

# IOWA LAW REVIEW

## VOLUME 111 CONVENTIONS & STYLE GUIDE

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## **VOLUME 111 INTERIM CONVENTION**

### **1. Bluebook Edition**

- Volume 111 of the *Iowa Law Review* will use the 21st Edition of the Bluebook. Some Rules may be adopted from the 22nd Edition for use in a particular piece if those Rules are relevant and necessary for that piece (e.g., AI sources) with the approval of the Senior Managing Editor and Editor in Chief.
- If a Rule is adopted for a piece from the 22nd Edition, it will only be applied for that specific piece. Where use of a Rule from the 22nd Edition is approved by the Senior Managing Editor and Editor in Chief prior to the Authority Check, the relevant parts of the Rule will be reproduced in the Issues Resolved for that piece.

## **CONVENTIONS: ABOVE THE LINE**

### **1. Case Citation Above the Line**

- If a case is cited above the line, it must still have a full citation below the line. A reporter volume number should never begin a case citation.

### **2. Spelling and Language**

- Use [Merriam-Webster Dictionary](#) for spelling.
- When there is more than one way to spell a word, the word listed in the heading in Merriam-Webster (not the variation) is the correct spelling.
  - Example: “toward” NOT “towards”
- With limited exceptions, use “although” not “while” to start a sentence.
  - Use “while” when referring to a time period, activity, or duration, e.g., “Although it is typical to AC each Monday and Thursdays, there are exceptions.” vs. “While ACing an article one Monday, I started to feel tired.”

### **3. Capitalization**

- Capitalize “Note” and “Article” when the author refers to their own piece.
  - The same goes for “Part,” “Section,” and “Subpart.” Also, capitalize “Part,” “Section,” or “Subpart” when followed by the number of the “Part,” “Section,” or “Subpart.”
  - Example: “In this Part, I will discuss many things. Section II.A discusses the Bluebook.”
    - **But:** “This Article proceeds in three parts.”
- In titles:
  - See Bluebook Rule 8 for capitalization conventions.
  - Remember to capitalize verbs like “Be” and pronouns like “It.”
  - Do not capitalize the word “to” when used in the infinitive.
  - Capitalize the word “to” when used as an adverb.

### **4. Commas**

- Always use an Oxford/serial comma with lists.
  - E.g., “The note, article, and response.” **NOT** “The note, article and response.”
  - **EXCEPTION:** The one exception is when an ampersand (&) is used instead of “and” with author names. *See* Bluebook Rule 15.1(b) (More than two authors).
- A comma should be placed before a conjunction in compound sentences. With rare exceptions for style and clarity, no comma should go before a conjunction if the second clause is a dependent clause (i.e. does not express a complete thought).
  - E.g., “ILR is a great journal, and it publishes only interesting articles.” “ILR is a great journal and publishes only interesting articles.”
- It is not necessary to add an Oxford comma to a quote.

## 5. **Numerals**

- In textual sentences above and below the line, refer to Bluebook Rule 6.2(a), which says to spell out numbers from one to ninety-nine, and spell out round numbers like one hundred, two thousand, etc. If a textual sentence uses decimals, nearby numbers may be formatted as digits for visual consistency.
  - E.g., twenty-five, thirty-eight, forty-two, fifty-seven, sixty-one, seventy-four, eighty-three, ninety-six, etc.
  - Spell out “zero.”

## 6. **Singular v. Plural Possessives that End with an “S”**

- Singular possessives that end with an “S” should be followed by an apostrophe “s.”
  - E.g., Congress’s
- Plural possessives that end with an “S” should only be followed by an apostrophe.
  - E.g., The footnotes’ errors

## 7. **Hyphenating Words**

- If unsure whether a word is hyphenated (e.g., words with prefixes like nonexistent or non-existent), check Merriam Webster.
- Compound adjectives that come *before* the noun are typically hyphenated unless one of the words is an adverb. Adverbs often end in “ly,” or check Merriam Webster if unsure. Compound adjectives after the noun typically are not hyphenated.
- When in doubt, reference the [Chicago Manual of Style](#) [Hyphenation Table](#) for guidance.

## 8. **Defining References**

- Always use quotation marks within a parenthetical when defining a term or creating a short-hand reference.
  - Example: The *Iowa Law Review* (“ILR”) is one of the nation’s finest legal periodicals.
- This should only occur once per piece, including footnotes. After a term is defined or a short-hand reference is made, use throughout the piece.

## 9. **Lists & Subparts**

- Always use numbered lists, not alphabetic lists.
- When using a numbered list/series, there must be a parenthesis on each side of the number.
  - Example: (1) the dog; (2) the cat; and (3) the catdog

## 10. **Student Author Name**

- Student writers must spell their names on their student notes exactly as they appear on the masthead.

## **11. Author Footnote**

- Use “\*” to reference author footnotes, rather than “†”. If there are two authors, use “\*” for the first author and “\*\*” for the second author.

## **12. Headings**

- Label headings in the following order:

### I. FIRST LEVEL HEADING

#### A. SECOND LEVEL HEADING

- 1. Third Level Heading
- i. Fourth Level Headings*
- a. Fifth Level Headings

- The introduction and conclusion are labeled as First Level Headings.
- Appendices are labeled as First Level Headings. Sub-headings within appendices follow the same heading order as the main body.

## **13. Table of Contents Numbering**

- The Introduction and Conclusion are not numbered. The numbering of the Parts and Sections will begin at the Part following the Introduction.
  - This is particularly important ATL in the introduction section and for internal citations.
  - Example:

INTRODUCTION.....	103
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## **14. Substantive Changes to Above-the-Line Text During ACs**

- You need to check with editors/the author before making substantive changes. Substantive changes are those that alter the meaning or the voice of the passage.

## **15. Omission of Words at the Beginning or End of a Quote**

- Words that appear at the beginning or end of quoted sentences must be included inside the quotation marks so long as they are a natural part of the quoted sentence or phrase. Example:
  - Source cited to says:

- At common law, forfeitures of the property of criminals were justified on the ground that property was a right derived from society which one lost by violating society's laws.
- Sentence being ACed says:
  - These common law forfeitures incident to criminal offenses, which were early predecessors of today's criminal forfeitures, were "justified on the ground that property was a right derived from society which one lost by violating society's laws."
    - In this sentence, "were" is a part of the phrase quoted so it needs to be placed inside the quotation marks.
  - On the other hand, if the sentence being ACed says:
    - These common law forfeitures "were justified on the ground that property was a right derived from society which one lost" by virtue of the criminal conduct.
    - Here "by" is not a natural part of the quoted phrase, it's the beginning of its own phrase. Thus, it does not need to be placed inside the quotation marks.
- Relatedly, quoted material that can stand alone as an independent clause will need ellipses if the quoted material stops short from the source sentence's actual ending. If the material would not stand alone as an independent clause, a period may be inserted in lieu of an ellipsis.
  - Example: Loss of one's property rights after breaking the law is not a new concept, as "forfeitures of the property of criminals were justified on the ground that property was a right derived from society\_\_\_"
    - **NOT:** Loss of one's property rights after breaking the law is not a new concept, as "forfeitures of the property of criminals were justified on the ground that property was a right derived from society[.]"
    - **BUT:** Loss of the rights to one's property after breaking the law is not a new concept, as such ownership "was a right derived from society."

## **16. Spacing Between Sentences**

- There should only be one space between a sentence's final punctuation and the first word of the subsequent sentence.
- Note: The easiest way to ensure that this convention is met is to "command (or ctrl) find" for two spaces and delete any excess spaces.

## **17. Use of "United States" v. "U.S." and Other Common Country and International Groups**

- Spell out “United States” and other common international groups, such as the “United Nations,” if used as a noun or object.
  - Examples of use as noun or object: The United States has three branches of government. In the United States, there is a presidential election every four years. The United Nations is an international governmental organization. The European Union does not have voting rights at the United Nations.
- Abbreviate United States as “U.S.” when used as an adjective. Abbreviate common international groups similarly when used as an adjective.
  - Examples of use as adjective: U.S. Government, U.S. judicial system, U.N. resolution, E.U. Member

## **18. Syllabus of Cases / Abstracts of Periodicals**

- Do not cite to the syllabus/summary/etc. of cases. The pincite must come from the opinion itself.
- The same rule applies for abstracts of periodicals. Do not cite to the abstract of periodicals. The pincite must come from the main text of the article.

## **19. Percent vs. %**

- Spell out “percent,” unless the percent sign is included in a quote.
  - Example: There has been a nineteen percent increase in law student enrollments. Last year, “only 10% were women.”
- When decimals are used, the percent sign may be used for consistency, with Senior Managing Editor approval.

## **20. Centuries**

- Always spell out the numbers when referring to a specific century, regardless of ATL convention 5. However, it is not necessary to change if included in a quote.
  - Example: He was born in the nineteenth century. She, however, “was born in the 21st century.”

## **21. Gender Pronouns**

- When gender is unknown or when referring to a generic person, the *Iowa Law Review* encourages rewording to avoid gender OR using “they/them” instead of “he or she”/ “his or hers.”
  - Example: If a person is born between 1981 and 1996, they are considered a millennial.

## **22. Race & Ethnicity**

- Capitalize the following terms as listed:
  - African American or Black
    - The “B” in “Black” is always capitalized.
    - “African American” is not hyphenated.
  - Asian or Asian American
    - “Asian American” and similar terms should not be hyphenated.
  - American Indian or Alaska Native

- “American Indian” and similar terms should **not** be hyphenated.
- White
  - The “W” in “white” is **not** capitalized.
- Latino/a/x/e
  - When gender is unknown or when referring to a generic person, utilize either Latinx or Latine (either usage should be consistent throughout).

### **23. Inclusive Language**

- For guidance on disability inclusive language and guidance when citing materials, see Appendix 1.

## **CONVENTIONS: BELOW THE LINE**

### **1. Alphabetizing by Title**

- When alphabetizing by title, disregard the following words as the first word of a title:
  - “A”
  - “An”
  - “The”

### **2. Signals**

- Need a pincite:
  - Every signal except *see generally*
- Need a parenthetical:
  - *See also*
  - *Cf.*
  - *Compare . . . [and] . . . with . . . [and] . . .*
  - *But cf.*
  - *See generally*
    - A *see generally* signal will not require a parenthetical if the above-the-line text sufficiently describes the usage of the cited source and would serve the same purpose as a parenthetical.
- *See, e.g.*, does not require more than one citation.
- *See also generally* should never be used as a signal.

### **3. Signals in Textual Sentences**

- When any signal is used in a textual sentence, do not italicize the signal and omit the parenthetical in lieu of the sentence’s description of the citation.
  - Example: For some examples of scholarship arguing in favor of a purposivist approach to tax law interpretation, see generally Noël B. Cunningham & James R. Repetti, *Textualism and Tax Shelters*, 24 VA. TAX REV. 1 (2004).
  - See Bluebook Rule 2.2(b) (Footnote text) for typeface in textual sentences below the line.

### **4. String Citations in Textual Sentences**

- When string citations are used in a textual sentence in a footnote:
  - Use semicolons to separate the citations;
  - Use “and” to separate the penultimate and last citation;
    - Example: For examples of recent leading works on the two sides of the debate, see generally DAVID HEALY, PHARMAGEDDON (2012); and THOMAS P. STOSSEL, PHARMAPHOBIA (2015).
  - Do not italicize the signals;
  - The words “*infra*” and “*supra*” should remain italicized; and
    - Example: For further discussion of drug marketing and advertising, see *infra* Section IV.B.
    - Example: As noted above, see *supra* notes 77–79 and accompanying text, there is a statutory provision that authorizes

the PTO to request information with respect to drugs from the FDA, see 21 U.S.C. § 372(d), but it has not been used very often, see Darrow, *supra* note 47, at 402–03.

- Italicize case names.
  - Example: For an overview of the facts, see *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 427–28 (2007).
- See Bluebook Rule 2.2(b) (Footnote text) for typeface in textual sentences below the line.

## 5. URLs

- Do not omit “http://” or “https://” from the beginning of a URL.
- Omit the final slash (“/”) in a URL, unless its omission makes the link nonfunctional.
- Remove hyperlinks from URLs.
- Do not use short URL addresses that authors often provide. Instead use the long URL address that appears in the URL box on your search engine.
  - Example: Do not use <http://bit.ly/2Eka8jf>. Instead, use <https://www.businessinsurance.com/article/20090506/NEWS/200016128>.
- Do not use tracking URLs that authors often provide. Instead, use the simplest URL with identical content.
  - Example: Do not use:  
[www.iowalawreview.edu/articles?utm\\_campaign=ExampleCampaign&utm\\_content=image&utm\\_source=email](http://www.iowalawreview.edu/articles?utm_campaign=ExampleCampaign&utm_content=image&utm_source=email).
    - Instead, use [www.iowalawreview.edu/articles](http://www.iowalawreview.edu/articles).
- Use permalinks for sources where an internet URL is included which is not paywalled. For paywalled sources, a copy should be saved to the SharePoint as “Author Last Name\_Title\_FN [Footnote #]” and (on file with the *Iowa Law Review*) should be used in place of the permalink.
  - Note: According to Bluebook Rule 18.2.2(c), it is not necessary to include a “last visited” parenthetical when a permalink or on file with the *Iowa Law Review* is inserted after the URL.
  - Example: Matt Dumiak, *It Passed: The California Consumer Privacy Act of 2018*, COMPLIANCEPOINT (June 29, 2018), <http://www.compliancepointblog.com/ccpa/passed-california-consumer-privacy-act-2018> [<https://perma.cc/8WCH-4XTQ>].
  - Example: Ben Blatt, *Eclipse's Path is Also Leaving a Trail of High Hotel Prices*, N.Y. TIMES (Apr. 4, 2024, 2:36 PM), <https://www.nytimes.com/2024/04/04/upshot/eclipse-hotel-prices.html> (on file with the *Iowa Law Review*).
- If the URL originally cited is outdated, find an active link to the same page. If needed, use the Wayback Machine as the URL, with a permalink to that Wayback Machine URL.
- Do not include URLs which link to university library access portals which readers may not have access to.
  - For example, any URL link which includes uiowa.edu which links to the University's library portal should not be included in citations.

## **6. Last Updated in Internet Citations**

- If the website has both an original publication date and a last updated date, use the last updated date where the date is normally located in an Internet citation.
- If the website only has a last updated date, but the date clearly refers to the material cited, use that date where the date is normally located in an Internet citation.
- If the website has no clear publication date, indicate the date in a parenthetical after the URL. This usually occurs with government or organization websites.
  - Example: *Financial Conflict of Interest*, NAT'L INSTITUTES OF HEALTH, <https://grants.nih.gov/grants/policy/coi/index.htm> (last updated Jan. 10, 2020).

## **7. Main Page Titles in Internet Citations**

- Cite internet main page titles according to Rule 18.2.2(b)(I) and T13; i.e., omit the words “a,” “at,” “in,” “of,” and “the” (but retain the word “on”).
  - However, retain the word “of” in geographical expressions such as “City of” and “State of.”
  - Example: U.S. DEP'T LAB.
  - But: CITY OF DALLAS not CITY DALLAS
- Main page titles should be written as they appear at the top of the page, even if abbreviated. But write out the unabbreviated name for organizations that are not well-known or if it is potentially unclear what the abbreviation stands for.
  - Example: NPR not NAT'L PUB. RADIO
  - Example: ASPCA not AM. SOC. FOR PREVENTION CRUELTY TO ANIMALS
  - Example: ABC7 EYEWITNESS NEWS not ABC7
  - Example: CTR. FOR AM. PROGRESS not CAP
- Abbreviations in website main page titles should be in large capitals even where they appear in all lowercase on the website’s main page.
  - Example: NPR not npr.

## **8. Citing to Wikipedia**

- The *Iowa Law Review* does not view Wikipedia or similar user-edited sites as consistently reliable sources for substantive information. This is because of the ease with which any person can adjust or add materials to these sites’ posted articles, as well as the inability of the *Iowa Law Review* to verify the origin of the posted material. An author may cite to Wikipedia or a similar user-edited site if the author is discussing that site substantively.

## **9. Author Biographical Footnote**

- Nonstudent authors should contain at least their title and institution.
  - \*Professor of Law, The University of Iowa College of Law.

- To ensure uniformity among student author's footnotes, all such footnotes must conform to the following style:
  - \*J.D. Candidate, The University of Iowa College of Law, 2017; B.A., The University of Iowa, 2009.
- The designation must be "J.D. Candidate," unless the student will graduate prior to publication of their Note.

#### **10. Punctuation in Titles**

- Punctuation that is in the title of articles, books, etc., should remain in the title in our citations.
  - Examples:
    - John Czarnetzky, *Time and Uncertainty: How Do They Impact the Law of Corporate Reorganization?*, 67 FORDHAM L. REV. 2939, 2942 (1999).
    - Elizabeth Heffernan, *Chasing the Internship Promise: "It Will Be Good For You,"* 102 IOWA L. REV. 1757, 1763 (2017).

#### **11. PowerPoint Citations**

- Cite PowerPoint presentations as follows:
  - Stacey A. Tovino, PowerPoint Presentation Keynote Address at 11th Annual Beazley Symposium on Health Law & Policy, Patient Privacy: Problems, Perspectives, and Opportunities, at slides 24–26 (Nov. 10, 2017), *available at URL* [permalink].

#### **12. Parts & Sections**

- When citing Part and Section ranges in an internal cross reference, a period should appear right after the en-dash.
  - Example: Sections IV.B–C
- Use "Part" only when the first subpart is cited. Use "Section" when additional subparts beyond the first subpart are cited.
  - Example: Part IV, but Section II.B.2.

#### **13. Year Ranges**

- When citing material that spans more than one year, retain all digits of both years (i.e., do not drop repetitious digits as we would for case and periodical page ranges).

#### **14. Statute Ranges**

- When citing material that spans more than one section of a statute, retain all digits of the section number (i.e., do not drop repetitious digits as we would for case and periodical page ranges).
  - Example: 42 U.S.C. §§ 9601–9675 (2012).

#### **15. United States Code Date**

- Citations to the U.S. Code require a date. Cite to 2018 for current U.S. Code provisions, unless the author is intentionally citing to a different year.

#### **16. Statute Year**

- The first time that a piece cites a statute, the year must be included (*see* Bluebook Rule 12.3.2). State statute years should be included unless short citing to the statute within the previous five footnotes. The U.S. Code year should only be listed once.

## **17. Short Cites for Statutes**

- When citing a statute that is directly proceeding a footnote, and the proceeding statute has the same title number, use *id.* even if the statute section changes.
- When short citing a statute where *id.* is not applicable, include the title, chapter, or volume number, but remember to omit the year.
  - Example 1: 15 U.S.C. § 1023 (2018).
  - *Id.* § 1025.
  - 20 U.S.C. § 45.
  - Example 2: DEL. CODE ANN. tit. 28, § 1701 (1999).
  - REPORT ON HEALTH, NAT'L INSTITUTES OF HEALTH 4 (2011).
  - tit. 28, § 1701.

## **18. Author Initials**

- Do not include a space between an Author's initials if the Author uses initials rather than his/her first and middle names (regardless of whether there is a space between the initials on the title page of the source). This convention also applies to above-the-line text.
  - Example: A.J. Smith, NOT A. J. Smith

## **19. Parentheticals Starting with the Word “Stating”**

- When a parenthetical starts with the word “stating” and the text following the word “stating” is a quote that constitutes a full sentence, delete the word “stating” and treat the parenthetical as if it is just quoting the full sentence.
  - Correct: (“[T]here are more mayors of Rockville, Maryland, than there are mayors of Detroit.”).
  - Incorrect: (stating “there are more mayors of Rockville, Maryland, than there are mayors of Detroit”).

## **20. Textual Paragraphs**

- When there are multiple textual paragraphs below the line, indent each successive textual paragraph. However, do not indent the text that accompanies the physical footnote number (i.e., the first paragraph).

## **21. Available at**

- For consistency and clarity, we are no longer using “*available at*” in citations.

## **22. Et al.**

- List *all* authors when first citing the source (if 5 or fewer authors). When cross referencing, use the first author's last name followed by “*et al.*” only if three or more authors are listed. Otherwise, list all author

last names when cross referencing. If six or more authors are listed in first cite, you may use “et al.”

- Example: Laura Dern, Jennifer Aniston & Renee Witherspoon.
- Example: Dern et al., *supra* note 19, at 27.
- Example: N. William Hines & Willard R. Boyd.
- Example: Hines & Boyd, *supra* note 37, at 109.
- When required by Bluebook Rule 15.2, list all editors unless six or more are listed, in which case, you may use the first editor’s last name followed by “et al.”
- For sources cited under Bluebook Rule 17 (Unpublished and Forthcoming Sources), this convention applies.

### **23. “See text accompanying note X” vs. “See note X and accompanying text”**

- “See text accompanying note X” should be used when the author refers solely to text located elsewhere in the piece.
- “See note X and accompanying text” should be used when the author refers to the material in footnote X as well as the text to which the footnote is attached.

### **24. Docket Numbers**

- Always use hyphens for all docket numbers, not en-dashes.

### **25. Unreported Cases**

- Should be cited to Westlaw
  - *Jorgenson Forge Corp v. Illinois Union Ins. Co.*, No. 13-cv-01458, 2014 WL 12103362, at \*3 (W.D. Wash. June 17, 2014).
  - **NOT:** *Jorgenson Forge Corp. v. Ill. Union Ins. Co.*, 2014 U.S. Dist. LEXIS 193585, at \*9 (W.D. Wash. June 17, 2014).
- Westlaw and Lexis pincites are NOT interchangeable.
  - When an author cites to a Lexis piece and we look to change that cite to a WL cite for uniformity, check the actual document on WL to update the pincite accordingly (Lexis’s pages are shorter).
- Generally follow the following format:
  - Omit Judge’s initials if they appear at the end of the docket number
  - Omit the number and colon preceding the year
  - Lowercase “cv”
    - Examples:
      - *J. Lilly, LLC v. Clearspan Fabric Structures, Int'l, Inc.*, No. 18-cv-01104, 2018 WL 4773545, at \*3 (D. Or. Oct. 2, 2018)
      - **NOT:** *J. Lilly, LLC v. Clearspan Fabric Structures, Int'l, Inc.*, No. 3:18-CV-01104-JE, 2018 WL 4773545 (D. Or. Oct. 2, 2018)
- Docket documents cited under Bluebook Rule 10.8.3 (Briefs, Court Filings, and Transcripts) should be abbreviated according to T6.

### **26. Parenthetical Alterations and Omissions**

- Alterations to quoted parentheticals are called out inside the original parenthetical (after the quoted sentence) before the parenthetical is closed.
  - Example:
    - Correct: (noting that “[d]ogs are not [c]ats” (alteration in original)).
    - Incorrect: (noting that “[d]ogs are not [c]ats”) (alteration in original).

## **27. Punctuation Alterations and Omissions in Quotes**

- Insert an empty bracket (“[]”) when omitting a comma, apostrophe, or other form of punctuation from a quote.

## **28. Primarily Online Journals**

- For online journals where the articles: (1) all start with page one; and (2) only or primarily exist online, the article should be cited as a paginated website as described in Bluebook Rule 16.8(b) (Internet and online sources) and demonstrated in Bluebook Rule 18.2.2(f) (Document format).

## **RELEVANT REDBOOK RULES**

### **1. Citing Page Ranges**

- When citing material spanning more than one page, provide the inclusive page numbers separated by an en-dash, not a hyphen. (Redbook Rule 1.55(a)).

### **2. Numbers**

- Note: we no longer follow the Redbook for numbers.
- Please refer to Bluebook Rule 6.2(a), which says to spell out numbers from one to ninety-nine, and spell out round numbers like one hundred, two thousand, etc.

### **3. Em-Dashes**

- Double hyphens should be converted to em-dashes, and spaces on either side of an em-dash should be deleted (Redbook Rule 1.51 & 1.52).

### **4. Quotation Marks**

- Use the curly quotation marks; never use straight quotation marks. (Redbook Rule 1.29).

### **5. Lists**

- Lists should be introduced with colons and list items should be separated with semicolons (Redbook Rule 1.24).

### **6. Phrasal Adjectives**

- If two or more words, operating as a phrase, come *before* a noun they describe, they should be hyphenated. (Redbook Rule 1.60).
  - Example: A third-year associate is handling the case.
  - For clarification see:  
[http://www.chicagomanualofstyle.org.proxy.lib.uiowa.edu/16/cho5/cho5\\_sec091.html?sessionId=d953abbf-4912-4ad7-b837-a124ff51bd2c](http://www.chicagomanualofstyle.org.proxy.lib.uiowa.edu/16/cho5/cho5_sec091.html?sessionId=d953abbf-4912-4ad7-b837-a124ff51bd2c).

### **7. En-Dashes for Words of Equal Weight**

- Use an en-dash to join two terms of equal weight (Redbook Rule 1.57).
  - Example: The Taft–Hartley Act; attorney–client privilege.

## **LESS COMMON (BUT IMPORTANT) BLUEBOOK RULES**

### **1. Old U.S. Cases**

- For U.S. Supreme Court reporters through 90 U.S. (23 Wall.), give the name of the reporter's editor and volume of that series. (Bluebook Rule 10.3.2).
  - *Foster v. Neilson*, 27 U.S. (2 Pet.) 253, 313–14 (1829).
- Citations to F. Cas. (i.e., U.S. District Court cases from 1789–1880) should give the case number parenthetically (Bluebook T1).
  - *Ex parte McKEAN*, 16 F. Cas. 186 (E.D. Va. 1878) (No. 8848).

### **2. Periodical Volume Numbers**

- If the periodical has no volume number but is nonetheless consecutively paginated throughout each volume, use the year of publication as the volume number and omit the parenthetical reference to the year (Bluebook Rule 16.4).
  - Example: Bruce T. Atkins, Note, *Trading Secrets in the Information Age: Can Trade Secret Law Survive the Internet?*, 1996 U. ILL. L. REV. 1151, 1182–83.

### **3. Prior and Subsequent History**

- If a subsequent disposition occurred in the same year as the primary citation, omit the year from the primary citation's parenthetical (Bluebook Rule 10.7.1).
  - Example: *Herbert v. Lando*, 73 F.R.D 387 (S.D.N.Y.), *rev'd*, 568 F.2d 974 (2d Cir. 1997).

### **4. Court and Jurisdiction**

- Omit the jurisdiction and the court abbreviation if unambiguously conveyed by the reporter title (Bluebook Rule 10.4).
  - Example: *DiLucia v. Mandelker*, 493 N.Y.S.2d 769 (App. Div. 1985).
    - **NOT**: *DiLucia v. Mandelker*, 493 N.Y.S.2d 769 (N.Y. App. Div. 1985).

### **5. Use of "In re" and "ex rel."**

- When "In re" follows a signal or semicolon, capitalize the "In" in "In re" (i.e., "In" is always capitalized)
  - Example: *See In re Stephan Co.*, 868 F.3d 1342, 1345–46 (Fed. Cir. 2017); *In re Mageli*, 470 F.2d 1380, 1384 (C.C.P.A. 1973).
  - Separately, "ex rel." translates to "on the relation of" and should be interpreted literally as "on behalf of." As such, do not indiscriminately put the first name in the caption before *ex rel.*
    - If the caption reads, for example, "GP, minor child BY AND THROUGH her Mother, JP v. Lee County School Board," the proper citation caption is: "JP *ex rel.* GP v. Lee Cnty. Sch. Bd."

- The name/initials of the person who garners standing for the action (but cannot bring it themselves) proceeds “*ex rel.*”

## **APPENDIX 1: DISABILITY INCLUSIVE LANGUAGE**

- When describing people with disabilities the phrases: feebleminded, cripple, moron, mentally deficient, mentally retarded, and handicapped should not be used. These are all words that have historically contributed to feelings of stigmatization and discrimination against people with disabilities.
- Often, quoted material uses the above antiquated phrases. In cases where the quoted material uses one of the above terms or phrases, it is preferable to paraphrase the quote rather than supply the directly quoted material in the body or footnotes of the piece. Obviously, this is not always feasible, but please err on the side of not using those phrases where possible.
- Do not use euphemisms like “differently abled” or “special needs” where possible. Many education statutes and related laws use these euphemisms, and they cannot be avoided in every instance. As with the antiquated phrases, err on the side of not using euphemisms for disability where possible.
- Avoid referring to disability as a burden or people with disabilities as victims, inspirations, stricken/afflicted with, low-functioning, unfortunate, or sickly. Use the phrase “wheelchair user” to describe an individual with a mobility impairment that uses a wheelchair. Do not use “wheelchair bound” or “confined to a wheelchair.”
- Avoid referring to people without disabilities as healthy or normal. “People without disabilities” or “able-bodied” are better and less normative terms.
- When talking about accommodations for people with disabilities, use the term “accessible” rather than “handicapped.” For example, refer to an “accessible” parking space rather than a “handicapped” parking space or “an accessible bathroom stall” rather than “a handicapped bathroom stall.”
- When unsure how to refer to an individual or group in the disability community, use person-first language (i.e., person with a disability, person with a visual impairment). However, please be aware that not every member of the disability community prefers person-first language. Where possible, ask individuals how they prefer to be referred to, if that is not possible, then use person-first language.
- For a more comprehensive disability inclusive language guide please visit: [Disability Language Style Guide](#), NATIONAL CENTER ON DISABILITY AND JOURNALISM (Aug. 2021).