



THE GOLDBOOK

Usage, Style, and Citation Manual

Seventeenth
Edition

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Seventeenth Edition

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Compiled by the editors of
the UC Davis Law Review

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FOREWORD TO THE SEVENTEENTH EDITION

This is the seventeenth edition of the UC Davis Law Review's *The Goldbook: Usage, Style, and Citation Manual* ("The Goldbook"). This latest edition preserves most of the conventions of the previous editions, but incorporates new deviations from the twenty-first edition of *The Bluebook: A Uniform System of Citation* ("The Bluebook"), and provides clarification of previous Goldbook rules. These practical changes focus on consistency and ease of use.

The Goldbook serves two purposes. Internally, it guides Editors and Members of the Law Review in implementing and preserving current conventions. Externally, it informs authors of conventions specific to the UC Davis Law Review, especially where they deviate from The Bluebook. We think these conventions foster clear writing. We edit pieces according to The Goldbook's conventions, subject to particular circumstances that justify deviation after thorough discussion with authors.

This edition of The Goldbook is organized as follows. The first part, "The Goldbook Rules," sets forth rules that replace, supplement, or clarify specific Bluebook rules. The second part, "Writing Conventions," sets forth conventions regarding the more technical aspects of writing: capitalization, punctuation, grammar, and pluralization. The third and final part, "Style Conventions," sets forth conventions that address the structural and stylistic aspects of writing. The Legal Writing and Word Usage sections of The Goldbook are aimed particularly at Members; for authors, they serve an informatory purpose.

The Goldbook profits greatly from the following authorities: Bernstein; Dworsky; Faulk and Mehler; Follet; Fowler; Garner; the Harvard Law Review Association; Strunk and White; the Texas Law Review Association; the University of Chicago Press; Merriam-Webster; and Wydick.

The Goldbook Rules

INTRODUCTION TO THE GOLDBOOK RULES

Except as otherwise provided in The Goldbook, all citations must conform to the twenty-first edition of The Bluebook. The following Goldbook rules replace, supplement, or confirm specific Bluebook rules.

Each Goldbook rule number corresponds to the matching Bluebook rule number. Where there is no corresponding Goldbook rule number for a Bluebook rule number, authors should follow the Bluebook rule in full.

The following table summarizes the differences between Bluebook form and Goldbook form.

TABLE 1 Comparison of the Bluebook and Goldbook rules

	Bluebook rule	Goldbook rule
Introductory signals	1.2	1.2(a), (c), (e), (f)
Order of authorities	1.4	1.4
Parenthetical information	1.5	1.5(a)(ii), (c); 10.6.4
Typeface conventions	2.1	2.1, 2.2
Published materials and works of art	2.2(a)(ii)	2.2(a)(ii)
UC Davis Law Review	—	2.2(a)(ii); T.13
Punctuation	—	2.3; W3
Pages, footnotes, endnotes, and graphical materials	3.2(a)	3.2(a)
Sections and Paragraphs	3.3(b)	3.3(b)
Internal cross-references	3.5	3.5
Short citation forms	4; 10.9(a), (c); 12.10(b); 13.8(c); 14.5(c); 15.10; 16.9; 17.6; 18.9; 19.2; 20.7; 21.17	4; 10.9(a), (c); 12.10(b), (e), (f); 13.8(c); 14.5(c); 15.10; 16.9; 17.6; 18.9; 19.2; 20.7; 21.17
“ <i>Supra</i> ” and “hereinafter”	4.2(b)	4.2(b)
Quotation	5	5.1(a)(i), (c); 5.2(c), (e)
Abbreviation, numerals, and symbols	6.1(b); 6.2(a), (b); 15.1(d)	6.1(b); 6.2(a), (b); 15.1(d)
Style	7(a)	7(a)
Vehicles and vessels	7	7(f)
Capitalization	8	8(c)(ii), (d); W1
General rules for case names	10.2.1(f), (h)	10.2.1(f), (h)

TABLE 1 (continued)

	Bluebook rule	Goldbook rule
Additional Information	12.3.1(d)	12.3.1(d)
Year of code	12.3.2	12.3.2
Session laws	12.4	12.4(g)
Federal rules	12.9.3	12.9.3
Jury Instructions	12.9	12.9.6
Short Form for Statutes	12.10	12.10
Rules, regulations, and other publications	14.2	14.2
More than two authors	15.1(b); 16.2	15.1(b); 16.2
Titles	15.3; 16.3	15.3; 16.3
Newspapers	16.6(d), (f)	16.6(d), (f)
Letters, Memoranda, and Press Releases	17.2.3	17.2.3
Interviews	17.2.5	17.2.5
Internet and online sources	17.5(b)	17.5(b)
Electronic media & other nonprint resources	18.1(a)	18.1(a)
Internet sources	18.2.1; 18.2.2(c); 18.3	18.2.1(d), (e); 18.2.2 (b)(i), (c), (h); 18.3.5
Original language and translation	20.2.2(a)	20.2.2(a)
Foreign constitutions	20.4	20.4
Foreign bills and legislative materials	20.5	20.5.3

RULE 1.

STRUCTURE AND USE OF CITATIONS

1.2 Introductory Signals

Amend Bluebook rule 1.2 as follows:

- (a) **Signals that indicate support.** For purposes of ordering under Bluebook rule 1.3, “*See, e.g.*,” should follow “*See*” but come before “*See also*.” “*See also*” should always follow a more supportive signal within a string citation.

Typically, “*e.g.*” should only be added to the signals “*see*,” “*see also*,” and “*but see*.” However, if “*e.g.*” is used with any other signal, follow Goldbook rule 1.2(f) to determine the required parenthetical explanation or pinpoint citation for the base signal (i.e., “*see generally, e.g.*,” would still require a parenthetical, but “*accord, e.g.*,” would require a pincite and not a parenthetical). The period in “*cf.*” is always italicized.

- (c) **Signals that indicate contradiction.** For purposes of ordering, “*But see, e.g.*,” should follow “*But see*” but come before “*But cf.*”

- (e) **Signals as verbs.** Add the following examples to rule 1.2(e):

- ▶ For a summary of these federalist values, see Ernest A. Young, *The Rehnquist Court's Two Federalisms*, 83 TEX. L. REV. 1, 51-63 (2004).
- ▶ *See* Ernest A. Young, *The Rehnquist Court's Two Federalisms*, 83 TEX. L. REV. 1, 51-63 (2004) (summarizing these federalist values).

Not:

- ▶ For a summary of these federalist values, *see* Ernest A. Young, *The Rehnquist Court's Two Federalisms*, 83 TEX. L. REV. 1, 51-63 (2004).

Eliminate all references to, and recommendations for, explanatory parentheticals in Bluebook rule 1.2, subsections (a) through (e). Replace those recommendations with the following rule:

- (f) **Parenthetical explanations and pinpoint citations.** Because a citation’s relevance is not always obvious to the reader,

explanatory parentheticals are vital to a well-cited, persuasive piece. Similarly, pinpoint citations aid readers in finding supporting material. Authors must therefore implement the following rules, subject to particular circumstances that justify deviation:

- (1) Citations using “[No signal],” “*e.g.*,” “*accord*,” “*see*,” “*see also*,” “*But see*,” and “*contra*” do not require a parenthetical. However, because parentheticals are so helpful to the reader, we encourage their use. Pinpoint citations are required.

Do not include a pinpoint citation for a [No signal] if the footnote is merely providing the full citation of a source referred to in the text of the article.

- (2) For citations using “*see, e.g.*,” “*cf.*,” “*compare*,” and “*see generally*,” an explanatory parenthetical following each cited source is required. Pinpoint citations are encouraged but not required.
- (3) Do *not* include an explanatory parenthetical if the signal acts as a verb under Bluebook rule 1.2(e). Furthermore, if the signal acts as a verb under Bluebook rule 1.2(e), regardless of which signal is used, pinpoint citations are recommended but not required.

1.4 Order of Authorities Within Each Signal

Amend Bluebook rule 1.4 to read:

Authorities within each signal are separated by semicolons. If one authority or several authorities together are considerably more helpful or authoritative than the other authorities cited within a signal, they should precede the others. For multiple sources of the same type within a given signal which would otherwise need to be arranged according to the rules below, defer to the author’s choice of ordering where they have an explicit preference as communicated by the author or an editor, or a clear pattern of arranging sources in a particular order. Except in these situations, cite authorities in the order in which they are listed below. Authorities cited in short form are ordered as though they are cited in full.

- (a) **Constitutions** and other foundational documents are cited in the following order:

- (1) federal
- (2) state (alphabetically by state)
- (3) foreign (alphabetically by jurisdiction)
- (4) foundational documents of the United Nations, the League of Nations, and the European Union, in that order.

Constitutions of the same jurisdiction are cited in reverse chronological order.

(b) Statutes are cited according to jurisdiction in the following order:

Federal:

- (1) statutes in U.S.C., U.S.C.A., or U.S.C.S. (by progressive order of U.S.C. title)
- (2) session laws that have been codified (by reverse chronological order of enactment; if none, then by alphabetical order of Act name)
- (3) session laws that have not been codified (by reverse chronological order of enactment; if none, then by alphabetical order of Act name)
- (4) statutes currently in force but not in U.S.C., U.S.C.A., or U.S.C.S. (by reverse chronological order of enactment)
- (5) rules of evidence and procedure (by progressive order)
- (6) repealed statutes (by reverse chronological order of enactment)

State (alphabetically by the fifty states, then alphabetically by all other nonstate U.S. jurisdictions):

- (7) statutes in current codification (by order in the codification)
- (8) session laws (by reverse chronological order of enactment; if none, then by alphabetical order of Act name)
- (9) statutes currently in force but not in the current codification (by reverse chronological order of enactment)
- (10) rules of evidence and procedure (by progressive order)
- (11) repealed statutes (by reverse chronological order of enactment)

Foreign (alphabetically by jurisdiction):

(12) codes or statutes in the current codification (by order in the codification)

(13) statutes currently in force but not in codes or the current codification (by reverse chronological order of enactment)

(14) repealed statutes (by reverse chronological order of enactment)

(c) **Treaties and other international agreements** (other than the foundational documents of the United Nations, the League of Nations, and the European Union) are cited in reverse chronological order.

(d) **Cases** are arranged within a signal according to the courts issuing the cited opinions. Subsequent and prior histories are irrelevant to the order of citation, as is whether the opinion is published or unpublished. Cases decided by the same court are arranged in reverse chronological order; for this purpose, all United States circuit courts of appeals are treated as one court (including the District of Columbia Circuit and Federal Circuit), and all federal district courts are treated as one court. The ordering system is as follows:

Federal:

- (1) Supreme Court
- (2) courts of appeals, Emergency Court of Appeals, and Temporary Emergency Court of Appeals
- (3) Court of Claims, Court of Customs and Patent Appeals, and bankruptcy appellate panels
- (4) district courts, Judicial Panel on Multidistrict Litigation, and Court of International Trade (previously the Customs Court)
- (5) district bankruptcy courts, and Railroad Reorganization Court
- (6) Court of Federal Claims (previously the trial division for the Court of Claims), Court of Appeals for the Armed Forces (previously the Court of Military Appeals), and Tax Court (previously the Board of Tax Appeals)
- (7) administrative agencies (alphabetically by agency)

State:

- (8) courts (alphabetically by the fifty states, then alphabetically

by all other nonstate U.S. jurisdictions, then by rank within each state)

- (9) agencies (alphabetically by state and then alphabetically by agency within each state)

Foreign:

- (10) courts (alphabetically by jurisdiction and then by rank within each jurisdiction)
- (11) agencies (alphabetically by jurisdiction and then alphabetically by agency with each jurisdiction)

International:

- (12) International Court of Justice, Permanent Court of International Justice.
- (13) other international tribunals and arbitral panels (alphabetically by name)

(e) **Legislative materials** are cited in the following order:

- (1) bills and resolutions
- (2) committee hearings
- (3) reports, documents, and committee prints
- (4) floor debates

Cite materials within each classification in reverse chronological order. If citing both federal and state materials, cite federal materials first, in reverse chronological order. Cite state materials in reverse chronological order and then alphabetically by state.

(f) **Administrative and executive materials** are cited in the following order:

Federal:

- (1) Executive Orders
- (2) current Treasury Regulations, proposed Treasury Regulations
- (3) all other regulations currently in force (by progressive order of C.F.R. title)

- (4) proposed rules not yet in force (by progressive order of future C.F.R. title, if any; otherwise by reverse chronological order of proposal)
- (5) all materials repealed (by reverse chronological order of promulgation)

State:

- (6) state (alphabetically by the fifty states, then alphabetically by all other nonstate U.S. jurisdictions), currently in force, then repealed

See also Bluebook table T.1 for the forms of citation to state materials.

Foreign:

- (7) foreign (alphabetically by jurisdiction), currently in force, then repealed

(g) Resolutions, decisions, and regulations of intergovernmental organizations are cited in the following order:

- (1) United Nations and League of Nations, in reverse chronological order by issuing body (General Assembly, then Security Council, then other organs in alphabetical order)
- (2) other organizations (alphabetically by name of organization)

(h) Records, briefs, and petitions are cited in that order, and within each classification by order of the court in which filed (see rule 1.4(d)). Briefs within the same case and court are cited in the following order: plaintiff/petitioner, then defendant/respondent, then amicus curiae in alphabetical order by first word of the amicus party's name.

(i) Secondary materials are cited in the following order:

- (1) uniform codes, model codes, and restatements, in that order (in reverse chronological order by category)
- (2) books, pamphlets, and shorter works in a collection of a single author's works (alphabetically by last name of author; if none, or there are multiple works by same author, then alphabetically by first word of title)

- (3) works in journals (not magazines or newspapers), including forthcoming works and shorter works in a collection of various authors' works (alphabetically by last name of author; if none, or there are multiple works by same author, then alphabetically by first word of title)
- (4) book reviews not written by students (alphabetically by last name of reviewer)
- (5) student-written law review materials including book reviews (alphabetically by last name of author; if none, by first word of title; if none, by periodical as abbreviated in citation)
- (6) annotations (in reverse chronological order)
- (7) magazine and newspaper articles (alphabetically by last name of author; if none, by first word of title)
- (8) working papers (alphabetically by last name of author; if none, by first word of title)
- (9) unpublished materials not forthcoming (alphabetically by last name of author; if none, by first word of title)
 - i. Exception: If unpublished materials are such that it would make most sense to order them in reverse chronological order (e.g., letters), then use the date to order them rather than the author or title.
- (10) electronic sources, including Internet sources (alphabetically by last name of author; if none, by first word of title)

When not addressed above, for the purposes of alphabetizing within each classification, use only the name of the first author listed (if any) and then proceed to use the title.

- (j) **Cross-references** to the author's own text or footnotes.

1.5 Parenthetical Information

Amend Bluebook rule 1.5(a) by inserting the following between "(ii) Phrases quoting the authority" and "If, however, the parenthetical...":

Where the explanatory parenthetical begins with a present participle introducing quoted authority, authors may not end the phrase with

a period, even when the quoted authority is itself a sentence.

- ▶ (noting that “[t]he very integrity of the judicial system... depends on full disclosure of all the facts”)

Or:

- ▶ (“The very integrity of the judicial system... depends on full disclosure of all the facts.”)

But not:

- ▶ (noting that “[t]he very integrity of the judicial system... depends on full disclosure of all the facts.”)

Add the following rule to Bluebook rule 1.5:

(c) **Parentheticals as part of citation.** Explanatory parentheticals are a part of the citation that they follow. Thus, parenthetical information must conform to normal citation format, including short citation form when applicable.

The authorities cited in the following explanatory parentheticals have been cited within the previous five footnotes:

- ▶ ²⁶ See *Keeney v. State*, 873 N.E.2d 187, 188 (Ind. Ct. App. 2007) (discussing *City of Indianapolis*, 531 U.S. at 37).
- ▶ ²⁷ But see Alexander Morgan Capron, *Tort Liability in Genetic Counseling*, 79 COLUM. L. REV. 618, 643 (1979) (noting Judge Cardozo’s opinion in *Palsgraf*, 162 N.E. at 100).

By contrast, the authorities cited in the following explanatory parentheticals have *not* been cited within the previous five footnotes:

- ▶ ²⁸ See *Keeney*, 873 N.E.2d at 188 (discussing *City of Indianapolis v. Edmond*, 531 U.S. 32, 37 (2000)).
- ▶ ²⁹ But see Capron, *supra* note 27, at 643 (noting Judge Cardozo’s opinion in *Palsgraf v. Long Island R.R.*, 162 N.E. 99, 100 (N.Y. 1928)).

See also Goldbook rule 4 for the use of short citation forms in explanatory parentheticals.

RULE 2.

TYPEFACES FOR LAW REVIEWS

2.1 Typeface Conventions for Citations

Citations in the *UC Davis Law Review* conform to the first convention style listed Bluebook rule 2.1. This style uses three different typefaces: Ordinary Roman (Plain Text), *Italics*, and LARGE AND SMALL CAPITALS.

- ▶ Stephen L. Carter, *When Victims Happen to Be Black*, 97 YALE L.J. 420, 423 (1988).

2.2 Typeface Conventions for Textual Material

Replace Bluebook rule 2.2(a)(ii) with the following:

(a)(ii) **Published materials and works of art.** Published materials and works of art include: formal publications (e.g., articles, books, law reviews, periodicals), informal publications (e.g., press releases, speeches), broadcasts (e.g., radio shows, television programs), and nonverbal art (e.g., musical compositions, paintings, statues). Thus:

- ▶ The library has a copy of *The Path of the Law*, which was published in the *Harvard Law Review*, a complete set of the *Federal Supplement*, and today's *Wall Street Journal*. It does not have a copy of *Hearings on S. 776 or Alaska Statutes*. The museum has the *Blue Boy* painting and an original handwritten copy of President Kennedy's *Commencement Address at Yale University*, but no recordings of Bach's *Brandenburg Concertos*.

Italicize the names of publications including statutory and code compilations and treaty sources, but do not italicize the names of statutes, acts, or treaties published within these sources.

- ▶ The library has a copy of *Alaska Statutes*, in which you can find the latest version of the Alaska Business Corporation Act. The library also has multiple copies of the *Restatement (Second) of Contracts* if you want to learn about Restatement section 152.

Italicize the title “*UC Davis Law Review*” when referred to as a publication. Do not italicize the title “UC Davis Law Review” when referred to as an entity.

- ▶ My latest article on trademark infringement was published in the *UC Davis Law Review*.
- ▶ I would like to thank the editors and members of the UC Davis Law Review who helped to edit my article.

Amend Bluebook rule 2.2(b)(iii) with the following:

A full citation must be used in an explanatory parenthetical when referring to a source, unless the short citation form rules of Goldbook rule 4 apply.

2.3 Punctuation

Supplement Bluebook rule 2 to include a new rule 2.3, incorporating the Goldbook writing conventions, section W3.

RULE 3.

SUBDIVISIONS

3.2 Pages, Footnotes, Endnotes, and Graphical Materials

Add the following to Bluebook rule 3.2(a):

Use of “at” to set off a page number from the title of a work is mandatory when the title of the work ends with an Arabic numeral and when the work uses Roman numerals for pagination.

Note that the use of en dashes and hyphens for page ranges is superseded by Goldbook rule W3.4(a). Use hyphens and not en dashes for page ranges. Use en dashes for any other types of ranges besides page ranges.

Using hyphens:

- ▶ *Naruto v. Slater*, 888 F.3d 418, 421-23 (9th Cir. 2018).

Using en dashes:

- ▶ *See supra* Parts II–IV.
- ▶ 4 R.I. GEN. LAWS §§ 4-5-1–4-5-23 (1956).

When citing nonconsecutive pages, list them in ascending order with commas separating each page or page range.

- ▶ *Anders v. California*, 386 U.S. 738, 740-42, 744 (1967).

Not:

- ▶ *Anders v. California*, 386 U.S. 738, 744, 740-42 (1967).

3.3 Sections and Paragraphs

Add the following to Bluebook rule 3.3(b):

Use en dashes and not hyphens for statute section ranges.

- ▶ ARIZ. REV. STAT. ANN. §§ 3-526–3-526.08 (1991).
-

3.5 Internal Cross-References

Amend the second paragraph of Bluebook rule 3.5 to read:

The Goldbook requires using “Part” for main subdivisions. Use Roman numerals for any “Part.” Use “note” to refer to footnotes within the same piece; use “p.” and “pp.” to refer to other pages within the same piece; use “Figure” and “Table” to refer to figures and tables within the same piece.

Disregard the fifth example provided for Bluebook rule 3.5.

Add the following examples to Bluebook rule 3.5:

- ▶ *See* discussion *infra* Parts II.B.2, III.C.1.
- ▶ *See supra* INTRODUCTION.
- ▶ *See* discussion *infra* CONCLUSION.
- ▶ *See infra* Appendix 1.

Add the following to the end of Bluebook rule 3.5:

If an author makes an internal cross-reference to an “author’s footnote” (i.e., an asterisk footnote), the footnote should be cited as “*supra* introductory author footnote.”

- ▶ *See supra* introductory author footnote.

When referring to a specific “Section,” always refer to it as a “Part.”

- ▶ *See infra* Part II.A.

Not:

- ▶ *See infra* Section II.A.

“*Supra*” and “*infra*” should precede the location when used in a regular footnote. However, they should follow the location when used in citations that are in sentence form in which the signal is a verb. “*Supra*” and “*infra*” should always be italicized.

- ▶ *See supra* note 5.

But:

- ▶ For a discussion of solutions to this problem, see Part III.B *infra*.

RULE 4.

SHORT CITATION FORMS

Add the following to Bluebook rule 4:

Do *not* use a short citation form when the short form would be based upon a previous citation in an explanatory parenthetical, even if that parenthetical lies within the previous five footnotes.

- ▶ ³³ *United States v. Amerson*, 483 F.3d 73, 79 n.6 (2d Cir. 2007) (discussing *Nicholas v. Goord*, 430 F.3d 652 (2d Cir. 2005), and FLEMING JAMES, JR. & GEOFFREY C. HAZARD, JR., *CIVIL PROCEDURE* (3d ed. 1985)).
- ▶ ³⁴ *But see* *Guzman*, *supra* note 30, at 238 n.164 (discussing *Amerson*, 483 F.3d at 78, and *United States v. Herndon*, 501 F.3d 683, 688 (6th Cir. 2007)).
- ▶ ³⁵ *United States v. Herndon*, 501 F.3d 683, 688 (6th Cir. 2007) (discussing Robert B. Reich, *Toward a New Consumer Protection*, 128 U. PA. L. REV. 1 (1979)).
- ▶ ³⁶ *Mich. Dep't of State Police v. Sitz*, 496 U.S. 444, 454 (1990) (discussing *Nicholas v. Goord*, 430 F.3d 652, 664 n.22 (N.Y. 2005)).
- ▶ ³⁷ Robert B. Reich, *Toward a New Consumer Protection*, 128 U. PA. L. REV. 1, 10 (1979).
- ▶ ³⁸ FLEMING JAMES, JR. & GEOFFREY C. HAZARD, JR., *CIVIL PROCEDURE* § 1.5 (3d ed. 1985).

Not:

- ▶ ³⁵ *Herndon*, 501 F.3d at 688 (discussing Robert B. Reich, *Toward a New Consumer Protection*, 128 U. PA. L. REV. 1 (1979)).
- ▶ ³⁶ *Mich. Dep't of State Police v. Sitz*, 496 U.S. 444, 454 (1990) (discussing *Goord*, 430 F.3d at 664 n.22).
- ▶ ³⁷ Reich, *supra* note 35, at 10.
- ▶ ³⁸ JAMES & HAZARD, *supra* note 33, § 1.5.

Add the following to the end of Bluebook rule 4.2(b):

If a piece cites to more than one authority by the same author, or to more than one authority by authors who share the same last name, use “hereinafter” to distinguish these authorities, even if they appear for the first time in different footnotes. However, if one of those authorities is only cited once and never again thereafter, do not use “hereinafter” to distinguish that authority. When using “hereinafter” in this manner, it is not necessary to shorten the title provided in brackets if the full title of the work is already conveniently short.

- ▶ ⁵ See John S. Applegate, *Bridging the Data Gap: Balancing the Supply and Demand for Chemical Information*, 86 TEX. L. REV. 1365, 1381-83 (2008) [hereinafter Applegate, *Bridging Data Gap*].
- ▶ ⁶ See John S. Applegate, *The Perils of Unreasonable Risk: Information, Regulatory Policy, and Toxic Substances Control*, 91 COLUM. L. REV. 261, 298-99 (1991) [hereinafter Applegate, *The Perils*].
- ▶ ²⁸ See Applegate, *Bridging Data Gap*, *supra* note 5, at 1381; Applegate, *The Perils*, *supra* note 6, at 299.

If use of “hereinafter” would be required under the preceding paragraph, but the authorities to be distinguished are different source types so that the different typefaces are sufficient to differentiate the sources (for example, a book and a journal), use of hereinafter is not required.

- ▶ ⁸ See WILLIAM N. ESKRIDGE, JR., *INTERPRETING LAW: A PRIMER ON HOW TO READ STATUTES AND THE CONSTITUTION* 143 (2016).
- ▶ ⁹ See William N. Eskridge, Jr., *The New Textualism and Normative Canon*, 113 COLUM. L. REV. 531, 534 (2013).
- ▶ ³² ESKRIDGE, *supra* note 8, at 145.
- ▶ ³³ Eskridge, *supra* note 9, at 535.

When using “hereinafter” for a source with an institutional author, the name of the institutional author may be omitted from the brackets and subsequent short citation if it is obviously based on the shortened name of the source.

- ▶ ⁵ See CONG. RSCH. SERV., THE NATIONAL ENVIRONMENTAL POLICY ACT: BACKGROUND AND IMPLEMENTATION 3-6 (2008) [hereinafter CRS NEPA REPORT].
- ▶ ⁴² See CRS NEPA REPORT, *supra* note 5, at 17.

In internet sources that include a “last visited” date, the “last visited” parenthetical is part of the citation and is placed before “hereinafter.” Explanatory parentheticals come after “hereinafter.”

- ▶ See *List of Topics Characterized as Pseudoscience*, WIKIPEDIA, https://en.wikipedia.org/wiki/List_of_topics_characterized_as_pseudoscience (last visited Mar. 21, 2024) [<https://perma.cc/WN5F-7PP6>] [hereinafter *Pseudoscience List*] (listing topics that have been considered pseudoscientific, both currently and in the past).

RULE 5.

QUOTATIONS

5.1 Formatting of Quotations

Insert the following at the end of Bluebook rule 5.1(a)(i):

For block quotations, justify the left and right side in both the text and footnotes.

When a quotation is contained in a parenthetical, it should not be in the form of a block quote, even if it exceeds forty-nine words.

Insert the following at the end of Bluebook rule 5.1:

(c) **Introducing quotations.** Introduce quoted material with a colon or comma if the material can stand as a complete sentence.

- ▶ The judge noted, “The defendant appears to have no remorse.”
- ▶ The judge noted: “The defendant appears to have no remorse.”

Otherwise, integrate the material within the syntactic flow of the sentence.

- ▶ While the judge noted that “[t]he defendant appears to have no remorse,” he nevertheless ordered the most lenient sentence.

It is generally preferable to integrate quoted sentence fragments into a continuous sentence. When integrating quoted sentence fragments into the sentence, brackets or ellipses that begin or end quotations are not necessary.

Preferred:

- ▶ The court reasoned that “public policy forbids such disclosure.”

Acceptable:

- ▶ The court reasoned: “[P]ublic policy forbids such disclosure.”

5.2 Alterations and Quotations Within Quotations

Add the following below the example in Bluebook rule 5.2(c):

Overuse of “[sic],” however, is discouraged. Instead, correct the text with brackets.

Preferred:

- ▶ “The data [are] not clear.”

Discouraged:

- ▶ “The data is [sic] not clear.”

If the context clearly indicates that the error was in the original, or is based on an archaic spelling, it is *not* necessary to use [sic] or brackets.

- ▶ The Constitution states that the Congress has the power “to provide for the common Defence and general Welfare of the United States.”

Add the following to Bluebook rule 5.2(e):

If a quotation within an explanatory parenthetical has been modified or altered, the modification or alteration must immediately follow the quotation, nested within the overall parenthetical.

- ▶ ¹ *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 177 (1803) (“It is emphatically the province and duty of the judicial department to say *what the law is.*” (emphasis added)).

RULE 6.

ABBREVIATIONS, NUMERALS, AND SYMBOLS

6.1 Abbreviations

In the paragraph beginning “Some entities with widely recognized initials,” add the following to Bluebook rule 6.1(b), starting after the last sentence, but before “Thus”:

Moreover, do *not* omit the periods when the title of the original source, such as a newspaper, journal, or book, retains the periods.

6.2 Numerals and Symbols

Replace Bluebook rule 6.2(a) with the following:

(a) **Numerals.** In general, spell out the numbers zero to ninety-nine in text and zero to nine in footnotes; for larger numbers, use numerals. This general rule is subject, however, to the following exceptions:

(i) For internal cross-references, always use numerals.

(ii) Any number that begins a sentence must be spelled out.

▶ One hundred and eight Justices have served on the United States Supreme Court.

▶ The United States Supreme Court has seen 108 Justices on its bench.

(iii) “Hundred,” “thousand,” “million,” and similar *round numbers* may be spelled out, if done so consistently:

▶ It took five thousand officers and nine hundred police cars to subdue the ten thousand protesters.

▶ It took 5,000 officers and 900 police cars to subdue the 10,000 protesters.

(iv) When a series of *three or more* numbers includes one or more numerals, the entire series should consist of numerals. A series is a related group of things or events that proceed in a sequence. This rule does not apply to sequences of only two numbers.

- ▶ They burned, respectively, 117, 3, and 15 homes.
- ▶ It took 5,000 officers, 900 police cars, and 6 military units to subdue the 10,000 protesters.

When discussing a range of numbers, one of which is large enough to require the use of numerals instead of words, use numerals for all numbers in the range.

- ▶ The vote was 102 to 0.
- ▶ This year, the respective test results were eighty-six and ninety-nine parts per million. By contrast, last year's respective results were 90 and 106 parts per million.

Not:

- ▶ The vote was 102 to zero.
- ▶ This year, the respective test results were eighty-six and ninety-nine parts per million. By contrast, last year's respective results were ninety and 106 parts per million.

(v) Numerals should be used if the number includes a decimal point. When a sentence contains a number with a decimal, any other related numbers in the sentence should be written as numerals and modified to include a decimal point.

- ▶ This year, the two respective test results were 86.0 and 90.6 parts per million.

Not:

- ▶ This year, the 2 respective test results were eighty-six and 90.6 parts per million.

(vi) Where material consistently refers to percentages or dollar amounts throughout a piece, numerals should be used for the percentages or amounts throughout the piece. Where, however, material refers to percentages or dollar amounts in one section but not others, generally numerals should not be used.

(vii) Numerals should be used for section or other subdivision numbers.

(viii) In numbers containing four or more digits, use commas to separate groups of three digits. Thus:

- ▶ 1,234,567
- ▶ H17,326
- ▶ 9,876

Add the following to Bluebook rule 6.2(b):

(iii) Spell out ordinals when referring to a series of articles. Thus:

- ▶ First Article, Second Article, etc.

Not:

- ▶ Original Article #1, Original Article #2, etc.

RULE 7.

**ITALICIZATION FOR STYLE AND IN CERTAIN
UNIQUE CIRCUMSTANCES**

Replace Bluebook rule 7(a) with the following:

(a) **Style.** Avoid italicizing words or phrases for emphasis or style. If emphasis on a word or phrase is necessary, revise the sentence to clarify the emphasis without using italics. If revising the sentence to clarify the emphasis is not possible, use italics sparingly.

Add the following rule to Bluebook rule 7:

(f) **Vehicles and vessels.** Italicize the proper names of aircraft, boats, spacecraft, trains, and other vehicles, but do *not* italicize abbreviations that precede them (e.g., U.S.S. or H.M.S.).

- ▶ The captain accused the crew of mutiny aboard the U.S.S. *Shiloh*.

RULE 8.

CAPITALIZATION

Supplement Bluebook rule 8(a) with the following:

For hyphenated words, capitalize each word per Bluebook rule 8 as if the word was standing alone in a heading or title.

- ▶ Devon W. Carbado, *Footnote 43: Recovering Justice Powell's Anti-Preference Framing of Affirmative Action*, 53 UC DAVIS L. REV. 1117 (2019).
- ▶ Justin R. Pidot & Ezekiel A. Peterson, *Conservation Rights-of-Way on Public Lands*, 55 UC DAVIS L. REV. 89 (2021).

Insert the following between the “Federal” and “Judge, Justice” examples of Bluebook rule 8(c)(ii):

Government. Capitalize if it refers to a governmental actor or a party to a litigation, even if the word does not appear in the case caption. For purposes of consistency, do not capitalize the term “government” when a section of text uses “government” to refer to a litigant and as a general term.

- ▶ The Solicitor General exercises his right to confession of judgment by dropping a case when he considers the Government’s prior position to be unjust — even if the Government won in the lower courts.
- ▶ Originally, the 1789 Bill of Rights placed limitations on the federal government only.

But not:

- ▶ The attorney thought that the Government’s case was weak, largely because the role of government in such cases is limited.

Supplement Bluebook rule 8 with the following:

(d) **Capitalization conventions.** Incorporate the Goldbook writing conventions, section W1.

RULE 10.
CASES

10.2.1 General Rules for Case Names

Replace Bluebook rule 10.2.1(f) with the following:

Omit all prepositional phrases of location not following “City,” or like expressions, unless the omission would leave only one word in the name of a party:

Replace the examples under 10.2.1(f) with the following:

- ▶ Surrick v. Board of Wardens
- ▶ Planned Parenthood v. Casey
- ▶ Shapiro v. Bank of Harrisburg
- ▶ Eimers v. Mutual of Omaha

Not:

- ▶ Surrick v. Board
- ▶ Planned Parenthood of Southeastern Pennsylvania v. Casey

Supplement Bluebook rule 10.2.1 as follows:

(h) Business firm designations. Do *not* include periods between each letter for common business acronyms, such as “LLP” or “LLC.”

10.6.4 Order of Parentheticals

When a source cites multiple cases, ensure that cases within the “citing” parenthetical are in proper order in accordance with Bluebook rule 1.4.

10.9 Short Forms for Cases

Short forms for cases are *mandatory* where applicable. Therefore, amend Bluebook rule 10.9(a) to read:

(a) **Footnotes.** In law review footnotes, a short form for a case *must* be used. . . .

If a short form citation is appropriate, but the signal does not require a pinpoint citation based on Goldbook rule 1.2, use the first page of the case. Do not use “at.”

- ▶ ⁹ *But cf. Martinez-Fuerte*, 428 U.S. 543.

(c) **Text.**

Supplement Bluebook rule 10.9(c) as follows:

If a footnote call number directly follows a case in the text, omit the parties’ names in the footnote.

Text: In *Loving v. Virginia*,¹⁵ the Court invalidated Virginia’s antimiscegenation statute.

- ▶ ¹⁵ 388 U.S. 1 (1967).

However, include the parties’ names if the case is referenced in short form (excluding *id.*) within the following five footnotes.

- ▶ ¹⁵ *Loving v. Virginia*, 388 U.S. 1 (1967).
- ▶ ²⁰ *Loving*, 388 U.S. at 3.

Not:

- ▶ ¹⁵ 388 U.S. 1 (1967).
- ▶ ²⁰ *Loving*, 388 U.S. at 3.

Also not:

- ▶ ¹⁵ *Loving v. Virginia*, 388 U.S. 1 (1967).
- ▶ ¹⁶ *Id.*

If a footnote call number directly follows a case in the text, and the case was cited in full in the previous five footnotes, use a standard short cite without omitting the party name(s).

Text: In *Loving v. Virginia*,²⁰ the Court invalidated Virginia's antimiscegenation statute.

- ▶ ¹⁵ *Loving v. Virginia*, 388 U.S. 1 (1967).
- ▶ ²⁰ *Loving*, 388 U.S. at 3.

RULE 12.

STATUTES

12.3.1 Additional Information

Amend Bluebook rule 12.3.1(d) to read:

(d) Do not add the electronic database indicator unless the author prefers to include it.

- ▶ CAL. CORP. CODE § 504 (2017).
- ▶ N.H. REV. STAT. ANN. § 222-H:2 (2017).

Not:

- ▶ CAL. CORP. CODE § 504 (West 2017).
-

12.3.2 Year of Code

Amend the first paragraph Bluebook rule 12.3.2 to read:

Citations to a state code require a date. Citations to the federal code (i.e., the *United States Code*) do not require a date.

When citing a bound volume of the current official or unofficial code, provide parenthetically the year that appears on the spine of the volume, the year that appears on the title page, or the latest copyright year – in order of preference. If the date on the spine or title page spans more than one year, give all years covered. If the volume is a replacement of an earlier edition, use the year of the replacement volume, not the year of the original.

- ▶ NEB. REV. STAT. § 33-114 (1998).
- ▶ 42 U.S.C. § 1983.

Add to Bluebook rule 12.3.2 the following explanation:

(a) U.S.C. Although the date is not required, some authors may prefer to include the date of the code edition in citations to the *United States Code*. Note that the latest bound volume of the *United States Code* is published every six years. The most recent publication is the 2018 version. The next bound volume will be published in 2024.

12.4 Session Laws

Supplement Bluebook rule 12.4 with the following:

- (g) **Session laws within a larger session law.** If a session law is part of a larger session law, reference the larger session law in a parenthetical.
- ▶ Taxpayer Certainty and Disaster Tax Relief Act of 2020, Pub. L. No. 116-260, Div. EE, § NUMBER IF APPLICABLE, 134 Stat. 3038, 3051 (part of the Consolidated Appropriations Act of 2021 and codified in scattered sections of 26 U.S.C.).

12.9.3 Rules of Evidence and Procedure

For citation to the Advisory Committee Notes for Federal Rules, see the fifth example given under Bluebook rule 3.4.

- ▶ **FED. R. EVID. 702 advisory committee's note.**

However, when referring to the Advisory Committee Notes in main or footnote text, rather than as part of a citation, capitalize “**Advisory Committee Notes.**”

12.9.6 Jury Instructions

This rule governs the citation of various types of jury instructions at both the state and federal levels. In general, format citations pursuant to the formatting and example below.

Citation of a particular section within the third edition of Alabama's civil pattern jury instructions:

- ▶ **1 ALA. PATTERN JURY INSTR. – CIV. 4.01 (3d ed. 2016).**

<VOL#> <LOCATION> <TYPE> JURY INSTR. – <CIV./CRIM.> <rule/section #>
<(edition date)>.

Main Elements:

- Volume number (if multi-volume set)
- Title (SMALL CAPITALS)

- State Name
 - Abbreviate according to Bluebook table T10
 - (See below for citing to federal jury instructions)
- Type
 - If applicable, include any terms descriptive of the instructions' authority (i.e., pattern, standard, model, official, approved, etc.)
 - ▶ ILL. PATTERN JURY INSTR. – CIV. 120.02 (2017).
 - ▶ MO. APPROVED JURY INSTR. – CIV. 32.07 (7th ed. 2017).
- Civil or Criminal
 - After an en dash, specify whether the jury instructions pertain to civil matters or criminal matters
- Note: For jury instructions with titles that do not readily conform to the above format, cite the title as it appears on the title page of the publication. However, if possible, still append the Civil/Criminal distinction to the end of the title.
 - ▶ JUD. COUNCIL OF CAL. JURY INSTR. – CIV. 1408 (2017)
- Page, section, or paragraph
 - Include the page, section, or paragraph being cited
 - ▶ COLO. JURY INSTR. – CIV. 9:1 (2017).
- Edition / Date
 - Always cite to the most recent updated edition of jury instructions, unless an earlier edition would be particularly relevant or authoritative.
 - ▶ FLA. STANDARD JURY INSTR. – CIV. 401.9 (3d ed. 2015).
 - ▶ JUD. COUNCIL OF CAL. JURY INSTR. – CIV. 352 (2017).

Federal Jury Instructions

When citing to jury instructions for a particular federal judicial circuit, use the same formatting as above, but use the circuit name instead of a state name. Abbreviate according to Bluebook table T7.

- ▶ 5TH CIR. PATTERN JURY INSTR. – CRIM. 2.04 (2015).

- ▶ 3 FED. JURY PRAC. & INSTR. – CIV. § 105:01 (6TH ed. 2016).

Short Form Citation

Use *id.* when appropriate. When *id.* is not appropriate, set out the location, followed by “JURY INSTR.,” followed by a *supra* cross-reference to the earlier footnote containing the full citation.

- ▶ ILL. JURY INSTR., *supra* note 12, at 220.21.
- ▶ 11TH CIR. JURY INSTR., *supra* note 2, at B2.2.

12.10 Short Forms for Statutes

Short forms for statutes are mandatory where applicable. Therefore, amend Bluebook rule 12.10(b) to read:

(b) **Citations.** In law review citations, the author must use one of the forms listed in the “Short Citation” column of the table below, unless this would cause confusion. Use any of the forms listed in the “Short Citation” column of the table below that clearly identifies a statute if the statute has already been cited (in either full or short form, including “*id.*”) in either the same footnote or in a manner such that it can be readily found in *one of the preceding five footnotes*, again including “*id.*” Otherwise, use the “Full Citation” form.

Add the following to the table in 12.10(b):

	<u>Full Citation</u>	<u>Text</u>	<u>Short Citation</u>
Rule of Evidence and Procedure	FED. R. EVID. 702	Federal Rule of Evidence 702 or Rule 702	FED. R. EVID. 702

Add the following to the end of Bluebook rule 12.10:

(e) **Use of “*Id.*”** For federal statutes, use “*id.*” in short citation forms when referring to citations from the same title of the *United States Code*. For federal acts, whether cited to the official code or to session laws, use “*id.*” when referring to the same act. “*Id.*” may be used to cite to a different section of the same title or act if the different section follows the full citation in the same footnote. Use “*id.*” in a subsequent footnote, however, only when: (1) citing the authority in the immediately preceding footnote, and (2) that authority is the only authority in the footnote.

- ▶ 5 U.S.C. § 552(a).
- ▶ *Id.* § 552(b).
- ▶ National Environmental Policy Act of 1969, Pub. L. No. 91-190, § 102, 83 Stat. 852, 853-54 (1970).
- ▶ *Id.* § 103, 83 Stat. at 854 (1970).

Use “*id.*” in a similar manner for state statutes, local ordinances, uniform acts, model codes, or restatements, whether organized as a whole, by title, or by subject.

- ▶ ¹² GA. CODE ANN. § 21-2-16 (2003).
- ▶ ¹³ *Id.* § 22-1-1 (2003).
- ▶ ¹⁴ S.F., CAL., POLICE CODE art. 16, div. 1, § 1076(a) (2000).
- ▶ ¹⁵ *Id.* art. 17, div.2, § 1111 (2000).
- ▶ ¹⁶ RESTATEMENT (THIRD) OF AGENCY § 1 (2007).
- ▶ ¹⁷ *Id.* § 2 (2007).

When using *id.* as the short citation form of a state code, session law, local ordinance, uniform act, model code, or restatement, do not include the year if the short citation and the citation it is referring to have the same date of code edition or year of publication. Otherwise, include reference to the year if Bluebook rule 12 and Goldbook rule 12 require the date of code edition, or year of publication, for that particular type of statute. Do not include a date for citations to the *United States Code*, the *Internal Revenue Code*, and rules of evidence and procedure.

- ▶ GA. CODE ANN. § 21-2-16 (2003).
- ▶ *Id.* § 22-1-1.
- ▶ S.F., CAL., POLICE CODE art. 16, div. 1, § 1076(a) (2000).
- ▶ *Id.* art. 17, div. 2, § 1111.
- ▶ RESTATEMENT (THIRD) OF AGENCY § 1 (2007).
- ▶ *Id.* § 2.

But:

-
- ▶ ¹⁸ CAL. CIV. PROC. CODE § 1277.5 (2023).
 - ▶ ¹⁹ *Id.* § 1278 (2024).

RULE 13.

LEGISLATIVE MATERIALS

13.8 Short Forms for Legislative Materials

Short forms for legislative materials are *mandatory* where applicable. Therefore, amend Bluebook rule 13.8(c) to read:

(c) **Citations.** In law review citations, the author *must* use one of the forms listed in the “Short Citation” column of the table below....

RULE 14.

ADMINISTRATIVE AND EXECUTIVE MATERIALS

14.2 Rules, Regulations, and Other Publications

Add to Bluebook rule 14.2(a) the following explanation:

Note that bound volumes of the C.F.R. are published annually. The titles of the C.F.R. are published on this schedule:

Titles 1 – 16 as of January 1
Titles 17 – 27 as of April 1
Titles 28 – 41 as of July 1
Titles 42 – 50 as of October 1

- ▶ See 10 C.F.R. § 420.11 (2017).
- ▶ 45 C.F.R. § 800.204 (2016).

14.5 Short Forms for Regulations

Short forms for regulations are *mandatory* where applicable. Therefore, amend Bluebook rule 14.5(c) to read:

(c) **Citations.** In law review citations, the author *must* use one of the forms listed in the “Short Citation” column of the table below....

RULE 15.

BOOKS, REPORTS, AND OTHER NONPERIODIC MATERIALS

15.1 Author

Amend Bluebook rule 15.1(b) to read:

(b) **More than two authors.** List all of the authors' names in full citations regardless of how many. Use the first author's last name followed by "ET AL." in short citation forms only. When listing all of the authors' names, separate the name with commas, except the final name, which should be set off with an ampersand (and without a comma):

- ▶ JOSEPH W. SINGER, BETHANY R. BERGER, NESTOR M. DAVIDSON & EDUARDO M. PEÑALVER, *PROPERTY LAW: RULES, POLICIES, AND PRACTICES* (7th ed. 2017).
- ▶ SINGER ET AL., *supra* note 1.

Supplement Bluebook rule 15.1 with the following:

(d) **Abbreviations.** If the institutional author is a business firm, do not include periods between each letter for common acronyms, such as "LLP" or "LLC."

15.3 Title

Supplement Bluebook rule 15.3 as follows:

When a colon, question mark, or period appears in the title of nonperiodic materials, follow the punctuation with one space.

15.10 Short Citation Forms

Short forms for books, reports, or other nonperiodic materials are *mandatory* where applicable. Therefore, amend Bluebook rule 15.10 to read:

Once a book, report, or other nonperiodical material has been cited in full in a law review footnote, a short form employing either “*id.*” or “*supra*” must be used to refer to the work in subsequent citations.

See also Goldbook rules 3.5 and 4.2 for the use of “*supra*” and “*infra*.”

RULE 16.

PERIODICAL MATERIALS

16.2 Author

Amend Bluebook rule 16.2 to include the following clarification:

For signed materials appearing in periodicals (including student-written materials), follow Bluebook rule 15.1, but print in ordinary roman type. List all of the authors' names in full citations regardless of how many there are in accordance with Goldbook rule 15.1(b). Thus:

- ▶ Deborah R. Gerhardt, Miriam Marcowitz-Bitton & W. Michael Schuster, *The Gender Gap in Academic Patenting*, 56 UC DAVIS L. REV. 759, 762 (2022).

16.3 Title

Supplement Bluebook rule 16.3 as follows:

When a colon, question mark, or period appears in the title of periodical materials, follow the punctuation with one space. When the title of periodical materials end with a punctuation mark, follow Goldbook W3 in ordering the placement of that mark with the comma that will follow it. However, regardless of the order of the two punctuation marks, the comma is never italicized, while the punctuation mark ending the title is always italicized.

- ▶ Mary Brigid McManamon, *Felix Frankfurter: The Architect of "Our Federalism,"* 27 GA. L. REV. 697 (1993).
- ▶ Michael J. Klarman, *Civil Rights Law: Who Made It and How Much Did It Matter?*, 83 GEO. L.J. 433 (1994).

16.6 Newspapers

Amend the examples under Bluebook rule 16.6(d) to read as follows:

- ▶ Richard Carelli, *Judges' Financial Reports Hit Web*, ASSOCIATED PRESS, June 22, 2000, 2000 WL 23358974.
- ▶ Kevin Drawbaugh, *Obama, Edwards Hit Lobbyists on Private Equity Tax*, REUTERS (Oct. 9, 2007), <http://www.reuters.com/article/politicsNews/idUSN0942219020071009>.

-
- ▶ *Record Labels Sue LimeWire for Enabling Music File-Sharing*, FOXNEWS.COM (Aug. 6, 2007), <http://www.foxnews.com/story10,2933,207287,00.html>.

Supplement Bluebook rule 16.6(f) as follows:

If a newspaper article has a printed copy, but a page cite cannot be found, a URL or database identifier should be provided. In such a situation, exclude the page citation:

- ▶ Editorial, *Pricing Drugs*, WASH. POST, Feb. 17, 2004, 2004 WL 235698.

16.9 Short Citation Forms

Short forms for periodicals are *mandatory* where applicable. Therefore, amend Bluebook rule 16.9 to read:

Once a work in a periodical has been cited in full, the author *must* use “*id.*” or “*supra*” to refer to it in subsequent citations.

See also Goldbook rule 3.5 for the use of “*supra*” and “*infra*.”

RULE 17.

UNPUBLISHED AND FORTHCOMING SOURCES

17.2.3 Letters, Memoranda, and Press Releases

Amend Bluebook rule 17.2.3 to read:

When citing unpublished letters, memoranda, press releases, or other unpublished materials not cited under a different Bluebook or Goldbook rule, identify the nature of the document and provide the writer and addressee (if any) by name, title, and institutional affiliation, followed by the date the document was made available in parentheses. Abbreviate title and institutional affiliation according to tables T6 and T11.

17.2.5 Interviews

Add the following to Bluebook rule 17.2.5:

Authors must document interviews in writing, on tape, or through another medium. When citing an interview, include an explanatory parenthetical indicating that the documentation is on file with the author.

- ▶ Interview with Mark Weber, President, Imperial Fitness, Inc., in Fullerton, Cal. (Mar. 14, 2006) (notes on file with author).
-

17.5 Electronic Databases and Online Sources

Amend Bluebook rule 17.5(b) to read:

(b) **Internet and online sources.** When citing to an electronic source directly, include the URL and a permalink after the date, but before any explanatory parentheticals:

- ▶ *See* Press Release, Nancy Pelosi, Speaker, House of Representatives, Pelosi Statement on Hate Crimes Legislation (Dec. 6, 2007), <https://www.speaker.gov/newsroom/pelosi-statement-hate-crimes-legislation> [<https://perma.cc/9DA4-VA6X>].
-

17.6 Short Citation Forms

Short forms for unpublished and forthcoming materials are *mandatory* where applicable. Therefore, amend Bluebook rule 17.6 to read:

The author *must* use the “*id*” and “*supra*” forms in the same manner....

RULE 18.

THE INTERNET, ELECTRONIC MEDIA, AND
OTHER NONPRINT RESOURCES

18.1 Basic Citation Forms

Add the following to Bluebook rule 18.1(a):

Conform internet sources to the closest applicable model or example listed in this section. However, if none of the currently listed examples is applicable, then use the one of the following templates and provide as much information as is available on the webpage.

If the Internet source provides a date of publication or a date it was made available, place it *before* the URL. There should be a comma between the date of publication and the URL. Use the following template:

- ▶ <Author>, <Title of Page/Article>, <INSTITUTIONAL OWNER OF DOMAIN/SITE NAME> <Pincite if paginated> <Fulllest Date Available, <Time, if any>>, <URL> [perma.cc] [hereinafter] <(explanatory parenthetical, if any)>.

If the Internet source has no date or provides a “last updated” date, place it *after* the URL. There should *not* be a comma between the URL and the date. Use the following template:

- ▶ <Author>, <Title of Page/Article>, <INSTITUTIONAL OWNER OF DOMAIN/SITE NAME> <Pincite if paginated>, <URL> (last visited or last updated <Date>) [perma.cc] [hereinafter] <(explanatory parenthetical, if any)>.

18.2.1 General Internet Citation Principles

Amend Bluebook rule 18.2.1(d) to read:

(d) **Archival.** Archiving of Internet sources is required *when possible*, using the archival website perma.cc. Some domains do not permit archiving of their content. When archiving a source is not possible, omit the permalink.

- ▶ Letter from Rose M. Oswald Poels, President/CEO, Wis. Bankers Ass’n, to Elizabeth M. Murphy, Sec’y, SEC (Sept. 17, 2013), <http://www.sec.gov/comments/s7-03-13/s70313->

178.pdf [<http://perma.cc/B7Z7D9D>].

Add the following to Bluebook rule 18.2.1:

(e) URLs should appear in Ordinary Roman (Plain Text) and must not be underlined. Always include the “<http://>” prefix.

18.2.2 Direct Citations to Internet Sources

Replace the example provided in Bluebook rule 18.2.2(b)(i) with the following:

- ▶ DAILY KOS, <http://www.dailykos.com> (last visited Jan. 19, 2009) [<https://perma.cc/BN6K-Y5JX>].

Add the following to Bluebook rule 18.2.2(c):

If the Internet source does not have a publication date or a “last updated” date, a “last visited” date must be provided. The “last visited” date should be the same date that the perma.cc link was generated. Refer to Goldbook rule 18.1 for how to format citations to Internet sources based on whether a date of publication, a “last updated” date, or a “last visited” date is available.

Supplement Bluebook rule 18.2.2 as follows:

(h) **Internet searches.** When citing online searches and queries using common search engines such as Yahoo!, Google, etc., include the URL, the key search terms used, and the date of the search.

- ▶ Online search for drugs and thugs, www.google.com (Apr. 11, 2008).
-

18.3 Commercial Electronic Databases

Supplement Bluebook rule 18.3 with the following Goldbook rule 18.3.5:

KeyCite, Shepard’s, and other commercial database searches. When citing a commercial database’s search function, such as Westlaw’s KeyCite or LexisNexis’s Shepardize, include the key words of the search, the electronic database used, and the date of the search.

- ▶ Online search for commercial products, LexisNexis (Nov. 24, 2001).

See also Goldbook rule 18.2.2 for citations to Internet searches.

18.9 Short Citation Forms

Short forms for electronic media and other nonprint resources are *mandatory* where applicable. Therefore, use of short forms under Bluebook rule 18.9, subsections (a) through (d), is *not* permissive.

RULE 19.**SERVICES**

19.2 Short Citation Forms

Short forms for cases, administrative materials, and brief commentaries published through services are *mandatory* where applicable. Therefore, amend Bluebook rule 19.2(a) to read:

(a) **Cases.** For cases, the author *must* use the short citation forms as provided by rule 10.9. . . .

Add the following to the end of Bluebook rule 19.2(b):

Such short forms *must* be used where applicable.

RULE 20.**FOREIGN MATERIALS****20.2.2 Titles and Names of Documents in Languages Other than English**

Replace Bluebook rule 20.2.2(a) with the following:

- (a) **Original language and translation.** When citing a document in a language other than English, always give the document's full title or name in the original language the first time the document is cited. The original-language title must be followed by brackets containing its shortened or full-length English title in the same typeface as the original:
- ▶ **Verdrag tot het Vermijden van Dubbele Belasting [Agreement for the Avoidance of Double Taxation]**

20.4 Constitutions

Replace Bluebook rule 20.4 with the following:

- (a) **Foreign constitutions with specific formats.** Cite foreign constitutions as specified in Bluebook table T.2.
- (b) **Foreign constitutions without specific formats.** Where Bluebook table T.2 does not provide a specific format and instead only provides the name of the constitution, or the constitution is of a country not found in table T.2, use the following structure and format:
- ▶ **<FULL NAME OF CONSTITUTION> [abbreviation of constitution]
[Constitution] <art. | cl. | §> <#> (<country abbreviation>).**
- (i) *Full name of constitution.* The full form of the constitution should appear the first time the constitution is cited. The name should appear in **LARGE AND SMALL CAPITALS**. Employ the abbreviated form under subsection (b)(ii) for subsequent references to the constitution.
- (ii) *Abbreviation of constitution.* Where the constitution's abbreviation is given in Bluebook table T.2, use it in the format provided. Where table T.2 does not provide an abbreviation, create an acronym for the constitution as appropriate, omitting periods. Per Bluebook rule 20.2.3, once the constitution is first cited, this abbreviation may be used without cross-reference.
- (iii) *Use of constitution signal when unclear.* In general, if the nature of the document is not otherwise clear from the context, include

“[Constitution]” in brackets following the abbreviation of the constitution. However, this bracketed information need only occur in the first citation; it should be excluded from subsequent citations.

(iv) *Article, clause, or section.* Abbreviate subdivisions of constitutions, such as article, clause, and section, in English using the abbreviations in Bluebook table T.16.

(v) *Country abbreviation.* If the country is unclear from the title of the constitution, include the country abbreviation according to Bluebook table T.10. Per Bluebook rule 20.2.3, once the country abbreviation has been given in the first citation, it need not be repeated.

The following examples illustrate this subsection:

- ▶ ¹ A Magyar Köztársaság Alkotmánya [MKA] [Constitution] § 2 (Hung.).
- ▶ FEDERAL CONST. OF MALAYSIA [FCM] art. 32(3).

(vi) *Constitutions not in English.* For constitutions cited in a native language that is not English, use the formal name of the constitution in **LARGE AND SMALL CAPITALS**. Where especially helpful, a translation of the name into English may be provided in brackets. This translation should precede the abbreviation provided under subsection (c)(ii). If a translation is not given, use of the signal under subsection (b)(iii) is required.

- ▶ KONGERIGET NORGES GRUNDLOV [The Constitution of the Kingdom of Norway] [KNG] art. 86.

Or:

- ▶ KONGERIGET NORGES GRUNDLOV [KNG] [Constitution] art. 86 (Nor.).

20.5 Statutes

Supplement Bluebook rule 20.5 by adding the following rule 20.5.3:

Statutes: Bills and legislative materials. Cite unenacted foreign bills or foreign legislative materials analogously to Bluebook rule 13, conforming to the Bluebook rules whenever possible. Provide a URL, if doing so would help the reader locate the source.

- ▶ Islamic Family Law (Federal Territories) (Amendment) Act 2005, § 3(a) (Malay.), <http://www.parlimen.gov.my/billindexbi/pdf/DR%20222005E.pdf> (last visited Apr. 2, 2009).

20.7 Short Citation Forms

Short citation forms for foreign materials are *mandatory* where applicable. Therefore, use of short citations forms under Bluebook rule 20.7, subsections (a) through (d), is *not* permissive.

RULE 21.

INTERNATIONAL MATERIALS

21.17 Short Citation Forms

Short forms for international materials are *mandatory* where applicable. Use of short forms under Bluebook rule 21.17, subsections (a) through (d), is *not* permissive.

TABLE T.6.

**COMMON WORDS IN CASE NAMES,
INSTITUTIONAL AUTHOR NAMES, AND
PERIODICAL TITLES**

Add to T6

Per The Bluebook, 21st edition (2020), do not abbreviate “Brotherhood.”

TABLE T13.
PERIODICALS

Add the following abbreviation for the UC Davis Law Review to Bluebook table T.13:

University of California, Davis Law Review **UC DAVIS L. REV.**

Writing Conventions

CAPITALIZATION

1. Proper Nouns

Capitalize proper nouns. Proper nouns refer to specific persons, places, or things independent of their context. Also, capitalize derivatives of, or descriptive substitutes for, proper nouns.

- ▶ Frank Sinatra
- ▶ Old Blue Eyes
- ▶ Chicago
- ▶ Windy City

2. Common Nouns

Do not capitalize common nouns. Common nouns refer generally to persons, places, or things. They derive specificity, if any, from their context.

- ▶ the woman in class
- ▶ your torts book

See also Goldbook rule 12.8.3 for the capitalization of the Advisory Committee Notes for Federal Rules.

Over time, proper nouns will occasionally become common nouns. Consult an up-to-date dictionary to determine whether a specific word is proper or common.

- ▶ italic type
- ▶ aspirin
- ▶ french fries

Capitalize common nouns when they are part of proper nouns, as in the following special situations:

(a) **Personal titles.** Capitalize common nouns indicating relationships or titles when they precede a person's name.

- ▶ Uncle Jim
- ▶ Professor Feeney

But:

- ▶ Jim is my uncle.
- ▶ Feeney is a professor.

(b) **Geographical terms.** Capitalize common nouns denoting regions, localities, or geographic features unless the common nouns are predominately descriptors of position or direction.

- ▶ Central America
- ▶ Mississippi River
- ▶ the Northeast

But:

- ▶ southern California
- ▶ central China

(c) **Historical periods and events.** Capitalize common nouns denoting specific historic periods or events. Do not capitalize “era,” “period,” “century,” or “centuries” even when they are part of proper nouns.

- ▶ the American Revolution
- ▶ the Dark Ages

But:

- ▶ the Jurassic era

3. After a Colon

Do not capitalize the first word following a colon unless the colon introduces a quotation, a speech in dialogue, or more than one sentence.

- ▶ The jury's reasons were clear: it did not believe the plaintiff, and it felt sorry for the defendant.
- ▶ The jury's reasons were clear: First, it did not believe the plaintiff. Second, it felt sorry for the defendant.

4. After a Quotation

Capitalize the first word of a quotation within a sentence only if the quotation does not follow the syntactic flow of the sentence, and the quotation could independently stand as a complete sentence. If appropriate under this rule, capitalize the first letter of the quotation even if it was not capitalized in the original, and place the altered letter in brackets.

- ▶ The court reasoned, “[P]ublic policy forbids such disclosure.”
- ▶ The court reasoned that “public policy forbids such disclosure.”

See also Goldbook rule 5 for the formatting of quotations.

5. Statutory Divisions

Per Bluebook rule 6.2(c), the word “section” should never be spelled out when referring to the United States Code unless it begins a sentence.

- ▶ One provision, § 1983, provides a remedy for persons deprived of legal rights provided by statute or the Constitution.

When referring to the U.S. Constitution, capitalize “article,” “section,” “title,” or other statutory divisions in the text.

- ▶ Congress has the power to declare war under Article I, Section 8, Clause 11 of the United States Constitution.

Do not capitalize these words when referring to all other sources.

- ▶ Since 1947, countries have occasionally implemented trade sanctions, sometimes invoking GATT article XXI as a justification.

6. Internal References

Capitalize a piece's internal references to itself and its significant parts, but do not capitalize internal references to its sections, subsections, or subparts.

- ▶ This Article explains....
- ▶ Lastly, Part IV of this Essay concludes that....
- ▶ However, section IV(B)(1) of this Response does not address....

Do not capitalize references to parts, subparts, sections, or subsections of other published materials, even if the references are to significant divisions of the work.

GRAMMAR

1. Present Participles

Present participles express present action and consist of a verb ending in “ing.” Use present participles to begin explanatory parentheticals.

- ▶ *See Buckley v. Valeo, 424 U.S. 1, 92-104 (1976) (per curiam) (upholding public financing of presidential elections against First Amendment challenge).*

See also Goldbook rule 1.5 for the use of present participles in explanatory parentheticals.

2. Gerunds

Gerunds are nouns in a verb form ending in “ing.” Thus, pronouns or nouns preceding gerunds are possessive.

- ▶ The student’s editing was most helpful.
 - ▶ She appreciated his coming in to meet with her early this morning.
-

3. Tense

Verb tense indicates time sequences. Use the past tense to indicate that an event occurred in the past.

- ▶ I edited her article.

Use the present tense to indicate that an event occurs in the present.

- ▶ I edit her article.

Use the future tense to indicate that an event will occur in the future.

- ▶ I will edit her article.

Use the past perfect tense to indicate that an event occurred in the past before another past event.

- ▶ I had edited her article before she submitted it.

Use the present perfect tense to indicate that an event occurred, or did not occur, at an unspecified time before now. Do not use the present perfect tense with specific time expressions such as “yesterday,” but do use it with broad expressions that are not time specific such as “never” or “already.”

- ▶ I edited her article yesterday.
- ▶ I have already edited her article.
- ▶ I have never edited her article.

Use the future perfect tense to indicate that an event will have occurred by some time in the future.

- ▶ I will have edited her article by Thursday.

Generally, verb tenses referring to the same discussion should be parallel. Avoid unnecessary shifts in tense.

- ▶ The court granted summary judgment for the defendants. Thus, the court refused to hear live testimony by the plaintiff. The plaintiff appealed.

Use the present tense for legal rules or opinions, universal truths, and literary works. Use the past tense, however, when referring to specific actions by a court or author.

- ▶ *International Shoe Co. v. Washington* discusses personal jurisdiction over nonresident defendants.
- ▶ In *International Shoe Co. v. Washington*, Chief Justice Stone discussed personal jurisdiction over nonresident defendants.

4. Split Infinitives

An adverb splits an infinitive when it is placed between “to” and the verb.

- ▶ to boldly edit
- ▶ to always read *The Bluebook*

Infinitives consisting of “to be” and past participles are split by placing an adverb between “to” and “be,” not “be” and the past participle.

- ▶ *Split:* to completely be vindicated
- ▶ *Not split:* to be completely vindicated

Generally, do not split infinitives. However, split an infinitive to preserve sentence rhythm or to avoid ambiguity.

- ▶ to better train members of the law review
- ▶ to clearly define friendly borders

Further, when an adverb and verb compose a commonly used term of art, keep the adverb and verb together.

- ▶ to faithfully execute

5. Agreement

Verbs and pronouns must agree in number with their subjects and antecedents. Pluralize verbs having more than one subject. Verbs remain singular when they have a singular subject even when plural words intervene between the verb and its singular subject.

- ▶ Homer, one of the many operators working at the nuclear plant, always takes the last doughnut.

Further, verbs should agree in number with their *nearest* subject when subjects are joined by “or,” “neither/nor,” “either/or,” or “not only/but also.”

- ▶ Neither Dick nor Jane is ready for the exam.
- ▶ Neither the students nor the teacher is ready for the exam.
- ▶ Neither the teacher nor the students are ready for the exam.

6. Sentence Fragments

Every sentence must have at least one subject and one verb. A sentence fragment is not a complete sentence but rather a phrase or subordinate clause lacking a subject, verb, or both.

- ▶ Running to be first to turn in his draft.

Avoid sentence fragments except for the rare rhetorical question, dialogue, or exclamation.

7. Misplaced Modifiers

Place modifiers close to the words they modify to avoid ambiguity or unintended meanings.

- ▶ *Ambiguous:* Editors who personally return articles often can get to know their authors.
- ▶ *Correct:* Editors who personally return articles can often get to know their authors.
- ▶ *Incorrect:* She only made member of the law review a week ago.
- ▶ *Correct:* She made member of the law review only a week ago.

8. Nominalizations

Generally avoid nominalizations. A nominalization is a base verb that has been turned into a noun. Nominalizations usually lead to surplus words.

- ▶ *Nominalization:* The prosecutor made an objection.
- ▶ *Base verb:* The prosecutor objected.

9. Position of Relative Clauses

Like modifiers, place relative clauses (introduced by relative pronouns such as “that,” “which,” and “who”) near their antecedents to avoid ambiguity.

- ▶ *Incorrect:* There were approximately two children in each family who liked the new toy.
- ▶ *Correct:* There were approximately two children who liked the new toy in each family.

10. Series Parallelism

Use parallel construction for multiple phrases in a series (i.e., each element in the series should have the same grammatical structure). Avoid faulty parallelism.

- ▶ The defendants were defrauding consumers, rebuffing safety regulations, and failing to compensate injured victims.
- ▶ He sat up, listened, and fell asleep.

Not:

- ▶ Many students join law reviews for editing experience, writing skills improvement, and to put “law review” on their résumés.
- ▶ Judge Easterbrook’s opinion was concise, clear, and set forth sound public policy.

PUNCTUATION

1. Apostrophe

(a) **Plurals.** Generally, do not use apostrophes to make acronyms or numerals plural.

- ▶ GNPs
- ▶ 1990s

Further, do not use apostrophes for plural letters or words used for purposes other than their meaning. Instead, italicize the letters or words and add an “s” in Ordinary Roman (Plain Text).

- ▶ There are no *ifs*, *ands*, or *buts* about it.
- ▶ She used two *howevers* and three *buts* in one paragraph.
- ▶ The professor handed out five *As* to his students.

(b) **Possessives.** Apostrophes are used to indicate possession (but not with possessive pronouns like “his,” “hers,” “its,” “ours,” or “theirs”). Form the possessive case of a singular noun by adding “’s.” Add “’s” even if the word ends in a sibilance (/s/ or /z/), such as “Jesus,” “Moses,” or a multisyllable name that ends in an /eez/ sound.

- ▶ Mr. Ross’s automobile
- ▶ Congress’s recess
- ▶ Moses’s staff
- ▶ Achilles’s heel

Form the possessive of plural nouns that do not end in an /s/ sound by adding “’s.” Form the possessive of plural nouns that end in an /s/ sound by adding an apostrophe only.

- ▶ The men’s locker room
- ▶ A children’s nursery

- ▶ The Jameses' cat
- ▶ The volumes' bindings

If two or more nouns share possession of the same objects, then make only the last of the nouns possessive.

- ▶ John's and Martin's articles (*each has an article*)
- ▶ John and Martin's articles (*both have the same articles together*)

Where a proper noun could function either as an adjective or as a possessive noun, do not use an apostrophe if the adjectival sense dominates.

- ▶ the University of California Regents meeting
- ▶ the Chicago Cubs World Series Parade

Not:

- ▶ the University of California Regents' meeting
- ▶ the Chicago Cubs' World Series Parade

When italicized nouns are possessive, use Ordinary Roman (Plain Text) script for the “'s.”

- ▶ The Court disagreed with *García's* holding.

Feelings on these matters sometimes run high. Those uncomfortable with the rules, exceptions, and options outlined above may prefer the system of simply omitting the possessive *s* on all words ending in *s*. Though easy to apply, that usage disregards pronunciation and thus seems unnatural to many. Therefore, adherence to the Goldbook rules are strongly encouraged.

2. Colon

(a) **Additional related material.** A colon introduces material that is promised or suggested in the preceding clause. Use a colon only when formal words of introduction, such as “**as follows**” or “**the following**,” precede the material or they are implied.

- ▶ We had only three words for him: read *The Bluebook*.

Do not use the colon after “namely,” “for example,” and similar expressions.

(b) **Subtitles.** Insert a colon between the main title and the subtitle of a work, even if the main title ends in other punctuation such as a question mark.

- ▶ Andrew E. Taslitz, *Does the Cold Nose Know?: The Unscientific Myth of the Dog Scent Lineup*, 42 HASTINGS L.J. 15, 18 (1990).

(c) **Series.** A colon may introduce a series.

- ▶ They contacted the following scholars: Imwinkelried, Kampen, and Redmayne.

(d) **Long quotations.** Generally, use a comma to introduce short quotations (one sentence or less). However, use a colon to introduce quotations that are longer than one sentence.

- ▶ He quoted Jefferson: “What country before ever existed a century and half without a rebellion? And what country can preserve its liberties if their rulers are not warned.....Let them take arms.”

See also Goldbook rule 5 for the formatting of quotations.

(e) **Spacing.** Follow a colon with one space.

3. Comma

(a) **Setting off nonrestrictive clauses.** Nonrestrictive clauses add information about the person, thing, or idea referred to, but they are not essential to the meaning of the sentence they are in. Set off nonrestrictive clauses with commas.

- ▶ The article, which was about campaign finance reform, received the Hopkins Award.

Restrictive clauses limit the person, thing, or idea modified, making them essential to the sentence’s meaning. Do not set off restrictive clauses with commas.

- ▶ The article that received the Hopkins Award was about campaign finance reform.

See also the word usage guide of the Goldbook, section S3, for the difference between “that” and “which.”

(b) **Coordinating conjunctions and independent clauses.** An independent clause contains a subject and verb and expresses a complete thought. Use a comma before coordinating conjunctions (i.e., “and,” “but,” “or,” “for,” “nor,” and “yet”) linking independent clauses in a compound sentence.

- ▶ The professor flew from New York to California, and she drove back.

As a general rule, do not use a comma before coordinating conjunctions linking independent clauses to dependent clauses.

- ▶ The professor flew from New York to California and drove back.

However, for compound predicates, where the subject of a sentence is expressed once but with two or more verbs in separate clauses, do use a comma when the coordinating conjunction is “but.”

- ▶ The professor flew from New York to California, but then drove back.
- ▶ We spoke with the new dean and gave her our proposal.

(c) **Introductory elements.** Use commas after introductory dependent clauses and introductory prepositional phrases of three or more words.

- ▶ Before beginning to write, she carefully reviewed her outline.

Avoid commas, however, after introductory prepositional phrases that are two or fewer words.

- ▶ At school she diligently reads for class.

(d) **Nonintroductory elements.** Use commas to set off nonintroductory dependent clauses and prepositional phrases only if they interrupt the flow of the sentence.

- ▶ The editor in chief, before the last issue of the year, was sane and looking forward to publishing her first volume.

- ▶ The defendant appeared more credible than the plaintiff because she was less drunk than he.

(e) **Transitional words.** Use commas to set off transitional words (e.g., “therefore,” “moreover,” “accordingly,” “furthermore,” “however,” “nevertheless,” and “thus”) whether at the beginning or middle of a sentence.

- ▶ The author’s argument, therefore, is untenable.

Do not use a comma between independent clauses joined by a transitional word. Rather, join the independent clauses with a semicolon or split the two clauses into two sentences.

- ▶ She likes to read all day long; however, she never seems to find the time to read her case-book.

Use a comma after “thus” when it introduces an example or when it substitutes for “therefore.”

- ▶ Thus, it is necessary to have a key to the law school in order to access the library.
- ▶ We sent the issue to the printer and, thus, expect it back next week.

Do not use a comma after “thus,” however, when it means “in this way.”

- ▶ Thus he learned of the conspiracy against them.

(f) **Series.** Use a comma after each item before a conjunction when there are three or more items linked by the conjunction, except when using an ampersand in a citation.

- ▶ The defendant came to court with a gun, knife, and three grenades.

(g) **Consecutive adjectives.** Use commas to separate consecutive adjectives when each adjective directly modifies the noun equally.

- ▶ We could not read the old, torn manuscript.

Adjectives may also be joined with “and” instead of a comma.

- ▶ We could not read the old and torn manuscript.

Do not use a comma before the last adjective when the last adjective and

the noun combine to form a term.

- ▶ That is not a reliable American car.

Do not use a comma to separate an adjective from another adjective that modifies it.

- ▶ The office had bright green chairs.

(h) **Parenthetical elements.** A parenthetical element is relevant but not essential to a sentence's meaning; the element could be deleted without affecting the sentence's meaning. Place a comma at both ends of a parenthetical element.

- ▶ The new professors were, as a matter of fact, the best in the field.

(i) **Dates.** Use a comma between the day and the year when a sentence includes a complete date. Surround the year with commas.

- ▶ On January 20, 1961, President Kennedy was sworn into office.
- ▶ The journal met its June 1, 2007, deadline.

When the date includes only the month and year, omit the comma after the month. Include the comma after the year only if grammatically appropriate.

- ▶ In January 1961, President Kennedy was sworn into office.
- ▶ The journal met its June 2007 deadline.

(j) **Locations.** Use commas to separate addresses and names of geographical locations.

- ▶ San Diego, California, is the location of a major naval base.
- ▶ The process server found the defendant in Paris, France, and served him there.

(k) **Suffixes.** Use commas before and after a suffix that follows a person's name (e.g., "Jr.," "Esq.," "Ph.D.").

- ▶ Martin Luther King, Jr., wrote "Letter from Birmingham Jail" in 1963.
- ▶ F. Lee Bailey, Esq., a well-known attorney, called the office today.

4. Dash

There are two types of dashes: an en dash (“–”) and an em dash (“—”).

(a) **En dash.** An en dash indicates ranges of time, money, or other amounts. In dates, an en dash with nothing following it indicates that the timespan is still ongoing.

- ▶ The estimated \$15,000–\$20,000 stolen by the defendant was never recovered.
- ▶ The *New York Times* (1851–) has a circulation of over one million.

An en dash is also used to contrast values or to illustrate a relationship between two things. Thus:

- ▶ In a 5–4 decision, the Court affirmed the Fifth Circuit.
- ▶ The Patriots beat the Raiders 21–7.

Use an en dash instead of a hyphen in a compound modifier when one of the compound’s elements is itself an open compound (two or more words separated by a space), or both elements are themselves hyphenated compounds. En dashes separate the main elements more immediately than a hyphen.

- ▶ post–World War II years
- ▶ Civil War–era memorabilia
- ▶ quasi-public–quasi-private organization

See also the Goldbook writing conventions, section W3.5, for hyphenation of compound modifiers. Use hyphens and not en dashes for page ranges. Use en dashes for any other types of range besides page ranges.

(b) **Em dash.** An em dash acts as a substitute for “that is.” It interrupts a sentence by setting off a clause or short sentence that explains or sums up a preceding idea. Place a space on each side of a dash to cushion it from the text. Thus:

- ▶ We needed new equipment — three computers and a printer — to make the journal efficient.
- ▶ The cite-checking party accomplished two things — substantiating the author’s cites and training law review Members.

5. Hyphen

(a) **Proper use.** Use a hyphen to join words and to separate syllables. A hyphen is not a dash.

(b) **Up-to-date dictionary.** Because the usage of hyphens in compound terms changes over time, check compound terms in an up-to-date dictionary.

(c) **Compound modifiers.** A compound modifier is a multiword phrase that modifies a noun as a unit. Generally, join compound modifiers *immediately preceding the noun* with hyphens if doing so will help the reader to recognize the compound adjective. The hyphen *may* be omitted if doing so does not result in ambiguity.

- ▶ ill-humored professor

- ▶ easy-to-read book

But:

- ▶ civil rights legislation

However, do *not* hyphenate compound modifiers when they *follow* the noun they modify:

- ▶ The student was ill humored.

- ▶ That book was easy to read.

Do *not* hyphenate compound modifiers consisting of an adverb modifying an adjective when the adverb ends in “ly.”

- ▶ wholly owned subsidiary

- ▶ closely held corporation

- ▶ fiercely contested election

Hyphenate compound modifiers if the adverb is “well” and the second word is a past participle.

- ▶ well-known judge

This rule does not apply when the compound modifier follows the noun.

- ▶ The judge is well known.

If the first element of a compound modifier is a comparative (e.g., “better”) or superlative (e.g., “best”), do not use a hyphen unless the modifier consists of more than two words.

- ▶ best loved professor
- ▶ most-favored-nation status

Do not use a hyphen if the compound modifier consists of a foreign phrase.

- ▶ de jure corporation
- ▶ bona fide purchaser

(d) **Prefixes.** Generally, use a hyphen with the prefixes “ex,” “self,” and “quasi.”

- ▶ ex-wife
- ▶ self-inflicted
- ▶ quasi-suspect

Generally, do not use a hyphen with the prefixes “anti,” “co,” “de,” “dis,” “inter,” “intra,” “multi,” “non,” “over,” “para,” “post,” “pre,” “pro,” “re,” “semi,” “sub,” “super,” “un,” or “under.” Use a hyphen, however, if: (1) the second element is capitalized or hyphenated, (2) the second element is a numeral, (3) it is necessary to distinguish the word and its prefix from another word of the same spelling, (4) the prefix comes before a word that starts with the same prefix, or (5) it is otherwise necessary for clarity.

- ▶ non-quasi-suspect class
- ▶ post-1960
- ▶ re-creation of the scene
- ▶ multinational
- ▶ sub-subheading
- ▶ pre-Enron business practices

Use a hyphen to avoid doubling the same vowel or placing vowels together whose combination would create a sound separate from their correct pronunciation.

- ▶ semi-institutional
- ▶ co-op
- ▶ co-ed
- ▶ intra-office

But:

- ▶ nonneutral

Use a hyphen with the prefix “e” when denoting the word “electronic.”

- ▶ e-mail
- ▶ e-commerce
- ▶ e-file

See also the Goldbook writing conventions, section W3.4, for use of the en dash in compound adjectives containing elements that are themselves compound.

(e) **Repeated common elements.** When a common element is found in two or more *hyphenated compounds*, the element does not need to be repeated if it is clearly part of all the compounds. When the repeated element is the *first* word of each compound, include the element in the first compound and omit it from the remaining compounds. Include the hyphen with the first compound.

- ▶ She was a well-known and respected judge.
- ▶ The villagers lived in a self-sufficient and sustaining environment.

However, if the repeated element is the *second* word of each compound, omit the repeated element in all but the last compound, and place the hyphen with all compounds.

- ▶ The shuttle arrives at five- to ten-minute intervals.
- ▶ The buyer purchased small-, medium-, and large-sized T-shirts.

For *nonhyphenated* compounds, omit the repeated element if it is the *second* element in the compound. Add a hyphen to the compound whose repeated element is dropped.

- ▶ Both the over- and underfed children were placed with foster parents.
- ▶ The oralist participated in both intra- and interschool competitions.

However, if the repeated element is the *first* element of each nonhyphenated compound, the element may *not* be omitted.

- ▶ The firm consisted mostly of overpaid and overworked attorneys.

Not:

- ▶ The firm consisted mostly of overpaid and -worked attorneys.

(f) **Titles.** Only use a hyphen in a double title, not in one denoting a single office.

- ▶ secretary-treasurer
- ▶ attorney general
- ▶ vice admiral
- ▶ editor in chief

(g) **Numbers.** Use a hyphen for the numbers twenty-one to ninety-nine. See also Goldbook rule 6.2 for the use of numbers and numerals.

6. Parentheses

(a) **Setting material apart.** Use parentheses when inserting information as a comment, explanation, or translation in a sentence that is structurally independent of that information.

- ▶ She gave him three dollars (all in quarters and dimes) to take with him to the store.

(b) **Shorthand expressions.** Use parentheses and quotation marks to introduce shorthand expressions that will be used later.

- ▶ The General Agreement on Tariffs and Trade (“GATT”) was first established in October 1947.
- ▶ The United States Code (“USC”) is organized by subject.
- ▶ The University City Planning Board (“Board”) passed the Trujillo proposal (“proposal”) that authorizes use of the new railway conductor system (“system”).

However, for shortened journal articles or titles, see Bluebook rule 4.2(b).

(c) **Numbered series.** Use parentheses to enclose numerals or letters in a numbered series.

- ▶ The judge wanted three things: (1) a quick trial or settlement, (2) cooperation among the parties involved in the suit, and (3) a fair and just outcome to the litigation.

See also the Goldbook writing conventions, section W3.8, for the use of semicolons in complicated series.

(d) **Punctuation.** Punctuate material in parentheses as needed.

- ▶ She gave away all her material possessions (including a television, a bed, and eight volumes of the law review).

Include question marks and exclamation points inside the parentheses if the closing punctuation belongs to the parenthetical matter. If the punctuation belongs to the surrounding sentence, place the punctuation outside the parentheses.

- ▶ The plaintiff acted against his attorney’s advice (to everyone’s great surprise!), addressing the judge himself.

If an entire sentence is in parentheses, place the closing punctuation inside the parentheses, with no additional punctuation outside.

- ▶ The plaintiff acted against his attorney’s advice and addressed the judge himself. (This development came as a great surprise to everyone!)

Footnote numbers generally belong at the end of the sentence to promote ease of reading. Footnotes also generally follow a closing parenthesis. Sometimes for clarity, however, it makes more sense to place the footnote number inside the parentheses.

- ▶ In 2003, the Supreme Court considered the role of race and ethnicity in law school admissions in *Grutter v. Bollinger*.⁷³ (The Court had previously addressed the question in *Regents of the University of California v. Bakke*.)⁷⁴ The Court also considered the role of race in undergraduate admissions (in a companion case, *Gratz v. Bollinger*) that same year.⁷⁵ The *Grutter* opinion (including its famous phrase “25 years from now”⁷⁶) has received extensive attention in academic scholarship.⁷⁷

Do not include parenthetical material of more than one sentence inside of another sentence. Rewrite the parenthetical material so that it stands on its own.

- ▶ She was very upset with the Court’s decision in *Ledbetter v. Goodyear Tire & Rubber Co.* (This case held that the 180-day window in which an employee may sue for pay discrimination does not reset with each new discriminatory paycheck. Congress later reversed the decision by legislation two years later.)

Not:

- ▶ She was very upset with the Court’s decision in *Ledbetter v. Goodyear Tire & Rubber Co.* (which held that the 180-day window in which an employee may sue for pay discrimination does not reset with each new discriminatory paycheck. Congress later reversed the decision by legislation two years later).

7. Periods

(a) **Space after periods.** A period marks the end of a declarative or imperative sentence. Follow a period in text and in footnotes with a single space. In the following example, each dot (“.”) represents one space.

- ▶ The editor kept a copy of Strunk and White’s *The Elements of Style* on his desk at all times. •The book showed signs of heavy use.

Not:

- ▶ The editor kept a copy of Strunk and White’s *The Elements of Style* on his desk at all times. ••The book showed signs of heavy use.

Authors will often provide a manuscript using two spaces after a period. Before the final proofing stage, change all instances of two spaces following final punctuation to single spaces.

See also Goldbook rules 15.3 and 16.3 for the use of only one space in titles of books and periodicals.

(b) **Ellipses.** An ellipsis is a string of three periods, each separated by a space, indicating the omission of a word, phrase, paragraph, or more from quoted text. The ellipsis may precede or follow other punctuation. Surround the ellipsis with spaces to set it off from the surrounding text or punctuation. In the following example, each dot (“.”) represents one space.

- ▶ As Amar noted, “Indeed, if there were no speech cases from the nineteenth century at all, does Justice Thomas really think judicial rejection of claims of excessive punishment . . . really supports the proposition that no student speech is protected . . . ?”

All three periods must appear on the same line.

- ▶ The committee’s notes stated: “Subsection (b) provides that the ... Act applies to transactions in which the parties have agreed to conduct the transaction electronically.”

Not:

- ▶ The committee’s notes stated: “Subsection (b) provides that the .. Act applies to transactions in which the parties have agreed to conduct the transaction electronically.”

See also Goldbook rule 5 for the formatting of quotations.

8. Quotation Marks

(a) **Terms after introductory expressions.** Use quotation marks to enclose any specific material introduced by words such as “called,” “endorsed,” “entitled,” “known as,” “marked,” “signed,” “so-called,” “the term,” or “the word.”

- ▶ The document referred to the term “jointly” when discussing ownership.

(b) **Terms of art or unfamiliar words.** Use quotation marks for the initial introduction of terms of art or unfamiliar words. Subsequent uses of these terms or words, however, should not include quotation marks.

- ▶ Common law murder requires a finding of “malice aforethought.” Malice aforethought is the intent to kill, the intent to inflict serious

bodily harm, reckless disregard of an unjustifiably high risk to human life, or felony murder.

(c) **Punctuation within quotation marks.** Place commas and periods inside quotation marks, but place other punctuation marks inside quotation marks only if they are part of the quoted material.

- ▶ She used the phrase “in personam”; however, the judge asked, “What is the jurisdiction over the property?”
- ▶ Why does everyone believe that she voluntarily said, “I did it”?
- ▶ When I asked her if she signed the document, she answered with a very emphatic “No.”

9. Semicolon

(a) **Separation of independent clauses.** Use semicolons to join two closely related independent clauses of a compound sentence when separating the clauses into two sentences or joining them with a conjunction does not convey the intended meaning.

- ▶ He stayed focused all night editing; he had a deadline the next morning.

Use semicolons before transitional expressions (e.g., “however,” “nonetheless,” “indeed,” “for example,” and “as a result”) when these join independent clauses.

- ▶ The witness heard the statement from Mr. Clark; therefore, her testimony regarding the truth of the matter in the statement was hearsay.
- ▶ They applied to work for us; however, their skills are not what we need right now.

Do not use a semicolon between an independent and a dependent clause. Only use semicolons to separate clauses that could otherwise stand on their own as complete sentences.

(b) **Complicated series.** Use semicolons instead of commas to separate a series that is complicated or contains other internal commas.

- ▶ The article needed a clearer topic; an edit for grammar, spelling, and punctuation; and a more compelling introduction.

PLURALIZATION

1. Compound Words

Pluralize compound words by pluralizing the noun or term that increases in number.

- ▶ The bride had not yet introduced her new sisters-in-law.
- ▶ Even lieutenant colonels and lieutenant generals are susceptible to courts-martial.
- ▶ There were many attorneys general at the meeting.

Pluralize both words of a compound if they are of equal significance.

- ▶ There was a sharp decrease of women nurses at the hospital.
- ▶ The club had several secretaries-treasurers within a five-year period.

Pluralize the last word of a compound if no word is significant.

- ▶ They whispered sweet-nothings in a garden of forget-me-nots.
- ▶ The younger sister always wore hand-me-downs.

2. Suffix “ful”

Pluralize nouns ending in “ful” by adding “s” at the end.

- ▶ He ate three large mouthfuls of the wedding cake.
- ▶ The recipe called for three cupfuls of sugar.

If, however, it is really the container that is plural, not the measure or quantity, use the word “full” instead of the suffix “ful.”

- ▶ They all had mouths full of wedding cake.
- ▶ Three cups full of sugar sat on the table.

3. Other Plurals

For nouns that are difficult to pluralize, consult an up-to-date dictionary. The following are examples of nouns that typically cause difficulty. Where there are two methods for pluralizing a noun, choose one method and use it consistently.

(a) **Nouns ending in “is.”** Pluralize nouns ending in “is” by changing the “is” to “es.”

▶ Analysis, analyses

(b) **Nouns ending in “on.”** Pluralize nouns ending in “on” by changing the “on” to “a” or by adding “s.”

▶ Criterion, criteria, criterions

(c) **Nouns ending in “um.”** Pluralize nouns ending in “um” by adding “s” or by changing the “um” to “a.” However, pluralize some nouns ending in “um” only by changing the “um” to “a.”

▶ Symposium, symposia, symposiums

▶ Datum, data

(d) **Nouns ending in “us.”** Pluralize nouns ending in “us” by changing the “us” to “i” or by adding “es.” However, pluralize some nouns ending in “us” only by changing the “us” to “i.”

▶ Syllabus, syllabi, syllabuses

▶ Stimulus, stimuli

(e) **Nouns ending in “x.”** Pluralize nouns ending in “x” by adding “es” or by changing the “x” to “ces.”

▶ Appendix, appendixes, appendices

Style Conventions

HOUSE STYLE

1. Order Within an Issue

Order pieces within an issue as follows:

In Memoria
Tributes
Prefaces/Forewords/Introductions
Addresses
Lectures
Colloquies
Articles
Essays
Responses
Replies
Book Reviews
Comments
Notes

(a) **Alternative ordering.** Despite the above ordering, in memoria and tributes may follow prefaces/forewords/introductions if the former are part of a selection of articles that the latter introduce. Responses and replies should follow the piece giving rise to the responses or replies if they appear in the same issue.

(b) **Responses and replies.** Responses address a previously published work. Replies address responses and are written by the authors of the pieces that instigated the responses.

(c) **Book reviews.** Book reviews examine independent literary works. Print the following in **Ordinary Roman (Plain Text)** type below the title of the book review: (1) the title of the book in bold followed by a period, (2) the author of the book followed by a period and an asterisk footnote mark (see the Goldbook manuscript conventions, section S1.7), (3) the city and state of the publisher followed by a colon, (4) the name of the publisher and the year of publication followed by a period, (5) “Pp.” followed by the number of pages, and (6) the price followed by a period.

- ▶ **Law and the Shaping of the American Labor Movement.** By William E. Forbath.* Cambridge, Mass.: Harvard University Press, 1991. Pp. 211. \$10.95.

(d) **Alternative designations.** Other designations that differ from those

listed above are discouraged. However, when necessary, use reasonable alternative designations (e.g., commentary or critique instead of essay).

2. Front Matter and Back Matter

The special pages at the beginning of each issue are placed in the following order:

- Cover
- Mail page
- Table of Contents
- Faculty page
- Board of Editors
- Donor pages

The special pages at the end of each issue are placed in the following order:

- Advertisements (if any)
- Recent or upcoming articles page

3. Beginning Pages for Pieces

Begin pieces on odd numbered pages. The first page should include the drop head, if any (e.g., articles, comments, essays), the title of the piece, the table of contents, if any, and the beginning of the text (if space permits).

Regardless of where a particular piece's table of contents ends, always begin the text of each article on an odd numbered page (even if this results in a blank page between the table of contents and the text).

Avoid widows (a last word or short last line of a paragraph that falls at the top of the page) and orphans (the first line of a paragraph that appears as the last line of the page).

4. Synopsis

A synopsis, headnote, or editorial introduction may be used to give background information about a piece. Use synopses only in extreme situations when background information would be helpful to orient

(e.g., if the piece is a response or reply to a piece in a separate issue and the connection is unclear) or educate the reader (e.g., if the piece is particularly long or complicated). Block quote and italicize synopses, and place them after the author's name without their own heading.

5. Headings

(a) **Generally.** Order headings as follows: part, subpart, section, and subsection. Use Roman numerals and **LARGE AND SMALL CAPITALS** for part headings. Center part headings. Use capital letters and *italic text* for subpart headings. Center subpart headings. Use Arabic numerals and **Ordinary Roman (Plain Text)** type for section headings. Indent section headings from the left margin. Use lowercase letters and *italic text* for subsection headings. Indent subsection headings from the left margin. Avoid further subheadings if possible. When further subheadings are necessary, use Arabic numerals in parentheses and **Ordinary Roman (Plain Text)** typeface. Indent these subheadings from the left margin.



- I. PART
- A. *Subpart*
- 1. Section
- a. *Subsection*
- (1) Subsection

(b) **Other headings.** Use **LARGE AND SMALL CAPITALS** for other headings such as “**PROLOGUE**,” “**PREFACE**,” “**INTRODUCTION**,” and “**CONCLUSION**.” These headings are not introduced by numerals or letters.

(c) **Divisibility.** Do not divide any part, section, or subsection into subdivisions unless there are at least two subdivisions.

6. Placement of the Author's Name

In professional and student pieces, italicize the author's name and center it below the title. In book reviews, place “*Reviewed by*” before the reviewer's name in italics and center it below the information on the reviewed book.

7. Author Footnotes

Use an asterisk after an author's name to footnote to biographical

information about the author, the author's appreciation to others, or both. All author footnotes must begin with a copyright notice as follows: "Copyright © 2013 [author's full name]." The author's appreciation to others should be in the first person. Use author footnotes for book review authors as well. If there are multiple authors, use multiple asterisks for additional footnotes.

- ▶ **Bob Jones***
Jack Smith**

LEGAL WRITING

1. Authority

Cited authority must always be complete and accurate. That is, it must support the article's textual material.

(a) **Primary authority.** Primary authority is authority that directly supports the assertion. For example, the primary authority for the assertion that race discrimination by state governments is unconstitutional is the Fourteenth Amendment of the U.S. Constitution.

(b) **Secondary Authority.** Secondary authority is relevant authority that supports the assertion, but is not primary authority. For example, various legal treatises support the above assertion.

Secondary authority may be case law from outside a particular jurisdiction, a law review article that explains a particular aspect of the law, case law when a statute is the primary authority, or any other instance when a source is not directly supporting the assertion.

An article may cite secondary authority if helpful, but not before it cites primary authority. Only begin with secondary authority if there is no primary authority on point.

(c) **Manner of citing authority.** First, cite primary authority. Second, cite other supporting authorities. Finally, discuss any relevant matters. Discussion in footnotes and endnotes must reasonably relate to the assertion in the text. The endnotes and footnotes are not simply a repository for discarded text.

2. Clarity and Organization

Write clearly and concisely. Sentences with multiple ideas, misplaced modifiers, or ambiguous references will confuse readers. Try to keep sentences reasonably short and use plain English. Omit needless words. Use topic sentences as much as possible. Avoid quotations when possible; however, use quotations when paraphrasing would alter the meaning of the statements. The text must contain all the main ideas in the article and be readable apart from the footnotes or endnotes.

-
- (a) **Roadmaps.** When helpful, use roadmaps at the beginning of a new part or section to inform the reader of the upcoming discussion. However, do not use roadmaps if unnecessary for clarity or if they seem too repetitive of the presented material.
- (b) **Headings and subheadings.** Divide material in the text with headings and subheadings. This will help organize the text and make it easier for the reader to follow your line of reasoning.
- (c) **Transitions.** Use transition sentences and paragraphs to tie the article together.
- (d) **Short sentences.** Most sentences should contain only one main thought. Short sentences with one main thought tend to be clearer. However, to avoid a choppy feel to the article, vary sentence structure by placing two or more closely related thoughts in some sentences. Sentences should average approximately twenty-five words in length. Exceptions may be made if absolutely necessary.
- (e) **Introduction and conclusion.** In the introduction, briefly set the scene and engage the reader's interest. Emphasize the issue and possible solutions. Briefly describe what the article will discuss and argue, part by part. In the conclusion, summarize the article and advocate the article's position.

3. Argument

- (a) **Tone.** Articles should have the appropriate tone. Law review pieces should be objective. Although pieces must advocate some course of action, the actual presentation of arguments should avoid the appearance of bias. Examining opposing arguments helps keep the tone objective. Using the appropriate tone will make articles more persuasive to readers.
- (b) **Selecting arguments.** Select the strongest arguments in support of the article's conclusion. Avoid the "shotgun" approach — using several arguments in the hope that one will be persuasive. The use of too many arguments detracts from the strong arguments. If possible, try to rely on no more than three arguments on each issue.
- (c) **Getting to the point.** Oliver Wendell Holmes once wrote, "Strike for the jugular and let the rest go." Readers grow impatient and arguments lose their force when there is no forward movement. Advance each argument, omitting material that does not move toward the desired target.

4. Passive Voice

A sentence is in the passive voice when its subject receives, rather than performs, the action. Generally, avoid the passive voice when it needlessly obscures the actor. The active voice is usually preferable to the passive voice because it often makes writing more interesting and readable. It is not, however, always better than the passive voice.

Authors may properly use the passive voice when: (1) the action is important and the actor is not, (2) the author does not know who acted, (3) the author wants to place a strong element at the end of the sentence for emphasis, (4) a sense of detached abstraction is appropriate, or (5) the author has a sound reason for not wanting to reveal the actor (e.g., to make facts more persuasive).

- ▶ The defendant was indicted for first degree murder. (1)
- ▶ Mysteriously, the gifts were delivered to the orphans' center. (2)
- ▶ After refusing to pay ransom, Mr. Smith was brutally strangled. (3)
- ▶ All people are created equal. (4)
- ▶ Mistakes were made. (5; *this usage is appropriate if emphasis away from the actor will make the author's position more persuasive.*)

5. Footnotes and Endnotes

Use footnotes for pieces published in the journal. Use endnotes for student-written pieces and preliminary drafts of journal pieces, if helpful.

Although writers need not footnote or endnote every sentence, they must provide a footnote or endnote for each of the following:

- (1) to support assertions of fact and law;
- (2) to cite authority in the text (i.e., inform the reader where to find the authority); and
- (3) to provide necessary additional information.

WORD USAGE

Use an up-to-date dictionary to resolve difficult word choices other than those set out below.

A, an. Use the article “a” before words that begin with a consonant sound, a sounded /h/, or a long /u/ sound. Use “a” before any acronym whose letters are pronounced individually in speech (generally, acronyms of three or fewer letters) when the first letter is pronounced beginning with one of these sounds. Also, use “a” before any acronym that is pronounced as a word in speech when that word begins with one of these sounds.

- ▶ a computer, a car, a CPA
- ▶ a human being, a hundred bottles, a HALO meeting
- ▶ a uniform, a useful discussion, a UNESCO World Heritage site

Use the article “an” before words that begin with a vowel sound, except the long /u/ sound, and before words that begin with a silent /h/. Use “an” before any acronym whose letters are pronounced individually in speech (generally, acronyms of three or fewer letters) when the first letter is pronounced beginning with one of these sounds. Also, use “an” before any acronym that is pronounced as a word in speech when that word begins with one of these sounds.

- ▶ an effigy, an opinion, an FHA loan
- ▶ an ultimatum, an understatement
- ▶ an honorarium, an hour, an HHS grant

Affect, effect. “Affect” may act as a verb meaning: (1) to influence or to stir the emotions, or (2) to make a pretense of being, having, liking. “Affect” is not a noun unless used as a psychological term. “Effect” may act as: (1) a noun meaning a result or anything brought about by a cause, or (2) a verb meaning to bring about, cause, or accomplish.

- ▶ The noise in the classroom affects our ability to learn.
- ▶ “That is all I have,” I said, affecting a pathos in my voice.
- ▶ The movie displayed a boring array of special effects.

- ▶ She would like to effect change in the system.

Allude, elude. “Allude” means to indirectly reference. “Elude” means to avoid or escape.

- ▶ She alluded to the possibility that he may have committed a crime.
- ▶ The felon eluded police for six days.

Allusion, illusion. “Allusion” means an indirect reference. “Illusion” means a deception or a false impression.

- ▶ Her statement was an allusion to a possible crime.
- ▶ The plaintiff gave the illusion that he was just like the jurors.

Altogether, all together. Use “altogether” to mean completely or wholly. Use “all together” to mean all in one place or at the same time.

- ▶ Lisa’s music and Marge’s singing was altogether entertaining.
- ▶ The warden gathered the prisoners all together in the courtyard.

Among, between. Use “among” to express collective relations of two or more things. Use “between” to express one-to-one relations, even if the relations are of more than two things.

- ▶ Professor Imwinkelried is well respected among his colleagues.
- ▶ Settlement negotiations continued between the various parties.

And/or. Avoid using “and/or.” In almost every situation, “and/or” can be replaced with either “and” or “or.” The phrase “or both” may also be added to clarify the meaning.

- ▶ The staff did not allow food or drinks around the computers.
- ▶ Violators may have to pay a fine, go to prison, or both.

Not:

- ▶ The staff did not allow food and/or drinks around the computers.
- ▶ Violators may have to pay a fine and/or go to prison.

As. Avoid using “as” in causal or explanatory clauses. Instead, use “because” in these contexts. Generally, one may use “as” in clauses

denoting simultaneity, comparison, or manner (replacing “while,” “when,” and “like”).

- ▶ As Mr. Burns approached, Bart readied his high-powered slingshot.

Not:

- ▶ I am unable to complete my Law Review Note, as I will be in Acapulco.

Because, since. Use “because” to denote cause and effect. Use “since” to indicate the passage of time.

- ▶ They hired her because her interview went very well.
- ▶ He has not been the same since he attended law school.

Black. Capitalize “Black” when used in a racial, ethnic, or cultural context.

But... however. Because these terms have the same meaning, do not use them together in the same sentence.

Can, may. Use “can” to express present ability of acting. Use “may” to express the possibility of acting.

- ▶ Homer can eat at least fifty donuts per day.
- ▶ Marge told Homer he may not eat more than six donuts per day.

Cite, sight, site. Use “cite” to refer to the act of quoting. Use “sight” to refer to the act of seeing. Use “site” to refer to a location.

- ▶ The site was used for mining coal.

Cite, citation. “Cite” is a verb meaning to quote and should not be used as a noun. “Citation” is the noun form of “cite.”

- ▶ The citation for your assertion is dubious; please cite another source.

Compare to, compare with. Use “compare to” for resemblances between objects of a different type. Use “compare with” for similarities and differences between objects of the same type.

- ▶ Compared with the articles in the last issue, these are boring.

- ▶ She often compares law school to medical school.

Comprise, include, compose, constitute. “Comprise” means to consist of and suggests that all the parts are listed. The whole “comprises” the parts; the parts are “comprised” in the whole. “Include” also means to consist of, but it does not suggest that all the parts are listed. “Compose” means to form or make up. The parts “compose” the whole; the whole is “composed” of the parts. “Constitute” also means to form or make up, but it can refer to one element of the whole instead of several.

- ▶ The lecture comprises six separate topics.
- ▶ King Hall offers many courses, including Securities Regulation I, Securities Regulation II, and White Collar Crime.
- ▶ The lecture is composed of six separate topics.
- ▶ Copper and tin constitute bronze.

Contractions. Do not use contractions (e.g., “can’t,” “won’t,” “isn’t”).

Council, counsel. “Council” is primarily a noun meaning a deliberative or governing assembly. “Counsel” is primarily a verb meaning “to advise.” As a noun, “counsel” means an advisor or advisors (including attorneys), advice, instruction, or opinion. Do not use “counsels” as the plural form.

- ▶ Under advice of counsel, the defendant voluntarily pleaded guilty.

COVID-19. Abbreviate Coronavirus disease 2019 only to “COVID-19.”

Disinterested, uninterested. Use “disinterested” as a synonym for impartial or unbiased. Do not use “disinterested” to mean “uninterested” (lacking interest).

- ▶ They needed a majority vote of disinterested officers.

E.g. Use “e.g.” (“for example”) sparingly in text and only in parenthetical matter. Do not italicize “e.g.” Always follow it with a comma.

- ▶ She loved the music of old jazz musicians (e.g., Louis Armstrong) and danced to it at every opportunity.

Etc., et al. Generally, avoid using “etc.” (“and other things”) or “et al.” (“and other persons”) in text because they lead to ambiguities. However, if it is impracticable or impossible to list everything or everybody, use these terms sparingly.

Farther, further. Use “farther” only to refer to physical distances. Use “further” only to refer to figurative distances, time, or quality or as a synonym for moreover.

- ▶ She ran farther than he did.
- ▶ The editors argued further about the selection of articles.

Feel. Use “feel” for sensations or emotions. Do not use “feel” as a synonym for “to believe” or “to think.”

- ▶ The victim could feel the knife enter his back.

Not:

- ▶ I feel like my boss does not appreciate my work.

Gender bias. Avoid gender-biased language by using reasonable substitutes for gender-based descriptions. Avoid using either male or female pronouns when the referent is not necessarily male or female by: (1) using the plural in place of the singular, (2) omitting the pronoun or substituting an article in its place when this will not create an ambiguity, (3) repeating the referent, or (4) using the second person in place of the third person.

- ▶ Participants should bring their books. (1)
- ▶ Each participant should bring a book. (2)
- ▶ Each participant should bring the participant’s book. (3)
- ▶ Participants, bring your books. (4)

Not:

- ▶ Each participant should bring his book.

Do not use “he/she,” “his/her,” or “him/her” or other constructions that double the subject, pronoun, or object to solve this problem.

Not:

- ▶ Participants should bring whatever he/she thinks necessary.
- ▶ Please give each participant’s book back to him/her.

If one cannot avoid the use of gender-specific pronouns, use of “he or she” or “his or her” is acceptable. Alternate the use of feminine and masculine genders as a last resort. However, do not alternate the use of feminine and masculine gender pronouns for a hypothetical person in any single example used to illustrate an idea.

Further, use gender-neutral terms to refer to individuals or groups that are not necessarily male or female.

- ▶ humanity *or* people *instead of* mankind
- ▶ jury foreperson *or* presiding juror *instead of* jury foreman
- ▶ businessperson, entrepreneur, corporate officer *instead of* businessman

Historic, historical. “Historic” means historically significant. “Historical” means of or relating to history.

- ▶ Americans know that 1776 was a historic year for the United States.
- ▶ Maude is the president of the local historical society.

However. When “however” is placed within a sentence, position it to contrast emphasis on the ideas that precede and follow it. “However” may begin a sentence.

- ▶ They approved of the idea. He refused, however, to vote for it.

Or:

- ▶ They approved of the idea. However, he refused to vote for it.

Or:

- ▶ They approved of the idea; however, he refused to vote for it.

I.e. Use “i.e.” (“that is”) sparingly in text and only in parenthetical matter. Do not italicize “i.e.” Always follow it with a comma.

- ▶ She went to law school (i.e., King Hall) to learn immigration law.

Imply, infer. “Imply” means “to suggest.” “Infer” means “to deduce a conclusion.”

- ▶ The defendant's attorney implied that the plaintiff was at fault.
- ▶ Although there was not much evidence at trial, the jury was able to infer that the plaintiff was at fault.

Incident, incidental. As an adjective, use “incident” to mean dependent upon, subordinate to, arising out of, or otherwise connected with (something else, usually of greater importance). Use “incidental” to mean peripheral or of secondary importance occurring as an undesigned consequence of something more important.

- ▶ The utility easement is incident to the ownership of the tract.
- ▶ The law considers the parties' oral agreement incidental to their contemporaneous written integration.

Insure, assure, ensure. Restrict the use of “insure” to financial contexts involving indemnification. Use “assure” to mean making promises to others that particular things will happen. Use “ensure” to mean making certain that particular things occur.

- ▶ When a seller quotes F.O.B., it does not insure against loss during shipment.
- ▶ She assures us that the package will arrive on time.
- ▶ He ensured his position on the board by working very diligently.

Internet. Capitalize “Internet” when discussing the proper noun itself and when using it as an adjective.

- ▶ He was browsing the Internet.
- ▶ Westlaw and Lexis-Nexis have Internet websites for online legal research.

Less, fewer. Use “less” for nouns that are: (1) quantified by mass rather than number, or (2) immeasurable. Use “fewer” for things that are counted.

- ▶ There was less sand on the beach this year than last.
- ▶ He felt as though he had less honor for not having served his country.
- ▶ There were fewer granules of sand in this test than the last.

Lie, lay. When used in the “setting” or “reclining” context in the present tense, “lay” is a transitive verb that requires a direct object and “lie” is a complete verb that does not require a direct object.

Incorrect:

- ▶ I’m going to go lay down for a nap.
- ▶ You can lie the groceries down over there.

Correct:

- ▶ I lie down on my bed to take a nap.
- ▶ After you buy the eggs, please lay them on the table.

Literally. Use “literally” to mean actually without metaphor or exaggeration.

- ▶ *Incorrect:* The prosecutor literally pinned the witness down.
- ▶ *Correct:* One juror literally fell asleep during the testimony.

Neither–nor, either–or. “Nor” follows “neither,” and “or” follows “either” when uniting two parallel elements.

- ▶ The defendant neither admitted nor denied the accusation.
- ▶ The plaintiff either lied or was confused about the incident.

“Nor” and “or” may also introduce the second clause of a proposition without “neither” or “either.” Use “or” instead of “nor” when a negative word (such as “no,” “not,” or “nothing”) in the first clause is attached to an auxiliary verb (such as “did,” “has,” or “was”) that serves both clauses but is not repeated in the second clause.

Incorrect:

- ▶ The attorney did nothing unethical or failed to zealously represent her client.

Correct:

- ▶ The attorney did nothing unethical nor inappropriate.
- ▶ The attorney did not call her client or go to the settlement conference.

Use “**nor**,” however, if the negative word is not attached to the auxiliary verb but rather to some other part of the first clause. Because the negative force is cut off, use “**nor**” to reintroduce it.

- ▶ We believe that not one of the editors has read the draft nor talked to the author.

Use “**nor**” to connect and negate an auxiliary verb that is repeated in the second clause, or connect the clauses with a conjunction and place a negative word in the second clause.

- ▶ The client did not speak with the opposing party nor did she meet with the opposing counsel.
- ▶ The client did not speak with the opposing party and did not meet with the opposing counsel.

Of. Generally, omit “**of**” from the following phrases: “**all of**,” “**inside of**,” “**off of**,” and “**outside of**.”

- ▶ All the parties joined in the settlement.

Ordering of ideas. Use “**first**,” “**second**,” “**third**,”... “**last**” (or “**finally**”) when organizing separate sentences into a numerical sequence. One may also use numbers enclosed in parentheses to express ideas in a numerical sequence within a sentence.

Pleaded, pled. Use “**pleaded**” instead of “**pled**” as the past tense for “to plead.”

- ▶ The defendant pleaded not guilty to first degree murder.

Principal, principle, principled. Use “**principal**” as: (1) an adjective meaning primary or chief or (2) a noun meaning a leader, authority, head, or capital sum placed at interest and due as a debt. Use “**principle**” as a noun meaning a fundamental truth or a rule of conduct. Use “**principled**,” not “**principle**,” as an adjective meaning characterized by principle that is usually righteous or proper.

Proved, proven. Use “**proved**” as the past participle of “to prove.” Use “**proven**” only as an adjective.

- ▶ The jury believed that she had proved all the elements of battery.
- ▶ In his closing, the attorney reiterated all the proven elements of his client’s claim.

Quote, quotation. “Quote” is a verb meaning to take verbatim from another’s work and should not be used as a noun. “Quotation” is the noun form of “quote.”

- ▶ She read the quotation aloud for us to hear.

Reason. Avoid using “reason” with “because” or “due to” in the same sentence. Instead, use only one or the other.

- ▶ *Incorrect:* The reason the case went to trial is because the parties could not settle the matter.
- ▶ *Correct:* The case went to trial because the parties could not settle the matter.

Redundant adjectives and adverbs. Avoid modifying nouns and verbs with adjectives and adverbs that add nothing to the meaning.

Redundant:

- ▶ The free gift was an unexpected surprise.
- ▶ The two companies decided to merge together.
- ▶ Please refer back to our prior conversation.

Correct:

- ▶ The gift was a surprise.
- ▶ The two companies decided to merge.
- ▶ Please refer to our prior conversation.

Shall, will. Generally, use “will” to express the future tense. Use “shall” as a form of command, promise, or determination.

- ▶ The board of directors shall have complete discretion on this matter.
- ▶ The printer will return the last proof tomorrow.

Somewhat. Avoid using “somewhat” as a shock-absorbing modifier.

Such. Use “such” to mean of this kind or as a substitute for the adverb “so.” Do not use “such” as an adjective meaning previously mentioned;

instead, replace “such” with the appropriate article or possessive pronoun. Use “such as” to introduce nouns or pronouns.

- ▶ *Incorrect:* She yelled at the professor. Such behavior is not tolerated at King Hall.
- ▶ *Correct:* The court noted that such an appeal is rarely granted.

Systemic, systematic. Use “systemic” to mean relating to a system or affecting the body generally. Use “systematic” to mean following a method, scheme, or orderly procedure.

- ▶ The law review’s systematic method of editing articles contributes to its success.
- ▶ The systemic flaw led to the operation’s failure.

That, which. Use “that” to introduce a restrictive relative clause. A restrictive relative clause is a clause that is necessary to identify the material to which the clause refers.

- ▶ Law review articles that are well written can be very persuasive.

However, introduce the restrictive relative clause with “which” if there is one “that” near another.

- ▶ She authored an article which took the position that current campaign finance reform measures are unconstitutional.

Use “which” to introduce a nonrestrictive relative clause. A nonrestrictive relative clause is a clause that is not necessary, but merely adds information about the material to which the clause refers. The information contained in the clause is unnecessary to identify the meaning of the modified material.

- ▶ The Buckley decision, which is now over twenty years old, supported her position.

See also the Goldbook writing conventions, section W3.3, for the use of commas in restrictive and nonrestrictive clauses.

That–which, who–whom. Select either the “that–which” or “who–whom” pair depending on the type of clause in which the word appears.

(i) *Restrictive clauses.* In restrictive clauses, use “who” (or “whom”) to refer to specific individual persons. Use “that” to refer to generic

classes, groups, or types of persons. In some cases, either word is acceptable.

- ▶ The five members who submitted their drafts late were dropped from the process.
- ▶ Editors that make the correct word choice are rewarded.

But also:

- ▶ Editors who make the correct word choice are rewarded.

Use “who” with generic terms that refer to a specific person or persons in context.

- ▶ Jimmy Carter is a man who enjoys peanuts.

(ii) *Nonrestrictive clauses.* In nonrestrictive clauses, “which” refers to things or groups of people, and “who” (or “whom”) refers to particular persons.

- ▶ The legislature, which was a week away from its recess, postponed the issue.
- ▶ Martin, who really enjoys editing, worked all evening.

Unique. Do not use “unique” to mean merely interesting or novel. “Unique” means that something is one of a kind. There cannot be varying degrees of uniqueness. Thus, do not modify “unique” with adverbs like more, somewhat, or rather.

- ▶ *Incorrect:* The gem was very unique.
- ▶ *Correct:* The gem was unique.

Verbosity. Avoid unnecessary words and phrases. The following examples contain surplus words. Eliminate unnecessary words and phrases by using concise equivalents like those shown on the next page.

- ▶ For the purpose of to
- ▶ At this point in time now
- ▶ Give consideration to consider
- ▶ Has the capability can
- ▶ In connection with regarding, about

- ▶ She is the editor whom we try to avoid.

Whose, of which. Use “whose” for both persons and objects. Do not use “of which” simply to avoid using “whose” for nonpersons.

- ▶ The old building, whose ceiling had caved in, was torn down.

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PROOFREADERS' MARKS

	delete	the insipid court	the court
	insert here	the insipid court	the insipid court
	close up, delete space	Frankenstein	Frankenstein
	begin new paragraph	the court	the court
	let it stand, undelete	case. In addition	case. In addition
	move left	pain in the arse	pain in the arse
	move right	[Thus,	Thus,
	move up	5 th Cir.	5th Cir.
	move down	10 th Cir.	10th Cir.
	transpose	to arm bears	to bear arms
	italicize	law review	law review
	capitalize	In Palsgraf,	In Palsgraf,
	make lowercase	the court	The Court
	use large and small caps	The Court	the court
	use roman type	Harv. L. Rev.	HARV. L. REV.
	insert space	In re Sealed Case	In re Sealed Case
	insert space	Supreme Court	Supreme Court
	insert comma	521 U.S. 982, 987	521 U.S. 982, 987
	insert apostrophe	the author's article	the author's article
	insert quotation marks	he said, "Hello."	he said, "Hello."
	insert period	F. Supp.	F. Supp.
	insert question mark	What did he say?	What did he say?
	insert semicolon	title; however, it	title; however, it
	insert colon	the following:	the following:
	insert hyphen	thirty-five	thirty-five
	use em dash	here — that is,	here — that is,
	use en dash	1984–89	1984–89
	correction in this line	Put in margin to alert editor of change	