

Important Notes

- This is not a comprehensive review of the Bluebook.
- This presentation is about writing for *practice* not for *academia*.
- The best way to get good at this is to do it and do it often.

Why does Bluebooking matter?

- "The central function of a legal citation is to allow the reader to efficiently locate the cited source."
 - Uniform citation formats make that process predictable, and enable the reader to glean more information with less text.
- Careful Bluebooking goes unnoticed, but sloppy Bluebooking makes for a sloppy

Goals

- Anatomy of a case cite
- Anatomy of a statute cite
- Other good rules to know
- Put it into practice

General Citation Format

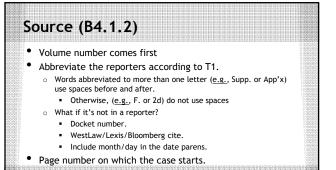
- Citation sentence v. In-line citation

 Note: case name abbreviations are slightly different in in-line citations. (B4.1.1(vi)).
- Elements of a citation get separated by commas, or set off by parentheses.
- String cite
 - Separate with a semi-colon
 - Order according to R 1.4.
 - Use signals according to B3.4-3.5
 - "See" is often under-utilized
 - Use when the authority clearly supports but doesn't directly

Anatomy of a case cite (B4) <u>Eldred v. Ashcroft</u>, 537 U.S. 186 (2003). • <u>Case name</u> • Source • Pinpoint citation of the cited materials • Court, if not obvious from the reporter • Date • Other info • Weight of Authority

Case Names (B4.1.1)

- Underline/Italicize case names.
- Only refer to the first plaintiff and the first defendant. (B4.1.1).
- Abbreviate the words in T6 and geographical units according to T10.
 - Never abbreviate United States when it is a party
 - Note that names in text, as opposed to citations, have different abbreviation conventions (B4.1.1(vi))



Pincites Court & Date Include pincites whenever you are citing a • Include the issuing court in parentheses following the pincite where the court is not apparent from the name specific component of a decision. of the reporter. Multiple pincites: It's generally only apparent when dealing with the highest courts of o When citing a range of pages do not repeat digits a jurisdiction. Abbreviate the court according to T1, T2, or T7. beyond the tens digit. Include the date in these parentheses. 8842-48, not 8842-8848 Where a month is required, abbreviate according to T12 (three • Separate non-consecutive pages with commas. letters except for Sept. and four-letter months)

Other Info (R1.3 for order)

- Weight of Authority (B4.1.5)
 - <u>e.g.</u>, (Sotomayor, J., dissenting).
 - Parenthetical Explanations (B11)
 - $\,\circ\,\,$ Used to give further explanation of how the case supports your proposition
- Subsequent/Prior History (B4.1.6)
 - Subsequent history (that isn't denial of cert or other discretionary appeals) is necessary when it exists.
 - \circ $\;$ Indicate prior history only when it is relevant to your proposition.

Short Form (B4.2)

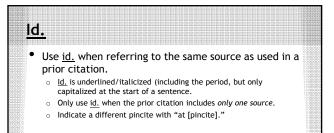
Eldred, 537 U.S. at 188.

- Once you've cited a case you can refer to it in a shortened form, only when three conditions are met.
 Generally, use the name of the first party.
- Do not use the page on which the case starts or the year.
- Instead, use only the volume number and reporter abbreviation followed by "at [pincite]."

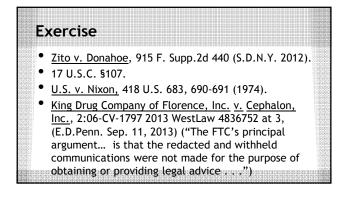
Anatomy of a statute cite (B5)

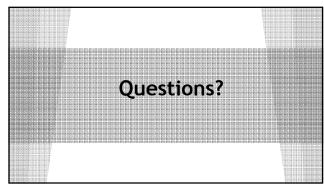
35 U.S.C. § 102(b)(1) (2012).

- Title Number
- Code
- Section/Subsections/Paragraphs • Plural: §§ or ¶¶
- Year of Source Publication
- $_{\odot}~$ Note, this is actually not used by many courts.
- NOTE: The Bluebook is flexible on short forms of
 - legislative materials, as long as they are clear. (B7)



Capitalization (R8) **Quotations/Ellipses (B12)** Set off quotations of 50 words or more in an indented block Generally, nouns describing officials and agencies should be capitalized, but the adjectivial forms should not be. Don't use guotation marks The citation for the guotation should follow, unindented, with the rest of the o Congress vs. congressional paragraph following the quotation. Court should be capitalized when naming a specific court or Punctuation when referring to SCOTUS, but not when referring to lower • Commas and periods go inside the quotation marks. courts. Other punctuation only goes inside if part of original. Judge should be capitalized when naming a particular • Ellipses (R5.3) judge. Justice should be capitalized when naming a Contrary to Word auto-correct, ellipses have spaces before and after each particular justice or when referring to the Justices of period just . . . like . . . this. SCOTUS generally (but not state supreme courts). BUT: do not include a space between the final period and a guotation mark When you elide a portion that runs until the end of a sentence, include the





Final Words

• Bluebooking MATTERS.

- Mistakes are more apparent than you might think, and incomplete or incorrect citations can be very difficult to resolve as a reader.
- Bluebooking well takes practice.
- ALWAYS check whether your ultimate reader has conventions on top of or instead of the Bluebook.
 NB: New York State courts use an entirely different citation format.
- Twentieth Edition will be out soon, so look out for changes!