

Using Legal Citations

Do not be overly concerned with using the proper form of legal citation; mistakes in this area will not hurt your brief score. You may even choose not to use legal citations, so long as you make it clear what authority you are referencing. If you do try wish to use proper legal citation, here are some pointers:

1. ***Blue Book, a Uniform System of Citation***, (18th ed., 2005). This reference book, used most often by lawyers and judges in legal writings, should be available at any local law library or bookstore. The following are commonly used basic citations forms, which you will see in the case opinion and the sample brief.

A. **Cases**—A full case citation contains seven basic components: (1) the name of the case or the name of the parties, (2) the reporter volume number; (3) the reporter name (abbreviated); (4) the first page of the case in the volume; (5) the pinpoint cite (if available); (6) the court's name (abbreviated); and (7) the date/year.

- Holland v. Donnelly, 216 So. 2d 277, 281 (Fla. 1987)
- Green v. Georgia, 442 U.S. 95, 97 (1979)

As you see, the entire name of the case is underlined, and only the parties last names (if individuals) is used. The name of the reporter (or the books in which the cases are published in a given jurisdiction) is abbreviated (i.e., U.S., S.Ct., F.2d, So.2d, etc.). The pinpoint cite points the reader to the specific page in the source on which the cited proposition can be found (may consist of a page range, in which case you indicate the first and last page of the range separated by one dash, i.e., 92-97). Immediately following the page reference, is the abbreviated name of the deciding court followed by the year of the decision. However, when citing decisions of the United States Supreme Court, do not include the name of the deciding courts. Also, cite to the U.S. Reporter (“U.S.”) when citing a U.S. Supreme Court case, if available; otherwise, cit to the Supreme Court Reporter (“S.Ct.”).

Once you have provided one full citation to an authority, you are free to use a “short form” in later citations to the same authority, so long as (1) it will be clear to the reader from the short form what is being referenced; (2) the earlier full citation falls in the same general discussion; and (3) the reader will have little trouble quickly locating the full citation. There are various short forms that may be used for case citations, by they all include a pinpoint cite, preceded by “at.” For example:

- Brooks, 162 So. 2d at 100.
 - This is the general short form used when no mention of the case name is contained in the preceding sentence.
- 162 So. 2d at 100.

- This form is used if you've cited the name of the case in the sentence immediately preceding the citation.
- Id., or Id. at 100.
 - This is the short form used to refer to the *immediately preceding* authority (including the exact pinpoint cite). If the case has been previously cited, but is not immediately preceding the point where you want to use the short form, (i.e., a different case or authority has been cited), you must use the form indicated at bullet #1. Also if the pinpoint cite is different, use "id. at ???.". Notice that the underline runs under the period, and the "i" is only capitalized when it begins a citation sentence.

B. **Statutes**—when citing state statutes, refer to an official code whenever possible. For example:

<u>Full Citation</u>	<u>Short Citation</u>
28 U.S.C. § 1331 (2000)	<u>Id.</u> § 1332(a)(1)
§ 800.17, Fla. Stat. (2000)	<u>Id.</u> § 800.17(a)

Always spell out words when using citations within sentences (i.e., "Section 800.17, Florida Statutes (2000)").

C. **Constitutions**—Examples:

- United States
 - Art. IV, § 2, cl. 2
 - U.S. Const. Amend. V
- Florida
 - Art. V, § 2(b)(3), Fla. Const.

Sometimes, you see the words "see" or "see also" preceding a citation. "See" is referred to as a "signal," which is used to clarify or qualify the connection between the text and the citation. Specifically, "see" means that the authority cited clearly supports the proposition with which the citation is associated. "See also" means that the authority is additional support for the proposition with which the citation is associated (but less direct than that indicated by "see"). It is commonly used to refer readers to authorities already cited or discussed.

Again, it is not necessary that you follow the exact legal citation form used in the sample brief. Do the best you can. We are more concerned with the arguments you choose to make.