## **D. COURT & LITIGATION DOCUMENTS**

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Section B of *The Indigo Book* (Rules R11-R15) focuses on citations to “cases”—that is judicial opinions, both published and unpublished. But not everything a court issues is an “opinion.” An opinion states the court’s legal basis and reasoning for that decision. An order manages and directs the litigation in a particular case. Rules R24-27 address court and litigation documents, and here we note the connection to case citations.

Citing orders to a court during active litigation in that court will vary and depend on that court’s own rules and customs. In contexts outside the litigation, orders should be cited consistently with the opinion rules in Rule R12.4.1 Thus, an order in a 2022 labor dispute involving a Memphis Starbucks would be cited differently when participating in the litigation and outside of it.

Briefing in the context of the litigation:

(ECF No. 45 at PageID 478, n. 1).

Citation in public contexts outside the litigation:

*McKinney v. Starbucks Corp.*, No. 2:22-cv-02292, *Order Denying in Part and Granting in Part Motion of Workers United to Intervene or, in the Alternative, to Participate as Amicus Curiae,* at 2, n. 1 (W.D. Tenn. May 10, 2022).

ECF and Page ID page citations vary court by court, and full coverage of the Case Management/Electronic Case Files system and PACER is beyond the scope of *The Indigo Book.*We note our support for open-access initiatives such as RECAP, which is a searchable online archive, browser extension, and email alert capturing utility made available by the Free Law Project and Center for Information Technology Policy at Princeton.

### R24 Documents Filed in the Same Case

At the trial stage, court and litigation documents take a variety of forms such as pleadings, affidavits, discovery requests and responses, motions, and court orders, just to name a few. On appeal, the record below may become a formal numbered “Record” with its own page references. Documents for use on appeal may also take the form of an appendix or joint appendix.

In federal court, court and litigation documents must be filed with the federal government’s Case Management/Electronic Case Files system, variously known as CM/ECF (for case management and electronic case filing, respectively) and PACER (for accessing case materials). Thus, federal court documents have traditional document names, pagination, and in some types of pleading documents, paragraph designations provided by the filer; as well as an assigned ECF number for the document and PageID numbering within the document provided by the CM/ECF system.

#### R24.1 Document Title

Consult the document abbreviations in Table T18. Follow it in the absence of more specific rules or guidance from local rules. When abbreviating document names, other abbreviations may be employed for long words (typically seven or more letters) if clear and helpful to the reader. Always abbreviate an official record, such as the appellate record, to “R.” Do not abbreviate if the abbreviation would confuse the reader.

**Examples:**

Compl. for Copyright Infringement ¶ 11.

Def.’s Second Am. Answer ¶ 28.

Jones Dep. 8:24-9:5.

Def. Acme’s Resp. to Pl. Morrison’s Req. for Admis. No. 2.A.

R. at 22.

J.A. at 137.

#### R24.2 Pincites to Page, Page and Line, or Paragraph

For court and litigation documents other than an appellate record, provide the exact page or paragraph. Where line numbers are available such as in deposition transcripts, also provide the line being referred to. Do not use “p.” before a page number, but refer to pages with “at <x>.”

##### R24.2.1 Pincites to the appellate record

Generally cite the appellate record with an “at.” Record citations also sometimes omit the “at” to save on a word count. Most importantly, be accurate and be internally consistent.

**Examples:**

R. at 2.

R. 2.

##### R24.2.2 Page and line pincites

Use a colon to separate page and line.

**Example:**

Smith Dep. 5:21–6:10.

##### R24.2.3 Commas

Use commas if necessary to avoid confusion. When abbreviating both a document name and an exhibit to that document, add a comma after the Exhibit reference before the pincite.

**Example:**

Smith Dep. Ex. 12, at 3.

#### R24.3 Date of Document

Include the date of the document if the date is particularly relevant or if omitting the date could cause confusion.

**Examples:**

Miller Aff. ¶ 8, Jan. 12, 2015.

Pl.’s Br. 4–5, May 7, 2014.

Trial Tr. vol. 3, 45, Mar. 5, 2015.

#### R24.4 Electronic Case Filing Number

Include an ECF number whenever a document has been filed electronically. Find the ECF number on PACER, a federal case management system that assigns each case document a document number. Use the page number on the original document, not the Page ID reference added by the ECF system upon filing, except in citations provided to a court where applicable court rules require using the ECF’s Page ID reference.

**Examples:**

Pl.’s Compl. ¶ 12, ECF No. 147.

Sanchez Dep. 1:1–2, Jan. 3, 2005, ECF No. 8.

**Example where Page ID required:**

(Petition for Temporary Injunction Pursuant to Section 10(j) of the National Labor Relations Act ¶ 6, ECF No. 1 at Page ID 3-6.)

#### R24.5 Parentheses or Brackets

Citations to court or litigation documents may stand alone as citation sentences or clauses or may be enclosed in parentheses or brackets. If using parenthesis or brackets, place the period outside the closing parenthesis or closing bracket. As with all types of citations, following applicable court rules and maintaining internal consistency in a document are crucial.

**Examples:**

J.A. at 182.

R. 24.

(Resp. Br. 18).

[R. at 7].

### R25 Court or Litigation Documents from Other Cases

Dockets and litigation documents are widely available now in commercial databases and other platforms. This rule describes how to cite litigation documents in other documents, not for litigation in that particular case, which is governed by Rule R24. This rule does, however, draw on Rule R24 as a partial basis for the citation, with additional citation information as shown here.

#### R25.1 General Format in Published Cases

After citing to the document according to Rule R24 above, add the full citation for the case where it comes from, and the case docket number in parentheses. An additional citation to a commercial database may be added (optional).

<Name of document> <pincite> , <Citation to case in which document was filed> (<docket number in parenthesis>),  <optional commercial database identifier or webpage URL>.

**Example:**

Compl. 5, *Parsell v. Shell Oil Co.*, 421 F. Supp. 1275 (D. Conn. 1976) (Civ. No. B-700).

Pl.’s Resp. to Defs.’ Mot. for Summ. J. 14, *Martinez-Mendoza* *v. Champion Int’l Corp.*, 340 F.3d 1200 (11th Cir. 2003) (No. 06-19139).

Brief for Brendan Keefe in His Official Capacity as Investigative Reporter for 11Alive Atlanta, and WXIA-TV as Amici Curiae in Support of Respondent, *Georgia v. Public.Resource.org, Inc.*, 140 S. Ct. 1498 (2020) (No. 18-1150), 2019 WL 5391110.

#### R25.2 Pending or Undecided Cases

If there has been no decision in the case you’re citing, then provide the name of the document and pincite, followed by the docket number, the date in parentheses, and other optional information to direct the reader.

<Name of document> <pincite>, <Name of case>, <docket number>, (<exact date of document being cited>)  <optional commercial database identifier or webpage URL>.

**Examples:**

Compl. ¶ 2, *Jones v. Smith*, No. 09-230 (9th Cir. Apr. 17, 2015), ECF No. 2.

Pet. for Writ of Cert. at 6, *Crowe v. Ore. St. Bar*, No. 20-1678 (May 27, 2021), https://www.scotusblog.com/case-files/cases/crowe-v-oregon-state-bar/.

#### R25.3 Oral Argument Audio and Transcripts

Provide the title indicating Oral Argument for an audio citation and Transcript for a transcript citation. Pincite to the minute or page. Provide the case name, citation of the case, and the year parenthetically.

**Examples:**

Oral Argument at 32:50, *Georgia v. Public.Resource.org*, 140 S. Ct. 1498 (2020) (No. 18-1150), https://www.oyez.org/cases/2019/18-1150.

Transcript of Oral Argument at 5, *Ramos v. Louisiana*, 140 S. Ct. 1390 (2020) (No. 18-5924), https://www.supremecourt.gov/oral\_arguments/argument\_transcripts/2019/18-5924\_4gcj.pdf.

### R26 Short Form Citation for Court and Litigation Documents

Use a short form citation for court documents when the full citation is close enough to be useful and the short form used is clear and helpful. Note that court documents may be cited using *supra*. Don’t use “*id.”* for court documents, unless it saves a lot of space. In particular do not use *id.* for record citations.

**Examples:**

| **Full Form (Original citation)** | **Short Form Citation (subsequent reference)** |
| --- | --- |
| Pl.’s Resp. to Defs.’ Mot. for Summ. J. at 14, *Martinez-Mendoza* *v. Champion Int’l Corp.*, 340 F.3d 1200 (11th Cir. 2003) (No. 06-19139). | Pl.’s Resp. to Defs.’ Mot. for Summ. J. at 14, *Martinez-Mendoza*, 340 F.3d 1200 (No. 06-19139). |
| Decl. of Martha Woodmansee at 7, *Salinger v. Colting*, 641 F. Supp. 2d 250 (S.D.N.Y. 2010) (No. 09 Civ. 05095). | Decl. of Martha Woodmansee at 7, *Salinger*, 641 F. Supp. 2d 250 (No. 09 Civ. 05095). |

### R27 Capitalization in Court Documents and Legal Memoranda

#### R27.1 Capitalizing Court

Capitalize “Court” in each of the following situations:

* Referring to the U.S. Supreme Court
* Referring to or addressing the court receiving the document you are submitting
* Naming the court in full

**Examples:**

The Court held that the Official Code of Georgia Annotated is a government edict that cannot be copyrighted by the State of Georgia.

The U.S. Court of Federal Claims held jurisdiction.

The *Aalmuhammed* court explained that the word author “is traditionally used to mean the originator or the person who causes something to come into being.”

This Court is being asked to expand the definition of “author” far beyond the statutory text.

#### R27.2 Party Designations in a Litigation

Capitalize “Plaintiff,” “Defendant,” “Appellant” and “Appellee,” unless you are referring to parties from other litigation.

**Example (in the case involving this plaintiff as a party):**

The Plaintiff does not have a cognizable copyright interest in her acting performance.

**Example (referring to a different litigation):**

In *Bobbs-Merrill*, the plaintiff-copyright owner sold its book with a printed notice announcing that any retailer who sold the book for less than one dollar was liable for copyright infringement.

#### R27.3 Titles of Court Documents

In litigation filings, use the capitalized and unabbreviated title of any litigation document in that case, when referring to it in full in a textual sentence. A litigation document may also be referred to in a citation sentence in a full or short form, in which case it should be capitalized but abbreviated.

**Example:**

The Plaintiff’s Motion for Reconsideration should be denied.

Pl.’s Mot. Recons. at 4.

#### R27.4 Types of Documents Not Capitalized

Do not capitalize the name for a type of court document, such as an injunction, petition, etc.

## E. BOOKS & NON-PERIODICALS

### R28 Full Citation for Books & Non-Periodicals

#### R28.1 General

A full citation to a book or other non-periodical is made up of the following elements:

* Volume number (if the book is in a set of more than one volume)
* Author name or names
* Title of the Publication
* Parenthetically, edition and editor information, if applicable; and year

**Examples:**

1 Melville B. Nimmer & David Nimmer, *Nimmer on Copyright* § 1.01[B][1][a] at 1–14–15 (2019).

Matthew Reidsma, *Masked by Trust: Bias in Library Discovery* (2019).

*Lawyers in Practice: Ethical Decision Making in Context* (Leslie C. Levin & Lynn Mather eds., 2012).

Joseph Williams & Joseph Bizup, *Style: Ten Lessons in Clarity and Grace* (12th ed. 2016).

#### R28.2 Author Name or Names

Use standard roman type (not italicized) for the author name or names.

##### R28.2.1 Exact names

In general, list the names of the authors as listed on the publication, such as by including listed first names and middle initials in addition to surnames. Use titles that follow an author’s name (Sr.) but not titles that precede them (Hon.)

##### R28.2.2 Multiple authors

For two authors, list them in the same order as on the publication separated by “&.” For more than two authors, you may list all of the authors with “&” before the last. Or you may use “et al.” after the first-named author.

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The “et al.” option for books and law review articles with multiple authors may be a space-saving option, but it may also effectively erase the contribution of co-authors other than the first-named. This citation erasure may occur qualitatively (in how the article is remembered) and/or quantitatively (in various empirical citation rankings). University of Pennsylvania Law School professor Dave Hoffman has argued that all authors should be included in the full citation, and indeed a number of law reviews have rejected the et al. option. Professor Hoffman calls this approach the “Fair Citation Rule. ”

Short-forms for books and law review articles may be based on just the first-named author, an approach consistent with the spirit of efficient short-form citations. But the Fair Citation Rule can be followed in short citations as well, an approach that is less efficient but more representative of the work.

##### R28.2.3 Title of the publication

Place the publication title in italics.

##### R28.2.4 Pincite

Include the exact page number being cited immediately after the name of the publication. Do not use “at” before the pincite in a full citation. When citing a work organized using sections or paragraphs, use those instead, adding a page number only if helpful.

**Example:**

Marc A. Franklin et al., *Mass Media Law Cases and Materials* 472 (8th ed. 2011).

##### R28.2.5 Edition, editor or translator, and year of publication

The full citation to a book publication has up to four elements in the required parenthetical, in the following order:

* Editor (designated as “ed.”)
* Translator (designated as “trans.” and also including the name of the publisher of the translated edition)
* Edition number
* Year

If listing an editor or a translator, then follow the name with the designation “ed.,” or “trans.,” respectively. Do not place a comma before the designation of ed. or trans., but do include a comma after that designation and before the year of publication.

**Examples:**

Gabriel García Márquez, *One Hundred Years of Solitude* (Gregory Rabassa trans., Harper & Row 2003) (1967).

Roger Angell, *This Old Man*, in *The Best American Essays 2015* (Ariel Levy & Robert Atwan eds., 2015).

### R29 Short Form Citation for Books & Non-Periodicals

#### R29.1 Id.

*Id.* may be used for references to books or non-periodical material cited in the immediately preceding citation, assuming that citation contains only one source. Update the page number you’re referring to within that source, as needed, by using “*Id.* at <x>.”

Do not use *id.* for internal cross references, or for citing back to a body of collected works when actually citing a single work from that body.

#### R29.2 Supra

Use “*supra*” when you’ve used the full citation before, but it’s not the immediately preceding citation. Use a shortened title if you cite to multiple sources from the same author. Where a source has more than two authors, short citation forms using *supra* may use the first-named author and “et al.” to refer to other named authors, regardless of whether the first full citation has done so. You may retain all the authors if desired for giving credit.

The short form *supra* can be used in references to an earlier-cited work where “*id.*” does not apply. Citations built using *supra* should include:

* the author’s last name
* an unitalicized comma followed by italicized *supra* and followed by another unitalicized comma
* the word “at” and the specific page being pincited.

Examples:

| **Full:** | ***Id.:*** | **Supra** |
| --- | --- | --- |
| B.F. Skinner, *Beyond Freedom and Dignity* 32 (2002). | *Id.* at 21. | Skinner, *supra*, at 21. |
| 3 Melville Nimmer & David Nimmer, *Nimmer on Copyright* § 12.01 (Rev. ed. 2015) | *See id.* § 14.02. | *See* Nimmer & Nimmer, *supra*, § 14.02 |
| Graham C. Lilly et al., *Principles of Evidence* 122 (6th ed. 2012) | *Id.* at 88–103 | Lilly, *supra*, at 90 |

## F. JOURNALS, MAGAZINES, & NEWSPAPER ARTICLES

### R30 Full Citation for Journals, Magazines & Newspaper Articles

#### R30.1 Journal Citations

##### R30.1.1 Consecutively paginated journals (such as law reviews)

Citations to consecutively paginated journals (that is, journals in which page numbering is continued from the last issue) take the following form:

 <Author’s Name(s)>, <Italicized Title of the Article>, <volume number, if applicable> <Name of Publication, abbreviated> <page number of first page of article cited>, <pincite, if citing to specific point> <(year published)>.

Follow Rule R30.2 below for author name rules and Rule R30.3 for abbreviating the name of the publication.

**Example:**

Liz Brown, *Bridging the Gap: Improving Intellectual Property Protection for the Look and Feel of Websites*, 3 N.Y.U. J. Intell. Prop. & Ent. L. 310, 351 (2014).

##### R30.1.2 Journals and magazines with standard pagination

Citations to journals and magazines with standard pagination (that is, where pagination re-starts for every issue) take the following form:

<Author’s Name(s)>, <Italicized Title of the Article>, <Name of Publication, abbreviated>, <full date of publication>, at <page number of first page of article cited>.

**Example:**

Jack Dickey, *The Power of Taylor Swift*, Time, Nov. 24, 2014, at 13.

##### R30.1.3 Pincites with standard pagination

A pincite to a specific page may be added after the page number of the article’s first page, in the following form: , <pincite>.

**Example:**

Jack Dickey, *The Power of Taylor Swift*, Time, Nov. 24, 2014, at 13, 17.

##### R30.1.3 Student-written material in law journals

Citations to material written by students in law journals such as comments and notes take the following form:

<Author’s Name(s), if signed with more than initials>, <Designation of Piece>, <Italicized Title of the Article>, <volume number, if applicable> <Name of Publication, abbreviated> <page number of first page of article cited>, <pincite, if citing to specific point> <(year published)>.

**Examples:**

Amanda Levendowski, Note, *Using Copyright to Combat Revenge Porn*, 3 N.Y.U. J. Intell. Prop. & Ent. L. 422 (2014).

Victoria Nemiah, Note, *License and Registration, Please: Using Copyright “Conditions” To Protect Free/Open Source Software*, 3 N.Y.U. J. Intell. Prop. & Ent. L. 358, 361 (2014).

Comment, *Law and Lawns: Mandatory Water Restrictions and Substantive Due Process*, 7 Calif. L. Rev. 138 (1972).

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Many sources such as newspapers and magazines are available both in a traditional hard-copy publication and an online format. Although the online site is almost certainly easier to find and read, traditional legal citation prioritizes the hard-copy publication for law reviews, magazines, and similar periodical sources. Newspapers are treated differently as shown in Rule R30.4.

#### R30.2 Authors

##### R30.2.1 Name as listed

Show the author’s name beginning with first name, initials if indicated on the publication, and last name followed by any name suffixes (Jr., III) indicated on the publication title.

##### R30.2.2 Two authors

For two authors, indicate their names in the order shown on the publication, separated by an ampersand. Do not insert a comma before the ampersand.

##### R30.2.3 Multiple authors

For more than two authors, all authors may be listed with an ampersand before the last name; or all but the first may be omitted and replaced by “et al.” Indicate all authors when relevant the point being made, or when recognition of all authors is desirable.

##### R30.2.4 No listed author

When no author is listed at the beginning or end of the publication source, skip the author field and begin the citation with the publication’s title.

#### R30.3 Journal Titles

##### R30.3.1 Abbreviated titles

Use the abbreviations for common institutional names as listed in Table T15 if the name is listed. If the institutional name is not listed in Table T15, use abbreviations as listed in Table T11 and Table T12. If the periodical title has an abbreviation in it, use the abbreviation. If the word is not found in any of these tables, do not abbreviate the word in the abbreviated title.

##### R30.2.2 Prepositions, articles, commas, and colons

For journals not listed in the tables, streamline the journal title with these grammar mechanics. Do not use the words “a,” “at,” “in,” “of,” and “the” in the abbreviated title. Do, however, use the word “on.” If the title consists of “a,” “at,” “in,” “of,” or “the” followed by a single word, do not abbreviate the remaining word. Omit all commas in abbreviated titles, but retain other punctuation. If a periodical title has a colon followed by words, omit all that from the abbreviated title.

Use discretion to format a journal title differently when the journal identifies its own abbreviated title differently, particularly for legal journals (as opposed to those from other disciplines using other citation conventions).

**Examples:**

“Sociological Journal of Law” becomes “Socio. J. Law”

“Law Journal on the Litigation World” becomes “L.J. on Litig. World”

“Journal at Legal Crossroads” becomes “J. Legal Crossroads”

##### R30.2.3 Online supplements

To cite an online supplement to a print publication, use the proper abbreviation for the print publication, followed by the name of the online supplement.

##### R30.2.4 Evolving journal titles and series designation

If a periodical has been renumbered into a new series, indicate that by prefacing the series number with “(n.s.)”. Use the title of the periodical on the issue you are citing, even if the name of the periodical has changed.

#### R30.4 Newspaper Articles

Citations to newspaper articles traditionally required the print-based citation, but now may use either the print-based citation or the online citation with exact date and URL consistent with Rule R32.

##### R30.4.1 Print-based citation to newspaper article

Citations to **newspaper articles** take the following form: <Author’s Name(s), if signed>, <Italicized Title of the Article>, <Name of Publication, abbreviated>, <full date of publication>, at <number of first page of article>. Add a designation after the author’s name such as “editorial,” where appropriate.

**Examples:**

Charlie Savage, *U.N. Commission Presses U.S. on Torture*, N.Y. Times, Nov. 14, 2014, at A6.

Vikas Bajaj, Editorial, *Rules for the Marijuana Market*, N.Y. Times, Aug. 5, 2014, at A20.

##### R30.4.2 Citation to newspaper article online

**Examples:**

Charlie Savage, *U.N. Commission Presses U.S. on Torture*, N.Y. Times (Nov. 14, 2014), https://www.nytimes.com/2014/11/14/world/europe/un-commission-presses-us-on-torture.html.

Vikas Bajaj, Editorial *Rules for the Marijuana Market*, N.Y. Times (Aug. 5, 2014), https://www.nytimes.com/2014/08/05/opinion/high-time-rules-for-the-marijuana-market.html.

### R31 Short Form Citation for Journals, Magazines & Newspaper Articles

#### R31.1 *Id.*

Use “*id.*” when referring to the source cited in the immediately preceding citation. *Id.* can be used to refer to the same source as in a preceding citation that is itself also *id.*, but do not repeat *id.* more than four times sequentially. After the fourth *id.*, add more information by repeating the full citation or providing a short citation with *supra*.

*Id.* may be used by itself to indicate the same page of the same source, or with “at” to indicate a different page of that source.

#### R31.2 *Supra*

Use “*supra*” when you’ve used the full citation before, but it’s not right next to the sentence you will provide the citation for now. Use a shortened title if you cite to multiple sources from the same author. Where a source has more than two authors, short citation forms using *supra* may use the first-named author and “et al.” to refer to other named authors, regardless of whether the first full citation has done so. You may retain all the authors if desired for giving credit.

**Example (in-text citation):**

Robbins, *Painting with Print, supra*, at 112.

**Example (footnote):**

Baumeister et al., *Bad Is Stronger than Good*, *supra* note 5, at 325.

## G. INTERNET SOURCES

### R32 General Principles for Internet Sources

#### R32.1 Authenticated, Official, and Exact Copies

When an authenticated, official, or exact copy of a document is available online, *cite* as if to the equivalent print source (i.e., URL information should not be included).

* Authenticated copy: source that uses some authenticating tool, such as a digital signature. This is generally the preferred version.
* Official copy: version of document designated “official” by a federal, state, or local government.
* Exact copy: unaltered online reproduction of the entirety of a printed source, including pagination.

#### R32.2 Print Sources Also Available on the Internet

For sources that are available in a non-internet source, append the URL to the end of the citation if doing so would make accessing the source significantly easier.

**Example:**

Daniel E. Ho & Frederick Schauer, *Testing the Marketplace of Ideas*, 90 N.Y.U. L. Rev. 1160, 1175 (2015), http://www.nyulawreview.org/sites/default/files/pdf/NYULawReview-90-4-Ho\_Schauer.pdf.

#### R32.3 Print Sources Reproduced on the Internet

For Internet sources that have the characteristics of a print source, cite as if you were citing the print source, and append the URL to the end of the citation. Internet sources have the characteristics of a print source when the following conditions are met: the source has all the information needed to cite it according to another rule, and the source has a fixed, permanent pagination (such as a PDF).

#### R32.4 Webpages and Internet Sources

For citations directly to webpages and other Internet sources that do not exist in any other printed format, follow the formula in Rule R33 below.

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Even in an online world, the format of the printed page reigns supreme in legal citation. Thus, when a document is available in multiple formats, choose the citation format that best preserves the document as it would display if printed. For example, PDF is preferred over HTML. The benefit of these citations is allowing citations to specific page numbers (for pincites) regardless of whether it is being viewed digitally or in print.

Note that many of the Internet citation rules are little more than common sense (that’s a compliment, not a dig). For example: include the URL that most directly links your reader to the authority, as you don’t want to send readers on a wild goose chase through the recesses of the Internet in search of a source. For the sake of completeness, we include these rules below, even though most people would probably intuit them.

One internet citation rule is not common sense, however. Traditional legal citation does not underline the URL to indicate a hyperlink. (Indeed, if you are using italics for case names, titles, and such, nothing will be underlined anywhere in the document.) As you create a citation to an internet source, your word processor may helpfully add an underlined hyperlink with URL text turned a different color. For citation per the Uniform System of Citation, believe it or not, you should remove that formatting change. Depending on the situation, you might choose to leave the non-compliant (yet helpful) obvious hyperlink. You could remove the hyperlink altogether. Or you could change the formatting so the hyperlink works but is rendered in plain font, consistent with traditional legal citation.

### R33 Basic Formula for Internet Sources

Citations to Internet sources follow this form: <Author Name>, <Title of Website Page>, <Main Website Title>, <pincite> <(Date source posted, with exact time of posting if available)>, <URL>.

#### R33.1 Author Name(s)

##### R33.1.1 Personal author

When available, use the name or names of the individual, personal authors of the source.

**Example:**

Kate Klonick, *Facebook v. Sullivan*, Knight First Amend. Inst. (Oct. 1, 2018), https:// knightcolumbia.org/content/facebook-v-sullivan.

#### R33.1.2 Institutional authors

When the name of the individual, personal author is unavailable, use the name of the institution associated with the source if one is clearly apparent. Institutional authors should be omitted if the website’s title makes the domain’s owner clear. Institutional authors should be abbreviated (see Table T12 and Table T11 for abbreviations). Excessively long institutional-author names may be truncated, such as by omitting prepositional phrases that are not needed for clear identification.

**Examples:**

The Pew Charitable Trusts, *How Debt Collectors Are Transforming State Courts*, Pew (May 6, 2020), https://www.pewtrusts.org/-/media/assets/2020/06/debt-collectors-to-consumers.pdf

*Economic Liberty*, Inst. for Just., https://ij.org/issues/economic-liberty/ (last visited July 6, 2021).

*Community Standards Enforcement Report*, Facebook (Nov. 2019), https://transparency.facebook.com /community-standards-enforcement

##### R33.1.3 Forum authors

For web posts and comments, use the actual name of the post author, or the username of the post author if the actual name is not available. For comments, the author of the comment should be included if available, but the author of the original post need not be cited.

##### R33.1.4 Unavailable author name

If the name of the author is unavailable in each of the above forms, it may be omitted from the basic formula.

#### R33.2 Content Title

##### R33.2.1 Specific webpage title

Include the particular cited webpage as the source title (roughly equivalent to citing the title of an article). This title should be based on either the title bar or the heading of that page as viewed in the browser.

**Examples:**

Mike Masnick, *Left Shark Bites Back: 3D Printer Sculptor Hires Lawyer to Respond to Katy Perry’s Bogus Takedown*, TechDirt (Feb. 9, 2015, 12:27 PM), https://www.techdirt.com/articles/20150209/11373729960/left-shark-bites-back-3d-printer-sculptor-hires-lawyer-to-respond-to-katy-perrys-bogus-takedown.shtml.

*Priority Legis.—U.S. House and Senate*, Nat’l Cannabis Indus. Ass’n, https://thecannabisindustry.org/government-affairs/priority-legislation-us-senate/ (last visited July 6, 2021).

##### R33.2.2 Shortened content title

The content title should be informative but not unduly long, if possible without compromising clarity and precision.

##### R33.2.3 Comments and other related pages

Include the title of certain pages linked from main website when relevant, including postings, comments, and titles of subheadings (in italics). Where relevant, as in comments, subheadings should indicate their relationship to the page to which they are responsive.

**Example:**

Nasch, Re: Costumes, IP, and Ownership Rights, Comment to *Left Shark Bites Back*, TechDirt (Feb. 14, 2015, 9:55 AM), https://www.techdirt.com/articles/20150209/11373729960/left-shark-bites-back-3d-printer-sculptor-hires-lawyer-to-respond-to-katy-perrys-bogus-takedown.shtml.

#### R33.3 Main Website Title

#### R33.3.1 Overall title

Provide the internet source’s overall website title (roughly equivalent to the publication title in a periodical citation). Use the name of the home page; the title given in the blog’s header; or, in the unlikely event no name is given, the website’s top-level domain name (as distinct from the specific URL provided later in the citation).

##### R33.3.2 Abbreviation

Title should be abbreviated per Table T11, Table T12, and Table T15.

**Example:**

*Priority Legis.—U.S. House and Senate*, Nat’l Cannabis Indus. Ass’n, https://thecannabisindustry.org/government-affairs/priority-legislation-us-senate/ (last visited July 6, 2021).

#### R33.4 Pincite

##### R33.4.1 Paginated electronic publication, or publication of print version

Include when an electronic document preserves the pagination of a printed version. Cite to pages as they would appear on the document if printed.

**Example:**

James Huguenin-Love, *Song on Wire: A Technical Analysis of*ReDigi*and the Pre-Owned Digital Media Marketplace*, 4 N.Y.U. J. Intell. Prop. & Ent. L. 1, 4 (2014), http://jipel.law.nyu.edu/wp-content/uploads/2015/02/JIPEL-Winter-2014-Edition.pdf.

#### R33.5 Date & Time

Include the date of the webpage or publication, as published on the website. The date may be found at the top, similar to a byline or at the bottom similar to a sign-off. Include the exact time of publication if given.

**Examples:**

Laura Moy, *Public Knowledge & Consumers Petition Copyright Office for Right to Unlock Access to Their Own Stuff*, Public Knowledge Blogs (Nov. 3, 2014), https://www.publicknowledge.org/news-blog/blogs/public-knowledge-consumers-petition-copyright-office-for-right-to-unlock-ac.

Chris Cillizza, *Winners and Losers of the 2014 Midterm Elections*, Wash. Post Blogs (Nov. 5, 2014, 10:25 AM), http://www.washingtonpost.com/blogs/the-fix/wp/2014/11/04/winners-and-losers-of-the-2014-election-early-edition/.

##### R33.5.1 Time not needed

Omit time if the source is not updated throughout the day or if there is no time listed.

##### R33.5.2 Last visited

If no date is provided, add a parenthetical indicating the “last modified” or “last updated” date for the URL, or, if none of the above are provided, use the “last visited” date. Any date cited in one of these three formats should be placed after the URL in the citation.

**Example:**

ESPN, http://www.espn.go.com/ (last visited July 5, 2021).

#### R33.6 URL

##### R33.6.1 Entire URL preferred

Cite in its entirety unless the URL is especially long or unwieldy (a very high standard, given how long most URLs are).

##### R33.6.2

If the URL is too long and unwieldy, cite just to the root URL and include a parenthetical directing the user to the specific material cited.

**Example:**

*Google Books Ngram Viewer*, Google, https://books.google.com/ngrams (select corpus “English Fiction”; then search for “Arrakis”) (last visited Apr. 17, 2012).

##### R33.6.3 Archived URL

When helpful (such as to preserve a site that may change or to preserve a site for future readers), include URL to an archived version of the webpage in brackets.

**Example:**

Kevin Underhill, *Gollum Experts to Testify, Says Court*, Lowering the Bar (Dec. 4, 2015), http://www.loweringthebar.net/2015/12/gollum-experts.html [https://web.archive.org/web/20151208124302/http://www.loweringthebar.net/2015/12/gollum-experts.html].

##### R33.6.4 Multiple URLs

When a website is served by multiple URLs, use the primary one. When a source is published on multiple URLs (such as a law-firm website and a content aggregator), use the most authoritative and original website.

#### R33.7 Social media

Include the author’s name, handle or other identifying information parenthetically, the platform, parenthetical with the exact date and time posted, followed by the URL of the post.

**Example:**

American Bar Association (@ABAesq), Twitter (July 6, 2021, 8:11 PM), https://twitter.com/ABAesq/status/1412564952846581761?s=20.

### R34 Short Form Citations for Internet Sources

After a full citation to an internet source, an appropriate short form may be used. *Id.* can be used to refer to an internet source, consistent with Rule R6. The short form *supra* can be used to shorten the full citation where *id.* is not appropriate.

A bracketed parenthetical also may also be used to provide a short-form definition, if needed to avoid ambiguity or to preserve clarity. When citing directly to Internet sources, the “hereinafter” bracketed parenthetical should come right after the URL or, if applicable, the “last visited” parenthetical.

**Example (full citation):**

Chris Cillizza, Winners and Losers of the 2014 Midterm Elections, Wash. Post Blogs (Nov. 5, 2014, 10:25 AM), http://www.washingtonpost.com/blogs/the-fix/wp/2014/11/04/winners-and-losers-of-the-2014-election-early-edition/.

**Example (short form):**

Cillizza, *supra*.

**Example (full citation):**

Superfan Suits, http://www.superfansuits.com/ (last visited Feb. 21, 2015).

**Example (short form):**

Superfan Suits, *supra*.

**Example (full citation):**

Full Citation: Ohio’s Official Online Publication of State Laws and Regulations, https://codes.ohi (last visited July 6, 2021) [hereinafter, “Ohio Official Online State Laws”].

**Example (short form):**

Ohio Official Online State Laws, *supra*.