

McGill Legal Citation Usage Guide

for the
`lawcite`

BIBLATEX style

Abstract

This is the instruction manual for using the ([lawcite](#)) BIBLATEX format to produce McGill-style legal citations.

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1 \lawcite

‘In this appeal, the Court is called upon to answer the age-old question: If a tree falls in the forest and you are not around to replant it, how does it affect your taxes?’

— *Daishowa-Marubeni International Ltd v Canada*, 2013 SCC 29 at para 1, [2013] 2 SCR 336.

2 Getting Ready

2.1 What you will need

2.2 Installing the files

Place the lawcite Biblatex definition files (lawcite.dbx, lawcite.bbx, lawcite.cbx, english-lawcite.lbx), and an index style file for SplitIndex to use (e.g., plain.ist), in a location where T_EX can find them, for example, in the current folder.

McGill-style is activated via option settings when calling the Biblatex package.

```
\usepackage[  
style=lawcite,  
lawcitestyle=mcgill,  
use-toc-parnumrefs=false,  
...  
{biblatex}
```

Settings used by lawcite may be changed inside the document, as well.

2.3 The Workflow

To compile a file *foo.tex*, do:

- xelatex/lualatex/pdflatex
- biber (collect bibliographic data)
- xelatex/lualatex/pdflatex (resolve citations, insert Table of Contents, Bibliography; page numbers change)
- splitindex (create the ToC etc files)

```
splitindex foo -- -s plain.ist -c
```

- xelatex/lualatex/pdflatex (Table of Cases is inserted; page numbers change)

- `splitindex` (pick up the new page numbers)
- `xelatex/lualatex/pdflatex` (refresh the ToC, and any cross-references)

The index style file (for the Table of Cases, etc), is a plain dot-fill style:

```
delim_0 "\\space\\dotfill\\space "\\hss
delim_1 "\\space\\dotfill\\space "\\hss
delim_2 "\\space\\dotfill\\space "\\hss
delim_n ", "
delim_r "--"
delim_t ""
encap_prefix ""
encap_suffix ""
```

3 How **lawcite** works

3.1 McGill settings

For a behind-the-scenes look, in terms of on/off switches (that is, where there is a typographical choice), the McGill style is defined as follows: party names are italic, party separator (the “v”) is also italic, and not dotted, main citation method is footnoting, square brackets are not used for the year component of medium neutral citations, and so on...

```
\newcommand\lcsetstylemcgill{%
  \togglefalse{partysepdotted}
  \toggletrue{partysepitalic}
  \toggletrue{partynamesitalic}
  \setcounter{reftypemode}{3}
  \togglefalse{mncbrackets}
  \toggletrue{statttycomma}%after the title
  \togglefalse{statttyitalic}
  \togglefalse{statjurisdiction}
%  \toggletrue{statutecomma}%after the title
  \toggletrue{commainindex}
  \toggletrue{multicitecomma}
  \toggletrue{casenamecomma}
```

```

\renewcommand\postnotedelim{\ }
\togglefalse{ljarttitleitalic}
\toggletrue{ljjnltitleitalic}
}

```

Other components of style depend on data input and/or user choice (the decision year if different to the reporting year); or ‘fixed’, in the sense that there is only one layout (like using “/” for some provincial regulation formats to separate regulation number and year, or year and regulation number). Coding can be done to the n^{th} degree, but, at some point, practicality switches on.

3.2 The Data

3.3 The Data Model

3.4 The Option Settings

3.5 Changing Settings

3.6 Bibentries

3.7 Citations

3.8 Bibliographies

4 Cases

4.1 Bibentries

Medium Neutral Citation: `\lcinline{cole}`

R v Cole, 2012 SCC 53, [2013] 3 SCR 34
`x1 – \lawcite{buhay}`

```
@case{cole,  
party  = {R},  
partyb = {Cole},  
caseyear = {2012},  
courtnome = {SCC},  
casenumber = {53},  
}
```

The default party separator is “v”. Use the *partysep=* field to specify a different party separator, e.g., *contre*: `\lcinline{arbia}`

Arbia c Brousseau, 2020 QCCA 1073

```
@case{arbia,  
party  = {Arbia},  
partysep = {c},  
partyb = {Brousseau},  
caseyear = {2020},  
courtnome = {QCCA},  
casenumber = {1073},  
}
```

¹*R v Buhay*, 2003 SCC 30, [2003] 1 SCR 631, <CanLII>.

MNC + report: \lccinline{cole2}

R v Cole, 2012 SCC 53, [2012] 3 SCR 34
x² – \lawcite{buhay2}

```
@case{cole3,  
party_a = {R},  
party_b = {Cole},  
case_shortname = {Cole},  
case_year = {2012},  
court_name = {SCC},  
case_number = {53},  
pagination = {atparagraph},  
report_year = {2012},  
report_volume = {3},  
vol_year_needed = {true},  
report_series = {SCR},  
report_page = {34},  
url = {https://www.canlii.org/en/ca/scc/doc/2012/2012scc53/2012scc53},  
linkname = {CanLII},  
mncurl = {https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/12615/index.html},  
}
```

²*R v Buhay*, 2003 SCC 30, [2003] 1 SCR 631, <CanLII>.

MNC + report + parallel reports: \lcinline{cole3}

R v Cole, 2012 SCC 53, [2012] 3 SCR 34, 353 DLR (4th) 447, 436 NR 102, 297 OAC 1, [2012] EXP 3703, 96 CR (6th) 88, 290 CCC (3d) 247, 269 CRR (2d) 228, [2012] EXPT 2118, DTE 2012T-731, JE 2012-1986, [2012] SCJ No 53 (QL), [2012] ACS no 53

x³ – \lawcite{buhay3}

```
@case{cole3,
partya = {R},
partyb = {Cole},
caseshortname = {Cole},
caseyear = {2012},
courtname = {SCC},
casenumber = {53},
pagination = {atparagraph},
reportyear = {2012},
reportvolume = {3},
volyearneeded = {true},
reportseries = {SCR},
reportpage = {34},
url = {https://www.canlii.org/en/ca/scc/doc/2012/2012scc53/2012scc53.
linkname = {CanLII},
parallel = {353 DLR (4th) 447 and 436 NR 102 and 297 OAC 1 and [2012]
731 and JE 2012-1986 and [2012] SCJ No 53 (QL) and [2012] ACS no 53},}
mncurl = {https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/12615/ind
```

³*R v Buhay*, 2003 SCC 30, [2003] 1 SCR 631, 305 NR 158, 225 DLR (4th) 624, [2004] 4 WWR 1, 304 WAC 72, 177 Man R (2d) 72, 174 CCC (3d) 97, 10 CR (6th) 205, 57 WCB (2d) 206, 107 CRR (2d) 240, AZ-50177805, JE 2003-1124, [2003] SCJ No 30 (QL), [2003] ACS no 30, 122 ACWS (3d) 863. <CanLII>.

Printed report, by year: \lcinline{hopp}

Hopp v Lepp, [1980] 2 SCR 192

```
@case{hopp,  
party  = {Hopp},  
partyb = {Lepp},  
reportyear = {1980},  
volyearneeded = {true},  
reportvolume = {2},  
reportseries = {SCR},  
reportpage = {192},  
}
```

Printed report, by volume: \l⁴inline{fucella}

Fucella v Ricker (1982), 35 OR (2d) 423 (H Ct J)
x⁴ – \lawcite{buhayca}

```
@case{fucella,  
party_a = {Fucella},  
party_b = {Ricker},  
decision_year = {1982},  
report_volume = {35},  
report_series = {OR (2d)},  
report_page = {423},  
note = {H Ct J},  
}
```

⁴*R v Buhay* (2001), 156 ManR (2d) 111, <CanLII> (MB CA).

Printed report, by year, decided and published in different years:
`\lcinline{swissair}`

Swiss Bank Corp v Air Canada (1987), [1988] 1 FC 71

```
@case{swissair,  
partya = {Swiss Bank Corp},  
partyb = {Air Canada},  
decisionyear = {1987},  
reportyear = {1988},  
volyearneeded = {true},  
reportvolume = {1},  
reportseries = {FC},  
reportpage = {71},  
}
```

Parallel reports: [\lawcitesinlinerr](#){grahamwwr,grahamdlr}

Graham v R, [1978] 6 WWR 48, 90 DLR (3d) 223 (Sask QB)

```
@case{graham,  
  partya = {Graham},  
  partyb = {R},  
  options = {skipbib=true},  
}  
@case{grahamwwr,  
  reportyear = {1978},  
  volyearneeded = {true},  
  reportvolume = {6},  
  reportseries = {WWR},  
  reportpage = {48},  
  options = {skipbib=true},  
  crossref = {graham},  
}  
@case{grahamdlr,  
  reportvolume = {90},  
  reportseries = {DLR (3d)},  
  reportpage = {223},  
  crossref = {graham},  
  note = {Sask QB},  
}
```

4.2 Citation types

NOTE: Pinpoints are illustrative only.

Available commands:

`\lawcite{key}` Ex 1
footer, single key

`\lawcite{cole}`
Text⁵

`\lawcite[postnote]{key}` Ex 2
footer, single key, single cite

`\lawcite[67]{cole}`
Text⁶

`\lawcite[prenote key]` Ex 3
footer, single key

`\lawcite[See also][]{cole}`
Text⁷

`\lawcite[prenote][postnote]{key}` Ex 4
footer, single key, single cite

`\lawcite[See also][67]{cole}`
Text⁸

⁵*Cole*, 2012 SCC 53, [2013] 3 SCR 34, <CanLII>.

⁶*Ibid* at para 67.

⁷See also *ibid*.

⁸See also *ibid* at para 67.

key1 key2 ...

`\lawcitesfoot{key1,key2}`

footer, multi key

Ex 5

`\lawcitesfoot{buhay,laing}`
Text⁹

key1,key2 *postnote*

`\lawcitesfoot[postnote]{key1,key2}`

footer, multi key, single cite

Ex 6

`\lawcitesfoot[both on point]{hunter,edwards}`
Text¹⁰

prenote key1,key2

`\lawcitesfoot[prenote][]{key1,key2}`

footer, multi key

Ex 7

`\lawcitesfoot[See also][]{mnr,randolph}`
Text¹¹

prenote key1,key2 *postnote*

`\lawcitesfoot(prenote)(postnote){key1,key2}`

footer, multi key, single cite

Ex 8

`\lawcitesfoot(See also)(both on point){mckay, opseu}`
Text¹²

⁹*Buhay*, 2003 SCC 30, [2003] 1 SCR 631, <CanLII>; *R v Laing*, 2021 NLPC 320A00358 <CanLII>.

¹⁰*Hunter v Southam Inc*, [1984] 2 SCR 145, <CanLII>; *Edwards v Canada (Attorney General)*, [1930] AC 124, [1930] 1 DLR 98, [1929] 3 WWR 479, [1929] All ER Rep 571, 46 TLR 4. <CanLII> both on point.

¹¹See also *Minister of National Revenue v Coopers and Lybrand*, [1979] 1 SCR 495, <CanLII>; *R v Randolph*, [1966] SCR 260, <CanLII>.

¹²See also *McKay v The Queen*, [1965] SCR 798, <CanLII>; *Ontario (Attorney General) v OPSEU*, [1987] 2 SCR 2, <CanLII> both on point.


```
overall-pre prenote key1 postnote, prenote key2 postnote overall-post
```

Ex 9

```
\lawcitesfoot(overall prenote)(overall postnote)[prenote][postnote]{key1}
[prenote][postnote]{key2}
```

footer, multi key, multi cite

```
\lawcitesfoot(There are two further cases\addcomma)(\addcomma\addspace
but neither case directly applies)[on prosecutorial immunity][42]{clark}[and
speculation and the open court principle and sealing orders][101]{sher-
man}
```

Text¹³

Corresponding inline commands

```
\lawcitesfoot \lawcitesinline
\lawcitesfootrr \lawcitesinlinerr
```

→ There are two further cases, a criminal matter *R v Cole*, 2012 SCC 53 at para 42, [2013] 3 SCR 34, and also *McLean v Pilon* (1978), 7 BCLR 99 p. 101 (SC), but neither case directly applies

→ See firstly *McLean v Pilon* (1978), 1978 CanLII 237 at para 42 at para 42, and secondly 7 BCLR 99 at 101 (SC)

There is also:

```
\lawcitetitle \lawcitetiterr
R v Cole McLean v Pilon (1978)
```

¹³There are two further cases, on prosecutorial immunity *Ontario (Attorney General) v Clark*, 2021 SCC 18 at para 42 <CanLII>; and speculation and the open court principle and sealing orders *Sherman Estate v Donovan*, 2021 SCC 25 at para 101 <CanLII>, but neither case directly applies.

Ex 10

key1 key2 ...

\lawcitesfootrr{key1,key2}

footer, multi key, parallel, multi cite

\lawcitesfootrr{mcleanlii,mcleanbclr}

Text¹⁴

Ex 11

key1 *postnote*, key2 *postnote*

\lawcitesfootrr[*postnote*]{key1}[*postnote*]{key2}

footer, multi key, parallel, multi cite

\lawcitesfootrr[\nopp at para 42]{mcleanlii}[\nopp at 101]{mcleanbclr}

Text¹⁵

Ex 12

prenote key1, *prenote* key2

\lawcitesfootrr[*prenote*][{}key1][*prenote*][{}key2]

footer, multi key, parallel, multi cite

\lawcitesfootrr[See firstly][{}mcleanlii][and secondly][{}mcleanbclr]

Text¹⁶

Ex 13

prenote key1 *postnote*, *prenote* key2 *postnote*

\lawcitesfootrr[*prenote*][*postnote*]{key1}[*prenote*][*postnote*]{key2}

footer, multi key, parallel, multi cite

\lawcitesfootrr[See firstly][\nopp at para 42]{mcleanlii}[and secondly][\nopp at 101]{mcleanbclr}

Text¹⁷

¹⁴, 1978 CanLII 237; 7 BCLR 99.

¹⁵, 1978 CanLII 237 at para 42 at para 42; 7 BCLR 99 at 101.

¹⁶See firstly, 1978 CanLII 237; and secondly 7 BCLR 99.

¹⁷See firstly, 1978 CanLII 237 at para 42 at para 42; and secondly 7 BCLR 99 at 101.

`\lawcitesinline{key}`

Re Sarg Oils Ltd, 2011 ABERCB 32

Clarke Institute of Psychiatry v Ontario Nurses' Assn (Adusei Grievance) (2001), 95 LAC (4th) 154 (OLRB)

Tulk v Moxhay, [1848] 1 H & Tw 105

Case Concerning Military and Paramilitary Activities in and against Nicaragua (Nicaragua v United States of America), [1986] ICJ Rep No 14

Alliance of Canadian Cinema Television and Radio Artists v Canadian Broadcasting Corporation (1990), 91 CLLC 16 (CLRB)

VDN Cable Inc, on behalf of a corporation to be incorporated, Toronto, Ontario (January 2005), 2005-1, online: CRTC <www.crtc.gc.ca> [perma.cc/LF5P-5MM3]

R v Crete (18 April 1991), Ottawa 97/03674 (Ont Prov Ct)

Clearbrook Ironworks Ltd v Letourneau, 2006 FCA 42 at para 3, Sexton JA

`\lawcitesinlinerr{key}`

Massachusetts v Environmental Protection Agency, (2007) 549 US 497, 127 S Ct 1438

R v Syncrude Canada Ltd, 2010 ABPC 154, 2010 CarswellAlta 981 (WL Can)

4.3 MNC & printed combination

Saskatoon (City) v Wal-Mart Canada Corp, 2019 SKCA 3, [2019] 3 WWR 284

```
@case{walmart,
partya = {Saskatoon (City)},
partyb = {Wal-Mart Canada Corp},
caseyear = {2019},
courtname = {SKCA},
casenumber = {3},
reportyear = {2019},
volyearneeded = {true},
reportvolume = {3},
reportseries = {WWR},
reportpage = {284},
}
```

5 Statutes

5.1 Bibentries

Ordinary statutes: `\lawcite{fla}`

Family Law Act, SA 2003, c F-4.5

```
@statute{fla,
citeref = {canleg},
title = {Family Law Act},
svjy = {SA 2003},
chapter = {F-4.5},
}
```

5.2 Citations

`\lawcite{key}`

Family Law Act, SA 2003, c F-4.5

Territorial Lands Act, RSC 1985, c T-7, s 3

Fair Trading Act, RSA 2000, c F-2

Safe Drinking Water Act, 42 USC §300f (1974)

This last uses the semantic structure of the @statute bibentry:

<i>title</i>	,	year		(jurisdiction)		(note)
--------------	---	------	--	----------------	--	--------

to store

<i>Safe Drinking Water Act</i>	,	42 USC §300f				(1974)
--------------------------------	---	--------------	--	--	--	--------

The year value 1974 could just as easily have been stored in the jurisdiction field, with no note field, to produce an identical result.

To display the jurisdiction for non-Canadian statutes, do:

`\toggletrue{statjurisdiction}` or `\setstatjurison`

Law of Property Act, 1969 (UK)

`\togglefalse{statjurisdiction}` or `\setstatjurisoff`

5.3 Regulations

5.3.1 Bibentries

Ordinary regulations: `\lawcite{canregnb}`

NB Reg 2006-23

```
@statute{canregnb,  
citeref = {nbreg},  
year = {2006},  
regnum = {23},  
sorttitle = {nbreg200623},  
}
```

5.3.2 Citations

`\lawcite{key}`

NB Reg 2006-23

Polar Bear Pass Withdrawal Order, SOR/84-409

Migratory Birds Regulations, CRC, c 1035, s 9

Alberta Forest Land Use and Management Regulations, Alta Reg 197/1976, s 2

Because of the multiplicity of regulation format types, in the data structure, using the citeref field in the @statute bibentry is the more flexible method since it can process both (Canadian) statutes and regulations in one sweep; although, the ‘traditional’ statute fields can still be used, but operate only at the level of statutes, and regulations that look like statutes.

(using citeref field)

Criminal Code, RSC 1985, c C-46, s 515 provides that ...

(using statute bibentry fields)

Criminal Code, RSC 1985, c C-46, s 515 provides that ...

The corresponding bibentries are:

```
@statute{crimcodecan,  
citeref = {canleg},  
title = {Criminal Code},  
svjy = {RSC 1985},  
chapter = {C-46},  
}
```

versus

```
@statute{crimcan,  
statutetitle = {Criminal Code},  
statutetitleyear = {RSC 1985, c C-46},%for the title  
}
```

The available citeref values for regulations are:

...reg	Example of format (from AGLC3)
crc	<i>Maple Products Regulations</i> , CRC, c 289
sor	<i>Regulations Amending the Food and Drug Regulations</i> , SOR/98-580
alta	Alta Reg 62/2009
bc	BC Reg 278/2008
man	Man Reg 351/87
nb	NB Reg 2006-23
nfld	Nfld Reg 19/97
nlr	NLR Reg 4/9
nwt	NWT Reg 26-2008
ns	NS Reg 235/2007
nu	Nu Reg 40-99
o	O Reg 361/8
pei	PEI Reg EC 2002-249
qc	OC 764-97, 25 June 1997, GOQ 1997.II.2737
sask	Sask Reg 444/67
yoic	YOIC Reg 1995/87

The bibentry data fields required by the various Canadian regulation types are:

Reg Type					
crc	title	chapter			
sor	title		year	regnum	
alta			year	regnum	
bc			year	regnum	
man			year	regnum	
nb			year	regnum	
nfld			year	regnum	
nlr			year	regnum	
nwt			year	regnum	
ns			year	regnum	
nu			year	regnum	
o			year	regnum	
pei			year	regnum	
qc			year	regnum	fulldate gazette
sask			year	regnum	
yoic			year	regnum	
verb				regnum	

For the non-federal regulations, if a title field is available, it will be printed.

For regulations with no available pre-set format, use the `verbreg` `citeref`, and type the full reference into the `regnum` field, and it will be printed as-is:

Road Rules 2008 – **Reg 15** What is a vehicle (New South Wales)

```
@statute{anyregverb,
citeref = {verbreg},
regnum = {Road Rules 2008 -- \textcolor{red}{\textbf{Reg 15}}
What is a vehicle (New South Wales)},
sorttitle = {Road Rules 2008},
}
```

5.4 Currently not covered

- Bills

- Constitutions and Charters
- Treaties, Agreements, and Accords

6 Law Journals

6.1 Bibentries

Law Review articles: `\ljcite{renaud}`

Matthew Renaud, “From Reading Courses to Robson Hall: The Development of Legal Education in the Province of Manitoba, 1877–1968”, (2019) 42 Manitoba Law Journal 286

```
@ljarticle{renaud,
author = {Matthew Renaud},
subtitle = {The Development of Legal Education
in the Province of Manitoba, 1877-1968},
title = {From Reading Courses to Robson Hall},
mncyear = {2019},
mncname = {CanLIIDocs},
mncnumber = {4192},
date = {2019},
volume = {42},
journaltitle = {Manitoba Law Journal},
pages = {286},
}
```

6.2 Citations

`\footnote{\ljcite{key}}`

* Looking at the 1914 Manitoba Law School lecture schedule,¹⁸ – Contracts, Torts, Real Property, Criminal Law, Evidence, Equity, and

¹⁸Reproduced in Matthew Renaud, “From Reading Courses to Robson Hall: The Development of Legal Education in the Province of Manitoba, 1877–1968”, (2019) 42 Manitoba Law Journal 286 p. 295

so on – it becomes obvious that things haven’t changed much, for any law school.

* “it has been argued¹⁹ that, stylistically, dissents are often looser than majority judgments.”²⁰

`\ljcite{key}`

* the “amorphous ... swirl of text, unwritten principles, and internal architecture” of the open-ended definitions within the constitutional stories, “the narratives that [we tell ourselves] about the constitution and its meanings as a whole” — Eric M Adams, “Canadian Constitutional Identities”, (2015) 38 Dalhousie Law Journal 311 at p316, and p313 n7.

→ The author, Eric M Adams, uses the word, ‘amorphous’, a second time, at p 318: “sub-national provinces with amorphous constitutional roles”.²¹

It may indeed seem long-winded rigmarole, typing
< `\lcljauthor{adams}` > and < `\lcpostnote[at p 318]{adams}`>, to get
<Eric M Adams > and <at p 318>, instead of typing plain text, but ...

ADAMS, in a recent issue of the Dalhousie Law Journal, has stated that ...

Lawrence Friedman, Robert Kagan, Bliss Cartwright, Stanton Wheeler, in their classic article in the Stanford Law Review, ...

The FRIEDMAN paper in the Stanford Law Review, for example, ...

“l’exercice par un peuple autochtone de ses droits possède une dimension de droit public”²²

¹⁹By Lawrence Friedman, Robert Kagan, Bliss Cartwright, Stanton Wheeler, “State Supreme Courts: A Century of Style and Citation”, (1981) 33 Stanford Law Review 773 785 (covering 16 state supreme courts in the period 1870-1970), as cited by Russell Smyth.

²⁰Russell Smyth, “What do Intermediate Appellate Courts Cite? A Quantitative Study of the Citation Practice of Australian State Supreme Courts”, (1999) 21 Adelaide Law Review 51 59.

²¹Eric M Adams, “Canadian Constitutional Identities”, (2015) 38 Dalhousie Law Journal 311 at p 318

²²Ghislain Otis, “Les droits ancestraux des peuples autochtones au carrefour du

7 Other Material

7.1 Epigraphs

“The methods for citing cases vary from country to country, from court to court, and from publisher to publisher.”

— *Butt on Legal Usage* (2018) p. 93

“Questions of proprietary right often involve nice distinctions.”

— *Addison on Torts* (2nd ed. 1872) p. 12

For *Clerk and Lindsell on Torts* -type referencing.

`\lcepigraph` looks in the bibentry for shorttitle (or title), and, optionally, author(s), edition, and date.

7.2 Auto Epigraphs

‘The analogy between the process of the legal trial and the techniques and concerns of the English novel has often been remarked upon’

— Kieran Dolin *Fiction and the Law*, c 1.

Using `\qqcite` and a bibentry.

droit public et du droit privé: le cas de l’industrie extractive”, (2019) 62 *Les Cahiers de droit* 451 <2019 *CanLIIDocs* 4154> at p 456. See also Rosalie Jukier, “Good Faith in Contract: A Judicial Dialogue Between Common Law Canada and Québec”, (2019) 1 *Journal of Commonwealth Law* 1.

7.3 Book citations

Just the standard built-in commands: Text²³ Text²⁴ Text²⁵ Text²⁶

7.4 Supra

For *R v Cole*, see supra, n ??, and n 14 for *McLean v Pilon* (1978).

7.5 Parallel Reports

Text²⁷

```
@case{litz,  
partya = {Litz},  
partyb = {Litz},  
reportvolume = {180},  
reportseries = {WAC},  
reportpage = {116},  
parallel = {[1998] 10 WWR 145 and 129 Man R (2d) 121},  
}
```

Ludmer v Ludmer, 2012 ONSC 5738, [2012] CarswellOnt 16100

Sheen v Sheen, 2003 MBCA 93, [2003] MJ No 230 (QL)

Betts v Norris, 120 NBR (2d) 384, 302 APR 384, [1991] CarswellNB 51, [1991] NBJ No 1036 (QL)

Tiesmaki v Wilson (1971), 23 DLR (3d) 179, [1972] 2 WWR 214, [1971] AJ No 145 (QL) (AB SC AppDiv, 1971)

Saskatoon (City) v Wal-Mart Canada Corp, 2019 SKCA 3, [2019] 3 WWR 284

²³Eco, *Come si fa una tesi di laurea* p. 110.

²⁴Butt, *Legal Usage* p. 42.

²⁵Howie and Johnson, *Annotated Criminal Legislation New South Wales* para [2.4].

²⁶Bishop, *The First Book of the Law* c 1.

²⁷*Litz v Litz*, 180 WAC 116, [1998] 10 WWR 145, 129 Man R (2d) 121.

8 This Odyssey

Absence of Authority

“Perhaps the reason for my being unable to find authority touching the present application is because the matter is too simple and plain.”
– Clarry, MC.²⁸

Bleak House

“If ever there was a case that demonstrates the need for the court’s involvement to ensure it moves forward, this is that case.”²⁹

“It is 125 years since Charles Dickens in the opening chapter of *Bleak House* chronicled the sorry saga of the litigation before the English Court of Chancery in Jarndyce and Jarndyce. (see *Bleak House*, (1884) full text available on line via <http://books.google.ca/books>)”³⁰

“The entire Twentieth Century intervenes between Dickens’ fictional case and this real one.”³¹

“This Master is not going to permit these files to become any dustier.”³²

“Because the will must be proved in solemn form, it is expected that some considerable pre-trial process will be undertaken: questioning on affidavits, assessment of expert evidence, etc. Perhaps having in mind the ominous warning about the Court of Chancery in Charles Dickens’ *Bleak House*, “Suffer any wrong that can be done you, rather than come here”, prudently, the parties have agreed to provide ...”³³

This matter³⁴ has a somewhat Dickensian history, and I am beginning to feel some sympathy for the Lord Chancellor in *Bleak House*.³⁵

²⁸*Kybich v Mangus*, [1919] 3 WWR 532 (AB QB, Chambers).

²⁹Master DE Short *Jimenez v Romeo*, 2009 CanLII 68472 at para 55 (ON SC).

³⁰*Ibid* at para 60 (ON SC).

³¹*Ibid* at para 61 (ON SC).

³²*Ibid* at para 63 (ON SC).

³³*Seib Estate*, 2012 ABQB 126 at para 2, Veit J.

³⁴An injunction asking for the barring of demolition of a property in Edmonton.

³⁵*Kristel Homes Ltd v Edmonton (City of)*, 2001 ABCA 317 at para 3, Côté JA (TRANSCRIPT OF ORAL REASONS).

“This has become an unusually and perhaps unnecessarily complex family file involving jurisdictions in Alberta and Nevada, as well as a virtual smorgasbord of legislation. The parties, whether deliberately or through misadventure, have developed a voracious appetite for filing affidavits and court applications. The resulting legal carnage has created our own ‘bleak house’.”³⁶

“Further, the non-financial toll on the parties, and the need to bring this odyssey to an end, are significant considerations. There has been seven years of litigation and at least two prior adjournments of this trial. The issues are clear and have been reasonably well-defined since at least 2008. People have to get on with their lives. In addition, my earlier allusion to the famous *Jarndyce v. Jarndyce* case from *Bleak House* was not without purpose. This is a case where the parties’ dissipation of assets on the mere cost of litigation alone is staggering.”³⁷

“*Bleak House* by Charles Dickens is a family chronicle in which a disputed estate is exhausted by the payment of legal costs before the dispute is finally resolved. The parties to these proceedings are either unaware of that classic novel’s lesson or unenlightened by it.”³⁸

“Equity stepped in. The courts of equity, despite the reputation they got from works like Dickens’ *Bleak House*, tried to mitigate some of the harshness of the common law. That is where the concept of an equitable right to redeem, or the equity of redemption, came from. The mortgage was then treated as a form of security only and the rights that remained after the mortgage was granted were protected by equity, in the Courts of Chancery.”³⁹

9 Ibid

ext-authortitle-ibid

³⁶*Anderson v Fawthrop*, 2018 ABPC 226 at para 4, O’Gorman ACJ.

³⁷, 2012 ONSC 5738 at para 49, Penny J, [2012] CarswellOnt 16100.

³⁸, 2003 MBCA 93 at para 1, Twaddle JA, [2003] MJ No 230 (QL).

³⁹*CIBC Mortgages Inc v Dima Estate*, 2019 NSSC 61 at para 14, Campbell J.

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}
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text case⁴⁰ text ibid⁴¹ text next⁴² x⁴³ y⁴⁴ z⁴⁵ zz⁴⁶

AGLC style starts here →

Oz: short (n X) ppt

x⁴⁷

x⁴⁸

x⁴⁹

x⁵⁰

x⁵¹

x⁵²

⁴⁰*Housen v Nikolaisen*, 2002 SCC 33, [2002] 2 SCR 235.

⁴¹*Ibid* at para 3.

⁴²*Creston Moly Corp. v Sattva Capital Corp.* 2014 SCC 53 at para 100, (2014) 373 DLR (4th) 393.

⁴³*Housen*, 2002 SCC 33 at para 45, [2002] 2 SCR 235.

⁴⁴*Ibid* at para 45.

⁴⁵*Ibid* at para 46.

⁴⁶*Ibid.*

⁴⁷*Spratt v Hermes* (1965) 114 CLR 226, 227.

⁴⁸*Capital TV & Appliances Pty Ltd v Falconer* (1971) 125 CLR 591.

⁴⁹*Spratt* (1965) 114 CLR 226, 228.

⁵⁰*Ibid* 228.

⁵¹*Capital TV* (1971) 125 CLR 591.

⁵²*Spratt* (1965) 114 CLR 226, 229.

10 Dalhousie Examples

Journal Article⁵³

lcbook⁵⁴

Case⁵⁵⁵⁶

x⁵⁷ and y⁵⁸ and z⁵⁹

Statute⁶⁰

MEMORANDUM

some text with inline citation (*Frog v Toad*, 2015 SCC 48 at para 12)
text “...that it offends the court’s sense of decency” (*Ribbet v Flies of Toronto*, [1995] 2 SCR 1130 at para 196)

FACTUM

...and the insurance company.

Ribbet v Flies of Toronto, [1995] 2 SCR 1130 at para 197

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title	comma	space
edition		space
	lparen	
location	colon	space
publisher	comma	space
year	rparen	space
volume	dot	

McGuinness, Kevin P. *Canadian Business Corporations Law*, 3rd ed. (Toronto: LexisNexis Canada, 2017) vol. 1.

⁵³Charles Toad, “Warty Law: Toad Law in a Frog’s World”, (2015) 76 UTLJ 288

⁵⁴Frances Ribbeton, *Why Toads Make Poor Lawyers* (Halifax: Dalhousie Fictional Frog Press, 2014).

⁵⁵*Frog v Toad*, 2015 SCC 48 at para 12.

⁵⁶*Vriend v Alberta*, 1996 ABCA 274.

⁵⁷*Ibid.*

⁵⁸*R v Vader*, 2017 ABQB 48, 2017 CarswellAlta 114 (WL Can).

⁵⁹Kevin P McGuinness, *Canadian Business Corporations Law* 3rd ed.vol. 1. (Toronto: LexisNexis Canada, 2017).

⁶⁰*Amphibuous Criminal Code*, RSC 1985, c C-46, s 356, *Post-secondary Learning Act*, SA 2003, c P.19-5

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Croome v Tasmania (1997) 191 CLR 119, 125
(Brennan CJ, Dawson and Toohey JJ).

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Simon Stokes, *Digital Copyright: Law and Practice*, 4th ed. (Oxford: Hart, 2014) (Bloomsbury) p. 42

Croome v Tasmania (1997) 191 CLR 119, 125 (Brennan CJ, Dawson and Toohey JJ)

Croome v Tasmania (1997) 191 CLR 119, 125

Mueller & Co v Commonwealth (2004) 109 FCR 156, 157 (Federal Court of Australia)

AGLC⁴ 1.1.1 When to footnote

AGLC⁴ 1.1.2 Footnote numbers: after punctuation

AGLC⁴ 1.1.3a Multiple sources: separated by semicolon:

Muschinski v Dodds (1985) 160 CLR 583; *Baumgartner v Baumgartner* (1987) 164 CLR 137; *Bryson v Bryant* (1992) 29 NSWLR 188

With pinpoint on last: *Muschinski v Dodds* (1985) 160 CLR 583; *Baumgartner v Baumgartner* (1987) 164 CLR 137; *Bryson v Bryant* (1992) 29 NSWLR 188, 194-5

Manual multi, each with pinpoint: *Muschinski v Dodds* (1985) 160 CLR 583, 584; *Baumgartner v Baumgartner* (1987) 164 CLR 137, 138; *Bryson v Bryant* (1992) 29 NSWLR 188, 194-5.

Auto multi, with pinpoints: *Muschinski v Dodds* (1985) 160 CLR 583 584; *Baumgartner v Baumgartner* (1987) 164 CLR 137 138; *Bryson v Bryant* (1992) 29 NSWLR 188, 194-5.

AGLC⁴ 1.1.3b Multiple sources: new sentence if different intro signal:

Multi cites with new sentence: *Spratt v Hermes* (1965) 114 CLR 226; *Capital TV & Appliances Pty Ltd v Falconer* (1971) 125 CLR 591; *Kruger v Commonwealth* (1997) 190 CLR 1. Cf *R v Bernasconi* (1915) 19 CLR 629.

AGLC⁴ 1.1.4 Closing punctuation for footnote.

AGLC⁴ 1.1.5 Discursive text in footnotes.

AGLC⁴ 1.1.6a Pinpoint references: immediately follow the citation

AGLC⁴ 1.1.6b Pinpoint references: not preceded by 'p'

AGLC⁴ 1.1.6c Pinpoint references: not preceded by '@'*

AGLC⁴ 1.1.6d Pinpoint references: paras are '[paragraph]'

AGLC⁴ 1.1.6e Pinpoint references: 'page [paragraph]'

AGLC⁴ 1.1.6f Pinpoint references: 'n note'

AGLC⁴ 1.1.6g Pinpoint references: comma separated, 'x, x'

xxx

Davies v Gertig [No 2] (2002) 83 SASR 521, 528 [57] n6, 529 [64]

Kenman Kandy Australia Pty Ltd v Registrar of Trademarks (2002) 122 FCR 494, 59 [43] (French J), 529–30 [137] (Stone J)

AGLC⁴ 1.1.7 Span of pinpoint references: p–p, [para]–[para], etc.

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← end of aglc formatting

inline cite: *.Vriend v Alberta* [1996] 274.» :*Vriend v Alberta*, 1996 274: \yycite

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cite

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cite

THREE CITE TYPES

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cite

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cite

FIELDS REARRANGED

inline cite: *.[1996] 274, v Alberta, Vriend.*» :1996 274, v Alberta, Vriend.: \yycite

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⁶¹*Vriend v Alberta* [1996] 274.

⁶²*Vriend v Alberta*, 1996 274.

⁶³*Cassie v Koumans* [2007] 481.

⁶⁴*Cassie v Koumans*, 2007 481.

⁶⁵[1996] 274, v *Alberta, Vriend.*

⁶⁶1996 274, v *Alberta, Vriend.*

\adddot%
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⁶⁷274[1996], v *Alberta, Vriend.*

⁶⁸2741996, v *Alberta, Vriend.*

⁶⁹274[1996], v *Alberta, Vriend.*

⁷⁰274/**1996**, v *Alberta, Vriend.*

11 Examples

Of making many books there is no end

“the question of whether, when, and which third parties ought to be granted leave to intervene at the highest judicial level remains unsettled”⁷¹

“the Court’s approach to intervention allows it to strike a reasonable balance among competing democratic considerations, none of which are automatically more valuable than any other in the context of judicial decision-making”⁷²

x⁷³

x⁷⁴

“le droit privé québécois aura un rôle à jouer dans la protection des droits ancestraux des peuples autochtones sur la terre et les ressources”⁷⁵

“The maximum sentence for an offence is not to be reserved for the most serious circumstances imaginable, but for very serious circumstances.”⁷⁶

—oooOooo—

⁷¹Geoffrey D Callaghan, “Intervenors at the Supreme Court of Canada”, (2020) 43 Dalhousie Law Journal 1 <2020 CanLIIDocs 544> 3.

⁷²*Ibid* 27.

⁷³Agathon Fric, “Popping the Question: What the Questionnaire for Federal Judicial Appointments Reveals about the Pursuit of Justice, Diversity, and the Commitment to Transparency”, (2020) 43 Dalhousie Law Journal 1 <2020 CanLIIDocs 1656>.

⁷⁴Callaghan, *supra* note 71.

⁷⁵Otis, *supra* note ?? p. 489, p. 489.

⁷⁶*R v Vader*, 2019 ABCA 488 at para 25 <CanLII>.

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