I. AN INTRODUCTION TO UPPER-LEVEL CITATION

The *Bluebook* directs legal practitioners to its first fifty pages or so, called the Bluepages, for guidance on citing within legal documents written either for a law firm or to be filed with a court; I will call these practitioner documents. The remainder of the *Bluebook* is designed to explain the citation rules in greater detail and to guide writers of journal articles, student notes and comments, and papers for law school classes; I will call these academic writing. This guide will provide you with a quick-reference manual to the main differences between legal citation for practitioner documents and legal citation for academic writing.

As you may recall, in practitioner documents—the briefs and memoranda you wrote for Basic Legal Skills—different rules apply for citations within a textual sentence and citations within a citation sentence. Analogously, in academic writing, different rules apply for citations within the text and citations in the footnotes or endnotes. Pay careful attention to this crucial distinction.

The front jacket of the *Bluebook* contains “quick reference” information specifically aimed at law review footnotes; this information applies to most academic writing. Please utilize the front jacket of the *Bluebook* to examine a few examples and to locate the appropriate rules in the main text of the *Bluebook*. Do not rely on the examples to the exclusion of reading the rules, however.

One final caution is necessary. Never rely on the citation form you see in any publication. That article or journal may have been perfectly cited under the 15th Edition of the *Bluebook*, but that was four editions ago. An article in perfect MLA style or some other commonly used convention is not in proper *Bluebook* form. If you cut and paste a citation from a source to use as a starting place, also consult your *Bluebook* to see what additional information you need to create a complete and proper citation to that source.

You should insert a footnote call number each time you recognize the need. Do not worry about perfect citation form right away, however, as you are likely to disrupt the flow of your writing. For an initial footnote, you may make do with just “Smith at 17” or “Jones article at 12.” Put enough information into the footnote that you will remember what source and what page within that source provided the inspiration for the text to be supported by the footnote. As you finish a section or reach a stopping point, go back and properly format the footnotes for that section.

Repetition of one key point is warranted: Create your own cites.
II. PLACEMENT OF CITATIONS

In practitioner documents, citations are provided within the text, either imbedded in textual sentences or in stand-alone citation sentences that immediately follow the textual sentences they support. Citations in academic writing generally appear in footnotes appended to the supported text.

If a footnote supports an entire sentence, its call number appears immediately after the end punctuation of the sentence. If, however, the footnote supports only a portion of the sentence, its call number comes within the sentence, immediately after the portion supported by the cite in the footnote. The call number follows a comma, semicolon, or period, if any; however, it comes before a dash or colon. In either situation, the footnote text must be a complete sentence, beginning with a capital letter and ending with a period.

Often a footnote will contain not only the citation that supports the main text but also one or more textual sentences related to the main text. The citations that support the text in the footnote can appear as citation clauses, if they support only a portion of the textual sentence in the footnote, or as citation sentences, if they support the entire textual sentence in the footnote.

To create a footnote, position the cursor at the desired location and click “References” then “Insert footnote” or “Next footnote.” Be cautious when deleting a footnote call number, because the accompanying material at the bottom of the page will also disappear. Numbering is automatic, so you can edit and move text freely without having to reorder all of your footnotes.

Read Bluebook Rule 1.1 for more detail about location of citations in academic writing. Another good source of information on this topic is chapter 9 in Bryan Garner’s Redbook.

III. TYPEFACE CONVENTIONS

In practitioner documents, only two typefaces are used—plain text and either italicized or underlined text. In academic writing, four typefaces are available—plain text, italicized, underlined, and large and small capitals. Underlining is disfavored, so italicize instead of underlining. Large and small capitals are not used by all law reviews, but the Northern Kentucky University Chase Law Review requires this font; you must, therefore, follow the Bluebook examples using large and small capitals.

A. Text

Most text in academic writing is plain text. Large and small caps are not used in main text and only the following are italicized:
• Case names
• Titles of publications, speeches, and articles
• Emphasized words within quoted material

B. Footnotes

Some typeface choices depend upon placement in footnote text or a footnote citation. Introductory signals, titles of periodical articles, procedural phrases within case names, “id.”, “supra”, “infra”, and introductory phrases for related authority are italicized wherever they appear, however.

Case Names

• In a footnote citation, use plain text for full case names, but italicize procedural phrases and short form case names.

  Smith v. Jones, 372 F.3d 811, 815 (2d Cir. 2007).
  Smith, 372 F.3d at 815.

• In footnote text, italicize a case name that is a grammatical part of the sentence within which it appears. Use plain text if the case name is not a grammatical part of the sentence but is merely within a citation clause imbedded in the sentence.

  In contrast, the Second Circuit in Smith held that . . .
  Although the Second Circuit declined to address this question, Smith v. Jones, 372 F.3d 811, 815 (1st Cir. 2007), the Third answered clearly that . . .

• Do not italicize a case name that appears within the title of a periodical article.

Books

• Use large and small caps for the author and title, regardless of whether the reference appears in footnote text or a footnote citation sentence. To change plain text to this font, highlight the text; click on the arrow at the bottom right corner of the “font” section of your toolbar; click “small caps” under “effects”; click “ok.”

• Short form citations to a book may be in “id.” or “supra” form, but “infra” may not be used to refer to a book.

Periodicals

• The author’s name is in plain text.
• The name of the periodical is in large and small caps. See under Books above for how to change text to this font.
• The title of the article is italicized.

Introductory Signals
In a footnote citation, italicize introductory signals that appear in citation sentences or clauses.

In footnote text, do not italicize a signal word that acts as the verb of the sentence.

**Explanatory Phrases and “Id.”**

In a footnote citation or within footnote text, italicize explanatory phrases and “id.”

**Punctuation**

In a footnote citation or within footnote text, italicize punctuation only when it is part of the italicized material, but not when it is just an element of the citation or the sentence within which it appears.

**Internal Cross References**

The words “supra” and “infra” are always italicized, but “hereinafter” is not.

Review Rule 10 and the inside of the front jacket of the *Bluebook* for further examples and references to specific rules that provide more information.

### IV. THE FIVE FOOTNOTE RULE

*Bluebook* Rule 10.9(a) provides: “In law review footnotes, a short form for a case may be used if it clearly identifies a case that (1) is already cited in the same footnote or (2) is cited (in either full or short form, including “id.”) in in one of the preceding five footnotes.” *Bluebook* p. 107. This same rule also applies to statutes, legislative materials, and regulations. *Bluebook* Rules 12.10(b), 13.8(c), and 14.4(c). No such rule applies to periodicals, books, or reports.

Other forms of legal writing have no equivalent to the “five footnote rule,” which is necessary in academic writing because footnotes generally appear at the bottom of each page of text (with anywhere from three to fifteen footnotes per page, depending upon the length of each footnote). However, you might want to avoid long strings of “id.” cites, because no reader is going to constantly flip back the pages of the article at hand to find the case referred to as “id.” for three pages. Use good judgment and provide enough information to keep the busy reader informed.

Read Rule 4.1, page 72, carefully for a good description of the proper use of *id.*

### V. THE USE OF SUPRA AND INFRA

When writing a practitioner document, you rarely have occasion to use the internal cross references “supra,” which refers back to material already
cited, or “infra,” which refers to material that will appear later in the piece. *Infra* has only one meaning and one use, to refer to something you will cover, but have not yet gotten to, in this document:

*See discussion infra* Part VI.

*Supra*, on the other hand, has two uses. One is as an internal cross reference to material already covered in this document:

*See supra* notes 3-9 and accompanying text.

The second use is as a short form to refer back to some types of legal authorities that have already been cited in full in the document:

- Legislative hearings, but not other legislative materials;
- Court filings;
- Books;
- Pamphlets, reports, and unpublished materials;
- Nonprint resources;
- Periodicals;
- Services;
- Treaties and international agreements; and
- Regulations, directives, and decisions of intergovernmental organizations.

Such a short form includes the last name of the author of the work being referred back to, a comma, the word *supra*, and any particular information necessary, usually a pinpoint citation following the word “at.”


Do not use *supra* when *id.* is appropriate. *Supra* may not be used to refer to cases, statutes, constitutions, legislative materials (other than hearings), restatements, model codes, or regulations.

If an authority would be “cumbersome” to cite with *supra* as usual due to a long name, you may create a special shortened form using “hereinafter.” Using this technique, assume your first footnote looked like this:


When citing to this same source later in the document, for example at footnote 15, you could cite it as follows:

Again, do not use “hereinafter” when a simple *supra* will suffice.

VI. QUOTATIONS

A quotation of fifty or more words should be indented left and right, single spaced, not enclosed in quotation marks, preceded and followed by a double space, and followed by a citation back at the left margin on the line following the double space. A properly indented and cited quote would look like the following:

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The footnote call number would usually appear at the end of the quote. The text would then continue on the next line or, if the quote ended a paragraph, the text would continue on the following line. Note that the internal quotation retains its original punctuation marks, even though it appears within a quote.

Remember, however, that long quotes are not favored; your reader expects you to read, digest, and explain the authorities yourself, not to provide huge quotes from those authorities and let the reader figure out what the court, legislature, or commentator meant.

Quotations of forty-nine or fewer words are merely set off from the text with quotation marks, such as “quote ‘quote’ quote.” The footnote call number would follow the closing quotation mark. Whenever you quote, you should provide a citation for the page on which the quote appears. Note that the quotation within the quotation is enclosed in single marks and that the end punctuation is inside the closing quotation mark, not outside.

Alterations within a quotation are usually indicated by bracketing whatever you have changed -- the case of a letter, a substituted word or letter, or an omission of letters from a word.

If you change the emphasis in a quote or omit citations or footnote numbers from it, include a parenthetical following the citation to explain what you did. Such a citation would look like one of the following examples:

_Id._ at 493 (emphasis added).

_Id._ at 493 (citations omitted).
When you are quoting material that contains a quote, you should always attribute the internal quote to its original source. So, the citation following the block quote at the top of this page should really look like this:

_Id._ at 493 (quoting _Smith_, 806 S.W.2d at 19).

This citation assumes that the _Smith_ case has already been cited in full earlier in the document. If it had not been, the parenthetical would contain a full cite to _Smith_.

Unless a quote is just of a few words or a phrase, omissions of one or more words from the quotation should be indicated by use of an ellipsis, which is formed by spacing before, after, and between three periods. However, never begin a sentence with an ellipsis. Use an ellipsis in the middle of quoted material to show that one or more words have been left out. Use an ellipsis at the end of a quoted sentence to show that the sentence continues beyond the part you have quoted. When you use an ellipsis at the end of a sentence, also include the end punctuation of the quote, usually a fourth period.

Although the _Bluebook_ permits you to use “[sic]” to indicate an error in the original, a less snide approach is to paraphrase instead of highlighting the quoted author’s mistake.

**VII. OTHER RULES THAT AFFECT TEXT**

Numbers between zero and ninety-nine should be spelled out unless the numbers are part of a series that also contains larger numbers, contain decimal points, refer to percentages or dollar amounts, or refer to section or other subdivision numbers. For larger numbers, you must use numerals unless the numeral would begin a sentence or is a round number like hundred or thousand. Rule 6.2(a).

The words “section” and “paragraph” must be spelled out if they begin a textual sentence. Otherwise, you may use the word or the symbol in text. However, in citation sentences, you always use the symbol, even when that symbol would start the citation sentence. Insert a space between the symbol and the numeral. Rule 6.2(c).

Capitalization in text is governed by Rule 8. The general rule is that you capitalize nouns that identify a specific person, group, or body. Frequently, you must also capitalize a word that modifies a capitalized word: the Commonwealth of Kentucky, the State of Ohio, and the Federal Constitution. Also capitalize the name of a court when naming the court in full, when referring to the United States Supreme Court even by less than its full name (“the Court held”), and when referring to a federal circuit even by less than its full name (“the Sixth Circuit held”).

Be aware of the proper titles of judges and justices. People who sit on
the highest court in a particular jurisdiction are justices; those who sit on lower courts are judges. Consult Rule 9 for more judge-etiquette rules.

VIII. PARENTHEticals

In text, parenthetical insertions are disfavored; setting an appositive off by commas is the preferred method of insertion. In citations, however, parentheticals provide much important information, starting with the date parenthetical and continuing with shortened names or titles, judge names, other-than-majority-opinion designations, and additions or deletions of citations, notes, or quotation marks.

In addition, explanatory parentheticals are invaluable to clarify either the relevance of the citation or the relationship of the cited authority to the proposition stated in the supported text. Whenever you think an explanation might be necessary, despite appropriate use of an introductory signal, provide a parenthetical. Explanatory parentheticals follow all other parentheticals but precede prior or subsequent history. Rule 1.5.

Another important function of an explanatory parenthetical is to identify an authority referred to by the primary authority being cited. Such parentheticals allow you to give proper credit to the originator of an idea, a quote, or a precedent. As discussed in the section on quotations above, when you are quoting a source that quotes an earlier resource, you must attribute the quote to its original source. Rule 1.6(c).

IX. SIGNALS

Signal use in practitioner documents is often quite limited. The authorities you cite in briefs and memoranda tend to directly support your propositions. You used see when a sentence compared the client’s facts to the authorities that generated your rule of law, and that one signal was all you needed. You may have gotten creative with an e.g. or an accord, but you probably could have written around those, if you had chosen to avoid them.

In academic writing, however, signals are essential. Your very purpose is to thoroughly research and describe some area of law and then to state and support a novel thesis that adds to the body of knowledge. Signals can indicate to a reader that a cited authority supports stated text, contradicts it, just provides background to it, or suggests a useful comparison.

Signals in academic writing will appear in footnotes, not main text. Signals used in citation sentences are italicized; words that appear to be signals can be used as verbs in textual sentences in footnotes and are not italicized when so used: See [cite to authority] for an example of a court admitting such evidence.

Rules 1.2-1.4 govern the type and order of signals, as well as the order of authorities within each citation sentence. These rules are too long to
summarize here, but you must learn and apply them to your work. For our purposes, be aware that whenever you are struggling to coordinate the wording of a textual sentence with the proper citation to supporting authority, a signal or an explanatory parenthetical may make the task easier.

X. NON-PRINT RESOURCES

Rule 18 governs citation of such sources and, again, this rule is too long to summarize here. Some general rules do apply, however. First, the *Bluebook* has a strong preference for citation to print versions of most sources. Second, commercial electronic databases are preferred over other Internet sources, which may be more transient and less reliable. While you have student access to Westlaw, Lexis, and Bloomberg Law use the commercial databases. Once you are paying, you can make greater use of the free resources available.

Rule 18.1 contains a comprehensive list of examples of proper citations to sources such as documents, websites, blogs, commercial databases, films, audio recordings, and podcasts. When an Internet source does not exist in print, Rule 18.2.2 provides information necessary to cite by author, title, date and time, and URL.

Joe Smith, *Citation Hero*, THE LAW SCHOOL EXPERIENCE, (May 11, 2013, 2:00 PM), http://www.lse.com/posts/123456789.html.

Confusion can set in when a source is available both in print and in some electronic version. Even if you accessed it electronically, if the source is authenticated, official, or an exact copy (a pdf, for example), you can cite simply as if you had accessed the print version. However, for convenience of cite-checkers and readers, append a citation to the electronic version after a comma and the words “available at.”

To refer back to a previously cited electronic source, use “id.” if no other cites intervene or “supra” if they do.

You should print or download copies of your electronic sources to allow you both to find them again, if necessary, and to preserve the information needed for a proper citation.

XI. USING AUTOCORRECT TO CREATE CITATION SHORTCUTS

You can create entries in your word processing program to make your citations easier and more consistently accurate and to remedy any common typing errors. Here are a few examples.

*When I Type This  Word Changes It to This*

To create such entries in Word, click on “File” then “Options,” then “Proofing,” which brings up “AutoCorrect Options.” Click on that for a dialog box that shows you the formatting and spelling items that the function automatically changes.

You should check these to make sure AutoCorrect is not creating any errors, such as “tortuous” when you type “tortious.” If you find any you want to delete, highlight them, click “Delete,” and then click “OK.” For correct citations, you must turn off both superscript numbers (6th should appear 6th) and automatic capitalization after a period (or you will run into problems with “id. at” citations).

To add an entry, type in your chosen shortcut under “Replace,” then tab over to “With” and type exactly what you want to come up when you enter that shortcut. Do not put a space after the “With” entry, because you have to space after you type your shortcut. Click on “Add” and “OK” to create your shortcut.

To check your creation, open a new document, type your shortcut, then hit the spacebar. Your replacement should appear.

XII. SELF-EDITING CHECKLIST

When you have a draft of a document completed, use the following checklist to locate common citation errors.

1. Review the text of your note; are all case names in main text italicized? They should be.

2. Again looking only at the main text, are all titles of publications, speeches, and articles italicized? They should be.
3. Still looking at main text, is anything else—other than an emphasized word contained within a quotation—italicized? It shouldn’t be.

4. In your main text, have you followed all Bluebook rules that affect text, such as Rule 6.2(a)-(d) on words that should or should not be spelled out, Rule 7 on italicizing for style, Rule 8(a)-(c) on capitalization, and Rule 9 about references to judges and justices?

5. Finally on the main text, is every sentence that lacks a footnote call number a roadmap or an original thought? It should be.

6. Do your quotations, wherever they appear, comport with Rule 5? The main problem areas are when and how to block quote, how to punctuate alterations and omissions, where to put the closing quotation mark, and lack of attribution for a quote within a quote.

7. Moving to the footnote citations, are all full case names in plain text and abbreviated properly? See Rules 10.2.1 and 10.2.2 on abbreviation and Table T6 for the full list of words to abbreviate. Although the table tells you that you “may” abbreviate words of eight letters or more under some circumstances, do not do it. Nothing requires it, and you can make mistakes following that discretionary rule.

8. Are all short form case names, internal cross references, “id.” cites, procedural phrases, and introductory phrases italicized wherever they appear? My advice is to only make a case name a grammatical part of your sentence if you have already cited that case. That way, you are not embedding full citations into your sentences as subjects or as objects of prepositions. Nor are you anthropomorphizing (Smith held . . ).

9. When you finish revising and editing, count the “id.” cites in your footnotes and apply the five-id. rule correctly. Do not worry about this rule until the last big edit of footnotes. Your counts may change more than once in the revision process.

10. Also after you finish revising and editing, double check footnote numbering and all internal cross references to make sure you are referring to the correct footnote.