



THE YALE LAW JOURNAL
VOLUME 133 STYLE GUIDE

The *Yale Law Journal* follows [The Bluebook: A Uniform System of Citation](#) (21st ed. 2020) for citation form and the [Chicago Manual of Style](#) (17th ed. 2017) for stylistic matters not addressed by *The Bluebook*. For the rare situations in which neither of these works covers a particular stylistic matter, we refer to the [Government Printing Office \(GPO\) Style Manual](#) (31st ed. 2016). The *Journal*'s official reference dictionary is [Merriam-Webster's Collegiate Dictionary, Eleventh Edition](#).

This *Style Guide* codifies *Journal*-specific guidelines that take precedence over these sources. Rules 1-21 correspond to and supplement Rules 1-21 in *The Bluebook*. Rule 22 focuses on recurring matters of style that are not addressed in *The Bluebook*.

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Rule 1

S.R. 1.1: Two Claims in One Sentence

The *Bluebook* does not specify what to do when one sentence contains two claims, and each claim is supported by a separate source. If you insert a citation after the first clause you may not end the sentence with a period and append a citation. Rather, the second citation must be introduced with a comma. This is the case for main text and a textual sentence in a footnote.

RIGHT

The Court rejected this view, *see id.* at 118, and proposed its own mode of analysis, *see id.* at 120.

WRONG

The Court rejected this view, *see id.* at 118, and proposed its own mode of analysis. *See id.* at 120.

S.R. 1.1(b): String Citations in Textual Sentences in Footnotes

The *Bluebook* does not specify how to handle parts of a string citation that are grammatically integrated into a textual sentence in a footnote (as opposed to being in citation clauses or citation sentences grammatically separate from the textual sentence). When this occurs, treat the citation as if it were in the main text, which means:

- Use semicolons to separate the citations from one another, even where there are only two citations;
- Use an “and” to separate the penultimate and last citations, even where there are only two citations;
- Use textual explanations instead of parenthetical explanations;
- Spell out “e.g.” as “for example” and “cf.” as “compare.”
- Italicize case names and use only the abbreviations in Rule 10.2.1(c) (&, Ass’n, Bros., Co., Corp., Inc., Ltd., and No.); and
- Do not italicize the signals or the “and.”

EXAMPLE

For further discussion of this issue, see, for example, *Flores v. Morgan Hill Unified School District*, 324 F.3d 1130, 1137-38 (9th Cir. 2003), which describes provocation; *State v. Stonehouse*, 555 P. 772, 779 (Wash. 1907), which lists excuses; and WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995), which examines harm.

By contrast, when the citations are not integrated into a textual sentence, do not use “and” before the last citation, and use parenthetical explanations instead of textual explanations.

RIGHT

See, e.g., Flores v. Morgan Hill Unified Sch. Dist., 324 F.3d 1130, 1137-38 (9th Cir. 2003) (describing provocation); *State v. Stonehouse*, 555 P. 772, 779 (Wash. 1907)

(listing excuses); WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995) (examining harm).

WRONG

See, e.g., *Flores v. Morgan Hill Unified Sch. Dist.*, 324 F.3d 1130, 1137-38 (9th Cir. 2003) (describing provocation); *State v. Stonehouse*, 555 P. 772, 779 (Wash. 1907) (listing excuses); **and** WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995) (examining harm).

Note that when a citation integrated into a textual sentence is followed by a citation with a different signal – even a signal of the same basic type – the new signal should begin a new citation sentence and should be italicized.

RIGHT

For further discussion of this issue, see, for example, *State v. Gounagias*, 153 P. 9, 15 (Wash. 1915), which describes provocation; *State v. Stonehouse*, 555 P. 772, 779 (Wash. 1907), which lists excuses; and WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995), which examines harm. *See also* *Johnson v. State*, 108 N.W. 55 (Wis. 1906) (evaluating the doctrine).

WRONG

For further discussion of this issue, see, for example, *State v. Gounagias*, 153 P. 9, 15 (Wash. 1915), which describes provocation; *State v. Stonehouse*, 555 P. 772, 779 (Wash. 1907), which lists excuses; and WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995), which examines harm; *see also* *Johnson v. State*, 108 N.W. 55 (Wis. 1906) (evaluating the doctrine).

S.R. 1.5(a)(i): Parenthetical Information

We follow Rule 1.5 concerning the use of present participles in parentheticals. You should also include articles (e.g., “a,” “the”) in parentheticals wherever you would use them in ordinary sentences.

EXAMPLE

See, e.g., *State v. Dumlao*, 715 P.2d 822, 829 (Haw. Ct. App. 1986) (suggesting that the Model Penal Code’s defense for extreme emotional disturbance is a partial diminished-capacity defense).

When a parenthetical contains a quotation, the quotation should not be in the form of a block quote, even if it exceeds forty-nine words.

Full-sentence quotations should not be introduced by a present participle. For example:

RIGHT

South Dakota v. Dole, 483 U.S. 203, 209 (1987) (“By enacting § 158, Congress conditioned the receipt of federal funds in a way reasonably calculated to address this particular impediment to a purpose for which the funds are expended.”).

WRONG

South Dakota v. Dole, 483 U.S. 203, 209 (1987) (**stating that** “[b]y enacting § 158, Congress conditioned the receipt of federal funds in a way reasonably calculated to address this particular impediment to a purpose for which the funds are expended.”).

S.R. 1.5(a)(ii): Parentheticals for Citations, Quotations, and Alterations

Generally, keep parentheticals such as “(footnote omitted),” “(citation omitted),” and “(quoting . . .)” inside of the larger parenthetical they’re describing.

EXAMPLE

See, e.g., State v. Dumlao, 715 P.2d 822, 829 (Haw. Ct. App. 1986) (“[W]here the language is ambiguous, we are not limited to the words of the statute, but we may look to other aids to statutory construction to assist us in determining legislative intent.” (citation omitted)).

(alteration in original): A parenthetical like “(first, third, and fourth alterations in original)” is acceptable.

(emphasis added): Never use “(emphasis in original).” *See* Rule 5.2(d)(iii). But “(second emphasis added)” is fine. Also, indicate an omission of emphasis (Rule 5.2(d)(i)) with an “(emphasis omitted)” parenthetical in the same position where the “(emphasis added)” parenthetical would appear. If an author has both added and omitted emphasis in a quotation, use a hybrid “(emphasis added and omitted)” parenthetical. The idea is only to indicate changes from the original.

(footnote omitted): This parenthetical is used when quoting a passage that includes an internal footnote call number. Do not indicate the omission of a footnote call number that follows the last word quoted. *See* Rule 5.2(d)(ii).

(citations omitted): Use this parenthetical when the quoted language leaves out in-text citations only. Do not indicate the omission of a citation that follows the last word quoted. *See* Rule 5.2(d)(ii).

(quoting . . .): Whenever possible, a quotation within a quotation should be attributed to its original source. Rule 5.2(e). Secondary quoted sources should be checked according to the same standards as any other citations. Citations in “quoting” parentheticals should be formatted as if they were citation clauses. They are not in-text citations.

EXAMPLE

The source being quoted is the case <i>Sorrell v. IMS Health Inc.</i> The <i>Sorrell</i> opinion reads:	Speech remains protected even when it may “stir people to action,” “move them to tears,” or “inflict great pain.” <i>Snyder v. Phelps</i> , 562 U.S. 443, 460-61 (2011).
The article’s text reads:	As the Court wrote in <i>Sorrell v. IMS Health Inc.</i> , “Speech remains protected even when it may ‘stir people to action,’ ‘move them to tears,’ or ‘inflict great pain.’” ⁴
Your citation is:	⁴ 564 U.S. 552, 576 (2011) (quoting <i>Snyder v. Phelps</i> , 562 U.S. 443, 460-61 (2011)).

Only one level of recursion is required. Thus, if a case quotes a case, which itself quotes another case, only one level of “(quoting . . .)” parentheticals is necessary. An additional level of parenthetical information may be used if the information conveyed is particularly relevant. Rule 10.6.2.

If after exhaustive efforts an editor determines that the **secondary source is impossible to pull**, a *Journal* officer may decide not to include a “(quoting . . .)” parenthetical or internal quotation marks. Not doing so is a last resort, however, and a parenthetical explanation like “(quoting a seventeenth-century manuscript)” might be a better solution. Only in the rarest circumstances would a “(quoting . . .)” parenthetical appear with an “(internal quotation marks omitted)” parenthetical (see guideline below). Usually, when authors write “(internal quotations omitted),” they generally mean “(internal quotation marks omitted).”

S.R. 1.5(b): Order of Parentheticals Within a Citation

The *Journal* deviates from *The Bluebook* with respect to the order of parenthetical citations and related authorities introduced by “in,” “reprinted in,” and other phrases as referenced in Rule 1.6(a). Contrary to the Rule, explanatory parentheticals follow the complete citation and any related authority appearing after the italicized phrase. The only information that follows an explanatory parenthetical is prior or subsequent case history, consistent with the order-of-parentheticals example in Rule 1.5(b).

RIGHT

Louis Loss, *The Conflict of Laws and the Blue Sky Laws*, 71 HARV. L. REV. 209 (1957), *reprinted in* LOUIS LOSS & EDWARD M. COWETT, *BLUE SKY LAW* 180 (1958) **(discussing the bewildering array of state laws then governing interstate securities transactions).**

WRONG

Louis Loss, *The Conflict of Laws and the Blue Sky Laws*, 71 HARV. L. REV. 209 (1957)

(discussing the bewildering array of state laws then governing interstate securities transactions), reprinted in LOUIS LOSS & EDWARD M. COWETT, BLUE SKY LAW 180 (1958).

Rule 3

S.R. 3.1: Volume Number Placement

There is a tension between Rules 3.1(a) and 15.1 on multivolume works in which, say, each volume has a single, different author:

Rule 3.1(a): “If the author of the entire work (all volumes) is cited, the volume number precedes the author’s name Otherwise, the volume number precedes the volume’s title.”

Rule 15.1: “When citing a single volume of a multivolume work, give only the author(s) of the volume cited. Include the volume number, if any, at the beginning of the citation.”

To resolve this, read Rule 3.1(a) to begin, “If the author of an entire volume is cited, the volume number precedes the author’s name.”

S.R. 3.2(a): Page Ranges

Generally, one should omit repetitive digits except for the last two digits, which are retained even where repetitive. (But see the section on Internal Cross-References for one important exception.)

RIGHT

Id. at 391-92, 21-29.

WRONG

Id. at 391-2, 21-9.

Where the second page or note number in a range of pages or notes has four or more digits and only one of the digits is repetitive, one should retain *all* of the digits of that page or note number. Do not abbreviate Roman numerals. In starred or alphanumeric page numbers, the star is not repeated. For example:

- 1496-1504 (and not 1496-504)
- 1496-98
- 14,866-15,001
- 14,866-935
- 14,935-75

- xxii-xxvii
- *18-19
- S295-302

S.R. 3.2(a): Presumption in Favor of Pincites

The *Journal* has a strong presumption in favor of including pincites in all citations. The exceptions are when the citation is introduced by the signal “*see generally*” or when a source is being cited to for its mere existence.

EXAMPLE

Numerous Supreme Court cases involve school-speech issues. *E.g.*, *Tinker v. Des Moines*, 393 U.S. 503 (1969). In *Tinker*, the Court declared that students do not “shed their constitutional rights . . . at the schoolhouse gate.” *Tinker*, 393 U.S. at 506.

S.R. 3.2(a): Short Form Using *Passim*

When citing a source in short form, do not use “at” before “*passim*.”

RIGHT

See *Tinker*, 393 U.S. *passim*; Koh, *supra* note 17, *passim*.

WRONG

See *Tinker*, 393 U.S. **at *passim***; Koh, *supra* note 17, **at *passim***.

S.R. 3.5: Internal Cross-References

In footnotes in which an internal cross-reference is used in a textual sentence, always use “*supra*” or “*infra*” immediately preceding the cross-reference (i.e., without a preposition like “in” or “at”).

EXAMPLE

On the importance of profits to damages, see *supra* Section IV.A.2.

Although Rule 3.2(a) dictates that one should drop repetitive digits other than the last two digits of the second page or note number when citing a range of pages or notes, this presents difficulties for internal cross-references, which are generated automatically by the computer and therefore retain all repetitive digits. Consequently, we do not follow *The Bluebook* in these instances.

RIGHT

See *Planned Parenthood of Se. Pa. v. Casey*, 505 U.S. 833, 845-57 (1992); see also *infra* notes 123-127 and accompanying text.

WRONG

See *Planned Parenthood of Se. Pa. v. Casey*, 505 U.S. 833, 845-57 (1992); see also *infra* notes **123-27** and accompanying text.

Rule 4

S.R. 4: Using Short Forms After String Citations

Although Rule 4.1 indicates that “*id.*” refers to the immediately preceding authority, this may be confusing where that authority exists in a preceding string of citations. The only acceptable use of *id.* in a string citation is to refer back to the first source in the string citation when the *id.* appears immediately thereafter, as in the first example below. In all other instances, use “*supra*” or another appropriate short form. For example:

RIGHT

See State v. Gounagias, 153 P. 9, 15 (Wash. 1915); *id.* at 20 (discussing the relevant standard of review); WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995); Andrea K. Wilson, *A New Look at “Cases and Controversies,”* 103 HARV. L. REV. 465, 480 (1991); see also [Wilson, supra, at 491](#) (discussing related cases from Colorado).

RIGHT

See State v. Gounagias, 153 P. 9, 15 (Wash. 1915); WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995); Andrea K. Wilson, *A New Look at “Cases and Controversies,”* 103 HARV. L. REV. 465, 480 (1991). Wilson discusses related cases from Colorado. See [Wilson, supra, at 491](#).

WRONG

See State v. Gounagias, 153 P. 9, 15 (Wash. 1915); WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995); *id.* at 450 (explaining possible statutory fixes); Andrea K. Wilson, *A New Look at “Cases and Controversies,”* 103 HARV. L. REV. 465, 480 (1991).

WRONG

See State v. Gounagias, 153 P. 9, 15 (Wash. 1915); WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995); Andrea K. Wilson, *A New Look at “Cases and Controversies,”* 103 HARV. L. REV. 465, 480 (1991); see also *id.* at 491 (discussing Colorado cases).

Per Rule 4, “*id.*” cannot be used in a subsequent footnote to refer back to any source in a stringcite, including the first source.

RIGHT

¹ See State v. Gounagias, 153 P. 9, 15 (Wash. 1915); WENDY BROWN & JOHN BLACK, STATES OF INJURY: POWER AND FREEDOM 34 (1995); Andrea K. Wilson, *A New Look at “Cases and Controversies,”* 103 HARV. L. REV. 465, 480 (1991).

² *Gounagias*, 153 P. at 17.

WRONG

¹ See *State v. Gounagias*, 153 P. 9, 15 (Wash. 1915); WENDY BROWN & JOHN BLACK, *STATES OF INJURY: POWER AND FREEDOM* 34 (1995); Andrea K. Wilson, *A New Look at “Cases and Controversies,”* 103 HARV. L. REV. 465, 480 (1991).

² *Id.* at 17.

S.R. 4: Internal Cross-References

If the author is referring to both the text and the footnotes (or the sources in those footnotes), it is:

See supra notes X-Y and accompanying text.

If the author is referring only to the text and just using the footnotes as a reference tool, it is:

See supra text accompanying notes X-Y.

S.R. 4: Using Short Forms After Parentheticals

Parenthetical citations should be ignored for the purposes of cross-references using “*id.*” That is, “*id.*” can be used even where the previous citation contains a parenthetical citation to a different source. The “*id.*” in such a case refers to the main citation, not the parenthetical citation. However, a parenthetical citation *does* count as a citation for purposes of the five-footnote rule (Rule 10.9(a)). For example, a case cited in a parenthetical in footnote 10 could be short-cited in footnote 14.

If a source is cited in full for the first time in a parenthetical, this establishes the basis for subsequent short forms under the five-footnote rule, but it cannot form the basis of a subsequent “*supra*.” Instead, “*supra*” citations should relate back to the first *non-parenthetical* citation. This rule applies most commonly with “(citing . . .)” parentheticals and with clauses naming the book being reviewed; there should never be a *supra* that leads to a source in these parentheticals.

S.R. 4: Using Short Citation Forms with Subdivisions

When using a short form with a pincite to a T.16 subdivision (e.g., “art.” or “pmb.”), do not use “at” before the subdivision. You should retain the comma after indicating a footnote number in a *supra* short cite.

RIGHT

HARRISON, *supra* note 1, pmb.

RIGHT

Id. art. III.

WRONG

HARRISON, *supra* note 1, **at** pmb1.

WRONG

Id. **at** art. III.

S.R. 4.2: Hereinafter

Rule 4.2(b) states that the “hereinafter” form should only be used: (a) to provide a short reference to an otherwise lengthy or complicated title or author; or (b) to distinguish two authorities appearing in the same footnote – usually by the same author – when the simple “*supra*” form would be confusing. Since Lexis, Westlaw, and other electronic services do not differentiate between small caps, italics, and ordinary roman text, we use the “hereinafter” form even when the two authorities would otherwise be distinguishable by the typeface of the shortened form.

EXAMPLE

²³ See ROBERT C. ELLICKSON, ORDER WITHOUT LAW: HOW NEIGHBORS SETTLE DISPUTES (1991) [hereinafter ELLICKSON, ORDER WITHOUT LAW]; Robert C. Ellickson, *Unpacking the Household: Informal Property Rights Around the Hearth*, 116 YALE L.J. 226 (2006) [hereinafter Ellickson, *Unpacking the Household*].

²⁴ See ELLICKSON, ORDER WITHOUT LAW, *supra* note 23, at 250; Ellickson, *Unpacking the Household*, *supra* note 23, at 228.

Rule 5

S.R. 5.1(a): Block Quotes for Fifty or More Words

For **block quotes for fifty or more words**, for word-counting purposes, hyphenated words count as one word. Omitted words and ellipses should not be considered in the word count. Added words in brackets should be included in the count.

Do not use incomplete clauses with colons to introduce block quotes. Instead, use either complete clauses with colons or incomplete clauses with no punctuation (in the latter case, the first word of the block quote should not be capitalized).

RIGHT

The Court stated,

RIGHT

The Court stated:

RIGHT

The Court stated **that**

WRONG

The Court stated **that:**

Do not put quotation marks around the entire quote. If there is a quotation within the block quote, put double quotation marks around it, not single quotation marks.

RIGHT

The Court stated:

[T]his presumptive privilege must be considered in light of our historic commitment to the rule of law. This is nowhere more profoundly manifest than in our view that “the twofold aim [of criminal justice] is that guilt shall not escape or innocence suffer.” We have elected to employ an adversary system of criminal justice in which the parties contest all issues before a court of law The ends of criminal justice would be defeated if judgments were to be founded on a partial or speculative presentation of the facts.

WRONG

The Court stated that:

“[T]his presumptive privilege must be considered in light of our historic commitment to the rule of law. This is nowhere more profoundly manifest than in our view that ‘the twofold aim [of criminal justice] is that guilt shall not escape or innocence suffer.’ We have elected to employ an adversary system of criminal justice in which the parties contest all issues before a court of law The ends of criminal justice would be defeated if judgments were to be founded on a partial or speculative presentation of the facts.”

Do not use a block quote inside a parenthetical, even if the quotation is fifty or more words.

EXAMPLE

United States v. Nixon, 418 U.S. 683, 708–09 (1974) (“[T]his presumptive privilege must be considered in light of our historic commitment to the rule of law. This is nowhere more profoundly manifest than in our view that ‘the twofold aim [of criminal justice] is that guilt shall not escape or innocence suffer.’ We have elected to employ an adversary system of criminal justice in which the parties contest all issues before a court of law The ends of criminal justice would be defeated if judgments were to be founded on a partial or speculative presentation of the facts.” (citation omitted)).

S.R. 5.2: Capitalization of Quotations

If the quotation *is* a syntactical part of the sentence in which it is placed, the initial letter should be lowercase and (only if uppercase in the original) set off in brackets.

EXAMPLE

The original source (i.e., the source being quoted) reads:	Plough deep, while sluggards sleep.
Your article text could look like this:	Benjamin Franklin reminds us to “[p]lough deep, while sluggards sleep.”
OR your article text could look like this:	Benjamin Franklin reminds us that our ploughing should be “deep, while sluggards sleep.”

If the quotation is *not* a part of the syntactical sentence in which it is placed, the initial letter should be uppercase and (only if lowercase in the original) set off in brackets. For example:

EXAMPLE

The original source (i.e., the source being quoted) reads:	Remember, my name is Benjamin.
Your article text could look like:	As Franklin said, “Remember, my name is Benjamin.”
OR your article text could look like:	As Franklin said, “[M]y name is Benjamin.”

Review the *Chicago Manual of Style* ¶¶ 13.13, 13.16 for more examples.

S.R. 5.2: Quotations Within Quotations

Quoted words, phrases, and sentences that are integrated into the text (and are less than fifty words) are enclosed in double quotation marks. Single quotation marks enclose quotations within quotations.

EXAMPLE

The original source (i.e., the source being quoted) reads:	When asked to comment, Tony the Tiger said, “Frosted flakes are more than good; they’re great.”
---	---

Your article text could look like:	As the <i>New York Times</i> reported yesterday, “Tony the Tiger said, ‘Frosted flakes are more than good; they’re great.’”
---	---

When the material quoted consists entirely of a quotation within a quotation, only one set of quotation marks need be employed (usually double quotation marks).

EXAMPLE

The original source (i.e., the source being quoted) reads:	When asked to comment, Tony the Tiger said, “Frosted flakes are more than good; they’re great.”
RIGHT	In response to press inquiries, the cereal’s spokesman replied, “Frosted flakes are more than good; they’re great.”
WRONG	In response to press inquiries, the cereal’s spokesman replied, ““Frosted flakes are more than good; they’re great.””

S.R. 5.3: Quotations Crossing Multiple Sentences

Ellipses

The *Journal* does not use standard ellipsis; we use three periods separated by non-breaking spaces. Include non-breaking spaces on either side of the ellipses.

RIGHT

“In New Orleans, locals celebrate Mardi Gras once a year . . . and city workers clean the streets after.”

WRONG

“In New Orleans, locals celebrate Mardi Gras once a year... and city workers clean the streets after.”
--

Any ellipsis in text, whether it goes through the end of a sentence or not, is marked with three periods. A fourth period is added to mark the end of the sentence *as it is read by the Article’s reader*, and not to reflect the original punctuation.

EXAMPLE

The original source (i.e., the source being quoted) reads:	Shakespeare is old. But he’s still worth reading.
---	---

RIGHT Your article text could look like this:	“Shakespeare is . . . still worth reading.”
WRONG Your article text could NOT look like this:	“Shakespeare is still worth reading.”

Where you are using quoted language as a full sentence and the *end* of a quoted sentence is being omitted, insert an ellipsis between the last word being quoted and the final punctuation of the sentence being quoted to mark the end of the sentence *as it is read by the Article’s reader*:

EXAMPLE

The original source (i.e., the source being quoted) reads:	The very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts, within the framework of the rules of evidence.
RIGHT Your article text could look like this:	“The very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts”
WRONG Your article text could NOT look like this:	“The very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts.”

Concluding Punctuation

When a quotation includes both a quoted clause and a quoted full sentence, the full sentence requires terminating punctuation.

RIGHT

Chief Justice Burger wrote that the availability of compulsory process is “imperative to the function of courts. . . . The very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts.”

WRONG

Chief Justice Burger wrote that the availability of compulsory process is “imperative to the function of courts . . . The very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts.”
--

Quotation Broken up by Attribution

If a single quotation is broken up by an attribution, you do not need to include two footnotes.

EXAMPLE

“[W]here the ambiguity in the final opinions results from the Court’s failure to decide certain questions,” the young Alito wrote, “even the most exacting textual exegesis cannot penetrate that ambiguity.”²

² Samuel A. Alito, Note, *The “Released Time” Cases Revisited: A Study of Group Decisionmaking by the Supreme Court*, 83 YALE L.J. 1202, 1235 (1974).

Rule 6

S.R. 6.1: Abbreviations

Non-*Bluebook* abbreviations may be introduced if they occur more than once throughout the article. Note that the words must be spelled out and followed with the abbreviation in parentheses for *both* the first reference within the text and the first reference within the footnotes. For purposes of Rule 6.1, a word appearing in an abstract does *not* count as “the first reference within the text.” So, if a word or abbreviation appears in the abstract, it nonetheless must be spelled out and followed with the abbreviation in parentheses the first time it appears in the article’s main text.

This rule does not apply to abbreviations that are so common that they almost never appear in spelled-out form (e.g., IQ, GOP, DNA). See the *Chicago Manual of Style* for more explanation.

EXAMPLE

The United States Postal Inspection Service (USPIS) is a federal law enforcement agency that executes mail covers.¹

¹ Anuj C. Desai, *Can the President Read Your Mail? A Legal Analysis*, 59 CATH. U. L. REV. 315, 320 n.28 (2010) (explaining how the United States Postal Inspection Service (USPIS) performs mail covers).

We never place abbreviations in quotation marks.

RIGHT

United States Postal Inspection Service (USPIS)

WRONG

United States Postal Inspection Service (“USPIS”)

When abbreviating the name of a federal government agency, *YLF*’s preference is to drop the participle “the.” So, the Department of Justice is abbreviated as “DOJ” (not “the DOJ”), the Department of Housing and Urban Development is abbreviated as “HUD” (not “the HUD”), the Securities and Exchange Commission is abbreviated as “SEC” (not “the SEC”), etc.

RIGHT

In fact, the *Flores* settlement emerged from a lawsuit in which the Department of Justice (DOJ) agreed to settle claims regarding the treatment of noncitizen children detained by immigration authorities. . . . By settling either constitutional or statutory claims against the government, **DOJ** can make policy for both current and future administrations.

WRONG

In fact, the *Flores* settlement emerged from a lawsuit in which the Department of Justice (DOJ) agreed to settle claims regarding the treatment of noncitizen children detained by immigration authorities. . . . By settling either constitutional or statutory claims against the government, **the DOJ** can make policy for both current and future administrations.

Typeface: Abbreviations should retain the same typeface convention as the full phrase when appropriate.

EXAMPLE

Will Shortz is the crossword editor for the *New York Times* (NYT). He joined NYT in 1993.²

² Stephen Hiltner, *Will Shortz: A Profile of a Lifelong Puzzle Master*, N.Y. TIMES (Aug. 1, 2017), <https://www.nytimes.com/2017/08/01/insider/will-shortz-a-profile-of-a-lifelong-puzzle-master.html> [<https://perma.cc/R9XA-8WTB>].

Footnote calls always go before parenthetical abbreviations or shorthand notations except where parenthetical abbreviations or shorthand notions end a sentence.

EXAMPLE

In *In re Walt Disney Co. Derivative Litigation*¹ (*Disney IV*), the court found that no fiduciary duties were breached.

EXAMPLE

President Nixon proposed the creation of the Environmental Protection Agency (EPA).¹

Hyphenated words: Abbreviate hyphenated words for which one or more of the component words has a designated abbreviation in the appropriate abbreviation table in *The Bluebook*. Do not, however, abbreviate a compound word unless the entire word has a designated abbreviation in the appropriate abbreviation table. For example, abbreviate “Jones v. Mid-America Bank” to “Jones v. Mid-Am. Bank,” but do not abbreviate “Jones v. MidAmerica Bank.”

Abbreviations in footnotes. If you are citing a case name integrated syntactically into a sentence, whether in a full citation or just as the case name, abbreviate according to Rule 10.2.1 (which includes the eight words and all those other little rules about “the” and “Co.” and “Comm’r,” etc., but not T.6 or T.10). In explanatory parentheticals contained in footnotes, *The Bluebook* requires

you to use regular abbreviations for case names when the full citation appears, and only the Rule 10.2.1 abbreviations when the full citation does not appear.

Abbreviations of Periodicals: When abbreviating law journals, law reviews, or other similar periodicals, “L. REV.” or “L.J.” (and other denotations of periodical type) should always remain separate from any other abbreviated material, Rule 6.1 notwithstanding.

RIGHT

Devon W. Carbado & Patrick Rock, *What Exposes African Americans to Police Violence?*, 51 **HARV. C.R.-C.L. L. REV.** 159, 172 (2016).

WRONG

Devon W. Carbado & Patrick Rock, *What Exposes African Americans to Police Violence?*, 51 **HARV. C.R.-C.L.L. REV.** 159, 172 (2016).

S.R. 6.2: Numerals

Contrary to Rule 6.2(a)(vii), the *Journal* uses commas to separate groups of three digits, even in numbers with only four digits, except for years. Thus:

RIGHT

There are **9,876** people living in this town. In **1891**, seven students established the *Yale Law Journal*.

WRONG

There are **9876** people living in this town. In **1,891**, seven students established the *Yale Law Journal*.

But for page numbers in citations, follow the source’s usage.

EXAMPLE

123 YALE L.J. 2115

EXAMPLE

131 CONG. REC. 17,147

For the purposes of **Rule 6.2(a)(v)**, where dollar amounts or percentages appear three or more times in a paragraph, they should be left as numerals. Likewise, if any dollar amount or percentage in a paragraph contains a decimal, all dollar amounts or percentages in that paragraph should be left as numerals. If a piece uses dollar signs or percentages frequently, the lead editor may choose to retain the numerals even in paragraphs with one or two usages.

Rule 8

The *Bluebook*'s capitalization rules are authoritative for “[n]ouns that identify specific persons, officials, groups, government offices, or government bodies.” Otherwise, look to the *Chicago Manual of Style* rules for nouns that do not fit into this category; for example, places, historical and cultural terms, historical periods, historical events, cultural movements, styles, awards, academic subjects, calendar and time designations, religious terms, wars, etc. If you cannot determine what part of speech a word is, it can be helpful to look that word up in the *Journal*'s dictionary, which can be found [here](#).

S.R. 8: Additional *Journal* Capitalization Styles

Headings and Titles

YLJ capitalizes **forms of the verb “to be” (“Is,” “Are,” “Be”)** in headings and titles. Do not capitalize “to” as part of an infinitive.

Textual Sentences

In addition to the words mentioned in Rule 8, *YLJ* capitalizes the following terms in textual sentences:

- **“Article,” “Essay,” “Note,” “Review,”** etc., when the author refers to his or her own piece (but not when the author refers to other works).
- **“Part”** and **“Section”** when referring to portions of a written work (regardless of whether the work is the author's own piece or other works).
- **“Framers,” “Founders,” “Founding,”** and **“Founding Era”** when referring to the Framers and Founders of the Federal Constitution of 1787.
- **“Black,” “Native,”** and **“Indigenous”** when referring to a racial, ethnic, or cultural identity.
- **“Executive”** when referring to “the Executive” (as in, the head of the Article II branch in the U.S. Constitution), but we do not capitalize “executive branch.” We do not capitalize “legislature” or “judiciary.”
- **“COVID”** or **“COVID-19”** when referring to the coronavirus disease 2019.

Note that a colon in text (i.e., not in a heading) is generally not followed by a capital letter – even if it is followed by a full sentence – unless the material introduced by the colon consists of more than one sentence or is a quotation.

EXAMPLE

In Part I of this Article, I will explain another article that I have written. In Part II of this Article, I will attack Section II.A.1 of Wray's article. Given my interest in the Founding Era, in Part III, I will discuss the role of Black, Native, and Indigenous populations at the Founding. I will next focus on the Executive's role in government: specifically, I will discuss their role in the executive branch, legislature, and judiciary.

S.R. 8(i): Capitalization of “Federal”

Capitalize “federal” *whenever* it appears immediately before a proper noun, not only in reference to “specific persons, officials, groups, government bodies, or government offices,” as Rule 8(i) requires.

RIGHT

The **Federal Administrative Procedural** Act creates standards for agency adjudication.

WRONG

The United States’ **Federal criminal law** has roots in English common law.

Rule 9

S.R. 9: First Names

For everyone but judges, justices, and presidents, first names should be provided on first reference in text. For judges, justices, and presidents, first names should be provided on first reference only when the judge, justice, or president is being referred to in their individual (not institutional) capacity or to avoid ambiguity (e.g., when a court has two individuals with the same last name per *Bluebook* Rule 9).

EXAMPLE

In an article in the *Yale Law Journal*, Judge Richard Posner discussed the life of Judge Hand, the legendary jurist of the Second Circuit. Before she was appointed to the First Circuit, Sandra Lynch also wrote about Judge Hand. Judge Lynch has since reiterated her praise for him.

EXAMPLE

Before Ronald Reagan became President, he said that President Carter had the easiest job in the world. Judges Jerry Edwin Smith and Milan Smith and Chief Judge Lavenski Smith agreed.

S.R. 9(a): Multiple References to Justices, Judges, and the President

In the main text and in textual footnote sentences, Supreme Court Justices and judges should be referred to by their title and last name when referring to them in their institutional capacity.

EXAMPLE

Justice Barrett joined the Court in 2020, and Justice Sotomayor joined the Court in 2009.

However, in paragraphs where a Supreme Court Justice or judge is named more than once, only include the title “Justice” or “Judge” upon first reference and otherwise only use the Justice or judge’s last name in subsequent references.

EXAMPLE

Justice Barrett joined the Court in 2020. Barrett was previously a judge on the Seventh Circuit.

This rule should also be applied in reference to the President of the United States.

EXAMPLE

President Biden entered office in 2021. Biden has taken on many new initiatives.

Rule 10

S.R. 10.2: Case Names in Full in Textual Sentence

When a case name is given in full in the sentence being cited, the name of the case should not be repeated in the footnote as long as the resulting citation is clear and unambiguous.

EXAMPLE

In *Guth v. Loft*, the court held that directors also owe a duty of loyalty to the shareholders.¹

¹ 5 A.2d 503, 510 (Del. 1939).

If the case name is not given in full in the sentence and a short form would not be appropriate, include the full case name in the citation.

EXAMPLE

In *Flanagan*, the Court explained that the final judgment rule reduces the potential for parties to “clog the courts” with a succession of time-consuming appeals.⁵

⁵ *Flanagan v. United States*, 465 U.S. 259, 264 (1989).

In accordance with Rule 6.1(b), widely recognized abbreviations for entities may be used in lieu of entities’ full title in case names. This includes, but is not limited to, federal governmental entities such as the SEC, FEC, FCC, FDA, FTC, FERC, CIA, FBI, EPA, etc., and nongovernmental bodies such as the NAACP, AARP, and USAA.

RIGHT

¹ **SEC** v. W. J. Howey Co., 328 U.S. 293 (1946).

WRONG

¹ **Sec. & Exchange Comm'n** v. W. J. Howey Co., 328 U.S. 293 (1946).

Cabinet-level federal-government departments, however, should not be abbreviated.

RIGHT

¹ See **Dep't of Homeland Sec.** v. Regents of the Univ. of Cal., 140 S. Ct. 1891, 1915 (2020) (plurality opinion).

WRONG

¹ See **DHS** v. Regents of the Univ. of Cal., 140 S. Ct. 1891, 1915 (2020) (plurality opinion).

S.R. 10.6.1: Parenthetical References to Multiple Justices

Parenthetical references should generally only list the name of the authoring Justice but joining Justices may be listed if particularly relevant. When doing so, identify the author first and then indicate which other Justice or Justices joined the opinion.

EXAMPLE

(Roberts, C.J., joined by Thomas & Alito, JJ., concurring)

EXAMPLE

(Kagan, J., joined by Ginsburg, J., dissenting)

In any instance where a list of multiple Justices includes the Chief Justice, list the Chief Justice separately and first after the author.

EXAMPLE

(Alito, J., joined by Roberts, C.J., Thomas & Gorsuch, JJ., dissenting)

S.R. 10.7.2: Different Case Name on Appeal

When the name of a case changes in subsequent or prior history, the subsequent or prior case must be cited in full, even if previously cited in full in the previous five footnotes.

EXAMPLE

¹ Smith v. Jones, 100 F.3d 200 (11th Cir. 2020).

² Jones v. Macintosh, 400 F. Supp. 3d 100 (N.D. Fla. 2019), *rev'd sub nom.* Smith v. Jones, 100 F.3d 200 (11th Cir. 2020).

S.R. 10.8.1(a): Cases Available on Electronic Media

When citing to a docket number, an initial digit preceding a colon and a judge's initials at the end of the docket number **must be omitted**. All other numbers and letters in a docket number must

be maintained. This modified rule applies to any usage of a docket number, even those not traditionally covered under Rule 10.8.1(a).

S.R. 10.8.1(b): Slip Opinions

For the *YLJ Forum* in particular, timely pieces may require the citation of slip opinions. Follow the form provided in *The Bluebook*, but **observe the following modifications**:

First, when there is a majority opinion as well as concurring or dissenting opinions that are separately paginated, specify in parentheses which opinion is being cited:

EXAMPLE (majority opinion)

Pereida v. Wilkinson, No. 19-438, slip op. at 1 (U.S. Mar. 4, 2021) (majority opinion), https://www.supremecourt.gov/opinions/20pdf/19-438_j4el.pdf [<https://perma.cc/XYZ>].

EXAMPLE (dissent)

Pereida v. Wilkinson, No. 19-438, slip op. at 1 (U.S. Mar. 4, 2021) (Breyer, J., dissenting), https://www.supremecourt.gov/opinions/20pdf/19-438_j4el.pdf [<https://perma.cc/XYZ>].

Second, when citing slip opinions using “*id.*,” only include additional information that is nonrepetitive. Do not include the docket number, “slip op.,” the date, the court, or the opinion (but indicate the opinion if the preceding footnote cited a different opinion). *Cf.* Rule 10.9(b)(i):

EXAMPLE

1. Pereida v. Wilkinson, No. 19-438, slip op. at 1 (U.S. Mar. 4, 2021) (majority opinion), https://www.supremecourt.gov/opinions/20pdf/19-438_j4el.pdf [<https://perma.cc/XYZ>].
2. *Id.* at 3.
3. *Id.* at 1 (Breyer, J., dissenting).
4. *Id.* at 3 (majority opinion).

S.R. 10.8.3: Briefs, Court Filings, and Transcripts

When citing briefs, court filings, or transcripts in cases where a decision has been rendered but is unreported and available on a widely used electronic database (e.g., LEXIS, Westlaw, Bloomberg Law), cite as follows: [Document Name] at [pincite], [Case Name], [Docket Number] ([Court Name] [Full Date of Most Recent Major Disposition of the Case]), [Commercial Database Identifier for Brief, Court Filing, or Transcript].

EXAMPLE

Brief for the United States at *6-9, United States v. Dye, No. 09-3410 (3d Cir. July 14, 2010), 2010 WL 8924294.

Where the database makes the photo original copy of the filing available, do not include starred pagination; where the database does not make the photo original copy of the filing available, include starred pagination reflecting the commercial database’s pagination.

When citing briefs, court filings, or transcripts in cases where a decision has been rendered, is unreported and **unavailable** on a widely used electronic database, but is available online, cite as follows: [Document Name] at [pincite], [Case Name], [Docket Number] ([Court Name] [Full Date of Most Recent Major Disposition of the Case]), [URL] [Perma link].

EXAMPLE

<p>See Complaint at 18, Eaton Vance Mgmt. v. Wilmington Sav. Fund Soc’y, No. 654397/2017 (N.Y. Sup. Ct. Apr. 25, 2018), https://www.bloomberglaw.com/product/blaw/document/X1Q6NSHTE2O2/download?documentName=E1.pdf&fmt=pdf [https://perma.cc/E7PS-7DNY].</p>
--

Rule 11

S.R. 11: Constitutions

U.S. Constitution: *The Journal’s* official source for the U.S. Constitution is the National Archives, found [here](#). The main page for the website is: <https://www.archives.gov/founding-docs>.

Using “*id.*” to refer to a constitution: Do not use “at” before a pincite (e.g., “*id.* art. III, § 4.”).

Rule 12

S.R. 12.3: Citing the U.S. Code

Contrary to *Bluebook* Rule 12.3, cite to the *United States Code* (U.S.C.), the official federal code, whenever possible. Although Rule 12.3 permits citations to the *United States Code Annotated* (U.S.C.A.) and the *United States Code Service* (U.S.C.S.) if the U.S.C. is not available, we strongly prefer citations to the official federal code.

S.R. 12.3: State Code Procurement

When citing state codes, rely on *The Bluebook* for formatting while using the following steps and additional considerations for procurement.

STEP ONE: Find the desired state in T.1.3.

STEP TWO: Look at the top of the state’s page to see if there is a website that has the official code of the state (not a list of bills and acts). If the state has that

online, look up the statute in the code and cite to the preferred format of the state code.

STEP THREE: If there is not an official state website with the code, look at the preferred citation for the state to see whether LexisNexis or Westlaw is the official reporter for that state; if so, go to Westlaw or Lexis and cite accordingly.

STEP FOUR: If neither of the above is true (i.e., neither Westlaw nor LexisNexis is the official reporter) go to Westlaw, cite check the source using the most up-to-date version on Westlaw, and then cite to the annotated code, rather than the official code. Double check to see whether the annotated code needs to include “West” in the parenthetical that includes the date.

S.R. 12.3.2: Year of U.S. Code

Contrary to *Bluebook* Rule 12.3.2, citations to the federal code, whether official or unofficial, should include a year. For the U.S. Code, cite to the latest edition (2018). The exceptions are references to the U.S. Code in parentheticals containing codification information for session laws.

RIGHT

42 § U.S.C. 1983 (2018).

RIGHT

Tax Reduction Act of 1975, Pub. L. No. 94-12, 89 Stat. 26 (codified as amended in scattered sections of 26 U.S.C.).

WRONG

Tax Reduction Act of 1975, Pub. L. No. 94-12, 89 Stat. 26 (codified as amended in scattered sections of 26 U.S.C. (2018)).

S.R. 12.4: Federal Session Laws

YLJ only uses the public law number when citing session laws enacted after 1957 (when Congress introduced the public-law numbering system currently in use). When citing session laws enacted *before* 1957, you must use the chapter number instead of the public law number. For example:

RIGHT

Clayton Antitrust Act of 1914, ch. 323, § 7, 38 Stat. 730, 731–32.

WRONG

Clayton Antitrust Act of 1914, Pub. L. No. 63-212, 38 Stat. 730, 731–32.

S.R. 12.4: State Session Laws

Consistent with T1.3, the *Journal* prefers citations to the official, consecutively paginated session law volumes of each state. If the session law is not available in the consecutively paginated volume (likely because it is from a recent legislative session), the *Journal* cites to West’s Legislative Service. Contrary to T1.3, West’s Legislative Service is not consecutively paginated. Session laws should be cited per Rule 12.4 and T1.3, but with the starting page number omitted. Where possible, state session laws should not be cited as enacted state bills.

EXAMPLE

1. Act of Sept. 29, 2022, ch. 810, § 2, 2022 Cal. Legis. Serv. (West).
2. Act of Mar. 30, 2022, ch. 104, § 1, 2022 Ariz. Legis. Serv. (West).
3. Act of June 17, 2022, Act. No. 548, § 1, 2022 La. Sess. Law Serv. (West).

S.R. 12.5: Electronic Databases and Online Sources

Contrary to Rule 12.5(a), the *Journal* does not include information regarding the currency of an electronic database when citing a code contained in a database. Instead, give parenthetically the year as provided by the database.

RIGHT

WIS. STAT. Ann. § 19.43 (West 2021).

WRONG

WIS. STAT. Ann. § 19.43 (West, Westlaw through 2021).

RIGHT

18 U.S.C.A. § 1956 (West 2018).

WRONG

18 U.S.C.A. § 1956 (Westlaw through Pub. L. No. 113-93 (excluding Pub. L. No. 113-79)).

S.R. 12.10: Short Forms for Statutes

Non-*id.* short forms are not appropriate for provisions of the U.S. Code or state codes. If a code has been cited in one of the preceding five footnotes and an *id.* citation is not appropriate, subsequent citations to that provision or title within the U.S. Code or state code must be cited in full with the year included.

EXAMPLE

4. CAL. EDUC. CODE § 48222 (West 2020).
5. *Id.*
6. *Id.* § 48224; 5 U.S.C. § 553 (2018).

- | |
|---|
| <p>7. 5 U.S.C. § 554 (2018).</p> <p>8. CAL. EDUC. CODE § 48222 (West 2020).</p> |
|---|

Rule 13

S.R. 13.3: Names in Legislative Hearings

For parentheticals identifying speakers in legislative hearings, list the speaker's full name the first time it is mentioned but provide only the speaker's last name in subsequent references. As in S.R. 9, judges, Justices, and presidents may be identified only by last name on the first appearance.

Rule 14

S.R. 14.2(a): Year of Regulations in the Code of Federal Regulations

Citations to the Code of Federal Regulations (C.F.R.) must include the year of the most recent edition in which the relevant provision appears. To find the correct year, follow these steps:

STEP ONE: Go to <https://www.govinfo.gov/help/cfr>, and hit “browse.”

STEP TWO: Beginning with the most recent year, drop down that year's titles and check if your title is included in that year.

- For example, let's say we were looking for 28 C.F.R. § 0.10. For 2021, dropping down reveals that title 28 has not been published finally in the C.F.R. yet this year. So, we move down to the most recent year where it has been published: 2020.

STEP THREE: Once you find the most recent year that contains your title, make sure your precise section number is also published within that title and go to the PDF to double check that it is there and is the correct version you are citing to.

- In our example of 28 C.F.R. § 0.10, here.

S.R. 14.2(d): Distinguishing “Other Reports” from Rule 18 PDFs

A report issued by a federal agency should be cited under Rule 14 if it meets **either** of the following requirements:

1. If the federal agency report contains a document number, as in the first three examples under *Bluebook* Rule 14.2(d) or;
2. If the document's purpose is primarily to provide guidance to regulated parties, as in the fourth example under *Bluebook* Rule 14.2(d). Draft guidance satisfies this requirement.

An agency-issued report that does not meet at least one of these requirements should be cited as a Rule 18 PDF.

S.R. 14.5: Short Forms for Citations to the C.F.R.

Non-*id.* short forms are not appropriate for provisions of the C.F.R. If a provision of the C.F.R. has been cited in one of the preceding five footnotes and an *id.* citation is not appropriate, subsequent citations to that provision or title within the C.F.R. must be cited in full with the year included.

EXAMPLE

1. FTC Credit Practices Rule, 16 C.F.R. § 444.1 (2020).
2. *Id.*
3. *Id.* § 444.2; 31 C.F.R. 501.301 (2019).
4. 5 U.S.C. § 554 (2018).
5. FTC Credit Practices Rule, 16 C.F.R. § 444.1 (2020).

Rule 15

S.R. 15.1: Commas and Ampersands

Oxford commas and ampersands should not be used together. When using an ampersand, omit the oxford comma.

RIGHT

Akhil Amar, Bruce Ackerman & Reva Siegel, *The Constitution Is Great*, 123 YALE L.J. 305 (2013).

WRONG

Akhil Amar, Bruce Ackerman, & Reva Siegel, *The Constitution Is Great*, 123 YALE L.J. 305 (2013).

S.R. 15.1(b): Et al.

Contrary to *Bluebook* Rule 15.1(b), the *Journal* almost always lists the names of each of the authors for a source that has more than two authors the first time the source is cited, not just when it would be “particularly relevant.” The only exception is when the number of authors would make listing all names impracticable, which should be decided on a case-by-case basis in consultation with the Managing Editors.

For subsequent short for citations to such a source using *Bluebook* Rule 4.2, “et al.” should be used following the name of the first author. The example in S.R. 15.1 would become: Amar et al., *supra* note 15, at 306.

S.R. 15.1(d): Institutional Authors

Consistent with *Bluebook* Rule 15.1(d), the *Journal* abbreviates the name of an institutional author (only if the result will be completely unambiguous) using the abbreviations found in T.6 and T.10. The *Journal* does not treat institutional author names as periodical titles, meaning the *Journal* retains the words “a,” “at,” “in,” “of,” “the,” and “on.”

S.R. 15.3: Subtitles

Contrary to *Bluebook* Rule 15.3, subtitles of books and other sources should always be included in citations unless they would be unwieldy and add little value. If a source has multiple subtitles, include only the first subtitle.

S.R. 15.4: Multivolume Works

To cite a multivolume work as a set, drop the subtitles and provide both years. For example:

EXAMPLE

See 1-2 BRUCE ACKERMAN, WE THE PEOPLE (1991, 1998).

S.R. 15.8(c): The Anti-Federalist Papers

To cite the Anti-Federalist Papers, cite to the papers as published in THE COMPLETE ANTI-FEDERALIST (Herbert J. Storing ed., 1981). Use the below citation format. Subsequent citations to both different Anti-Federalist Papers in THE COMPLETE ANTI-FEDERALIST as well as to an earlier cited Anti-Federalist Paper should follow Rule 15.10.1 governing short forms for works in a collection.

EXAMPLE

1. Brutus No. XI (Jan. 31, 1788), in 2 THE COMPLETE ANTI-FEDERALIST 417, 419-20 (Herbert J. Storing ed., 1981).
2. Federal Farmer No. XV (Jan. 18, 1788), in THE COMPLETE ANTI-FEDERALIST, *supra* note 1, at 315, 322-23.
3. Brutus No. XI, *supra* note 1, at 419.

Rule 16

S.R. 16.4: Nonconsecutively Paginated, Online-Only Journals

Certain online-only journals—usually, but not always, in the sciences—publish articles in volumes/issues but separately paginate each article within each issue. Neither Rule 16.4 (consecutively paginated journals) nor Rule 16.5 (nonconsecutively paginated journals within each volume, but consecutively paginated within each issue) apply. Consequently, the article should be cited as a Rule 16 consecutively paginated journal, but with an article number/identifier

(abbreviated art. no.) instead of where the first page would normally go. Pincites should be added offset from the article number/identifier by “at.”

EXAMPLE

1. Wim Carton, Adeniyi Asiyanbi, Silke Beck, Holly J. Buck & Jens F. Lund, *Negative Emissions and the Long History of Carbon Removal*, 11 WIREs CLIMATE CHANGE art. no. e671, at 15 (2020).
2. Duncan P. McLaren, David P. Tyfield, Rebecca Willis, Bronislaw Szerszynski & Nils O. Markusson, *Beyond “Net-Zero”: A Case for Separate Targets for Emissions Reduction and Negative Emissions*, 1 FRONTIERS CLIMATE art. no. 4, at 2 (2019).

Note, however, that some online-only journals retain traditional, consecutively paginated formatting. If so, they should be cited according to Rule 16 as normal (without “art. no.”). Often, it can be difficult to identify whether an online journal is consecutively paginated or not—please reach out to the MEs to confirm if you are ever in doubt.

S.R. 16.6: Newspapers

Online Versions

The *Yale Law Journal* prefers citations to online versions of newspapers. Newspapers not available online still require an original copy. The name of the newspaper should be abbreviated according to T.6, T.10, and T.13. The title, date of publication, and all quotes should be drawn from the online version of the article.

EXAMPLE

John Markoff, *Computer Wins on “Jeopardy!”: Trivial, It’s Not*, N.Y. TIMES (Feb. 16, 2011), <https://www.nytimes.com/2011/02/17/science/17jeopardy-watson.html> [<https://perma.cc/XYZ>].

See also S.R. 18.2.

Pincites

Contrary to Rule 16.6(a), newspapers (when unavailable online) should be cited with the first page of the article and a pincite like any other print source.

Blogs

Articles that appear on a blog associated with a newspaper website should be cited as follows:

EXAMPLE

Mark Bittman, *Time to Boycott Tuna Again?*, N.Y. TIMES: OPINIONATOR (Sept. 20, 2011, 8:30 PM), <https://opinionator.blogs.nytimes.com/2011/09/20/time-to-boycott-tuna-again> [<https://perma.cc/XYZ>].

EXAMPLE

Nathan Kopel, *Does the Constitution Protect Flashing Headlights?*, WALL ST. J.: L. BLOG (Sept. 20, 2011, 9:28 AM), <https://blogs.wsj.com/law/2011/09/20/does-the-constitution-protect-flashing-headlights> [<https://perma.cc/XYZ>].

For purposes of citing articles associated with newspaper blogs, do not omit words following the colon from the name of the periodical and abbreviate according to T.6, T.10, and T.13 (e.g. “LAW” becomes “L.”).

S.R. 16.6(d): Wire Services

Contrary to *Bluebook* Rule 16.6(d), please use parentheses to indicate the date for an online article, even if it comes from a wire service or is by a wire service author.

Associated Press articles are not easily available online, and usually appear (sometimes in modified form) in other papers. They should include a signifier designating that an Associated Press author wrote the piece, in between the author and the title.

EXAMPLE

Kelly Wiese, Associated Press, *Once a Speed Trap, Town Is Counting Down*, L.A. TIMES (Jan. 16, 2005), <https://articles.latimes.com/2005/jan/16/news/adna-macks16> [<https://perma.cc/XYZ>].

Rule 17

S.R. 17: “On File with”

We do not store manuscripts. Accordingly, do not cite manuscripts as being “on file with the *Yale Law Journal*.” If a cited manuscript is available in a library or other public location, cite it as being on file at that location; otherwise, cite it as “on file with author(s).”

S.R. 17.3 and 17.4: Forthcoming Publications vs. Working Papers

If an unpublished work is scheduled for publication and also has a working paper designation, cite it as a forthcoming publication under *Bluebook* Rule 17.3, not as a working paper under *Bluebook* Rule 17.4.

S.R. 17.2.3: Justices’ Papers

Authors may on occasion cite Supreme Court Justices private notes and correspondence, which are typically on file with the Library of Congress. All citations must contain the precise box and folder where the document is stored.

EXAMPLE

Justice Harry A. Blackmun, Case Notes, *Fitzpatrick v. Bitzer* (Apr. 16, 1976) (on file with Harry A. Blackmun Papers, Library of Congress, Box 229, Folder 7, Case No. 75-

251).

EXAMPLE

Memorandum from “Ned,” Clerk, U.S. Sup. Ct., to Justice Harry A. Blackmun 2 (Apr. 20, 1989) (on file with Harry A. Blackmun Papers, Library of Congress, Box 534, Folder 9, Case No. 88-412).

Hereinafter or short-form citations should not be used for Justices’ papers when the short-form citation refers to a different document than previously cited.

RIGHT

Justice Harry A. Blackmun, Conference Notes in *Dellmuth v. Muth* (Mar. 3, 1989) (on file with [Harry A. Blackmun Papers, Library of Congress](#), Box 526, Folder 5, Case No. 87-1855).

WRONG

Justice Harry A. Blackmun, Conference Notes in *Dellmuth v. Muth* (Mar. 3, 1989) (on file with [Harry A. Blackmun Papers, supra note 143, at](#) Box 526, Folder 5, Case No. 87-1855).

S.R. 17.2.3 and 17.2.4: Institutional Levels

If an author or recipient has multiple organizational levels that are relevant (e.g., Leslie Caldwell, Assistant Attorney General, Criminal Division, U.S. Department of Justice), feel free to include up to two levels (e.g., one subdivision). Relevance is key, so favor brevity unless the text makes clear that the division is somehow important. Additionally, you may skip an intermediate level if that makes sense in the context. For example, if Sue Smith is in the Commercial Litigation division of the Civil Division of DOJ, you could say “Leslie Caldwell, Staff Attorney, Commercial Litig., U.S. Dep’t of Justice).

Rule 18

S.R. 18.2: Internet Citations

There are four basic types of internet sources: original images (e.g., from HeinOnline); online version of a common, published source (e.g., a brief or working paper found online); PDFs obtained from the internet (e.g., government reports, white papers); and non-PDF webpages and documents (e.g., a *New York Times* article, a blog post).

Original Images of Documents Obtained Online

If the online source is simply an original image—that is, if it is a scanned image or photocopy of the source—it should be cited as though we have the print version. Thus, there will be no URL in the citation at all. The only sources that should be cited according to this rule are:

- a. Original images of books found online (e.g. Google Books).
- b. Law review articles, opinions, and any other original images obtained from HeinOnline.
- c. Original images of cases from printed reporters available on Westlaw, Lexis, etc.
- d. Original images of Rule 13 legislative materials, including bills, resolutions, hearings, reports, and debates, that are obtained from the Government Printing Office (GPO) website or HeinOnline.
- e. Original images of Rule 18.8 photographs or illustrations.

See *Bluebook* Rule 18.2.

Other Online Sources

If the source is an online version of a common, published source—but not a source that is listed above under Original Images of Documents Obtained Online—for which a specific *Bluebook* rule applies—it should be cited according to its respective *Bluebook* rule, but with a direct URL citation to its online version. This rule applies nonexhaustively to briefs (Rule 10.8.3); letters, memoranda, and press releases (Rule 17.2.3); working papers (Rule 17.4); federal agency reports (Rule 14.2(d)); and federal administrative and executive materials (Table 1.2), but not to newspapers (S.R. 16.6). If no specific relevant rule is applicable, the source should be cited as either a PDF or a non-PDF webpage (see below). Generic Rule 15 reports should be cited as PDFs.

For example, to cite a **brief filed in a case**, follow the proper *Bluebook* rule (here, Rule 10.8.3), but append the URL to the end of the citation, setting it off with a comma:

EXAMPLE

Brief for the United States, *United States v. Rattoballi*, 452 F.3d 27 (2d Cir. 2006) (No. 05-1562-CR), <https://www.justice.gov/atr/cases/f209400/209434.htm> [<https://perma.cc/XYZ>].

To cite a **working paper**, simply follow the proper *Bluebook* rule (here, Rule 17.4), and append the URL to the end of the citation:

EXAMPLE

Zev J. Eigen & Yair Listokin, *Do Lawyers Really Believe Their Own Hype and Should They?: A Natural Experiment* (Yale L. & Econ. Rsch. Paper No. 412, 2011), <https://ssrn.com/abstract=1640062> [<https://perma.cc/XYZ>].

To cite a **press release**, simply follow the proper *Bluebook* rule (here, Rule 17.2.3), and append the URL to the end of the citation:

EXAMPLE

Press Release, Goldman Sachs, *Goldman Sachs Declares Preferred Stock Dividends* (Jan. 11, 2019), <https://www.goldmansachs.com/media-relations/press-releases/current/goldman-sachs-declares-preferred-stock-dividends-11-JAN-2019.html> [<https://perma.cc/XYZ>].

See *Bluebook* Rule 18.3.

PDFs Obtained from the Internet

PDFs obtained from the Internet are very common. It is important that they be cited correctly and consistently. The rules below warrant careful study. Reports put out by nongovernmental organizations generally fall into this category.

Finally, remember we prefer PDFs wherever possible, so look for a PDF version online. For a citation to a PDF obtained from the Internet, the author's name should be in ordinary roman font; the title in italics; the sponsoring organization in small caps and abbreviated according to T.6, T.10, and T.13; a pincite, if applicable; the date in parentheses; and the URL in ordinary roman font:

- a. **Author:** The author's name, if available, should be in ordinary roman font. When the author of the PDF is an institutional author, the author's name is in ordinary roman font and is abbreviated according to T.6 and T.10. Retain the words "a," "at," "in," "of," "the," and "on." However, if the PDF's author is the same institution, agency, or organization that sponsored its creation or publication, omit that institution's name from the author position and abbreviate according to T.6, T.10, and T.13 in the sponsoring institution, agency, or organization position.
- b. **Title:** The title of the PDF should be in italics. Contrary to Rule 8(b), capitalize according to 8(a) and not in accordance with the actual capitalization of the source.
- c. **Sponsoring Institution, Agency, or Organization:** Look to the PDF itself to identify the institution, agency, or organization that sponsored its creation or publication. The name of this organization should be in small caps. If the PDF lists a subdivision of a larger institution as its author, treat the subdivision as an institutional author, abbreviated according to T.6 and T.10, and the larger organization as the sponsoring organization, abbreviated according to T.6, T.10, and T.13. Per S.R. 15.1(d), the names of both institutional authors and sponsoring organizations should retain the words "a," "at," "in," "of," "the," and "on."
- d. **Date of Publication:** Identify the date that the PDF was published or uploaded to the Internet. If no date is available, use the month and year; if no month is available, use the season (if available) and year; if no season is available, use the year alone.

EXAMPLES

¹ Robert A. Levy, *The Case Against President Obama's Health Care Reform: A Primer for Nonlawyers*, CATO INST. 10 (2011), <https://www.cato.org/pubs/wtpapers/ObamaHealthCareReform-Levy.pdf> [<https://perma.cc/XYZ>].

² Env't Div., *Clean Coal Technology Demonstration Program*, U.S. DEP'T OF ENERGY, https://www.fossil.energy.gov/aboutus/history/researchsuccesses/CCT_DemoProg_FC_HRes.pdf [<https://perma.cc/XYZ>].

³ *Annual Report 2010-2011*, CTR. FOR INDIVIDUAL RTS. 19 (2011), <https://www.cir->

usa.org/articles/cir_annual_report_2011sm2.pdf [https://perma.cc/XYZ].

⁴ *Volume 123 Style Sheet*, YALE L.J. (Apr. 12, 2013), <https://www.yalelawjournal.org/documents/vol%20123%20style%20sheet.pdf> [https://perma.cc/XYZ].

⁵ *Semi-Annual Report of the Bureau of Consumer Financial Protection*, BUREAU CONSUMER FIN. PROT. (Fall 2020), https://files.consumerfinance.gov/f/documents/cfpb_semi-annual-report-to-congress_fall-2020.pdf [https://perma.cc/79PW-TWJX].

See *Bluebook* Rule 18.4.

Non-PDF Webpages and Documents

Use the following approach if you cannot find a PDF. Note that these rules are essentially the same as those for PDFs obtained from the Internet, but with two important differences:

1. Where an online PDF citation provides the name of the sponsoring organization, these citations provide the name of the main webpage. The procedure for determining the main webpage is laid out in Section (c) under the “Non-PDF Webpages and Documents” header in Rule 18. We also treat the name of webpages like periodical titles and omit the words “a,” “at,” “in,” “of,” and “the,” but retain the word “on.”
2. Online PDF citations indicate the date of publication to the nearest *day*, if this information is available; these citations indicate the date of publication to the nearest *minute*, if this information is available.

For a citation to webpage, the author’s name should be in ordinary roman font; the title of the derivative page in italics; the main webpage in small caps and abbreviated according to T.6, T.10, and T.13; the date in parentheses; and the URL in ordinary roman font.

- a. **Author:** The author’s name, if available, should be in ordinary roman font. When the webpage’s author is an institutional author, the author’s name is in ordinary roman font and abbreviated according to T.6 and T.10. Retain the words “a,” “at,” “in,” “of,” “the,” and “on.” However, if the webpage’s author is the same institution, agency, or organization that sponsored its creation or publication, omit that institution’s name from the author position and abbreviate according to T.6, T.10, and T.13.
- b. **Title:** If you are citing any part of the website other than the main page, the specific page title should be included in your citation in italics. In contrast to Rule 18.2.2(b), the specific page title should derive from the title on the webpage itself, not from the title bar. Also, contrary to Rule 8(b), capitalize according to 8(a) and not in accordance with the actual capitalization of the source. If the citation is to the main page of a website itself, there’s no need to include an italicized title—the main page title is sufficient. So, when the citation is to a main page, and the institutional author is clear from the main page title, only a T.6-, T.10-, and T.13-abbreviated main page title is necessary.
- c. **The Main Webpage:** Identify the main webpage. For purposes of this rule, the main webpage is the site that your browser takes you to if you cut off the URL after *.com*, *.gov*,

or .edu, for example. The main page title should be in small caps. Abbreviate the main page title according to T.6, T.10, and T.13. Omit the words “a,” “at,” “in,” “of,” and “the,” but retain the word “on.” In some cases, the main page might have a “prefix.” For example, the website of the Federal Railroad Administration—which is an agency within the Department of Transportation—is located at www.fra.dot.gov. In most cases, the main webpage should still be www.dot.gov. You may, however, treat a subdivision of an institution as the main webpage if it seems particularly relevant.

- d. **Date and Time:** Identify the date and time that the website was created, or the piece or post was published. If no date is available, use the month and year; if no month is available, use the season (if available) and year; if no season is available, use the year alone. Include AM or PM, if available, and the time zone, if available. For a web source that shows a revised or updated date and/or time, use the revised or updated information.

EXAMPLES

- ¹ Marissa Miller, *Monday Round-Up*, SCOTUSBLOG (Mar. 5, 2012, 9:55 AM), <https://www.scotusblog.com/2012/03/monday-round-up-108> [<https://perma.cc/XYZ>].
- ² Fed. R.R. Admin., *Railroad Safety*, U.S. DEP’T TRANSP., https://www.fra.dot.gov/rrs/pages/fp_3.shtml [<https://perma.cc/XYZ>].
- ³ *The Butterfly Conservatory*, AM. MUSEUM NAT. HIST., <https://www.amnh.org/exhibitions/butterflies> [<https://perma.cc/XYZ>].
- ⁴ Yasmin Nair, *In Defense of Sluts*, JEZEBEL (Mar. 8, 2012, 2:20 PM), <https://jezebel.com/5891313/in-defense-of-sluts> [<https://perma.cc/XYZ>].
- ⁵ DAILY KOS, <http://www.dailykos.com> [<https://perma.cc/XYZ>].
- ⁶ Eric Posner, *More on Section 7 of the Torture Convention*, SCOTUSBLOG (Jan. 29, 2009, 10:04 AM EST), <https://www.scotusblog.com/2012/1233241458.shtml> [<https://perma.cc/XYZ>].

See *Bluebook* Rule 18.4.

S.R. 18.2.2(d): URLs

URLs should begin with <https://> or <http://> depending on what is actually used in the browser bar. All Perma links should begin <https://>.

Do not use URL shorteners, such as tinyurl.com or bit.ly, to cut down the number of characters in a URL; doing so masks the information contained in the Internet address. URLs, whether in text or in citations, should retain all characters that would need to be entered into the address bar of a browser in order to take the reader directly to the relevant page (along with “<https://www>.”) *except* any final slash (“/”). The examples in Rule 18 follow this practice. If it is included in the URL, do not omit the <http://> at the beginning. Do not change the capitalization of URLs. Make sure that hyperlinks are removed.

However, the URL in the citation should not include unnecessary appendages such as “pagewanted=all” or “pagenum/2” if such appendages could be omitted without preventing the reader from reaching the relevant page or suppressing important information regarding the site. Generally, this will be any characters after the .html or other similar ending.

RIGHT

John Markoff, *Computer Wins on “Jeopardy!”: Trivial, It’s Not*, N.Y. TIMES (Feb. 16, 2011), <https://www.nytimes.com/2011/02/17/science/17jeopardy-watson.html> [https://perma.cc/XYZ].

WRONG

John Markoff, *Computer Wins on “Jeopardy!”: Trivial, It’s Not*, N.Y. TIMES (Feb. 16, 2011), https://www.nytimes.com/2011/02/17/science/17jeopardy-watson.html?_r=1 [https://perma.cc/XYZ].

For papers available through the Social Science Research Network (SSRN), use the URL in the top left corner under “Abstract,” not the URL that appears in the browser bar.

RIGHT

Eugene Fidell, Brenner Fissell & Philip D. Cave, *Equal Supreme Court Access for Military Personnel: An Overdue Reform*, 131 YALE L.J.F. (forthcoming 2021), <https://ssrn.com/abstract=3787736> [https://perma.cc/XYZ].

WRONG

Eugene Fidell, Brenner Fissell & Philip D. Cave, *Equal Supreme Court Access for Military Personnel: An Overdue Reform*, 131 YALE L.J.F. (forthcoming 2021), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3787736 [https://perma.cc/XYZ].

Perma Citation: URLs in our published work should be archived using our archival tool, Perma, unless there is some reason a Perma screenshot would not be at all useful to the reader as in the case of a site with a paywall that no one on YLJ has access to. Note that many websites with paywalls like the *New York Times* still work with Perma for users logged into the YLJ library account. For these sources, Perma links should be inserted. Permas should only be omitted due to a paywall when the link works for no user, such that even *Journal* editors cannot access the source to upload a PDF of it. The Perma URL should follow the original URL in brackets, as shown in the examples throughout this guide For papers available through SSRN, upload the PDF of the paper to Perma; do not capture the abstract URL. To upload a PDF, leave the URL field blank and press “Create Perma Link” and then “Upload Your Own Archive.” You can then upload the PDF. Permas should be included for videos and audio recordings; even though the Perma link will not allow a reader to watch/listen to the video or recording, respectively, it will be useful insofar as it provides original information about title, date, length, etc.

No “(last visited)” parenthetical: *YLJ* follows Rule 18.2.2(c) and does not use the “(last visited)” parenthetical because Perma indicates when an internet source is archived.

S.R. 18.7: Audio Recordings

YLJ requires time markers be used for designating pinpoint citations for audio recordings, podcasts, and recordings available online whenever possible. Generally, time markers designating pinpoint citations should be omitted only if the author is citing the entire recording or a time marker is unavailable.

S.R. 18.8: Photographs and Illustrations

YLJ cites photographs and illustrations in accordance with Rule 18.8. However, contrary to *Bluebook* Rule 18.8, the *Journal* always lists the artist’s name (when available) the first time a photograph or illustration is cited, not just when the author’s name is “significant or relevant.”

Rule 21

S.R. 21.5.1: The International Court of Justice and the Permanent Court of International Justice

The text of the *Bluebook* and T3 say that the reporter for ICJ decisions is I.C.J. Many of the examples cite to I.C.J. Rep. *YLJ* follows the text of the rule and cites to I.C.J.

EXAMPLE

Application of Convention on Prevention and Punishment of Crime of Genocide (Bosn. & Herz. v. Serb. & Montenegro), 1996 I.C.J. 595, ¶ 31 (July 11).

S.R. 21.5.3: Citations from the European Court of Human Rights

Given that the reporters for ECHR cases are not up-to-date – as well as how much easier it is to access these cases online through the HUDOC database – *YLJ* deviates slightly from Rule 21.5.3 by including both traditional reporter information and the App. No. information that allows you to search for these cases on HUDOC.

EXAMPLE

Zarb Adami v. Malta, App. No. 17209/02, 2006-VIII Eur. Ct. H.R. 307, 326 ¶ 82.

Rule 22: Guidelines for Style

S.R. 22.1: Use of the Chicago Manual of Style and GPO Style Manual

Sourceciting and proofreading packets often contain capitalization, compounding, and other punctuation mistakes. The *Chicago Manual of Style* thoroughly covers these topics. Copies are available in the *Journal* office. Yale students also have access to

<http://www.chicagomanualofstyle.com>, which provides the full, searchable text of the *Chicago Manual*. (In addition, *Journal* members receive free subscriptions to <http://www.legalbluebook.com>, which provides the full, searchable text of *The Bluebook*.) The *GPO Style Manual*, available at <http://www.gpoaccess.gov/stylemanual>, should be consulted for matters not covered in *The Bluebook*, the *Chicago Manual of Style*, or this Style Sheet.

Grammar and Language

S.R. 22.2: “e.g.” and “i.e.”

“E.g.” means “for example.” “I.e.” means “that is.” They are not italicized when used as part of a sentence or when beginning a parenthetical, and they are always followed by a comma. We spell out the abbreviations when they appear in the main text: “e.g.” should become “for example” and “i.e.” should become “that is.” However, it is permissible to use e.g. and i.e. in the main text if they are used within parentheses (i.e., something like this). A list that begins with “e.g.” should not end with “etc.”

S.R. 22.3: “That” versus “Which”

“That” defines or restricts. “Which” explains. Thus, “Tyler prefers the pudding that his grandmother makes.” (“That” provides necessary information about what pudding we’re referring to). But, “Tyler prefers his grandmother’s pudding, which he eats three times a day.” (We already know what pudding we’re referring to, but “which” provides additional detail about the pudding in question.) For further illustration, see the *Chicago Manual of Style* ¶ 6.22.

S.R. 22.4: Parts and Sections

The main sections of pieces are denoted with capital Roman numerals: I, II, III, IV, and so on.
The first subsections of pieces are denoted with capital letters: A, B, C, and so on.
The second subsections of pieces are denoted with numbers: 1, 2, 3, and so on.
The third subsections of pieces are denoted with small letters: a, b, c, and so on.

The main sections (denoted with I, II, etc.) are “Parts.” Any subsections are “Sections.”

EXAMPLE

In this Article, Part I explains the history of employment discrimination law. Section I.A describes the law before Title VII, and Section I.B describes the law after Title VII. Section I.B.1 describes the period between Title VII and <i>Griggs</i> , and Section I.B.2 describes the period after <i>Griggs</i> .

S.R. 22.5: Singular They

The singular usage of “they” is fully permissible for generic references and, of course, obligatory when a person being discussed takes the pronoun “they.” Where the author makes a conscious choice to use “he” or “she” as a generic singular pronoun we generally defer.

S.R. 22.6: Inclusive Language

The *Journal* has a strong default presumption in favor of using inclusive language. *YLJ* is committed to not using language that promotes ableism, sexism, heterosexism, or racism. For example:

FAVORED: Author X’s analysis is scattered.

DISFAVORED: Author X’s analysis is schizophrenic.

FAVORED: Author Y’s study focused on people in different-sex relationships.

DISFAVORED: Author Y’s study focused on people in opposite-sex relationships.

FAVORED: Academic scholarship has often ignored the lived experiences of Black people.

DISFAVORED: Academic scholarship has often ignored the lived experiences of Blacks.

S.R. 22.7: Split Infinitives

The *Journal* has a strong default presumption against splitting infinitives.

S.R. 22.8: Usage of Particular Words

Do not capitalize the word “**internet**,” unless it is necessary to do so grammatically (e.g., it begins a sentence).

RIGHT

YLJ editors search the **internet** for various sources. Some authors have explained that the “**Internet** of Things” is going to change the way we interact with our surroundings.

WRONG

YLJ editors search the **Internet** for various sources.

“**Data**” should be used in the plural. Of course, usage must be consistent throughout a particular piece.

S.R. 22.9: Compound Noun Possessives

When creating a compound possessive out of two or more nouns, use the possessive form of only the last noun if the nouns are functioning as one unit (i.e., sharing ownership). If the nouns are functioning as separate units (i.e., each has separate ownership), use the possessive form of all nouns.

EXAMPLE

Professors Koh and Gluck co-authored

Professors Koh and Gluck’s articles are widely cited.

two articles:	
Professors Koh and Gluck each authored a separate article:	Professor Koh's and Gluck's articles are widely cited.

Punctuation

S.R. 22.10: Coined Plurals

Coined plurals do not require an apostrophe before the "s." For example, "the 1920s," "YMCA's," and "BTUs."

S.R. 22.11: Possessives

The possessive of a singular noun is normally formed by the addition of an apostrophe and an "s." The possessive of a plural noun ending in "s" is formed by the addition of an apostrophe only. For example, "Mars's moons," "Mr. Jones's car," "the Joneses' divorce," "the princesses' jewels," "Ms. Schmitz's purse," and "Congress's pay raise." The possessive of "United States" is "United States's."

S.R. 22.12: Lists

When commas separate items in a series, a comma (the so-called "serial comma" or "Oxford comma") should precede the "and" between the last two items: "I love sourcecites, bookpulls, and officer proofs." The serial comma should not be used where the last item in the series is appended with an ampersand. When items in a series are long and complex, or involve internal punctuation, they should be separated by semicolons for the sake of clarity.

S.R. 22.13: Parentheses

When a full sentence is contained within parentheses, end punctuation should be placed *inside* the parentheses.

S.R. 22.14: Quotation Marks

We use curly quotation marks (" / ' / "), not straight quotation marks (" ; '). Use of straight marks may indicate that the text has been copied from another source. Quotation marks in text copied from Westlaw, for instance, are straight. For example, if an article contained the text, "The dissemination of the individual's opinions on matters of public interest is a core American value," without any further attribution, the sourceciter and lead editor should try to find the source of the straight mark. It should then be correctly formatted and cited:

EXAMPLE

The “dissemination of the individual’s opinions on matters of public interest” is a core American value.¹

¹ Curtis Pub. Co. v. Butts, 388 U.S. 130, 149 (1967) (plurality opinion).

S.R. 22.15: Hyphenation Guide

The *Journal* has a strong default presumption in favor of hyphenating whenever it is called for by the [Chicago Manual of Style Hyphenation Guide](#). Editors for the *Journal* should familiarize themselves with our internal exceptions list.

S.R. 22.16: Hyphenation of Particular Terms

Notwithstanding S.R. 22.15 and R. 17, we do not hyphenate the following specific term: “email.” Consistent with Merriam-Webster, we do hyphenate “decision-making” (but we do not hyphenate “decision maker”).

S.R. 22.17: Hyphenation of Proper Adjectives

Notwithstanding S.R. 22.15 and R. 17, we do not hyphenate proper adjectives, including constitutional amendments.

RIGHT

The Court held that Harvard’s affirmative-action program disadvantaged **Asian American applicants**.

RIGHT

Post-*Heller*, many **Second Amendment advocates** felt that their mission had only been partially accomplished.

WRONG

The Court held that Harvard’s affirmative-action program disadvantaged **Asian-American applicants**.

WRONG

Post-*Heller*, many **Second-Amendment advocates** felt that their mission had only been partially accomplished.

S.R. 22.18: Dashes and Hyphens

Do not use en dashes instead of hyphens, and always use an em dash instead of two hyphens to demarcate a break in thought. At all other times, unless explicitly noted, use hyphens. The *Journal* does not place a space on either side of an em dash.

EXAMPLE

See J.A.S. GRENVILLE, *THE MAJOR INTERNATIONAL TREATIES, 1914-1973*, at 16-17 (1974) (“All nineteenth-century treatises—including Justice Story’s—agree on this point.”).

S.R. 22.19: Slashes and Hyphens

Hyphens are generally preferred to slashes. Slashes, however, should be used when two items are opposites or are in tension (e.g., “the normative/positive debate”; *but* “attorney-client privilege,” “cost-benefit analysis”). Compare the following (correct) usages:

EXAMPLE

The shopping center was built by a unique public-private partnership.

EXAMPLE

Feldman misunderstands the nature of the public/private distinction.

When using a slash, note that the *Chicago Manual of Style* dictates that if the slash divides two words, there is no space; however, if the slash divides two phrases or sentences (or a single word from a phrase), a space before and after the slash should be used to make the text more legible. Compare the following:

EXAMPLE

If/when the Court reconsiders *Roe v. Wade*, it may look to Justice Thomas’s concurrence in *Box v. Planned Parenthood*.

EXAMPLE

The *Bluebook* Editor explained that the difference between the twentieth edition / twenty-first edition is not as complicated as it may seem at first.

S.R. 22.20: Spacing

Place only one space after a period, colon, semi-colon, or question mark in *Journal* manuscripts to allow for conversion to desktop publishing.

The *Journal* uses **nonbreaking spaces** in three instances: (i) between section symbols and the adjacent section number, (ii) between paragraph symbols and the adjacent paragraph number, and (iii) within and on all sides of an ellipsis (i.e., four nonbreaking spaces for three periods). Outside of these contexts, be sure to remove errant nonbreaking spaces.

Sources

S.R. 22.21: Errors or Omissions in Sources

Spelling

Correct spelling using [sic] or brackets. [Sic] should be used sparingly, especially for things that we can easily fix with brackets. The presumption is against using [sic], unless it is likely that the error would cause a reader to doubt our editorial acumen. Thus:

EXAMPLE

Original Version:	Quoted Version:
The doctors is opposed.	“The doctors [are] opposed.”
The doctors, are opposed.	“The doctors[] are opposed.”
The dactors are opposed.	“The d[o]ctors are opposed.”

Irregular spelling, capitalization, or punctuation in historical materials should be retained. No [sic] is necessary unless the spelling is likely to be mistaken for a *Journal* error.

Other Errors

Even if a case quoting another case cites to an incorrect page number, any parenthetical noting the fact of quotation should cite to the correct page number.

EXAMPLE

Case A at 111 F.3d 111:	Some people like Hamlet.
Case B at 333 F.3d 333:	As some courts have noted, “[s]ome people like Hamlet.” <i>Case A</i> , 111 F.3d 100, 112 (7th Cir. 2000). [at 333 F.3d 333]
Your citation is:	There have sometimes been references to Hamlet. <i>See, e.g., Case B</i> , 333 F.3d 300, 333 (8th Cir. 2002) (quoting <i>Case A</i> , 111 F.3d 100, 111).

Nonconformity with Journal Style Rules

Do not alter quotations to conform with *Journal* style rules other than by correcting the two categories of errors above.

EXAMPLE

Original Source:	Supreme Court justices read briefs, participate in oral arguments and write opinions.
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RIGHT	“Supreme Court justices read briefs, participate in oral arguments and write opinions.”
WRONG	“Supreme Court [J]ustices read briefs, participate in oral arguments[,] and write opinions.”

S.R. 22.22: Short Forms for Cases

When using a short form to refer to a case in its entirety, include the volume of the case reporter and the first page on which the case appears.

EXAMPLE

Lawrence, 539 U.S. 558.

S.R. 22.23: Unpaginated PDF Documents

If a PDF does not have traditional page numbers, you may use the page numbers of the actual PDF file itself; however, you must offset the page number in brackets. Page 1 is the first page of the file even if it’s a title page.

S.R. 22.24: Archival Sources

Unpublished archival sources should be cited according to relevant *Bluebook* rules. Specific information concerning the collection, folder, box, or location of the sources should be provided in a parenthetical. Do not abbreviate in the parenthetical. *Cf.* R. 17.2.3 (not abbreviating “[s]chool” in a parenthetical).

EXAMPLE

Letter from John Rawls to Charlie Chaplin (on file with the United Kingdom National Archives, Box KB 1/55/5/1).

S.R. 22.25: Subsequently Published Correspondence

When correspondence that was originally unpublished is subsequently published online, cite as follows.

EXAMPLE

Alexander Hamilton, Report on the Subject of Manufactures (Dec. 5, 1791), *reprinted by* FOUNDERS ONLINE, NAT’L ARCHIVES (June 13, 2018), <https://founders.archives.gov/documents/Hamilton/01-10-02-0001-0007> [<https://perma.cc/3PXY-WTR>].

S.R. 22.26: Author Middle Initials

When a source contains the author's middle initial, include the author's middle initial in the citation to the source, the first reference to the author in the main text (when using the author's full name), and the first reference to the author in the footnote text (when using the author's full name).

EXAMPLE

David W. Blight's authoritative biography of Frederick Douglass captures how Douglass's political abolitionism and acceptance of the Constitution forced a split in 1851 with William Lloyd Garrison.¹

¹ See DAVID W. BLIGHT, *FREDERICK DOUGLASS: PROPHET OF FREEDOM* (2018). This account by David W. Blight chronicles Douglass's entire life; indeed, Blight masterfully captures Douglass's personal and political development in a new light.