

The *Universal Citation Guide*: Tentative Drafts for Law Reviews and Court Rules*

Introduction**

¶1 The Citation Formats Committee of the American Association of Law Libraries published its *Universal Citation Guide* (UCG) in summer 1999.¹ This first edition of the UCG contained citation rules for judicial decisions, constitutions, statutes, and administrative regulations. The majority of these rules had been published in draft form in *Law Library Journal*,² and the committee found this comment period invaluable in preparing the first edition of the UCG.

¶2 The publication of the UCG, however, has not ended the committee's work. We present in this issue of *Law Library Journal* draft rules for citing law review sources and court rules. As with all of the rules published so far, our objective is to propose a model for citing legal resources that is neutral both in terms of format and publisher. The rules should guide the user to create a citation that can be used by the reader who has access to either electronic or paper versions of the material.

¶3 Kathy Carlson, State Law Librarian, Wyoming State Law Library, is the principal drafter of the proposed rule for secondary resources: law reviews. Mary Persyn, Law Librarian and Professor of Law, Valparaiso University School of Law, and Kent McKeever, Director of the Law Library, Columbia University, are the principal drafters of the citation rules for court rules. Comments on any of these rules should be conveyed to the Committee on Citation Formats.³

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** The author of the introduction is Paul George, Co-Chair, AALL Citation Formats Committee, 1999–2000, and Associate Librarian for Research Services, Harvard Law School Library, Cambridge, Massachusetts.

1. CITATION FORMATS COMM., AM. ASS'N OF LAW LIBRARIES, *UNIVERSAL CITATION GUIDE* (1999) [hereinafter *UNIVERSAL CITATION GUIDE*].
2. *The Universal Legal Citation Project: A Draft User Guide to the AALL Universal Case Citation*, 89 L. LIBR. J. 7 (1997); *The Universal Legal Citation Project: A Draft User Guide to the AALL Universal Statutory Citation*, 90 L. LIBR. J. 91 (1998); *The Universal Legal Citation Project: A Draft User Guide to the AALL Universal Regulatory Citation*, 90 L. LIBR. J. 509 (1998).
3. The 1999–2000 co-chairs of the ALLL Citation Formats Committee are Marcia Koslov, Director of Knowledge Services, National Center for State Courts, who can be contacted at (757) 259-1579 or mkoslov@nsc.dni.us; and Paul George, Associate Librarian for Research Services, Harvard Law School Library, who can be contacted at (617) 496-3292 or pgeorge@law.harvard.edu. The chair of the committee for 2000–2001 is Bruce Kennedy, Director of the Law Library and Professor of Law, University of Toledo College of Law Library, who can be contacted at (419) 530-2733 or bkenned@uoft02.utoledo.edu.

The Universal Citation Guide:

Tentative Draft for Law Reviews⁴

¶14 Rules 700 through 707 cover basic citation format for law reviews.

¶15 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.

¶16 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

4. The principal drafter for the AALL Citation Formats Committee was Kathy Carlson, State Law Librarian, Wyoming State Law Library, Cheyenne, Wyoming.

¶7 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: A Uniform System of Citation*.⁵ 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

¶8 Rule 702 Article Title

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

Examples:

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

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

¶9 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.

5. References throughout the Universal Citation Guide: *Tentative Drafts for Law Reviews and Court Rules* are to THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (16th ed. 1996). This is the current edition as of May 2000, the date of the tentative drafts.

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

¶10 Rule 704 Law Review Name

The name of the law review should conform to Rule 16 and related rules of *The Bluebook: A Uniform System of Citation*. 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

¶11 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

¶12 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 non-consecutive 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 nn87, 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, Comment, *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 tbl3

¶13 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: A Uniform System of Citation* 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 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> [Feb. 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 [Aug. 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/> [Dec. 21, 1999])

The Universal Citation Guide: Tentative Draft for Court Rules⁶

¶14 Rules 150 through 155 set forth a format for citing the rules of federal, state, and local courts.

¶15 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 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.

¶16 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 sixteenth edition of *The Bluebook: A Uniform System of Citation*. 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.

¶17 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.

¶18 Rule 150 Basic Court Rule Citation Form

A full court rule citation includes the following elements:

- 1) abbreviation for the name of the jurisdiction (**Rule 151**)
- 2) name of the court, if the rule is limited to a single court (**Rule 152**)
- 3) standardized designation for the court rule (**Rule 153**)
- 4) number of the court rule (**Rule 154**)
- 5) date, if necessary or desirable (**Rule 155**)

6. The principal drafters for the AALL Citation Formats Committee 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.

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)

¶19 Rule 151 Name of the Jurisdiction

Use Appendix A⁷ 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)

¶20 Rule 152 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)

7. All references to appendixes in this tentative draft are intended to refer to appendixes found in UNIVERSAL CITATION GUIDE, *supra* note 1.

¶21 Rule 153 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

¶22 Rule 154 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)

¶23 Rule 155 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 a) the term “through” and b) 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)

