some, although not all, of its judges 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

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 single 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 twentieth 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 newer *ALWD Guide to Legal Citation* (5th ed. 2014) has gained a wide following in U.S. law schools, and since it aims to reflect current usage. Its current edition is highly consistent with *The Bluebook*. *The Indigo Book* first released in 2016 also strives for conformity to *The Bluebook*’s system.

A much 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 supplied by implication. 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 their 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 and summaries in the LexisNexis *Lawyers' Edition* of Supreme Court decisions cite to that publisher's *United States Code Service* – e.g., "15 U.S.C.S. § 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 tied 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 constantly evolving usage, reinforced in some cases, altered in others, by the members of distinct communities.

§ 2-000. HOW TO CITE ...

§ 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 source 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 [section 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, HeinOnline or the journal's own 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 a specific 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 ^[BB | ALWD | IB]

Principle 1: Cite to material as it is denominated and organized for “print” unless much better access is available electronically. Even where an electronic source is used, if the original material is formatted for print, cite in relation to the print version, but follow that reference with a parallel citation to the electronic source if that is likely to aid retrieval. “Likely to aid retrieval” should, of course, be considered from the standpoint of expected readers of the work in which the citation will appear. **«e.g.»**

- Steve Kenney & John Borking, The Value of Privacy Engineering, 2002(1) J. Info. L. & Tech., http://www2.warwick.ac.uk/fac/soc/law/elj/jilt/2002_1/kenny.
- American Bar Association, Section on Legal Education and Admissions to the Bar, Statistics, http://www.americanbar.org/groups/legal_education/resources/statistics.html (last visited Aug. 31, 2015).
- **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.
- **United States v. Mena, No. 08-5176-cr, slip op. (2d Cir. Jan. 20, 2010)**, http://scholar.google.com/scholar_case?case=15442745188499711618.

!But see § 2-115(1)!

Principle 2: The citation should consist of all the elements required for the basic document type (*e.g.*, case, constitution, statute, regulation, article, report, or treatise), 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. «e.g.»
- a commercial database retrieval citation (*e.g.*, Westlaw, Lexis, or Bloomberg Law citation). «e.g.»

- Steve Kenney & John Borking, *The Value of Privacy Engineering*, 2002(1) J. Info. L. & Tech., http://www2.warwick.ac.uk/fac/soc/law/elj/jilt/2002_1/kenny.
- 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.
- *United States v. Mena*, No. 08-5176-cr, slip op. (2d Cir. Jan. 20, 2010), http://scholar.google.com/scholar_case?case=15442745188499711618.
- *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).
- *United States v. Mena*, No. 08-5176-cr, 2010 BL 11611, at *1 (2d Cir. Jan. 20, 2010).

!But see § 2-115(2)!

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

- (Bloomberg Law)
- (Westlaw, Legal Newspapers)
- (LexisNexis Veterans Benefits Manual and Related Laws and Regulations CD-ROM)
- (ebook).

Similarly, if a complete URL is either unavailable or unwieldy and a Web search on the title will not retrieve the document, provide a base URL plus the steps necessary to access it in parentheses, *e.g.*

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

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, 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. **«e.g.»**

If there is already a parenthetical including source and database information (see above), the two should be combined, separated by a comma. **«e.g.»**

- Steve Kenney & John Borking, *The Value of Privacy Engineering*, 2002(1) J. Info. L. & Tech., http://www2.warwick.ac.uk/fac/soc/law/elj/jilt/2002_1/kenny.
- American Bar Association, Section on Legal Education and Admissions to the Bar, *Statistics*, http://www.americanbar.org/groups/legal_education/resources/statistics.html (last visited Aug. 31, 2015).
- 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.
- *United States v. Mena*, No. 08-5176-cr, slip op. (2d Cir. Jan. 20, 2010), http://scholar.google.com/scholar_case?case=15442745188499711618.
- Dep’t of Veterans Affairs, M21-1, *The Adjudication Division* § 2.03 (LexisNexis Veterans Benefits Manual and Related Laws and Regulations CD-ROM, 2014).

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

Point 1: Prior to the 2015 edition, *The Bluebook* called for the phrase “*available at*” (in italics) to be inserted at the beginning of parallel Internet citations. Since that has by now become embedded in judicial practice, it will very likely continue. Numerous courts that employ the format, including the nation’s highest, do not italicize the phrase. Others, New York being one, place a parallel electronic address (URL, commercial database cite, database identifier) in parentheses or brackets preceded by “available at”. «e.g.»

Point 2: The courts of some states, Ohio and Montana among them, favor “accessed” or “last accessed” over “last visited”. Those of most employ the phrase “last updated” rather than “last modified”. «e.g.»

- American Bar Association, Section on Legal Education and Admissions to the Bar, *Statistics*, http://www.americanbar.org/groups/legal_education/resources/statistics.html (last visited Aug. 31, 2015).
- American Bar Association, Section on Legal Education and Admissions to the Bar, *Statistics*, http://www.americanbar.org/groups/legal_education/resources/statistics.html (accessed Aug. 31, 2015). [Per the format used by Montana and Ohio courts.]
- 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. [Per the format used by the U.S. Supreme Court.]
- 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]. [Per the format used by New York courts.]

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

Scholarly articles frequently appear online prior to their appearance in print. Indeed, some are never printed. 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 parentheses containing the date. «e.g.»

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

§ 2-200. How to Cite Judicial Opinions

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.


For a quick start introduction or review, there is also a companion video tutorial, “Citing Judicial Opinions ... in Brief”:


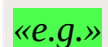
http://www.access-to-law.com/citation/videos/citing_judicial_opinions.html.

It runs 8.5 minutes.

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

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 “title,” “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 a comma separating this component from the next. 

- *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 (b) - At least one retrieval 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](#))

«e.g.»

- failing that, one constructed of:
 - the reporter volume number and reporter name (abbreviated) ([§ 4-400](#)) and the first page of the case in that volume. «e.g.»

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 retrieval 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.)

«e.g.»

- *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, 1092 (Idaho 1983).

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. «e.g.»

- 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.

«e.g.»

- When state cases are *cited to a court in the same state*, most state rules require that parallel addresses 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. Here, too, parallel “pinpoint” pages are generally not necessary since most online systems contain the pagination of both reporters. When cited to courts of another jurisdiction, state decisions that appear in a regional reporter generally need be cited only to that reporter. This can mean that the same decision will, when cited within its state, have a different citation form than when cited in other jurisdictions. «e.g.»

- *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.*, 105 Idaho 622, 632, 671 P.2d 1085 (1983). [Cited to an Idaho court]
- *Kootenai Env'tl. Alliance, Inc. v. Panhandle Yacht Club, Inc.*, 671 P.2d 1085, 1095 (Idaho 1983). [Cited to a court in some other jurisdiction]

! But see § 2-215(1)!

Element (c) The date «e.g.»

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

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

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. «e.g.»
- 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. «e.g.»
- The abbreviation for a state standing alone signifies a decision of the jurisdiction’s highest appellate court. For that reason 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. «e.g.»

- *Kootenai Envtl. Alliance, Inc. v. Panhandle Yacht Club, Inc.*, 671 P.2d 1085 (Idaho 1983).
- *Czapinski v. St. Francis Hosp., Inc.*, 2000 WI 80, 236 Wis. 2d 316, 613 N.W.2d 120.
- *Comm. to Prevent Mun. Bankr. v. Renne*, 77 F.3d 488 (9th Cir. 1996).
- *Perlman 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).

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. The rules of a few others allow citation to the state’s official reports without a parallel citation to the regional reporter.

Point 2: The U.S. Supreme Court and a number of state courts reject the practice of including “Ct.” when abbreviating state intermediate appellate courts. In Alaska, for example, and decisions of the Supreme Court the abbreviation used for that state’s court of appeals is “Alaska App.” rather than “Alaska Ct. App.”


Point 3: The U.S. Supreme Court (and numbers of lower federal courts following its lead) employs more economic abbreviations of the circuits of the U.S. Court of Appeals and U.S. District Court districts. Instead of “2d Cir.” and “9th Cir.” its decisions refer to “CA2” and “CA9”. Instead of “D.R.I.”, “S.D.N.Y.”, and “N.D. Ill.” its decisions refer to “RI”, “SDNY”, and “ND Ill.”

§ 2-220. Case Citations – Variants and Special Cases [[BB](#) | [ALWD](#) | [IB](#)]

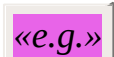
Most case citations refer to opinions that have already appeared in established print reporters and their conformed electronic counterparts. Opinions for which that is not true either because they are very recent or because the court or publisher of the relevant reporter did not consider the decision important enough for such dissemination call for alternative identification. The challenge in such a situation is to furnish the reader sufficient information to enable retrieval of 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](#).)

Alternative 1: With cases available in a print looseleaf service or an electronic equivalent, 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. 

Alternative 2: With cases available in electronic format but not yet in final form, 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\(1\)](#)!

Alternative 3: With cases available only from the court in slip opinion form, 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. «e.g.»

- *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).
- *Willey v. Kirkpatrick*, No. 13-699, 2015 U.S. App. LEXIS 15197, at *25 (2d Cir. Aug. 28, 2015).
- *Willey v. Kirkpatrick*, No. 13-699, 2015 WL 5059377, at *10 (2d Cir. Aug. 28, 2015).
- *Willey v. Kirkpatrick*, No. 13-699, 2015 BL 278610, at *11 (2d Cir. Aug. 28, 2015).
- *Free Range Content, Inc. v. Google Inc.*, No. 14-cv-02329-BLF, slip op. at 4 (N.D. Cal. Aug. 25, 2015).

! But see [§ 2-225\(2\)](#)!

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

Point 1: Some courts omit 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 using another electronic source, whether it be a competing commercial online system or the court’s own Web site. «e.g.»

Point 2: When the decision is certain to appear in an established reporter but has not yet been published, some courts include a skeletal print citation with three underlined spaces taking the place of the missing volume and page numbers. That practice makes sense only when the citing text will, at some later point, be revised to fill in the gaps. «e.g.»

- *McNamara v. Astrue*, No. 09-1124, 2010 U.S. App. LEXIS 175 (8th Cir. Jan. 5, 2010). [Per *The Bluebook* and *ALWD Guide to Legal Citation*.]
- *McNamara v. Astrue*, ___ F.3d ___, 2010 U.S. App. LEXIS 175 (8th Cir. Jan. 5, 2010). [Per the practice of some courts.]
- *McNamara v. Astrue*, ___ F.3d ___, 2010 WL 10392 (8th Cir. Jan. 5, 2010). [Per the practice of some courts.]

§ 2-230. Medium-Neutral Case Citations [[BB](#) | [ALWD](#) | [IB](#)]

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 that have appeared in the Federal Reporter series. Among district courts, the District of South Dakota appears to stand alone. Between 1996 and 2009 some, although not all, of its judges 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, like Arkansas, 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.

Most jurisdictions adopting a medium-neutral system have done so prospectively only. Citations to cases that pre-date the change must

still employ reporter volume and page numbers. Two states, however, have retrofitted all past reported decisions with neutral citations and paragraph numbers. The court rules of one of them, Oklahoma, strongly encourage the use of the print-independent citations for those older cases, and the state’s appellate courts model the practice. In New Mexico the neutral citation system has, since 2013, been required for citations to opinions dating all the way back to 1852.

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

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 those 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 not been designated “unpublished” or “non-precedential”.

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. «e.g.».

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](#)). «e.g.» 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.

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. «e.g.»

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

That is unnecessary with U.S. 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 [section 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, that has been the case with many U.S. Court of Appeals “unpublished” decisions because of West’s *Federal Appendix Reporter*. Before you cite a decision that the deciding court has labeled “unpublished” or “nonprecedential,” you should consult that court’s rules on this point.

§ 2-300. How to Cite Constitutions, Statutes, and Similar Materials

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 or electronically distributed. 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 one 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 or that the provisions governing the question being addressed are not those currently in effect. These risks are a consequence of the possibility of intervening legislative change *per se* compounded by the amount of time it takes the respective publishers or disseminators to enter legislative changes in their statutory compilations. Addressing these possibilities calls for both writer and reader to pay serious attention to the date of the compilation relied on by the writer. The reader will assume that a citation to the provisions of a constitution or codified statute is referring to the version in force at the time the writing was prepared unless it includes a date element that indicates otherwise.

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

For a quick start introduction or review, there is also a companion video tutorial, “Citing Constitutional and Statutory Provisions ... in

Brief”:

http://www.access-to-law.com/citation/videos/citing_const_statutes.html.

It runs 14 minutes.

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

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.”) «e.g.»

Element (b) - The cited part
(Parts often include articles (abbreviated “art.”), amendments (abbreviated “amend.”) and clauses (abbreviated “cl.”), in addition to sections (§).) «e.g.»

No punctuation separates the name of the constitution from the first part identifier; commas separate successive subparts. Nothing is italicized or underlined. No date is required unless the citation is to a provision or version of the constitution no longer in effect. «e.g.»

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

Statutory provisions are, whenever possible, cited to compilations. For any U.S. jurisdiction, there is usually a single codification 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 jurisdiction are maintained in very few law libraries.

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”) followed by a space

«e.g.»

Element (b) - The section number, including all designations of smaller units (lettered or numbered subsections, paragraphs, subparagraphs, and clauses) preceded by the section symbol and space «e.g.»

◦ 42 U.S.C. § 405(c)(2)(C)(ii).

Element (c) - Date

If the provision being cited is currently in effect and has not been the subject of recent change, no date element need be

included. However, if the provision being cited has, by the time of writing, been repealed or amended or if it has only recently been enacted, the date of a compilation that contains the language cited should be provided in parentheses. «e.g.»

- 42 U.S.C. § 405(c)(2)(C)(ii).
- 42 U.S.C. § 405(c)(2)(C)(xi) (2013) (added in 2010).
- 42 U.S.C. § 13925(a)(2) (2012) (amended in 2013).

The precise form this takes will be governed by the form in which that compilation presents its cutoff date.

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

! But see [§ 2-335](#) !

Principle 2: The core of a citation to a codified state statutory provision consists of the same basic elements in a slightly different order. Unlike citations to the U.S. Code which begin with a title number, references to most state codes lead off with the name of the state code (abbreviated):

Element (a) - The name of code (abbreviated) followed by a space «e.g.»

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.) «e.g.»

- Iowa Code § 602.1614.
- Cal. Prob. Code § 141.

Element (c) - Date

If the provision being cited is currently in effect and has not been the subject of recent change, no date element need be included. However, if the provision being cited has, by the time of writing, been repealed or amended or if it has only recently been enacted, the date of a compilation that contains the language cited should be provided in parentheses. The precise form this takes will be governed by the form in which that compilation presents its cutoff date. «e.g.»

- Iowa Code § 602.1614.
- Iowa Code § 1606(1)(a) (2015).
- Iowa Code § 1606(1)(a) (2012) (prior to 2013 amendment).
- Cal. Prob. Code § 13100 (2015).
- Cal. Prob. Code § 13100 (2010)(prior to 2011 amendment).

! But see [§ 2-335](#) !

§ 2-330. Statute Citations – Conditional items

Principle 1: If possible, the reference should be given in generic format using the framework of the 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 date information in a concluding parenthetical. *«e.g.»*

- 42 U.S.C.A. § 405(c)(2)(C)(xiii) (Westlaw current through Pub. L. No. 114-49, approved Aug. 7, 2015)
- 42 U.S.C.S. § 405(c)(2)(C)(xiii) (LexisNexis current through Pub. L. No. 114-49, approved Aug. 7, 2015).
- Iowa Code Ann. § 602.1606(1)(a) (Westlaw current through end of 2015 Reg. Sess.).

! But see [§ 2-335](#) !

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. If that is not the case or the provision has only recently been enacted, a date for the compilation relied upon should be furnished. The precise form this takes will be governed by the form in which that compilation presents date information. «e.g.»

- Iowa Code Ann. § 602.1606(1)(a) (Westlaw current through end of 2015 Reg. Sess.).
- Cal. Prob. Code § 13100 (2010) (prior to 2011 amendment).

! But see [§ 2-335](#) !

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

Point 1: Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 concluding parentheses.

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

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 nearly all appellate courts and most lawyers, neither *The Bluebook* nor the *ALWD Guide to Legal Citation* 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 a concluding parenthetical. Both manuals also include “Ann.” when the cited code is annotated.

To illustrate, the official compilation of Indiana statutes is regularly cited “Ind. Code § x.” According to *The Bluebook* and the *ALWD Guide to Legal Citation* 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).”

Point 2: While it is the practice in the opinions of and briefs submitted to the U.S. Supreme Court, the U.S. Courts of Appeals, and a majority of state courts to omit any date element from statute citations unless the provisions have been or are likely to be subject to amendment, both *The Bluebook* and the *ALWD Guide to Legal Citation* call for the routine inclusion of the year or some alternative indication of the cited compilation’s cutoff date. Very likely this reflects the degree to which they remain bound by a print paradigm and their prime focus on law

journal publication.


Point 3: A standard and recurring component of state statute and regulation citations is an abbreviation of the state name. One area of citation practice on which there is widespread state variation is the abbreviation of a state’s code when cited by or to that state’s own courts. The abbreviations used on the examples in this introduction ([§ 3-320](#)), like the dominant national citation references, are full enough to distinguish unambiguously between a citation to a provision of the Alaska Statutes and one to a similarly numbered section of the codes of Alabama, Arizona and Arkansas. When context leaves little or no doubt about which state’s statutes are being cited, the case with 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.

- 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.]

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.

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.

«e.g.»

- 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://www.gpo.gov/fdsys/pkg/PLAW-110publ2/pdf/PLAW-110publ2.pdf>.
- Health Risk Limits for Perfluorooctanoic Acid and Perfluorooctane Sulfonate, 2007 Minn. Laws ch. 37, <https://www.revisor.mn.gov/laws/?id=37&doctype;=Chapter&year;=2007&type;=0>.

The year of enactment, in parentheses, is included in cases where that information is important and it has not already appeared as part of the name.

! But see [§ 2-335](#) !

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.

Special Case 3 – Named Acts: Some statutes are commonly referred to by name, and in a number 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, «e.g.»

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

but they can be added to it.

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. § _____.

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. «e.g.» In the case of uniform laws a parallel citation to the Uniform Laws Annotated (U.L.A.) may be helpful. «e.g.»

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

The most recent edition of *The Bluebook* prescribes adding the name of the sponsoring entity or entities, abbreviated, in the concluding parenthetical. For most uniform laws that would be “Unif. Law Comm’n”, but because of the distinctive history of the Uniform Commercial Code it would in the case of the U.C.C. require adding “Am. Law Inst. & Unif. Law Comm’n”. For the Model Business Corporations Act the resulting insertion would be “Am. Bar Ass’n”.

«e.g.»

- U.C.C. § 2-202 (Am. Law Inst. & Unif. Law Comm’n amended 2003).
- Unif. Probate Code § 2-107 (amended 1990), 8(I) U.L.A. 87 (1998).
- Model Bus. Corp. Act § 10.01 (Am. Bar Ass’n 2002).


To date this new requirement has no support in professional citation practice.

§ 2-350. Local Ordinance Citations [BB | ALWD]

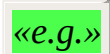
Ordinances governing cities, towns, or counties are cited like statutes. Just as the standard form for a citation to a state statute includes the name of the state (abbreviated), an ordinance citation is prefaced by the name of the political subdivision it governs. «e.g.»

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

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 followed by a comma and a space 

Element (b) - The date of signing or approval followed by a comma and a space 

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

- 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://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.
- 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. «e.g.»

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. «e.g.»

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.

«e.g.»

- 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://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.
- Geneva Convention Relative to the Treatment of Prisoners of War art. 4.A.3, Aug. 12, 1949, 75 U.N.T.S. 135.

§ 2-400. How to Cite Regulations, Other Agency and Executive Material

Regulations and other agency material, particularly the output of state agencies, have 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.

For a quick start introduction or review, there is also a companion video tutorial, “Citing Agency Material ... in Brief”:

http://www.access-to-law.com/citation/videos/citing_agency_material.html.

It runs 12 minutes.

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

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

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”) followed by a

space «e.g.»

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

Element (c) - The date

If the provision being cited is currently in effect and has not been the subject of recent change, no date element need be included. However, if the provision being cited has, by the time of writing, been repealed or amended or if it has only recently been promulgated, the date of a compilation that contains the language cited should be provided in parentheses. The precise form this takes will be governed by the form in which that compilation presents its cutoff date. «e.g.»

- 20 C.F.R. § 404.260.
- 49 C.F.R. § 236.403.
- 20 C.F.R. § 404.936(d) (2015) (added in 2014).
- 20 C.F.R. § 404.936(b) (2015) (amended in 2014).

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

Principle 2: The core of a citation to a codified state regulation consists of comparable elements, in slightly different order and adjusted to the nomenclature of the particular codification. Unlike citations to the C.F.R. which begin with a title number, references to most state codes lead off with the name of the state code (abbreviated). 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. «e.g.»

- Code Me. R. 12 170 7 § 5,
<http://www.maine.gov/sos/cec/rules/12/170/170c007.doc>.
- Minn. R. 3050.2600, <http://www.revisor.mn.gov/rules/?id=3050.2600>.
- Tex. Admin. Code tit. 40, § 98.92,
[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?
tac_view=3&ti=40&pt=1](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=40&pt=1).

See [§ 2-110](#).

! But see [§ 2-415](#) !

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

Point 1: State regulations are cited outside their state of origin even more rarely 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 the *ALWD Guide to Legal Citation* 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).” «e.g.»

- 8 AAC 15.160. [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 2: As those examples illustrate, some favor eliminating periods in the abbreviations of the names of codified regulations when

compressed to their initial letters. The U.S. Supreme Court does so with “C.F.R.” Its decisions cite to “CFR”.

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

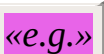
Special Case 1: Federal regulations not yet codified or citations to a regulation as originally promulgated are cited to the *Federal Register* (Fed. Reg.), preceded by name or title of the regulations. [«e.g.»](#) If the regulation is to be codified in C.F.R., the location where it will appear or the portion it amends should, in most cases, be furnished parenthetically. [«e.g.»](#)

- [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. 22, 2010) [\(amending 47 C.F.R. pt. 15\)](#).

Special Case 2: State regulations not yet codified or citations to regulations as originally promulgated are cited to an equivalent publication or Web site. [«e.g.»](#)

- [Adopted Permanent Rules Relating to Telephone Assistance Plans](#), [34 Minn. Reg. 818](#) (Dec. 7, 2009) [\(to be codified at Minn. R. 7817.0400\)](#).

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. [«e.g.»](#)

The most recent edition of *The Bluebook* prescribes adding the name of the sponsoring entity, abbreviated, in the concluding parenthetical. For the Sentencing Guidelines it would require adding “U.S. Sentencing Comm’n”. 

- Federal Sentencing Guidelines Manual § 3E1.1 (2014).
- Federal Sentencing Guidelines Manual § 3E1.1 (U.S. Sentencing Comm’n 2014).

To date this new requirement has no support in professional citation practice.

§ 2-450. Agency Adjudication Citations

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. «e.g.»

- 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 N.L.R.B. No. 59 (Sept. 15, 2005), <http://apps.nlr.gov/link/document.aspx/09031d458007a338>.

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

Point 1: The *ALWD Guide to Legal Citation*, the U.S. Supreme Court, and most lower federal courts employ a format more tightly analogous to that employed for judicial opinions, including the italicizing of party names. «e.g.»

- *McClatchy Newspapers*, 321 N.L.R.B. 1386 (1996). [Per federal court practice.]
- *H H 3 Trucking Inc.*, 345 N.L.R.B. No. 59 (Sept. 15, 2005), <http://mynlrb.nlr.gov/link/document.aspx/09031d458007a338>. [Per federal court practice.]

§ 2-470. Agency Report Citations [BB | ALWD]

Principle 1: Citations to agency reports, published periodically in volumes, take the same form as journal articles (see § 2-800). «e.g.»

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)). «e.g.»

- 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).

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 [[BB](#) | [ALWD](#)]

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) followed by a space *«e.g.»*

Element (b) - The order or proclamation number followed by a comma and space *«e.g.»*

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) *«e.g.»* followed by a space

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

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

Principle 2: Two 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

«e.g.»

- Principles for Federal Infrastructure Investments, Exec. Order No. 12,893, 59 Fed. Reg. 4233 (Jan. 31, 1994).
- To Eliminate Circumvention of the Quantitative Limitations Applicable to Imports of Wheat Gluten, Proclamation No. 7202, 3 C.F.R. 48 (2000).

Element (b) - With recent documents a parallel electronic citation may be useful; «e.g.»

- Exec. Order No. 12,893, 59 Fed. Reg. 4233 (Jan. 31, 1994), <http://www.archives.gov/federal-register/executive-orders/pdf/12893.pdf>.
- 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.

all executive orders and proclamations from 1993 on are accessible online. See [§ 2-110](#).

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).

§ 2-490. Citations to Attorney General and Other Advisory Opinions – Most Common Form [[BB](#) | [ALWD](#)]

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.” *«e.g.»*

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

- 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, 29 Op. Off. Legal Counsel 139 (2005).
- 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 2: Two 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. «e.g.»

Element (b) - In many cases a parallel electronic citation may be useful. «e.g.»

- 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, 29 Op. Off. Legal Counsel 139 (2005), <http://www.justice.gov/olc/file/478996/download>.
- 86 Cal. Att'y Gen. Op. No. 03-105 (June 19, 2003), <http://ag.ca.gov/opinions/pdfs/03-105.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>.

See [§ 2-110](#).

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. 

- 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, 29 Op. Off. Legal Counsel 139 (2005).
- 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).

§ 2-500. How to Cite Arbitration Decisions [[BB](#) | [ALWD](#)]

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. «e.g.» 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. «e.g.»

- [United States - Tax Treatment for "Foreign Sales Corporations,"](#) World Trade Organization No. 108 (Aug. 30, 2002) ([Falconer, Chambovey & Seung Wha Chang, Arbs.](#)).

§ 2-600. How to Cite Court Rules ^[BB | ALWD | IB]

Principle: Rules of evidence or procedure are cited by name of the set of rules (beginning with the jurisdiction) **«e.g.»** and the rule number.

«e.g.»

- 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.

The name is abbreviated. Some, including the U.S. Supreme Court, spell out “Rule” and abbreviate “Procedure” as “Proc.” The abbreviations shown here are more common. According to *The Bluebook*, the *ALWD Guide to Legal Citation*, 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

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

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

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

Element (a) - The volume number (if it is a multi-volume work) followed by a space «e.g.»

- 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 (b) - The full name of the author(s) followed by a comma and a space

- 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. «e.g.» .
- Works by two authors are cited using both names separated by "&". «e.g.»

- 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).

- 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.

Element (c) - Title (italicized or underlined) followed by a space, with all words other than prepositions and conjunctions begun with a capital letter «e.g.»

- 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 followed by a space «e.g.»

- 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) - Parentheses containing the edition number (if there have been multiple editions) and year of publication

«e.g.»

- 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).

When citing from the online version of a treatise the year should be the year in the copyright notice on the page.

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

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. «e.g.»
- If an individual author is credited for the work along with the institution, both are listed with the individual author coming first. «e.g.»
- 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. «e.g.»

- 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).

- In cases where an individual author is cited, the name of that author substitutes for the smallest unit.

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, and subdivision.

«e.g.»

- 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.

«e.g.»

- The date accompanying the citation (in most cases, at the end, in parentheses) is the full date of the cited document. «e.g.»

- *Vill. of Grand View v. Skinner*, 22 Env'tl. L. Rep. (Env'tl. 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 3 – Restatements: [[BB](#) | [ALWD](#) | [IB](#)]

- Restatements are not attributed to an author; they are cited simply by name, subdivision, and year.
- The most recent edition of The Bluebook prescribes adding the name of the sponsoring entity, abbreviated, in the concluding parenthetical. For Restatements that would be “Am. Law Inst.”

«e.g.»

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

To date this new requirement has no support in professional citation practice.

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 and are continuously updated, they require the use of section numbers in any pinpoint reference and, if cited for recent material, may call for use of the current year rather than the year of initial publication.

§ 2-800. How to Cite Articles and Other Law Journal Writing

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](#) | [IB](#)]

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 "&". «e.g.»
- Middle names are NOT reduced to initials unless that is how they appear in the original work. «e.g.»

- 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 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 «e.g.»

- 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 «e.g.»

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

- 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) «e.g.»

- 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. «e.g.»
- 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. «e.g.»

- 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) «e.g.»

- 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.

§ 2-820. Journal Article Citations – Variants and Special Cases [[BB](#) | [ALWD](#) | [IB](#)]

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

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). «e.g.»
- The piece is identified only by category if there is no title or only a long digest-like heading. «e.g.»

- 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 2 – Unsigned Student Writing:

- The category or type of piece is indicated where author's name would appear. «e.g.»
- The piece is identified only by category if there is no title or only a long digest-like heading. «e.g.»

- **Note**, *Computer Intellectual Property and Conceptual Severance*, 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 3 – Book Reviews:

- If the review is by an author who is not a student editor, the core citation is followed by a parenthetical simply identifying the piece as a book review or indicating the work reviewed. «e.g.»
- If the review by a student editor, it is cited like other student journal writing and given the category “Book Note”. «e.g.»

- 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 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. «e.g.»

- **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 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). «e.g.»
- If there is no named author, the designation is indicated where the author’s name would appear. «e.g.»

- 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 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.

- 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.

§ 2-900. How to Cite Documents from Earlier Stages of the Same Case ^{[[BB](#) | [ALWD](#) | [IB](#)]}

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. *«e.g.»* The date of the event is furnished with depositions, trial testimony, and in other situations where it will aid the reader. *«e.g.»*

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

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.

In jurisdictions with electronic filing and electronic case records new citation forms designed to facilitate programmatic linking of references to the record have begun to emerge. For example, the Fifth Circuit, U.S. Court of Appeals, now requires that references in a brief to the electronic record employ the format “ROA” followed by a period and the page number (*e.g.*, ROA.123).

§ 3-000. EXAMPLES CITATIONS OF ...

§ 3-100. Electronic Sources

§ 3-110. Electronic Citations – Core Elements

Illustrations

American Bar Association, Section on Legal Education and Admissions to the Bar, *Statistics*, http://www.americanbar.org/groups/legal_education (last visited Aug. 31, 2015).

Dep't of Veterans Affairs, M21-1, *The Adjudication Division § 2.03* (LexisNexis Veterans Benefits Manual and Related Laws and Regulations CD-ROM, 2014).

§ 3-200.Judicial Opinions

§ 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](#)
- [Court of Federal Claims](#)
- [Courts of Appeals](#)
- [Bankruptcy Courts and Bankruptcy Panels](#)
- [Court of Appeals for the Federal Circuit](#)
- [Tax Court](#)
- [District Courts](#)
- [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).
- *N.C. Bd. of Dental Exam'rs v. FTC*, 134 S. Ct. 1491, 188 L. Ed. 2d 375 (2014).
- *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).

Courts of Appeals

- *Little v. Shell Expl. & Prod. Co.*, 690 F.3d 282 (5th Cir. 2012).
- *Shames v. Cal. Travel & Tourism Op. Comm'n*, 607 F.3d 611 (9th Cir. 2010).
- *Symantec Corp. v. Comput. Assocs. Int'l, Inc.*, 522 F.3d 1279 (Fed. Cir. 2008).
- *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 County 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 County Prob. Dep't*, 128 F.3d 152 (3d Cir. 1997).
- *Tillman v. Lebanon County 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 Longshoremen'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* 502 U.S. 93 (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

- *Engenium Sols., Inc. v. Symphonic Techs., Inc.*, 924 F. Supp. 2d 757 (S.D. Tex. 2013).
- *Walker Dig., LLC v. Facebook, Inc.*, 852 F. Supp. 2d 559 (D. Del. 2012).
- *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).
- *Inv'rs Capital Corp. v. Brown*, 125 F. Supp. 2d 1346 (M.D. Fla. 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).

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).

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.

Bankruptcy Courts and Bankruptcy Panels

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

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 Empls.*, 531 So. 2d 661 (Ala. 1988).
- *Gov't & Civic Empls. Org. Comm. v. Windsor*, 262 Ala. 285, 78 So. 2d 646 (1955).*
- *Gov't & Civic Empls. 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.

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 [Alaska sample document](#).

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 [Arizona sample document](#).

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. That system employs individual opinion pagination rather than paragraph numbers for in-state pinpoint citation, with a comma and "at" separating the cited page from the opinion number.

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 [California sample document](#).

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*, 275 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 [Colorado sample document](#). 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.

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.

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).

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.

Florida

- *Swofford v. Richards Enters., Inc.*, 515 So. 2d 231 (Fla. 1987).
- *City of N. Miami v. Fla. Defs. 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 [Florida sample document](#).

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.

Hawaii

- *Pac. Concrete Fed. Credit Union v. Kauanoe*, 62 Hawai'i 334, 614 P.2d 936 (1980).*
- *Pac. Concrete Fed. Credit Union v. Kauanoe*, 614 P.2d 936 (Haw. 1980).

- *Krohnert v. Yacht Sys. Haw., Inc.*, 4 Hawai'i 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 with the name of the state spelled out in local fashion. 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.

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.

Illinois

- *Snyder v. Heidelberg*, 2011 IL 111052, 953 N.E.2d 415.*
- *Snyder v. Heidelberg*, 953 N.E.2d 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. 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.

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.

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.

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.

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.

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.

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.

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.

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.

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 an appellate opinion manual. Deviating in numerous other respects from general citation norms for both Michigan and out-of-state authority, it is used in decisions of the state's own courts and submissions to them. For a reference to the manual, see [Michigan sample document](#).

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. App. 1990).*
- *Great W. Cas. Co. v. Christenson*, 450 N.W.2d 153 (Minn. Ct. App. 1990).

* In-state references to Minn. Court of Appeals decisions employ this shorter abbreviation, while references to decisions comparable courts in other jurisdictions include the "Ct."

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 may include a medium-neutral citation which, under Mississippi rules, consists of the clerk-assigned case number in the format shown here; and pinpoint cites may use the paragraph numbers assigned by the court.

Missouri

- *St. Louis v. G. H. Wright Contracting Co.*, 202 Mo. 451, 101 S.W. 6 (1907).*
- *St. Louis v. G. H. Wright Contracting Co.*, 101 S.W. 6 (Mo. 1907).
- *Ex rel. Dir. of Revenue, Mo. v. McKenzie*, 936 S.W.2d 590 (Mo. App. 1996).*
- *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. App. 1984).*
- *Imperial Util. Corp. v. Cytron*, 673 S.W.2d 858 (Mo. Ct. App. 1984).

* In-state references to decisions appearing in Missouri Reports should, where possible include citations to those reports, in parallel with citations to the regional reporter. In addition, in-state references to decisions of the Court of Appeals can follow the practice of the Missouri courts and use a slightly

more economic abbreviation of the court.

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.

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.

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.

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.

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).
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* 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.

New Mexico

- *Coates v. Wal-Mart Stores, Inc.*, 1999-NMSC-013, 127 N.M. 47.*
 - *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.*
 - *Golden Oil Co. v. Chace Oil Co.*, 994 P.2d 772, 776 (N.M. Ct. App. 2000).
 - *Buckingham v. Health S. Rehab. Hosp.*, 1997-NMCA-127, 124 N.M. 419.*
 - *Buckingham v. Health S. Rehab. Hosp.*, 952 P.2d 20 (N.M. Ct. App. 1997).
 - *Gallegos v. Yeargin W. Constructors*, 1986-NMCA-087, 104 N.M. 623.*
 - *Gallegos v. Yeargin W. Constructors*, 725 P.2d 599 (N.M. Ct. App. 1986).
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* In-state references to a New Mexico appellate decision must use its 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 employ paragraph numbers. This citation scheme was applied prospectively to decisions beginning in 1996. In 2013 its retrospective application was completed. The system now applies to all published New Mexico decisions back to 1852. Decisions pre-dating the cessation of publication of the New Mexico Reports (with volume 150 in 2012) should also be cited to them.

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. Culkin*, 267 A.D.2d 431, 700 N.Y.S.2d 490 (2d Dep't 1999).*
- *Laro Maint. Corp. v. Culkin*, 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.

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.

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).
- *Reddy v. Reddy*, 1st Dist. Hamilton Nos. C-140609, C-140678, 2015-Ohio-3368, ¶ 21.*
- *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. As of July 1, 2012 the Ohio Supreme Court website was designated the official reports for decisions of the state's courts of appeals and court of claims. In-state citations to contemporary courts of appeals decisions commonly include the district, county, and docket number in the format shown.

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).
- *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 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.

Oregon

- *Necanicum Inv. Co. v. Emp't Dep't*, 345 Or 518, 200 P3d 129 (2008).*
- *Necanicum Inv. Co. v. Emp't Dep't*, 200 P.3d 129 (Or. 2008).
- *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*).

Pennsylvania

- *Blakeney v. Green's Rest.*, 704 A.2d 1380 (Pa. 1997).
- *Beckwith Mach. Co. v. Commonwealth*, 402 A.2d 661 (Pa. 1979).
- *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.*, 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).

Rhode Island

- *Brown & Sharp Mfg. Co. v. King*, 404 A.2d 857 (R.I. 1979).

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 & Envtl. Control*, 290 S.C. 498, 351 S.E.2d 575 (Ct. App. 1986).*
 - *Carolina Chems., Inc. v. S.C. Dep't of Health & Envtl. Control*, 351 S.E.2d 575 (S.C. Ct. App. 1986).
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* 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.

South Dakota

- *Jansen v. Lemmon Fed. Credit Union*, 1997 S.D. 44, ¶ 10, 562 N.W.2d 122.*
 - *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.*
 - *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).
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* 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 employ the paragraph numbers assigned by the court.

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

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).
- *State v. Olola*, 2014 UT App 263, ¶ 9, 339 P.3d 164.*
- *State v. Olola*, 339 P.3d 164, 167 (Utah Ct. App. 2014).

* 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 employ the paragraph numbers assigned by the court.

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 employ 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.

Virginia

- *Government Emps. Ins. Co. v. Moore*, 266 Va. 155, 580 S.E.2d 823 (2003).*
- *Government Emps. Ins. Co. v. Moore*, 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.

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.

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.

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.

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 \(W.D. Okla. Jan. 31, 1991\).](#)

[Willey v. Kirkpatrick, No. 13-699, 2015 U.S. App. LEXIS 15197, at *25 \(2d Cir. Aug. 28, 2015\).](#)

[Willey v. Kirkpatrick, No. 13-699, 2015 WL 5059377, at *10 \(2d Cir. Aug. 28, 2015\).](#)

[Willey v. Kirkpatrick, No. 13-699, 2015 BL 278610, at *11 \(2d Cir. Aug. 28, 2015\).](#)

[Free Range Content, Inc. v. Google Inc., No. 14-cv-02329-BLF, slip op. at 4 \(N.D. Cal. Aug. 25, 2015\).](#)

§ 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](#)
- [Mississippi](#)
- [Oklahoma](#)
- [Wyoming](#)
- [Colorado](#)
- [Montana](#)
- [South Dakota](#)
- [Illinois](#)
- [New Mexico](#)
- [Utah](#)

- [Louisiana](#)
- [North Dakota](#)
- [Vermont](#)
- [Maine](#)
- [Ohio](#)
- [Wisconsin](#)

§ 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

§ 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\(a\).](#)

[Iowa Code § 602.1614.](#)

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

Additional Examples

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

Federal Statute Citations:

[42 U.S.C. § 405\(a\).](#)

[42 U.S.C. § 405\(c\)\(2\)\(C\)\(xi\) \(2013\) \(added in 2010\).](#)

[42 U.S.C.A. § 405\(c\)\(2\)\(C\) \(Westlaw current through Pub. L. No. 114-49, approved Aug. 7, 2015\).](#)

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

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 \({date if needed}\).*](#)
- [Ala. Code § 7-1-101 \(LexisNexis {date if needed}\).*](#)
- [Ala. Code 1975, § 7-1-101.**](#)
- [§ 7-1-101, Ala. Code 1975.**](#)

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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. The *AALL Universal Citation Guide* would not include the publisher in any case.

** Within Alabama these altered citation formats are used in decisions of the state's own courts and submissions to them.

Alaska

- [Alaska Stat. § 45.01.101 \({date if needed}\).*](#)
- [AS 45.01.101.**](#)

* Within Alaska 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 Alaska Stat. § 01.05.011.

Arizona

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

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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. 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 and which version are referred to. See Ariz. Rev. Stat. § 1-101.

Arkansas

- [Ark. Code § 4-1-101 \({date if needed}\)](#).
- [Ark. Code Ann. § 4-1-101 \({date if needed}\)](#).*
- [Ark. Code Ann. § 4-1-101 \(West {date if needed}\)](#).*
- [A.C.A. § 4-1-101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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. 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 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 are referred to. See Ark. Code § 1-2-113(c).

California

- [Cal. Com. Code § 1101 \({date if needed}\)](#).
- [Cal. Com. Code § 1101 \(Deering {date if needed}\)](#).*
- [Cal. Com. Code § 1101 \(West {date if needed}\)](#).*

- [Commercial Code § 1101.**](#)

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 identification of the jurisdiction, 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 are referred to.

Colorado

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

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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. 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.

Connecticut

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

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 identification of the jurisdiction, 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 are referred to.

Delaware

- Del. Code tit. 6, § 1-101 ({date if needed}).*
- Del. Code Ann. tit. 6, § 1-101 ({date if needed}).*
- Del. Code Ann. tit. 6, § 1-101 (West {date if needed}).*
- 6 Del. C. § 1-101.**

* Neither *The Bluebook* nor the *ALWD Guide to Legal Citation* calls for identification of the publisher when its version is "official" being produced under contract with the state – LexisNexis in this case. However, 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 are referred to. See Del. Code Ann. tit. 1, 101(b).

District of Columbia

- D.C. Code § 28:1-101 ({date if needed}).*
- D.C. Code Ann. § 28:1-101 (West {date if needed}).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* call for identification of the publisher or brand of any commercial compilation used, not prepared under direct supervision of 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.

Florida

- Fla. Stat. § 671.1-101 ({date if needed}).
- Fla. Stat. Ann. § 671.1-101 (LexisNexis {date if needed}).*
- Fla. Stat. Ann. § 671.1-101 (West {date if needed}).*
- § 671.1-101, Fla. Stat. ({date}).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

Georgia

- Ga. Code Ann. § 11-1-101 ({date if needed}).*
- Ga. Code Ann. § 11-1-101 (West {date if needed}).*
- OCGA § 11-1-101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 are referred to. See Ga. Code Ann. § 1-1-8(e).

Hawaii

- Haw. Rev. Stat. § 490:1-101 ({date if needed}).
- Haw. Rev. Stat. Ann. § 490:1-101 (LexisNexis {date if needed}).*
- Haw. Rev. Stat. Ann. § 490:1-101 (West {date if needed}).*
- HRS § 490:1-101.**
- H.R.S. § 490:1-101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 Hawaii these more economical statutory citation formats are used in decisions of the state’s own courts and submissions to them, sometimes after a first statutory reference using a less abbreviated form.

Idaho

- Idaho Code Ann. § 28-1-101 ({date if needed}).*

- [Idaho Code Ann. § 28-1-101 \(West {date if needed}\)](#).*
- [I.C. § 28-1-101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 Idaho 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.

Illinois

- [810 Ill. Comp. Stat. § 5/1-101 \({date if needed}\)](#).
- [810 Ill. Comp. Stat. Ann. § 5/1-101 \(LexisNexis {date if needed}\)](#).*
- [810 Ill. Comp. Stat. Ann. § 5/1-101 \(West {date if needed}\)](#).*
- [810 ILCS 5/1-101 \({date}\)](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 \({date if needed}\)](#).
- [Ind. Code Ann. § 26-1-1-101 \(LexisNexis {date if needed}\)](#).*
- [Ind. Code Ann. § 26-1-1-101 \(West {date if needed}\)](#).*
- [I.C. § 26-1-1-101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 Indiana 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.

Iowa

- [Iowa Code § 554.1101 \({date if needed}\)](#).
- [Iowa Code Ann. § 554.1101 \(West {date if needed}\)](#).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

Kansas

- [Kan. Stat. Ann. § 84-1-101 \({date if needed}\)](#).
- [Kan. Stat. Ann. § 84-1-101 \(West {date if needed}\)](#).*
- [K.S.A. § 84-1-101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 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.

Kentucky

- [Ky. Rev. Stat. Ann. § 355.1-101 \(LexisNexis {date if needed}\)](#).*
- [Ky. Rev. Stat. Ann. § 355.1-101 \(West {date if needed}\)](#).*
- [KRS § 355.1-101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 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.

Louisiana

- [La. Stat. Ann. § 10:1-101 \({date if needed}\)](#).*
- [La. Code Civ. Proc. Ann. § 10:1-101 \({date if needed}\)](#).*
- [LSA-R.S. 10:1-101](#).**

* Neither *The Bluebook* nor the *ALWD Guide to Legal Citation* calls for identification of the publisher when its version is "official" being produced under contract with the state – West in this case. However, both 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."

** Within Louisiana this more economical statutory citation format 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 are referred to.

Maine

- [Me. Stat. tit. 11, § 1-101 \({date if needed}\)](#).*
- [Me. Rev. Stat. Ann. tit. 11, § 1-101 \({date if needed}\)](#).*
- [11 M.R.S. §1-101 \({date if needed}\)](#).**

* Neither *The Bluebook* nor the *ALWD Guide to Legal Citation* calls for identification of the publisher when its version is "official" being produced under contract with the state – West in this case. However, both 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.

Maryland

- [Md. Code, Com. Law § 1-101 \({date if needed}\)](#).

- Md. Code Ann., Com. Law § 1-101 (LexisNexis {date if needed}).*
- Md. Code Ann., Com. Law § 1-101 (West {date if needed}).*
- Md. Code ({date if needed}), Commercial Law Art., § 1-101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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, generally followed by a two-letter short form, is used in decisions of the state’s own courts and submissions to them.

Massachusetts

- Mass. Gen. Laws ch. 106, § 1-101 ({date if needed}).
- Mass. Ann. Laws ch. 106, § 1-101 (LexisNexis {date if needed}).*
- Mass. Gen. Laws Ann. ch. 106, § 1-101 (West {date if needed}).*
- G. L. c. 106, § 1-101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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, 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.

Michigan

- Mich. Comp. Laws § 440.1101 ({date if needed}).
- Mich. Comp. Laws Serv. § 440.1101 (LexisNexis {date if needed}).*
- Mich. Comp. Laws Ann. § 440.1101 (West {date if needed}).*
- MCL 440.1101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 an appellate opinion manual is used in decisions of the state’s own courts and submissions to them.

Minnesota

- [Minn. Stat. § 336.1-101 \({date if needed}\)](#).
- [Minn. Stat. Ann. § 336.1-101 \(West {date if needed}\)](#).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

Mississippi

- [Miss. Code Ann. § 75-4-101 \({date if needed}\)](#).*
- [Miss. Code Ann. § 75-4-101 \(West {date if needed}\)](#).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

Missouri

- [Mo. Rev. Stat. § 400.1-101 \({date if needed}\)](#).
- [Mo. Ann. Stat. § 400.1-101 \(West {date if needed}\)](#).*
- [§ 400.1-101, RSMo {date if needed}](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

Montana

- [Mont. Code Ann. § 30-2A-101 \({date if needed}\)](#).*
- [Mont. Code Ann. § 30-2A-101 \(West {date if needed}\)](#).*
- [§ 30-2A-101, MCA](#).**

* Both *The Bluebook* and *ALWD Guide to Legal Citation* 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 Montana 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.

Nebraska

- [Neb. Rev. Stat. § 2-101 \({date if needed}\)](#).
- [Neb. Rev. Stat. Ann. § 2-101 \(LexisNexis {date if needed}\)](#).*
- [Neb. Rev. Stat. § 2-101 \(West {date if needed}\)](#).*

* Both *The Bluebook* and *ALWD Guide to Legal Citation* 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.

Nevada

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

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 are referred to. See Nev. Rev. Stat. § 220.170(4).

New Hampshire

- N.H. Rev. Stat. Ann. § 382-A: 1-101 ([{date if needed}](#)).*
- N.H. Rev. Stat. Ann. § 382-A: 1-101 (LexisNexis [{date if needed}](#)).*
- RSA 382-A: 1-101 ([{date if needed}](#)).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 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.

New Jersey

- N.J. Rev. Stat. § 12A:1-101 ([{date if needed}](#)).
- N.J. Stat. Ann. § 12A:1-101 (West [{date if needed}](#)).*
- N.J.S.A. 12A:1-101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 is used in decisions of the state's own courts and submissions to them.

New Mexico

- N.M. Stat. § 55-1-101 ([{date if needed}](#)).
- N.M. Stat. Ann. § 55-1-101 (LexisNexis [{date if needed}](#)).*
- N.M. Stat. Ann. § 55-1-101 (West [{date if needed}](#)).*
- NMSA 1978, § 55-1-101 ([{date if needed}](#)).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

New York

- N.Y. U.C.C. Law § 1-101 (Consol. {date if needed}).*
- N.Y. U.C.C. Law § 1-101 (LexisNexis {date if needed}).*
- N.Y. U.C.C. Law § 1-101 (McKinney {date if needed}).*
- U.C.C. Law § 1-101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 LexisNexis 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, 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.

North Carolina

- N.C. Gen. Stat. § 25-1-101 ({date if needed}).
- N.C. Gen. Stat. Ann. § 25-1-101 (West {date if needed}).*
- N.C.G.S. § 25-1-101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 North Carolina this more economical statutory citation format is used in decisions of the state’s own courts and submissions to them.

North Dakota

- N.D. Cent. Code § 41-01-01 ({date if needed}).
- N.D. Cent. Code § 41-01-01 (West {date if needed}).*
- N.D.C.C. § 41-01-01.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 North Dakota this more economical statutory citation format is used in decisions of the state’s own courts and submissions to them.

Ohio

- Ohio Rev. Code § 1301.01 ({date if needed}).*
- Ohio Rev. Code Ann. § 1301.01 (LexisNexis {date if needed}).*
- Ohio Rev. Code Ann. § 1301.01 (West {date if needed}).*
- R.C. 1301.01.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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, 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.

Oklahoma

- Okla. Stat. tit. 12A, § 1-101 ({date if needed}).
- Okla. Stat. Ann. tit. 12A, § 1-101 (West {date if needed}).*
- 12A O.S. § 1-101.**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 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.

Oregon

- [Or. Rev. Stat. § 71.1010 \({date if needed}\)](#).
- [Or. Rev. Stat. Ann. § 71.1010 \(West {date if needed}\)](#).*
- [ORS 71.1010](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 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.

Pennsylvania

- [13 Pa. Cons. Stat. § 1101 \({date if needed}\)](#).
- [13 Pa. Stat. and Cons. Stat. Ann. § 1101 \(West {date if needed}\)](#).*
- [13 Pa.C.S. § 1101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 is used in decisions of the state's own courts and submissions to them.

Rhode Island

- [6 R.I. Gen. Laws § 6-1-1 \({date if needed}\)](#).
- [6 R.I. Gen. Laws Ann. § 6-1-1 \(West {date if needed}\)](#).*
- [G.L. 1956 § 6-1-1](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 Rhode Island 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.

South Carolina

- [S.C. Code Ann. § 36-1-101 \({date if needed}\)](#).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

South Dakota

- [S.D. Codified Laws § 57A-1-101 \({date if needed}\)](#).
- [SDCL 57A-1-101](#).*

* Within South Dakota this more economical statutory citation format is used in decisions of the state’s own courts and submissions to them.

Tennessee

- [Tenn. Code Ann. § 47-1-101 \({date if needed}\)](#).*
- [Tenn. Code Ann. § 47-1-101 \(West {date if needed}\)](#).*
- [T.C.A. § 47-1-101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 Tennessee this more economical statutory citation format 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 are referred to.

Texas

- [Tex. Bus. & Com. Code § 1.101 \({date if needed}\)](#).
- [Tex. Bus. & Com. Code Ann. § 1.101 \(West {date if needed}\)](#).*
- [TEX. BUS. & COM. CODE § 1.101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

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 is used in decisions of the state’s own courts and submissions to them.

Utah

- [Utah Code § 70A 1-101 \({date if needed}\)](#).
- [Utah Code Ann. § 70A 1-101 \(LexisNexis {date if needed}\)](#).*
- [Utah Code Ann. § 70A 1-101 \(West {date if needed}\)](#).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

Vermont

- [Vt. Stat. Ann. tit. 9A, § 1-101 \({date if needed}\)](#).*
- [Vt. Stat. Ann. tit. 9A, § 1-101 \(West {date if needed}\)](#).*
- [9A V.S.A. § 1-101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 Vermont 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.

Virginia

- [Va. Code Ann. § 8.1-101 \({date if needed}\)](#).*

- [Va. Code Ann. § 8.1-101 \(West {date if needed}\)](#).*
- [Code § 8.1-101](#).**

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 Virginia 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.

Washington

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

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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 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.

West Virginia

- [W. Va. Code § 46-1-101 \({date if needed}\)](#).
- [W. Va. Code Ann. § 46-1-101 \(LexisNexis {date if needed}\)](#).*
- [W. Va. Code Ann. § 46-1-101 \(West {date if needed}\)](#).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

Wisconsin

- Wis. Stat. § 402.101 ({date if needed}).
- Wis. Stat. Ann. § 402.101 (West {date if needed}).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

Wyoming

- Wyo. Stat. Ann. § 34.1-1-101 ({date if needed}).
- Wyo. Stat. Ann. § 34.1-1-101 (West {date if needed}).*

* Both *The Bluebook* and the *ALWD Guide to Legal Citation* 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.

§ 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, <https://www.revisor.mn.gov/laws/?id=37&doctype=Chapter&year=2007&type=0>.](#)

§ 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).

§ 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.

§ 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

§ 3-410. Regulation Citations – Most Common Form (BB)

Illustrations

46 C.F.R. § 294.

Code Me. R. 12 170 7 § 5.

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 the *ALWD Guide to Legal Citation* occasionally 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 Guide to Legal Citation* renders that as “Code Me. R.”; but *The Bluebook* converts it to “Me. Code. R.” A comparable divergence exists in a few other (but not all) states for which Weil publishes regulations. In all instances where there are competing abbreviations, the following chart follows *The Bluebook* format. However, while *The Bluebook* sometimes, but not consistently, includes the name of the publisher of a compilation, *e.g.*, Weil, in the concluding

parentheses, ahead of the date, the following examples, following the dominant professional practice, 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 \({date if needed}\)](#).
- [Ala. Admin. Code, Rule 250-X-5-.05.*](#)
- [Ala. Admin. Code, Reg. 250-X-5-.05.*](#)

* Within Alabama these altered citation formats are used in decisions of the state's own courts and submissions to them.

Alaska

- [Alaska Admin. Code tit. 8, § 15.160 \({date if needed}\)](#).
- [8 AAC 15.160.*](#)

* 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.

Arizona

- [Ariz. Admin. Code § 9-10-248 \({date if needed}\)](#).
- [A.A.C. R9-10-248.*](#)

* Within Arizona 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.

Arkansas

- [Ark. Code R. § 007.05.4-8 \({date if needed}\)](#).

California

- [Cal. Code Regs. tit. 14, § 757 \({date if needed}\)](#).
- [Cal. Code Regs., tit. 14, § 757.*](#)

* Within California this very slightly altered citation format is used in decisions of the state's own courts and submissions to them.

Colorado

- [3 Code Colo. Regs. § 702-4-7-2 \({date if needed}\)](#).
- [3 Colo. Code Regs. § 702-4-7-2 \({date if needed}\).*](#)

* Within Colorado this differently ordered citation format is sometimes used in decisions of the state's own courts and submissions to them.

Connecticut

- [Conn. Agencies Regs. § 199-589-1 \({date if needed}\)](#).
- [Regs., Conn. State Agencies § 199-589-1.*](#)

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

Delaware

- [14-505 Del. Admin. Code § 4.1 \({date if needed}\)](#).

District of Columbia

- [D.C. Mun. Regs. tit. 5, § 602.1 \({date if needed}\)](#).
- [5 DMCR § 4.1.*](#)

* Within D.C. this more economical citation format is used in decisions of the District's courts and submissions to them.

Florida

- [Fla. Admin. Code r. 29F-9.004 \({date if needed}\)](#).
- [Fla. Admin. Code R. 29F-9.004.*](#)

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

Georgia

- Ga. Comp. R. & Regs. 272-2-.07(1)(u) ([{date if needed}](#)).

Hawaii

- Haw. Code R. § 38-5.2 ([{date if needed}](#)).
- HAR § 17-202-1(b).*

* Within Hawaii this more economical regulation citation format is used in decisions of the state's own courts and submissions to them, often after a first reference spelling out "Hawai'i Administrative Rule" in full.

Idaho

- Idaho Admin. Code r. 07.05.01.500 ([{date if needed}](#)).
- IDAPA 07.05.01.500.*

* Within Idaho 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.

Illinois

- Ill. Admin. Code tit. 2, pt. 551 ([{date if needed}](#)).
- 2 Ill. Admin. Code pt. 551 ([{date if needed}](#)).*

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

Indiana

- 45 Ind. Admin. Code 1-1-64 ([{date if needed}](#)).
- 45 I.A.C. 1-1-64.*
- 45 IAC 1-1-64.*

* Within Indiana these more economical regulation citation formats are used in decisions of the state's own courts and submissions to them, after an initial full citation.

Iowa

- Iowa Admin. Code r. 111-7.2 ([{date if needed}](#)).

Kansas

- Kan. Admin. Regs. § 92-12-72 ([{date if needed}](#)).
- K.A.R. 92-12-72.*

* Within Kansas 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 version are referred to.

Kentucky

- [405 Ky. Admin. Regs. 1:120, § 4\(2\) \({date if needed}\)](#).
- [405 KAR 1:120, § 4\(2\).](#)*

* Within Kentucky 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.

Louisiana

- [La. Admin. Code tit. 7, § 8791 \({date if needed}\)](#).

Maine

- [12 152 Me. Code R. 12 § 5 \({date if needed}\)](#).
- [12 152 CMR 12 § 5 \({date if needed}\)](#).*

* 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.

Maryland

- [Md. Code Regs. 21.11.05.01.B \({date if needed}\)](#).
- [COMAR 21.11.05.01.B.](#)*

* Within Maryland this more economical regulation citation format is used in decisions of the state's own courts and submissions to them, often after a first reference spelling out "Code of Maryland Regulations" in full.

Massachusetts

- [105 Mass. Code Regs. 531.252 \({date if needed}\)](#).
- [105 Code Mass. Regs. 531.252.](#)*

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

Michigan

- [Mich. Admin. Code r. 209.21 \({date if needed}\)](#).
- [Mich. Admin. Code R. 209.21.](#)*

* Within Michigan this slightly different format set out in an appellate opinion manual is used in decisions of the state's own courts and submissions to

them.

Minnesota

- [Minn. R. 1550.1760 \({date if needed}\)](#).

Mississippi

- [Miss. Code R. § 26-000-001 \({date if needed}\)](#).

Missouri

- [Mo. Code Regs. tit.8, § 60-2.025\(9\) \({date if needed}\)](#).
- [8 CSR 60-2.025\(9\).*](#)

* Within Missouri this more economical regulation 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 regulations are referred to.

Montana

- [Mont. Admin. R. 20.25.401\(4\) \({date if needed}\)](#).
- [ARM 20.25.401\(4\).*](#)
- [Admin. R.M. 20.25.401\(4\).*](#)

* Within Montana these more economical regulation citation formats are 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.

Nebraska

- [291 Neb. Admin. Code, ch. 8, § 002.07E6 \({date if needed}\)](#).

Nevada

- [Nev. Admin. Code § 289.110 \({date if needed}\)](#).
- [NAC 289.110.*](#)

* Within Nevada 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.

New Hampshire

- [N.H. Code Admin. R. Lab. 403.01 \({date if needed}\)](#).
- [N.H. Admin. Rules, Lab 403.01.*](#)

* Within New Hampshire this slightly different 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.

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

New Jersey

- [N.J. Admin. Code § 5:93-1.3 \({date if needed}\)](#).
- [N.J.A.C. 5:93-1.3.*](#)

* Within New Jersey 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.

New Mexico

- [N.M. Code R. § 11.4.7.10 \({date if needed}\)](#).
- [11.4.7.10 NMAC \({date if needed}\).*](#)

* Within New Mexico 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. Since 2000 the administrative code has been formatted with the full section number preceding the abbreviation "NMAC."

New York

- [N.Y. Comp. Codes R. & Regs. tit. 9, § 591.3 \({date if needed}\)](#).
- [9 NYCRR 591.3.*](#)

* Within New York 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.

North Carolina

- [17 N.C. Admin. Code 5C.0703 \({date if needed}\)](#).
- [17 NCAC 5C.0703 \({ date if needed }\).*](#)

* Within North Carolina this more economical regulation citation format 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 regulations are referred to.

North Dakota

- [N.D. Admin. Code 75-02-04.1-09\(2\)\(j\) \({date if needed}\)](#).

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

* Within North Dakota 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.

Ohio

- [Ohio Admin. Code 1501:13-1-02](#) ({ [date if needed](#) }).

Oklahoma

- [Okla. Admin. Code § 715:10-15-10\(3\)](#) ({ [date if needed](#) }).
- [OAC 715:10-15-10\(3\).](#)*

* Within Oklahoma this more economical regulation citation format 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 regulations are referred to.

Oregon

- [Or. Admin. R. 471-031-0090](#) ({[date if needed](#)}).
- [OAR 471-031-0090.](#)*

* Within Oregon 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.

Pennsylvania

- [1 Pa. Code § 1.4](#) ({[date if needed](#)}).

Rhode Island

- [04 000 R.I. Code R. § 010](#) ({[date if needed](#)}).
- [Code R.I. Reg. 04 000 010](#) ({[date if needed](#)}).*

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

South Carolina

- [S.C. Code Regs. 38-005](#) ({[date if needed](#)}).
- [S.C. Code Ann. Reg. 38-005.](#)*

* Within South Carolina this slightly different citation format is sometimes used in decisions of the state's own courts and submissions to them.

South Dakota

- [S.D. Admin. R. 5:02:08.19 \({date if needed}\)](#).
- [ARSD 5:02:08.19.*](#)

* Within South Dakota 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.

Tennessee

- [Tenn. Comp. R. & Regs. 0520-4-1-.03 \({date if needed}\)](#).

Texas

- [16 Tex. Admin. Code § 23.24 \({date if needed}\)](#).

Utah

- [Utah Admin. Code r. 212-8 \({date if needed}\)](#).

Vermont

- [4 Vt. Code R. 12 003 001-6 \({date if needed }\)](#).
- [4 Code of Vt. Rules 12 003 001-6.*](#)

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

Virginia

- [19 Va. Admin. Code § 30-20-40 \({date if needed}\)](#).
- [19 V.A.C. 30-20-40.*](#)

* Within Virginia 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.

Washington

- [Wash. Admin. Code § 173-27-140\(1\) \({date if needed}\)](#).
- [WAC 173-27-140\(1\).*](#)

* Within Washington 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.

West Virginia

- [W. Va. Code R. § 127-2-3.1 \({date if needed}\)](#).

- [W. Va. C.S.R. § 127-2-3.1.*](#)

* Within West Virginia this more economical regulation citation format is used in decisions of the state's own courts and submissions to them.

Wisconsin

- [Wis. Admin. Code Trans. § 101.04\(3\) \({date if needed}\)](#).
- [Wis. Admin. Code § Trans. 101.04\(3\) \({date if needed}\).*](#)

* 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.

Wyoming

- [025-220-001 Wyo. Code R. § 4\(t\) \({date if needed}\)](#).
- [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 \({date if needed}\).*](#)

* Within Wyoming this expanded citation format is sometimes 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://apps.nlr.gov/link/document.aspx/09031d458>

§ 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, 29 Op. Off. Legal Counsel 139
\(2005\),
http://www.justice.gov/olc/file/478996/download.](#)

[86 Cal. Att’y Gen. Op. No. 03-105 \(June 19,
2003\).](#)

Illustration

United States - Tax Treatment for “Foreign Sales Corporations,” World Trade Organization No. 108 (Aug. 30, 2002) (Falconer, Chambovey & Seung Wha Chang, Arbs.).

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

§ 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](#).

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 Env'tl. L. Rep. (Env'tl. 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

§ 3-810. Journal Article Citations – Most Common Form

Illustration

Dan T. Coenen, *The Constitutional Case Against Intracircuit Nonacquiescence*, 7 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.

(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 Cemetery*

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 Severance*, 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).

§ 4-000. ABBREVIATIONS AND OMISSIONS USED IN CITATIONS

§ 4-100. Words Abbreviated in Case Names ^{[[BB](#) | [ALWD](#) | [IB](#)]}

Set out below is a table of words and their abbreviations with links to examples. It is a composite of those contained in *The Bluebook* and the *ALWD Guide to Legal Citation*.

[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 or smaller geographic unit included in a party name unless it alone is the 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. Be aware, though, that there are other approaches to case name abbreviation practiced by courts and lawyers throughout the United States. Some (including the U.S. Supreme Court) do not abbreviate the first word in a party name. If you employ an approach other than the one set out below, do so consistently. The existence of divergent approaches gives rise to a very real need to review the abbreviations used in citations you have extracted from the writing of others. Case citations in decisions of the U.S. Supreme Court, the California Supreme Court, and the New York Court of Appeals, for example, do not adhere to the abbreviation norms summarized here. (See *generally* Should It Be “Commissioner”, “Comm’r”, or “Commr.”?, <http://citeblog.access-to-law.com/?p=113>.)

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. For a number of words, but following no consistent pattern, both manuals occasionally employ

contractions (*e.g.*, Eng'r and Int'l, though curiously Envtl.).

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

- Academic or 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.»](#)
- Computer - Comput. - [«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

- Defender or Defense - Def. - [«e.g.»](#)
- Department - Dep't - [«e.g.»](#)
- Detention - Det. - [«e.g.»](#)
- Development - Dev. - [«e.g.»](#)
- Digital - Dig. - [«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 - Envtl. - [«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.»](#)
- Exploration or Exploratory - Expl. - [«e.g.»](#)
- Export, Exportation, or Exporter - Exp. - [«e.g.»](#)

F-K

- Federal - Fed. - [«e.g.»](#)
- Federation - Fed'n - [«e.g.»](#)
- Fidelity - Fid. - [«e.g.»](#)
- Finance, Financial, or Financing - Fin. - [«e.g.»](#)
- Foundation - Found. - [«e.g.»](#)
- General - Gen. - [«e.g.»](#)
- Gender - Gend. - [«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.»](#)
- Investor - Inv'r - [«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.»](#)
- Probate or 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 or Scientific - 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.»](#)
- Solution - Sol. - [«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

- Technical, Technological, or 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](#) | [JB](#)]

- 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 | IB]

Principle 1: Omit “the” when used as the first word of a party name

- *Horn v. The New York Times Co.*, 100 N.Y.2d 85, 790 N.E.2d 753, 760 N.Y.S.2d 378 (2003).
- *Horn v. New York Times Co.*, 100 N.Y.2d 85, 790 N.E.2d 753, 760 N.Y.S.2d 378 (2003).

except:

- when part of name of an object subject to in rem proceeding

- *In re The N.Y. Times*, 837 F.2d 599 (2d Cir. 1988).
- **not :**
- *In re N.Y. Times*, 837 F.2d 599 (2d Cir. 1988).

or

- “The King/Queen”.

- *Barlow v. The Queen*

Principle 2: Omit subsequent actions listed after the first one (when a case consolidates several different actions).

- *Colonial Vill., Ltd. v. Washington Cnty. Bd. of Revision, Colonial Terrace Apartments v. Washington County Bd. of Revision, Colonial Terrace Apartments II v. Washington County Bd. of Revision*, 2009 Ohio 4975.
- *Colonial Vill., Ltd. v. Washington Cnty. Bd. of Revision*, 2009 Ohio 4975.

Principle 3: Omit all parties after the first one listed on each side.

- *Buenz v. Frontline Transp. Co., ~~China Ocean Shipping Co. Ams.~~*, 227 Ill. 2d 302, 882 N.E.2d 525 (2008)

Principle 4: In “in rem” cases:

- Omit all items after the first one listed.

- *In re 123 Court St., ~~Ithaca, New York, the Car, and other chattels~~*, 00 N.Y.S.3d 123 (1999) (fictional citation).
- *In re 123 Court St.*, 00 N.Y.S.3d 123 (1999) (fictional citation).

- Omit all words other than the common street address in “in rem” cases involving real estate.

- *State v. ~~Real Property Known as~~ 123 Court St., ~~Ithaca, New York~~*, 00 N.Y.S.3d 123 (1999) (fictional citation).
- *State v. 123 Court St.*, 00 N.Y.S.3d 123 (1999) (fictional citation).

Principle 5: Treat procedural phrases as follows:

- Omit all procedural phrases other than the first.

- *In re Altman ~~on behalf of Harrison~~*, 00 N.Y.S.3d 123 (1999) (fictional citation).
- *In re Altman*, 00 N.Y.S.3d 123 (1999) (fictional citation).

- Reduce all remaining procedural phrases that are roughly

equivalent to “on behalf of” or “for the use of” to *ex rel.*

- *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).

- In adversarial proceedings omit all procedural phrases other than *ex rel.*

- ~~*In re*~~ *Thomas ex rel. Baldwin v. Sommers*, 00 N.Y.S.3d 123 (1999) (fictional citation).
- *Thomas ex rel. Baldwin v. Sommers*, 00 N.Y.S.3d 123 (1999) (fictional citation).

- Reduce all remaining procedural phrases that are roughly equivalent to “In the matter of,” “Petition of,” and the like to *In re*.

- *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 6: Omit terms like “trustee,” “executor,” or “administrator” that described a named party.

- *Smith v. Jones*, ~~*Executor*~~, 00 N.Y.S.3d 123 (1999) (fictional citation).
- *Smith v. Jones*, 00 N.Y.S.3d 123 (1999) (fictional citation).

Principle 7: Omit “State of” or its equivalents

- *Dukakis v. Commonwealth of Massachusetts*, 00 U.S. 123 (1999) (fictional citation).
- *Dukakis v. Massachusetts*, 00 U.S. 123 (1999) (fictional citation).

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.

- *Dukakis v. Commonwealth*, 00 Mass. 123, 00 N.E.2d 123 (1999) (fictional citation).
- **not :**
- *Dukakis v. Massachusetts*, 00 Mass. 123, 00 N.E.2d 123 (1999) (fictional citation).

Principle 8: Omit “City of” or its equivalents

- *Angelo v. Common Council of City of Syracuse*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).
- *Angelo v. Common Council of Syracuse*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

except: when the phrase begins a party name.

- *Tarson v. City of Syracuse Dept. of Pub. Works*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).
- **not :**
- *Tarson v. Syracuse Dept. of Pub. Works*, 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

- *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).
- *Glen v. Sewer Dist.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

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.

Principle 10: Omit “of America” after “United States”.

- *Ivan v. United States*, 00 U.S. 123 (1999) (fictional citation).
- **not :**
- *Ivan v. U.S.*, 00 U.S. 123 (1999) (fictional citation).
- or -
- *Ivan v. United States of America*, 00 U.S. 123 (1999) (fictional citation).

Principle 11: Omit first and middle names or initials of individuals

- *Smith v. ~~Jenny Q.~~ Jones*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).
- *Smith v. Jones*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

except:

- when included in the name of a business

- *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).
- **not:**
- *Smith v. Jones, Inc.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

- when the party's surname is abbreviated

- *In re Anita Q.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).
- **not:**
- *In re Q.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

- when the party's given name follows the surname (as is true of Chinese, Korean and Vietnamese names, for example).

- *Smith v. Chun Quon*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).
- **not:**
- *In Smith v. Chun*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).
- or -
- *Smith v. Quon*, 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.

- *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).
- *Werner v. Tarson Pools Co.*, 00 N.Y.3d 123, 00 N.E.2d 123, 00 N.Y.S.2d 123 (1999) (fictional citation).

§ 4-400. Reporters and Courts [\[BB\]](#) [\[ALWD\]](#) [\[IB\]](#)

§ 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](#) | [IB](#)]

- 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 [\[BB \]](#) [\[ALWD \]](#) [\[IB \]](#)

- 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 [\[BB\]](#) [\[ALWD\]](#) [\[IB\]](#)

- 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.»](#)

Abbreviations of other journal titles should follow a similar pattern.

§ 4-800. Spacing between Abbreviated Words and Periods in Abbreviations

§ 4-810. Spacing between Abbreviated Words ^[BB | ALWD]

Principle 1: Successive words abbreviated with a single capital letter are normally not separated from one another with a space.

- *Natural•Res.•Def.•Council•v.•NRC*, 216•F.3d•1180 (D.C.•Cir.•2000).
- 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).
• = space

Principle 2: Longer abbreviations are separated from one another and from single letter abbreviations with a space.

- *Natural•Res. Def. Council•v. NRC*, 216•F.3d•1180•(D.C. Cir. 2000).
- David•A.J.•Richards, •*Originalism•Without•Foundations*, 65•N.Y.U. L. R ev. 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).
• = space

Principle 3: In journal titles, successive single letters that refer to an entity are separated from other single letter abbreviations with a space.

- *Natural•Res.•Def.•Council•v.•NRC*, 216•F.3d•1180•(D.C.•Cir.•2000).
- David•A.J.•Richards, •*Originalism•Without•Foundations*, 65•N.Y.U.•L.•R ev. 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).
• = space

Principle 4: Numbers, including ordinal numbers (2d, 4th), are treated as single letters.

- *Natural•Res.•Def.•Council•v.•NRC*, 216•F.3d•1180•(D.C.•Cir.•2000).
- David•A.J.•Richards, •*Originalism•Without•Foundations*, 65•N.Y.U.•L.•R ev. 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).
• = space

§ 4-820. Periods in Abbreviations ^[BB | ALWD]

Principle 1: In general abbreviations should end in a period.

- *Natural Res. Def. Council v. NRC*, 216 F.3d 1180 (D.C. Cir. 2000).
- 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).

Principle 2: However, abbreviations that are contractions ending with an apostrophe and the last letter of the word should not be followed by a period.

- *Natural Res. Def. Council v. NRC*, 216 F.3d 1180 (D.C. Cir. 2000).
- 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).

Principle 3: In addition, entities that are commonly referred to by their initials may be abbreviated using those initials without periods.

- *Natural Res. Def. Council v. NRC*, 216 F.3d 1180 (D.C. Cir. 2000).
- 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).

§ 4-900. Documents from Earlier Stages of a Case [[BB](#) | [ALWD](#) | [IB](#)]

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 [\[BB\]](#) [\[ALWD\]](#) [\[IB\]](#)

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

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

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 italicized)
- 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

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

§ 6-100. Quoting [\[BB | ALWD | IB \]](#)

Whenever a specific passage of a work speaks directly and authoritatively to the point for which you cite it, the critical language should be quoted. Indeed, rules of appellate procedure often require that. The U.S. Supreme Court’s rule on this point is representative. It specifies that the front matter of any brief on the merits include:

The constitutional provisions, treaties, statutes, ordinances, and regulations involved in the case, set out verbatim with appropriate citation. If the provisions involved are lengthy, their citation alone suffices at this point, and their pertinent text, if not already set out in the petition for a writ of certiorari, jurisdictional statement, or an appendix to either document, shall be set out in an appendix to the brief.

Sup. Ct. R. 24(f).

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 (‘) and any within such an embedded quote to double marks (“...”).

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](#) | [IB](#)]}

Principle 1: While footnote citation is the norm for law journal and treatise writing, citations in memoranda, briefs, and judicial opinions are more commonly integrated with the text [«e.g.»](#). Further as more and more readers have taken to viewing these forms of professional writing on electronic devices, many with screens that hold less than a conventional printed page, the comparative utility of having citations immediately adjacent to the text they support has grown.

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](#) | [IB](#)]

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](#) | [IB](#)]}

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 Guide to Legal Citation* 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.

** Reflecting their academic focus both *The Bluebook* and the *ALWD Guide to Legal Citation* call for the circuits of the U.S. Courts of Appeals to be treated as a single court for this purpose and for the different districts of the U.S. District Courts to be lumped together as well. There are many practice situations where this approach is inappropriate. 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 merged together as those of a single court. Indeed, the academic 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 [\[BB | ALWD | IB | IB | IB | IB | IB \]](#)

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.

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.

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.

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.

Full Citation

42 U.S.C. § 405(c)(2)(C) (Westlaw current through Pub. L. No. 114-49, approved Aug. 7, 2015).

Short Form Citations

42 U.S.C. § 405(c)(2)(C).

§ 405(c)(2)(C).

Full Citation

Vt. Stat. tit. 9A, § 1-101 (2015).

Short Form Citations

Title 9A, § 1-101.

§ 1-101.

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 (2014).

Short Form Citations

46 C.F.R. § 292.

§ 292.

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.

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

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 harkens 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.

§ 6-700. Tables of Authorities

Most rules of appellate procedure require that briefs contain a table of authorities following their table of contents, with a notation of the page or pages (paragraph or paragraphs) at which each is cited. Some also specify the order in which those authorities are to be listed, *e.g.*, cases in alphabetical order. The table should be organized by category of authority.

Less widespread but present in the *Federal Rules of Appellate Procedure* and a number of state counterparts is the requirement that “If the court’s determination of the issues presented requires the study of statutes, rules, regulations, etc., the relevant parts must be set out in the brief or in an addendum at the end, or may be supplied to the court in pamphlet form.” Fed. R. App. P. 28(f).

§ 7-000. CROSS REFERENCE TABLES

§ 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 Guide to Legal Citation* ([§ 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 twentieth, this segment offers an inventory of the more 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.

§ 7-200. Significant Changes in *The Bluebook*:

20th edition

Most of the changes in the twentieth edition concern sources and issues that rarely figure in the writing of lawyers and judges, *e.g.*, the citing of social media, opinion pieces in newspapers, or comments to proposed regulations. And the bulk of its expansion (9.6% growth over the prior edition) occurred in the table specifying how to cite foreign sources (T2). By contrast, the edition shaved off seventeen pages by dropping the prior table of abbreviations for the most frequently cited English language periodicals. It has been replaced by multiple tables (institutions, common words, geographical terms) and a set of principles on how to construct a journal abbreviation from them.

The centrality of digital sources to contemporary legal research prompted a number of changes. No longer need some parallel citations to online resources be preceded by the phrase “available at”. Citation to online editions of newspapers are acceptable, and citations to the major online law dictionaries need not specify a page number but simply state the term or phrase defined. Notwithstanding these incremental shifts, *The Bluebook*’s approach to when and how to specify the use of an electronic source remains inconsistent. (See *The Bluebook’s Inconsistency about When to Identify an Electronic Source*, Citing Legally, <http://citeblog.access-to-law.com/?p=404>.) Continuing references to the “title page” of periodicals and treatises, which fewer and fewer researchers consult in a form that has one, betray the distance between the law review editors responsible for *The Bluebook* and the realities of twenty-first century law practice.

In an unfortunate concession to the interests of the entities sponsoring creation and publication of restatements, uniform codes, and model laws, the new edition would require that citations to such works identify the source. (See *Bluebook (20th ed.) and Restatements, Model*

Codes, etc., Citing Legally, <http://citeblog.access-to-law.com/?p=461>.)

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” was, in this edition, 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 Guide to Legal Citation* from the start.

Electronic Media

The Bluebook's coverage of Internet-based material was 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.*” was returned as a separate signal and “*contra*” was 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 was 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.)

§ 7-300. Cross Reference Table: *The Bluebook*

Introduction to Basic Legal Citation

The Bluebook: A Uniform System of Citation (Columbia Law Review Ass'n et al. eds., 20th ed. 2015)

- § 1-000. What and Why?
 - *The Bluebook*: pp. 1-2B1
- § 2-110. Electronic Sources - Core Elements
 - *The Bluebook*: B18Rule 1818.2, The Internet18.3, Commercial Electronic Databases18.4, CD-ROM and Other Electronic Storage Media
- § 2-210. Case Citations - Most Common Form
 - *The Bluebook*: B10Rule 1010.2, Case Names10.3, Reporters and Other Sources10.4, Court and Jurisdiction10.5, Date or YearT1, United States JurisdictionsT6, Case Names and Institutional Authors in CitationsT7, Court NamesT10, Geographical Terms
- § 2-220. Case Citations - Variants and Special Cases
 - *The Bluebook*: Rule 1010.8, Special Citation Forms
- § 2-230. Medium-Neutral Case Citations
 - *The Bluebook*: Rule 1010.3.3, Public Domain Format
- § 2-240. Case Citations - Conditional Items
 - *The Bluebook*: Rule 1010.6, Parenthetical Information Regarding Cases10.7, Prior and Subsequent HistoryT8, Explanatory Phrases
- § 2-310. Constitution Citations
 - *The Bluebook*: B11Rule 11T1, United States Jurisdictions
- § 2-320. Statute Citations - Most Common Form
 - *The Bluebook*: B12Rule 1212.2, Choosing the Proper Citation Form12.3, Current Official and Unofficial CodesT1, United States Jurisdictions
- § 2-340. Statute Citations - Variants and Special Cases
 - *The Bluebook*: Rule 1212.4, Session Laws12.9, Special Citation FormsT1, United States Jurisdictions
- § 2-350. Local Ordinance Citations
 - *The Bluebook*: Rule 1212.9.2, Ordinances

- § 2-360. Treaty Citations
 - *The Bluebook*: Rule 2121.4, Treaties and Other International Agreements
- § 2-410. Regulation Citations - Most Common Form
 - *The Bluebook*: B14Rule 1414.2, Rules, Regulations, and Other PublicationsT1, United States Jurisdictions
- § 2-420. Regulation Citations - Variants and Special Cases
 - *The Bluebook*: Rule 1414.2, Rules, Regulations, and Other PublicationsT1, United States Jurisdictions
- § 2-450. Agency Adjudication Citations
 - *The Bluebook*: Rule 1414.3, Administrative Adjudications and ArbitrationsT1, United States Jurisdictions
- § 2-470. Agency Report Citations
 - *The Bluebook*: Rule 1414.2, Rules, Regulations, and Other PublicationsT1, United States Jurisdictions
- § 2-480. Executive Orders and Proclamations
 - *The Bluebook*: Rule 1414.2, Rules, Regulations, and Other PublicationsT1, United States Jurisdictions
- § 2-490. Attorney General and Other Advisory Opinions
 - *The Bluebook*: Rule 1414.2, Rules, Regulations, and Other PublicationsT1, United States Jurisdictions
- § 2-500. How to Cite Arbitrations
 - *The Bluebook*: Rule 1414.3, Administrative Adjudications and ArbitrationsT1, United States Jurisdictions
- § 2-600. How to Cite Court Rules
 - *The Bluebook*: Rule 1212.9.3, Rules of Evidence and Procedure
- § 2-710. Book Citations - Most Common Form
 - *The Bluebook*: B15Rule 1515.1, Author15.2, Editor or Translator 15.3, Title15.4, Edition, Publisher, and Date
- § 2-720(1). Works by Institutional Authors
 - *The Bluebook*: Rule 1515.1(c) , Institutional authors
- § 2-720(2). Services
 - *The Bluebook*: Rule 1919.1, Citation Form for ServicesT15, Abbreviations - Services

- § 2-720(3). Restatements
 - *The Bluebook*: Rule 1212.9.5, Model Codes, Restatements, Standards, and Sentencing Guidelines
- § 2-720(4). Annotations
 - *The Bluebook*: Rule 1616.7.6, Annotations
- § 2-810. Journal Article Citations - Most Common Form
 - *The Bluebook*: B16Rule 1616.2, Author16.3, Title16.4, Consecutively Paginated Journals16.5, Nonconsecutively Paginated Journals and MagazinesT13, Periodicals
- § 2-820. Journal Article Citations - Variants and Special Cases
 - *The Bluebook*: Rule 1616.2, Author16.3, Title16.4, Consecutively Paginated Journals16.5, Nonconsecutively Paginated Journals and MagazinesT13, Periodicals
- § 2-900. Documents from Earlier Stages of a Case
 - *The Bluebook*: B17, Court and Litigation DocumentsBT1, Court Documents
- § 4-100. Words Abbreviated in Case Names
 - *The Bluebook*: Rule 1010.2.1, Case Names in Textual Sentences10.2.2, Case Names in CitationsT6, Case Names and Institutional Authors in CitationsT10, Geographical Terms
- § 4-200. Words Used in Case Histories
 - *The Bluebook*: T8, Explanatory Phrases
- § 4-300. Words Omitted in Case Names
 - *The Bluebook*: Rule 1010.2.1, Case Names in Textual Sentences10.2.2, Case Names in CitationsT6, Case Names and Institutional Authors in Citations
- § 4-400. Reporters and Courts
 - *The Bluebook*: T1, United States Jurisdictions
- § 4-500. Territorial Abbreviations
 - *The Bluebook*: T10, Geographic Terms
- § 4-600. Months
 - *The Bluebook*: T12, Months
- § 4-700. Frequently Cited Journals

- *The Bluebook*: T13, Periodicals
- § 4-810. Spacing between Abbreviated Words
 - *The Bluebook*: Rule 66.1(a), Spacing
- § 4-820. Periods in Abbreviations
 - *The Bluebook*: Rule 66.1(b), Periods
- § 5-000. Underlining and Italics
 - *The Bluebook*: B2
- § 6-100. Quoting
 - *The Bluebook*: B5Rule 55.1, Formatting of Quotations5.2, Alterations & Quotations Within Quotations5.3, Omissions
- § 6-200. Citations and Related Text
 - *The Bluebook*: B1, Citation Sentences and Clauses
- § 6-300. Signals
 - *The Bluebook*: B1.2Rule 11.2, Introductory Signals
- § 6-400. Order
 - *The Bluebook*: B1.2Rule 11.3, Order of Signals1.4, Order of Authorities Within Each Signal
- § 6-500. Short Forms
 - *The Bluebook*: B10.2, Short Form Citation

§ 7-400. Cross Reference Table: *ALWD Guide to Legal Citation*

Introduction to Basic Legal Citation

ALWD Guide to Legal Citation Manual (5th ed. 2014)

- § 1-000. What and Why?
 - *ALWD Guide to Legal Citation*: pp. 2-8
- § 2-110. Electronic Sources - Core Elements
 - *ALWD Guide to Legal Citation*: 30.0, Electronic Sources in General 31.0, World Wide Web Sites 32.0, Commercial Databases 33.0, Electronic Mail and Postings; New Media Sources; E-Readers; CD-ROMs
- § 2-210. Case Citations - Most Common Form
 - *ALWD Guide to Legal Citation*: 12.0, Cases
- § 2-220. Case Citations - Variants and Special Cases
 - *ALWD Guide to Legal Citation*: 12.11, Table Cases 12.12, Cases Not Yet Available in Print Reporter 12.13, Non-Precedential or “Unpublished” Cases 12.14, Cases Published Only in a Looseleaf Service 12.15, Cases Available Only in Slip Opinions 12.16, Cases on the World Wide Web
- § 2-230. Medium-Neutral Case Citations
 - *ALWD Guide to Legal Citation*: 12.17, Neutral Citations
- § 2-240. Case Citations - Conditional Items
 - *ALWD Guide to Legal Citation*: 12.8, Subsequent History 12.9, Prior History 12.10, Parenthetical Information
- § 2-250. Citing Unpublished Cases
 - *ALWD Guide to Legal Citation*: 12.13, Non-Precedential or “Unpublished” Cases
- § 2-310. Constitution Citations
 - *ALWD Guide to Legal Citation*: 13.0, Constitutions
- § 2-320. Statute Citations - Most Common Form
 - *ALWD Guide to Legal Citation*: 14.0, Statutory Codes and Session Laws
- § 2-340. Statute Citations - Variants and Special Cases
 - *ALWD Guide to Legal Citation*: 14.0, Statutory Codes and Session Laws

- § 2-350. Local Ordinance Citations
 - *ALWD Guide to Legal Citation*: 17.0, Ordinances
- § 2-360. Treaty Citations
 - *ALWD Guide to Legal Citation*: 18.0, Treaties, Conventions, and Agreements; International and Foreign Law Sources
- § 2-410. Regulation Citations - Most Common Form
 - *ALWD Guide to Legal Citation*: 18.0, Administrative and Executive Materials
- § 2-420. Regulation Citations - Variants and Special Cases
 - *ALWD Guide to Legal Citation*: 18.0, Federal Administrative and Executive Materials
- § 2-450. Agency Adjudication Citations
 - *ALWD Guide to Legal Citation*: 18.5, Full Citation Format for Federal Agency Decisions 18.15, Citation Formats for State Agency Decisions
- § 2-470. Agency Report Citations
 - *ALWD Guide to Legal Citation*: 18.9, Full Citation Format for Executive Documents 18.18, Other Administrative and Executive Materials
- § 2-480. Executive Orders and Proclamations
 - *ALWD Guide to Legal Citation*: 18.9, Full Citation Format for Executive Documents 18.17, Citation Formats for State Executive Materials
- § 2-490. Attorney General and Other Advisory Opinions
 - *ALWD Guide to Legal Citation*: 18.8, Full Citation Format for Advisory Opinions 18.16, Citation Formats for State Advisory Opinions
- § 2-500. How to Cite Arbitrations
- § 2-600. How to Cite Court Rules
 - *ALWD Guide to Legal Citation*: 16.0, Court Rules, Ethics Opinions, and Jury Instructions
- § 2-710. Book Citations - Most Common Form
 - *ALWD Guide to Legal Citation*: 20.0, Books, Treatises, and Other Nonperiodic Materials
- § 2-720(1). Works by Institutional Authors
 - *ALWD Guide to Legal Citation*: 20.0, Books, Treatises, and Other Nonperiodic Materials 22.0, Dictionaries, Encyclopedias, and A.L.R.

Annotations

- § 2-720(2). Services
 - *ALWD Guide to Legal Citation*: 24.0, Looseleaf Services and Reporters
- § 2-720(3). Restatements
 - *ALWD Guide to Legal Citation*: 23.0, Restatements, Model Codes, Uniform Laws, and Sentencing Guidelines
- § 2-720(4). Annotations
 - *ALWD Guide to Legal Citation*: 22.6, Full Citation Format for A.L.R. Annotations
- § 2-810. Journal Article Citations - Most Common Form
 - *ALWD Guide to Legal Citation*: 21.0, Legal and Other Periodicals
- § 2-820. Journal Article Citations - Variants and Special Cases
 - *ALWD Guide to Legal Citation*: 21.0, Legal and Other Periodicals
- § 2-900. How to Cite Documents from Earlier Stages of a Case
 - *ALWD Guide to Legal Citation*: 25.0, Practitioner and Court Documents, Transcripts, and Appellate Records
- § 4-100. Words Abbreviated in Case Names
 - *ALWD Guide to Legal Citation*: 2.0, Abbreviations12.2, Case NameApp. 3, General Abbreviations
- § 4-200. Words Used in Case Histories
 - *ALWD Guide to Legal Citation*: 12.8, Subsequent History
- § 4-300. Words Omitted in Case Names
 - *ALWD Guide to Legal Citation*: 12.2, Case Name
- § 4-400. Reporters and Courts
 - *ALWD Guide to Legal Citation*: 2.0, Abbreviations12.4, Reporter Name12.6, Court AbbreviationApp. 4, Court Abbreviations
- § 4-500. Territorial Abbreviations
 - *ALWD Guide to Legal Citation*: 2.0, AbbreviationsApp. 3, General Abbreviations
- § 4-600. Months
 - *ALWD Guide to Legal Citation*: 2.0, AbbreviationsApp. 3, General Abbreviations

- § 4-700. Frequently Cited Journals
 - *ALWD Guide to Legal Citation*: 2.0, AbbreviationsApp. 5, Periodical Abbreviations
- § 4-810. Spacing between Abbreviated Words
 - *ALWD Guide to Legal Citation*: 2.2, Spacing for Abbreviations
- § 4-820. Periods in Abbreviations
 - *ALWD Guide to Legal Citation*: 2.0, AbbreviationsApp. 3, General Abbreviations
- § 5-000. Underlining and Italics
 - *ALWD Guide to Legal Citation*: 1.0, Typeface for Citations
- § 6-100. Quoting
 - *ALWD Guide to Legal Citation*: 38.0, Quotations39.0, Altering Quotations 40.0, Indicating Omissions in Quotations
- § 6-200. Citations and Related Text
 - *ALWD Guide to Legal Citation*: 34.0, Citation Placement and Use
- § 6-300. Signals
 - *ALWD Guide to Legal Citation*: 35.0, Signals
- § 6-400. Order
 - *ALWD Guide to Legal Citation*: 36.0, Order of Cited Authorities
- § 6-500. Short Forms
 - *ALWD Guide to Legal Citation*: 11.0, Full and Short Citation Formats

§ 7-500. Table of State-Specific Citation Norms and Practices

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 recent decision of the state's highest court and notes any explicit citation rules governing briefs and memoranda submitted to it.

- [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
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

- Alaska
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

- Arizona
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

- Arkansas

- [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- California
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Colorado
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Connecticut
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Delaware
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- District of Columbia
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Florida
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Georgia
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

- Hawaii
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Idaho
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Illinois
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Indiana
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Iowa
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Kansas
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Kentucky
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Louisiana
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

- Maine
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Maryland
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Massachusetts
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Michigan
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Minnesota
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Mississippi
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Missouri
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Montana
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

- Nebraska
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Nevada
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- New Hampshire
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- New Jersey
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- New Mexico
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- New York
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- North Carolina
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- North Dakota
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

- Ohio
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Oklahoma
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Oregon
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Pennsylvania
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Rhode Island
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- South Carolina
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- South Dakota
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Tennessee
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

- Texas
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Utah
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Vermont
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Virginia
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Washington
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- West Virginia
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Wisconsin
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)
- Wyoming
 - [Cases](#)
 - [Statutes](#)
 - [Regulations](#)
 - [Examples and Rules](#)

Alabama: [Supreme Court citation practice](#) | [Citation rule\(s\)](#)

Examples from *White-Spunner Constr., Inc. v. Constr. Completion Co., LLC*, 103 So. 3d 781 (Ala. 2012)

....

As required by § 39-1-1(a), Ala. Code 1975, White-Spunner subsequently obtained two payment bonds from Hartford, one of which would compensate Auburn in the event White-Spunner failed to perform under the contract, the other of which would be used to compensate subcontractors and suppliers in the event White-Spunner failed to do so in a timely fashion.

....

We begin our examination of the labor-broker issue by looking to § 34-8-1 et seq., Ala. Code 1975, the chapter of the Alabama Code governing the licensing of contractors. This Court succinctly described its approach when interpreting statutes in *DeKalb County LP Gas Co. v. Suburban Gas, Inc.*, 729 So. 2d 270, 275-76 (Ala. 1998)....

Importantly, White-Spunner and Hartford emphasize, it is undisputed that Buena Vista employees did not work simply as consultants, equipment installers, or performers of menial labor. Rather, framing is specifically recognized as a construction activity by the Licensing Board for General Contractors. See Ala. Admin. Code (Licensing Board for General Contractors), Regulation 230-X-1-.27.

....

CCC nevertheless argues that Buena Vista did not engage in contracting because, it argues, the employees supplied by Buena Vista effectively became CCC employees and employees of a licensed

contractor are not required to be licensed themselves. *Cooper v. Johnston*, 283 Ala. 565, 569, 219 So. 2d 392, 395 (1969).

... .

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:

... .

(4) TABLE OF AUTHORITIES. A table of authorities, including cases (arranged alphabetically), statutes, and other authorities with reference to the pages of the brief where those cases, statutes, and other authorities are cited;

... .

(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;

... .

(g) References in briefs to the record.

References in the briefs to the record on appeal shall be to the appropriate page numbers of the record on appeal. If reference is made to a page of the clerk's record, the reference shall be preceded by the letter "C." If a reference is made to a page in the reporter's transcript, then the reference shall be preceded by the letter "R." If reference is made to evidence, it shall be made to the pages of the clerk's record or reporter's transcript at which the evidence was identified, offered, and received or rejected.

(h) Reproduction of statutes, rules, regulations, etc.

If determination of the issues presented requires the study of statutes, rules, regulations, etc., or relevant parts thereof, they shall be reproduced in the brief or in an addendum at the end, or they may be supplied to the court in pamphlet form.

... .

Ala. R. App. P. 53(d), <http://judicial.alabama.gov/library/rules/ap53.pdf>.

... .

(d) "No-opinion" affirmance not precedent. An order of affirmance issued by the Supreme Court or the Court of Civil Appeals by which a judgment or order is affirmed without an opinion, pursuant to section (a), shall have no precedential value and shall not be cited in arguments or briefs and shall not be used by any court within this state, except for the purpose of establishing the application of the doctrine of law of the case, res judicata, collateral estoppel, double jeopardy, or procedural bar.

....

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.courtrecords.alaska.gov/webdocs/rules/docs/app.pdf#page=2>

(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:

....

(B) A table of cases alphabetically arranged, statutes, and other authorities cited, with references to the pages of the brief where they are cited.

(C) The constitutional provisions, statutes, court rules, ordinances, and regulations principally relied upon, set out verbatim or their pertinent provisions appropriately summarized.

... .

(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]

... .

Alaska R. App. P. 214(d),
<http://www.courtrecords.alaska.gov/webdocs/rules/docs/app.pdf#page=2>

... .

(d) Citation of Unpublished Decisions.

(1) Citation of unpublished decisions in briefs and oral arguments is freely permitted for purposes of establishing res judicata, estoppel, or the law of the case. Citation of unpublished decisions for other purposes is not encouraged. If a party believes, nevertheless, that an unpublished decision has persuasive value in relation to an issue in the case, and that there is no published opinion that would serve as well, the party may cite the unpublished decision.

(2) If a party cites an unpublished decision that is available in a publicly accessible electronic database, the citation must specify that it is unpublished in a parenthetical following the citation, and must also specify where the decision is available. If a party cites an unpublished decision that is not available in a publicly accessible electronic database, the party must specify that it is unpublished in a parenthetical following the citation and must also file and serve a copy of that unpublished decision with the brief or other document in which it is cited.

(3) For purposes of this rule, “unpublished decision” means any judicial opinion, order, judgment, or other written disposition that is not published in a national or state law reporter and that has been designated as “unpublished,” “not for publication,” “non-precedential,” “not precedent,” “memorandum opinion and judgment,” “memorandum opinion,” or by another similar term.

Arizona: [Supreme Court citation practice](#) | [Citation rule\(s\)](#)

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:

... .

2. A table of citations, which shall alphabetically arrange and index the cases, statutes and other authorities cited, with references to the pages of the brief on which they are cited.

... .

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.

... .

(d) Reproduction of Constitutional Provisions, Statutes, Rules, Regulations and Instructions: the Appendix.

1. If determination of the issues presented requires the study of constitutional provisions, rules, statutes, regulations or instructions given or refused, the relevant parts of any of the foregoing shall be reproduced in the brief or in an appendix to the brief. An appendix may include additional items of the record, as provided in Rule 11(a) (3). An appendix may include extended quotations from cases and authorities where such quotations are required for proper presentation of the issues.

2. If an appendix is included, it shall be separated from the main body of a brief filed in hard copy by a blank page of distinctive color. It shall be numbered with arabic numerals, and it shall not constitute a part of the brief for the purpose of determining length under Rule 14(b). If the brief is filed electronically, and if the appendix contains multiple documents, such documents shall be electronically bookmarked in the appendices' table of contents.

... .

Note: Similar provisions appear in the rules of criminal procedure. Ariz. R. Crim. P. 31.13(c)(1).

Ariz. Sup. Ct. R. 111, <http://azrules.westgroup.com/>.

(a) Definitions.

1. An opinion is a written disposition of a matter which is intended for publication under (4) below.

2. A memorandum decision is a written disposition of a matter not intended for publication.

3. An order is any disposition of a matter before the court other than by opinion or memorandum decision.

4. Publication is the distribution of opinions for reporting by publishing companies in compliance with the provisions of A.R.S. §§ 12-107, 12-108, and 12-120.07.

... .

(c) Dispositions as Precedent.

(1) Memorandum decisions of Arizona state courts are not precedential and such a decision may be cited only:

(A) to establish claim preclusion, issue preclusion, or law of the case;

(B) to assist the appellate court in deciding whether to issue a published opinion, grant a motion for reconsideration, or grant a petition for review; or

(C) for persuasive value, but only if it was issued on or after January 1, 2015; no opinion adequately addresses the issue before the court; and the citation is not to a depublished opinion or a depublished portion of an opinion.

(2) A citation must indicate if a decision is a memorandum decision.

(3) A party citing a memorandum decision must provide either a copy of the decision or a hyperlink to the decision where it may be obtained without charge.

(4) A party has no duty to cite a memorandum decision.

(d) Dispositions of Tribunals in Other Jurisdictions. A party may cite a

decision of a tribunal in another jurisdiction, as permitted in that jurisdiction. Such a decision may be cited on a point of Arizona law only if it complies with Rule 111(c)(1)(C).

... .

Examples from *Ark. Dep't of Human Servs. v. Fort Smith Sch. Dist.*, 2015 Ark. 81

... .

In their prayer for relief, the school districts sought the following:

- a. A declaration that Act 778 of 2009 does not require a school district that operates a child care center or a pre-K program to purchase or maintain general liability insurance;
- b. A declaration that Act 778 of 2009 in no way supersedes, repeals or overrules in any respect the application of the tort immunity statute for school districts found in [A.C.A. § 21-9-301](#) even where they, as here, may operate a child care center or a pre-K program;

... .

In reviewing the circuit judge's decision on a motion to dismiss, this court has said,

[W]e treat the facts alleged in the complaint as true and view them in the light most favorable to the party who filed the complaint. In testing the sufficiency of the complaint on a motion to dismiss, all reasonable inferences must be resolved in favor of the complaint, and the pleadings are to be liberally construed. However, our rules require fact pleading, and a complaint must state facts, not mere conclusions, in order to entitle the pleader to relief.

Arkansas Dep't of Envtl. Quality v. Oil Producers of Ark., 2009 Ark. 297, at 5, 318 S.W.3d 570, 572-73 (internal citations omitted) (quoting *Ark. Tech Univ. v. Link*, 341 Ark. 495, 501, 17 S.W.3d 809, 812 (2000)). Our standard of review for the denial of a motion to dismiss is whether the circuit judge abused his or her discretion. *Id.* (citing *S.*

Coll. of Naturopathy v. State ex rel. Beebe, 360 Ark. 543, 203 S.W.3d 111 (2005)).

...

Ark. Sup. Ct. & Ct. App. R. 4-2(a), 5-2(b)

<http://courts.arkansas.gov/rules-and-administrative-orders/court-rules/rule-4-2-contents-briefs>.

Rule 4-2. Contents of briefs.

(a) Contents.

The contents of the brief shall be in the following order:

(4) Table of authorities. The table of authorities shall be an alphabetical listing of authorities with a designation of the page number of the brief on which the authority appears. The authorities shall be grouped as follows: (A) Cases (B) Statutes and Rules (C) Books and Treatises (D) Miscellaneous

...

(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 “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. R. Ct. 313, 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.

(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.

Cal. Ct. R. 8.204, http://www.courts.ca.gov/cms/rules/index.cfm?title=eight&linkid=rule8_204.

Rule 8.204. Contents and form of briefs

(a) Contents

(1) Each brief must:

(A) Begin with a table of contents and a table of authorities separately listing cases, constitutions, statutes, court rules, and other authorities cited;

(B) State each point under a separate heading or subheading summarizing the point, and support each point by argument and, if possible, by citation of authority; and

(C) Support any reference to a matter in the record by a citation to the volume and page number of the record where the matter appears. If any part of the record is submitted in an electronic format, citations to that part must identify, with the same specificity required for the printed record, the place in the record where the matter appears.

...

Rule 8.1115. Citation of opinions

(a) Unpublished opinion

Except as provided in (b), an opinion of a California Court of Appeal or superior court appellate division that is not certified for publication or ordered published must not be cited or relied on by a court or a party in any other action.

(b) Exceptions

An unpublished opinion may be cited or relied on:

- (1) When the opinion is relevant under the doctrines of law of the case, res judicata, or collateral estoppel; or
- (2) When the opinion is relevant to a criminal or disciplinary action because it states reasons for a decision affecting the same defendant or respondent in another such action.

(c) Citation procedure

On request of the court or a party, a copy of an opinion citable under (b) must be promptly furnished to the court or the requesting party.

(d) When a published opinion may be cited

A published California opinion may be cited or relied on as soon as it is certified for publication or ordered published.

... .

Examples from *Trujillo v. Colo. Div. of Ins.*, 2014 CO 17, 320 P.3d 1208 (2014)

....

¶13 The General Assembly may prohibit the practice of a profession without a statutorily prescribed license. See *Kourlis v. District Court*, 930 P.2d 1329, 1333 (Colo. 1997). The Division of Insurance licensed Trujillo as an insurance producer with bail bond authority (“bail bonding agent”). An insurance producer is “a person who solicits, negotiates, effects, procures, delivers, renews, continues, or binds” insurance policies for risks in Colorado and membership in certain health care plans. § 10-2-103(6), C.R.S. (2013). Insurance producer licenses authorize a person to act as an insurance producer for one or more specific lines of authority. § 10-2-103(7), C.R.S. (2013).

....

¶19 The then-effective insurance code provided (and still provides) that “*all unearned premiums belonging to insureds* received by an insurance producer licensee under this article shall be treated by such insurance producer in a fiduciary capacity.” § 10-2-704(1)(a) (emphasis added). To implement this requirement, the Division promulgated Division Regulation 1-2-1, which provided that “[u]pon receipt, the insurance producer must treat all premiums and returned premiums in a fiduciary capacity.” Div. of Insurance Reg. 1-2-1, 3 Code Colo. Regs. 702-1, § 3.B. (2004). The regulation stated that “[t]he purpose of this regulation is to clarify the responsibility of insurance agents and brokers to treat *each insurance policy and premiums handled thereon as a separate account of their insureds* unless specific authorization has been obtained from insureds to

commingle multiple obligations and funds.” **Id. § 2** (emphasis added).

... .

¶28 Trujillo’s notice of appeal and briefing to the court of appeals did not appeal and contest the five recordkeeping and reporting violations for which the ALJ found the Division had established a basis for sanction. Thus, issues related thereto have not been preserved on appeal. **Vikman v. Intern’l Broth. of Elec. Workers, Local Union No. 1269, 889 P.2d 646, 658 (Colo.1995)**. Those ALJ findings and conclusions, which the Commissioner adopted, have become final. **In re Jones v. Samora, 2014 CO 4, ¶ 32, 318 P.3d 462** (as modified).

... .

C.J. Directive 12-01,

http://www.courts.state.co.us/Courts/Supreme_Court/Directives/CJD%2001.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.

Rule 28 Briefs

(a) Brief of the Appellant. The brief of the appellant, which shall be entitled “opening brief,” shall contain under appropriate headings and in the order here indicated:

(1) A table of contents, with page references, and a table of cases (alphabetically arranged), statutes, and other authorities cited, with references to the pages of the brief where they are cited;

(2) A statement of the issues presented for review;

(3) A statement of the case. The statement shall first indicate briefly the nature of the case, the course of proceedings, and its disposition in the court below. There shall follow a statement of the facts relevant to the issues presented for review, with appropriate references to the record (see section (e));

(4) An argument. The argument must be preceded by a summary. The argument 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;

... .

Rule 35. Determination of Appeal.

(a) Disposition of Appeal. The appellate court may, in whole or in part, dismiss an appeal; affirm, vacate, modify, reverse, or set aside a lower court judgment; and remand any portion of the case to the lower court for further proceedings. When reviewing a ruling or judgment

dismissing criminal charges, the appellate court may approve or disapprove of the judgment if retrial of the defendant is prohibited. The appellate court may dismiss an appeal or affirm a lower court judgment without opinion, but it must issue a written opinion when vacating, modifying, reversing, setting aside, or remanding any portion of the lower court judgment.

... .

(e) Published Opinions of Court of Appeals. A majority of all of the judges of the court of appeals shall determine which opinions of that court will be designated for official publication. The opinions shall be published in the official publication designated by the supreme court. Opinions designated for official publication must be followed as precedent by all lower court judges in the state of Colorado. No court of appeals opinion shall be designated for official publication unless it satisfies one or more of the following standards:

- (1) the opinion establishes a new rule of law, or alters or modifies an existing rule, or applies an established rule to a novel fact situation;
- (2) the opinion involves a legal issue of continuing public interest;
- (3) the majority opinion, dissent, or special concurrence directs attention to the shortcomings of existing common law or inadequacies in statutes; or
- (4) the opinion resolves an apparent conflict of authority.

(f) Unpublished Opinions of Court of Appeals. A court of appeals opinion not designated for official publication must contain the following notation on the title page: “NOT PUBLISHED PURSUANT TO C.A.R. 35(e).” If the supreme court grants certiorari to a court of appeals opinion not designated for official publication, and if the supreme court announces an opinion in the case, the court of appeals’ opinion will not be published unless otherwise ordered by the supreme court.

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.pdf#page=480>.

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\(s\)](#)

Examples from *Lawson v. State*, 72 A. 3d 84 (Del. 2013)

... .

9. *Key Props. Grp., LLC v. City of Milford*, 995 A.2d 147, 150 (Del.2010) (citing *CCS Investors LLC v. Brown*, 977 A.2d 301, 320 (Del.2009)).

10. *See id.* (citing *Wilm. Parking Auth. v. 277 W. 8th St.*, 521 A.2d 227, 233 (Del.1986)).

11. 29 Del. C. § 9501(a).

12. *City of Dover v. Cartanza*, 541 A.2d 580, 582 (Del.Super.1988) (citation omitted).

13. 29 Del. C. § 9505.

... .

43. 2 Del. Admin. C. § 2309.

... .

Del. Sup. Ct. R. 14, <http://courts.delaware.gov/forms/download.aspx?id=39368#page=13>.

14. Briefs and appendices; contents.

... .

(b) Opening and answering. The opening brief of appellant and the

answering brief of appellee shall contain the following under distinctive titles, commencing on a new page, in the listed order:

(i) Table of contents. The table of contents shall reflect each section required by this rule, including all headings designated in the body of the brief, and shall reflect the page number on which each section or heading begins. The table of contents shall also reflect all attachments or exhibits to the brief.

(ii) Table of citations. A table of citations to cases, statutes, rules, textbooks and other authorities, alphabetically arranged;

...

(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,
http://www.dccourts.gov/internet/documents/DCCA_Rules_08-13-2015.pdf#page=35.

(a) Brief of the Appellant (or Petitioner).

The brief must contain, under appropriate headings and in the order indicated:

....

(4) a table of authorities — cases (alphabetically arranged), statutes, and other authorities — with references to the pages of the brief where they are cited, and with an asterisk designating those cases chiefly relied upon;

... .

(e) References to the Record.

References to the parts of the record contained in the appendix filed with the appellant's brief must be to the pages of the appendix. If reference is made to an unreproduced part of the record, any reference must be to the page of the original document (for example: Answer p. 2; transcript p. 5). A party referring to evidence whose admissibility is in controversy must cite the pages of the appendix or of the transcript at which the evidence was identified, offered, and received or rejected.

(f) Reproduction of Statutes, Rules, Regulations, etc.

If the court's determination of the issues presented requires the study of statutes, rules, regulations, etc., the relevant parts must be set out in the brief or in an addendum at the end, or may be supplied to the court in pamphlet form.

(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.

(h) Citation to Administrative Agency Orders, Decisions and Opinions.

On review of orders and decisions of administrative agencies, an internal order, decisions or opinion of the agency in another case may be cited to the court if (1) it is available in a publicly accessible electronic database (the address to which is provided), or (2) a written copy of it is furnished to the court in an addendum at the end of the brief or in the appendix.

D.C. Super. Ct. Civ. P.R. 12-I(e),
<http://www.dccourts.gov/internet/documents/Civil-Rules-Jan-2012.pdf#page=42>

... . 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>

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. 9.210,
<http://www.floridabar.org/TFB/TFBResources.nsf/0/830A6BC6B90DA0568>

RULE 9.210. BRIEFS

... .

(b) Contents of Initial Brief. The initial brief shall contain the following, in order:

- (1) A table of contents listing the issues presented for review, with references to pages.
- (2) A table of citations with cases listed alphabetically, statutes and other authorities, and the pages of the brief on which each citation appears. See rule 9.800 for a uniform citation system.

... .

Fla. R. App. P. 9.800,
<http://www.floridabar.org/TFB/TFBResources.nsf/0/830A6BC6B90DA0568>

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.

....

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 [OCGA § 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 [OCGA § 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 OCGA § 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/rules-of-the-supreme-court-of-georgia/#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(d), <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.

... .

Ga. Ct. App. R. 33, <http://www.gaappeals.us/rules2/rules.php?name=OPINIONS%20AND%20JUDGMENTS>.

Rule 33. Showing of Concurrence or Dissent.

The judgment line on an opinion shall show on its face, the vote or non-participation of each judge.

(a) Judgment as Precedent.

If an appeal is decided by a Division, a judgment in which all three judges fully concur is a binding precedent; provided, however, an opinion is physical precedent only with respect to any Division of the opinion for which there is a concurrence in the judgment only or a special concurrence without a statement of agreement with all that is said. If the appeal is decided by a seven or twelve-judge Court, a full concurrence by a majority of judges is a binding precedent; provided, however, an opinion is physical precedent only with respect to any Division of the opinion for which there are concurrences in the judgment only or special concurrences without a statement of agreement with all that is said in the Division, resulting in a general concurrence by less than a majority of the judges with respect to the Division. The opinion of a case which is physical precedent shall be marked as such.

(b) Unreported Opinion.

An unreported opinion is neither a physical nor binding precedent but establishes the law of the case as provided by O.C.G.A. § 9-11-60 (h).

Hawaii: [Supreme Court citation practice](#) | [Citation rule\(s\)](#)

Examples from *Panado v. Board of Trustees*, 134 Haw. 1, 332 P. 3d 144 (2014)

....

Our construction of statutes is guided by the following rules:

First, the fundamental starting point for statutory-interpretation is the language of the statute itself. Second, where the statutory language is plain and unambiguous, our sole duty is to give effect to its plain and obvious meaning. Third, implicit in the task of statutory construction is our foremost obligation to ascertain and give effect to the intention of the legislature, which is to be obtained primarily from the language contained in the statute itself. Fourth, when there is doubt, doubleness of meaning, or indistinctiveness or uncertainty of an expression used in a statute, an ambiguity exists.

First Ins. Co. of Hawaii v. A & B Props., 126 Hawai'i 406, 414, 271 P.3d 1165, 1173 (2012) (citations omitted) (quoting *State v. Wheeler*, 121 Hawai'i 383, 390, 219 P.3d 1170, 1177 (2009)).

Under **HRS § 88-79**, a member of the ERS may qualify for service-connected disability retirement benefits if that member has been:

permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty *at some definite time and place*, or as the cumulative result of some occupational hazard, through no wilful negligence on the member's part[.]

(Emphasis added); see also **HAR § 6-22-8**.

....

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.

... .

(3) A concise statement of the case, setting forth the nature of the case, the course and disposition of proceedings in the court or agency appealed from, and the facts material to consideration of the questions and points presented, with record references supporting each statement of fact or mention of court or agency proceedings. In presenting those material facts, all supporting and contradictory evidence shall be presented in summary fashion, with appropriate record references. Record references shall include page citations and the volume number,

if applicable. References to transcripts shall include the date of the transcript, the specific page or pages referred to, and the volume number, if applicable... .

Hawaii R. App. P. 35,

http://www.courts.state.hi.us/docs/court_rules/rules/hrap.htm.

Rule 35. DISPOSITIONS

... .

(b) Publication.

Memorandum opinions shall not be published. Dispositional orders shall not be published except upon the order of the appellate court. For purposes of this Rule 35, an opinion or order is published when the appellate court designates it for publication in Wests Hawai'i Reports or the Pacific Reporter.

(b) Citation.

(1) Dispositions before July 1, 2008. A memorandum opinion or unpublished dispositional order filed before July 1, 2008 shall not be cited in any other action or proceeding except when the memorandum opinion or unpublished dispositional order (i) establishes the law of the pending case, or (ii) has res judicata or collateral estoppel effect, or (iii) in a criminal action or proceeding, involves the same respondent.

(2) Dispositions on or after July 1, 2008. Any disposition filed in this jurisdiction on or after July 1, 2008 may be cited in any proceeding. A party or attorney has no duty to cite an unpublished disposition. Memorandum opinions and unpublished dispositional orders are not precedent, but may be cited for persuasive value; provided that a memorandum opinion or unpublished dispositional

order that establishes the law of the pending case or that has res judicata or collateral estoppel effect shall be honored.

Notwithstanding any other rule, a copy of a cited unpublished disposition shall be appended to the brief or memorandum in which the unpublished disposition is cited.

... .

Idaho: [Supreme Court citation practice](#) | [Citation rule\(s\)](#)

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 R. App. P. Rule 35, <http://www.isc.idaho.gov/iar35>.

Rule 35. Content and Arrangement of Briefs.

(a) Appellant's Brief. The brief of the appellant shall contain the following divisions under appropriate headings:

... .

(2) Table of Cases and Authorities. A table of cases (alphabetically arranged), statutes and other authorities cited, with references to the pages of the brief where they are cited.

... .

(6) Argument. The argument shall contain the contentions of the appellant with respect to the issues presented on appeal, the reasons

therefor, with citations to the authorities, statutes and parts of the transcript and record relied upon.

....

Idaho S. Ct. Internal R 15,
http://www.isc.idaho.gov/rules/Internal_Rules_ISC_2008.pdf#page=6.

15. OPINIONS

....

(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.”

(f) Unpublished Opinions of the Court.

At or after the oral conference following the presentation of oral argument or the submission of the case to the Court on the briefs, the Court, by the unanimous consent of all justices, may determine not to publish the final opinion of the Court. If an opinion is not published, it may not be cited as authority or precedent in any court.

...

Examples from *People v. Hommerson*, 2014 IL 115638, 4 N.E. 3d 58

... .

¶ 11 Here, we similarly hold that the circuit court may not dismiss a petition at the first stage of proceedings solely on the basis that it lacked a verification affidavit. Allowing a trial judge to sua sponte dismiss a petition on that ground conflicts with our prior holdings that, at the first stage of proceedings, the court considers the petition's substantive virtue rather than its procedural compliance. It is also at odds with a first-stage determination of whether the petition's allegations set forth a constitutional claim for relief. Additionally, as with timeliness, the provision that includes the verification affidavit requirement is in a separate section from the frivolousness provision of the Act, therefore evincing legislative intent to draw a distinction between them. Any deficiency in compliance with section 122-1(b)'s verification affidavit requirement may be objected to by the State in a motion to dismiss at the second stage of proceedings. See *People v. Cruz*, 2013 IL 113399, 369 Ill.Dec. 28, 985 N.E.2d 1014 (State's failure to object to postconviction petition's lack of a notarized verification affidavit was forfeited and could not be raised on appeal). Accordingly, the verification affidavit requirement is neither rendered surplusage nor eviscerated by this decision.

¶ 12 Further, our holding is consistent with the legislature's intent in passing the Act. The purpose of the Act is to provide incarcerated individuals with a means of asserting that their convictions were the result of a substantial denial of their constitutional rights. 725 ILCS 5/122-1(a) (West 2010). Construing the statute as requiring a verification affidavit at the first stage of proceedings frustrates the legislature's intent to provide incarcerated individuals with this avenue

of redress.

¶ 13 We disagree with the State’s suggested remedy of a “pre-second stage dismissal.” The State argues we should permit circuit courts, “in lieu of first stage review,” to dismiss a petition lacking a proper verification affidavit, without prejudice, with leave to refile a petition in conformance with the Act within a specified time period. However, we believe that doing so would elevate a petition’s form over substance and would ignore this court’s directive in *Bocclair* to consider the petition’s “substantive virtue” rather than its procedural compliance. Moreover, such an approach would require us to read language into the statute that the legislature did not include, which we may not do. *People v. Ellis*, 199 Ill.2d 28, 39, 262 Ill. Dec. 383, 765 N.E.2d 991 (2002).

... .

Ill. Sup. Ct. R. 6,
http://www.state.il.us/court/SupremeCourt/Rules/Art_1/Art1.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.

Ill. Sup. Ct. R. 23,

http://www.illinoiscourts.gov/SupremeCourt/Rules/Art_1/arti.htm#Rule23.

Rule 23. Disposition of Cases in the Appellate Court

The decision of the Appellate Court may be expressed in one of the following forms: a full opinion, a concise written order, or a summary order conforming to the provisions of this rule. All dispositive opinions and orders shall contain the names of the judges who rendered the opinion or order.

... .

(e) Effect of Orders.

(1) An order entered under subpart (b) or (c) of this rule is not precedential and may not be cited by any party except to support contentions of double jeopardy, res judicata, collateral estoppel or law of the case. When cited for these purposes, a copy of the order shall be furnished to all other counsel and the court.

(2) An order entered under subpart (b) of this rule must contain on its first page a notice in substantially the following form:

NOTICE: This order was filed under Supreme Court Rule 23 and

may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

...

Ill. Sup. Ct. R. 341,

http://www.state.il.us/Court/SupremeCourt/Rules/Art_III/ArtIII.htm#341.

Rule 341. Briefs

...

(g) Citations. Citations shall be made as provided in Rule 6.

...

(h) Appellant's Brief. The appellant's brief shall contain the following parts in the order named:

(1) A summary statement, entitled "Points and Authorities," of the points argued and the authorities cited in the Argument. This shall consist of the headings of the points and subpoints as in the Argument, with the citation under each heading of the authorities relied upon or distinguished, and a reference to the page of the brief on which each heading and each authority appear. Cases shall be cited as near as may be in the order of their importance.

Examples from *Caesars Riverboat Casino, LLC v. Kephart*, 934 N.E.2d 1120 (Ind. 2010)

....

In 1988, voters approved a referendum to amend the Indiana Constitution by deleting the general prohibition against lotteries. The General Assembly then authorized lotteries conducted by the State Lottery Commission and horse race gambling in 1989. See Pub. L. No. 341-1989, 1989 Ind. Acts 2308 (special session) (codified at Ind. Code 4-30, 4-31). In 1993 riverboat gambling was authorized subject to regulation by the Indiana Gaming Commission. See Pub. L. No. 277-1993 § 124, 1993 Ind. Acts 4821 (special session) (codified at I.C. 4-33). Aside from these exceptions, gambling in this state continues to be strictly prohibited by anti-gaming laws. *Schrenger v. Caesars Indiana*, 825 N.E.2d 879, 883 (Ind. Ct. App.2005), trans. denied; see I.C. §§ 35-45-5-2, 35-45-5-2 (criminalizing gambling and professional gambling such as pool-selling and bookmaking); *L.E. Servs., Inc. v. State Lottery Comm’n of Ind.*, 646 N.E.2d 334, 340 (Ind. Ct. App.1995), trans. denied (holding the offering of out-of-state lottery tickets for sale to the public strictly prohibited by Indiana’s anti-gaming laws).

....

In this case, not only does the statutory scheme cover the entire subject of riverboat gambling, but the statutory scheme and Kephart’s common law claim are so incompatible that they cannot both occupy the same space. As the sole regulator of riverboat gambling, the Commission has adopted detailed regulations at the legislature’s direction. See 68 Ind. Admin. Code §§ 1-1-1 to 19-1-5. Indiana Code sections 4-33-4-

3(a)(9) and (c) require the Commission to enact a voluntary exclusion program. See 68 I.A.C. §§ 6-1-1 to 6-3-5. Under this program any person may make a request to have his or her name placed on a voluntary exclusion list by following the required procedures. 68 I.A.C. § 6-3-2. To request exclusion, applicants must provide contact information, a physical description, and desired time frame of exclusion — one year, five years, or lifetime. *Id.* Casinos must have procedures by which excluded individuals are not allowed to gamble, do not receive direct marketing, and are not extended check cashing or credit privileges. 68 I.A.C. § 6-3-4. A casino's failure to comply with the regulations makes it subject to disciplinary action under 68 Indiana Administrative Code article 13.

... .

Ind. R. App. P. 22,
http://www.in.gov/judiciary/rules/appellate/#_Toc454789938.

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.

Citation to Indiana statutes, regulations, and court rules shall comply with the following citation format for initial references and subsequent references:

INITIAL

Ind. Code §34-1-1-1 (20xx)
 34 Ind. Admin. Code 12-5-1 (2004)
 29 Ind. Reg. 11 (Oct. 1, 2005)
 Ind. Trial Rule 56
 Ind. Crim. Rule 4(B)(1)
 Ind. Post-Conviction Rule 2(2)(b)
 Ind. Appellate Rule 8
 Ind. Original Action Rule 3(A)
 Ind. Child Support Rule 2
 Ind. Child Support Guideline 3(D)
 Ind. Small Claims Rule 8(A)
 Ind. Tax Court Rule 9
 Ind. Administrative Rule 7(A)
 Ind. Judicial Conduct Rule 2.1
 Ind. Professional Conduct Rule 6.1
 Ind. Alternative Dispute Resolution Rule 2
 Ind. Admission and Discipline Rule 23(2)(a)
 Ind. Evidence Rule 301
 Ind. Jury Rule 12

SUBSEQUENT

I.C. §34-1-1-1
 34 I.A.C. 12-5-1
 29 I.R. 11
 T.R. 56
 Crim. R. 4(B)(1)
 P-C.R. 2(2)(b)
 App. R. 8
 Orig. Act. R. 3(A)
 Child Supp. R. 2
 Child Supp. G. 3(D)
 S.C.R. 8(A)
 Tax Ct. R. 9
 Admin. R. 7(A)
 Jud. Cond. R. 2.1
 Prof. Cond. R. 6.1
 A.D.R. 2
 Admis. Disc. R. 23(2)(a)
 Evid. R. 301
 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).

Rule 46. Arrangement And Contents Of Briefs,
http://www.in.gov/judiciary/rules/appellate/#_Toc454789962.

A. Appellant’s Brief. The appellant’s brief shall contain the following sections under separate headings and in the following order:

... .

(2) *Table of Authorities.* The table of authorities shall list each case, statute, rule, and other authority cited in the brief, with references to each page on which it is cited. The authorities shall be listed alphabetically or numerically, as applicable.

...

D. Precedential Value of Memorandum Decision. Unless later designated for publication in the official reporter, a memorandum decision shall not be regarded as precedent and shall not be cited to any court except by the parties to the case to establish res judicata, collateral estoppel, or law of the case.

...

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. 6.903, 6.904,
<http://www.legis.iowa.gov/docs/ACO/CourtRulesChapter/06-30-2014.6.pdf#page=25>.

Rule 6.903 Briefs.

6.903(2) Appellant’s brief. The appellant shall file a brief containing all of the following under appropriate headings and in the following order:

b. A table of authorities. The table of authorities shall contain a list of cases (alphabetically arranged), statutes, and other authorities cited, with references to all pages of the brief where they are cited.

Rule 6.904 References in 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 Profl 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.

e. Internal cross-references. Use of “supra” and “infra” is not permitted.

6.904(4) To the record.

a. Proof briefs. Proof briefs shall contain references to the pages of the parts of the record, e.g., Petition p. 6, Judgment p. 5, Transcript p. 298, Lines 15-24. March 2013 APPELLATE PROCEDURE Ch 6, p.23

b. Final briefs. In final briefs, the parties shall replace references to parts of the record with citations to the page or pages of the appendix at which those parts appear. If references are made in the final briefs to parts of the record not reproduced in the appendix, the references shall be to the pages of the parts of the record involved, e.g., Answer p. 7, Motion for Judgment p. 2, Tr. p. 231 Ll. 8-21. Intelligible abbreviations may be used. No other changes may be made in the proof briefs as initially served and filed, except that typographical errors may be corrected.

... .

Examples from *Schmidt v. Kan. State Bd. of Tech. 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. 6.02,
http://www.kscourts.org/rules/Appellate_Rules/Rule%206.02.pdf.

Rule 6.02 Content of Appellant’s Brief

(a) Required Contents. An appellant’s brief must contain the following:

(1) A table of contents that includes: (A) page references to each division and subdivision in the brief, including each issue presented; and (B) the authorities relied on in support of each issue.

... .

(5) The arguments and authorities relied on, separated by issue if there is more than one. Each issue must begin with citation to the appropriate standard of appellate review and a pinpoint reference to the location in the record on appeal where the issue was raised and ruled on. If the issue was not raised below, there must be an explanation why the issue is properly before the court.

...

Kan. Ct. R. 6.08,
http://www.kscourts.org/rules/Appellate_Rules/Rule%206.08.pdf.

Rule 6.08 Reference 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.

Kan. Ct. R. 7.04,
http://www.kscourts.org/rules/Appellate_Rules/Rule%207.04.pdf.

Rule 7.04 Opinion of Appellate Court

...

(g) Unpublished Memorandum Opinion.

(1) A memorandum opinion, unless required by subsection (d) to be published, must be marked: “Not Designated for Publication.”

(2) An unpublished memorandum opinion:

(A) is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel;

(B) is not favored for citation and may be cited only if the opinion:

(i) has persuasive value with respect to a material issue not

addressed in a published opinion of a Kansas appellate court; and
(ii) would assist the court in disposition of the issue; and
(C) must be attached to any document, pleading, or brief that cites the
opinion.

...

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.

... .

76.12 BRIEFS

...

(4) Form and Content

...

(c) *Organization and contents-Appellant's brief.* The organization and contents of the appellant's brief shall be as follows:

...

(iii) A "STATEMENT OF POINTS AND AUTHORITIES," which shall set forth, succinctly and in the order in which they are discussed in the body of the argument, the appellant's contentions with respect to each issue of law relied upon for a reversal, listing under each the authorities cited on that point and the respective pages of the brief on which the argument appears and on which the authorities are cited.

...

(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.

....

76.28 OPINIONS

....

(4) Publication

....

(c) Opinions that are not to be published shall not be cited or used as binding precedent in any other case in any court of this state; however, unpublished Kentucky appellate decisions, rendered after January 1, 2003, may be cited for consideration by the court if there is no published opinion that would adequately address the issue before the court. Opinions cited for consideration by the court shall be set out as an unpublished decision in the filed document and a copy of the entire decision shall be tendered along with the document to the court and all parties to the action.

....

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).

...

La. Sup. Ct. R. VII, <http://www.lasc.org/rules/supreme/RuleVII.asp>.

Rule VII. Briefs

...

Section 5. The brief for the appellee, or respondent, as the case may be, shall contain an index of the authorities cited and such statement of the case and such argument as may be deemed necessary.

...

La. Sup. Ct. Gen. Admin. R. § 8,
<http://www.lasc.org/rules/supreme/PartGSection8.asp>.

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/pdf/20140101UniformRulesCourtsofAppealWeb.pdf#page=14>.

2-12.4. Appellant's Brief

A. The brief of the appellant shall contain, under appropriate headings and in the order indicated:

... .

(2) a table of authorities, including cases alphabetically arranged, statutes and other authorities, with references to the pages of the brief where the authorities are cited;

... .

B.

....

(2) 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.

....

La. Code Civ. Proc. Art. 2168, <http://legis.la.gov/legis/Law.aspx?d=408238>.

Art. 2168. Posting of unpublished opinions; citation

A. The unpublished opinions of the supreme court and the courts of appeal shall be posted by such courts on the Internet websites of such courts.

B. Opinions posted as required in this Article may be cited as authority and, if cited, shall be cited by use of the case name and number assigned by the posting court.

Examples from *Powers Trust v. Bd. of Env'tl. Prot.*, 2011 ME 40, 15 A.3d 1273

....

[¶ 2] On April 7, 2009, Evergreen filed an application with the Department of Environmental Protection for permits to construct the Oakfield Wind Project, a fifty-one-megawatt wind energy generation facility, in the Town of Oakfield. See 35-A M.R.S. §§ 3452-3455 (2008); 38 M.R.S. §§ 480-A to 480-GG, 481-490 (2008). Evergreen's project involves the construction of thirty-four wind turbines, to be located along the ridgelines of Sam Drew Mountain and Oakfield Hills; access roads and a crane path; approximately twelve miles of an electrical collector line; an electrical collector substation; four meteorological towers; and an operations and maintenance building. This project is an "expedited wind energy development" because it is "a grid-scale wind energy development that is proposed for location within an expedited permitting area." 35-A M.R.S. § 3451(4) (2010).

....

[¶ 4] With its application, Evergreen submitted a "Sound Level Assessment" prepared by an engineering company, which concluded that "sound levels from operation of the Oakfield Wind Project will not exceed Maine DEP sound level[] limits during construction or routine operation." See 38 M.R.S. § 484(3)(B); 2 C.M.R. 06 096 375-6 to -15 § 10 (2001). To "verify" compliance with the Department's sound level limits, the engineering company recommended that Evergreen monitor actual sound levels during operation of the project.

....

[¶ 9] On appeal, the Trust contends that the Board was required to hold a public hearing. We addressed this exact argument in *Concerned Citizens to Save Roxbury v. Board of Environmental Protection*, 2011 ME 39, ¶¶ 18-23, 15 A.3d 1263, 1270-71. In that case, we determined that the Board has discretion to decide whether to hold a public hearing when reviewing the Commissioner’s decision on an application for an expedited wind energy development. *Concerned Citizens to Save Roxbury*, 2011 ME 39, ¶ 23, 15 A.3d at 1271; see also 38 M.R.S. § 345-A(1-A), (2) (2010); 38 M.R.S. § 341-D(4), (4)(D) (2009); 2 C.M.R. 06 096 002-4 to -5, -12 §§ 7(B)-(C), 24(B)(7) (2003).

... .

Me. R. of App. P. 9,

http://www.courts.maine.gov/rules_adminorders/rules/text/mr_app_p_20

RULE 9. BRIEFS IN THE LAW COURT

(a) Brief of the Appellant. The brief of the appellant shall contain under appropriate headings and in the order here indicated:

(1) A table of contents, with page references, and a table of cases, statutes and other authorities cited.

... .

(5) An argument. The argument shall contain the contentions of the appellant with respect to the issues presented, and the reasons supporting each contention, with citations to the authorities and the particular documents or exhibits in the record relied on, with citation to page numbers when they exist.

Me. R. of App. P. 12(c),

http://www.courts.maine.gov/rules_adminorders/rules/text/mr_app_p_20

RULE 12. COMPOSITION, CONCURRENCE, AND SESSIONS OF THE LAW COURT

... .

(c) Decisions of the Law Court.

Decisions of the Law Court may be reported by several methods including a signed opinion, a per curiam opinion or a memorandum of decision. A memorandum of decision decides a case, but does not establish precedent and will not be published on the Judicial Branch website or in the Maine Reports.

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. However, it continues to govern citation practice in Maine.]

Note: See also University of Maine School of Law, *Uniform Maine Citations* (2015 ed.), <http://mainelaw.maine.edu/academics/wp-content/uploads/sites/3/2015-umc.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 this state).

Maryland: [Court of Appeals citation practice](#) | [Citation rule\(s\)](#)

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.

....

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. Rule 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.

....

(8) The citation and verbatim text of all pertinent constitutional provisions, statutes, ordinances, rules, and regulations except that the appellee's brief shall contain only those not included in the appellant's brief.

....

Massachusetts: [Supreme Judicial Court citation practice](#) | [Citation rule\(s\)](#)

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.mass.gov/courts/case-legal-res/rules-of-court/appellate-procedure/mrap16.html>.

RULE 16. BRIEFS

(a) Brief of the Appellant. The brief of the appellant shall contain under appropriate headings and in the order here indicated:

(1) In all briefs, a table of contents, with page references, and a table of cases (alphabetically arranged), statutes and other authorities cited, with references to the pages of the brief where they are cited.

... .

(4) The 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.

... .

(f) Reproduction of Statutes, Rules, Regulations, etc. If determination of the issues presented requires consideration of constitutional provisions, statutes, rules, regulations, etc. or relevant parts thereof, they shall be reproduced in the brief or in an addendum at the end.

(g) Massachusetts Citations. 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.

... .

Mass. App. Ct. R. 1:28, <http://www.mass.gov/courts/case-legal-res/rules-of-court/appeals-court/mac128.html>.

Appeals Court Rule 1:28: Summary Disposition

At any time following the filing of the appendix (or the filing of the original record) and the briefs of the parties on any appeal in accordance with the applicable provisions of Rules 14(b) , 18 and 19 of the Massachusetts Rules of Appellate Procedure, a panel of the justices of this court may determine that no substantial question of law is presented by the appeal or that some clear error of law has been committed which has injuriously affected the substantial rights of an appellant and may, by its written order, affirm, modify or reverse the action of the court below. The panel need not provide an opportunity for oral argument before disposing of cases under this rule. Any order entered under this rule shall be subject to the provisions of Rules 27 and 27.1 of the Massachusetts Rules of Appellate Procedure.

If, in a brief or other filing, a party cites to an order issued under this rule, the party shall cite the case title, a citation to the Appeals Court Reports where issuance of the order is noted, and a notation that the order was issued pursuant to this rule; in addition, a party citing such an order shall include the full text of the order as an addendum to the brief or other filing. No such order issued before February 26, 2008, may be cited.

Examples from *Great Wolf Lodge of Traverse City, LLC v. PSC*, 489 Mich. 27, 799 N.W.2d 155 (2011)

... .

MCL 462.26(8) provides, “In all appeals under this section the burden of proof shall be upon the appellant to show by clear and satisfactory evidence that the order of the commission complained of is unlawful or unreasonable.” To declare a PSC order unlawful, “there must be a showing that the commission failed to follow some mandatory provision of the statute or was guilty of an abuse of discretion in the exercise of its judgment.” *In re MCI Telecom Complaint*, 460 Mich 396, 427; 596 NW2d 164 (1999), quoting *Giaras v Mich Pub Serv Comm*, 301 Mich 262, 269; 3 NW2d 268 (1942). “The hurdle of unreasonableness is equally high. Within the confines of its jurisdiction, there is a broad range or ‘zone’ of reasonableness within which the [PSC] may operate.” *In re MCI Telecom Complaint*, 460 Mich at 427, citing *Mich Bell Tel Co v Pub Serv Comm*, 332 Mich 7, 26-27; 50 NW2d 826 (1952). In addition,

[w]hen considering an agency’s statutory construction, the primary question presented is whether the interpretation is consistent with or contrary to the plain language of the statute. While a court must consider an agency’s interpretation, the court’s ultimate concern is a proper construction of the plain language of the statute.

... As established in [*Boyer-Campbell Co v Fry*, 271 Mich 282; 260 NW 165 (1935)], the agency’s interpretation [48] is entitled to respectful consideration and, if persuasive, should not be overruled without cogent reasons... . But, in the end, the agency’s interpretation cannot conflict with the plain meaning of the statute. [*In re Complaint of Rovas Against SBC Mich*, 482 Mich 90, 108;

754 NW2d 259 (2008).]

“In construing administrative rules, courts apply principles of statutory construction.” *Detroit Base Coalition for the Human Rights of the Handicapped v Dep’t of Social Servs*, 431 Mich 172, 185; 428 NW2d 335 (1988).

... .

Rule 411(2) states that “[e]xisting customers shall not transfer from one utility to another.” Mich Admin Code, R 460.3411(2). Rule 411(11) provides that the “first utility serving a customer pursuant to these rules is entitled to serve the entire electric load on the premises of that customer even if another utility is closer to a portion of the customer’s load.” Mich Admin Code, R 460.3411(11). Rule 411(1)(a) defines “customer” as “the buildings and facilities served rather than the individual, association, partnership, or corporation served.” Mich Admin Code, R 460.3411(1)(a). And Mich Admin Code, R 460.3102(j) defines “premises” as “an undivided piece of land that is not separated by public roads, streets, or alleys.”

... .

Mich. App. R. 7.212,

<http://courts.mi.gov/Courts/MichiganSupremeCourt/rules/Documents/su>

Rule 7.212. Briefs

... .

(C) Appellant’s Brief; Contents. The appellant’s brief must contain, in the following order: ...

(3) An index of authorities, listing in alphabetical order all case authorities cited, with the complete citations including the years of decision, and all other authorities cited, with the numbers of the pages

where they appear in the brief.

... .

(7) The arguments, each portion of which must be prefaced by the principal point stated in capital letters or boldface type. As to each issue, the argument must include a statement of the applicable standard or standards of review and supporting authorities. Facts stated must be supported by specific page references to the transcript, the pleadings, or other document or paper filed with the trial court. Page references to the transcript, the pleadings, or other document or paper filed with the trial court must also be given to show whether the issue was preserved for appeal by appropriate objection or by other means. If determination of the issues presented requires the study of a constitution, statute, ordinance, administrative rule, court rule, rule of evidence, judgment, order, written instrument, or document, or relevant part thereof, this material must be reproduced in the brief or in an addendum to the brief. If an argument is presented concerning the sentence imposed in a criminal case, the appellant's attorney must send a copy of the presentence report to the court at the time the brief is filed;

... .

Rule 7.215. Opinions, Orders, Judgments, and Final Process for Court of Appeals

... .

(C) Precedent of Opinions.

(1) An unpublished opinion is not precedentially binding under the rule of stare decisis. Unpublished opinions should not be cited for propositions of law for which there is published authority. If a party cites an unpublished opinion, the party shall explain the reason for citing it and how it is relevant to the issues presented. A party who

cites an unpublished opinion must provide a copy of the opinion to the court and to opposing parties with the brief or other paper in which the citation appears.

(2) A published opinion of the Court of Appeals has precedential effect under the rule of stare decisis. The filing of an application for leave to appeal to the Supreme Court or a Supreme Court order granting leave to appeal does not diminish the precedential effect of a published opinion of the Court of Appeals.

... .

Note: Prior to 2014 a Michigan court rule prescribed a uniform state system of citation. In November 2014 the rule was rescinded and replaced with a manual which sets out “standards for citation of authority, quotation, and style in opinions” of the state’s supreme court and court of appeals. Practitioners are encouraged but not required to adhere to the manual’s standards. See *Michigan Appellate Opinion Manual*,

<http://courts.mi.gov/Courts/MichiganSupremeCourt/Documents/MiAppOpinionManual>

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.”).

....

Minn. R. App. P. 128.02, 128.04,
[http://www.revisor.mn.gov/court_rules/rule.php?
type=ap&subtype=rcap&id=128](http://www.revisor.mn.gov/court_rules/rule.php?type=ap&subtype=rcap&id=128).

Rule 128.02 Formal Brief

Subdivision 1. Brief of Appellant. The formal brief of the appellant shall contain under appropriate headings and in the order here indicated:

....

(a) A table of contents, with page references, and an alphabetical table of cases, statutes, and other authorities cited, with references to the pages of the brief where they are cited.

(b) A concise statement of the legal issue or issues involved, omitting unnecessary detail. Each issue shall be stated as an appellate court would state the broad issue presented. Each issue shall be followed by:

(1) a description of how the issue was raised in the trial court, including citations to the record;

(2) a concise statement of the trial court’s ruling;

(3) a description of how the issue was subsequently preserved for appeal, including citations to the record; and

(4) a list of the most apposite cases, not to exceed four, and the most apposite constitutional and statutory provisions.

...

(d) An argument. The argument may be preceded by a summary introduction and shall include the contentions of the party with respect to the issues presented, the applicable standard of appellate review for each issue, the analyses, and the citations to the authorities. Each issue shall be separately presented.

Rule 128.04 Reproduction of Statutes, Ordinances, Rules, Regulations, Etc.

If determination of the issues presented requires the study of statutes, ordinances, rules, regulations, etc., or relevant parts of them, that are not readily available in a publicly available electronic database or Minnesota law libraries, they shall be reproduced in the brief or addendum.

...

Minn. Stat. § 480A.08, <http://www.revisor.mn.gov/statutes/?id=480A.08>.

480A.08 DECISION OF THE COURT.

...

(b) The decision of the court need not include a written opinion. A statement of the decision without a written opinion must not be officially published and must not be cited as precedent, except as law of the case, res judicata, or collateral estoppel.

....

Unpublished opinions of the Court of Appeals are not precedential. Unpublished opinions must not be cited unless the party citing the unpublished opinion provides a full and correct copy to all other counsel at least 48 hours before its use in any pretrial conference, hearing, or trial. If cited in a brief or memorandum of law, a copy of the unpublished opinion must be provided to all other counsel at the time the brief or memorandum is served, and other counsel may respond.

....

Examples from *Alford v. Miss. Div. of Medicaid*, 30 So. 3d 1212 (Miss. 2010)

... .

¶ 11. In order to be eligible for Medicaid, the applicant must meet certain financial and non-financial criteria. See *Miss. Code Ann. § 43-13-115 (Rev.2009)*. Married applicants who receive long-term care (i.e., institutionalized spouses) have specific limitations on their income and resources. The Division must determine the couple's income and resources and allocate resources between the institutionalized spouse and the community spouse when determining eligibility. See 42 U.S.C. § 1396r-5 (2006)... .

... .

¶ 17. When reviewing an issue of subject matter jurisdiction, this Court applies a de novo standard of review. *Schmidt v. Catholic Diocese of Biloxi*, 18 So.3d 814, 821 (Miss.2009).

... .

¶ 29. We find that the opinions of the Arkansas Supreme Court and the Missouri Court of Appeals provide a more compelling interpretation of the spousal-impoverishment provisions. Notably, 42 U.S. Code Section 1396r-5(e) specifically provides a mechanism for administrative review and revision of the CSMIA, MMMNA, and CSRA. Furthermore, Mississippi Code Section 43-13-116 sets forth the administrative-hearing process and provides that an aggrieved claimant “is entitled to seek judicial review in a court of proper jurisdiction.” *Miss.Code Ann. § 43-13-116(3)(e)(xvii) (Rev. 2009)*. This Court

previously has ruled that ““where a remedy before an administrative agency is provided, relief must be sought by exhausting this remedy before the courts will act.”” *Davis v. Barr*, 250 Miss. 54, 157 So.2d 505, 507 (1963) (quoting 2 Am.Jur.2d Administrative Law, § 595, p. 426). This Court also has described the doctrine of primary jurisdiction, which is relevant to the case *sub judice*:

the courts cannot or will not determine a controversy involving a question which is within the jurisdiction of an administrative tribunal prior to the decision of that question by the administrative tribunal, where the question demands the exercise of sound administrative discretion requiring the special knowledge, experience, and services of the administrative tribunal to determine technical and intricate matters of fact, and a uniformity of ruling is essential to comply with the purposes of the regulatory statute administered.

Ill. Cent. R. Co. v. M.T. Reed Const. Co., 51 So.2d 573, 575 (Miss.1951) (quoting 42 Am.Jur. Public Administrative Law, § 254). However, Mrs. Alford argues that the doctrine of administrative remedies should not apply, as the Division’s rule states:

The CS [community spouse] share of total countable resources is the maximum allowed under federal law. In order for a CS to receive a share larger than the federal maximum, *a court order would be required granting the CS a greater share of total resources after Medicaid had made a decision regarding spousal shares.*

Code Miss. R. 13 000 036 at § 9210 (Rev. 1999) (emphasis added). Mrs. Alford argues that the Division’s own rules limit its authority to grant the requested relief, and as such, an administrative appeal is futile and a waste of resources.

... .

RULE 28. BRIEFS

(a) Brief of the Appellant. The brief of the appellant shall contain under appropriate headings and in the order here indicated: (2) Tables. There shall follow a table of contents, with page references, and a table of cases (alphabetically arranged), statutes, and other authorities cited, with references to the pages of the brief where they are cited... . (6) Argument. The argument shall contain the contentions of appellant with respect to the issues presented, and the reasons for those contentions, with citations to the authorities, statutes, and parts of the record relied on... .

... .

(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) From and after July 1, 1997, 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.

(g) Reproduction of Statutes, Rules, Regulations, etc. If determination of the issues presented requires the study of statutes, rules, or regulations, etc., they shall be reproduced in the brief or in an addendum at the end and they may be supplied to the court in pamphlet form.

... .

RULE 35-A. WRITTEN OPINIONS AND ENTRY OF JUDGMENT IN THE SUPREME COURT

... .

(b) Citation of unpublished opinions. Opinions in cases decided prior to the effective date of this rule [Nov. 1, 1998] which have not been 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.

... .

RULE 35-B. WRITTEN OPINIONS AND ENTRY OF JUDGMENT IN THE COURT OF APPEALS

... .

(b) Citation of unpublished opinions. Opinions in cases which have not been 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.

... .

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).

... .

Mo. R. Civ. P. 84.04, <http://www.courts.mo.gov/page.jsp?id=993>.

Rule 84 — Procedure in All Appellate Courts

84.04. Briefs - Contents

(a) Contents. The brief for appellant shall contain:

(1) A detailed table of contents, with page references, and a table of cases (alphabetically arranged), statutes, and other authorities cited, with reference to the pages of the brief where they are cited;

... .

(4) The points relied on;

... .

(d) Points Relied On.

... .

(5) Immediately following each “Point Relied On,” the appellant, relator, or petitioner shall include a list of cases, not to exceed four, and the constitutional, statutory, and regulatory provisions or other authority upon which that party principally relies.

... .

Mo. R. Civ. P. 84.16, <http://www.courts.mo.gov/page.jsp?id=993>.

84.16. Opinion in Writing - Memorandum Decisions and Written

Orders - When Filed - How Endorsed and Transmitted

(a) Written Decision Required. In each case determined by this Court or by any district of the Court of Appeals, the judicial decision shall be reduced to writing and filed in the cause. If the decision is not unanimous, the writing shall show which judges concurred therein or dissented therefrom.

(b) Memorandum Decisions and Written Orders. In a case where all judges agree to affirm and further believe that an opinion would have no precedential value, disposition may be by a memorandum decision or written order... .

A written statement may be attached to the memorandum decision or written order setting out the basis for the court's decision. The statement shall be unanimous, shall not constitute a formal opinion of the court, shall not be reported, and shall not be cited or otherwise used in any case before any court.

... .

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. Stuivenga*, 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.” *Stuivenga*, ¶ 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. Order of Dec. 16, 1997,
http://courts.mt.gov/portals/113/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,
http://courts.mt.gov/supreme/new_rules/default.mcpx.

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.

Mont. R. App. P. 12, <http://leg.mt.gov/bills/mca/25/21/25021001120.htm>.

Rule 12. Briefs.

(1) Brief of the appellant. The brief of the appellant shall contain under appropriate headings and in the order here indicated:

(a) A table of contents, with page references, and a table of cases (alphabetically arranged), statutes and other authorities cited, with references to the pages of the brief where they are cited;

... .

(e) A statement of the standard of review as to each issue raised, together with a citation of authority;

(f) An argument. The argument shall be preceded by a summary. The summary shall contain a succinct, clear, and accurate statement of the arguments made in the body of the brief and not be a mere repetition of the argument headings. The argument shall contain the contentions of the appellant with respect to the issues presented, and the reasons therefor, with citations to the authorities, statutes, and pages of the record relied on;

... .

(9) References in briefs to the record. Whenever a reference is made in the briefs to the record, the reference must be to particular parts of the record, suitably designated, and to specific pages of each part, e.g., Answer, p. 7; Motion for Summary Judgment, p. 3; Transcript, p. 231. Intelligible abbreviations may be used. If reference is made to an exhibit, reference shall be made to the pages of the transcript on which the exhibit was identified, offered, and received or rejected.

... .

Mont. Sup. Ct. Internal Op. R. I(3),
<http://courts.mt.gov/clerk/rules/internal>.

... .

(c) If an appeal presents no constitutional issues, no issues of first impression, does not establish new precedent or modify existing precedent, or, in the opinion of the Court, would otherwise not be of future guidance for citation purposes to the citizens of Montana, the

bench, or the bar, the Court may classify that appeal as one for a noncitable opinion. The decision for the case will provide the ultimate disposition without a detailed statement of facts or law. The decision shall not be citeable as precedent but shall be filed as a public document with the clerk; shall be reported by result only to the State Reporter Publishing Company and to West Group along with the case title and Supreme Court cause number in the quarterly table of noncitable cases issued by this Court; and shall be assigned a public domain, neutral-format citation in accordance with the Court's order dated December 16th, 1997, and posted to the State Bulletin Board.

...

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. R. App. P. § 2-109, <http://www.supremecourt.ne.gov/supreme-court-rules/1738/%C2%A7-2-109-briefs>.

9. BRIEFS.

... .

C. General Rules for Preparation of Briefs.

In the preparation of the brief, the following general rules shall be observed:

(1) References to the transcript shall be made by setting forth in parentheses the capital letter "T" followed by the page of the transcript, as, for example, (T26). For supplemental or confidential transcripts, the reference shall be made by setting forth in parentheses

either “Supp. T” or “Conf. T,” followed by the page of the transcript. In original actions, references shall be made to the pleading and page thereof.

... .

(3) References to exhibits in the bill of exceptions shall be made by setting forth in parentheses the capital letter E, followed by the number of the exhibit, followed by a comma and the page of the exhibit on which the material to which reference is made appears, followed by a colon and the page of the bill of exceptions where the exhibit was offered and received or refused, followed by a comma and the page where the exhibit is found, as, for example, (E5,3:92, 95). References to documents not in the bill of exceptions but nonetheless subject to review by the Supreme Court, such as a presentence investigation report, shall identify the document, followed by a comma and the page on which the material to which reference is made appears, as, for example, (Presentence Investigation Report, p. 75).

(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.

....

Neb. R. App. P. § 2-102, <http://supremecourt.nebraska.gov/supreme-court-rules/1718/%C2%A7-2-102-court-appeals>.

§ 2-102 Court of Appeals.

....

(4) Opinions of the Court of Appeals which the deciding panel has designated as “For Permanent Publication” may be cited in all courts and tribunals in the State of Nebraska. Other opinions and memorandum opinions of the Court of Appeals may be cited only when such case is related, by identity between the parties or the causes of action, to the case then before the court.

(5) Opinions of the Court of Appeals which the deciding panel has designated as “For Permanent Publication” shall be followed as precedent by the courts and tribunals inferior to the Court of Appeals until such opinion is modified or overruled by the Nebraska Supreme Court.

....

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. R. App. P. 28, <https://www.leg.state.nv.us/CourtRules/NRAP.html>.

Rule 28. Briefs

(a) Appellant’s Brief. The appellant’s brief shall be entitled “Appellant’s Opening Brief” and shall contain under appropriate headings and in the order indicated:

... .

(3) a table of authorities – cases (alphabetically arranged), statutes, and other authorities – with references to the pages of the brief where they are cited;

... .

(9) the argument, which must contain: (A) appellant’s contentions and the reasons for them, with citations to the authorities and parts of the record on which the appellant relies; and (B) for each issue, a concise statement of the applicable standard of review (which may appear in the discussion of the issue or under a separate heading placed before the discussion of the issues);

... .

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.

RULE 36. ENTRY OF JUDGMENT

... .

(c) Form of Decision. The court decides cases by either published or unpublished disposition.

... .

(2) An unpublished disposition, while publicly available, does not establish mandatory precedent except in a subsequent stage of a case in which the unpublished disposition was entered, in a related case, or in any case for purposes of issue or claim preclusion or to establish law of the case.

(3) A party may cite for its persuasive value, if any, an unpublished disposition issued by this court on or after January 1, 2016. When citing an unpublished disposition to this court, the party must cite an electronic database, if available, and the docket number and filing date in this court (with the notation “unpublished disposition”). A party citing an unpublished disposition must serve a copy of it on any party not represented by counsel.

... .

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.

... .

(3) So far as possible, the brief of the moving party on the merits shall contain in the order here indicated:

(a) A table of contents, with page references, and a table of cases listed alphabetically, a table of statutes and other authorities, with references to the pages of the briefs where they are cited.

... .

(c) The constitutional provisions, statutes, ordinances, rules, or regulations involved in the case, setting them out verbatim, and giving their citation. If the provisions involved are lengthy, their citation alone will suffice at that point, and their pertinent text shall be set forth in an appendix.

... .

(f) The argument, exhibiting clearly the points of fact and of law being presented, citing the authorities relied upon.

... .

(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.

N.H. Sup. Ct. R. 20, <http://www.courts.state.nh.us/rules/scr/scr-20.htm>.

Rule 20. Copy of Opinion; Nonprecedential Status of Orders.

... .

(2) Non-precedential Status of Orders. An order disposing of any case that has been briefed but in which no opinion is issued, whether or not oral argument has been held, shall have no precedential value, but it may, nevertheless, be cited or referenced in pleadings or rulings in any court in this state, so long as it is identified as a non-precedential order.

Such non-precedential orders may be cited and shall be controlling with respect to issues of claim preclusion, law of the case and similar issues involving the parties or facts of the case in which the order was issued. See also Rule 12-D(3). All citations to non-precedential orders shall identify the court, docket number and date.

... .

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.html>.

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:

... .

(2) A table of citations of cases, alphabetically arranged, of statutes and rules and of other authorities.

... .

(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.

N.J. Ct. R. 1:36-3, <http://www.judiciary.state.nj.us/rules/r1-36.html>.

1:36-3. Unpublished Opinions

No unpublished opinion shall constitute precedent or be binding upon any court. Except for appellate opinions not approved for publication that have been reported in an authorized administrative law reporter, and except to the extent required by res judicata, collateral estoppel, the single controversy doctrine or any other similar principle of law, no unpublished opinion shall be cited by any court. No unpublished opinion shall be cited to any court by counsel unless the court and all other parties are served with a copy of the opinion and of all contrary unpublished opinions known to counsel.

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 *State v. Johnson*, 2009-NMSC-049, 147 N.M. 177, 218 P.3d 863 (2009)

....

{1} After allegedly striking three private security guards while visiting Gallup High School, Defendant Derrick Johnson was charged with three counts of battery on school personnel, contrary to **NMSA 1978, Section 30-3-9(E) (1989)**, which prohibits battery upon “school employee[s].” The district court dismissed the charges, concluding that because the security guards were providing contractual services at the high school, they were not “school employees” as defined in Section 30-3-9(A)(2). The State appealed.

....

{6} The district court granted Defendant’s motion to dismiss, concluding that Moeckle, Cachini and King “[were] not ‘school employees’ as defined by **NMSA 1978, § 30-3-9(A)(2)[.]**” The Court of Appeals affirmed in a split decision. ***State v. Johnson*, 2008-NMCA-106, ¶ 1, 144 N.M. 629, 190 P.3d 350**. To determine whether the security guards were “school employees” within the meaning of Section 30-3-9, the Court of Appeals majority stated that its task was to give the words of the statute their ordinary meaning. ***Johnson*, 2008-NMCA-106, ¶ 8**. It concluded that this determination “is informed by the undisputed relationship between the school board and the school security guards.” *Id.* ¶ 9. Thus, the Court of Appeals’ analysis was guided by cases that analyze whether an employer-employee relationship exists by determining whether the employer had the right to control the details of the work to be performed by the employee. *Id.*

....

{15} The purpose of the battery upon school personnel statute is to decrease incidents of violence at schools by enhancing the penalties for crimes committed against “employees” of the school. The law enacting Section 30-3-9 was entitled “An Act Relating to Public School Violence and Vandalism[.]” 1989 N.M. Laws, ch. 344. Thus, one of the Legislature’s explicit purposes was to reduce violence in schools. Indeed, the State Board of Education has recognized that school boards throughout New Mexico have the “authority and responsibility to provide a safe environment for student learning” in order to effectively educate New Mexico’s children. 6.11.2.6 NMAC.

{16} We also look to related provisions of the Administrative Code to examine whether security guards are traditionally viewed as school employees. In the section of the Code that declares the rights and responsibilities of public schools and public school students, the State Board of Education defines “[s]chool personnel” as “all members of the staff, faculty and administration *employed by the local school board* [,] ... includ[ing] school security officers[.]” 6.11.2.7(T) NMAC (emphasis added). Among the provisions of these regulations, a student may be appropriately disciplined for endangering the health or safety of “school personnel,” meaning that if a student commits an act that endangers the health or safety of a security guard, that student may be disciplined. 6.11.2.10(C)(1) NMAC. We acknowledge that these regulations are not an interpretation of Section 30-3-9. However, they nonetheless demonstrate two important principles: (1) they support our conclusion that the ordinary meaning of “school employee” includes school security guards; and (2) they demonstrate that deterring assaults on security guards furthers the policy to provide a safe environment in which students can learn. It is to this policy, shared by Section 30-3-9, that we now turn.

....

23-112. Citations for pleadings and other papers.

A. Applicability; citation rule appendix. This rule governs the form of citations included in pleadings and papers filed in the courts of this state. Additional citation guidelines and examples of correct forms of citation are included in an appendix immediately following this rule and are posted on the Supreme Court's website at nmsupremecourt.nmcourts.gov.

B. Citation to New Mexico appellate opinions.

(1) Official citation. All precedential opinions issued by the Supreme Court of New Mexico and the New Mexico Court of Appeals shall be assigned an official citation by the Clerk of the Supreme Court that includes the year the opinion was released, the initials of the Court that issued the opinion, and a three-digit number assigned sequentially as opinions are released for publication each calendar year.

(2) Official citation required; use of parallel citation. Use of the official citation form is required for citations to all opinions of the Supreme Court and the Court of Appeals. When a pinpoint citation is used, it shall consist of a paragraph symbol and a paragraph number placed after the official citation. Parallel citation to the *New Mexico Reports* is mandatory, and citation to the *Pacific Reporter* is discretionary. Do not cite the unofficial hardbound volumes of the *New Mexico Appellate Reports*.

(3) Exception for papers and pleadings filed by a self-represented litigant. A self-represented litigant may cite an opinion of the Supreme Court or the Court of Appeals using either the official citation, a citation to the *New Mexico Reports*, or a citation to the *Pacific Reporter*. The self-represented litigant's use of any parallel

citation is discretionary.

C. Citation to New Mexico statutes. Citations to the New Mexico statutes shall be to the chapter, article, and section of the official 1978 compilation of the *New Mexico Statutes Annotated* (NMSA 1978), followed by parentheses containing the year of the statute's enactment or the most recent amendment applicable to the pending case. The official compilation of the NMSA 1978 is published by the New Mexico Compilation Commission, the official legal publisher for the State of New Mexico.

D. Citation to New Mexico court rules, uniform jury instructions, and forms. Citations to the rules, uniform jury instructions, and forms promulgated or approved by the Supreme Court shall be to the set and rule number of the *New Mexico Rules Annotated* (NMRA), which is the official compilation of New Mexico state court rules published by the New Mexico Compilation Commission.

E. Citation to the New Mexico Administrative Code. Citations to the rules or regulations of a state agency shall be to the title, chapter, part, and section of the *New Mexico Administrative Code* (NMAC).

F. Bluebook citations. Except as provided in this rule and its appendix, all pleadings and other papers filed in all courts in this state shall follow the form of citations set forth in the current edition of *The Bluebook: A Uniform System of Citation*.

N. M. R. App. P. 12-405, <http://www.nmcompcomm.us/12-405.htm>.

12-405. Opinions.

C. Precedential effect; publishing opinions. Except for any disposition under Paragraph B of this rule, opinions become precedent when filed pursuant to Paragraph A of Rule 12-402 NMRA unless suspended pursuant to Paragraph C of Rule 12-404 NMRA. A petition for a writ

of certiorari filed pursuant to Rule 12-502 NMRA or a Supreme Court order granting the petition does not affect the precedential value of an opinion of the Court of Appeals, unless otherwise ordered by the Supreme Court. Except for dispositions under Paragraph B of this rule, all opinions shall be published in an authenticated, digital format by the New Mexico Compilation Commission and collectively known as the New Mexico Appellate Reports unless the Supreme Court directs otherwise.

D. Citation. Any citation to a non-precedential disposition from any jurisdiction shall indicate in a parenthetical that the disposition is non-precedential or unpublished and shall otherwise be in accordance with Paragraph H of Rule 23-112 NMRA. If a party cites a non-precedential disposition that is unavailable in a publicly accessible electronic database, the party shall separately file and serve a copy contemporaneously with the brief or other paper in which it is cited.

Note: The appendix to Rule 21-113 is to be found at: http://www.nmcompcomm.us/nmrules/NMRules/23-112%20Appendix_5-31-2013.pdf.

New York: [Court of Appeals citation practice](#) | [Citation rule\(s\)](#)

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, 500.13

<http://www.courts.state.ny.us/ctapps/500rules10.htm#Gen>.

500.1 General Requirements.

... .

(g)

Where New York authorities are cited in any submissions, New York Official Law Report citations shall be included, if available.

... .

500.13 Content and Form of Briefs in Normal Course Appeals.

(a) Content. All briefs shall conform to the requirements of section 500.1 of this Part and contain a table of contents, a table of cases and authorities, questions presented, point headings, and, if necessary, a disclosure statement pursuant to subsection 500.1(f) of this Part. Such disclosure statement shall be included before the table of contents in the party's principal brief. Appellant's brief shall include a statement showing that the Court has jurisdiction to entertain the appeal and to review the questions raised, with citations to the pages of the record or appendix where such questions have been preserved for the Court's review. The original of each brief shall be signed and dated, shall have the affidavit of service affixed to the inside of the back cover and shall be identified on the front cover as the original. Each brief shall indicate the status of any related litigation as of the date the brief is completed. Such statement shall be included before the table of contents in each party's brief.

....

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/Styleman_Menu.htm.

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#page=106>.

... .

TABLE OF CASES AND AUTHORITIES

Immediately following the index and before the inside caption, all briefs, petitions, and motions greater than five pages 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 shall include parallel citations to official state reporters.

... .

N.C. R. App. P. 30,
<http://www.aoc.state.nc.us/www/public/html/pdf/therules.pdf#page=85>.

....

(3) An unpublished decision of the North Carolina Court of Appeals does not constitute controlling legal authority. Accordingly, citation of unpublished opinions in briefs, memoranda, and oral arguments in the trial and appellate divisions is disfavored, except for the purpose of establishing claim preclusion, issue preclusion, or the law of the case. If a party believes, nevertheless, that an unpublished opinion has precedential value to a material issue in the case and that there is no published opinion that would serve as well, the party may cite the unpublished opinion if that party serves a copy thereof on all other parties in the case and on the court to which the citation is offered. This service may be accomplished by including the copy of the unpublished opinion in an addendum to a brief or memorandum. A party who cites an unpublished opinion for the first time at a hearing or oral argument must attach a copy of the unpublished opinion relied upon pursuant to the requirements of Rule 28(g). When citing an unpublished opinion, a party must indicate the opinion's unpublished status.

....

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).

N.D. R. App. P. 28,

<http://www.ndcourts.gov/court/rules/appellat/rule28.htm>.

Rule 28. Briefs

... .

(b) Appellant’s Brief. The appellant’s brief must contain, under appropriate headings and in the order indicated:

... .

(2) a table of authorities – cases (alphabetically arranged), statutes, and other authorities – with references to the paragraphs in the brief where they are cited;

... .

(7) the argument, which must contain:

(A) appellant’s contentions and the reasons for them, with citations to the authorities and parts of the record on which the appellant relies; and

(B) for each issue, a concise statement of the applicable standard of review (which may appear in the discussion of the issue or under a

separate heading placed before the discussion of the issues);

....

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/Repo>

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. Citation.

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.

Rule 3.4. Use of Opinions.

All opinions of the courts of appeals issued after May 1, 2002 may be cited as legal authority and weighted as deemed appropriate by the courts without regard to whether the opinion was published or in what form it was published.

Note: The manual referenced in the reporter's rules contains detailed citation rules. By its terms 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* (2d ed. 2013), <http://www.sconet.state.oh.us/ROD/manual.pdf>.

Ohio R. App. P. 16,
<http://www.supremecourt.ohio.gov/LegalResources/Rules/appellate/AppellateRules.aspx>

Rule 16. Briefs.

(A) Brief of the appellant. The appellant shall include in its brief,

under the headings and in the order indicated, all of the following:

... .

(2) A table of cases alphabetically arranged, statutes, and other authorities cited, with references to the pages of the brief where cited.

... .

(7) An argument containing the contentions of the appellant with respect to each assignment of error presented for review and the reasons in support of the contentions, with citations to the authorities, statutes, and parts of the record on which appellant relies. The argument may be preceded by a summary.

... .

(D) References in briefs to the record. References in the briefs to parts of the record shall be to the pages of the parts of the record involved; e.g., Answer p. 7, Motion for Judgment p. 2, Transcript p. 231. Intelligible abbreviations may be used. If reference is made to evidence, the admissibility of which is in controversy, reference shall be made to the pages of the transcript at which the evidence was identified, offered, and received or rejected.

... .

Examples from *Rogers v. Quiktrip Corp.*, 2010 OK 3, 230 P.3d 853

... .

¶3 The defendants moved to dismiss the action asserting (1) the petition failed to state a claim upon which relief could be granted and (2) the Oklahoma Corporation Commission (Commission) has exclusive jurisdiction over the dispute. The trial judge denied this motion. He ruled (1) the trial court had jurisdiction to entertain the cause and (2) the plaintiffs' theories of liability may be supported by the duty created by the terms of 52 O.S. § 391. The defendants moved to secure the trial judge's certification of the 4 December 2008 order which denied the defendants' motion to dismiss for immediate interlocutory review. They urge the issues presented affect the entirety of the merits of the controversy and an immediate appeal will advance the ultimate termination of the litigation. The trial judge certified his nonfinal ruling for appeal under the provisions of Supreme Court Rule 1.50. This court granted certiorari to review the certified interlocutory order.

¶4 When reviewing a trial court's dismissal of an action an appellate court examines the issues de novo. *Lockhart v. Loosen*, 1997 OK 103, ¶ 4, 943 P.2d 1074, 1077; *Washington v. State ex rel. Dept. of Corrections*, 1996 OK 139, ¶ 7, 915 P.2d 359, 361; *Indiana Nat. Bank v. State Dept. of Human Services*, 1994 OK 98, ¶ 2, 880 P.2d 371, 375.... .

¶5 The defendants first assert the plaintiffs' claims fall within the exclusive jurisdiction of the Corporation Commission and not of the district court. According to the defendants, the plaintiffs' claims do not deal merely with the adjudication of private rights between individuals.

They are an inherent challenge to the public-policy determinations over which the Commission has exclusive jurisdiction. In their supplemental brief the defendants cite the following statutes and administrative rules dealing with fuel in support of their claim that the Commission has exclusive jurisdiction over this dispute: 83 O.S. §§ 111, 112 (directing the Commission to promulgate standards, rules and regulations concerning measuring devices for petroleum products); OAC § 165:15-7-2 (deals with the characteristics of gasoline and labeling of measuring devices); 2 O.S. § 11-22(E), (authorizing the Commission to promulgate rules to govern the sale of ethanol and gasoline mixtures); 52 O.S. § 325 (conferring jurisdiction on the Commission to prescribe rules and specifications for safety and quality of fuels and burning oils, including gasoline); OAC § 165:15-1-1 (purpose of this chapter is to provide a comprehensive regulatory program governing the sale and use of gasoline and other fuels); and OAC § 165:15-9-3 (providing that the alcohol content of motor fuel sold at airports for fueling aircraft must be labeled but disclosure of fuel additives for other retail sellers to be permissive).

...

¶9 The defendants next assert the trial judge incorrectly determined that the provisions of 52 O.S. § 391 – whose terms provide that it is unlawful for an entity to sell any liquid fuels which deceive the purchaser concerning the nature, quality or identity of the product sold – imposed a duty on sellers to disclose the ethanol content of their fuel. They rely on 17 O.S. Supp. 2003 § 620 whose terms specifically provide that sellers of motor fuel are not required to post information concerning the presence of fuel additives. According to the defendants, they were under no duty to disclose the content of fuel additives before 1 July 2008 when the terms of 52 O.S. Supp. 2008 § 347 became effective. In absence of any duty to provide this information, the defendants contend they cannot be held liable for the plaintiffs' asserted claims against them for breach of contract, breach of express

and implied warranties and for violation of the Consumer Protection Act, 15 O.S. § 751 *et seq.*

... .

Okla. Sup. Ct. R. 1.11, 1.200,
[http://www.oscn.net/applications/oscn/Index.asp?
ftdb=STOKRUCPSC&level=1](http://www.oscn.net/applications/oscn/Index.asp?ftdb=STOKRUCPSC&level=1).

Rule 1.11 Form and Content of Briefs

... .

(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 Opinions of the Supreme Court and Court of Civil Appeals

(a) Official Version of Published Decisions

(1) Effective January 1, 2014 the Oklahoma Supreme Court will become the official publisher of decisions of the Oklahoma Supreme Court and the Oklahoma Court of Civil Appeals. The Oklahoma State Courts Network at www.oscn.net shall be the repository of official

versions of the published decisions of the Oklahoma Supreme Court and the Oklahoma Court of Civil Appeals. Such decisions will become official upon the placement of the respective court's official seal at the beginning of the published decision.

(2) The Oklahoma Bar Journal, West Publishing Company, and other publishers will continue to be unofficial publishers of decisions of the Oklahoma Supreme Court and the Oklahoma Court of Civil Appeals.

... .

(c) Publication of Memorandum Opinions and Unpublished Opinions.

... .

(5) All memorandum opinions, unless otherwise required to be published, shall be marked: "Not for Official Publication." Because unpublished opinions are deemed to be without value as precedent and are not uniformly available to all parties, opinions so marked shall not be considered as precedent by any court or cited in any brief or other material presented to any court, except to support a claim of res judicata, collateral estoppel, or law of the case. Opinions marked Not For Official Publication shall not be published on the Oklahoma State Courts Network, nor in the Oklahoma Bar Journal.

(6) An opinion designated For Publication in O.B.J. Only shall be published on the Oklahoma State Courts Network . Such an opinion shall not be released for publication in any unofficial reporter other than the Oklahoma Bar Journal. An opinion designated For Publication in O.B.J. Only shall not be considered as precedent.

(7) Disposition of cases by the Oklahoma Supreme Court in which there is no published opinion will be reported in the Oklahoma Bar Journal by brief reference to the case and the decision reached therein on appeal. The opinion in the matter shall not be published in the

Oklahoma Bar Journal, or on the Oklahoma State Courts Network or any other unofficial reporter. The decision and reference may be published on the Oklahoma State Courts Network as a Disposition of Cases Other Than by Published Opinion. The decision and reference shall not be in paragraph citation form and shall not be considered as precedential.

(8) Disposition of cases by the Oklahoma Court of Civil Appeals in which there is no published opinion will be reported in the Oklahoma Bar Journal by brief reference to the case and the decision reached therein on appeal. The decision and reference shall not be in paragraph citation form and shall not be considered as precedential. The Chief Justice of the Oklahoma Supreme Court may designate a procedure for publishing such dispositions on the Oklahoma State Courts Network.

... .

(f) Citation to Designation by Supreme Court and Reporters.

Published opinions of the Oklahoma Supreme Court and the Court of Civil Appeals 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 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 Pacific reporter is also required.

The court designation for the Oklahoma Supreme Court is "OK". The Court designation for the Oklahoma Court of Civil Appeals is "OK CIV APP". The court designation for Court of Appeals of Indian Territory is "IT".

By way of example "*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.

1. *Oklahoma Supreme Court Opinions*

Opinions shall be cited by reference to the Supreme Court’s official paragraph citation form. Parallel citation to Pacific Reporters is required. The parallel cite to Pacific 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:

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, 925.

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).

2. *Opinions of the Oklahoma Court of Civil Appeals*. Published opinions of the Oklahoma Court of Civil Appeals shall be cited by reference to the Supreme Court's official paragraph citation form. Parallel citation to Pacific 2nd Reporters is required. Opinions of the Court of Civil Appeals are subject to the other provisions of Rule 1.200.

Okla. Crim. App. R. 3.5(C),
[http://www.oscn.net/applications/oscn/Index.asp?
ftdb=STOKRUCPCR&level;=1](http://www.oscn.net/applications/oscn/Index.asp?ftdb=STOKRUCPCR&level;=1).

C. Argument and Citation of Authorities.

(1) Both parties shall also include a concise statement of the applicable standard of review in the discussion of each issue presented or in a separate heading placed before the discussion of the issue. The parties shall also provide 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 the Court's official paragraph citation form. The parallel cite to the relevant edition of the Pacific Reporter is also required. Effective September 1, 2014, 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*, 1953 OK CR 155, 97 Okl.Cr. 402, 264 P.2d 997.

(ii) *Hunter v. State*, 1953 OK CR 155, 97 Okl.Cr. 402, 264 P.2d 997, 998.

(iii) *Hunter v. State*, 1953 OK CR 155, 97 Okl.Cr. 402, 403, 264 P.2d 997, 998.

(iv) *Hunter v. State*, 1953 OK CR 155, 264 P.2d 997.

(v) *Hunter v. State*, 1953 OK CR 155, 264 P.2d 997, 998.

(b) Oklahoma Court of Criminal Appeals Opinions in which mandate has issued after January 1, 1954, shall include citations to the official paragraph citation form and to the Pacific Reporters.

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.

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 and the official paragraph citation form of the Oklahoma Court of Criminal Appeals. 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).

(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. 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*, 1990 OK CR 74, ¶ 12, 800 P.2d 738 , 741; *Walton v. State*, 1987 OK CR 227, ¶ 10, 744 P.2d 977 , 979; *S.R.S. v. State*, 1986 OK CR 168, ¶ 5, 728 P.2d 515 , 518.

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, 5.30 5.35,
<http://www.publications.ojd.state.or.us/docs/RULE211.pdf#page=74>.

Rule 5.20 REFERENCE TO EVIDENCE AND EXHIBITS; CITATION OF AUTHORITIES

(1) Briefs, in referring to the record, shall make appropriate reference to pages and volumes of the transcript or narrative statement, or in the case of an audio record, to the tape number and official cue or numerical counter number or, in the case of an exhibit, to its identification number or letter.

(2) If the precise location on the audio record cannot be determined, it is permissible to indicate between which cue numbers the evidence is to be found.

(3) The following abbreviations may be used:

“P Tr” for pretrial transcript;

“Tr” for transcript;

“Nar St” for narrative statement;

“ER” for Excerpt;

“App” for Appendix;

“AR Tape No. ___, Cue No. ___” for audio record;

“PAR” for pretrial audio record;

“TCF” for trial court file;

“Rec” for record in judicial review proceedings only;

“Ex” for exhibit.

Other abbreviations may be used if explained.

(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 5.30 ORDINANCES, CHARTERS, STATUTES, AND OTHER WRITTEN PROVISIONS TO BE SET OUT

If an appeal involves an ordinance, charter, statute, constitutional provision, regulation, or administrative rule, so much of the provision as relevant shall be set forth verbatim with proper citation. If lengthy, such matter should be appended or footnoted and need not be set out verbatim if it appears in another brief in the case and is cross-referenced appropriately.

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.

Note: The *Oregon Appellate Courts Style Manual* (2015), <http://www.publications.ojd.state.or.us/docs/UpdatedStyleManual2002>, lays out distinctive citation conventions for a full range of legal authority.

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>.

Rule 2119. Argument.

....

(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.

Pa. R. App. P. 2133,

<http://www.pacode.com/secure/data/210/chapter21/s2133.html>.

Rule 2133. Citations in Opinions Below.

Whenever an opinion or other determination of the court or other government unit below, required to be reproduced under these rules, refers to and relies upon some other published opinion or other determination, the place of publication of which is not stated, the brief of appellant shall set forth the place of publication thereof and of any dissenting opinion in the cited case; if not published, either party may reproduce a copy thereof, giving the name of the judge or other official who rendered the opinion or other determination and the date of its filing.

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,
<http://www.courts.ri.gov/Courts/SupremeCourt/Supreme%20Court%20Rules-Article1.pdf#page=13>.

Rule 16. Briefs

(a) Brief of Appellant or Other Moving Party.

Within forty (40) days after the date on which the clerk of the Supreme Court notifies the appellant or other moving party that the case to be reviewed has been assigned to the regular calendar for full briefing and argument, the appellant or other moving party shall file in the office of the clerk a printed or typewritten brief signed by the counsel presenting it together with nine (9) copies thereof, and the Supreme Court Summary Report form provided by the clerk if one has not already been filed in accordance with Rule 12A(1). The brief shall contain ... (4) the points made, together with the authority relied on in support thereof, ... and (6) an index of authorities arranged alphabetically indicating at what page or pages of the brief each authority is cited.

...

(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\(s\)](#)

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. R. App. Pract. R. 208, 268, <http://www.sccourts.org/courtReg/>.

Rule 208 Initial Briefs

. . . .

(b) Content. The initial briefs under this Rule and the final briefs under Rule 211 shall contain:

(1) Brief of Appellant. The brief of appellant shall contain under appropriate headings and in the order here indicated:

(A) Table of Contents and Cases. A table of contents, with page references, and a table of cases (alphabetically arranged), statutes, and other authorities cited, with references to the pages of the brief where they are cited.

. . . .

(D) Argument. The brief shall be divided into as many parts as there are issues to be argued. At the head of each part, the particular issue to be addressed shall be set forth in distinctive type, followed by discussion and citations of authority. A party may also include a separate statement of facts relevant to the issues presented for review, with reference to the record on appeal, which may include contested matters and summarize the party’s contentions.

....

Rule 268 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 ___, SCRCPP.

(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.) |
| 3 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 Strobhart | 32 S.C.L. (1 Strob.) |
| 2 Strobhart | 33 S.C.L. (2 Strob.) |
| 3 Strobhart | 34 S.C.L. (3 Strob.) |
| 4 Strobhart | 35 S.C.L. (4 Strob.) |
| 5 Strobhart | 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 *State v. Britton*, 2009 SD 75, 772 N.W.2d 899

... .

[¶4] In recent years, federal and state courts have grappled with many contentious South Dakota cases dealing with the challenged use and reliability of drug detection dogs. *See, e.g., Chavez v. Weber*, 497 F.3d 796 (8th Cir.2007); *United States v. Olivera-Mendez*, 484 F.3d 505 (8th Cir. 2007); *State v. Bergee*, 2008 SD 67, 753 N.W.2d 911; *State v. Nguyen*, 2007 SD 4, 726 N.W.2d 871; *State v. Lockstedt*, 2005 SD 47, 695 N.W.2d 718; *State v. Mattson*, 2005 SD 71, 698 N.W.2d 538; *State v. Chavez*, 2003 SD 93, 668 N.W.2d 89; *State v. DeLaRosa*, 2003 SD 18, 657 N.W.2d 683; *State v. Ballard*, 2000 SD 134, 617 N.W.2d 837; *State v. Hanson*, 1999 SD 9, 588 N.W.2d 885. At the heart of many of these cases is the question of the competence and reliability of the drug dog and its handler.

... .

[¶5] In 2004, perhaps in response to these continuing questions, the South Dakota Legislature supervened with a statute requiring mandatory certification. “Each law enforcement canine team in the state *shall* be initially certified and annually *recertified* in one or more of the following specialties: ... The detection of the odors of drugs and controlled substances[.]” **DCL 23-3-35.4(1)** (emphasis added). As part of the certification process, the Legislature imposed on the Law Enforcement Officers Standards and Training Commission the mandatory duty to “establish standards and criteria for canine certification and recertification.” **SDCL 23-3-35.5**. In June 2005, the Commission adopted standards and criteria for police canine certification. **ARSD 2:01:13:01 et seq.** These standards prohibit a

“state, county, or municipal agency, and [a] state, county, or municipal law enforcement agency or [a] law enforcement officer” from using a canine to assist in drug detection, “unless the canine and its handler are certified by the commission as a canine team.” ARSD 2:01:13:02. Certification by the Commission expires one year from the date of issuance unless the canine team renews its certificate. ARSD 2:01:13:04.

... .

S.D. R. App. P. § 15-26A-69.1,
[http://legis.sd.gov/Statutes/Codified_Laws/DisplayStatute.aspx?
Type=Statute&Statute=15-26A-69.1](http://legis.sd.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=15-26A-69.1).

15-26A-69.1. Citation of official opinions of the Supreme Court.

(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.

S.D. R. Civ. App. P. § 15-26A-60,
[http://legis.sd.gov/Statutes/Codified_Laws/DisplayStatute.aspx?
Type=Statute&Statute=15-26A-60](http://legis.sd.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=15-26A-60).

15-26A-60. Brief of appellant – Contents.

The brief of the appellant shall contain under appropriate headings and in the order here indicated:

... .

(2) A table of cases (alphabetically arranged), statutes and other authorities cited, with references to the pages of the brief where they are cited.

... .

S.D. R. Civ. App. P. § 15-26A-87.1,
[http://legis.sd.gov/Statutes/Codified_Laws/DisplayStatute.aspx?
Type=Statute&Statute=15-26A-87.1](http://legis.sd.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=15-26A-87.1).

15-26A-87.1. Disposition on briefs and record – Grounds – Citation of decisions restricted.

(A) After all briefs have been filed in any appeal, the Supreme Court by unanimous action may, sua sponte, enter an order or memorandum opinion affirming the judgment or order of the trial court for the reason

that it is manifest on the face of the briefs and the record that the appeal is without merit because:

... .

(E) A list indicating the disposition of all decisions rendered by the Supreme Court under this section shall be published quarterly in the Northwestern Reporter. Such decisions shall not be cited or relied upon as authority in any litigation in any court in South Dakota except when the decision establishes the law of the case, res judicata or collateral estoppel, or in a criminal action or proceeding involving the same defendant or a disciplinary action or proceeding involving the same person.

Examples from *Furlough v. Spherion Atl. Workforce, LLC*, 397 S.W.3d 114 (Tenn. 2013)

... .

The trial court granted Employee’s petition to set aside the settlement, citing two distinct rationales. First, the trial court premised relief on its holding that “Mr. Furlough did not receive substantial benefits provided by the workers’ compensation laws.” See **Tenn. Code Ann. § 50-6-206(c)(1)(B) (2008 & Supp. 2012)**. Second, the trial court held that because Employee was “not represented” by counsel, the settlement should have been court approved, see **Tenn. Code Ann. § 50-6-206(c)(3)(B)**, and Employee thoroughly informed as to the benefits available under the workers’ compensation law, see **Tenn. Code Ann. § 50-6-206(c)(1)(B)**. The trial court determined that “Approving Specialist Jim McGrift [sic] did not go over with Mr. Furlough any information in the settlement statement itself.”

... .

The Special Workers’ Compensation Appeals Panel did not reach the merits of this dispute; instead, the Panel dismissed the appeal and vacated the trial court’s judgment on a procedural issue not raised by the parties: “A settlement approved by the department shall not become final until the statistical data form required by this section is fully completed and received by the department.” **Tenn. Code Ann. § 50-6-244(d) (2008 & Supp. 2012)**. The “statistical data form required by this section” is known as the “Form SD-1” or “SD-1 form.” ***Corum v. Holston Health & Rehab. Ctr.*, 104 S.W.3d 451, 452 (Tenn. 2003)**. The Panel found that “many parts of the form were left blank” and held that “the proposed settlement did not become final” due to the

“clear and unambiguous” language of section 50-6-244(d). While recognizing that the benefit review conference process is exhausted upon the “[r]eaching of a mediated settlement, as evidenced by a signed document executed by the proper parties,” *Tenn. Comp. R. & Reg. 0800-2-5-.09(1)(b)* (2008), the Panel nonetheless held that the parties had failed to exhaust the benefit review conference process... .

... .

Whether a trial court has subject matter jurisdiction over a case is a question of law that we review de novo with no presumption of correctness. *Word v. Metro Air Servs., Inc.*, 377 S.W.3d 671, 674 (Tenn. 2012). This appeal also involves an issue of statutory construction, which we review de novo with no presumption of correctness. *Mills v. Fulmarque, Inc.*, 360 S.W.3d 362, 366 (Tenn. 2012). On the other hand, we review the trial court’s factual findings “de novo upon the record of the trial court, accompanied by a presumption of correctness of the finding[s], unless the preponderance of the evidence is otherwise.” *Tenn. Code Ann. § 50-6-225(e)(2)*.

... .

Tenn. R. App. P. 27, <http://www.tsc.state.tn.us/rules/rules-appellate-procedure/27>.

Rule 27. Content of Briefs.

(a) Brief of the Appellant. The brief of the appellant shall contain under appropriate headings and in the order here indicated:

... .

(2) A table of authorities, including cases (alphabetically arranged), statutes and other authorities cited, with references to the pages in the brief where they are cited;

... .

(7) An argument, which may be preceded by a summary of argument, setting forth: (A) the contentions of the appellant with respect to the issues presented, and the reasons therefor, including the reasons why the contentions require appellate relief, with citations to the authorities and appropriate references to the record (which may be quoted verbatim) relied on; and (B) for each issue, a concise statement of the applicable standard of review (which may appear in the discussion of the issue or under a separate heading placed before the discussion of the issues);

... .

(e) Reproduction of Constitutional Provisions, Statutes, Rules and Regulations. If determination of the issues presented requires consideration of a constitutional provision, statute, rule, regulation or other similar matter, they shall be reproduced in pertinent part in the brief or in an addendum at the end of the brief, or they may be supplied to the court in pamphlet form.

... .

(g) Reference in Briefs to the Record. Except as provided in Rule 28(c), reference in the briefs to the record shall be to the pages of the record involved. Intelligible abbreviations may be used. If reference is made to evidence, the admissibility of which is in controversy, reference shall be made to the pages in the record at which the evidence was identified, offered, and received or rejected.

(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.

Tenn. Sup. Ct. R. 4, <http://www.tncourts.gov/rules/supreme-court/4>.

RULE 4: Publication of Opinions – Not for Citation Designation – Precedential Value and Citation of Unpublished Opinions.

... .

(E)(1) If an application for permission to appeal is hereafter denied by this Court with a “Not for Citation“ designation, the opinion of the intermediate appellate court has no precedential value.

(2) An opinion so designated shall not be published in any official reporter nor cited by any judge in any trial or appellate court decision, or by any litigant in any brief, or other material presented to any court, except when the opinion is the basis for a claim of res judicata, collateral estoppel, law of the case, or to establish a split of authority, or when the opinion is relevant to a criminal, post-conviction or habeas corpus action involving the same defendant.

(3) From and after the effective date of this Rule, the precedential and citation value applicable to intermediate appellate court decisions designated “Not for Citation,” shall also apply to intermediate appellate court decisions which have previously been designated, “Denied, Concurring in Results Only” (DCRO), or “Denied, Not for Publication,” (DNP).

Tenn. Ct. App.R. 10, <http://www.tncourts.gov/rules/court-appeals/10>.

Rule 10. Memorandum Opinion.

This Court, with the concurrence of all judges participating in the case, may affirm, reverse or modify the actions of the trial court by memorandum opinion when a formal opinion would have no precedential value. When a case is decided by memorandum opinion it shall be designated MEMORANDUM OPINION, shall not be published, and shall not be cited or relied on for any reason in any unrelated case.

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).

... .

Tex. R. App. P. 38,
http://www.txcourts.gov/media/514722/TRAP_2014_01_01.pdf#page=57.

Rule 38. Requisites of Briefs

38.1. Appellant’s Brief

The appellant's brief must, under appropriate headings and in the order here indicated, contain the following:

... .

(c) Index of Authorities. The brief must have an index of authorities arranged alphabetically and indicating the pages of the brief where the authorities are cited.

... .

(i) Argument. The brief must contain a clear and concise argument for the contentions made, with appropriate citations to authorities and to the record.

... .

(k) Appendix in Civil Cases.

... .

(2) Optional Contents. The appendix may contain any other item pertinent to the issues or points presented for review, including copies or excerpts of relevant court opinions, laws, documents on which the suit was based, pleadings, excerpts from the reporter's record, and similar material. Items should not be included in the appendix to attempt to avoid the page limits for the brief.

Note: While there is no required citation form statewide, several Texas appellate courts require citation in accordance with the [*Texas Rules of Form*](#), published by the Texas Law Review.

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 R. App. P. 24,
<http://www.utcourts.gov/resources/rules/urap/URAP24.html>.

Rule 24. Briefs.

(a) Brief of the appellant. The brief of the appellant shall contain under appropriate headings and in the order indicated:

... .

(a)(3) A table of authorities with cases alphabetically arranged and with parallel citations, rules, statutes and other authorities cited, with references to the pages of the brief where they are cited.

... .

(a)(6) Constitutional provisions, statutes, ordinances, rules, and regulations whose interpretation is determinative of the appeal or of central importance to the appeal shall be set out verbatim with the appropriate citation. If the pertinent part of the provision is lengthy, the citation alone will suffice, and the provision shall be set forth in an addendum to the brief under paragraph (11) of this rule.

... .

(a)(9) An argument. The argument shall contain the contentions and

reasons of the appellant with respect to the issues presented, including the grounds for reviewing any issue not preserved in the trial court, with citations to the authorities, statutes, and parts of the record relied on. A party challenging a fact finding must first marshal all record evidence that supports the challenged finding. A party seeking to recover attorney's fees incurred on appeal shall state the request explicitly and set forth the legal basis for such an award.

... .

(a)(11) An addendum to the brief or a statement that no addendum is necessary under this paragraph. The addendum shall be bound as part of the brief unless doing so makes the brief unreasonably thick. If the addendum is bound separately, the addendum shall contain a table of contents. The addendum shall contain a copy of:

(a)(11)(A) any constitutional provision, statute, rule, or regulation of central importance cited in the brief but not reproduced verbatim in the brief;

... .

Utah R. App. P. 30,

<http://www.utcourts.gov/resources/rules/urap/view.html?rule=30.htm>.

Rule 30. Decision of the court: dismissal; notice of decision.

(a) Decision in civil cases. The court may reverse, affirm, modify, or otherwise dispose of any order or judgment appealed from. If the findings of fact in a case are incomplete, the court may order the trial court or agency to supplement, modify, or complete the findings to make them conform to the issues presented and the facts as found from the evidence and may direct the trial court or agency to enter judgment in accordance with the findings as revised. The court may also order a

new trial or further proceedings to be conducted. If a new trial is granted, the court may pass upon and determine all questions of law involved in the case presented upon the appeal and necessary to the final determination of the case.

....

(d) Decision without opinion. If, after oral argument, the court concludes that a case satisfies the criteria set forth in Rule 31(b), it may dispose of the case by order without written opinion. The decision shall have only such effect as precedent as is provided for by Rule 31(f).

....

(f) Citation of decisions. Published decisions of the Supreme Court and the Court of Appeals, and unpublished decisions of the Court of Appeals issued on or after October 1, 1998, may be cited as precedent in all courts of the State. Other unpublished decisions may also be cited, so long as all parties and the court are supplied with accurate copies at the time all such decisions are first cited.

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:

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.

Examples from *City of Montpelier v. Barnett*, 2012 VT 32, 49 A.3d 120

... .

¶13. The validity of the City’s ordinances is a question of law and therefore subject to de novo review. See *In re Vill. Assocs. Act 250 Land Use Permit*, 2010 VT 42A, ¶ 7, 188 Vt. 113, 998 A.2d 712. In addressing this question, however, we accept the trial court’s findings of fact as long as they are supported by the evidence. See *Whippie v. O’Connor*, 2010 VT 32, ¶ 12, 187 Vt. 523, 996 A.2d 1154.

... .

¶26. Although the 1926 prohibition has not been explicitly repealed, the entire statutory scheme that authorized the order has been eliminated. The 1926 order was made under the authority of a law granting the Board of Health the authority to issue orders prohibiting activities judged to potentially pollute a source of water. See 1917 G.L. § 6313; see also *Quattropani*, 99 Vt. at 362, 133 A. at 353. The law at the time further provided that “[a] person who violates a rule, regulation or order made under the provisions of this chapter shall be imprisoned not more than one year or fined not more than five hundred dollars.” 1917 G.L. § 6322. Subject to minor amendments and reorganization, these provisions continued largely intact until 1989. See 1947 V.S. §§ 7462-7475; 18 V.S.A. §§ 1201-1214 (repealed 1989). In particular, the law continued to recognize the authority of the Board of Health to issue orders pertaining to public water supplies and continued to impose criminal penalties for the violation of such orders. See 1947 V.S. §§ 7468, 7475; 18 V.S.A. §§ 1207, 1214 (repealed 1989). These provisions were repealed in 1989, when the basic source protection processes in existence today were created – the only

difference being that the authority that has been vested with ANR since 1991 was at that time vested with the Vermont Department of Health. See 1989, No. 105, §§ 1, 5. Compare 18 V.S.A. §§ 1231-1239 (repealed 1991), with 10 V.S.A. §§ 1671-1679. The 1989 law makes no reference to authority to issue orders nor does it impose penalties for violation of orders.

... .

¶30. ANR did promulgate a new set of rules, known collectively as the Water Supply Rule. See Water Supply Rule, 12 Code of Vt. Rules 12 030 003, available at <http://www.michie.com/vermont>. Section 16 sets forth the rules protecting public water supplies from contamination. The central provision is that public water supplies are required to have a “source protection plan” approved by ANR, the purpose of which is to identify potential sources of contamination in a specific area, known as the “source protection area.” See *id.* § 16.1. Both of these terms of art figure into the question of whether the State – in particular ANR – has adopted the 1926 health order.

... .

Vt. R. App. P. 28, 28.2,
<http://www.lexisnexus.com/hottopics/vtstatutesconstctrules/>.

Rule 28. Briefs

(a) Appellant’s Brief. — The appellant’s brief must contain under appropriate headings and in this order:

... .

(2) a table of contents and a table of cases (alphabetically arranged), statutes, and other authorities—with references to the pages of the brief where they are cited;

... .

(4) an argument, which may be preceded by a summary, and must contain:

(A) the issues presented, how they were preserved, and appellant's contentions and the reasons for them—with citations to the authorities, statutes, and parts of the record on which the appellant relies;

Rule 28.2. Citations

(a) Form of Opinions.

(1) 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”.

(2) Within each opinion, each paragraph will be numbered, beginning with the number “1”.

(3) 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.

(1) 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:

(A) indicate the year of issuance in four digits followed by the abbreviation “VT”;

(B) include the sequential opinion number; and

(C) be followed by citations to the official and unofficial print reporters.

(2) 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 Rule 28.2(a) must be cited in a form similar to that provided in Rule 28.2(b).

(d) Citation of Unpublished Judicial Dispositions Permitted.

(1) A party may cite any unpublished judicial opinion, order, judgment, or other written disposition notwithstanding that it may have been designated as “unpublished,” “not precedent,” or the like.

(2) If a party cites 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,
<http://www.courts.state.va.us/courts/scv/rulesofcourt.pdf#page=401>.

Rule 5:27. Requirements for 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.

... .

(d) The standard of review, the argument, and the authorities relating to each assignment of error. With respect to each assignment of error, the standard of review and the argument – including principles of law and the authorities – shall be stated in one place and not scattered through the brief. At the option of counsel, the argument may be preceded by a short summary.

Va. Sup. Ct. R 5:1(f),

<http://www.courts.state.va.us/courts/scv/rulesofcourt.pdf#page=345>.

Scope, Citation, Applicability, and General Provisions.

... .

(f) Citing Unpublished Judicial Dispositions. The citation of judicial opinions, orders, judgments, or other written dispositions that are not officially reported, whether designated as “unpublished,” “not for publication,” “non precedential,” or the like, is permitted as informative, but shall not be received as binding authority. If the cited disposition is not available in a publicly accessible electronic database, a copy of that disposition must be filed with the brief or other paper in which it is cited.

Note: Similar rules apply to other filings with the court.

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. R. App. P. 10.3, http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=app&set=RAP&ruleid=apprap10.03.

Rule 10.3. Content of Brief

(a) Brief of Appellant or Petitioner. The brief of the appellant or petitioner should contain under appropriate headings and in the order here indicated:

... .

(2) Tables. A table of contents, with page references, and a table of cases (alphabetically arranged), statutes and other authorities cited, with references to the pages of the brief where cited.

... .

(6) Argument. The argument in support of the issues presented for review, together with citations to legal authority and references to relevant parts of the record. The argument may be preceded by a summary.

... .

Wash. Gen. R. 14, http://www.courts.wa.gov/court_rules/?fa=court_rules.display&set=GR&ruleid=gagr14.

Rule 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.

Rule 14.1. Citation to Unpublished Opinions

(a) Washington Court of Appeals. A party may not cite as an authority an unpublished opinion of the Court of Appeals. Unpublished opinions of the Court of Appeals are those opinions not published in the Washington Appellate Reports.

(b) Other Jurisdictions. A party may cite as an authority an opinion designated “unpublished,” “not for publication,” “non- precedential,” “not precedent,” or the like that has been issued by any court from a jurisdiction other than Washington state, only if citation to that opinion is permitted under the law of the jurisdiction of the issuing court. The party citing the opinion shall file and serve a copy of the opinion with the brief or other paper in which the opinion is cited.

Note: While a prior rule more explicitly 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, referred to above, 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.

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. 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. R. App. P. 10, <http://www.courtswwv.gov/legal-community/court-rules/appellate-procedure/Part-III.html#rule10>.

Rule 10. Briefs

(c) Petitioner's brief. The petition for appeal and note of argument shall be consolidated into a single document called the petitioner's brief. To the fullest extent possible, the petitioner's brief shall contain the following sections in the order indicated, immediately following the cover page required by Rule 38(b).

... .

(2) Table of Authorities: If the brief exceeds five pages it must include a table of authorities with an alphabetical list of cases, statutes, and other authorities cited, and references to the pages of the brief where they are cited. The table of authorities does not count toward the page limit for briefs.

... .

(7) Argument: The brief must contain an argument exhibiting clearly the points of fact and law presented, the standard of review applicable, and citing the authorities relied on, under headings that correspond with the assignments of error. The argument must contain appropriate and specific citations to the record on appeal, including citations that pinpoint when and how the issues in the assignments of error were presented to the lower tribunal... .

W. Va. R. App. P. 21, <http://www.courtswwv.gov/legal-community/court-rules/appellate-procedure/Part-VI.html#rule21>.

Rule 21. Memorandum decisions

(a) Memorandum decisions. At any time after a case is mature for consideration by the Court, the Court may issue a memorandum decision addressing the merits of the case.

... .

(e) Citation of memorandum decisions. Memorandum decisions may be cited in any court or administrative tribunal in this State; provided, however, that the citation must clearly denote that a memorandum decision is being cited, e.g. Smith v. Jones, No. 11-098 (W.Va. Supreme Court, January 15, 2011)(memorandum decision). Memorandum decisions are not published in the West Virginia Reports, but will be posted to the Court's website.

... .

W. Va. Tr. Ct. R. 6.02, <http://www.courtswv.gov/legal-community/court-rules/trial-court/chapter-1.html#rule6>.

Rule 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 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. R. App. P. 809.19,
<http://docs.legis.wisconsin.gov/statutes/statutes/809/II/19>.

Rule 809.19. Briefs and Appendix

(1) Brief of appellant. The appellant shall file a brief within 40 days of the filing in the court of the record on appeal. The brief must contain:

(a) A table of contents with page references of the various portions of the brief, including headings of each section of the argument, and a table of cases arranged alphabetically, statutes and other authorities cited with reference to the pages of the brief on which they are cited.

... .

(e) An argument, arranged in the order of the statement of issues presented. The argument on each issue must be preceded by a one sentence summary of the argument and is to contain the contention of the appellant, the reasons therefor, with citations to the authorities, statutes and parts of the record relied on as set forth in the Uniform System of Citation and SCR 80.02.

809.23 Rule (Publication of opinions)

... .

(3) Citation of unpublished opinions.

(a) An unpublished opinion may not be cited in any court of this state as precedent or authority, except to support a claim of claim preclusion, issue preclusion, or the law of the case, and except as provided in par. (b).

(b) In addition to the purposes specified in par. (a), an unpublished opinion issued on or after July 1, 2009, that is authored by a member of a three-judge panel or by a single judge under s. 752.31 (2) may be cited for its persuasive value. A per curiam opinion, memorandum opinion, summary disposition order, or other order is not an authored opinion for purposes of this subsection. Because an unpublished opinion cited for its persuasive value is not precedent, it is not binding on any court of this state. A court need not distinguish or otherwise discuss an unpublished opinion and a party has no duty to research or cite it.

(c) A party citing an unpublished opinion shall file and serve a copy of the opinion with the brief or other paper in which the opinion is cited.

... .

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.

Examples from *Lane-Walter v. State ex rel. Wyo. Workers' Safety & Comp. Div.*, 2011 WY 52, 250 P.3d 513

....

[¶16] We apply the standard of review we articulated in *Dale v. S & S Builders, LLC*, 2008 WY 84, ¶¶ 22-24, 188 P.3d 554, 561 (Wyo. 2008)

....

....

[¶19] The burden of proof that the Medical Commission appears to have attempted to place on Lane-Walter is that which the Division claims to arise from *Wyo. Stat. Ann. § 27-14-102(a)(xii)* (LexisNexis 2009) (emphasis added):

(xii) “Medical and hospital care” when provided by a health care provider means *any reasonable and necessary* first aid, medical, surgical or hospital service, medical and surgical supplies, apparatus, essential and adequate artificial replacement, body aid during impairment, disability or treatment of an employee pursuant to this act including the repair or replacement of any preexisting artificial replacement, hearing aid, prescription eyeglass lens, eyeglass frame, contact lens or dentures if the device is damaged or destroyed in an accident and any other health services or products authorized by rules and regulations of the division. “Medical and hospital care” does not include any personal item, automobile or the remodeling of an automobile or other physical structure, public or private health club, weight loss center or aid, experimental medical or surgical procedure, item of furniture or vitamin and food supplement except as provided under rule and regulation of the

division and paragraph (a)(i) of this section for impairments or disabilities requiring the use of wheelchairs[.]

3 Weil's Code of Wyoming Rules, Department of Employment, Workers' Compensation Rules, Regulations and Fee Schedules, 025 0220 001-1 through 025 0220 001-21 flesh out how the Division views the above language. For instance, ch. 1, § 4(al), 025 0220 001-5 (Sept. 2008) (emphasis added), provides: "Medically Necessary. 'Medically necessary treatment' means those health services for a compensable injury that are reasonable and necessary for the *diagnosis and cure or significant relief* of a condition consistent with any applicable treatment parameter." Ch. 7, § 3(a)(i), 025 0220 001-20 (Oct. 2006) provides that "[workers] with injuries compensable under the Act shall be provided reasonable and necessary health care benefits as a result of such injuries." See *Palmer v. State ex rel. Wyo. Workers' Safety & Comp. Div.*, 2008 WY 105, ¶¶ 17-18, 192 P.3d 125, 129-30 (Wyo. 2008).

...

Wyo. R. App. P. 7,

<http://www.courts.state.wy.us/Documents/CourtRules/Rules/WYOMING>

Rule 7. Briefs

7.01. Brief of appellant.

The brief of appellant shall contain under appropriate headings and in the order indicated:

...

(c) A table of cases alphabetically arranged (in one list or by jurisdiction), statutes and other authorities cited, with references to the pages where they appear;

... .

(f) An argument (which may be preceded by a summary) setting forth:

(1) Appellant's contentions with respect to the issues presented and the reasons therefor, with citations to the authorities, statutes and parts of the record relied on;

... .

Wyo. Sup. Ct., Order Adopting a Uniform or Neutral-Format Citation (Oct. 2, 2000), as amended by Order dated Aug. 19, 2005.

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 curiam 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, 1320 (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, 1320 (Wyo. 2001).
Pinpoint cite:

Doe, ¶44-45.

TOPICAL INDEX

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.

[A-B](#) | [C](#) | [D-F](#) | [G-K](#) | [L-O](#) | [P-R](#) | [S-Z](#)

A

Abbreviations

(see also [Citation principles](#), compaction principles and [Purposes of citation](#))

[court of decision](#)

[journals, most often cited](#)

[months](#)

[party names](#)

[periods in](#)

[prior history phrases](#)

[reporter names](#)

[spacing](#)

[state names](#)

[subsequent history phrases](#)

“[Accord](#)”

(see also [Signals](#))

[Address principles](#)

Administrative Agencies

[adjudications](#)

[reports](#)

[regulations](#)

[Advisory opinions](#)

[ALWD Guide to Legal Citation cross reference table](#)

[American Law Reports](#) (A.L.R.)

[Annotations, citation of](#)

[Arbitrations, citation of](#)

Attorney general opinions (see [Advisory opinions](#))

Author's name

(see also [Book citations](#) and [Journals](#))

[books, individual authors](#)

[books, multiple authors](#)

[journal articles](#)

B

[Bankruptcy Reporter](#)

[Bills, citation to](#)

[Bluebook rules cross reference table](#)

Book citations

(see also [Parenthetical references](#), books)

[by institutional authors](#)

[examples](#)

[in general](#)

[services](#)

[short forms](#)

Book reviews (see [Journals](#))

Briefs

[citation form in briefs](#)

[citations to](#)

“[But cf.](#)”

(see also [Signals](#))

“[But see](#)”

(see also [Signals](#))

C

Case citations

(see also [Dates](#), [Ordinal numbers](#), [Party names](#), [Reporters](#),
[Signals](#) and [State decisions](#))

[address or ID](#)

[conditional items in case citations](#)

[dictum](#)

[dissenting opinion](#)

[electronically reported](#)

[examples](#)

[federal decisions](#)

[in general](#)

[in-state citation](#)

[initials in party names](#)

[looseleaf services](#)

[media-neutral citation](#)

[omissions in party names](#)

[order of citation](#)

[out-of-state citation](#)

[parallel citation](#)
[parenthetical references](#)
[parties' names](#) (see also [Abbreviations](#))
[plurality opinion](#)
[prior history, explanatory phrases](#)
[procedural phrases in case names](#)
[recent decisions](#)
[sentences, citation in](#)
[short forms](#)
[slip opinions](#)
[state decisions](#)
[subsequent history, explanatory phrases](#)
[unreported decisions](#)

Case documents (see [Documents](#))

“[Cf.](#)”

(see also [Signals](#))

Citation

[learning](#)
[levels of mastery](#)
[media-neutral](#)
[purposes](#)
[types of principles](#)

[Citation clauses](#)

Citation principles

[address principles](#)
[compaction principles](#)
[content principles](#)

[format principles](#)

[generally](#)

[Citation sentences](#)

[“City of,” in party names](#)

[Code of Federal Regulations](#) (C.F.R.)

Codes (see [Statute citations](#))

[Compaction principles](#)

[“Compare...with”](#)

(see also [Signals](#))

Constitution citations

[examples](#)

[in general](#)

[punctuation in citations to](#)

[short forms](#)

[“Contra”](#)

(see also [Signals](#))

[Content principles](#)

Court of decision

[parenthetical reference](#)

Court documents (see [Documents](#))

[Court of Claims Reports](#) (Ct. Cl.)

Courts

[federal citation examples](#)
[parenthetical reference to](#)
[state citation examples](#)

D

Dates

[in case citations](#)
[month abbreviations](#)
[year of decision](#)

Decisions (see [Case citations](#))

Docket number

[when required](#)

Documents

(see also [Parenthetical references](#), documents)
[citation to case documents](#)

E

“E.g.”

(see also [Signals](#))

[Electronic databases](#)

“Et al.”

[in book citations](#)
[in journal citations](#)

[Evidence, rules of](#)

“Ex rel.” [in case name](#)

[Executive orders](#)

F

[Federal decisions, examples](#)

[Federal Register](#)

Federal regulations (see [Regulation citations](#))

[Federal Regulations, Code of](#)

[Federal Reporter, examples of citation](#)

[Federal reporters, abbreviations](#)

[Federal Rules Decisions, examples of citation](#)

Federal statutes

(see also [Statute citations](#))

[Federal Supplement, examples of citation](#)

[Footnotes](#)

[Format principles](#)

[Full address principles](#)

G

[Geographic abbreviations](#)

H

[History, words indicating](#)

I

[“In re,” in case names](#)

[“In rem,” in case names](#)

Initials

[in party names](#)

[in book author names](#)

[in journal author names](#)

Institutional services (see [Services](#))

[Internal Revenue Code](#)

International agreements (see [Treaties](#))

[Italics](#)

J

Journals

[abbreviations, most often cited](#)

[article citations](#)

[book reviews](#)

[citation forms, in general](#)

[examples](#)

[short form citation](#)

[student writings](#)

[symposia](#)

[title spacing](#)

L

Law journals (see [Journals](#))

Law reviews (see [Journals](#))

[Lawyer’s Edition, examples of citation](#)

LEXIS

Local ordinances

Location phrases, in party names

Looseleaf services

cases reported in

M

Memorandum, citations to

Military Justice Reporter, examples of citation

Minimum content principles

Model codes

Month, abbreviations

Municipal ordinances (see Local Ordinances)

N

Names

abbreviations in party names

given names, in cases, articles, and books, (see Initials)

omissions in party names

Numbers (see Ordinal numbers)

O

“Of America,” in party names

Omissions, in party names

Order of citation

(see also [Signals](#))

Ordinal numbers

Ordinances (see [Local Ordinances](#))

P

Parallel citation

[agency material](#)

[cases](#)

[electronic sources](#)

Parenthetical references

[arbitration citations](#)

[books](#)

[court of decision](#)

[date of decision](#)

[dictum or dissenting opinion](#)

[documents](#)

[in quotations](#)

[journal articles](#)

[regulations](#)

[services](#)

[session laws](#)

[statutes](#)

[with signals](#)

Party names

[abbreviations](#)

[in general](#)

[omissions in](#)
[states in party names](#)

[Presidential proclamations](#)

Prior history

[explanatory phrases, examples](#)

[Procedural phrases, in case names](#)

[Procedure, rules of](#)

Publisher services (see [Services](#))

Publisher's name

[in book citations](#)
[state code citations](#)
[unofficial code citations](#)

[Punctuation](#)

(see also [Citation principles](#) and [Format principles](#))

[Purposes of citation](#)

Q

[Quotations](#)

R

[Reading citations](#)

[Recent decisions](#)

Records (see [Documents](#))

Redundancy (see [Citation principles](#), compaction principles)

Regulation citations

(see also [Parenthetical references](#), regulations)

[Code of Federal Regulations](#) (C.F.R.)

[examples](#)

[Federal Register](#)

[federal regulations](#)

[short form citation](#)

[state regulations](#)

[uncodified regulations](#)

Reporters

(see also [Case citations](#), address or ID)

[federal abbreviations](#)

[looseleaf services](#)

[state and D.C. abbreviations](#)

[*Reports of the United States Tax Court, examples of citation*](#)

[Restatements](#)

[Rules of procedure](#)

[Rules of evidence](#)

S

[“See”](#)

(see also [Signals](#))

[“See also”](#)

(see also [Signals](#))

[“See generally”](#)

(see also [Signals](#))

[Sentences, citation in](#)

[Sentencing guidelines](#)

[Services](#)

[Session laws](#)

(see also [Parenthetical references](#), session laws)

[Short forms](#)

Signals

“[accord](#)”

“[but cf.](#)”

“[but see](#)”

“[cf.](#)”

“[compare...with](#)”

“[contra](#)”

“[e.g.](#)”

[generally](#)

[multiple signals](#)

[order of signals and citations](#)

[preceding signal, none](#)

“[see](#)”

“[see also](#)”

“[see generally](#)”

[Spacing conventions](#)

[State abbreviations](#)

State decisions

[administrative rulings](#)
[cases, examples of citation](#)
[“State of,” in party names](#)

[State statutes](#)

(see also [Statute citations](#))

Statute citations

(see also [Parenthetical references](#), statutes)

[bills](#)

[division identification in state codes](#)

[federal statutes](#)

[Internal Revenue Code](#)

[named statutes](#)

[official versus unofficial codifications](#)

[pocket parts](#)

[session laws](#)

[short form citation](#)

[state statutes](#)

[supplements](#)

[uniform acts](#)

[Student work, in journal citations](#)

[Subsequent actions, omitted in case names](#)

Subsequent history

(see also [Citation principles](#), content principles)

[explanatory phrases](#)

[Supreme Court Reporter, examples of citation](#)

T

[Tables of authorities](#)

[Territorial abbreviations](#)

[“The,” in case names](#)

[Treaties and other international agreements](#)

Treatises (see [Book citations](#))

U

[Underlining or italics](#)

[Uniform acts](#)

[“United States,” in case names](#)

[*United States Claims Court Reporter*, examples of citation](#)

[*United States Reports*, examples of citation](#)

[Unreported or unpublished cases](#)

V

Volume Numbers

[books](#)

[case reports](#)

[journals](#)

W

[WESTLAW](#)

Y

Year

[of decision](#)
[of regulatory compilation](#)
[of statutory compilation](#)