

MIC | *Law*

LEGAL ANALYSIS
and COMMUNICATION

Citing for the Win!

Intro to Bluebook

- Structure of Bluebook—21st edition
- Typeface (B2—italics, don't underline, no large/small caps)
 - Use italics for introductory signals, case names, *id.*, etc.
- Footnotes primarily for academic citation

Cases

- B10.1 for full citing cases; same as ALWD
 - Case name, volume number, reporter abbreviation, initial page, pincite, court abbreviation, date
- Abbreviate case names, except in text
 - T6 for case name abbreviations
- T1 for reporter abbreviations
- R6.2 for ordinals
 - 2d, 3d, 4th **NOT** 4th (no superscripts)
- T7 for court name abbreviations
- T10.1 for geographical term abbreviations

Cases

- No parallel cites
Incorrect: *O'Connell v. Kirchner*, 513 U.S. 1303, 1304, 115 S. Ct. 891, 892, 130 L. Ed. 2d 873, 875 (1995).
- Short citing cases (B10.2) BUT follow ALWD Rules 12.16(b)-(c) for short citing cases. Use *id.* where appropriate.
The trial court found for the plaintiff. *Smith*, 110 S.W.2d at 138-39.
The court in *Smith* found for the plaintiff. 110 S.W.2d at 138-39.
- No splitting full cites
Incorrect: In *Specht v. Netscape Communications Corp.*, the court determined that the plaintiffs were not bound by the defendant's arbitration agreement. 306 F.3d 17, 19 (2d Cir. 2002).
- No abbreviating case names in text (with few exceptions)—B10.1.1(vi)
- R.6.1—Same spacing rules apply as with ALWD
- R.3.2—Same page span rule apply as with ALWD

Cases

- Sally Bridges, et al. versus MacLean –Stevens Studios, Incorporated, et al. The case was decided in 1998 by the United States District Court for the District of Maine reported in volume 35 of Federal Supplement Second Series, beginning on page 20. Focus your reader's attention on page 23.

Cases

- *Bridges v. MacLean-Stevens Studios, Inc.*, 35 F. Supp. 2d 20, 23 (D. Me. 1998)

Statutes

- B12/R12
- Cite the official federal code (U.S.C.) whenever possible
 - U.S.C. is always abbreviated, even in text.
Title 42 U.S.C. § 1983 governs this case.
 - State statutes are NOT abbreviated in text.
Mississippi Code Annotated section 27-25-703 provides as follows
- R12.10 for short cites
 - Use *id.* if appropriate, otherwise choose a sensible short cite from chart.
 - Do not spell out the word “section” when referring to U.S.C., even in text. Always use §.
 - No “at” before a section symbol or paragraph symbol
Incorrect: *Id.* at § 457.

Statutes

- No space between section and subsection
21 U.S.C. § 457(b)(2)
- If possible, cite statutes currently in force, unless doing historical research. A new version of the U.S.C. is published every 6 years.

Court Documents

- B17.1 Full citation
 - Name of document, abbreviated per BT1
 - Pinpoint citation to exact page, paragraph, page:line, etc.
 - Date if necessary per B17.1.3
 - More than one document has the same title
 - The date is relevant to the discussion
 - The date is needed to avoid confusion
- Citations to court documents may be enclosed in parentheses. Period inside parentheses unless it's a clause.
 - The Defendant's motion cites the *Smith* case to make a similar point. (Mot. Summ. J. ¶ 3.)
 - Jones did not read the revised contract (Knight Aff. ¶ 15) that stated a higher interest rate (Barnes Aff. ¶ 4).

Court Documents

- Depositions, Interrogatories, Complaint
 - Jones Dep. 12:23-25
 - Jones Dep. 12:23-13:4
 - Pl.'s 1st Set Interrogs. Nos. 4, 6
 - Compl. ¶ 5
- Short form citation
 - Use short form if you can do so in a sensible way
 - Use *id.* when appropriate and if significant space can be saved
 - Incorrect:** *id.* at ¶ 6.
 - No date in short cite (goes for all cites—not just court docs)

7 A. Yeah.

8 Q. We've talked about this before. You've got
9 a prior criminal record. You've got about 10 prior
10 felony convictions, correct?

11 A. Yeah.

12 Q. And you're currently serving a federal
13 sentence. Can you tell the Judge what it's for?

14 A. Conspiracy to distribute five kilos or
15 better of cocaine.

16 Q. And you're here testifying today, and you
17 haven't been promised anything, correct?

18 A. No.

19 Q. But you are hoping that there will be some
20 consideration given you, if possible, in federal court
21 affecting the sentence that you're already serving,

Court Documents

In support of the Motion for Summary Judgment, Defendants included the Declaration of Arvid K. Tolak, Ph.D., which provides some legislative history behind the enactment of the Statute and shows that “the primary basis for [the Statute] was to preserve traditional family values” and was enacted as “a preemptive move against a perceived homosexual agenda.” (Tolak Decl. ¶¶ 13-14.) Tolak also notes that “[s]everal supporters of the bill referred to future harms that they anticipated children adopted by homosexuals would suffer,” including becoming homosexuals themselves, being abused, instability, imbalance, exposure to an unnatural lifestyle, and exposure to illegal conduct. (*Id.* ¶ 15.) Scientific studies conducted by Paul Cameron, Ph.D. and Kirk Cameron, Ph.D. of the Family Research Institute, Inc., suggest that children of homosexual parents have a disproportionate risk of being sexually and emotionally abused and of becoming homosexual themselves. (*Id.* ¶¶ 18-21.)

In response to Defendants’ motion and evidence, Plaintiffs submit the Declaration of Muriel Estrada Gomez, M.D., Ph.D., which suggests that the studies relied upon by Defendants are methodologically flawed and that “no rational decision maker would base a law or public policy upon them.” (Gomez Decl. ¶ 8.) In fact, Gomez’s testimony indicates “that the outcomes of adoptions by homosexual couples are not significantly different from the outcomes of adoptions by heterosexuals.” (*Id.* ¶ 24.)

Capitalization

- B8
 - Capitalize “Court” when naming any court in full, referring to U.S. Supreme Court, and in documents when referring to the court that will receive your document.
 - The Alabama Supreme Court affirmed the decision of the lower court.
 - The court in *Parker* held that the plaintiff failed to prove constructive notice.
 - This Court should find for the Defendant.
 - Capitalize party designations when referring to parties in the matter that is the subject of your document.
 - The plaintiff in *Stelly* filed suit against the night club after he fell on the dance floor.
 - The Defendant respectfully requests that this Court grant his Motion to Dismiss.
 - Capitalize the title of a court document when the document has been filed in your case and the reference is to the document title or shortened title.

Signals

- 11 signals, divided into 4 categories of relationship support (R1.2/B1.2)
- The absence of a signal is the most commonly used signal. No signal needed when cited authority directly states the proposition.
- Both the signal and the case name must be italicized.
- *E.g.*, is the only signal followed by a comma.
 - Comma is not italicized BUT *See, e.g.*, does contain an italicized comma after “See.”

Signals

- Signals are often combined with parenthetical information.
 - A warrantless entry into a private residence is presumptively unreasonable under the Fourth Amendment. *Love v. State*, 138 S.W.3d 676, 680 (Ark. 2003). That presumption may be overcome, however, if the police officer obtained consent to conduct a warrantless search. *See Stone v. State*, 74 S.W.3d 591, 596 (Ark. 2001); *see also* Ark. R. Crim. P. 11.1 (“An officer may conduct searches and make seizures without a search warrant or other color of authority if consent is given.”).
 - Separate signals and their authorities of the *same* signal type with semicolons. Separate *different* signal types and their authorities from other types of signals and their authorities with periods.

Parentheticals

- Related authority (R10.6.2)

-Use when primary authority cites to or quotes from another authority.

- A defendant must purposefully avail itself of the privilege of conducting business activities within Texas to invoke the benefits and protections of Texas laws. *Am. Type Culture Collection, Inc. v. Coleman*, 83 S.W.3d 801, 806 (Tex. 2002) (citing *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 475 (1985)).

Parentheticals

- Explanatory—to provide additional info about authority cited without the need for a detailed discussion in text. (B10.1.5; examples following R.1.2(b))
 - Begins with –ing word, is a quote, or provides various examples of the same thing
- Various items may be considered dangerous weapons, but rope is not one of them. *Smith v. Baldwin*, 466 F.3d 805, 818 (9th Cir. 2006) (finding no evidence suggesting that the rope qualified as a dangerous weapon under Oregon statutes).
- A determination of whether a waiver is valid is based on whether the university had the authority to waive Eleventh Amendment immunity. *In re Innes*, 184 F.3d 1275, 1284 (10th Cir. 1999) (“Nothing in the statute itself makes entering into a contract waiving immunity an ultra vires act.”).
- The corroboration of an accomplice’s testimony in cases of crimes for hire may consist primarily of the defendant’s statements tending to connect the defendant to the crime. *Ex parte Bullock*, 770 So. 2d 1062, 1068 (Ala. 2000) (arson for hire); *Prewitt v. State*, 460 So. 2d 296 (Ala. Crim. App. 1984) (murder for hire).

Parentheticals

Do not substitute parentheticals for an actual analysis of the cited authorities. Use explanatory parentheticals only for information that is simple and not an important part of your discussion or argument. If the material is important to the issue, always explain it in the text.

Miscellaneous

- Place a citation after every sentence referencing authority.
- Follow rules when block quoting BUT use sparingly.
- Try to avoid embedded full citations.
- If quoting, use exact language or make your changes apparent.
(R.5.2).
- Space on either side of ellipsis.
- Left justify.
- Periods and commas inside quotation marks.
- Proofread/edit.
- DO NOT PLAGIARIZE.