

2004-2005 SPRING QUALIFYING TOURNAMENT

CITATION TIPS

I. FULL CITATIONS

- A. **Supreme Court Cases:** Always cite to the United States Reporter first. If not published therein, cite to the Supreme Court Reporter. (T.1, p.183.) Although the Supreme Court rules require parallel citation, competitors are not required to parallel cite for purposes of this brief.
1. When referring to a case in text, there are two options:
 - a. In Walker v. Birmingham, 388 U.S. 307, 343-44 (1967), the Supreme Court held that it might have jurisdiction to render judgment in equity.
 - b. In Walker v. Birmingham the Supreme Court held that it might have jurisdiction to render judgment in equity. 388 U.S. 307, 343-44 (1967).
 - c. **NOT:** In Walker v. Birmingham, 388 U.S. 307 (1967), the Supreme Court held that it might have jurisdiction to render a judgment in equity. Walker v. Birmingham, 388 U.S. 307, 343-44 (1967).
 - d. **NOT:** In Walker v. Birmingham, 388 U.S. 307 (1967), the Supreme Court held that it might have jurisdiction to render a judgment in equity. Walker, 388 U.S. at 343-44.
 2. At the end of a sentence that states a legal proposition or holding:
Walker v. Birmingham, 388 U.S. 307, 343-44 (1967).
- B. **Federal Courts of Appeals Cases:** Always include the circuit from which the case derives.
1. A(1) above applies to all case citations, not simply Supreme Court cases.
 2. Phillips v. Western Co. of North America, 953 F.2d 923 (5th Cir. 1992).
- C. **Federal District Court Cases:** Always include the district from which the case derives.
1. United States v. Eller, 114 F. Supp. 284 (M.D.N.C. 1953).
 2. The above is appropriate if you are naming the case generally before referring to specific facts or legal conclusions. However, if you are citing the case for a particular holding, fact, or legal proposition, you must include a pinpoint citation.
- D. **Statutes:**
1. Named Statutes: Administrative Procedure Act § 1, 5 U.S.C. § 551 (1994).
 2. U.S. Code Provisions: 42 U.S.C. § 1983 (1994).
- E. **Note: pay close attention to proper spacing, proper period placement, and underlining.**

II. SHORT FORMS

***These short forms correspond to the full citations listed above

A. Supreme Court

1. In textual sentence: The Court in Walker held that it did in fact have authority to render judgment in equity. 388 U.S. at 344.
2. After textual sentence: The Supreme Court ultimately held that it did in fact have authority to render judgment in equity. Walker, 388 U.S. at 344.

B. Federal Courts of Appeals

1. Phillips, 953 F.2d at 926.
2. Notice that the circuit, year, and initial page number information is not included.

C. Federal District Courts

1. Eller, 114 F. Supp. at 288.
2. Jones, 601 F. Supp. 2d at 312.

D. Statutes

1. In text:
 - a. section 1 of the Administrative Procedure Act; *or* section 1.
 - b. 42 U.S.C. § 1983; *or* § 1983
2. At the end of a textual sentence:
 - a. 5 U.S.C. § 551; *or* Administrative Procedure Act § 1.
 - b. 42 U.S.C. § 1983; *or* § 1983 (**note:** there is no difference in form between this short form citation and the short form citation in text)
3. See Rule 12 and specifically the table on p. 90.

III. Id.

- A. ALWAYS underline the period in Id.
- B. NEVER id. to statutes.
- C. Id. is only appropriate when it refers to the same case appearing in the immediately preceding citation. If your immediately preceding citation is a string cite (i.e. cites to more than one case), id. is *not* appropriate and you must use one of the short forms referred to in part II above. (R. 10.9.) This is so because it does not make clear to the reader which of the string cited cases the id. refers to.
- D. Examples:
 1. (Textual sentence). United States v. Montoya de Hernandez, 473 U.S. 531 (1985). (Textual sentence). Id. at 537-38. (Textual sentence). Cal. Bankers Ass'n v. Shultz, 416 U.S. 21, 62 (1974); United States v. Martinez-Fuerte, 428 U.S. 543, 557 (1972). (Textual sentence). Shultz, 416 U.S. at 62.
 2. **NOT:** United States v. Montoya de Hernandez, 473 U.S. 531 (1985). (Textual sentence). Id. at 537-38. (Textual sentence). Cal. Bankers Ass'n v. Shultz, 416 U.S. 21, 62 (1974); United States v. Martinez-Fuerte, 428 U.S. 543, 557 (1972). (Textual sentence). Id.

IV. SIGNAL USE

- A. In general, limit the use of signals you use.
- B. However, if you elect to incorporate signals, review Rule 1.2 and adhere to the following basic criteria:

1. if you include a signal, you must also include an explanatory parenthetical.
 2. explanatory parentheticals must begin with a gerund (e.g. holding, stating, explaining, articulating, criticizing, etc.)
 3. a period always follows on the outside of the explanatory parenthetical.
- C. **Note:** Signals are *not* appropriate if you are citing a direct proposition for a case. In that situation you would simply cite the case immediately following the textual sentence.

V. OTHER GENERAL TIPS

- A. If you plan to cite more than one case to support a single proposition (i.e. string cite), the cases should be listed in reverse chronological order. In other words, lead with the most recent case.
- Example:** Classifications based on race are subject to strict scrutiny. Jack v. Coal Mining Co., Inc., 123 U.S. 381 (1987); Doe v. United States, 452 U.S. 103 (1961); Karr v. Sara Creek Property Co., 966 F.2d 273 (7th Cir. 1950).
- B. Review T.1 for information on listing cases in order of priority. As a rule, Supreme Court cases are always listed first if applicable, then federal circuit court cases, then federal district court cases, then state cases.
- C. When a case name is used as part of a textual sentence, it should be written out in full according to Rule 10.2.1. When it appears as part of a citation, it should be further abbreviated according to Rule 10.2.2.
- Example:** In Southern Pacific Co. v. Jensen, 244 U.S. 205 (1917), Justice McReynolds stressed the value of uniform laws.
- But:** The Supreme Court has stressed the importance of uniform laws. S. Pac. Co. v. Jensen, 244 U.S. 205, 225-26 (1917).
- D. Do not abbreviate “United States” (R. 10.2.2)
- E. Include pinpoint page references when citing to a specific proposition or holding.
- F. When citing to the record of the facts, cite as follows: (R. at **). Refer to Practitioners’ Notes 7 (blue pages at beginning of BB) regarding when the period should fall inside or outside of the parentheses.