

# **BLUEBOOK REVIEW**

## **For Court Documents and Legal Memoranda**

Thurgood Marshall School of Law Library  
**Brown Bag Library Training Series Spring 2024**  
Prepared by Nanette Collins, Reference Librarian

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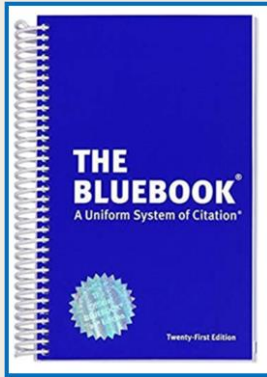
## **OUTLINE**

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1. Organization of the Bluebook
2. Citation Sentences and Clauses
3. Basic Case Citation
4. Short Forms for Cases
5. Citing Unpublished and Non-Precedential Cases
6. Citing Statutes
7. Signals

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# ORGANIZATION OF THE BLUEBOOK



- Bluepages are light blue: A guide for Practitioners and Law Clerks
- White Pages: For Law Review Citing
- Citation Rules are the white pages in the middle.
  - *General Citation Rules: R1 to R9*
  - *Resource specific rules: R10 to R21*
- Tables & Abbreviations are dark blue
  - *T1 to T16*
- Quick References are inside the front and back covers of the book.
- Index is made up of the white pages in the back.
- Condensed Table of Contents (outside back cover)

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## Summary of Helpful Bluebook Tables



- T1 – United States Jurisdictions
- T1.3 – The 50 States and the District of Columbia
- T6 – Common words in Case Names, Institutional Author Names And Periodical Titles
- T7 – Court Names
- T8 – Explanatory Phrases
- T10 – Geographical Terms:  
*abbreviating the Names of States, Cities and Foreign Countries*
- T13 – Institutional Names in Periodical Titles



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## Citing for Court Documents v. Citing for Law Journals

There are 2 different Citation styles in the Bluebook.

**RED  
ALERT**

- The blue pages contain citation forms for court documents and legal memoranda.
- The white pages contain citation forms for law journal footnotes and detailed rules on citation and style.
- THIS POWERPOINT will focus on citing for Practitioners and Law Clerks.

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## CITATION SENTENCE

*Example*

False imprisonment is willful detention of a another without that person's consent.

*Employer v. Employee*, 123 P.2d 456, 458 (Mont. 1985).

*A Citation Sentence needs the same structure as any other sentence:*

- *Punctuation and spacing is mandatory.*
- *Sentences start with a capital letter and end with a period.*

v.

## CITATION CLAUSE

*Example*

In *Employer v. Employee*, 123 P.2d 456, 458 (Mont. 1985), the court held that false imprisonment is willful detention of a another without that person's consent.

**What is the Difference**

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# Basic Case Citation



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## STATE CASE CITATION EXAMPLE:

- *Rules B10 & R10*

v. for versus  
reporter  
volume #  
first page  
of case  
pincite  
Billings v. Cotter, 562 A.2d 462, 471 (Pa. 1987).  
first party    second party    reporter abbreviation    court abbreviation    year of decision

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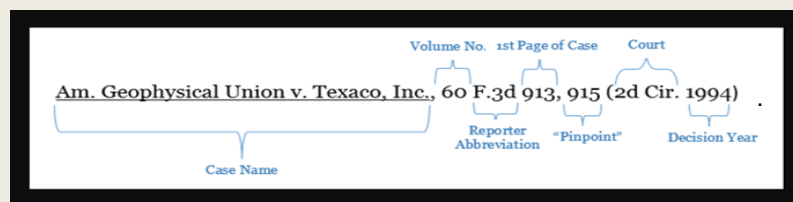
## CITING STATE CASES

1. State cases are cited to regional reporters: The Pacific, Atlantic, South Western, North Western, North Eastern, South Eastern, Southern.
2. You must include the State name and the Court inside the parenthesis for state cases.
3. Check table T1.3 (pages 242-294) for the abbreviations to each state and its courts.

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## FEDERAL CASE CITATION EXAMPLE:



## KNOW THE CITATION STRUCTURE

1. Case Name
2. Published Source of the Case
3. Parenthetical Information



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## 3 COMPONENTS OF BASIC CASE CITATION Rule 10 & B10



### 1: Case Names

Rule 10.2

&

B10.1.1

### 2: Published source of the case

*This refers to where to find the case.*

Rule 10.3

&

B10.1.2

*Sometimes called the address of the case.*

### 3: Parenthetical Information

*This refers to the Court and year of decision.*

- ✓ Court – Rule 10.4 & B10.1.3
- ✓ Courts Geographical Location – Rule 10.4 & B10.1.3
- ✓ Year the case was decided – Rule 10.5 & B10.1.3

*The citation may be followed by other parenthetical information, such as subsequent history of the case.*

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## Component 1: CASE NAMES TO ABBREVIATE OR NOT TO ABBREVIATE



### Do ABBREVIATE



### DON'T ABBREVIATE

- Words listed on T6
- Widely known acronyms such as:
  - NAACP, NLRB, AARP, CIA (Rule 6.1b, B10.1.1(v) and 10.2.1c)
  - 8 words listed in B10.1.1(vi) & Rule 10.2.1c such as "Co." "&" "No."
- Any Geographical Unit listed in T10 unless the unit is a named party (B10.1.1(v) & Rule 10.2.2)

**ABBREVIATIONS**

- States, countries and geographical units listed in T10 **when named as a party to the lawsuit**
  - Ex: *City of Houston v. . . .*
- "United States" when it is a party to the Lawsuit. Rule B10.1.1(v)



**Abbreviations**

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## Component 1: CASE NAMES OMISSIONS FROM CASE NAMES

### B10.1.1(i) – (iv) Rule 10.2.1(a) & (b)

- Alternative names
  - D/B/A or A/K/A
- References to multiple parties such as “et al”
- All procedural phrases except the first which is abbreviated to “ex rel.” or “in re” (note the period)
- Duplication in business designation
  - Don’t use “Co. and Inc.” or “Ltd. and Corp.”
    1. Jones, Inc.
    2. **Not** Jones, Inc. Co.

### Geographical Terms Rule 10.2.1(d) – (f)

- Omit “of America” in United States of America:
 

*United States v. Gonzalez*, 566 U.S. 123, 124 (1984).

**Not**  
*United States of America v. Gonzalez*, 566 U.S. 123, 124 (1984).
- Omit “State of,” “Commonwealth of,” or “People of”
 

*Texas v. Spears*, 423 U.S. 221, 223 (1952).

**Not**  
*State of Texas v. Spears*, 423 U.S. 22, 223 (1952).
- Omit “the “ as the first word in a party’s name
- Omit Descriptive terms such as “plaintiff” or “trustee”



## Component 2: PUBLISHED SOURCES

### Case Located in a Published Source B10.1.2 & Rule 10.3

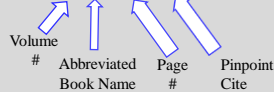
### Pinpoint Citing B10.1.2 & Rule 3.2(a)

Use a pinpoint citation when citing material from a specific page.

Example: 231 F.2d 73, 79



*Party1 v. Party2*, 123 F.2d 456, 458 (Court + date).



Cite a reporter by listing:

1. The volume number of the reporter in which the case is published.
2. The abbreviated name of the reporter.
3. The page on which the case report begins.





Component 3:  
Parenthetical  
Information

**PARENTHETICAL INFORMATION**

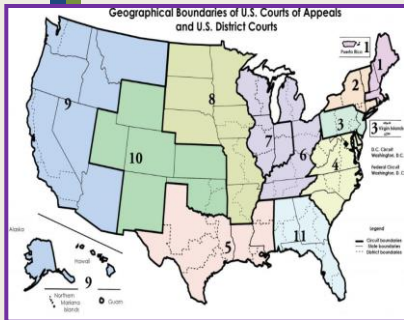
**COURT JURISDICTION**

**FEDERAL COURTS**

Supreme Court  
Do not include  
name of deciding  
court (1999).  
It's redundant.

Court of Appeals (13)  
Include the name or  
number of the Circuit.  
(7th Cir. 1999) or  
(D.C. Cir. 1999) or  
(Fed. Cir. 1999)

District Court (94)  
Include the District  
and State.  
(E.D. Tenn. 1999)  
See table BT2.



Component 3:  
Parenthetical  
Information

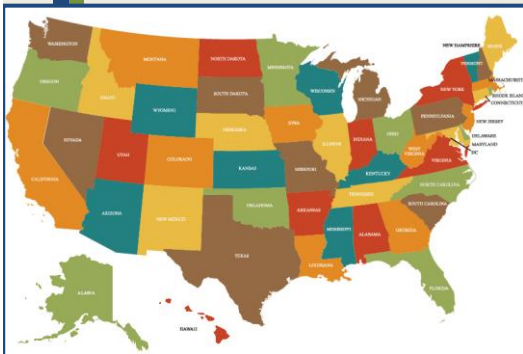
**PARENTHETICAL INFORMATION**

**COURT JURISDICTION**

**STATE COURTS**

Include the name of  
the State and the name  
of the court  
abbreviated according  
to T1.3.  
(Tex. Crim. App. 2005).  
(Tex. App. 1999).

Include the year the  
case was decided.  
(N.Y. App. Div. 1987).





# Short Forms

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## Short Forms

Once you have provided a full citation to an authority you may use a short form in later citations of the same authority as long as:

- it is clear to the reader which authority is referenced
- the full citation falls in the same general discussion
- the reader will have little trouble locating the full citation
- See Rules B10.2 and R10.9
- Use Id. only if there are no intervening cases
- Ex: The court affirmed the judgment. Smith v. Wells, 42 So. 2d 832 (Fla. 1999). The plaintiffs were awarded \$10,000. Id. at 833.
- Note that the period after Id. is underlined or italicized.

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## Short Forms Examples



The first time you cite to a case, use its full citation

- United States v. Chandler, 410 U.S. 257, 259 (1973).
- Typically, use the first party's name in a short form citation, but do not use United States as a short form

Thereafter, use one of these forms of short cites

- Chandler, 410 U.S. at 261.
- 414 U.S. at 261.
- Id. at 261.

Please read B10.2 in its entirety. It goes into detail on Short Form Citation.

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## Citing Unpublished and Non-Precedential Cases

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## Unpublished and Non-Precedential Cases

- Federal and state courts write many case opinions that are not published in print reporters BUT you can find these cases on LEXIS and WESTLAW.
- **Unpublished cases have less precedential value.**
- Courts designate them “not for publication,” “unpublished,” “memorandum opinion,” “unreported,” “not reported,” or “non-precedential.”

### REMEMBER:

- Any case published in a West Reporter (other than the Federal Appendix) is published and citable.
- If you find a published and unpublished case for the same rule of law, you should cite and rely on the published decision.

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## Q: How to determine if a case is unpublished?

A: You will not find a reporter citation

- **REPORTED:** *Collins v. Martin*, 410 U.S. 257, 259 (1973).
- **UNREPORTED:** *Collins v. Martin*, Nos. 06 Civ. 1234 (WHP), 2007 WL 1234567, at \*8 (S.D.N.Y. Sept. 24, 2007).
- These unpublished cases are often published in electronic format on free and paid online databases. They are available on a court website, LEXIS, WESTLAW, Google Scholar, Etc.

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## Citing Unpublished Cases

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- *Rule B10.1.4 at 14-15, Rule 10.8.1(a) at 112-14, & Quick Reference (back cover)*
- Sometimes you will need to cite to a case that can be found online on Lexis or Westlaw but has not been assigned to a reporter for publication.
- Citations to databases are slightly more complex and should include the following:
  - *Case name, case docket number, database identifier and electronic report number, at \*star page number, (court and full date).*
  - **Example:** Albrecht v. Stanczek, No. 87 C 9535, 1991 U.S. Dist. LEXIS 5088, at \*1, \*3 (N.D. Ill. Apr. 15, 1991).

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## Unpublished Cases (cont'd)

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- **More Examples:**
  - *United States v. Highsmith*, No. 07-80093-CR, 2007 U.S. Dist. LEXIS 60848, at \*1, \*6 (S.D. Fla. Aug. 20, 2007).
  - *Kvass Constr. Co. v. United States*, No. 90-266C, 1991 WL 47632, at \*2-3 (Cl. Ct. Apr. 8, 1991).
- **NOTE:** page numbers should be preceded by an asterisk.

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## Short Form Cites for Unpublished Cases

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- *Rule 10.9(a)(ii) at 117*
- For cases only on Westlaw or Lexis, use the unique database identifier in the short form.
- **Lexis Example:**
  - *Long Form: Albrecht v. Stanczek, No. 87 C 9535, 1991 U.S. Dist. LEXIS 5088, at \*1 (N.D. Ill. Apr. 18, 1991).*
  - *Short form: Albrecht, 1991 U.S. Dist. LEXIS 5088, at \*3.*
- **Westlaw Example:**
  - *Long form: Kvass Constr. Co. v. United States, No. 90-266C, 1991 WL 47632, at \*2-3 (Cl. Ct. Apr. 8, 1991).*
  - *Short form: Kvass, 1991 WL 47632, at \*3.*

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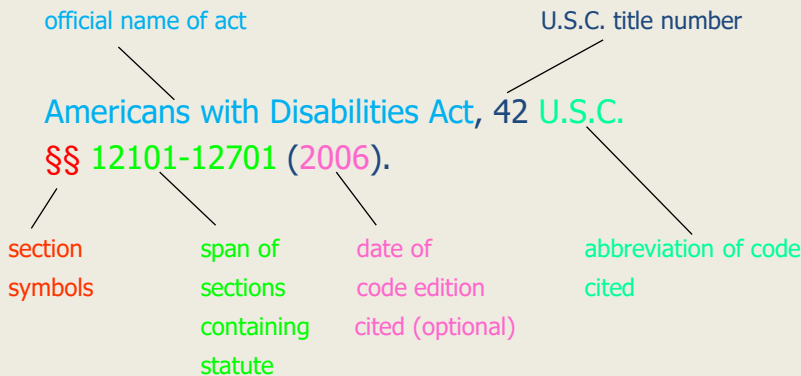
## Citing Statutes

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## Citing an Entire Federal Statute

- Entire Statute

Note: Pursuant to R12 and B12.1.1, The year of the cited Code Edition may be omitted when citing the Official or Unofficial United States Code.



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## Citing a Specific Provision of U.S. Code

Cite to official code (U.S.C.) if therein – note that you do not need to include the official name of the act when simply citing to a specific section of the code.

*42 U.S.C. § 1983.*

*Otherwise, cite to an unofficial code (e.g. U.S.C.S. or U.S.C.A.)*

*12 U.S.C.A. § 1426 (West).*

*12 U.S.C.S. § 1426 (LexisNexis).*

*See B12 and R12.*

*See T1.1 on page 230 for format and abbreviations when citing the U.S.C., U.S.C.A., & U.S.C.S.*

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## Short Forms for Statutes

- Pursuant to B12.2: The first mention of a statute rule regulation or legislative material requires a full citation. Subsequent citations in the same general discussion may employ any short form that clearly identifies the source. Rules 12.10 , 13.8, and 14.5 include tables illustrating acceptable short forms for statutes regulations and legislative materials.

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### B12.2 Short Form Citation

The first mention of a statute, rule, regulation, or legislative material requires a full citation. Subsequent citations in the same general discussion may employ any short form that clearly identifies the source. Rules 12.10, 13.8, and 14.5 include tables illustrating acceptable short forms for statutes, regulations, and legislative materials.

You may use "id." to refer to a statute or regulation codified within the same title as the statute or regulation cited in the immediately preceding citation:

Full Citation	<u>Id.</u> Citation for Identical Provision	<u>Id.</u> Citation for Different Provision within Same Title
28 U.S.C. § 1331 (2006).	<u>Id.</u>	<u>Id.</u> § 1332.
50 C.F.R. § 10.12 (2006).	<u>Id.</u>	<u>Id.</u> § 10.13(c)(1).

## Short Cites for Federal Statutes

Take notice that Id. is reserved for instances when you are referring to a statute or regulation in the immediately preceding citation.



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	Full Citation	Text	Short Citation
Named Statutes	Administrative Procedure Act § 1, 5 U.S.C. § 551	section 1 of the Administrative Procedure Act or section 1	§ 1 or 5 U.S.C. § 551 or Administrative Procedure Act § 1
U.S. Code Provisions	42 U.S.C. § 1983	42 U.S.C. § 1983 or § 1983	42 U.S.C. § 1983 or § 1983
State Code Provisions (numbered codes)	DEL. CODE ANN. tit. 28, § 1701 (1999)	title 28, section 1701 of the Delaware Code or section 1701	tit. 28, § 1701 or § 1701
State Code Provisions (named codes)	CAL. EDUC. CODE § 48222 (West 2008)	section 48222 of the California Education Code or section 48222	EDUC. § 48222
Session Laws	National Environmental Policy Act of 1969, Pub. L. No. 91-190, § 102, 83 Stat. 852, 853-54 (1970)	section 102 of the National Environmental Policy Act or section 102	§ 102 or National Environmental Policy Act § 102 or § 102, 83 Stat. at 853-54

## Short Cites for State & Federal Statutes

This chart can be found in R12.10(b), page 134 of the Bluebook. It covers short cites in text and citation sentences (see the last column).

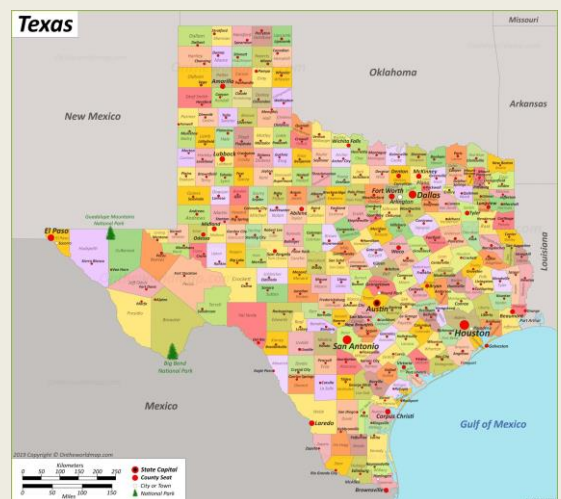


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## State Statutes: Texas

- Once, long ago, all the laws of Texas were in a set of books called
  - *Texas Revised Civil Statutes Annotated*
  - *They were arranged unofficially and assigned an article number by West Publishing*
- Starting in 1963, the Texas Legislature revised **SOME** of the laws to be contained in 27 Stand Alone Codes.
  - *Texas Tax Code Annotated*
  - *Texas Penal Code Annotated*
- Cite ALL current statutes to the Subject Matter Codes if they appear there. Otherwise cite the Texas Revised Civil Statutes Annotated.



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## Citing a Texas Statute

Note: Pursuant to the Texas Greenbook the year of the cited Code Edition may be omitted for current and in-force statutes.

### Current Texas Statute in Subject Matter Code

subject matter code    section symbol    section number

Tex. Tax Code Ann. § 26.06(a).

### Current Texas Uncodified Statute

current uncodified statute    article    article number

Tex. Rev. Civ. Stat. Ann. art. 581-4(A).

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## Citing Texas Statutes The Greenbook v. the Bluebook

**The Bluebook** T1.3 on Page 288 includes the publisher and the year when citing Texas Statutes.

>>>>CONTRADICTS <<<<

**The Greenbook** 14<sup>th</sup> edition eliminates the publisher and publication year for current and in-force Texas Statutes. (Chapter 10, page 43)

### Greenbook Wins

Texas  
Rules of Form

*The Greenbook*

Fifteenth Edition  
PUBLISHED BY THE  
Texas Law Review

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## Some examples citing Texas Statutes taken from actual Cases

*Arnell v. Arnell*, 416 S.W.3d 188, 194-95 (Tex. App.—Dallas 2013, no pet.)

- Under UIFSA, ..... the accrual of interest on the arrearages, and the existence and satisfaction of other obligations under the support order. **Tex. Fam. Code Ann. § 159.604(a)**. Texas law applies regarding enforcement and collection of arrearages. **Id.**, § 159.604(c).
- Under **subsection (c) of section 159.607**, the trial court "shall issue an order confirming the order" if the "contesting party does not establish a defense under subsection (a) to the validity or enforcement of the order." **Tex. Fam. Code Ann. § 159.607(c)**.

The Arnell case illustrates citing Texas State Statutes in a Citation Sentence, in a Citation Clause, and the use of *Id.* for statutes.

- UIFSA provides for the recovery of attorney's fees "if an obligee prevails." **Tex. Fam. Code Ann. § 159.313(b)**. In addition, **section 31.002(e) of the Civil Practice and Remedies Code** permits the recovery of attorney's fees by a judgment creditor. See **Tex. Civ. Prac. & Rem. Code Ann. § 31.002(e)**.

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## Signals

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## Signals

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- *Rule 1.2 at page 62-65*
- Certain words, known as “signals,” may precede citations to show the purpose of the citation and the strength of support provided by the citation. For example, signals might indicate whether the cited source supports, contradicts, or otherwise affects the proposition for which it has been cited.



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## Signals (cont'd)

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- The most common signals you will use in your first-year legal writing course are “no signal” and “see.”
  - *No signal* – the citation sentence or clause contains no introductory signal when it: (1) directly states the proposition preceding it, (2) is the source of a direct quotation, or (3) identifies an authority referred to in the text. **If your authority does not meet any of these requirements, you must provide a signal prior to your cite.**
  - *See* – the citation sentence or clause clearly supports the proposition. The difference between “no signal” and “see” is one of degree. You use “see” when the authority does not directly state the proposition but the proposition is obviously supported by the source.

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## Order of signals

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- *Rule 1.3 at 64*
- When more than one signal is used in a citation sentence or clause, Rule 1.3 dictates the order in which they should appear
- Rule 1.4 at 61-63 dictates the order of legal authorities within each signal
- Rules 1.3 and 1.4 are critical for law review articles, but are only necessary in your legal writing course if you are using a string citation (a citation containing more than one authority in a citation sentence or clause)

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## Formatting for signals

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- Underscore or italicize signals when they appear in citation sentences or clauses, using the same format as that used for the case name. When an introductory signal is used as part of a textual sentence, however, it is not underscored or italicized.
- Signals begin with a capital letter *only* when they begin a sentence.
- There is a space between the signal and the case name. If the case name is underlined, there is a break in the underlining between the signal and the case name.
- When appropriate, two or more signals may be paired together.

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## Examples of “no signal”

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- Fifty-one years ago, the United States Supreme Court held that racial segregation in public schools violates the Fourteenth Amendment’s guarantee of Equal Protection. Brown v. Bd. of Educ., 347 U.S. 483, 494 (1954).
- In Brown v. Board of Education, the United States Supreme Court began to unravel Jim Crow. 347 U.S. 483, 494 (1954).

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## Types of signals

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(Bluebook: B1.2 and R1.2)

- Signals that suggest a useful comparison
  - Compare . . . with . . .
- Signals that contradict the proposition
  - Contra
  - But see
  - But cf.
- Signals that indicate background material
  - See generally
- Signals that indicate support for the proposition
  - See and see also
  - E.g. means “for example”
  - Accord means “agreement”
  - Cf. literally means “compare”

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## Examples of signals

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- Racially segregated swimming pools and public parks are inherently unequal, just as racially segregated education is inherently unequal. See Brown, 347 U.S. at 494.
- See also Mass. Ass'n of Older Americans v. Sharp, 700 F.2d 749, 753 (1st Cir. 1983) ("Termination of [medical] benefits that causes individuals to forgo . . . necessary medical care is clearly irreparable injury.").

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## More examples of signals (cont'd)

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- Courts have frequently certified classes in cases involving the rights of individuals with developmental and psychiatric disabilities. See, e.g., Thomas v. Flaherty, 902 F.2d 250, 251 (4th Cir. 1990) (certifying class action in a case involving constitutional rights of individuals with mental retardation); Chisolm v. Jindal, No. CIV. A. 97-3274, 1998 WL 92272, at \*1 (E.D. La. Mar. 2, 1998) (certifying class action of individuals with developmental disabilities who were on waiting lists for Medicaid services).
- Because Kentucky law authorizes up to a ninety-day prison term for violating that state's car insurance requirement, Ky. Rev. Stat. Ann. § 304.99-060 (West 2001), "no insurance" in Kentucky does not constitute a "minor traffic infraction." See Ky. Rev. Stat. Ann. § 4A1.2(c)(2) (West 2001). Accord United States v. Perez de Dios, 237 F.3d 1192, 1199 (10th Cir. 2001) (determining that driving without proof of insurance is not a minor traffic infraction under section 4A1.2(c)(2)).

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## More examples of signals (cont'd)

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- Advocates for gay rights argue that barring an individual from marrying an individual of the same gender violates the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Cf. Loving v. Virginia, 388 U.S. 1, 12 (1967) (holding that laws barring individuals from marrying individuals of different races violate the Equal Protection Clause).
- See generally Carl Bogus, Why Lawsuits Are Good for America: Disciplined Democracy, Big Business, and the Common Law (2001) (explaining how tort lawsuits benefit democracy).

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## More examples of signals (cont'd)

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- During World War II, the United States Supreme Court authorized military tribunals to try Nazi saboteurs. Ex parte Quirin, 317 U.S. 1, 20 (1942). But see Jonathan Turley, Trials and Tribulations, 70 Geo. Wash. L. Rev. 649, 735-39 (2002) (criticizing Quirin as improper and unconstitutional).
- Even skeptics about the prohibition of insider trading tend to look askance at an insider who profits from the poor performance of the company -  
- poor performance for which the insider may be responsible. But cf. Dennis W. Carlton & Daniel R. Fischel, The Regulation of Insider Trading, 35 Stan. L. Rev. 857, 872, 873-75 (1983) (describing benefits of allowing insider trading).

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The Lexis online citation generator does not format the Texas Court of Appeals cases pursuant to the format required in the Texas Greenbook.

## ONLINE CITATION TOOLS

- As every law student knows, putting citations in Bluebook format is a hassle.
- You can use a citation tools from Westlaw, Lexis or another website. **However, none of these services or websites work perfectly, so you should double-check all citations.**
- Also, citation services may not cover local citing rules required by some jurisdictions, such as Texas, so you will still have to check the Bluebook and local citing rules to cite correctly.



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## Ending slide

Questions? Ask a Librarian.

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