

North Carolina Law Review Bluebook Supplement

(Last Revised 2009-2010)

Appendix C – *Bluebook Supplement*

The standard reference for footnote citation is *The Bluebook: A Uniform System of Citation* (18th ed.). Conforming to *Bluebook* style tells our readers that we place a high value on consistency, attention to detail, and accuracy. Along with the quality of the articles that we publish, it significantly contributes to the reputation of the *North Carolina Law Review* (the “*Law Review*”). We rely on our Board and Staff members to edit and cite check carefully to eliminate *Bluebook* errors.

This supplement is not intended as a replacement for *The Bluebook*. It elaborates on a limited number of *Bluebook* rules that are frequently applied. It also covers citation rules particular to the *Law Review* that supersede or elaborate upon basic *Bluebook* rules.

If you have not done so already, review **Rules 1–9; Tables 1, 6, and 13;** and the basic citation formats for cases, statutes, session laws, books, law review articles, and nonconsecutively paginated periodicals.

Also, review this supplement carefully and be alert to any *Law Review* policies that supersede *Bluebook* rules or apply to North Carolina sources. You may find it helpful to annotate your *Bluebook* with the rules from this supplement.

A NOTE ON SUPPLEMENTAL SOURCES

As you will learn in the course of editing, *The Bluebook* is confusing or silent on some issues. In such cases, it is important to consult *The Chicago Manual of Style* (15th ed.) (the “*CMS*”), *The Elements of Style* (4th ed.), Webster’s Third New International Dictionary (Unabridged) (currently the official *Law Review* dictionary), back issues of the *Law Review*, Lexis or Westlaw (to determine how other journals have cited a source), the primary editor of the piece, the managing editor, or other Board members. When consulting these supplemental sources, it is crucial that each Board and Staff member apply them consistently. When rules conflict, *Law Review* has established the following order of authorities:

1. *The Bluebook*: *The Bluebook* and the *Bluebook Supplement* control over all other authorities.
2. The *CMS*: The importance of the *CMS* to each editor conducting a technical edit (FPP, RPP, BKP, or BKI) cannot be overemphasized. The *CMS* not only supplements *The Bluebook*, it but covers many additional substantive areas. For additional assistance using the *CMS*, see <http://www.press.uchicago.edu/Misc/Chicago/cmosfaq/cmosfaq.html>.
3. Webster’s Third New International Dictionary (Unabridged): The dictionary is especially useful for determining a word’s proper meaning, spelling, hyphenation, and part of speech. It is available online at <http://eresources.lib.unc.edu/eid/> (under “W”).
4. *The Elements of Style*: This short volume is extremely useful both for questions on grammar and to help authors express themselves more clearly and concisely.

RULE 1.2 (Introductory Signals)

The Bluebook does not require “see” before authority that *directly supports* the author’s proposition. For example, if the author states that in *Smith v. Jones* the court held X, no signal is required when citing the particular page on which the court’s holding appears. Where cited authority *directly supports the contrary* of the author’s proposition, the signal “contra” is used and a parenthetical is required.

“See” is required, however, where the cited authority *indirectly supports* the proposition. For example, if the author states that the court departed from precedent and cites that part of the opinion in which the court distinguished controlling precedent, “see” should be used. “See” should also be used where the only quoted material is a catch word or phrase.

RULE 1.3 (Order of Signals)

In footnotes in which more than one signal is used, the signals should be ordered according to Rule 1.2—e.g., signals indicating support precede comparative signals, which precede contradictory signals; direct authority precedes indirect authority, which precedes analogous authority; etc. Within each category of signals (e.g., supportive, contradictory, etc.), cited authority should be strung together in a single citation sentence, separated by semi-colons. For example:

1. *See Hili v. Sciarrotta*, 140 F.3d 210, 215 (2d Cir. 1998); *United States v. Berzon*, 941 F.2d 8, 17 (1st Cir. 1991) (stating that notice is required when a court relies on testimony at a hearing in a separate case to enhance a sentence). *But see State v. Pearson*, 704 P.2d 1056, 1060 (Mont. 1985) (stating that there is no due process right of advance notice of facts to be relied on at sentencing).

RULE 1.4 (Order of Authorities Within Each Signal)

Always consult Rule 1.4 when multiple sources are introduced by a single signal.

It is important to note the general order of authorities **within a signal**:

- 1) Constitutions
- 2) Statutes
- 3) Treaties and other international agreements
- 4) Cases
- 5) Legislative materials
- 6) Administrative and executive materials
- 7) Records, briefs, and petitions
- 8) Secondary materials
 - a) Model codes and restatements
 - b) Books, pamphlets, works in a collection of a single author’s works
 - c) Works in journals
 - d) Book reviews
 - e) Student written law review materials

- f) Annotations
 - g) Magazine and newspaper articles
 - h) Unpublished materials
 - i) Electronic sources
- 9) Cross-references to author's own textual material

Note: **Rule 1.4** provides that, regardless of the above order, an authority can be cited first within a signal if it is considerably more helpful than the other authorities.

RULE 1.5 (Parenthetical Information)

The *Law Review* requires a parenthetical for sources other than those introduced by no signal, “see,” or “see, e.g.” This policy supersedes any Bluebook policy to the contrary.

Therefore, sources introduced by all other signals (see also, but see, see generally, etc.) do require parentheticals.

There is one **very narrow** exception to this rule. When “see generally” is used as the verb of a sentence, and the context of the sentence explains the source so that it makes a parenthetical unnecessary, no parenthetical is required. For example:

1. For a discussion of the congressional confirmation hearings of Clarence Thomas, see generally Source A.

Parentheticals begin with a lower-case present participle (e.g., arguing, contending) and do not end with a period. If, however, the parenthetical contains quoted material that reads as a complete sentence, no present participle is required, the first word is capitalized, and the sentence ends with a period. Present participles may also be omitted where the context renders the present participle unnecessary. See *The Bluebook* for examples.

Parentheticals precede any subsequent history or related authority. For example:

2. See *United States v. Calderon*, 127 F.3d 1314, 1343 (11th Cir. 1997) (applying the *Wheat* standard for counsel of choice to review of a denial of a motion to substitute counsel at sentencing), *cert. denied*, 534 U.S. 1167 (2002).

Order of Parentheticals in a Single Citation

The Bluebook advises that, when a citation requires multiple parentheticals, they are to be placed in the following order: (date) [hereinafter some short name] (en banc) (Lastname, J., concurring) (plurality opinion) (per curiam) (alteration 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).

*See Websites below for order of parentheticals to internet sources.

RULE 2 (Typefaces for Law Reviews)

The published version of the *Law Review* follows the convention used in *The Bluebook*. That is, the *Law Review* uses ordinary Roman, italics, and large and small capitals as they appear in all *Bluebook* examples.

A word about case names: Always italicize case names in text. In footnote citation sentences, use Roman in full citations and italics in short form citations. In footnote text, italicize case names used without citations or with only short form citations, but use Roman if the case name is in a separate, full citation clause. For case names appearing in parentheticals, follow the rules for case names in footnote text. However, if the parenthetical merely states “citing” or “quoting” along with the case citation(s), follow the rules for case names in footnote citation sentences. If a citation begins with a signal as a verb, as in *Bluebook* **Rule 1.2(e)**, the case names are formatted according to **Rule 2.2(b)(i)**, the citations are separated by a semicolon, not a comma (to avoid ambiguity), and the final citation is preceded by “and.” For example:

For an excellent discussion of this issue, see *Jones v. Smith*, 100 U.S. 200 (2000); *Smith v. Jones*, 100 U.S. 100 (1999); and *Smith v. Smith* 100 U.S. 50 (1998).

Note: punctuation is only italicized if it falls within italicized material but not when it follows it. (For example: *see, e.g., not see, e.g.,*) One “exception” to this rule: the period following *id.* is italicized. Also, when “see” is used as a verb, do not italicize. For example:

3. *See supra* notes 1–2 and accompanying text.

But:

For an example of this rule, see *supra* notes 1–2 and accompanying text.

RULE 3.2 (Pages, Footnotes, Endnotes, and Graphical Materials)

When referring to page numbers (a.k.a. “pinpoints”), use “at” or no introductory phrase, rather than “p.” or “pp.” When citing to the first page of an authority in the context of a full citation, repeat the page number.

Note: The *Law Review* generally requires pinpoint cites for **all** authorities. If an author has failed to provide a pinpoint for a book or other lengthy source, the **cite checker must make a reasonable attempt to find it** herself. If she cannot find an acceptable pinpoint, she must then consult the primary editor about whether to spend more time on it. Primary editors are ultimately responsible for tracking down necessary pinpoints.

The **main exceptions** to the pinpoint rule (that pinpoints are required) are:

- When a **full case name appears in text**, a footnote should be added immediately after the case name with the full cite but no pinpoint. A second footnote should appear at the end of the sentence with a short cite and pinpoint within the case.

- For “see generally” cites. Pinpoints are not required, but note that such cites do generally require parentheticals.
- When a point is repeated frequently throughout an entire source, “passim” can be used. See *Bluebook Rule 3.2(a)*.

When referring to footnotes, there is **no space between “n.” and the footnote number**:

4. Thomas L. Hazen & Bren L. Buckley, *Models of Corporate Conduct: From the Government Dominated Corporation to the Corporate Dominated Government*, 58 NEB. L. REV. 100, 101 n.17 (1978).

To cite an entire footnote that spans more than one page, only cite the page on which the footnote begins (and the footnote number). To cite to a specific page of a footnote, cite only those specific pages (and the footnote number). When citing text on the page and the footnote, cite the page and the footnote as follows: 1073 & n.17.

RULE 3.3 (Sections and Paragraphs)

Spell out “section” and “paragraph” in text or when beginning a footnote sentence, but use the section (§) and paragraph (¶) symbol in footnotes generally. However, when referring to the United States Code or a federal regulation, always use the section symbol unless it begins a sentence. Note that “section” is *not* capitalized except when it is the first word of a sentence. To illustrate this rule:

This is a § 1983 claim.
Section 1983 of the Civil Rights Act addresses this issue.
According to the court, section 97-57 of the General Statutes of North Carolina . . .

If a work is organized by sections or paragraphs, a page number should be cited only if necessary for further identification. In other words, if an entire section is relevant to the proposition being cited, then there is no need to include page numbers. Generally, no page numbers are needed when “see generally” is the introductory signal. If, however, the text cited covers fewer pages than the entire section, then specific page numbers should be given. Always include page numbers when the source is being quoted or when citing to a session law.

Never use “at” before a section or paragraph symbol. Also, do not put an “at” after *Id.* when *Id.* is followed by an abbreviation in Table 16 (by analogy to Rule 3.3 for § or ¶).

Never use “et. seq.” When citing to a range of page numbers each with more than three digits, do not repeat the first digit unless necessary to avoid confusion. Where an en dash would confuse the reader, use “to.” For example:

20 S.E.2d at 324–25 not 20 S.E.2d at 324–325.
N.C. GEN. STAT. § 97-57 to 97-59 not N.C. GEN. STAT. § 97-57–97-59.

RULE 3.5 (Internal Cross-References)

When referring the reader to a point dealt with earlier or later in the text, use the following form: *See supra* (or *infra*) text accompanying note 00. To refer to another footnote, use: *See supra* (or *infra*) note 00. To refer to a combination of footnotes and text, use the following form: *See supra* (or *infra*) note 00 and accompanying text. Note that usually the point to which the author is referring is discussed both in the above-the-line text and in the footnotes: be sure to use the “*See supra* (or *infra*) notes 00 and accompanying text” form in these instances.

Sometimes an author will want to *supra* to an entire Part or Section. It is acceptable to do this (and often preferable because you do not have to worry about footnote numbers changing). To refer to a Part or Section in this way, use: *See supra* Part I.A.2.

Generally, cross-references should not be made to footnotes that contain only citations; rather, the complete citation should be repeated. However, if an author is being particularly difficult about re-citing the sources, keep the citation to maintain the peace. (This would appear: See sources cited in note 00). If you are going to keep a “sources cited” citation, make sure that you have the correct pinpoint if they have changed from the prior citation.

RULE 4.1 (*Id.*)

“*Id.*” may be used with every citation form *except* internal cross-references. It may be used *only* when citing the immediately preceding authority within the same footnote *or* when citing authority within the immediately preceding footnote if that footnote contains only one authority. **Note:** cases or authorities cited in subsequent histories or parentheticals are not considered separate authorities for the purpose of a subsequent “*id.*” reference. For example:

5. *Capacchione v. Charlotte-Mecklenburg Sch.*, 57 F. Supp. 2d 228, 229 (W.D.N.C. 1999), *aff’d in part and rev’d in part en banc per curiam sub nom. Belk v. Charlotte-Mecklenburg Bd. of Educ.*, 269 F.3d 305 (4th Cir.), *reconsideration denied en banc*, 274 F.3d 814 (4th Cir. 2001), *cert. denied*, 535 U.S. 986 (2002), *and cert. denied*, 535 U.S. 986.
6. *Id.* at 230.
7. *Strickler v. Greene*, 527 U.S. 263, 281 (1999) (quoting *Berger v. United States*, 295 U.S. 78, 88 (1935)).
8. *Id.*

“*Id.*” may be used to reference a “*supra*” or “*infra*” citation in an immediately preceding citation or footnote:

9. *See Hazen & Buckley*, *supra* note 4, at 102.
10. *Id.* at 103.

But, “*id.*” should not be used to refer to internal cross-references. For example:

11. *See supra* notes 4–5 and accompanying text.
12. *See supra* notes 4–5 and accompanying text.

Also, “*id.*” should not be used within a footnote to cite the last source in a preceding string cite within the same footnote. ***This supersedes Rule 4.1.***

When citing to a North Carolina case (for which the *Law Review* requires parallel cites), if a cite is identical to the preceding cite, or the cite in the immediately preceding footnote, the proper form is a simple “*id.*” If one or both of the pinpoints change, the cite checker must provide a parallel cite. For example:

13. Hixson v. Krebs, 136 N.C. App. 183, 185, 523 S.E.2d 684, 685 (1999).
14. *See id.*
15. *See id.* at 186, 300 S.E.2d at 686.
16. *See id.* at 187, 300 S.E.2d at 686.

RULE 4.2 (“Supra” and “Hereinafter”)

“*Supra*” and “hereinafter” generally should only be used to refer to secondary sources. In extraordinary circumstances, however, they may be used for cases, statutes, constitutions, legislative materials (other than hearings), or regulations.

Short forms designated by the use of “hereinafter” should be used sparingly, usually only for sources with cumbersome names. “Hereinafter” should also be used, however, if a footnote contains more than one authority by the same author such that a subsequent “*supra*” cite would be confusing.

Note: “hereinafter” is not used when the same author is cited multiple times in the article. The author must be cited **more than one time in the same footnote**.

Use of “hereinafter” does not excuse the use of “*supra*” to indicate where the original citation to the full title appears:

17. *See generally* UNEQUAL PROTECTION: ENVIRONMENTAL JUSTICE AND COMMUNITIES OF COLOR (Robert D. Bullard ed., 1994) [hereinafter UNEQUAL PROTECTION] (explanatory parenthetical).
18. *See* Thomas L. Hazen, *Corporate Directors’ Accountability: The Race to the Bottom—The Second Lap*, 66 N.C. L. REV. 171, 180–81 (1987) [hereinafter Hazen, *Corporate Directors’ Accountability*]; Thomas L. Hazen, *Corporate Chartering and the Securities Markets: Shareholder Suffrage, Corporate Responsibility and Managerial Accountability*, 1978 WIS. L REV. 391, 397–400 (1978) [hereinafter Hazen, *Corporate Chartering*].
19. Robert D. Bullard, *Introduction to UNEQUAL PROTECTION*, *supra* note 17, at xvii; *see* Hazen, *Corporate Directors’ Accountability*, *supra* note 18, at 181.
20. *See* Hazen, *Corporate Chartering*, *supra* note 18, at 399.

Never use “hereinafter” if the author does not refer to the work in a later footnote with a *supra*/*infra* reference.

Never shorten a cumbersome title in a “*supra*” cite without first using “hereinafter”. In other words, it is not permissible to drop the subtitle of a work without using a “hereinafter” cite.

When using “*supra*” and “hereinafter,” the same typeface should be retained as in the original citation (see examples 17-20 above). In addition, quotation marks are not needed when indicating a hereinafter form unless quotation marks appear in the original title.

Generally speaking, a “*supra*” cite always gets a pincite (with the exception of newspaper *supra* cites), even if it the same pincite as is listed in the footnote originally listing the source. The rationale: clarity and ease for the reader. *The Bluebook* provides an example of this in Rule 15.9.1 – see example footnotes 2 & 3 and their treatment of the Huysen source.

RULE 5.1 (Formatting of Quotations)

Block quotes:

Quotations of fifty words or more must be block-quoted. Block quotations should not be set off by quotation marks, but quoted material within the block quotation should be set off by quotation marks.

Indentation. The first line of the block quotation is indented if it begins a paragraph in the quoted authority.

Capitalization & Colons. Do not capitalize the first word of the block quote or use a colon to off-set the block quote if the quoted words fit, or “flow,” into the sentence logically and grammatically. For example:

After reviewing *Frisby*, *Hill*, and *Madsen*, the court concluded that
burial rites implicate the most basic and universal human expression “of the respect a society shows for the deceased and for the surviving family members. . . .” Unwanted intrusion during the last moments the mourners share with the deceased during a sacred ritual surely infringes upon he recognized right of survivors to mourn the deceased.

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Note: Cite checkers **must** provide the primary editor with a **photocopy** of the quoted material from the cited authority that appears in the piece as a block quote.

Textual quotes:

In textual quotations, the footnote reference number follows the final punctuation in the quotation. In footnote text, the citation appears flush left on the next line after the blocked quotation.

Quotes within quotes:

Quotations within a block quote are indicated by double quotation marks. Quotations within a quotation that is not a block quote are indicated by single quotation marks. When typing an internal quotation mark followed by a regular quotation mark, leave a **hard space** between the two:

The Supreme Court required that “[s]uch congressional intent or authorization for states to affect interstate commerce . . . must be ‘expressly stated’ and ‘unmistakably clear.’ ”

Where internal quotation marks indicate a quotation from a previous source, **always include a parenthetical fully identifying the original source of the internal quotation.** Citations to the original source should include pinpoints, even if the referring source does not give these references.

RULES 5.2 and 5.3 (Alterations & Quotations Within Quotations and Omissions)

Note: Cite checkers must photocopy quoted material that appears in an altered format. In other words, cite checkers should make a copy of the original source of any quote that contains (or should contain) an ellipsis and turn it in to their primary editors with their cite checks.

Ellipses are never used at the beginning of a quotation. Ellipses are also not used at the end of a quotation that is used as a clause or phrase. Ellipses and brackets are used to indicate omissions from quotations used as complete sentences.

The following passage serves as the basis for the subsequent ellipsis examples:

If you make the following nonsensical alterations in this passage, it would appear various ways. Please pay careful attention to the spacing of the ellipses. We know this is picky, but that’s life at a scholarly journal, and *Law Review* policy requires strict attention to detail. Law students have nothing better to worry about, you know. Who cares about grades? I know I don’t.

Omissions at the beginning of a quoted sentence are indicated only by bracketing and capitalizing the initial letter:

“[M]ake the following nonsensical alterations in this passage”

Brackets are not used, however, if the initial letter is capitalized in the original:

“*Law Review* policy requires strict attention to detail.”

Do not use ellipses if the quoted passage is used as a clause or phrase:

The above passage refers to “life at a scholarly journal.”

Omissions in the middle of a quoted sentence are indicated by an ellipsis with three ellipsis points or dots (referred to in *The Bluebook* as periods). The ellipsis is set off from the text by spaces and there is a hard space between each dot:

“We know this is picky, but# . . #*Law Review* policy requires strict attention to detail.”

Omissions at the end of or following a quoted sentence are indicated with an ellipsis (three (3) dots). Do not use an ellipsis if the end of the quotation is also the end of a sentence in the original. If material is omitted to make the sentence deliberately and grammatically incomplete, only use an ellipsis (three (3) dots) without any closing punctuation:

The ellipsis example in the *Bluebook Supplement* begins, “If you make# . . ,” and ends, “I know I don’t.”

If material is omitted from the end of a sentence, but the next sentence in the quote is completely intact, there is one space before the first dot in the ellipsis and two spaces following the period (or other ending punctuation).

“Please pay careful attention# . . ##We know this is picky, but that’s life at a scholarly journal, and *Law Review* policy requires strict attention to detail.”

Likewise, if material is omitted both at the end of the first sentence and following the first sentence, there is one space before the first period in the ellipsis and two spaces after the period (or other ending punctuation):

“Please pay careful attention# . . ##[T]hat’s life at a scholarly journal, and *Law Review* policy requires strict attention to detail.”

If the first sentence in a quote is complete, but material following the first sentence is omitted (either the start of the second sentence or entire sentences followed by further text), there is no space before the period (or other closing punctuation) and two spaces following the last dot in the ellipsis.

“Please pay careful attention to the spacing of the ellipses. . . ##*Law Review* policy requires strict attention to detail. . . ##Who cares about grades?”

Alterations should not be made to quotations **to correct for grammar, punctuation, or syntax** unless the error is egregious. For example, a quotation that reads “past, present and future” should *not* be altered to read “past, present[,] and future” in order to conform with the *Law Review*’s own comma policy.

Mistakes in original – use of “[sic].” As stated in BB Rule 5.2, only *significant* (and we would add, *obvious*) mistakes in the original should be followed by “[sic]” and otherwise should be left as they appear in the original. Another thing to be aware of: when authors cite to a source that quotes another source, it is not uncommon for one source to misquote another. Cite checkers are responsible for verifying every quote against the *original* source; cite checkers may *not* depend on the reliability of the source that is quoting another source. In the event that the original source is misquoted by another source, encourage the author to quote directly to the original source instead. If the author prefers to cite to the source that misquotes the original, address/explain the fact that the source is misquoted BTL. Do not try to explain it with a “[sic],” as that would not be clear enough.

RULE 6 (Abbreviations, Numerals, & Symbols)

In general, there is no space between adjacent single capitals. When one or more of the capitals refers to the name of a geographic or institutional entity, however, insert a space between the capitals referring to the entity and the other adjacent single capitals. An ordinal such as 2d or 4th counts as a single letter. Abbreviations of more than one letter must be separated by a space on either side:

P.2d	A.L.R. FED.
F. Supp. 2d	ARIZ. L. REV.
S.E.2d	J. PROD. LIAB.
N.C. App.	N.C. L. REV.
A.L.R.4TH	

Generally, **spell out numbers zero to ninety-nine** in text both above and below the line. Where material repeatedly refers to percentages or dollar amounts numerals should be used for those percentages or amounts, per *Bluebook* Rule 6.2(a)(v); however, even in such cases, always spell out numbers if they begin the sentence. In numbers containing **four or more digits**, use commas to separate groups of three digits in text both above and below the line. **Note: This supersedes Rule 6.2(a)(vii).** However, Rule 6.2(a)(vii) *does* apply to numbers within a citation. For example:

- Caleb Nelson, *Sovereign Immunity as a Doctrine of Personal Jurisdiction*, 115 Harv. L. Rev 1559 (2002) – there is no comma in page number 1559
- Federal Acquisition Regulations for National Aeronautics and Space Administration, 55 Fed. Reg. 52,782 (Dec. 21, 1990) – there *is* a comma in page number 52,782

When using a **paragraph** or **section symbol**, leave a hard space between the symbol and the number. Do *not* leave spaces when dollar signs or percentage symbols are used.

RULE 7 (Italicization)

The *Law Review* only italicizes case names, publication titles, words for emphasis, and foreign words that are not part of common English usage. **Latin words and phrases common to legal writing** generally should not be italicized.

RULE 8 (Capitalization)

Capitalization generally

Capitalize all words in titles except articles, conjunctions, and prepositions of four or fewer letters unless they appear as the initial word or immediately after a colon. Note that certain words (e.g., “that” and “as”) are capitalized in some titles and not in others, depending on their part of speech. Consult a dictionary for assistance.

21. Caleb Nelson, *Sovereign Immunity as a Doctrine of Personal Jurisdiction*, 115 HARV. L. REV. 1559 (2002). (“As” is used as a preposition and is lowercased).
22. Lucy E. Salyer, *Laws Harsh As Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law* (1995). (“As” is used as an adverb and is capitalized).

For words other than those listed in Rule 8, consult the *CMS*.

Capitalization issues related to “court”:

Lower courts/state courts

- When the text includes the name of a particular lower federal or state court, the name of the court should be capitalized. E.g., “The United States Court of Appeals for the Fourth Circuit”; “the Supreme Court of North Carolina”
- When the text includes the name of a lower court in general, the name of the court should NOT be capitalized. E.g., “the district court ruled . . .” or “the circuit court held . . .”
- When the text references a particular holding of a lower court or a state court (including a state supreme court), “court” should be lowercase. E.g. The *Howerton* court held . . .” (referencing a NC Supreme Court decision) or “The *Seacoast* court assessed . . .” (referencing the First Circuit’s decision in *Seacoast*).

United States Supreme Court

- All references to the U.S. Supreme Court should be capitalized. This includes: “The United States Supreme Court held . . .”; “The Court held . . .” and “The *Buckley* Court held . . .”

RULE 9 (Titles of Judges, Officials, and Terms of Court)

When a footnote lists the judges joining an opinion, the judges must be listed in the order they appear at the beginning of the volume of the official reporter in which the case is printed, which may differ from how they are listed in the opinion. Cite checkers should keep a sharp eye out for this and double-check the order listed.

RULE 10.2 (Case Names)

In textual sentences, abbreviate only widely known acronyms (e.g., FDA, NAACP) and the eight words listed in **Rule 10.2.1(c)**. In citation sentences, abbreviate *all* words according to **Table 6**, including first words. “United States” should be spelled out when used as a noun, but may be abbreviated as “U.S.” when used as an adjective.

Always omit “Commonwealth of,” “State of,” and “People of” *except* when citing decisions of courts from that geographical location. When citing state court decisions, only use “Commonwealth,” “State,” or “People.” The rationale for this rule is that the state court appears in the parenthetical with the date of the decision. For example:

23. State v. Rogers, 992 S.W.2d 393 (Tenn. 1999), *aff’d*, 532 U.S. 451 (2001) **not** State of Tennessee v. Rogers, 992 S.W.2d 393 (Tenn. 1999), *aff’d*, 532 U.S. 451 (2001).
24. Rogers v. Tennessee, 532 U.S. 451, 466–67 (2001) **not** Rogers v. State, 532 U.S. 451, 466–67 (2001) or Rogers v. State of Tennessee, 532 U.S. 451, 466–67 (2001).

Also, omit “City of” except where it begins a party’s name.

In citation sentences, abbreviate geographical locations according to **Table 11** *except* where the geographical entity is a named party.

Always italicize procedural phrases such as “*In re*,” regardless of the italicization of the rest of the case name.

See **Rule 10.2.1** for cases that are referred to by a name other than their actual case name. E.g., “The Civil Rights Cases” or “The Prize Cases.”

RULE 10.3 (Reporters and Other Sources)

With one exception, always cite cases to the appropriate regional reporter if they appear therein. Parallel cites to the appropriate state reporter are not required. Because regional reporters cover decisions of more than one court, the court must be specified in a parenthetical. Always **consult Table 1** to confirm the correct **abbreviations of state courts**.

25. Woods v. State, 440 S.E.2d 1 (Ga. 1994).

Exception: Parallel citations are required for all North Carolina cases. In other words, all cites to North Carolina cases must include a citation to either the North Carolina Supreme Court reporter (N.C.) or the North Carolina Court of Appeals reporter (N.C. App.) and a citation to the Southeastern Reporter (S.E. or S.E.2d).

Note: Older volumes of the North Carolina Reporter that have been reprinted should be cited to the page numbers listed in brackets, rather than to the number at the top of the page.

Note: Sometimes, you will need to cite an “as-of-yet-unpublished opinion” that has not yet been put into the reporter. The proper way to cite this case is to use blanks for the pinpoints you do not yet know: State v. Allen, __ N.C. App. __, __, 615 S.E.2d 256, 260 (2005).

This does **not** apply if you have an author who is citing other *North Carolina Law Review* articles in the same issue (this usually happens with the Symposium).

You **must** insert the proper pinpoints immediately before print.

RULE 10.3.3 (Public Domain Format)

In addition to citing the appropriate regional reporter, *The Bluebook* requires parallel public domain citations if the decision is available as such. The following jurisdictions have adopted a public domain format for cases:

Sixth Circuit	cases after 12/31/93
District of South Dakota	cases after 12/31/93
Bankruptcy Court of the Dist. of S.D.	cases after 12/31/93
Louisiana	cases after 12/31/93
Maine	cases after 12/31/96
Mississippi	cases after 7/1/97
Montana	cases after 1/1/98
New Mexico	cases after 12/31/95
North Dakota	cases after 1/1/97
Ohio	cases after 4/30/2002
Oklahoma	cases after 5/1/97
South Dakota	cases after 12/31/96
Utah	cases after 12/31/98
Wisconsin	cases after 1/1/2000
Wyoming	cases after 12/31/2003
Puerto Rico	cases after 1/1/98

For public domain citation form, consult Rule 10.3.3 and Table 1. The above table is periodically updated by the Harvard Law Review Association. Any updates are published on *The Bluebook's* official Web site: <http://www.legalbluebook.com/Public/Updates.aspx>.

RULE 10.6 (Parentheticals Information Regarding Cases)

Always include a parenthetical indicating the weight of the authority: “en banc,” “in banc,” “mem.,” “per curiam.” Also, always indicate an “unpublished table decision.”

Parentheticals indicating weight of authority precede explanatory parentheticals. All parentheticals follow the case citation, preceding any prior or subsequent history.

Follow the model below for placing parentheticals:

See Source A (weight of authority—if case) (alteration in original) (emphasis added—if the author adds the emphasis) (citation/footnote omitted—if the author does the omitting) (quoting Source B (emphasis added—if Source A adds the emphasis) (citation/footnote omitted—if Source A omits citations from Source B) (explanatory parenthetical), subsequent history/*reprinted in*/etc.

Note that the “(alteration in original)” parenthetical is used only for quotes within quotes, and its function is to alert the reader that the author is quoting Source A without any alterations, but that Source A alters the quote from source B in some way. “The original” in “(alteration in original)” refers to Source A—the original from the author’s point of view—not Source B—the actual original source of the quote.

Note: Where one case cites earlier case and the earlier case cites an even earlier case, information about the even earlier case may be omitted.

Example: In the citation: Jones v. Smith, 100 U.S. 1 (1990) (quoting Fox v. Cat, 95 U.S. 1 (1980), quoting Dog v. Mouse, 90 U.S. 1 (1970)), the reference to “Dog v. Mouse” is not necessary and the cite just becomes: Jones v. Smith, 100 U.S. 1 (1990) (quoting Fox v. Cat, 95 U.S. 1 (1980)).

RULE 10.7 (Prior and Subsequent History)

Always give the entire appropriate subsequent history whenever a case is cited in full, BUT omit denials of discretionary appeals unless the decision is less than two years old or if the denial is significant.

When a case name changes on appeal, this change must be noted unless it is merely a reversal of the parties’ names or a name change during denial of certiorari:

26. *Capacchione v. Charlotte-Mecklenburg Sch.*, 57 F. Supp. 2d 228, 229 (W.D.N.C. 1999), *aff’d in part and rev’d in part en banc per curiam sub nom. Belk v. Charlotte-Mecklenburg Bd. of Educ.*, 269 F.3d 305 (4th Cir.), *reconsideration denied en banc*, 274 F.3d 814 (4th Cir. 2001), *cert. denied*, 535 U.S. 986, and *cert. denied*, 535 U.S. 986 (2002).

The shorthand reference for a particular decision in a case involving multiple decisions may be noted as follows:

27. *State v. Goebel (Goebel II)*, 2001 MT 155, ¶ 20–30, 31 P.3d 340, 346–47 (Mont. 2001).

The Supreme Court of North Carolina has two methods of granting appellate review. The proper form should be used in text and footnotes. Note that *Shepard’s* does not distinguish between the supreme court’s grant of certiorari and discretionary review. This is incorrect.

28. *Davis v. MacMillan*, 148 N.C. App. 248, 558 S.E.2d 210, *discretionary review denied*, 355 N.C. 490, 563 S.E.2d 564 (2002).

29. Hixson v. Krebs, 136 N.C. App. 183, 523 S.E.2d 684 (1999), *cert. denied*, 352 N.C. 356, 544 S.E.2d 546 (2000). (Note that for a case that is two (2) years old or older, include the certiorari information if particularly relevant.)

RULE 10.8 (Special Citation Forms)

Always cite to Lexis or Westlaw before citing to slip opinions of unreported cases.

Short forms for briefs, records, motions, and memoranda are analogous to short forms for cases. The five-footnote rule applies, and *supras*/hereinafters may only be used in extraordinary circumstances.

RULE 10.9 (Short Forms for Cases)

In general, short forms for cases can be used only if the full name of the case is given within the paragraph of text or if the case is cited (as authority, not subsequent history or parenthetically) in full or short form in one of the five previous footnotes (a.k.a. the “**five-footnote rule**”). When a case is cited more than once in the same footnote, a short form may be used within that footnote. **Note:** If a source is cited in a parenthetical only (e.g., a citing/quoting or explanatory parenthetical) or in subsequent history, it does *not* count for the purposes of the five-footnote rule and short form. For example, if a case is cited in full in footnote 1 in a citing parenthetical, it must be cited in full again in footnote 2.

It is not necessary to repeat the parenthetical for repeated citations of a dissenting or concurring opinion. BUT when the “*id.*” refers to a different opinion within the same case, that fact must be indicated parenthetically:

30. Rogers v. Tennessee, 532 U.S. 451, 468 (2001) (Scalia, J., dissenting).
31. *Id.*
32. *Id.* at 453 (majority opinion).

RULE 12 (Statutes)

Citing statutes (federal and state) and public or session laws correctly appears to be a pervasive problem. Thus, the purpose of this portion of the Bluebook Supplement is to clarify the general citation rules and *Law Review* policies relating to these sources; it is not intended to replace *The Bluebook*. In other words, if you come across a statute or public/session law in your cite check or during incorporating, open your *Bluebook* and consult **Rule 12** and **Table T.1**.

As a general rule, cite statutes to the **current official code** in force, if therein. If any subsection of the statute is also contained in the supplement, cite to the current version of the code and the supplement. If the statute appears only in the supplement, cite only the supplement.

For federal statutes, cite to the United States Code (U.S.C.), if up-to-date. Otherwise, cite to the U.S.C.A. (see discussion below). For state statutes, cite to the preferred compilation if the UNC Law Library has it. Otherwise, cite to what we do have but use the appropriate form for that compilation per Table 1.

If the statute appears in scattered sections, cite the session laws.

If the statute is commonly cited by name, include the name in the citation, but omit “The” from the name. See **Rule 12.3.1** for proper citation form.

If the text refers to an “act” as such or the fact of enactment of a statute, the footnote should cite the session laws. *Bluebook* **Rule 12.4** provides the proper form for citation to session laws. **Table T.1** provides the proper citation for each state’s session laws. Proper pinpoint cites must be given where appropriate. Whenever session laws are cited, a parenthetical reference must be made to the current version of the statute. Check the latest version of the statute on Westlaw or Lexis to determine whether the parenthetical should say “codified at,” “codified as amended at,” or “repealed.” The hard copy, however, must be checked as well. The rules discussed below apply to determine which statutory compilation to use (e.g., U.S.C. v. U.S.C.A.) in “codified”/“codified as amended” parentheticals.

Session laws should generally be cited by their dates of enactment. “Act of May 26, 1955,” not “An Act to Prohibit Squirrel Hunting in Public Parks,” unless the session law has a common name by which it is to be referred.

Rules of evidence or procedure should be cited according to **Rule 12.8.3**. Rules of evidence or procedure should not be cited as statutes although they are found in statutory compilations.

Federal Statutes (U.S.C. or U.S.C.A.)

United States Code (U.S.C.) is the official compilation for federal statutes. Unless the U.S.C. is out-of-date, all cites to federal statutes should be cited to U.S.C. and/or its supplement. As of August 2006, the current version in our library is 2000.

To determine **whether U.S.C. is out-of-date**, follow the following steps:

- Pull up the statute in Westlaw or Lexis.
- Check the statute’s “History” for amendments.
- Determine the latest version of the U.S.C. compilation.
- Determine if the U.S.C. compilation includes all the amendments to the statute:
 - If it does, cite to the U.S.C.
 - If it does not, cite to the U.S.C.A., including the latest supplement, if necessary.**Be sure that the U.S.C.A. and the latest supplement include all relevant amendments.**

Whether the U.S.C. is current or out-of-date is determined by statute, not subsection. Thus, if the author cites to 5 U.S.C. § 552, and U.S.C. is current with respect to subsection (b) but is out-of-date with respect to subsection (a), cite to the U.S.C.A., not the U.S.C. The rationale: consistency. It is not uncommon for an author to cite other subsections of the same statute.

If a statute is commonly referred to by the original section number and name as it appeared in the public law (e.g., the ADA, Social Security Act, OSHA, etc.), in addition to providing the current codification in U.S.C., the **cite checker must provide the original name and section number** according to **Rule 12.3.1(a)**. This rule is particularly applicable when the author refers to the statute by its original section number and name above the line.

Example:

The author states: “Section 1128(A)(b)(1) of the Social Security Act . . .”

Incorrect: 42 U.S.C. § 1320a-7(a)(b)(1) (2000)

Correct: Social Security Act § 1128(A)(b)(1), 42 U.S.C. § 1320a-7(a)(b)(1) (2000)

Three exceptions to citing U.S.C./U.S.C.A. According to *The Bluebook*, there are two exceptions to citing a federal statute to the U.S.C. or the U.S.C.A. *Law Review* policy adds a third. In all cases, **the proper cite is to the public law**, which can be found in the *Statutes at Large* (located across the aisle from the U.S.C.).

- (1) When citing an entire act or when citing multiple sections from an act that is codified in scattered sections or titles of the U.S.C. such that “no useful citation to the code is possible.” (Rule 12.2.2(a)).
- (2) When the author refers to the historical fact of enactment, repeal, or amendment—e.g., “In 1996, Congress enacted . . . to address Five years later, Congress revisited this issue and amended the law to cover” (Rule 12.2.2(b)).
- (3) Statutes no longer in force that no longer appear in the current U.S.C. or U.S.C.A. volumes/supplements. ***This supersedes Rule 12.2.1(b)***, which states that such statutes should be cited to the last edition of the U.S.C. or the U.S.C.A. in which they appeared. The rationale: Libraries are more likely to have *Statutes at Large* than past editions of the U.S.C. or the U.S.C.A.

Note: A public law cite *may* also be required when citing a subsequent amendment to a statute currently in force or the repeal of a statute. (**Rule 12.6**).

If an author cites to the U.S.C/U.S.C.A where a public law cite is required, **it is the cite checker’s responsibility to find the public law**. The statute’s history (enactment and amendment) is printed in both U.S.C. and U.S.C.A. Start with the statute and work backward.

Example of a proper federal public law cite (Rule 12.4):

McCarran-Ferguson Act, ch. 20, 59 Stat. 33 (1945) (codified as amended at 15 U.S.C. §§ 1011–1015 (2000)).

To break this down: (name of the statute), (chapter number OR public law number), (section number if the cite does not refer to the entire act), (volume number) Stat. (starting page), (pinpoint page if the cite does not refer to the entire act) (year) ((codified at . . . parenthetical)).

Note: Not all federal acts have popular names, so the “Act of (month) (day), (year)” format may be required. If the cite refers only to a few specific sections of the act, list those sections *and* provide pinpoints to the appropriate pages (see the North Carolina cite below for an example).

State Statutes

If possible, all cites to state statutes should be to the official/preferred compilation or to whatever compilation is available in our library. For North Carolina statutes, all cites should be to softbound compilation published by Lexis (the official compilation). Do not cite to West’s compilation (hard compilations located next to the official compilation).

The rules for citing state statutes are generally the same as the rules for citing federal statutes. Some general things to remember:

- Cite whatever compilation is available at our library. Cite checkers are not required to track down the state’s official code.
- Be sure to check the main volume and any supplement. The rule for citing the year of a state code are the same as those for U.S.C. and U.S.C.A. (Rule 12.3.2).
- *Always* consult Table 1 for the appropriate citation form. Do not assume that the UNC Law Library carries the official compilation.

Three exceptions to citing state statutes. The state counterparts to federal public laws are session laws. *Law Review* policy requires session law cites when:

- (1) citing an entire act that is codified in scattered sections or titles of the state’s compiled laws such that “no useful citation to the code is possible.” Rule 12.2.2(a);
- (2) referring to the historical fact that a particular law was enacted, amended, or repealed (*the current codification must be provided parenthetically*);
- (3) citing to a law no longer in force that does not appear in the current compilation of the state’s laws.

If an author cites to the state code where a session law cite is required, it is the **cite checker’s responsibility to find the session law**. Session law references are listed at the end of each statute to show when the provision was passed and amended.

Example: Section 29-19 of the General Statutes of North Carolina includes this history:

HISTORY: 1959, c. 879, s. 1; 1973, c. 1062, s. 1; 1975, c. 54, s. 1; 1977, c. 375, s. 6; c. 591; c. 757, s. 3.

Translation: The original provision can be found in the 1959 session laws, chapter 879, section 1. The amendments can be found in the 1973, 1975, and 1977 session laws.

Note: Before 1942, state session laws were divided into the North Carolina Public Laws, North Carolina Private Laws, and North Carolina Local Public Laws. Cite these accordingly.

In general, there are four important things to remember when cite checking a session law (which also apply generally to federal public law cites):

- (1) For statutes that do not have a short, well-recognized name, get the **date of the enactment** for use in the title.
- (2) Get **BOTH the first page of the act AND the chapter or session law number**.
- (3) Get **BOTH the pinpoint AND the section number** if the cite does not refer to the entire act. If a session law is amending a prior act, you may need to use “sec.” to cite the **bill’s** sections, and the § symbol to cite the **amended act’s** sections. See Rule 12.4(c) for an example. Note that “sec.” will only be used in rare instances in which “the session law is divided into primary sections, and these sections, in turn, contain sections of the amended act.” Rule 12.4(c). Just because a session law amends a prior act does not mean that “sec.” should be used instead of “§”; the session law must be carefully evaluated to determine if the use of “sec.” is appropriate.
- (4) You **must provide a parenthetical cite to the statute’s location in the code** unless it appears in so many scattered sections that a code cite is not helpful. In the parenthetical, you must also note if the provision has been amended since the session law cited.

Example of a proper North Carolina cite (Rule 12.4):

Act of Aug. 26, 1997, ch. 458, § 2.1, 1997 N.C. Sess. Laws 1938, 1940 (codified at N.C. GEN. STAT. § 153A-340(b)(3) (2001)).

To break this down: (name of the statute), (chapter number), (section number if the cite does not refer to the entire act), (year) N.C. Sess. Laws (starting page), (pinpoint page if the cite does not refer to the entire act) ((codified at parenthetical)).

Note: State acts sometimes have popular names, which should be used instead of the “Act of (month) (day), (year)” format where available. If the cite refers to the entire act, it is not necessary to list section numbers or provide a pinpoint in addition to listing the first page of the chapter (see the federal cite above for an example).

Note: If *Law Review* policy calls for a session law cite from another state, the cite checker should check ASAP to find out if the session laws are available from UNC or from Duke. An interlibrary loan request for the specific session law will likely be necessary. It may be easier (and quicker), however, to contact the state's law library directly rather than using interlibrary loan. For a list of state law libraries, see <http://www.llsdc.org/sourcebook/state-leg.htm>.

Citing to Current Statutes (Both Federal and State)

In addition to citing the appropriate state or federal compilation, it is even more important to ensure that the **citation is current at the time the *Review* goes to print**. In the past, it has not been uncommon for serious substantive issues to be uncovered at late editing stages when an editor, using Lexis or Westlaw, discovered that a statute had actually been repealed or modified. Therefore, it is **imperative for cite checkers to use Lexis or Westlaw** to ensure that the appropriate **hardcopy compilation includes all relevant amendments**.

Because the official compilation of the General Statutes of North Carolina does not contain a supplement, ensuring that the North Carolina statutory citations are up-to-date can pose particular difficulties. The following example illustrates the correct citation to section 115C-105.38 of the General Statutes of North Carolina when the *Review* went to print in May 2003:

N.C. GEN. STAT § 115C-105.38 (2001), *amended by* Act of Sept. 23, 2002, ch. 178, § 7, 2002 N.C. Adv. Legis. Serv. 178.

At the BKP stage, primary editors must recheck all statutes to ensure that they are still up-to-date. All pieces should be rechecked both to the appropriate hard copy source and to either Lexis or Westlaw. This final check accomplishes three goals:

- Second set of eyes: This procedure provides a necessary control to ensure that the cite checker properly cited the statute.
- Additional amendments: During the time between the cite check and the BKP, Congress or the respective state legislature may have amended the statute.
- New supplements: At the BKP stage, there may be a new statutory supplement available (e.g., 2005 instead of 2004) or the main volume may have been completely replaced. It is embarrassing if Article A cites Statute I to the 2005 supplement, but Article B still cites the same statute to the 2004 supplement. To ensure consistency throughout the issue, all primary editors, therefore, must reverify all statutes at the same time—the BKP stage.

Short cites for statutes. Refer to **Rule 12.9**. A statute can be short cited with only the section symbol and the section number when the section has been cited under the same title number (e.g., Title 42) within the **preceding five footnotes**. It is not necessary to restate the title number, U.S.C., or the year. The same rule applies to C.F.R. materials. Note, however, that the *id.* rule applies:

33. 42 U.S.C. § 1983 (2000).

34. *Id.* § 1988.

35. *See* Hixson v. Krebs, 136 N.C. App at 185, 523 S.E.2d at 686.

36. § 1983.

RULE 13 (Legislative Materials)

All cites to federal materials, except cites to the *Congressional Record*, require a “Sup. Doc.” number. All cites to congressional reports require a parallel cite to U.S.C.C.A.N.

Rule 13.3: for state legislative hearings in **North Carolina**, cite as follows, and include a pinpoint if it is available (for all other states, follow *The Bluebook*): Subject matter title, number of the Congress, 20XX-20XX Sess., at __ (N.C. 20XX)

Rule 13.4: provides correct citation form for legislative reports, documents, and committee prints.

RULE 15 (Books, Reports, and Other Nonperiodic Materials)

When citing books, both the title and the author’s full name should appear in large and small caps. The author’s name should appear as it appears in the source being cited unless the author is an institution (see **Rule 15.1(c)**):

37. See LEON F. LITWACK, TROUBLE IN MIND: BLACK SOUTHERNERS IN THE AGE OF JIM CROW 271 (1998).

If the author’s name includes the designation “Jr.” or “III” or similar designations, insert a comma before the designation *only if the author does*. **If a work has more than two authors**, the normal *Bluebook* convention is to use the first author’s name followed by “et al.” However, if the piece has three authors, the *Review*’s policy, which supersedes *The Bluebook*, is to list all three. **Otherwise, list all authors’ names only if “particularly relevant”** (R. 15.1(b)). If a work has more than two authors, and all authors’ names are listed, the *supra* form will still be the first author’s name followed by “et al.”

If a work has an editor or translator, always include the name of the editor or translator even if the work also has an author. If a work has multiple editions, always cite to the latest edition that supports the author’s proposition. Also, please note the special rule (Rule 15.4(c)) for pre-1900 works.

To cite an essay or article within a collection of shorter works when the shorter work has already been cited in full, use *id.* if the shorter work was cited as the immediately preceding authority (the normal *id.* rule). *Id.* should not be used to refer to the collection as a whole when citing another shorter work within the collection. Use the *supra* form to refer to the collection as a whole. A *supra* form is used in later cites when citing the individual work and/or the collection as a whole. See Rule 15.9.1.

38. See Maeva Marcus & Natalie Wexler, *The Judiciary Act of 1789: Political Compromise or Constitutional Interpretation?*, in ORIGINS OF THE FEDERAL JUDICIARY: ESSAYS ON THE JUDICIARY ACT OF 1789, at 13, 27–30 (Maeva Marcus ed., 1992) [hereinafter ORIGINS OF THE FEDERAL JUDICIARY].

39. See *id.* at 30.

40. See William M. Wiecek, *Murdock v. Memphis: Section 25 of the 1789 Judiciary Act and Judicial Federalism*, in ORIGINS OF THE FEDERAL JUDICIARY, *supra* note 38, at 223, 223–47.

41. Marcus & Wexler, *supra* note 38, at 30.

RULE 16 (Periodical Materials)

When citing to a student work or a professional piece, include the author's name as it appears in the source being cited (see discussion of Rule 15, *supra*):

42. Ruth Bader Ginsburg, *Some Thoughts on Autonomy and Equality in Relation to Roe v. Wade*, 63 N.C. L. REV. 375 (1985).

Citation to student works requires the citation to include an indication of the type of student piece. Comment, Recent Development, Note, or other indication should appear in the citation between the author's name (if given) and the title of the work. *See* Rule 16.6.2.

43. Melanie C. Falco, Comment, *The Road Not Taken: Using the Eighth Amendment to Strike Down Criminal Punishment for Engaging in Consensual Sexual Acts*, 82 N.C. L. REV. 723 (2004).

Consecutively v. Nonconsecutively paginated journals. There are separate citation forms for consecutively and nonconsecutively paginated journals. *See* **Rules 16.3 & 16.4**. Always use an en dash rather than a slash between months when a nonconsecutively paginated journal has a multi-month publication date, e.g., Jane Smith, *I Love the Law*, L. WKLY., Sept.–Oct. 2008, at 5, even if the cover of the publication says “September/October 2008.” (Rule 16.4).

Newspapers. Pinpoints are not required in newspaper short cites. Cite checkers must confirm newspaper cites against **hard copies** if they are available on UNC's campus or at Duke. If not, Westlaw or Lexis may be used. *See* **Rule 16.5** for the proper citation form; only use the main title of the newspaper article as the source's title, not the additional subheading. **Note: citations to newspaper articles only include the first page on which the article appears**, regardless of what page the cited material is located. However, cites for magazine articles include the first page and a pinpoint for where the cited material is located, both in the first cite and subsequent short cites.

RULE 17 (Unpublished Materials)

Rule 17 includes proper citation form for commonly used unpublished materials, including letters, press releases, memorandums, speeches, interviews, and forthcoming publications.

RULE 18 (Electronic Media & Other Nonprint Resources)

Rule 18 covers all types of electronic sources, including commercial databases such as Lexis and Westlaw and cites to Internet Web sites. Because cite checkers are required to verify all citations against the hardcopy, **Rule 18 will primarily apply to Web sites and journals that are only available online (Rule 18.2.3)**. Rule 18 may also be used to note increased accessibility to a traditional source in the form of a parallel citation to the Internet using “*available at.*” (Rule 18.2.2)

Websites

It is important that the correct explanatory phrase be used with electronic sources, because it tells the reader the availability of the source. There are two choices for citing electronic sources. (See Rule 18).

- 1) **“available at”**: used when the traditional source is used and cited (which should be done to the extent possible); this explanatory phrase may be used to give a parallel citation to the source for increased availability. **Rule 18.2.2** governs this type of citation. **Hint**: To determine if the source is available in a traditional printed medium, start by searching for it on WorldCat (available at UNC Library homepage).
- 2) **No Signal**: used when the source does not exist in a traditional printed format OR when a traditional printed source is so obscure that it is practically unavailable. **Rule 18.2.3** governs this type of citation.

Improper application of the no signal and “available at” rules appears to be a common problem. **Cite checkers and all editors (especially the primary editor) should challenge whether the appropriate form is being used.** It is not uncommon for errors to be discovered at the BKI stage!

Parenthetical order in internet citations can be particularly tricky. Below is a guide to ordering parentheticals and other information in internet citations.

- 1). **No Signal**: Source (date) [hereinafter], URL (explanatory).
- 2). **Available at**: Source (date) [hereinafter], *available at* URL (explanatory).
- 3). **Last visited**: Source, URL (last visited), [hereinafter], (explanatory).

Note: All materials cited to **Internet Web sites must be printed or downloaded** and turned in with the cite check to the primary editor. In light of the increasing number of cites to Web sites and the transient nature of many Web sites, **copies of these materials must be kept on file** to assure that they are available for future reference. There does not need to be a parenthetical explaining this, however (**Rule 18.2.3(f)**).

Note: Under Rule 18, the **general rules of citation and style** contained in *The Bluebook* still apply. For example, if you have an internet work written by an institutional author, the name of the institution and the work should be in small caps pursuant to Rule 15(c). Likewise, if you are citing an online journal article, the title of the article should be in italics pursuant to **Rule 16**.

Note: Rule 18 does not cover all electronic sources given the large number of such sources now available. Please consult the Managing Editor when a source does not appear to be covered by Rule 18 to ensure that all necessary information is included in the citation form and that certain citation forms are consistent.

Cases

For **unreported cases only**, please follow conventions for citation to Lexis or Westlaw versions of cases at **Rule 18.1.1**.

TABLES

The Tables may be the most helpful parts of *The Bluebook*. Consult **Table 1** to determine the appropriate parallel citations, the proper official code to cite, and the proper court references, both full and abbreviated.

The tables also discuss, among other things, how to cite old reporters. Both the United States Supreme Court and the Supreme Court of North Carolina, as well as some other state courts, originally printed their decisions in reporters published by private businesses. Rule 10.3.2 explains how these early reporters should be cited. The publisher's name and volume is given parenthetically if the reprint and the original reporter have identical pagination. If the pagination differs, the parallel citation form must be used.

Table 9 lists abbreviations for words that commonly appear in titles of legislative materials.

Table 10 lists proper geographical abbreviations, including state name abbreviations (many of which are different than ordinary state name abbreviations).

MISCELLANEOUS

- **Personal pronouns** should be avoided. Where necessary, authors should alternate between genders, rather than using phrases such as “he or she.” If an article discusses six hypothetical defendants, the first, third, and fifth should be female, and the second, fourth, and sixth should be male. Be careful not to alternate the gender until the “character” changes. However, if the author is particularly adamant about sticking with one gender, let him do so.
- **Spacing:** Always use two spaces after periods and colons.
- **Lists/Commas:** When sentences include lists (e.g., The American flag is red, white, and blue.), it is *Law Review* convention to include a comma before the “and.”
- “**Supreme Court of North Carolina**” is the proper way to refer to this court, not the “North Carolina Supreme Court.” There is more flexibility with the term’s usage as an adjective. For example, the “North Carolina Supreme Court library/judge” is perfectly appropriate. As for other states, find the official website and go with what the court (or legislature) calls itself. North Carolina’s appellate court is the “**North Carolina Court of Appeals.**”
- **N.C. Statutes:** We call the North Carolina laws the “General Statutes of North Carolina.”

- **“Smart” v. “Dumb” Quotes:** Pay particular attention to dumb quotes: " " when editing a piece. All quotes should be smart: “ ”. Editors should be especially careful when cutting and pasting quotes from another source into the text of their piece – quotations marks often paste in as "dumb quotes" as a default and must be manually changed to smart quotes.
- **Hyphenation:** Be on the look out for hyphenation errors and inconsistencies. CMS Rule 7.90 provides guidance for hyphenation of compounds, combining forms, and prefixes.
 - The *Law Review* follows the “traditional” rule for hyphenated word in headings (*Chicago Manual of Style* in 8.170).
 - “African American” or “Chinese American,” et cetera is NOT hyphenated, even if it is a compound modifier (*CMS* p. 304).
- **Abbreviations:** Whenever a term is abbreviated for the first time, it must be put in “quotes.” For example: These proposals attempt to realign the risks and responsibilities that institutions of higher education (“IHEs”) face vis-à-vis their students.
- **Punctuation:** We add a tilde to Peña in *Adarand Constructors, Inc. v. Peña* even though one does not appear in the U.S. Reports.