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Case Name

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Court Designator

Opinion Number

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Published by

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Acknowledgements to Version 2.1

This edition of the Universal Citation Guide, which we are calling Version 2.1, is being published on the AALL Citation Formats Committee's website for public comment. Version 2.1 integrates the first edition of the Universal Citation Guide, which included rules for citing judicial decisions, constitutions, statutes, and administrative regulations, with rules for citing law reviews and court rules, drafts of which were published for comment in Law Library Journal in 2000.

The principal drafter of the rules for law reviews was Kathy Carlson, State Law Librarian, Wyoming State Law Library, Cheyenne, Wyoming. The principal drafters of the rules for court rules were Mary Persyn, Law Librarian and Professor of Law, Valparaiso University School of Law, Valparaiso, Indiana, and Kent McKeever, Director of the Law Library, Columbia University, New York City.

Sincere appreciation is due to John Joergensen, Reference Librarian, Rutgers

Jurisdictions

Notes

Your comments the UCG are needed and very welcome.

Please send your comments to: jjoerg@camden.rutgers.edu

University Law School Library School of Law, Camden, for scanning the first edition of the UCG and converting it to html, and to Kelly Browne, Head of Reference, University of Connecticut School of Law Library, Hartford, for editing the combined texts. Comments on Version 2.1 should be conveyed to the [Committee on Citation Formats](#).

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The Committee on Citation Formats wishes to acknowledge its members who prepared the three original drafts. "Judicial Decisions" was drafted by Bruce Kennedy, Director of the Law Library and Professor of Law at the University of Toledo. "Statutory Law" was drafted by Lynn Foster, Associate Dean for Academic Affairs and Professor of Law at the University of Arkansas at Little Rock. "Administrative Regulations" was drafted by Carol Billings, Director of the Law Library of Louisiana, and Paul George, Associate Librarian for Research Services at Harvard Law School.

Carol Billings, Past President of AALL, deserves special recognition. Without her fortitude during the initial turbulent stages of citation reform, neither the Report of the Task Force on Citation Formats nor this book would exist. Lynn Foster, who chaired the Task Force, also deserves special recognition. She has served the citation reform movement in many capacities, not the least of which is lead editor on this *Guide* and the 1998 *President's Briefing on Citation Reform*.

The Committee also acknowledges the leadership and commitment of Marcia J. Koslov, State Law Librarian, Wisconsin State Law Library, chair of the Committee since 1996. This Guide is a direct result of her vision that law librarians have both the knowledge and expertise to develop new citation principles.

Sincere appreciation is also due to Jim Hambleton, Kent McKeever, and Rita Reusch, who, together with Carol, Lynn, Bruce, Paul, and Marcia, constituted the "critical mass" of drafters and editors from the beginning of the Task Force to the present.

Special thanks to Michelle Brud, who gave this book its form, and to the State Bar of Wisconsin staff, particularly Laura Adell, Tod Florey, George Brown, Tom Watson, Saralee Fassbender, and Joe Swanton.

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Introduction

- ¶1 The seemingly insignificant legal citation is a linchpin of the law. Citations enable lawmakers to legitimize their actions by linking legislative enactments to established legal authority. They enable jurists to document their decisions through supporting precedents. Citations also lead citizens to the laws they are expected to obey. Our citation conventions have weathered exponential increases in litigation, legislation, and regulation. Their quiet success is attributable to congruence between generally accepted citation standards and the structure of our legal literature. However, current citation rules were crafted for the gilded age of the law book and this symmetry is disintegrating as computer technology reshapes the legal record.

¶2 As information managers, law librarians have a great professional stake in successful citation reform.¹ Librarians expect a new citation form to meet several objectives. First, the new citation standards must maximize access to the law by enabling researchers to overcome both bibliographic and technological barriers to finding points of legal authority. Second, the new citations must support the use of legal sources in both books and the expanding electronic formats. Third, a future citation system must be durable enough to serve researchers through successive generations of information technology - including the unseen post-Internet culture. To address these objectives, the American Association of Law Libraries (AALL) launched its Universal Legal Citation Project.

A Brief History

¶3 This project evolved from the work of many groups, including, in addition to the AALL, particular federal and state courts, state bar associations, the American Bar Association (ABA), and public interest organizations.

¶4 The early 1990s saw several efforts to redesign case citations to accommodate electronic information technology. In 1992 the U.S. Judicial Conference developed an electronic citation system intended to provide temporary citations for cases posted on court-sponsored electronic bulletin boards.²

¶5 In 1993 the Louisiana Supreme Court devised a "public domain" citation system for its case law.³ At the same time, the State Bar of Wisconsin Technology Resource Committee began its study of citation reform which culminated in a recommendation that the state create an authoritative electronic archive of opinions issued by its courts and that archived opinions be retrievable through a "universal citation" system. The proposed case citation was to be both medium and vendor-neutral and consist of four data elements: year, authority or court, case number, and paragraph number.⁴

¶6 Responding to this interest in citation reform, in the spring of 1994, AALL President Kay Todd formed a Task Force on Citation Formats to consider and develop medium-neutral citation standards for legal materials.⁵ Later that same year, the AALL expressed an official position on the issue when its Executive Board passed a resolution calling for "a system of citation that permits reference to legal or law-related information in any medium, print or electronic, without requiring reference to proprietary products of any particular publisher . . ."⁶

- ¶7 The AALL Task Force conducted a thorough study of citation principles to assess the need for a medium- and vendor-neutral citation system. The Task Force also evaluated the various state and federal citation reform initiatives. The findings and conclusions of the Task Force were presented in a report to the Executive Board.⁷ The recommended case law citation was adopted. It contained five data elements: case name, year, court identifier, opinion number and a paragraph number. The statutory law recommendations were deferred pending further study.⁸ Noted but not addressed by the Task Force was the issue of a citation form for state and federal administrative codes and regulations.
- ¶8 With its work completed, the Task Force was dissolved. The AALL Executive Board then created a standing Committee on Citation Formats whose purpose was to create a set of universal citation rules for American law.⁹

The Need for a Universal Citation

- ¶9 Successive layers of information technology - first online databases, then electronic bulletin boards and CD-ROMs, and lately the Internet - have amassed an unwieldy digital legal record which is largely uncitable using conventional citation standards. Specialized citations could be devised for each new layer of this electronic record, but the wiser course was to design a set of universal citation standards which can be used to locate law both in books and any subsequent electronic formats.
- ¶10 Incompatibility between book-based citation rules and electronic law was only a part of the problem. Even if the architecture of the book could be magically superimposed on electronic literature, the marketplace would not allow it. At least one law book publisher claims copyright protection over its pagination scheme¹⁰ - a scheme which has long enjoyed the imprimatur of the premier American legal citation manual.¹¹ The fact that this preferred pagination cannot be freely incorporated into competing electronic products further undermines the utility and universality of the traditional book citation rules. New citation standards that were both vendor-neutral¹² and medium-neutral¹³ were needed.
- ¶11 The traditional paper-based citation used data extrinsic to the text to identify it. The title of the work in which the text appeared was a key component, as were the volume number, if the text was in a serial publication, and the initial page number. For more exact or "pinpoint" citations, the writer was required to list internal page numbers.

- ¶12 The Universal Citation form focuses on data intrinsic to the text cited. When this form is adopted, the institution that produces a particular text must follow certain standards. Courts will be asked to number their released opinions and to number the paragraphs within those opinions. Those courts that have adopted this or similar systems have begun to tag the texts of their cases this way with little or no disruption of their distribution process. The result is a citation form that is simple to derive and transparent to read and understand. It also means that any publisher of case law must preserve all of the data provided by the court including the citation elements.
- ¶13 American constitutions - both at the federal and state level - currently are cited using rules that result in medium-and-vendor-neutral citations. Accordingly, the UCG reaffirms the traditional citation rules with only minor modifications.
- ¶14 For statutory law the key issue is that compilations of statutes change over time. Thus the writer must make sure the citation includes a reference to the timeliness of the data cited. The Universal Citation form uses data which is readily available as part of standard legislative reporting in virtually all states to provide a new kind of "time stamp." In fact, many electronic sources already provide this data on each screen.
- ¶15 The citation of administrative law presents the same timeliness issue as statutory law. However, since the practices of the various states deviate substantially, the Universal Citation also must ensure that the name of a particular code can be easily understood and accurately referenced.

The Guide

- ¶16 This book, the *Universal Citation Guide*, is the culmination of three years of Committee work to create a set of universal citation rules for American law. The Committee has met regularly to address issues of citation format in the current environment of both print and electronic media, to develop rules and to act as a clearinghouse and information bank for other bodies wanting to examine citation reform or implement Universal Citation locally. With guidance from the reports of the AALL Task Force, the ABA and Wisconsin, the Committee carefully and methodically developed citation forms and rules for case law. The Committee continued its work by designing, testing and refining citation forms and rules for statutes and administrative regulations. Periodic publication of the proposed Universal Citation rules in the *Law Library Journal* and on the Internet has enabled the Committee to receive public comment on them.

- ¶17 The *Guide* specifies a method for creating such universal citations and thereby serves at least two functions. First, the very act of drafting such a guide provides a "road test" of the proposed Universal Citation. Even the most sensible citation proposal on paper will fail miserably if researchers cannot actually construct citations by following a concise, understandable body of citation rules. This *Guide* demonstrates that the Universal Citation can effectively identify primary authority in all American jurisdictions. In fact, the proposed case citation may be adapted to cite international and many foreign court decisions.
- ¶18 Second, the *Guide* is a blueprint for other participants in citation reform. Here, too, modest success can already be claimed. Several states have already adopted an electronic case citation that is substantially identical to the Universal proposal. Other jurisdictions are at various points on the road toward a universal case citation.¹⁴

Using the *Guide*

- ¶19 The *Guide* is divided into rules and appendices. The rules are intended to assist researchers in crafting accurate, unambiguous citations that enable readers to identify and locate cited legal authority in any format. Each chapter covers a discrete type of legal authority. The introductory material for each chapter explains the design logic behind the citation form presented. Commentary is in footnote form throughout the *Guide*.
- ¶20 Rules and examples follow the introductory material. Examples are presented in text boxes. Where and how a particular rule applies in a full citation is shown using **red text**.
- ¶21 All paragraphs in the document are numbered to facilitate electronic citation.
- ¶22 The practice of capitalizing abbreviations varies from jurisdiction to jurisdiction. Such capitalization does not affect the accuracy of the citation.
- ¶23 The appendices include an extensive table of model Universal Citations for each jurisdiction (federal and state) based on their primary source material (Appendices D and E). If a state has adopted a universal citation form different from the model, that form also is provided. Also included in the appendices are abbreviation tables for courts and for legislative and regulatory terms.
- ¶24 Ancillary issues such as typeface, style, or signal conventions are beyond the scope of this guide. For these and any other issues not addressed in this guide, the researcher should follow the most current edition of *The Bluebook: A Uniform System of Citation [hereinafter The Bluebook]*.¹⁵

Conclusion

¶25 The capacity to adopt new citation standards rests with courts, legislatures, administrative agencies, bar associations, and law schools. This endeavor will require an effective working partnership among the different elements within the legal profession. Few within these corridors of power have greater patience, interest, or expertise to craft and test endless iterations of citations for the varied legal materials issued by American jurisdictions than do law librarians. Thus, it is only natural - if not necessary - that law librarians assume a leadership role in framing a new set of citation standards to serve the American legal community. To this end, the AALL Committee on Citation Formats offers this *Universal Citation Guide* for public use, study, and comment. Suggestions to improve the citation formats presented, or the *Guide* itself, should be conveyed to the AALL Committee on Citation Formats.¹⁶

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Judicial Decisions

¶26 The Universal Citation rules for judicial decisions presented in Rules 100-107 have evolved more than other citation standards in this *Guide*. The initial form of the citation was cast by the State Bar of Wisconsin Technology Resource Committee to enable retrieval of cases from both print volumes and online versions of judicial decisions. This initiative - known simply as the Wisconsin Proposal - included four data elements: year of the decision (using four digits); an abbreviation for the authority or court issuing the opinion; an assigned sequential opinion number (that begins at 1 each January); and a paragraph number (for use as a pinpoint citation).¹⁷

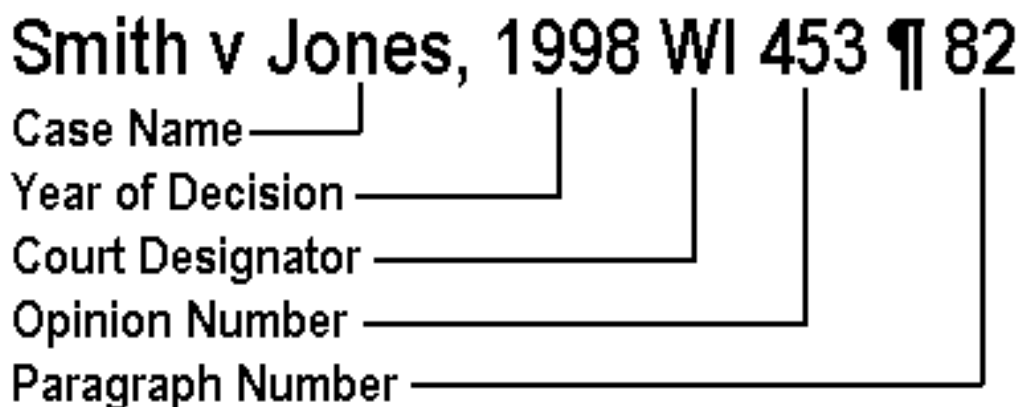
¶27 The AALL Task Force on Citation Formats was able to adapt the Wisconsin Proposal and expand it for national use. Ultimately, the Task Force recommended a medium- and vendor-neutral case citation of five data elements:¹⁸

- case name
- year
- court
- opinion number
- paragraph number

- ¶28 Following the AALL and Wisconsin initiatives, the American Bar Association (ABA) designed its own recommended universal citation.¹⁹ The ABA model has been a useful tool to refine the AALL proposal. Three features of the ABA model have been incorporated into the latest version of the AALL universal case citation.²⁰ The resulting Universal Citation consists of five sequential data elements:

The AALL Universal Case Citation

Universal Citation Elements



- ¶29 The current AALL proposal and the ABA model differ in only one major respect. The difference concerns the court abbreviation data element - which is the most complex element in a medium-neutral case citation.²¹ This difference, however, should not overshadow the many similarities between the proposals that augur well for cooperation between the organizations.
- ¶30 The legal academy is also warming to the task of citation reform. After receiving both an early draft of the *Universal Citation Guide* and related materials advocating citation reform, the editors of the latest edition of *The Bluebook* added Rule 10.3.1. The new rule directs researchers to use an "official public domain citation" when such a citation is available for a decision.²² *The Bluebook's* official public domain citation closely resembles the universal case citation - so much so that the *Guide* actually implements the otherwise general guidance of Rule 10.3.1.
- ¶31 Thus, the standards set out in the following rules have been tested and refined by deliberation at the state bar level by Wisconsin, and at the national level by the American Association of Law Libraries and the American Bar Association.

Rules

¶32 Rules 100 through 107 cover basic citation for case law. They do not cover citations or signals to denote prior or subsequent case history, or short form citations. For these issues the researcher should consult *The Bluebook*.

¶33 **Rule 100 Basic Citation Form**

A full case citation includes:

- 1) the case name (**Rule 101**)
- 2) the year of the decision (**Rule 102**)
- 3) the court (**Rule 103**)
- 4) the opinion number (**Rule 104**)
- 5) the notation U - if the opinion is unreported or unpublished (**Rule 105**)
- 6) the paragraph number - if a pinpoint citation is needed to specific text (**Rule 106**)

Examples:

Godard v. Poole, 1995 US 353 ¶ 23

Price v. Bitner, 1996 WI 404 ¶ 12

Cohen v. Berring, 1997 OH App (2d)
66U ¶ 10

Gasaway v. Estes, 1998 US Dist (W
MI) 90 ¶ 44

Billings v. Kehoe, 1999 LA App (4th)
104 ¶ 12

Roalfe v. Houdek, 2000 NY App Div
(4th Dept) 12 ¶ 245

¶34 Rule 101 Case Name

Case names should conform to rule 10.2 and related rules of *The Bluebook*, except that a researcher may cite an opinion from any source so long as it contains the data elements used in the Universal Citation.

¶35 Rule 102 Year of Decision

After the case name, indicate the year in which the decision was rendered. Express the year as a four-digit number, e.g., 1995 not 95.

¶36 Rule 103 Court

After the year, indicate the court that rendered the opinion. Identify the court by constructing an abbreviation using the subrules below.

Generally, use **US** to identify a federal court. Use the standard two-letter postal code to identify a state or territorial court. For convenience, these postal codes appear in Appendix A.

Also use standardized abbreviations, provided in Appendix B, to identify local or specialized courts.

Omit periods and other punctuation within the court abbreviation as they are superfluous, e.g., **US not U.S.**

Omit the abbreviation **Ct** - unless its omission would make the abbreviation ambiguous.

See Appendices D and E for individual jurisdiction citations.

103.1 High Courts

Identify a high court decision by using only a geographical abbreviation, e.g., use **US** to cite a United States Supreme Court decision and **MO** to cite a Missouri Supreme Court decision.

Examples:1996 **US** 212 ¶ 81997 **MO** 33 ¶ 17**103.2 Intermediate Appellate Courts**

Given the tremendous diversity in American court names, two citation forms are needed to create unambiguous abbreviations for appellate courts. A general citation form is offered for the majority of intermediate appellate courts that are simply denominated as courts of appeals. A special rule is provided for courts with more elaborate names.

Use the general citation form in Rule 103.2.1 for the United States Court of Appeals and any state intermediate appeals court that is formally named a "Court of Appeals," "Appeals Court" or "Appellate Court." Use the special citation form in Rule 103.2.2 for all other appellate courts.

Use Rule 103.2.1 for:

Court of Appeals of Ohio for the Sixth District
U.S. Court of Appeals for the Eighth Circuit
Appeals Court of Massachusetts
Appellate Court of Illinois

Use Rule 103.2.2 for:

Appellate Division of the Supreme Court of New York State -
 First Department
Court of Special Appeals of Maryland
Intermediate Court of Appeals of Hawaii
Court of Criminal Appeals of Texas

103.2.1 General Appellate Court Citation

To cite a court of appeal:

- 1) use **US** or a state or territorial abbreviation,

e.g., 1996 **OH** App (6th) . . .

- 2) followed by **App**,

e.g., 1996 OH **App** (6th) . . .

- 3) followed by the number or name of the judicial circuit, district or equivalent subdivision in parentheses,

e.g., 1996 OH App (**6th**) . . . or 1997 US App (**DC**) . . .

Omit the parenthetical if the circuit or district is part of a unitary appellate court and the opinion binds all equal divisions of the court.

Omit the abbreviations **Cir** or **Dist** unless the omission would make the abbreviation ambiguous.

Examples:

1996 **OH** App (6th) 212 ¶ 8

1997 **US** App (8th) 33 ¶ 17

1998 **MA** App 212 ¶ 8

1999 **IL** App (4th) 33 ¶ 17

103.2.2 Special Appellate Court Citation

To cite any other appellate court of general or special jurisdiction:

- 1) use **US** for a federal court or the appropriate state or territorial abbreviation,

e.g., 1997 **NY** App Div (1st Dept) . . .

- 2) followed by any additional standard abbreviations needed to unambiguously identify the court issuing the opinion,

e.g., 1997 NY **App Div** (1st Dept) . . .

- 3) followed by the number or name of the judicial circuit, district or equivalent subdivision in parentheses,

e.g., 1997 NY App Div (**1st Dept**) . . .

Omit the parenthetical if the circuit or district is part of a unitary court and the opinion binds all equal divisions of the court.

Omit the abbreviations **Cir** or **Dist** unless the omission would make the abbreviation ambiguous.

Examples:

1996 NY **App Div** (**1st Dept**) 212 ¶ 8

1997 MD **Sp App** 212 ¶ 8

1998 HI **Interm App** 212 ¶ 8

1999 TX **Cr App** 212 ¶ 8

103.3 Other Courts

To cite any trial or other court use:

- 1a) **US** for a federal court,

e.g., 1995 **US** Dist (W MI) . . .

OR

- 1b) a state or territorial abbreviation, followed by any local geographical abbreviation needed to identify the local court issuing the opinion,

e.g., 1996 **FL Orange** County Ct . . .

AND

- 2) followed by any additional standard abbreviations needed to unambiguously identify the court issuing the opinion,

e.g., 1996 FL Orange County Ct . . .

- 3) Followed by the number or name of the judicial circuit, district or equivalent subdivision in parentheses.

e.g., 1995 US Dist (W MI) . . .

Omit the parenthetical if the circuit or district is part of a unitary court and the opinion binds all equal divisions of the court.

Omit the abbreviations **Cir** or **Dist** unless the omission would make the abbreviation ambiguous.

Examples:

1995 US Dist (W MI) 111 ¶ 10

1996 FL Orange County Ct 33 ¶ 17

1997 AZ Tax Ct 212 ¶ 8

1998 US Ct Fed Cl]111 ¶ 10

1999 DE Ch Ct 33 ¶ 17

2000 NE Workers Comp Ct 212 ¶ 8

¶37 Rule 104 Opinion Number

Courts implementing the universal case citation will assign a unique number to each opinion upon its release. Include this opinion number after the court abbreviation.

Example:

1996 US 212 ¶ 8

¶38 Rule 105 Unreported or Unpublished Status

If an opinion is unreported or unpublished, as determined by the issuing jurisdiction, append the letter **U** to the opinion number.

Example:

1996 OH App (8th) 312**U** ¶ 15

¶39 Rule 106 Pinpoint Citation by Paragraph Number

Courts implementing the universal case citation will number each paragraph of text within an opinion. After the opinion number, a researcher may cite to particular text by use of a ¶ symbol followed by the appropriate paragraph number.

Example:

1996 US 212 ¶ 8

¶40 Rule 107 Parallel Citations

The Universal Citation for judicial decisions requires no parallel citation as a supplemental device to identify or locate materials. When a parallel citation is required, the researcher should consult appropriate rules of *The Bluebook* for guidance on constructing parallel citations.

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Constitutions

¶41 Constitutions have always been cited in a medium-neutral form without reference to a particular publication. Following this traditional approach, Rules 200 through 204 set forth a simple framework for citing the United States Constitution, state constitutions, and similar documents such as city charters.

- ¶42 In most legal writing, references to constitutional texts do not need citations because sufficient citation-like information will be incorporated into the body of the memorandum, brief, or articles. These rules have been developed to accommodate situations that require greater precision.
- ¶43 A date element is usually not necessary to show the currency of a constitutional text because constitutions do not change frequently. However, if the citation is to a constitutional text that is not in force at the time of writing, or if a date is germane to the point of the citation, information referring to the date of the text is required.
- ¶44 It is important to remember that state constitutions tend to be much longer and more complex than the federal Constitution. The text of the United States Constitution is always presented as the original text with the amendments. It is never edited into a single up-to-date text. The practice for citation to a state constitution varies. It may be an original text with amendments, but also may be published in a form similar to that of statutory code publications, incorporating amendments into the original text. Therefore, the federal citation model cannot be followed in all situations.
- ¶45 The following rules will satisfy the writer's obligation to provide an unambiguous reference to a constitutional source.

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Rules

¶46 **Rule 200 Basic Constitutional Citation Form**

A full constitution citation includes:

- 1) the name of the jurisdiction (**Rule 201**)
- 2) the abbreviated name of the document (**Rule 202**)
- 3) the name and number(s) of the specific portion of the document being referred to (**Rule 203**)
- 4) if necessary for clarity, parenthetical information to provide additional specific data (**Rule 204**)

¶47 Rule 201 Jurisdictional Name

Use **US** to identify the federal Constitution. Use the standard two-letter postal abbreviation for state names. For convenience, these postal abbreviations appear in Appendix A. The other choice of abbreviation for jurisdictions is left to the writer.

Examples:

US Const art I cl 2 § 2

ND Const art V § 10

Org Act of **Guam** § 1421q

Palau Const art VIII § 7(5)

NYC Charter § 93a

¶48 Rule 202 Name of the Text

202.1 Standard Name

The standard name for constitutions is "constitution." However, there are other documents, such as historical constitutions or texts, that function as constitutions but have different titles.

Examples:

Constitution (Const)

Articles of Confederation (Art of Conf)

Northwest Ordinance (NW Ord)

Organic Act (Org Act)

Charter (Chart)

202.2 Date

Constitutions in force should be cited without a date. The date of the whole document should only be included in citations to superseded constitutions. Key pre-constitutional historical documents need not be dated. Express the year as a four-digit number.

Examples:

LA Constitution of 1921 art 8 § 23(a)

MT Constitution of 1889 art 3 § 31

NYC Charter of 1963 § 431

US Art of Conf art 13

¶49 Rule 203 Subdivisions

203.1 Subdivision Names

Use the specific name used in the constitution for the section being cited.

Examples:

Preamble (pre)

Article (art)

Clause (cl)

Section (§ or s) - (§ preferred)

Paragraph (¶ or para) - (¶ preferred)

Amendment (amend)

203.2 Subdivision Numbers

Use Roman numerals, Arabic numerals, or a mix for the articles, sections, and amendments exactly as provided by the source. Do not convert from one to another.

Examples:

US Const art II § 2

AR Const art 9 § 20 (b)(ii)

¶50 Rule 204 Parenthetical Information

204.1 Date

If the date of a constitutional event is important to the reason for the citation, it should be included as a parenthetical statement. However, this is an example of the kind of information that is more effectively expressed in the body of the article or brief rather than as a citation note.

Examples:

AL Const § 8 (1994 before amend 598
[1996])

204.2 Origin

If it is important to note that the constitutional document appears also as a statute, cite the statute in a parenthetical statement.

Examples:

OK Organic Act of 1890 (US L 890 ch
182) Westchester County Charter (NY L
1937 ch 617)

204.3 Amendments

If a constitutional article has been modified by an amendment, note that fact and, if relevant, the date of the amendment in a parenthetical statement. If the amendment is being referred to as a text within the whole of the constitution, cite directly to the amendment.

Examples:

US Const art I cl 2 § 3 (as modified by the
14th and 16th Amendments)
US Const amend 22
KY Const § 110 (amended 1975)

Statutes

- ¶51 Rules 300 through 313 indicate how researchers can cite American statutory law as published in codes, compilations,²³ and session laws, using the *Universal Citation Guide*.
- ¶52 The issues regarding statutory citation differ significantly from those of judicial decisions.²⁴ Unlike a decision, a statute can have a continually changing text dependent on legislative activity. The writer has an obligation to provide a reference to the accurate text of the relevant statute as of a particular date.
- ¶53 Textual differences can arise out of the legislative process and the procedure for creating codes. The codification process consists of taking selected provisions of the session laws and arranging them in a different order to create the code. In states such as Arkansas and Texas where the legislature meets only once every two years, it is necessary to codify the session laws only biennially. Other state legislatures, such as those in California and New York, meet annually. The United States Congress is almost continually in session.
- ¶54 Congress' continual lawmaking invites continual updating of the United States Code. However, the official paper version of the Code is recompiled only once every six years, and the paper supplements are compiled annually.²⁵ The official CD-ROM version recompiles the entire Code, merged with its supplement, once a year. The official Web site is updated as each volume of the paper supplement is printed.²⁶ On the other hand, commercial publishers typically compile unofficial versions of the U.S. Code more frequently. The West Group, for example, compiles its print and online codes bimonthly and its CD-ROM code quarterly.²⁷ This raises the likelihood of variations in text between different versions of the same code. Although it was always possible for different print versions to have this problem, it now has become commonplace because of the advent of electronic publishing and the ease with which codes can be recompiled. Today researchers are confronted with a bewildering array of printed and electronic versions of the U.S. Code that are current through different dates.

- ¶55 A related issue that has always existed, but of which many researchers were unaware, is the possibility of differences between the session law text and the text of the code. If there is a material difference in the texts, and the code has not been enacted into positive law, convention requires the writer to cite the session laws, not the code.²⁸ Some states such as Alabama and California have enacted their entire codes and also enact codified amendments. Other states such as Arizona enact their codes but do not enact codified forms of the subsequent, amending session laws. Still other states such as Arkansas enact their codes but with a "rabbit hole" that allows writers to cite the session law instead if the code text is wrong.²⁹ Finally, a handful of states such as Missouri have not enacted their code into positive law at all; the entire text is merely prima facie evidence of the law. The most complex situation is found in states such as Texas where the codification process is ongoing, resulting in a combination of codes and compilations.
- ¶56 These scenarios raise a problem much more serious than the rare accidental differences in text that occur in case law. The problem manifests itself in the date used in citing a statutory code section. Several possible choices for dates confront the writer. *The Bluebook* requires writers citing a code to give the publication date of the print source, whether it is a bound volume, pocket part, or paper supplement.³⁰ However, an equivalent publication date does not exist for codes available online, on a CD-ROM product, or on the Internet.
- ¶57 Another possibility is the date that the writer actually views the code. This alternative does not solve the problem because it does not indicate the currency of the code text that the writer is consulting. A writer could view the official version of the U.S. Code and the West Group's version on the same day, but the two versions could be different because the West Group recompiles its code more frequently than does the U.S. government.
- ¶58 A third possibility is to use the date of the last amendment. While this date is uniform across code versions, it may not give the reader any sense of how recently the research was done. The writer may cite statutes that were last amended in 1925, even though the code was checked in 1998.
- ¶59 Ultimately, the currency of all statutory provisions is best defined by a "legislative event." The Committee defines a legislative event as the last activity of the legislature covered in the source consulted. Such an event can indicate the end of a session, or the last enactment, if a legislature is still in session. This date, found following the words "current through" and present in virtually all versions of all codes, allows writers to "timestamp" the exact text being used. Therefore, the Committee proposes the use of the "current through" date to solve the problem.

- ¶60 *The Bluebook* also requires citing, in abbreviated form, the actual title and often the publisher of statutory codes.³¹ In place of this requirement, the Committee has provided a "code designation" that is both simple and standardized yet keeps the essence of the official name for each jurisdiction's code without reference to a publisher or format. This code designation eliminates the need to refer to the publisher since, at least theoretically, each version should be identical as of the same "current through" date. Moreover, it is not necessary to specify whether the writer is using an annotated code, so "Ann." has been omitted from the standardized code designations. The only exception to this rule occurs when a jurisdiction has two or more codes with different numbering schemes. In that case, the writer must specify the version used.³²
- ¶61 The following rules satisfy the obligation to present a concise citation to a timestamped statutory text.

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Rules

¶62 **Rule 300 Basic Statutory Citation Form**

Always cite statutes to a current statutory code (**Rule 301**) rather than to a session law (**Rule 303**), except in the following cases:

300.1 Statutes not Codified

- 1) Cite uncodified public statutes to the session laws. This includes both recent laws that have not yet been codified and those that never will be codified.

Examples:

District of Columbia Financial
Responsibility and Management
Assistance Act of 1995, US PL 104-8
(1995)

Act of Feb 22, 1996, AK Sess L ch 2

Marine Mammal Protection Amendments
of 1998, US PL 105-360 (to be codified at
16 USC 1371)

2) Cite private statutes to the session laws.

Example:

Railroad Right-of-Way Conveyance
Validation Act, US Priv L 2 (1994)

300.2 Statutes no Longer in Force

Cite statutes no longer in force to the last code in which they appeared; otherwise to the session laws. Note the fact of repeal or amendment parenthetically.

Example:

43 USC § 1847 (1981 through 96th Cong
2d Sess) (repealed by US PL 97-212 § 6
(a) (1982))

300.3 Historical Fact

Cite the historical fact of enactment, amendment, or repeal to the session laws.

Example:

In 1988 Congress expanded its rights
under admiralty jurisdiction by enacting
the Abandoned Shipwreck Act of 1987,
US PL 100-298.

300.4 Scattered Statutes

Cite to the session laws if a statute appears in so many scattered sections that a useful citation to the code is not possible.

Example:

Consolidated Omnibus Budget
Reconciliation Act 1985, US PL 99-272
(1986)

300.5 Materially Different Language³³

If the language in the session laws differs materially from the language in the code, and the code has not been enacted into positive law, cite the session laws.

¶63 Rule 301 Effective Date

If the effective date of a statute is relevant, indicate it parenthetically.

Example:

Internal Revenue Service Restructuring and Reform Act of 1998, US PL 105-206 § 2000(a) (applies to returns required to be filed after 12/31/1999)

¶64 Rule 302 Elements of a Statutory Code Citation

A full statutory code citation includes the following elements, but should not include reference to a specific published source:

- 1) name of the statute, if it will aid the reader (**Rule 304**)
- 2) standardized code designation (**Rule 305**)
- 3) numbering of the code (**Rule 306**)
- 4) "current through" date (**Rule 307**)

Examples:

Nonadmitted Insurance Act, CO Rev Stat §§ 10-5-101 to 119 (1996 through 2d Reg Sess 60th Gen Ass)

Uniform Trustees' Powers Law, MS Code §§ 91-9-101 to 119 (1998 through Reg Sess)

¶65 Rule 303 Elements of a Session Law Citation

A full session law citation includes the following elements:

- 1) name of the statute (**Rule 304**)
- 2) standardized session law designation (**Rule 308**)
- 3) legislative session, if necessary (**Rule 309**)
- 4) year (**Rule 310**)
- 5) number or unique identifier of the act (**Rule 311**)
- 6) section, paragraph, or page number (in that order of preference) within the act (**Rule 312**)
- 7) codification status (**Rule 313**)

The order in which these elements appear varies by jurisdiction. The elements should be put in the order specified for each jurisdiction In Appendices D and E.

Examples:

North Carolina Antifreeze Law of 1975,
NC Sess L ch 719

Act of Mar 4, 1996, OR Sess L ch 13
(adopting and ratifying Columbia River
Light Rail Transit Compact)

¶66 Rule 304 Name of the Statute

304.1 Citing a Statute in its Codified Form

When citing a statutory code, include the statute's official name, popular name, or both, if it will aid the reader.³⁴ A comma should follow this information.

Examples:

Social Security Disability Amendments of 1980, 42 USC § 422 (1996 through 104th Cong 2d Sess)

Alabama Income Tax Conformity Act of 1997, AL Code § 40-18-8 (through 1998 Reg Sess)

Local Government Risk Pool Act, NC Gen Stat § 58-23-1 (1997 through Reg Sess)
AK Stat § 16.10.240 (through 1998 2d Spec Sess)

304.2 Citing a Statute in its Session Law Form

When citing a session law, always include the statute's official name, popular name, or both. A comma should follow this information. If the statute has no name, use "Act of (date of enactment)." If the date of enactment is unknown, use "Act effective (date of effectiveness)." If it will aid in identification, add information parenthetically.

Examples:

Social Security Disability Amendments of 1980, US PL 96-265 Title III § 303(a)

Alabama Income Tax Conformity Act of 1997, AL Act 97-625 § 3

Local Government Risk Pool Act, 1985 NC Sess L, ch 1027

Act of June 29, 1996, AK Sess L ch 120 § 2 (**forbidding the transport of live king crabs**)

¶67 Rule 305 Standardized Code Designation

When citing a code, use the standardized code designation provided in Appendices D and E.

Examples:

USC [not US Code or USCA or USCS]

MO Rev Stat [not Vernon's]

NY Banking L [not McKinney's or CLS]

AK Stat

CA Educ Code

OH Rev Code

¶68 Rule 306 Code Citation: Numbering

Indicate the code section being cited following the standardized format provided in Appendices D and E.³⁵

Examples:

18 USC § 1331

AL Code § 1.3A-5-40

AK Stat § 43. 1.0.015

CA Bus & Prof Code § 471

IL Comp Stat 5/6-21

NC Gen Stat § 113-202

Include the statute's session law section number if the statute is commonly cited that way or if the information would aid the reader.

Example:

Clayton Act § 4(a), 15 USC § 15(a) (1997 through 12/31)

¶69 **Rule 307 Code Citation: Date**

The elements of the "current through" date include:

- 1) the year, and
- 2) the term "through," and
- 3) the most recent legislative event indicated by the source consulted.

Always list the year first, followed by the word "through." The word "through" refers to the legislative event and not the enactment of the statute being cited. A legislative event may be the end of a particular session,

Examples:

1996 through Reg Sess

1996 through 1st Ext Sess [not 1996 through Reg Sess and 1st Ext Sess]

the latest action during an ongoing session,

Examples:

1996 through PL 103-65

or a date if other information is not available. Use the abbreviations of legislative terms provided in Appendix C.³⁶

Examples:

1997 through 6/30

¶70 **Rule 308 Standardized Session Law Designation**

When citing a session law, use the standardized session law designation provided in Appendices D and E.

Examples:

AR Acts 1969 no 303 § 7

IL PA 82-73 § 2 (1991)

MT L 1995 ch 13 §4

¶71 **Rule 309 Session Law Citation: Legislative Session**

Include the legislative session in the citation if it is necessary to uniquely identify the session law. Use the abbreviations for legislative terms provided in Appendix C.

Example:

LA Acts 1994, 3d Ext Sess no 51 § 1

¶72 Rule 310 Session Law Citation: Year

Include the year of enactment in the citation to a session law. If the year appears in the session law designation, the number or unique identifier, or the name of the act, do not include it again.

Examples:

US PL 105-158 (1998)

MI PA 1962 no 174 § 9992

IL PA 82-73 § 2 (1991)

AK Sess L 1996 ch 10 § 1 [not AK Sess L 1996 ch 10 § 1(1996)]

AL L 96-193 [not AL L 96-193 (1996)]

¶73 Rule 311 Session Law Citation: Number or Unique Identifier of the Act

Include the act number, law number, bill number, or similar number of the session law. For guidance use the examples in Appendices D and E.

Examples:

VA Acts 1969 no 303 § 7

CA Stats 1996 ch 1029 § 1

¶74 Rule 312 Session Law Citation: Section, Paragraph or Page Number

Include the section number of the session law if citing to a specific portion of the session law. The § symbol is preferred but "s" may be used in its place. A title or part designation may also be included if it will aid in identification.

Examples:

CO L 1996, HB 96-1181 § 4

KY L 1994, 1st Ext Sess ch 2 pt 11 § 38

MO L 1994, HB no 1095 § A

¶75 Rule 313 Session Law Citation: Codification Status

Include the code citations parenthetically if a session law has been or will be codified and the citation information is available.

Examples:

Victims Rights Clarification Act of 1997,
US PL 105-5 (codified at USC §§ 3510,
3593)

Comprehensive Health Insurance Pool
Act, AR Acts 1997, no 292 (to be codified
at AR Code §§ 23-79-501 to 23-79-510)

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Reserved for Administrative Decisions

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Administrative Regulations

- ¶76 The drafting of rules for universal citation of administrative law presents difficulties separate and distinct from those of judicial decisions or statutory law. Unlike cases or statutes, administrative regulations have no uniform pattern of publication. Within the fifty states, administrative regulations may be found (1) in both codes and registers, (2) only in a code or only in a register, (3) in official or unofficial publications or, (4) only in the office of the issuing agency. Within any particular state, these practices are not mutually exclusive.
- ¶77 The fluid state of administrative publishing poses additional problems. While the *Guide* was in development, new publishers entered the field, often creating regulation publications with their own unique numbering schemes. At the same time, some states took advantage of electronic media to distribute their regulations systematically for the first time.³⁷
- ¶78 Presented with this lack of uniformity in a changing environment, the Committee was able to identify two specific challenges in drafting rules for citing regulations that appear in administrative codes. The first challenge was to design an unambiguous abbreviation for the name of each code. The second challenge was the need to establish the currency of the version of the code being cited.
- ¶79 *The Bluebook*³⁸ attempts to provide a uniformly applicable rule for state administrative codes but gives minimal guidance. The single relevant rule is Rule 14, which specifies that state material should be cited by analogy to federal examples.³⁹ This rule is supplemented by table T.1 which lists sample citations for each state administrative code. The Committee's review of state administrative codes revealed that the majority of the abbreviations specified by *The Bluebook* are not in common use. Local rules and custom have established other abbreviations for many state administrative codes.
- ¶80 These local rules may have functioned well during a time when administrative codes were substantially available to and used only by practitioners of a particular state. Attorneys in Alaska knew that A.A.C. was the Alaska Administrative Code while attorneys in Arizona knew that A.A.C. referred to the Arizona Administrative Code. However, the rapid expansion of national access to state administrative codes through commercial databases, CD-ROM's, and the World Wide Web now results in citation formats that are neither known nor easily recognized by the increasing number of users outside a state or local jurisdiction.

- ¶81 Ideally the writer's obligation is to present an accurate source citation without reference to a particular publisher or medium. As with case law and statutory law, the Committee recommends a vendor-neutral citation form for administrative law insofar as this is possible in a particularly chaotic publishing environment. To help achieve this goal, the Committee has created a standardized designation for each administrative code.⁴⁰ This designation employs the two-letter postal abbreviation for each state and abbreviates other words only to the point that they retain a reasonable degree of comprehension to the average user. For those states in which more than one version of a code exists and the numbering systems differ, reference needs to be made to the particular publisher.
- ¶82 The date element presents the second significant challenge in establishing standards for administrative codes. Like statutory codes, administrative codes are continuously changed and updated. In addition to providing an identifiable reference to an administrative code section, the writer must be able to affirm that the cited code section incorporates amendments as of a particular date. The date element must indicate to future readers the point in time through which that section was current in the source consulted. *The Bluebook* Rule 14 suggests that the federal model be applied to the various states. This is impractical because state administrative codes are often not published or updated in the same manner as the *Code of Federal Regulations*. Examination of printed state administrative codes reveals a variety of publishing methods and ways of indicating when a section was last updated.⁴¹ Electronic versions have introduced additional methods of indicating currency, often using information not necessarily available to the reader of the printed version.⁴²
- ¶83 Ultimately the currency of an administrative code section depends upon when a compiler last incorporated amendments into the version being used. Many administrative codes indicate the date through which regulations are current. Whenever possible, the writer should indicate that the text of the code being used is "current through" the stated date. Unfortunately, this date is not uniformly available for all administrative codes and is not consistently available in all forms for some codes. If the "current through" date is not available, the effective date of the regulation should be used. The Committee has listed the various options in order of priority.

- ¶84 In turning its attention to the rules for citing regulations in administrative registers, the Committee observed that printed registers did not present a problem for writers wishing to identify the date of publication. The date was fixed on the printed page. Now that more registers are available in electronic format, they no longer always present a fixed date of publication. A register may identify a "current through" date.⁴³ In addition, both print and electronic registers may provide an effective date of the regulation. The Committee has therefore listed options for providing the date of a regulation, with priority given to the date of publication.
- ¶85 The wide variation in names for state registers presents a problem for the development of a citation that is both standardized and comprehensible, similar to administrative codes. *The Bluebook* requirements and local customs often are at odds with each other and neither provide a complete solution. Local custom often specifies citations that are only comprehensible to those conversant with their use. The Committee has provided a standardized designation for each administrative register. The designation consists of the two-letter postal abbreviation for each state and abbreviates other words only to the point that they retain a reasonable degree of comprehension to the average user.
- ¶86 A universal citation for an uncodified regulation must indicate where within a register a particular regulation may be found. Thus far these references have been dependent upon physical documents and have been identified by volume, page, and/or release numbers. In practice, this problem is not of critical concern because most citations will be to those regulations found in the administrative code, rather than to uncodified register versions. However, until states create an acceptable medium-neutral format, the Committee is proposing interim rules that continue to rely upon a physical document and permit a citation to a physical page.
- ¶87 For regulations that are issued by individual agencies on an ad hoc basis and that are not published in either a register or an administrative code, the Committee recommends that the citation include the name, if any, of the regulation; the agency issuing the regulation (including the two-letter postal abbreviation for the state); the regulation number; and the date the regulation was issued.
- ¶88 The following rules satisfy the obligation to present a citation to a timestamped administrative regulation that is as concise as possible.

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Rules

¶89 Definitions

- **Administrative code:** A compilation of current regulations in force for a particular jurisdiction grouped by subject. Examples are the *Code of Federal Regulations* and the *South Dakota Administrative Rules*.
- **Register:** A publication issued periodically containing the regulations issued by agencies within the executive branch of a particular jurisdiction. Registers are generally published in chronological order, but may be arranged by agency or other topic. Examples are the *Federal Register* and the *Utah Bulletin*. Registers also contain other types of information such as announcements, notices, and guidelines.
- **Regulation:** Primary authority promulgated by an administrative agency in its quasi-legislative role. It is used as the equivalent of a "rule." Registers and administrative codes do not always contain all the regulations of a particular jurisdiction.

¶90 Rule 500 Basic Administrative Law Citation Form

Always cite regulations to an administrative code following the provisions of **Rule 501**, except in these cases:⁴⁴

- 1) proposed regulations, regulations not yet codified, and regulations no longer in force (**Rule 502**)
- 2) regulations not in a code or register (**Rule 503**)

¶91 Rule 501 Elements of an Administrative Code Citation

A full administrative code citation includes the following elements:

- 1) name of the regulation, if it will aid the reader (**Rule 504**)
- 2) standardized code designation (**Rule 505**)
- 3) code section being cited (**Rule 506**)
- 4) date (**Rule 507**)

Examples:

19 CFR § 128.1 (through 4/1/1997)

AZ Admin Code R10-2-115 (through 6/30/1997)

35 IL Admin Code § 307.4201 (through 5/1/1996)

¶92 Rule 502 Elements of an Administrative Register Citation

A full citation to an uncodified administrative regulation in a register consists of the following elements:⁴⁵

- 1) name of the regulation, if it will aid the reader (**Rule 504**)
- 2) standardized regulation or register designation (**Rule 508**)
- 3) regulation or register being cited (**Rule 509**)
- 4) date (**Rule 510**)
- 5) citation to the eventual codification, if known (**Rule 511**)

Examples:

62 Fed Reg 65741 (12/16/1997)

24 FL Admin Weekly 1367 (3/20/1998)

28 NJ Reg 5181 (12/16/1996)

¶93 **Rule 503 Elements of an Administration Regulation not in a Code or Register**

When citing regulations that have not been published in a register, administrative code, or other official state publication, include at least the following identifying information:

- 1) name of the regulation, if it will aid the reader (**Rule 504**)
- 2) two letter postal code abbreviation for the state (**Rule 505**)
- 3) name of the agency issuing the regulation
- 4) the number of the regulation (**Rule 506**)
- 5) date the regulation was issued or became effective (**Rule 507**)

Example:

AR Board of Corrections and Community
Punishment § 3.1 (effective 4/29/1994)

¶94 **Rule 504 Name of the Regulation**

When citing a regulation include the regulation's official name, popular name, or both, if it will aid the reader. A comma should follow this information.

Examples:

Special Education, 511 IN Admin Code 7-3-1 *et seq.* (through 8/10/1994)

Federal Old Age, Survivors and Disability Insurance Regulations, 20 CFR pt 404 (through 4/1/1996)

Illinois Bicycle Path Grant Program, 22 IL, Reg 4902 (3/13/1998)

Public Housing Management Assistance Program, 61 Fed Reg 68894 (12/30/1996)

¶95 Rule 505 Standardized Code Designation

When citing a code, use the standardized code designation found in Appendices D and E.⁴⁶

Examples:

MT Admin Code 6.6.507 (through 6/30/1996)

35 IL Admin Code § 817.101 (through 1/1/1996)

7 CFR § 1728.201 (through 1/1/1997)

ME Code of Rules 09 137 001-2 (through 2/1998) (**Weil**)

¶96 Rule 506 Code Section Designation

Indicate the code section being cited in accordance with the standardized format for that state set forth in Appendices D and E. Note that in some states it is also necessary to include an agency name.⁴⁷

Examples:

AZ Admin Code R8-1-01 (through 4/30/1997)

18 NY Comp Rules and Regs § 515.6 (effective 10/14/1992)

34 CFR § 300.512 (through 7/1/1996)

20 CFR pt 404 (through 4/1/1997)

¶97 Rule 507 Code Citation: Date

Indicate the date for the code section being cited. This information should be enclosed in parentheses. Express the year as a four-digit number.

- 1) If possible list the date of the most recent register or amendments incorporated into the administrative code being used. The word "through" should precede the date.

Examples:

2 CA Code of Regs § 213.1 (through 9/13/1996)

26 SC Admin Code 103-621 (through 7/1/1997)

40 CFR § 30.10 (through 7/1/1997)

- 2) If it is not possible to determine the specific date of the most recent register or amendments incorporated into the code, but the register or supplement number is available, use that information. The word "through" should precede the date, register, or supplement number.

Examples:

780 MA Code of Regs 1210.1 (through MA Reg no 819)

NV Admin Code 361.136 (through 1996-2 supp)

- 3) If the date or number of the most recent register incorporated into the code is not available, but the date that the particular section or portion of the code was recodified or reprinted is available, use that date. The word "through" should precede the date.

Examples:

RI Code of Rules 12 190 001 § 7 (**through 10/1997**) (Weil)

AZ Admin Code R10-2-115 (**through 12/3/1994**)

- 4) If the only available date is the date the particular code section as amended went into effect, use that date. The word "effective" should precede the date.

Examples:

7 AK Admin Code § 026.5 (**effective 5/22/1994**)

965 MA Admin Code 7.00 (**effective 5/5/1994**)

¶98 **Rule 508 Standardized Register Designation**

When citing a register, use the standardized register designation found in Appendices D and E.⁴⁸

Examples:

15 **AL Admin Monthly** 365 (10/30/1997)

20 **MN State Reg** 93 (1995)

62 **Fed Reg** 29653 (6/2/1997)

NH Govt Reg 20-94 (1/1998) (Weil)

¶99 Rule 509 Register Citation: Standardized Section or Numbering Designation

When citing a regulation published in a register, indicate the register number in accordance with the standardized format for that jurisdiction set forth in Appendices D and E.

Examples:

CO Reg 19-156 (1/10/1995)

23 MO Reg 109 (1/16/1998)

63 Fed Reg 11376 (3/9/1998)

¶100 Rule 510 Register Citation: Date

Indicate the date for the register being cited. This information should be enclosed in parentheses.⁴⁹

- 1) If at all possible give the date the regulation or announcement was published, including as much of the date as possible.

Examples:

ME Govt Reg 82-97 (11/1997)

23 TX Reg 1026 (2/6/1998)

62 Fed Reg 41311 (8/1/1997)

- 2) If the date of publication is not available give the "current through" date for the source being used. The word "through" should precede the date.

Example:

NV Reg of Admin Regs R192-97 (through 2/28/1998)

¶101 Rule 511 Register Citation: Eventual Codification

If the eventual citation for the regulation in the codified version of the jurisdiction's regulations is known, include that information in parentheses. The phrase "to be codified at" should precede the citation.

Examples:

22 IL Reg 1141 (1/9/1998) (to be codified at 8 IL Admin Code § 600)

22 MN Reg 1402 (2/17/1998) (to be codified at MN Rules 7690.0500)

63 Fed Reg 9157 (2/24/1998) (to be codified at 46 CFR pt 201)

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Court Rules

- ¶102 Rules 600 through 605 set forth a format for citing the rules of federal, state, and local courts.
- ¶103 Court rules are hybrid in terms of their institutional sources. They are statutory in format, but are not usually the product of a legislature. Traditionally they are issued by the court in which they will be applied, but in some states they are the product of the legislature. In other jurisdictions, this process is mixed. For example, the Federal the Rules of Procedure are issued by the court subject to approval by Congress. Generally, court rules should be thought of as a form of delegated legislation.

¶104 Like constitutions, court rules have traditionally been cited in a vendor- and medium-neutral format. This format can be found in Rule 12.8.3, Rules of Evidence and Procedure, in the 16th edition of *The Bluebook*. Although medium- and vendor-neutral, the guidance provided by *The Bluebook* is limited to a few abbreviations and a suggestion to use the abbreviations suggested by the rules themselves. The following citation rules standardize the format for court rules across jurisdictions and at all levels of courts. Note, however, that if the rules in a given jurisdiction are part of the regular legislation for that jurisdiction, the statutory citation format should be followed.

¶105 In general, cite court rules to the latest version available. Sometimes it is necessary to cite a date for a court rule. This citation guide includes a form for providing a date for the rule, if needed for precision or clarity.

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Rules

¶106 Rule 600 Basic Court Rule Citation Form

A full court rule citation includes the following elements:

- 1) abbreviation for the name of the jurisdiction (**Rule 601**)
- 2) name of the court, if the rule is limited to a single court (**Rule 602**)
- 3) standardized designation for the court rule (**Rule 603**)
- 4) number of the court rule (**Rule 604**)
- 5) date, if necessary or desirable (**Rule 605**)

Examples:

US Dist (ND-NY) R 23.1(a)

IN R Tr Proc 14(c)

CA Jud Admin Stand 1.4 (through
2/15/1999)

¶107 Rule 601 Name of the Jurisdiction

Use Appendix A to find the abbreviation for the name of the jurisdiction.

Use “US” in referring to *local* rules of court for federal courts. However, omit US before all the nationally applicable federal rules (Federal Rules of Civil Procedure, Federal Rules of Evidence, Federal Rules of Appellate Procedure, etc.).

Examples:

IN R Tr Proc 14(c)

CA Jud Admin Stand 1.4 (through
2/15/1999)

US Dist (ND-NY) R 23.1(a)

BUT

Fed R Civ Proc 26(a)(1)(A) (through
1/4/1999)

¶108 Rule 602 Name of the Court

If the rule is specific to a single court, the court must be named. Use Appendix B to find the designation for the name of the court.

Examples:

US App (8th) R 20 (amended through
12/15/1997)

MI 39th Judicial Circuit (Lenawee
County) R 8.110(B) (amended 2/1/1998)

¶109 Rule 603 Standardized Designation for the Court Rule

Court Rules are usually called “rules.” Use Appendix C to locate the abbreviations for other commonly used designations in court rules. If appropriate terms are not listed in the appendix, use abbreviations suggested in the court rules themselves.

Examples:

US App (8th) **R 20** (amended through 12/15/1997)

MN **Student Prac R 1.03**

¶110 Rule 604 Number of the Court Rule

Use Roman numerals, Arabic numerals, letters either capital or lowercase, or a mix for the rules and their subdivisions exactly as provided by the source. Do not convert from one to another.

Example:

Fed R Civ Proc **12(a)(1)(A)**

¶111 Rule 605 Date of the Court Rule

If the date of the court rule is relevant, cite it parenthetically according to the purpose of the citation of the date.

- 1) If currency is the purpose of the citation, list the date from the source of the most recent version of the court rule being cited. The elements of the date citation are the term "through" and the date.

Example:

Fed R Civ Proc 9(a) (**through 1/4/2000**)

If the version of the court rule being cited does not contain a current date,

cite to the effective date or adoption date of the court rule. If the court rule has been revised or amended since the effective date, give the date of revision or amendment.

Examples:

MN Student Prac R 1.03 (adopted
5/24/1982)

HI Civ Proc R 65.1 (amended 4/15/1998)

- 2) If the court rule is no longer in force, cite the dates when the rule was effective. If this information is not discernable, give any determinable date, for example, when it was applied by a court.

Examples:

MI Ct R 3.410 (effective 1/1/1985 through
2/17/1991)

MI Ct R 3.410 (in effect on 12/1/1989)

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Law Reviews

- ¶112 Rules 700 through 707 cover basic citation format for law reviews.
- ¶113 Due to the complexities of differing periodical formats, Rules 700 through 707 are intended to be applied only to law reviews as defined in the traditional sense. The traditional definition of a law review is that of a periodical publication containing lead articles on topical subjects written by legal scholars and shorter articles written by law review staff members. Rules 700 through 707 may be applied to law reviews published by law schools, bar organizations, and commercial publishers if they follow this model of organization. The universal citation format for other periodicals (e.g., newspapers and newsletters) will be treated in a separate section.

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Rules

¶114 Rule 700 Basic Citation Form

A full citation for an article in a law review includes:

- 1) author (**Rule 701**)
- 2) article title (**Rule 702**)
- 3) year(s) of publication (**Rule 703**)
- 4) law review name (**Rule 704**)
- 5) article number (**Rule 705**)
- 6) paragraph number - if a pinpoint citation is needed to specific text (**Rule 706**)

Examples:

Nancy C. Staudt, *Constitutional Politics and Balanced Budgets*, 1998 U Ill L Rev 27 ¶ 15

Douglas Litowitz, *Legal Writing: Its Nature, Limits, and Dangers*, 1997/1998 Mercer L Rev 25

Brian Berlandi, *It's Our Way or the Highway: Americans Ruling Cyberspace: A Look Back at Bad Policy and a Look Ahead at New Policy*, 1998 J Tech L & Pol'y 1 ¶ 44

¶115 Rule 701 Author

For signed materials appearing in law reviews, the authors' names should conform to Rule 16.1 and related rules of *The Bluebook*. If no author is listed, begin the citation with the article title.

Examples:

I. Trotter Hardy, *Contracts, Copyright and Preemption in a Digital World*, 1995 Rich J L & Tech 2

Mark A. Lemley & Eugene Volokh, *Freedom of Speech and Injunctions in Intellectual Property Cases*, 1998/1999 Duke L J 4 ¶ 22

Jeffery Evans Stake et al., *Roundtable: Opportunities for and Limitations of Private Ordering in Family Law*, 1997/1998 Ind L J 16 ¶ 16

¶116 Rule 702 Article Title

The article title should conform to Rule 2.1(c), Rule 8 and related rules of *The Bluebook*.

Examples:

Edward A. Zelinsky, *Are Tax "Benefits" Constitutionally Equivalent to Direct Expenditures?* 1998/1999 Harv L Rev 28 ¶ 12

Ralph C. Brashier, *Children and Inheritance in the Nontraditional Family*, 1996 Utah L Rev 3

¶117 Rule 703 Year(s) of Publication

The year in which the law review was published should be indicated after the article title. Law reviews that have publication schedules based on a year other than a calendar year (e.g., an academic year) may be cited using both calendar years with a “/” between them. Express the years as four-digit numbers, e.g., 1995 not 95.

Examples:

Tom Baker, *Reconsidering Insurance for Punitive Damages*, 1998 Wis L Rev 4

Steven L. Willborn, *Public Pensions and the Uniform Management of Public Employee Retirement Systems Acts*, 1998/1999 Rutgers L Rev 3 ¶ 12

¶118 Rule 704 Law Review Name

The name of the law review should conform to Rule 16 and related rules of *The Bluebook*. Do not use periods after abbreviations.

Examples:

Joseph D. Kearney & Thomas W. Merrill, *The Great Transformation of Regulated Industry Law*, 1998 Colum L Rev 23

Matthew Potter, *Is Alternative Dispute Resolution a Possibility in the Riverboat Gambling Quagmire?* 1998 J Disp Resol 13

¶119 Rule 705 Article Number

Law review publishers implementing the universal citation will assign a unique number to each article published during a year. Include this article number after the law review name.

Examples:

Stephen R. McAllister, *“Neighbors Beware”*: *The Constitutionality of State Sex Offender Registration and Community Notification Laws*, 1998 Tex Tech L Rev 3

Craig A. Paterson, *Does Corporate Law Matter? Legal Capital Restrictions on Stock Distributions*, 1997/1998 Akron L Rev 5

¶120 Rule 706 Pinpoint Citation by Paragraph Numbers

Each paragraph within an article will be assigned a number. After the article number, a researcher may cite to particular text by use of a ¶ followed by the appropriate paragraph number. When citing to material that spans more than one consecutive paragraph, give the inclusive paragraph numbers, separated by a hyphen. When citing to material in nonconsecutive paragraphs, give the individual paragraph numbers, separated by commas.

Examples:

Wendy E. Wagner, *Choosing Ignorance in the Manufacture of Toxic Products*, 1996/1997 Cornell L Rev 19 ¶ 25

Claire A. Hill, *How Investors React to Political Risk*, 1998 Duke J Comp & Int'l L 12 ¶ 141-143

Thomas J. Stipanowich, *Reconstructing Construction Law: Reality in a Transactional System*, 1998 Wis L Rev 14 ¶ 33, 37

When pinpoint citing to a footnote or endnote, indicate the paragraph number in which the note appears, followed by “n” and the note number, with no space between “n” and the number. When citing to multiple footnotes or endnotes, use “nn” When citing to material that spans more than one consecutive note, give the inclusive note numbers, separated by a hyphen. When citing to material in nonconsecutive notes, give the individual note numbers, separated by commas.

Examples:

H. Lowell Brown, *Successor Corporate Criminal Liability: The Emerging Federal Common Law*, 1996/1997 Ark L R 16 ¶ 5 n4

James A.D. White, *Misuse or Fair Use: That Is the Software Copyright Question*, 1997 Berkeley Tech L J 6 ¶ 8 nn3-4

Timothy L. Fort, *Goldilocks and Business Ethics: A Paradigm That Fits “Just Right”*, 1997/1998 J Corp L 9 ¶ 48 nn 87, 90

When citing to graphical material, such as tables, figures, charts, or graphs, provide the paragraph number wherein the material is referenced in the text and designation of the material provided by the source.

Examples:

John P. Kelsh, *Opinion Delivery Practice of the United States Supreme Court 1790-1945*, 1999 Wash U L Q 3 ¶ 99 chrtA

Ira S. Nathenson, *Showdown at the Domain Name Corral: Property Rights and Personal Jurisdiction Over Squatters, Poachers, and Other Parasites*, 1996/1997 U Pitt L Rev 20 ¶ 28 tbl 3

¶121 Rule 707 Parenthetical Information

Rule 707.1 Student Written Law Review Materials

Student written articles are cited in the same manner as any other articles in a law review, except that a parenthetical designation should appear following the article number and pinpoint citation information to indicate that it is a student written article. Rule 16.5.1(a) of *The Bluebook* should be followed to make the determination as to whether a particular piece is a student work and the designation to be assigned.

Examples:

Thomas E. Castleton, *A Matter of Expectations: Interpreting the Statutory Preemption of Local Assistance to Federal Firearms Regulators*, 1998 Alaska L Rev 10 (Note)

David L. Delicath, *Estate Planning Ramifications of the Taxpayer Relief Act of 1997: Nobody Said Anything About Simplification*, 1998 Land & Water L Rev 22 (Comment)

Nebraska Supreme Court Changes Will Drafting by not Allowing Disinheritance of Adult Children in In Re Estate of Peterson, 1998/1999 Creighton L Rev 32 (Casenote)

Rule 707.2 Book Reviews

Book reviews should be cited in the same manner as any other article in a law review. A parenthetical indicating that it is a book review should be placed immediately following the article number and pinpoint citation. If it is a student written book review, the designation “book note” should be used. If information regarding the work under review is not provided in the title, the parenthetical statement should also indicate the author, title, and publication date of the book(s) being reviewed.

Examples:

Myron C. Grauer, *Studying Estates and Trusts as an Alternative to Watching Soap Operas*, 1996 Capital U L Rev 25 (reviewing Roger W. Anderson, *Understanding Estates and Trusts* (1994))

Rhonda Burnette-Bletsch, *Feminism and Higher Education: Teaching Women, Women Teaching*, 1997 Duke J of Gender L & Pol'y 11 (reviewing Frances A. Maher and Mary Kay Thompson Tetreault, *The Feminist Classroom: An Inside Look at How Professors and Students Are Transforming Higher Education for a Diverse Society* (1994), Jean Fox O'Barr, *Feminism in Action: Building Institutions and Community Through Women's Studies* (1994), and Gail B. Griffin, *Calling: Essays on Teaching in the Mother Tongue* (1992))

Akiko Kawamura, 1999 J Law & Fam Stud 7 (book note reviewing Peggy C. Davis, *Neglected Stories: The Constitution and Family Values* (1997))

Norman F. Cantor's *Imagining the Law: Common Law and the Foundation of the American Legal System* (1997), 1998 L & Soc Inquiry 24 (book note)

Rule 707.3 Symposia, Colloquia, and Surveys

Symposia, colloquia, and surveys are cited in the same manner as other law review articles. If citing a symposium, colloquy or survey as a unit, do not give any author and provide the number span for all articles included, separated by a hyphen. If the term symposium, colloquy, or survey is not included as part of the title, indicate the designation of the material as such in a parenthetical following the article numbers.

Examples:

A Fork in the Road Build More Prisons or Develop New Strategies to Deal with Offenders, 1999 S Ill U L J 11-25 (symposium)

Choice of Law Symposium, 1996/1997 Mercer L Rev 18-29

Punitive Awards Can Be So Excessive as to Violate Due Process Clause of the Fourteenth Amendment, *Survey of 1996-97 Developments in Alabama Case Law*, 1997/1998 Ala L Rev 26

Legal Education Then and Now: Changing Patterns in Legal Training and in the Relationship of Law Schools to the World Around Them, 1997/1998 Am U L Rev 15 (colloquy)

Cite an individual article within a symposium, colloquium, or survey, in the same manner as any other article. Include an indication that the article is part of a symposium, colloquium, or survey in a parenthetical following the article number.

Examples:

David Luban, *Reason and Passion in Legal Ethics*, 1999 Stan L Rev 23 (article within Review Essay Symposium based upon William H. Simon, *The Practice of Justice: A Theory of Lawyers' Ethics* (1998))

Punitive Awards Can Be So Excessive as to Violate Due Process Clause of the Fourteenth Amendment, 1997/1998 Ala L Rev 26 (article within *Survey of 1996-97 Developments in Alabama Case Law*)

Rule 707.4 Multipart Articles

To cite to an entire article that appears in more than one part, identify the part numbers in a parenthetical after the article's main title, the year (s) of publication, law review name, and article number. If the parts appear in different years of publication, provide the year(s) of publication, law review name, and article number for each year. A parenthetical indicating which part appears in that year should follow each reference. When citing only some parts of a multipart article, indicate which part or parts are being cited, and give only the year(s) and article number(s) of the part(s) being cited.

Examples:

Symposium on the Law of Freedom, 1994/1995 Chi-Kent L Rev 20-28, 30-42 (pts 1 & 2)

Ancient Law, Economics & Society, 1994/1995 Chi-Kent L Rev 39-54 (symposium pt 1), 1995/1996 Chi-Kent L Rev 1-11 (symposium pt 2)

Sheldon I. Banoff, *Use of Corporate Partner Stock and Options to Compensate Service Partners*, 1998 J Tax'n 113 (pt 1)

Rule 707.5 Uniform Resource Locator or Other Unique Database Identifier

When a Uniform Resource Locator (URL) or other unique database identifier is available and would help the reader, this information may be placed in a parenthetical following the article number and pinpoint citation information and any other parenthetical information. Include the date on which the online information was visited within the parentheses but segregated in brackets at the end of the URL or other identifier.

Examples:

Henry H. Perritt, Jr., *The Internet as a Threat to Sovereignty? Thoughts on the Internet's Role in Strengthening National and Global Governance*, 1998 Ind J of Global Stud 23 (<http://www.law.indiana.edu/glsj/vol5/no2/4perrit.html> [February 9, 2000])

Gerald M. Long and Anthony D. Olszweski, *To reverse or Not to Reverse: When Is an Ambiguous Figure Not Ambiguous?*, 1999 Am J Psychol 2 (**Dialog(R) File 484, O4218571** [August 15, 1999])

Denise K. Bryant, *Brown v. Pro Football, Inc.: You Make the Call!*, 1997 Vill Sports & Ent L J 5 (Case Note) (<http://VLS.LAW.VILL.EDU/students/orgs/sports/vol4iss1/> [December 21, 1999])

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Appendices

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Appendix A: Geographic Abbreviations

Use the following geographical abbreviations to identify American jurisdictions, including states and territories.

Alabama	AL
Alaska	AK
Arizona	AZ
Arkansas	AR

California	CA
Colorado	CO
Connecticut	CT
Delaware	DE
District of Columbia	DC
Florida	FL
Georgia	GA
Hawai'i	HI
Idaho	ID
Illinois	IL
Indiana	IN
Iowa	IA
Kansas	KS
Kentucky	KY
Louisiana	LA
Maine	ME
Maryland	MD
Massachusetts	MA
Michigan	MI
Minnesota	MN
Mississippi	MS
Missouri	MO
Montana	MT
Nebraska	NE
Nevada	NV
New Hampshire	NH
New Jersey	NJ
New Mexico	NM
New York	NY
North Carolina	NC
North Dakota	ND
Ohio	OH

Oklahoma	OK
Oregon	OR
Pennsylvania	PA
Puerto Rico	PR
Rhode Island	RI
South Carolina	SC
South Dakota	SD
Tennessee	TN
Texas	TX
United States	US
Utah	UT
Vermont	VT
Virginia	VA
Washington	WA
West Virginia	WV
Wisconsin	WI
Wyoming	WY

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Appendix B: Court Name Abbreviations

Words in brackets [] indicate where a proper name is required in a citation. Words in parentheses () denote information that should actually appear in a parenthetical.

Administrative Court	Admin Ct
Admiralty	Adm
Aldermen's Court	[Name] Aldermen's Ct
Appeals Court	App (Number/ Name)

Appellate Court	App (Number/ Name)
Appellate Department	App Dep't
Appellate Division	App Div
Appellate Term	App Term
Bankruptcy	Bankr
Bankruptcy Appellate Panel	BAP
Borough Court	[Name] Bor Ct
Central District	Dist (C [Name])
Chancery Court	Ch Ct
Chancery Division	Ch Div
Children's Court	Child Ct
Circuit Court	Cir
Circuit Court of Appeals	App (Number/ Name)
City Court	[Name] City Ct
Civil Appeals	Civ App
Civil Court of Record	Civ Ct Rec
Civil District Court	Civ Dist
Claims Court	Cl Ct
Commerce Court	Comm Ct
Commonwealth Court	Commw Ct
Conciliation Court	Conciliation Ct
County Court	[Name] County Ct
County Judges Court	County J Ct
Court of Appeals	App (Number/ Name)
Court of Appeals Districts	App (Number/ Name)
Court of Appeals for the Armed Forces	App (Armed Forces)
Court of Civil Appeals	Civ App
Court of Claims	Cl Ct

Court of Common Pleas	Ct Com Pl
Court of Criminal Appeals	Crim App
Court of Customs & Patent Appeals	CCPA
Court of Customs Appeals	Ct Cust App
Court of Errors	Ct Err
Court of Errors and Appeals	Ct Err & App
Court of Federal Claims	Ct Fed Cl
Court of General Sessions	Ct Gen Sess
Court of International Trade	Ct Int'l Trade
Court of Military Appeals	CMA
Court of Military Review	CMR
Court of Special Appeals	Sp App
Court of Special Sessions	Ct Spec Sess
Court of Veterans Appeals	Vet App
Criminal Appeals	Crim App
Criminal District Court	Crim Dist
Customs Court	Cust Ct
District Court	Dist
District Court of Appeals	Dist Ct App
Division	Div
Domestic Relations Court	Dom Rel Ct
Eastern District	Dist (E [Name])
Emergency Court of Appeals	Emer Ct App
Equity Court	Eq Ct
Equity Division	Eq Div

Family Court	Fam Ct
High Court	High Ct
Intermediate Court of Appeals	Interm Ct App
Judicial District	Jud Dist
Judicial Division	Jud Div
Judicial Panel on Multidistrict Litigation	JPML
Justice of the Peace Court	J P Ct
Juvenile Court	Juv Ct
Land Court	Land Ct
Law Court	Law Ct
Law Division	Law Div
Magistrate Division	Magis Div
Magistrate's Court	Magis Ct
Middle District	Dist (M [Name])
Municipal Court	[City Name] Mun Ct
Northern District	Dist (N [Name])
Orphans' Court	Orphans' Ct
Parish Court	[Name] Parish
Police Justice Court	Police J Ct
Prerogative Court	Prerog Ct
Probate Court	Prob Ct
Recorder's Court	Recorder's Ct
Southern District	Dist (S [Name])
Superior Court	[Name] Super Ct
Supreme Court (federal)	US
Supreme Court (other)	Sup
Supreme Court Appellate Term	App Term
Supreme Court of Errors	Sup Ct Err

Supreme Court, Appellate Division	App Div
Supreme Judicial Court	Sup Jud Ct
Surrogate's Court	Surr Ct
Tax Appeal Court	Tax App
Tax Court	Tax Ct
Teen Court	Teen Ct
Temporary Emergency Court of Appeals	Temp Emer Ct App
Territory	Terr
Traffic Court	Traffic Ct
Tribal Court	[Name] Tribal Ct
Water Court	Water Ct
Western District	Dist (W [Name])
Workers Compensation Court	Worker Comp Ct
Youth Court	Youth Ct

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Court Name Abbreviations - Reversed

Words in brackets [] indicate where a proper name is required in a citation. Words in parentheses () denote information that should actually appear in a parenthetical.

Adm	Admiralty
Admin Ct	Administrative Court
[Name] Aldermen's Ct	Aldermen's Court
App (Armed Forces)	Court of Appeals for the Armed Forces
App (Number/Name)	Circuit Court of Appeals
App (Number/Name)	Appeals Court
App (Number/Name)	Appellate Court
App (Number/Name)	Court of Appeals Districts

App (Number/Name)	Court of Appeals
App Dep't	Appellate Department
App Div	Appellate Division
App Div	Supreme Court, Appellate Division
App Term	Supreme Court Appellate Term
App Term	Appellate Term
Bankr	Bankruptcy
BAP	Bankruptcy Appellate Panel
[Name] Bor Ct	Borough Court
CCPA	Court of Customs & Patent Appeals
Ch Ct	Chancery Court
Ch Div	Chancery Division
Child Ct	Children's Court
Cir	Circuit Court
[Name] City Ct	City Court
Civ App	Court of Civil Appeals
Civ App	Civil Appeals
Civ Ct Rec	Civil Court of Record
Civ Dist	Civil District Court
Cl Ct	Court of Claims
Cl Ct	Claims Court
CMA	Court of Military Appeals
CMR	Court of Military Review
Comm Ct	Commerce Court
Commw Ct	Commonwealth Court
Conciliation Ct	Conciliation Court
[Name] County Ct	County Court
County J Ct	County Judges Court
Crim App	Criminal Appeals
Crim App	Court of Criminal Appeals
Crim Dist	Criminal District Court
Ct Com Pl	Court of Common Pleas

Ct Cust App	Court of Customs Appeals
Ct Err	Court of Errors
Ct Err & App	Court of Errors and Appeals
Ct Fed Cl	Court of Federal Claims
Ct Gen Sess	Court of General Sessions
Ct Int'l Trade	Court of International Trade
Ct Spec Sess	Court of Special Sessions
Cust Ct	Customs Court
Dist	District Court
Dist (C [Name])	Central District
Dist (E [Name])	Eastern District
Dist (M [Name])	Middle District
Dist (N [Name])	Northern District
Dist (S [Name])	Southern District
Dist (W [Name])	Western District
Dist Ct App	District Court of Appeals
Div	Division
Dom Rel Ct	Domestic Relations Court
Emer Ct App	Emergency Court of Appeals
Eq Ct	Equity Court
Eq Div	Equity Division
Fam Ct	Family Court
High Ct	High Court
Interm Ct App	Intermediate Court of Appeals
J P Ct	Justice of the Peace Court
JPML	Judicial Panel on Multidistrict Litigation
Jud Dist	Judicial District
Jud Div	Judicial Division
Juv Ct	Juvenile Court
Land Ct	Land Court
Law Ct	Law Court
Law Div	Law Division

Magis Ct	Magistrate's Court
Magis Div	Magistrate Division
[City Name] Mun Ct	Municipal Court
Orphans' Ct	Orphans' Court
[Name] Parish	Parish Court
Police J Ct	Police Justice Court
Prerog Ct	Prerogative Court
Prob Ct	Probate Court
Recorder's Ct	Recorder's Court
Sp App	Court of Special Appeals
Sup	Supreme Court (other)
Sup Ct Err	Supreme Court of Errors
Sup Jud Ct	Supreme Judicial Court
[Name] Super Ct	Superior Court
Surr Ct	Surrogate's Court
Tax App	Tax Appeal Court
Tax Ct	Tax Court
Teen Ct	Teen Court
Temp Emer Ct App	Temporary Emergency Court of Appeals
Terr	Territory
Traffic Ct	Traffic Court
[Name] Tribal Ct	Tribal Court
US	Supreme Court (federal)
Vet App	Court of Veterans Appeals
Water Ct	Water Court
Worker Comp Ct	Workers Compensation Court
Youth Ct	Youth Court

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Appendix C: Other Abbreviations

The practice of capitalizing abbreviations varies from jurisdiction to jurisdiction. Such capitalization does not affect the accuracy of the citation. In this table, all abbreviations are capitalized.

Act, Acts	Act, Acts
Adjourned	Adj
Administrative	Admin
Amendment	Amend
Article	Art
Assembly	Ass
Bulletin	Bull
Chapter	Ch
Clause	Cl
Constitution	Const
First	1st
Fourth	4th
Enacted	En
Extraordinary	Extra
General	Gen
Government	Govt
House Bill	HB
House Resolution	H Res
Journal	J
Law, Laws	L
Legislative, Legislature	Legis
Legislative Bill	LB
Number	No
Page	P
Paragraph	¶, Para
Part	Pt
Preamble	Pre

Private	Priv
Public Act	PA
Public Law	PL
Record	Rec
Register	Reg
Regular	Reg
Regulations	Regs
Regulatory	Reg'y
Second	2d
Section	§, S
Senate Bill	SB
Session	Sess
Special Act	Spec
Statute, Statutes	Stat, Stats
Third	3d
Volume	Vol

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Appendix D: United States

Judicial Decisions

US Supreme Court	1998 US 100 ¶ 23
US Court of Appeals	1998 US App (2d) 100 ¶ 23
US Court of Appeals for the Federal Circuit	1998 US App (Fed) 100 ¶ 23
US District Court	1998 US Dist (W MI) 100 ¶ 23
US Bankruptcy Court	1998 US Bankr (W MI) 100 ¶ 23

US Court of Appeals for the Armed Forces	1998 US (Armed Forces) 100 ¶ 23
US Court of Federal Claims	1998 US Ct Fed Cl 100 ¶ 23
US Court of International Trade	1998 US Int'l Trade 100 ¶ 23
US Court of Veteran Appeals	1998 US Vet App 100 ¶ 23
US Tax Court	1998 US Tax Ct 100 ¶ 23

Statutes

Code	18 USC § 1331 (1995 through 12/31)
Session Laws	US PL 103-45 (1995)

Administrative Regulations

Code	19 CFR § 128.1 (through 4/1/1997)
Register	62 Fed Reg 65741 (12/16/1997)

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[Appendix E: State Jurisdictions](#)

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Notes

¹ For a detailed discussion of the many concerns of law librarians, see TASK FORCE ON CITATION FORMATS, AMERICAN ASSOCIATION OF LAW LIBRARIES, REPORT (1995), reprinted in 87 L. LIBR. J. 577 (1995), and available as March 1, 1995 Report, AALL Task Force on Citation Formats [(visited May 4, 1999) <<http://www.aallnet.org/committee/citation/taskforce.html>>] [hereinafter REPORT].

² Ultimately, the U.S. Judicial Conference refused to mandate use of the proposal but permitted individual courts to adopt it. The U.S. Court of Appeals for the Sixth Circuit did adopt the citation system for cases appearing on the Court's C.I.T.E. bulletin board (Jan. 1994).

³ The Louisiana public domain citation is based on the docket number. *See*, LA. S. CT. R. PT. G, GENERAL ADMINISTRATIVE RULES, SEC. 8. Citation of Louisiana Appellate Opinions (Adopted Dec. 17, 1993).

⁴ WIS. STATE BAR TECHNOLOGY RESOURCE COMM., PROPOSED CITATION SYSTEM FOR WISCONSIN: REPORT TO THE BOARD OF GOVERNORS 24-25 (1994). This report and its recommendations were approved by the Wisconsin State Bar Board of Governors on June 22, 1994 [hereinafter WISCONSIN PROPOSAL].

⁵ *See* REPORT, *supra* note 1, at ¶ 5.

⁶ 26 Am. Ass'n L. LIBR. News L. 161 (1994).

⁷ *See* REPORT, *supra* note 1.

⁸ MINUTES OF THE AALL EXECUTIVE BOARD, July 13, 14, 18 & 20, 1995, at 2107-08, American Association of Law Libraries Headquarters, Chicago.

⁹ *Id.* at 2103.

¹⁰ *See West Publishing Company v. Mead Data Central*, 616 F. Supp. 1571 (D. Minn. 1985), *aff'd*, 799 F.2d 1219 (8th Cir. 1986), *cert. denied*, 479 U.S. 1070 (1987), in which West Publishing successfully asserted that wholesale use of its pagination by a competing online publisher would infringe West's copyright interest in the arrangement of cases in its court reports. *But see, Matthew Bender*

& Co. v. West Publishing Co., 158 F.3d 693 (2d Cir. 1998), decided 12 years later, in which the 2d Circuit held that West's pagination was not protected by copyright. *Cf. Matthew Bender & Co. v. West Publishing Co.*, 158 F.3d 674 (2d Cir. 1998). While now dated, for a discussion of the interrelationship between the West copyright litigation and the need for vendor-neutral citations, see James Wyman, *Freeing the Law: Case Reporter Copyright and the Universal Citation*, 24 FLA. ST. U. L. REV. 217 (1996).

¹¹ See generally *The Bluebook*, at 165 table T1. *The Bluebook* instructs researchers to cite to the West court reports in preference to other commercial court reports. For example, for Supreme Court cases too new to appear in the official *United State Reports* (U.S.), the researcher is directed to cite to the West Supreme Court Reporter (S. Ct.) in preference to all other commercial reporters. Similarly, for state cases *The Bluebook* directs researchers to cite to the appropriate West regional reporters unless the researcher is citing home precedent to the courts of that state.

¹² A vendor-neutral citation contains no proprietary data elements and makes no reference to a proprietary publication. Thus the reporter citation 100 F.2d 200, 201 is not vendor-neutral for two reasons. First, the citation directs a researcher to a West publication containing the case. Second, West claims a proprietary interest in its pinpoint pagination. By contrast, 100 Ark. 200, 201 is vendor-neutral because no proprietary claim clouds the use of any data element in the citation and because no private party owns the *Arkansas Reports*. The term "public domain citation" also appears in debates about citation reform. However, any difference between the terms "vendor-neutral citation" and "public domain citation" may not represent a useful distinction, since the absence of any proprietary control is the critical component of both concepts.

¹³ A medium-neutral citation consists of data elements which have intellectual or locational relevance without regard to the physical medium in which a document is fixed. By this test, the citation 100 Ark. 200, 201 is not medium-neutral because the data elements representing the volume and page where the case is found are relevant only in a printed medium and have no natural meaning in electronic formats. Redefining cases in medium-neutral terms is possible by assigning a chronological accession number to each case. Thus the sixth opinion issued by the United States Supreme Court in 1996 can be cited in medium-neutral terms as 1996 US 6. The data elements of this citation retain their meaning in any physical format in which the case is published.

¹⁴ For current information, consult the following Web sites: AALLNET.org and ABAnet.org.

¹⁵ See *The Bluebook*, *supra* note 11.

¹⁶ The 1996-2000 Chair of the AALL Committee on Citation Formats is Marcia J. Koslov, State Law Librarian, Wisconsin State Law Library, who can be contacted at P.O. Box 7881, Madison, WI 53707-7881 or marcia.koslov@courts.state.wi.us.

¹⁷ See WISCONSIN PROPOSAL, *supra* note 4, at 35.

¹⁸ Recommendation 1 of the Task Force states that "[f]or those jurisdictions considering change to a medium-neutral citation form, the Task Force recommends the use of the following case citation form: case name, year of decision, court, opinion number and, where a pinpoint cite is needed, paragraph number." See REPORT, *supra* note 1, at ¶ 92.

¹⁹ See SPECIAL COMM. CITATION ISSUES, AM. BAR ASS'N, REPORT AND RECOMMENDATION (May 23, 1996) [hereinafter REPORT AND RECOMMENDATION], approved by the ABA House of Delegates on August 6, 1996. The full text of the resolution recommending use of the universal citation form proposed by the Special Committee is available on the Internet at ABA Official Citation Resolutions (visited May 4, 1999) <<http://www.abanet.org/citation/resolution.html>>].

²⁰ One feature adopted from the ABA is a name change. Until Draft 4.0 of the *User Guide*, the AALL case citation has been described as a "medium-neutral citation," but its new designation as a "universal citation" better conveys the notion that our next generation of citations must be vendor-neutral as well as medium-neutral. A second borrowed feature is the use of two-letter postal codes as state abbreviations. Earlier drafts of the AALL citation followed *The Bluebook* in using the older state abbreviations, which no longer seem useful. The third and final borrowing from the ABA proposal is the practice of using the ¶ symbol to introduce a paragraph number in a pinpoint citation. The original AALL Task Force was advised by online database publishers that ¶ symbols could be incorporated into their products only with extreme difficulty. These technical difficulties have been resolved and the symbol does clarify the citation. The ABA also recommended the inclusion of a parallel citation to a print reporter for a transitional period. Except for the court abbreviation, the resulting citation is similar to the AALL equivalent.

²¹ The ABA and AALL proposals use fundamentally different approaches to define court abbreviations for their respective universal citations. For federal

courts, the ABA approach uses fragments from law book citations - such as "US," "5Cir," and "SDNY." For state courts, the ABA uses postal abbreviations for high courts and appends the suffix "App" to identify intermediate state appellate courts. *See generally* REPORT AND RECOMMENDATION, *supra* note 19, at Appendix A. By contrast, the AALL approach uses a simple algorithm which builds a court identifier from a logical progression of abbreviations. *See Guide, infra* Rule 4.

While the ABA approach has the beauty of using intuitively recognized abbreviations for most case citations, the approach ignores many complex judicial scenarios. Non-unitary state appellate courts are an unresolved problem -- decisions from the Ohio Court of Appeals, which is fragmented into twelve independent districts, cannot be so simply abbreviated as OH App. Specialized appellate courts -- such as the Texas Court of Criminal Appeals -- pose additional problems. Even more problematic are state trial courts, such as the New Jersey Superior Court with its Law and Chancery Divisions. However, the great untamed wilderness is administrative case law. The ABA suggests that its universal citation can be applied to decisions of federal administrative tribunals such as the Occupational Safety and Health Review Commission -- using abbreviations which are reminiscent of existing printed reporters. No guidance, however, is offered for citing the explosion of state administrative law decisions now appearing in electronic formats. In fairness to the ABA, its Report offers only illustrations of its recommended citation, which may not be intended to be viewed as a complete system for constructing court abbreviations.

So variegated is American case law that AALL decided to use a simple algorithm to devise unique court abbreviations. Under this formula, a citation begins with one or more geographical abbreviations, continues with any needed specialized court abbreviations, and ends with circuit or district information enclosed in a parenthetical. So a decision from the Ohio Supreme Court is abbreviated as "OH." One from the Fifth District of the Ohio Court of Appeals is denoted as "OH App (5th)." A case from the Ohio Court of Claims is abbreviated as "OH Cl Ct" while a decision from the Lucas County Court of Common Pleas is condensed to "OH Lucas County Ct C P." Thus by composing a logical sequence of abbreviations, a researcher can arrive at an unambiguous abbreviation for virtually any American court. For tables of standardized abbreviations to be used in composing court abbreviations, see Appendix B.

²² *The Bluebook, supra* note 11, at 62. The relevant portion of Rule 10.3.1 provides:

If the decision is available as an official public domain citation (also referred to as medium neutral citation), that citation should be provided instead. A parallel citation to the regional reporter may be

provided as well. When citing a decision available in public domain format, provide the case name, the year of the decision, the name of the court issuing the decision, and the sequential number of the decision. When referencing specific material within a decision, a pinpoint citation should be made to the paragraph number at which the material appears in the public domain citation. The following fictitious examples are representative of the recommended public domain format:

Stevens v. State, 1996 S.D. 1 ¶ 217;
Jenkins v. Patterson, 1997 Wis. Ct. App. 45 ¶ 157,
 600 N.W.2d 435.

²³ "Codes" and "compilations" can have different meanings. For purposes of this document a code is defined to include a compilation, and means a recompilation of selective session laws in a subject arrangement, whether it is formally enacted into positive law or not.

²⁴ For a discussion of issues relating to case law citation, see REPORT, *supra* note 1, at ¶¶ 27-44.

²⁵ The paper supplement is cumulative and thus grows in length every year, adding volumes.

²⁶ Telephone interview with John Miller, Law Revision Counsel, U.S. House of Representatives (Dec. 9, 1997).

²⁷ Telephone interview with Joe Edwards, Director of U.S.C.A. & Alabama Products, West Group (Dec. 15, 1997).

²⁸ *The Bluebook*, *supra* note 11, at 75 (Rule 12.2.2(c)).

²⁹ AR Code § 1-2-103 (1995 through 1st Ext Sess).

³⁰ *The Bluebook*, *supra* note 11, at 78 (Rule 12.3.2).

³¹ *Id.* at 77 (Rule 12.3.1 (d)).

³² As of January 1998, Michigan is the only jurisdiction with two versions of its

statutory code actually numbered differently.

³³ Examples of this include Titles 2, 6-8, 12, 15-16, 19-22, 24-27, 29-30, 33-34, 36, 40-43, 45, 47-48 of the U.S. Code; and all or part of state codes that have not actually been enacted by the legislature, for example, the codes of Missouri and Vermont, which are prima facie evidence of the law.

³⁴ Traditionally at the federal level it is customary to include the name of a statute if it is in a title of the U.S. Code that is not enacted (e.g., Title 42). However, practice has become blurred, and additional statutes are cited by name as well (e.g., the Mann Act).

³⁵ A statutory code is numbered according to a particular scheme. Several different types of schemes exist: the title may precede the code designation; it may follow it, as part of the section number; or the subject area may be included in the code designation. Most state codes adhere to one numbering scheme, but a few states are in the process of recodification and thus may use more than one type of numbering. If this is the case, it is indicated in Appendix E.

³⁶ The "current through" date can be found on the title page of a printed code, supplement or pocket part, and is usually found at the first screen of an online code section. On a CD-ROM product or Web site, there usually is a currency note prominently displayed. Using a "current through" date allows the author to pinpoint exactly the time at which the code contained the cited wording in its exact form. It allows the reader to more easily verify the citation, whether the reader is using a book, a CD-ROM product, a Web site, or an online version of the text. No indication of currency is a sign for the reader to check the reliability of the source.

³⁷ An examination of two states illustrates some of the difficulties in this area as developing paper and online sources come into conflict. In Wyoming, administrative regulations are available on the Secretary of State's Internet site at <<http://soswy.state.wy.us/rules/rules.htm>> (visited December 2, 1998). These rules are for all practical purposes an administrative code in that they constitute an up-to-date subject arrangement for all state agency rules. The state has not, however, designated this electronic product to be a "code." The other source for state regulations is *Weil's Code of Wyoming Rules*, published by Weil Publishing Company. It is unofficial and has its own numbering system. Users are therefore confronted with two versions of the "code" with different identification schemes for the same information.

In Maine, a similar problem exists with registers. Maine does not have an official register and instead publishes its administrative notices in five newspapers in the

state. These notices are now available on a state government Web site at <<http://www.state.me.us/sos/cec/rcn/apa/weekly.htm>> (visited December 2, 1998). This site has not yet been acknowledged to be an official "register" although it could be viewed as serving that purpose. These regulations and notices are also published in *Weil's Maine Government Register*. The Weil edition has its own citation format for issues and pages.

³⁸*The Bluebook*, *supra* note 11.

³⁹*Id.* at 93 (Rule 14).

⁴⁰*See infra* Appendices D and E for individual jurisdiction citations.

⁴¹ A substantial number of printed state administrative codes list the date each code section was last amended, with or without a register number, as parenthetical information at the end of each code section. Examples include the administrative codes of Idaho, Kentucky, and Missouri. The *Code of Colorado*, on the other hand, states the history and currency information at the beginning of large sections of the code as each title is reprinted. A third method, such as that found in the *Code of Rhode Island Rules*, dates each individual physical page with the date that particular page was last reprinted. These "systems" are not exclusive of each other. For example, for each of its code sections, the *Code of Massachusetts Regulations* identifies the effective date and the date of the last amendment. For each physical page, it also provides the date it was last printed.

⁴² The majority of administrative codes on Westlaw and LEXIS provide statements that the particular code section is current through a given date or register number. State government Internet sources more often include the date the code section was last amended. AZ Admin Code <http://www.sosaz.com/Rules_and_Regulations.htm> (visited May 4, 1999); NV Admin Code <<http://www.leg.state.nv.us/NAC/CHAPTERS.HTM>> (visited Dec 2, 1998).

⁴³ *See* NV Reg of Admin Regs <<http://www.leg.state.nv.us/register/VOLUME-PAGE.html>> (visited Dec 2, 1998).

⁴⁴ The basic requirement of this rule assumes that within a particular jurisdiction all source or versions of a code will be organized and numbered in a similar fashion. In a few states, the only codification is one arranged and numbered according to an idiosyncratic system devised and utilized solely by a particular commercial publisher. At the same time, the state may be disseminating agency regulations on a timely basis either in an uncodified format, or in an arrangement

that looks like and serves as a code but has not yet been recognized as one. These rules do not suggest that an individual using a commercially available source with its own unique numbering system should be barred from citing to that source. However, the preference for citing a code (and the fact that a particular code is listed in Appendix E of these rules) should not force the writer to identify a code number utilized by a commercial publisher. In order to ensure that a reader is able to identify and locate the cited text, a writer may find it necessary to follow Rule 502 or Rule 503, which provide instructions for citing uncodified materials.

⁴⁵ In most jurisdictions the government publishes the register. Within the jurisdiction all sources of register information are consistent whether in paper or electronic format. In a few instances, the state has paper or online versions of its administrative notices and proposed regulations that may or may not be recognized as a "register." At the same time, a commercially available version of the same information, arranged by a numbering system unique to that publisher, is available. Neither the existence of such a commercial register nor its inclusion in Appendix E of these rules requires that writers cite to it. The writer may prefer to cite a regulation according to Rule 4 to enable the reader easily to identify and locate the appropriate text.

⁴⁶ In most states the administrative code has a single numbering system regardless of the publisher. In other states a given code section could have different numbers depending on the source. Because of these different numbering schemes, it may be necessary to include the name of the compiler in the code designation in accordance with Appendix E.

⁴⁷ When citing material in the Code of Federal Regulations use "\$" to indicate a particular section. Use "pt" to indicate a particular part.

⁴⁸ In almost all states regulations published in a register have a single numbering system regardless of the publisher. In a few states register citations could vary depending on the source. Because of these different numbering schemes, it may be necessary to include the name of the compiler in the register source in accordance with Appendix E.

⁴⁹ The publication date is the most important date because it is used to locate the text of the regulation. If the effective date of the regulation differs from the publication date and that difference is at issue, the publication date should still be given in the citation and the difference noted in a parenthetical statement.

