Bluebook

Wednesday, March 4 @ 12 pm ET

Presenter – Professor Toni Starcher, JD, MSIR
Full-time Faculty

Please click here to view this recorded workshop:
http://khe2.adobeconnect.com/p87c2no9y05/
One on the left is a 1926 1st edition, the one on the right is a 2010 19th edition. Thus, the bluebook has a long history of citing sources.
PURPOSE

Legal citation is a standard language that allows one writer to refer to legal authorities with precision and generality that others can follow the references.

Legal authorities = case law, statutes, constitutions (federal and state), ordinances, codes

Others = US= legal scholars; professors, law students, attorneys, judges, and the court system

BLUEBOOK is to legal citation as APA is to college writing
AUTHORS

• The editors of four law journals:
  • The Columbia Law Review
  • The Harvard Law Review
  • The University of Pennsylvania Law Review
  • The Yale Law Journal
FOUR GOALS

1. identify the document to which the writer is referring
2. provide the reader with enough information to find the document (such as case law)
3. furnish important additional information about the referenced material to assist the writer's argument
4. to assist the reader in deciding whether or not to follow the referenced material

Case on point = follow
Case not on point = not follow
GETTING AROUND

Quick References (at front and back) **CONCISE**

Practitioner’s Notes (blue pages in front)

Rules (white pages in middle) **Stressful**

Tables and Abbreviations (blue pages in back)
**Stressful #2**

Index (white pages in back) **Quick reference**
WHEN to CITE

• Making assertions about the law
• Quote directly from a legal source
• Paraphrase from a legal source
CITING CASES

• Brown v. Green, 204 So. 2d 94 (Fla. 1974)

• case name + reporter (volume, reporter abbrev., page #) + court and date
UNDERLINING or ITALICIZING

Legal writings should be italicized or underscored. Either way is correct.

Therefore, we underline OR italicize our case names. Be consistent throughout your brief.

Incorrect: Jones v. Smith
Correct: Jones v. Smith
Correct: Jones v. Smith

If you underline at the beginning of the brief...be sure to underline at the end of the brief. Do not mix and match underlining with italics. For PA201 course...the quiz will not let the student italicize.
OTHER EXAMPLES

_Penn Central Transportation Co. v. New York City_, 366 N.E.2d 1271, 1275 (N.Y. 1977)

_Penn Central Transportation Co. v. New York City_, 66 N.E.2d 1271, 1275 (N.Y. 1977)


MULTIPLE CASE NAMES

• Cite only the first listed party on each side:

  • John P. Franklin, Gerald W. Bailey, Plaintiffs v. Mary L. Adams, and Stephen Larimer, Defendants

  • *Franklin v. Adams*

  • *Franklin v. Adams*
CITING a CASE INVOLVING a STATE

Use the words: “State,” "Commonwealth," or "People.
Example: The State of Michigan v. Pamela P. Harrison
-if case cited by Michigan court:
    State v. Harrison
-if cited by another court:
    Michigan v. Jones

When United States is a party, ALWAYS cite:
United States not U.S.A. Or U.S.

Such as:
United States v. Smith
United States v. Smith
OMIT the WORD “THE”

- Incorrect: The Catfish Co. Inc. v. Susan Franklin
- Correct: Catfish Co. v. Franklin
- Note: “The” is omitted AND “Inc.” is omitted. Multiple names are omitted such as “Inc.”
ABBREVIATIONS

• Rule 10.2.1 & 10.2.2 AND Blue pages in the back
• A few examples of words that are abbreviated:

  • Company = Co. Corporation = Corp.
  • Incorporated = Inc. Limited = Ltd.
  • Number = No. And =&
  • Association = Ass’n Brothers = Bros.
  • Any well known acronym may also be used.
  • National Labor Relations Board = NLRB.
FORMING ABBREVIATIONS

Stressful for students AND the legal community!!
The Bluebook uses two methods of abbreviating words:
1. The contraction technique takes the first three letters of a word
plus the last letter. An apostrophe is used before the last letter but
no period.
   Ex: “department” is abbreviated “dep’t”, not “dept.”
2. The scrunched technique is used when various letters of the
word are chosen as the abbreviation. Use a period at the end.
   Ex: “building” is abbreviated “bldg.”
SHORT CITES

The first time you cite to a case, use its full citation. After that, use one of these forms of short cites:

*United States v. Calandra, 414 U.S. at 343*

*Calandra, 414 U.S. at 343*

414 U.S. at 343

*Id. at 343*

Use *Id.* only if there are no intervening cases.

The court affirmed the judgment. *Smith v. Wells, 42 So. 2d 832 (Fla. 1999).* The plaintiffs were awarded $10,000. *Id. 833*

Id. = idem Latin for “same” used when citing *the very same thing* you cited *just* before.
Students have a hard time finding the section sign. If multiple sections use two section signs no more than two section signs.
PINPOINT CITING

The citation of a case should include the page on which the document begins. The writer may also include a specific reference to the precise page where a quotation or legal proposition appears (pinpoint cite).

In this case, the specific page follows the beginning page. Each page number is separated by a comma.

Jones v. Smith, 234 F.2d 12, 15 (4th Cir. 1974).

• When multiple, non-consecutive pages are cited, these pages should be separated by commas.

Ex: Jones v. Smith, 234 F.2d 12, 15, 17 (4th Cir. 1974)
CITING PAGE NUMBERS

- When multiple, consecutive pages are cited, the first and last numbers should be separated by a hyphen.
- All but the last two digits from the last page number should be dropped.


Do you see the difference here?
CITING STATUTES

Federal Statutes

To cite an entire statute codified in the United States Code
Use the official name of the act + the title number + Code abbrev.+ § or §§ + parenthetical date (and supplement, if appropriate)

Americans with Disabilities Act, 47 U.S.C. § 12101 (1194)
CITING STATUTES

• To cite an individual provision of the United States Code
• Use the title number + Code abbrev.+ § or §§ + parenthetical date (and supplement, if appropriate)=Publisher if citing to U.S.C.A. or U.S.C.S.
### Abbreviations found in Tables

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Abbreviations can be found in the Table section.
Rule 10 for example regarding citing a case name. The bluebook has hundreds of examples.
The bluebook goes into detail about each rule
No need to stress out. The bluebook is our friend in which it helps us to cite our legal authorities properly and consistently. Just like an encyclopedia...if we know where to find the information...half of the battle is already won. Not being cliché but the more that you practice...the better you will become using the bluebook.
Contact Information

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Workshops are recorded and recording links, with an accompanying PowerPoint, are posted on the Writing Center Workshop page after the workshop.

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