Today's Session

1. General Style Rules (Rules 1-8)
2. U.S. Cases (Rule 10)
3. U.S. Statutes (Rule 12)
4. Books (Rule 15)
5. Periodicals (Rule 16)
6. General Rules for Online Sources (Rule 18)
Getting Started

• Make sure you have the 20th edition. This is the most current and has the best rules for citing online sources.

• There is a quick reference guide on the first page. I also gave you a handout.
Start paying extra attention to the footnote citations in U.S. law review articles.
Rules 1 - 8 : Structural and Stylistic Guidelines
<table>
<thead>
<tr>
<th>Rule</th>
<th>Guidelines Discussed</th>
</tr>
</thead>
</table>
| Rule 1 | • Form and punctuation for citations.  
• Signals (such as *e.g.* and *see*) that explain how the cited source supports, compares to, or contradicts your point.  
• Parenthetical information that explains why you’re citing a source. |
| Rule 2 | Typeface rules (plain, *italics*, SMALL CAPS).                                                                                                              |
| Rule 3 | • Citing individual sections, parts, pages, footnotes, etc.  
• Using internal cross references to cite sources that are already cited elsewhere in your paper (*supra* and *infra*). |
| Rule 4 | Short citation forms, including *id.*, *supra*, and hereinafter.                                                                                         |
| Rule 5 | Quotations (indicated by “””) and omissions (indicated by ...).                                                                                           |
| Rule 6 | Abbreviations, numerals, and symbols.                                                                                                                       |
| Rule 7 | Special rules for italics.                                                                                                                                |
| Rule 8 | Rules for capitalization.                                                                                                                                 |

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**Rules 1 - 8**
Rule 1: Structure and Use of Citations

Signals (such as e.g. and see) (Rule 1.2) that explain how the cited source supports, compares to, or contradicts your point.

Parenthetical information (Rule 1.5) that explains why you’re citing a source.


See Kevin M. Clermont & Stewart L. Schrader...
SEX STEREOTYPING AND ANTIDISCRIMINATION LAW

states (and soon, possibly the federal government) protect against antigay discrimination using language explicitly modeled on Title VII. This division between sex-stereotyping litigation and new, sexual-orientation-specific legislation has put various scholars, lawyers, and activists at cross-purposes. While Lambda Legal and the Human Rights Campaign minimize existing protections against discrimination and urge passage of a federal ENDA, and while President Obama has signed an executive order protecting LGBT federal employees, the Equal Employment Opportunity Commission (EEOC) has ruled that discrimination against transgender workers categorically violates Price Waterhouse, and EEOC Commissioner Chai Feldblum has publicly stated that discrimination against LGB workers does the same. Similarly, there is a dispute on the merits of Price Waterhouse and ENDA within the legal academy. While recent work argues that Price Waterhouse protection is a flawed substitute for ENDA, and many scholars claim that locating LGBT protections within sex stereotyping jurisprudence is theoretically and

Nocnconformity and the Unfulfilled Promise of Price Waterhouse v. Hopkins, 14 DUKE J. GENDER L. & POL’Y 205 (2007); infra notes 144-149 and accompanying text.


Rule 3: Subdivisions and Rule 4: Short Citation Forms

Citing volumes (Rule 3.1)

Citing a footnote in a source (Rule 3.2)

Citing sections (here, of a statute) (Rule 3.3)

Using \textit{id.} (Rule 4.1)

Pincites: Cite the page the source begins on, and a specific page (Rule 3.2)
Rule 3: Subdivisions and Rule 4: Short Citation Forms

Use “hereinafter” to indicate a shortened name of a source that you will cite later (Rule 4.2)

Use supra to cite an earlier source in your paper (Rule 3.5 and Rule 4.2)

Use infra to cite material that will appear later in your paper (Rule 3.5)

14 Blue Crab Regulatory Review Comm., The Virginia Marine Resources Commission’s Management Plan for the Blue Crab 4 (2008) [hereinafter Blue Crab Report]; WARNER, supra note 1; Bay Blue Crab at Ebb, supra note 6; Carl Tobias, Another Crisis for the Bay, WASH. POST, Mar. 16, 2008, at B8. In 1942, Virginia did address shortages with a crab sanctuary that is now larger. See VA. CODE ANN. § 28.2-709 (2009). See also infra note 52 and accompanying text.
use challenges the separation of powers principle by allowing an agency to enforce and interpret a law. Sutton starts his disagreement by arguing that a statute with criminal and civil application must be given only one

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33 *Esquivel-Quintana*, 810 F.3d at 1023–24.
34 *Babbitt v. Sweet Home Chapter of Cmty Ass’ns for a Great Or.*, 515 U.S. 687, 704 n.18 (1995). The footnote, after listing the value of rule of lenity concluded:

We have never suggested that the rule of lenity should provide the standard for reviewing facial challenges to administrative regulations whenever the governing statute authorizes criminal enforcement. Even if there exist regulations whose interpretations of statutory criminal penalties provide such inadequate notice of potential liability as to offend the rule of lenity, the “harm” regulation, which has existed for two decades and gives a fair warning of its consequences, cannot be one of them.

*Id.*

35 *Leocal v. Ashcroft*, 543 U.S. 1, 11 n.8 (2004). There, the court stated:

Even if § 16 lacked clarity on this point, we would be constrained to interpret any ambiguity in the statute in petitioners’ favor. Although here we deal with § 16 in the deportation context, § 16 is a criminal statute, and it has both criminal and noncriminal applications. Because we must interpret the statute consistently, whether we encounter its application in a criminal or noncriminal context, the rule of lenity applies.

*Id.*

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36 *Esquivel-Quintana*, 810 F.3d at 1024 (“While the Court has begun to distance itself from *Babbitt*, we do not read dicta in *Leocal* and subsequent cases as overruling *Babbitt*, or requiring that we apply the rule of lenity here in Esquivel-Quintana’s civil removal proceeding. As an ‘inferior’ court, our job is to adhere faithfully to the Supreme Court’s precedents.”).
37 *Id.* at 1027 (Sutton, J., concurring in part and dissenting in part).
Rule 6: Abbreviations, Numbers, Symbols

50. *See, e.g.*, Ariad Pharm., Inc. v. Eli Lilly & Co., 598 F.3d 1336, 1365 (Fed. Cir. 2010) (“A ‘blocking patent’ is an earlier patent that must be licensed in order to practice a later patent.”).

51. *See* S. Doc. No. 338, 24th Cong., 1st Sess. (1836) (report of Senate committee appointed to study the patent system and propose necessary changes, finding that “[a] considerable portion of patents granted are worthless and void, as conflicting and infringing upon one another, or having rights not subject to patent privileges”); *see also* S. Rep. No. 1979, 82nd Cong., 2d Sess. (1952), *reprinted in* 1952 U.S.C.C.A.N. 2394, at 2397 (Committee Report accompanying the Patent Act of 1952, discussing the history of the 1836 Act).


53. *Id.*; *see also* Diamond v. Chakrabarty, 447 U.S. 303, 309 (1980) (“Subsequent patent statutes in 1836, 1870, and 1874 employed the same broad language.”).


55. *See* S. Rep. No. 1979, 82d Cong., 2d Sess. 5, 17 (1952), *reprinted in* 1952 U.S.C.C.A.N. 2394, 2398–99 (“Art” in this place in the present statute has a different meaning than the words “use of art” in the Constitution, and a different meaning than the use of the word ‘art’ in other
25. See Aktiengesetz [AktG] [Stock Corporation Act], Sept. 6, 1965, BUNDESGESETZBLATT, TEIL I [BGBl. I] at 1089, last amended by Gesetz [G], Dec. 22, 2011, BGBl. I at 3044, § 112 (Ger.). Regarding representation in the case of litigation against members of the management board, see, for example, Mathias Habersack, in 2 MÜNCHENER Kommentar zum Aktiengesetz [MUNICH COMMENTARY ON THE STOCK CORPORATION ACT], § 112, ¶ 17 (Wulf Goette & Mathias Habersack eds., 3d ed. 2008).

26. AktG § 84 (Ger.).


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| Rule 6 | Abbreviations, numerals, and symbols.                                                                                                                  |
| Rule 7 | Special rules for italics.                                                                                                                              |
| Rule 8 | Rules for capitalization.                                                                                                                               |
What Do I Need to Know?

What is cited in most LLM papers:

- U.S. cases
- U.S. statutes
- Secondary sources, like books, journal articles, and newspaper articles
- Internet materials
- Foreign and international materials
What Do I Need to Know?

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Procedure for citing a U.S. court case:

- Read Rule 10.
- Find your jurisdiction in T1 for specific citation rules (reporter and court name abbreviation).
- Use T6 to abbreviate long words.
What we know about this case:
- The name: Baker v. Carr.
- The court: U.S. Supreme Court.
- The year: 1962

What we still need to know:
- Which reporter to cite - U.S., S.Ct., or what?
Procedure for citing a U.S. court case:

• Read **Rule 10**.

• Find your jurisdiction in **T1** for specific citation rules (reporter and court name abbreviation).

• Use **T6** to abbreviate long words.
Let’s try one that’s a little harder.

What we know about this case:
- The name: United States v. Windsor
- The court: U.S. Supreme Court.
- The year: 2013
You should have two questions at this point.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do we use “United States” or “U.S.” if the United States is a party?</td>
<td>• See rule 10.2.2 (p. 102) – abbreviate countries as indicated in table T10.</td>
</tr>
<tr>
<td></td>
<td>• According to table T10 (p. 509), abbreviate “United States of America” to “U.S.”</td>
</tr>
<tr>
<td>What if it is a U.S. Supreme Court case but there is no U.S. Reports</td>
<td>• See table T1 (p. 233).</td>
</tr>
<tr>
<td>citation for it?</td>
<td>• It says cite U.S. Supreme Court cases to “S.Ct.” if there is no “U.S.” citation.</td>
</tr>
</tbody>
</table>
This case, from 2013, is too recent to be published in the U.S. Reports (they’re a little behind).
U.S. Cases: Rule 10

What about state law cases?

What we know about this case:

- The name: Lockyer v. City and County of San Francisco
- The court: Supreme Court of California
We know how to find citation rules:

- Geographic unit as party name: Rule 10.2.2, page 102
- Which reporter to cite, and how to abbreviate the court: T1 for U.S. jurisdictions
  - California = p. 252
    - Cite the Pacific Reporter, not the California Reports.
    - The California Supreme Court is abbreviated “Cal.”

In reading Rule 10, we can also see that T6 (page 496) discusses case name abbreviations. That will help us deal with words like “and.”
Review of the procedure for citing cases:

- Read Rule 10.
- Find your jurisdiction in T1 for specific citation rules (reporter and court name abbreviation).
- Use T6 to abbreviate long words.
Find the Errors: Case Citation


There are four errors in this citation. Can you find them?
WRONG:

RIGHT:
What Do I Need to Know?

What is cited in most LLM papers:

- U.S. cases
- U.S. statutes
- Secondary sources, like books, journal articles, and newspaper articles
- Internet materials
- Foreign and international materials
We’ll discuss statutes quickly so we have more time for books and periodical articles.
Procedure for statute citation:

- Read Rule 12.
- Find your jurisdiction in T1 for specific citation rules.
Considerations for U.S. Federal Statutes:

• When a statute is first enacted, it is a session law (rule 12.4).

• After that, the contents of the statute are codified, which means placed into the relevant section(s) of the United States Code (U.S.C) (rule 12.3).

• There is an official codification of the U.S.C. every six years. The last one was in 2012 (rule 12.3.2).
Considerations for U.S. Federal Statutes:

- The Bluebook prefers that you cite to the current official codification of the statute, so your citation will generally include U.S.C. and (2012).

- BOTTOM LINE: Just read rule 12 and pay attention to the examples. If you are still not sure how to cite a statute, ask a librarian and we will help you.
What Do I Need to Know?

What is cited in most LLM papers:

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- U.S. statutes
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- Foreign and international materials
Secondary Sources

If it’s a book, a book chapter, or a report, use rule 15.
Secondary Sources

If it’s an article published in a periodical (journal, magazine, newspaper), use rule 16.

Image: David McDermott, Reading the Sundays. https://flic.kr/p/5jGvWA.
Procedure for citing non-periodical materials, such as books:

- Read Rule 15.
- Do NOT use the abbreviation tables in the back for book titles.
**Nancy D. Polikoff, Beyond Straight and Gay Marriage: Valuing All Families Under the Law (2008).**
SMALL CAPS: In MS Word, highlight the text, and click the down arrow in the Font box on the Home toolbar. Then, in the Font window, select Small Caps.
Remember, for book chapters, you will also use rule 15.
Procedure for citing periodical materials, like journal articles:

• Read Rule 16.

• Abbreviate periodical titles using table T13.
What is the difference between consecutive and non-consecutive pagination?
What is the difference between consecutive and non-consecutive pagination?

Most U.S. law journals are consecutively paginated.

**XYZ Law Review**
Volume 55, 2008  
*(consecutive pagination)*

Issue 1  
pp. 1-205

Issue 2  
pp. 206-471

Issue 3  
pp. 472-603

Issue 4  
pp. 604-859

**New Thought Magazine**
Volume 55, 2008  
*(non-consecutive pagination)*

Issue 1  
pp. 1-205

Issue 2  
pp. 206-217

Issue 3  
pp. 1-308

Issue 4  
pp. 1-297

Periodicals: Rule 16
How do I cite a newspaper article I found online?
What Do I Need to Know?

What is cited in most LLM papers:

- U.S. cases
- U.S. statutes
- Secondary sources, like books, journal articles, and newspaper articles
- Internet materials
- Foreign and international materials
Online Periodicals: Rules 16 & 18

Rules 16 and 18 go hand-in-hand when it comes to citing online periodical articles.
Before you cite any online sources, read ALL of rule 18.
Online Periodicals: Rules 16 & 18

What you need to know:

• For newspapers: online versions can be used to replace print versions.

• Otherwise, the preference is that you cite to the print version.

• Don’t forget to use the table T13 to abbreviate publication titles.
With Little Fanfare, Mexican Supreme Court Legalizes Same-Sex Marriage

By RANDAL C. ARCHIBOLD and PAULINA VILLENGAS JUNE 14, 2005

MEXICO CITY — His church turned him away, his family discouraged him from a public fight and the government of the state where he lives vowed it would never happen.

But it did. Hiram Gonzalez married his boyfriend, Severiano Chavez, last year in the northern state of Chihuahua, which, like most Mexican states, technically allows marriage only between a man and a woman.

Mr. Gonzalez and dozens of other gay couples in recent months have, however, found a powerful ally: Mexico’s Supreme Court.

In ruling after ruling, the court has said that state laws restricting marriage to heterosexuals are discriminatory. Though the decisions have been met with little fanfare, it has known...
What about citing a website page?

See rule 18.2.2.
What is cited in most LLM papers:

- U.S. cases
- U.S. statutes
- Secondary sources, like books, journal articles, and newspaper articles
- Internet materials
- Foreign and international materials (next week!)
Foreign Materials: Rule 20

Foreign (non-U.S.) materials: rule 20 and table T2

International Materials: Rule 21

International materials: rule 21 and table T3

Image: Jennifer Allison, UN Security Council.
<table>
<thead>
<tr>
<th>Type of Source</th>
<th>Main Rule</th>
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</tr>
</tbody>
</table>
Summary

- **Rules 1-8:** Structural guidance for common elements of citations
- **Rules 10-14:** U.S. primary law sources
- **Rules 15-17:** Secondary law sources
- **Rule 18:** Internet/electronic sources
- **Rule 20:** Foreign law sources
- **Rule 21:** International law sources
The End