



EVERYTHING YOU WANTED TO KNOW THAT THE BLUEBOOK DOES NOT TELL YOU CLEARLY

By Eumi Lee & Julie Teperow*

Legal citation differs from any other type in academic scholarship or writing. Surely you have never encountered anything quite like the Bluebook before! It is confusing, frustrating, time-consuming to use, and ultimately makes the legal citation process intimidating. Consider these basic practitioner's tips to help conquer those Bluebook fears. The following rules are not only used most often but misused most often too!

Consult the Bluebook in conjunction with these tips; many subtleties that are not set out below may apply to each rule. These tips are based on the 19th edition of the Bluebook.

1. Spacing (Rule 6.1)

Close up all adjacent single capitals. Do not close up single capitals with longer abbreviations. Numbers, both ordinal and cardinal, are treated as single capitals.

Wrong

W.D.Pa.
F.Supp.
S.Ct.
F. 2d
Cal.App.3d

Right

W.D. Pa.
F. Supp.
S. Ct.
F.2d
Cal. App. 3d

2. Capitalization (Rule 8) (B.7.3.1)

In headings, capitalize the initial word, any word that immediately follows a colon, and all other words except articles, conjunctions, and prepositions of four or fewer letters. However, in all text, capitalize nouns referring to people or groups only when they refer to specific persons, offices, or bodies. The same applies to words such as "act," or "circuit,": capitalize them only when they refer to a specific act, circuit, or when referring to a circuit by name or number.

Right

We adhere to the Second Circuit's ruling, rather than follow other circuits' ambiguous precedent.

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With respect to the word “court,” capitalize when naming any court in full, or when referring to the U.S. Supreme Court. You should also capitalize “Court” in a court document when referring to the court that will be receiving that document.

Right

Defendant’s reliance on the state Supreme Court’s holding concerning the lack of prior notice was misplaced because the New York Court of Appeals held that prior notice was not required.

3. Order of Authorities Within Each Signal (Rule 1.4)

Rule 1.4 states the hierarchical order in which different authorities should be listed within one signal. For example, constitutions are listed before statutes, which are listed before cases, and so forth. Additionally, within each class of authority, Rule 1.4 indicates how different subclasses should be ordered: federal cases before state cases, the U.S. Constitution before state constitutions, etc.

Note that Rule 1.4 gives you flexibility: it specifically allows you to break the indicated order of authorities if one authority is considerably more helpful than the other or if you have some other substance-related reason to break the Rule’s order. Therefore, if you find an older state case that is much more helpful to your point than a more recent one, you can list the older case first, notwithstanding Rule 1.4(d).

Always cite to the cases for each set of courts in reverse chronological order (i.e. the most recent first).

4. No Signal (Rule 1.2)

No signal is necessary before a citation that (1) directly states the propositions; (2) identifies the source of a quotation; or (3) identifies the authority, referred to in the text.

5. Order of Signals (Rule 1.3).

When you use more than one signal in a citation string, the signals should be listed in the order in which they appear in Rule 1.2, so that see would precede see also, etc. Additionally, signals of the same type (i.e., all signals indicating support, comparison, contradiction, or the provision of background information) should be strung together in a single citation sentence, using semicolons to separate them. However, different types of signals (i.e., contradictory authority cited after supporting authority) must be grouped in separate citation sentences.

Right

See Smith v. California, 479 U.S. 121 (1990); cf. Jackson v. Herrick, 59 F. Supp. 853 (1978). But see Rand v. Olympia, 588 U.S. 43 (1994).

Of course, every good rule has an exception: if the authorities you cite support only a part of your sentence and are, in accordance with Rule 1.1, cited in a citation clause following that part and set off by commas, the citation clause can contain signals of different groups without the need for separate sentences. Thus, citation clauses can contain both supporting and contradictory authority, separated only by a semicolon.

6. Dropping Digits (Rules 3.3, 3.4)

When citing to sources that span more than one page, retain the last two digits, and drop the other repetitious digits. This rule does **not** apply when citing multiple sections of statutes or regulations. Separate the inclusive page numbers with a dash; there are no spaces between the numerals and the dash.

100 U.S. 101, 111-12 (1999).
100 U.S. 1090, 1099-101 (1999).
17 U.S.C. §§ 1924-1999.

But Note

DEL. CODE ANN. Tit. 9 §§ 817-819 (1989).

7. Short Citations for Cases (Rules 4, 10.9)

The following are appropriate short citations for Anzidei v. Pitts Inc., 5 F.2d 20, 24 (5th Cir. 1950):

Right

Wrong

Anzidei, 5 F.2d at 24. Anzidei, at 24.
5 F.2d at 24.
Id. at 24.

8. Parentheticals (Rule 1.5)

Parentheticals are a useful means of conveying the relevance of cited materials, especially when the purpose of the cite would otherwise be unclear. Explanatory parenthetical phrases should begin with a present participle.

See Wilsey v. Beyer Mut. Life Ins., 10 U.S. 200 (1921) (holding that the eyesight damage from law school was not recoverable under the Georgetown health plan).

Note the space between the year and the parenthetical phrase. See examples in Rule 1.5.

9. General Format for Parenthetical Information (Rule 1.5).

You have probably been told repeatedly that it is important to include parenthetical information when you cite to cases or other authority to allow the reader to understand why and how the authority is relevant to the point you are making. And, of course, the Bluebook provides you with detailed rules about how to format your parentheticals.

The general rule is that parentheticals should start with a lower-case present participle such as “holding,” or “finding” and end without punctuation, such as: (holding that defendant should have been given Miranda warnings). This general rule, however, has two exceptions:

If your parenthetical directly quotes at least one full sentence, it should begin with a capital letter and contain the appropriate closing punctuation, i.e., in most cases, a period.

You can use a shorter parenthetical where a complete phrase starting with a present participle is unnecessarily complex. This applies, for example, where you list a number of situations in which courts have addressed various permutations of the same point, as in the following example: See also Smith v. Doe, 999 F.3d 9999 (14th Cir. 2002) (direct review); Jones v. Doe, 888 F.3d 8888 (14th Cir. 2002) (collateral review).

When a single citation contains multiple parentheticals, place them in this order:

(date) [hereinafter short name] (en banc) (Lastname, J., concurring) (plurality opinion) (per curiam) (alternation in original) (emphasis added) (footnote omitted) (citations omitted) (quoting another source) (internal quotation marks omitted) (citing another source), *available* at <http://www.domainname.com> (explanatory parenthetical), prior or subsequent history.

10. State Abbreviations

Geographical terms are listed in **Table 10** of the Bluebook.

When citing to a decision published in a federal or regional reporter, the court that handed down that decision must be cited. Look at the case heading to figure out what court is “speaking.” Then consult **Table 10** and **Table 7** to cite the case appropriately.

Right

Howard Fin. Grp. v. Roche, 233 A.2d 33 (Pa. Super. Ct. 1983).
McCarthy v. Leeds Equip. Coop., 197 F. Supp. 297 (S.D.N.Y. 1994).

11. Lexis/Westlaw Citation (Rule 18)

When citing to an electronic database, provide the case name, docket number, database identifier, court name, and full date. Abbreviations for months are located in **Table 12**.

Right

Martin v. Brez Mach. Co., No. CIV.A.98-1234, 1998 WL 98765, at *2 (S.D.N.Y. Feb. 3, 1998).
Coulter v. Sontag, Inc., No. 96-6789, 1997 U.S. App. LEXIS 5864, at *7 n.4 (1st Cir. Mar. 1, 1997).

Screen pages are indicated by an asterisk. Pages from other reporters that have published the opinion usually also are marked. If you are citing to the pages from reporters that have published the opinion, do not place asterisks in the citation.

A case is **not published** if it is only available on-line. If the opinion is published, then it is preferable to cite to that version, rather than the one on Lexis or Westlaw.

Short Cites Examples for Westlaw/Lexis:

Martin, 1998 WL 98765, at *1.
Coulter, 1997 U.S. App. LEXIS 5864, at *6.