

# The ALWD Citation Manual: A Truly Uniform System of Citation

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## I. INTRODUCTION

The Association of Legal Writing Directors (ALWD), an organization of more than 200 members representing approximately 150 law schools, has recently completed the daunting task of developing and publishing a new legal citation manual.<sup>2</sup> The idea of developing an alternative to the *Bluebook*<sup>3</sup> began approximately three years ago.<sup>4</sup> The *ALWD Citation Manual: A Professional System of Citation* was prepared by legal writing faculty and, because of their status as gatekeepers to the legal writing community, stands a better chance of replacing the *Bluebook* than other competitors. This review will begin by tracing the history of the *Bluebook* and competitors to the *Bluebook*. It will also examine the common criticisms of the *Bluebook*. The

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<sup>2</sup> Assn. of Leg. Writing Dirs. & Darby Dickerson, *ALWD Citation Manual* (Aspen L. & Bus. 2000) [hereinafter the *ALWD Citation Manual*]. [ASSOCIATION OF LEGAL WRITING DIRECTORS & DARBY DICKERSON, *ALWD CITATION MANUAL* (2000) [hereinafter *ALWD CITATION MANUAL*].] The author notes that the footnotes in this article conform to the *ALWD Citation Manual*. Also, to facilitate the comparison of citation styles between the *Bluebook*, *infra* note 2, and the *ALWD Citation Manual*, citation consistent with the *Bluebook* is provided in brackets. To that end, the author would like to acknowledge the assistance of Darby Dickerson and Jill Beard, who graciously reviewed the footnotes for proper citation form, and John Edwards, who was a generous source of support. Responsibility for any errors that remain is my own.

<sup>3</sup> *The Bluebook: A Uniform System of Citation* (16th ed., Colum. L. Rev. et al. eds., Harv. L. Rev. Assn. Gannett House 1996) [hereinafter *Bluebook*]. [THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review et al. eds., 16th ed. 1996) [hereinafter BLUEBOOK].]

<sup>4</sup> Steven J. Jamar, *The ALWD Citation Manual – A Professional Citation System for the Law*, 8 *Persp.* 65 (2000). [See Steven J. Jamar, *The ALWD Citation Manual – A Professional Citation System for the Law*, 8 *PERSPECTIVE* 65 (2000).] The original idea to prepare a citation manual came in 1997 from Jan Levine of Temple University School of Law who was then President of the Association of Legal Writing Directors. He and Richard K. Neumann, Jr. of Hofstra University School of Law were then the moving forces behind the creation of the *ALWD Citation Manual*. Telephone Interview with Darby Dickerson, Associate Dean, Stetson Univ. College of Law (Mar. 27, 2000). [Telephone Interview with Darby Dickerson, Associate Dean, Stetson University College of Law (Mar. 27, 2000).]

review will then analyze the differences between the *ALWD Citation Manual* and the *Bluebook* and make observations regarding the likelihood that the *ALWD Citation Manual* will ultimately replace the *Bluebook*.

## II. THE *BLUEBOOK*

The *Bluebook* was originally conceived by a second-year law student at Harvard Law School, Erwin Griswold, in 1926.<sup>5</sup> Griswold started the project during a summer break from Harvard Law School.<sup>6</sup> Griswold went on to become dean of Harvard Law School. In its first edition the manual, designed for use by law review editors, was concise, straightforward, and surprisingly humble.<sup>7</sup> Ultimately the *Bluebook* represented a collaboration between the editors of the *Columbia Law Review*, *Harvard Law Review*, *University of Pennsylvania Law Review*, and *The Yale Law Journal*. The *Bluebook* quickly became a leading citation manual and in 1949, at the first National Conference of Law Reviews, won the unanimous support of the editors for a proposed national system of citation.<sup>8</sup> Interestingly, the *Bluebook* was never officially adopted by the Conference, likely because the group of student editors responsible for studying the issue graduated prior to issuing a final report at the next conference three years later.<sup>9</sup>

In 1976, the *Bluebook* was in its twelfth edition.<sup>10</sup> At this point the *Bluebook* began to be marketed as a practice guide for

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<sup>5</sup> James W. Paulsen, *An Uninformed System of Citation*, 105 Harv. L. Rev. 1780, 1794 n. 14 (1992). [See James W. Paulsen, *An Uninformed System of Citation*, 105 HARV. L. REV. 1780, 1794 n.14 (1992).] Paulsen's book review of the fifteenth edition of the *Bluebook* contains one of the many remarkably humorous reviews of the citation manual. E.g. James D. Gordon, *Oh No! A New Bluebook!*, 90 Mich. L. Rev. 1698 (1992). [See also James D. Gordon, *Oh No! A New Bluebook!*, 90 MICH. L. REV. 1698 (1992).]

<sup>6</sup> Paulsen, *supra* n. 5, at 1782. [Paulsen, *supra* note 5, at 1782.]

<sup>7</sup> *A Uniform System of Citation* (1st ed. 1926) [hereinafter *Bluebook* 1st ed.]. [A UNIFORM SYSTEM OF CITATION (1st ed. 1926) [hereinafter BLUEBOOK 1ST ED.].] The Foreword acknowledges, "This pamphlet does not pretend to include a complete list of abbreviations or all the necessary data as to form. It aims to deal with the more common abbreviations and forms to which one has occasion to refer." *Id.* at 1. [*Id.* at 1.]

<sup>8</sup> Paulsen, *supra* n. 5, at 1794 n. 21 (citing Daniel Walker, *Report on the First National Conference of Law Review Editors*, 2 J. Leg. Educ. 326, 332 (1950)). [See Paulsen, *supra* note 5, at 1794 n.21 (citing Daniel Walker, *Report on the First National Conference of Law Review Editors*, 2 J. LEGAL EDUC. 326, 332 (1950)).]

<sup>9</sup> *Id.* [*Id.*]

<sup>10</sup> *A Uniform System of Citation* (12th ed., Colum. L. Rev. et al. eds., Harv. L. Rev. Assn. Gannett House 1976). [A UNIFORM SYSTEM OF CITATION (Columbia Law Review et al. eds., 12th ed. 1976).]

attorneys, rather than simply a citation manual for law reviews. Also, the editors instituted a policy of publishing new editions at five-year intervals in an effort to enhance the stability of the publication. By 1981, with the *Bluebook's* thirteenth edition, the original pamphlet designed for in-school use at Harvard<sup>11</sup> had evolved into a comprehensive book designed to provide citation format for all types of legal writing. At this point the *Bluebook* had gained a stronghold in the legal writing community and its influence had migrated from law reviews to law school legal research and writing curricula, practitioners and the courts.<sup>12</sup> However, a storm was brewing.

### III. CRITICISMS OF, AND COMPETITION FOR, THE *BLUEBOOK*

No discussion of the *Bluebook* would be complete, or gratifying, without referring to the library of criticism published each time the *Bluebook* is revised. A profound example appears in the preface to *The Bluebook: A Sixty-Five Year Retrospective*,<sup>13</sup> in which author Robert C. Berring, Jr. astutely notes, "The *Uniform System of Citation* has inflicted more pain on more law students than any other publication in legal history."<sup>14</sup> A particularly scathing review by Judge Richard A. Posner provides:

Like many of the judicial opinions and law review articles whose citation form it dictates, the *Bluebook* is elaborate but not purposive. Form is prescribed for the sake of form, not of function; a large structure is built up, all unconsciously, by accretion; the superficial dominates the substantive. The vacuity and tendentiousness of so much legal reasoning are concealed by the awesome scrupulousness with which a set of intricate rules governing the form of citations is observed.<sup>15</sup>

Indeed, the titles to citation assistance manuals underscore the dissatisfaction with the *Bluebook: User's Guide to a Uniform*

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<sup>11</sup> See *Bluebook* 1st ed. *supra* n. 7. [See BLUEBOOK 1st ed., *supra* note 7.]

<sup>12</sup> Paulsen, *supra* n. 5, at 1794 nn. 31-34. [See Paulsen, *supra* note 5, at 1794 nn.31-34.]

<sup>13</sup> *The Bluebook: A Sixty-Five Year Retrospective* vol. 1 (William S. Hein & Co. 1998). [1 THE BLUEBOOK: A SIXTY-FIVE YEAR RETROSPECTIVE (1998).]

<sup>14</sup> *id.* at v. [*Id.* at v.]

<sup>15</sup> Richard A. Posner, *Goodbye to the Bluebook*, 53 U. Chi. L. Rev. 1343, 1343-1344 (1986). [Richard A. Posner, *Goodbye to the Bluebook*, 53 U. CHI. L. REV. 1343, 1343-44 (1986).]

*System of Citation: The Cure for the Bluebook Blues*,<sup>16</sup> *The Citation Workbook: How to Beat the Citation Blues*,<sup>17</sup> and *A Bluebook Survival Guide for Students, Editors, Instructors, and Practitioners*.<sup>18</sup>

The primary criticisms of the *Bluebook* were accurately characterized by Darby Dickerson, the leading author of the *ALWD Citation Manual* and a recognized expert on legal citation.<sup>19</sup> Dickerson noted four reasons that the *Bluebook* fails in its objective to provide uniform citation rules.<sup>20</sup> First, each edition of the *Bluebook* changes basic rules, rather than simply adding or supplementing rules for new sources.<sup>21</sup> This criticism was particularly well supported in connection with the most recent edition of the *Bluebook*.<sup>22</sup> In the sixteenth edition, the editors of the *Bluebook* drastically changed rules regarding signal definitions.<sup>23</sup> The most consequential change regarded the *see* signal, which the sixteenth edition required to be used in nearly every citation circumstance except where the source of a quotation need be identified. Because the *see* signal had formerly indicated indirect support for a proposition, the new definition of the signal all but ensured confusion and created a distinct probability that an author's work would be misconstrued. "Since the purpose of a signal system is to facilitate an orderly presentation of authority which gives readers the opportunity to

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<sup>16</sup> Alan L. Dworsky, *User's Guide to a Uniform System of Citation: The Cure for the Bluebook Blues* (Fred B. Rothman & Co. 1988). [ALAN L. DWORSKY, *USER'S GUIDE TO A UNIFORM SYSTEM OF CITATION: THE CURE FOR THE BLUEBOOK BLUES* (1988).]

<sup>17</sup> Maria L. Ciampi et al., *The Citation Workbook: How to Beat the Citation Blues* (Anderson Publ. Co. 1993). [MARIA L. CIAMPI ET AL., *THE CITATION WORKBOOK: HOW TO BEAT THE CITATION BLUES* (1993).]

<sup>18</sup> J. Reid Mowrer, *A Bluebook Survival Guide for Students, Editors, Instructors, and Practitioners* (Maria Delgado Publ. 1997). [J. REID MOWRER, *A BLUEBOOK SURVIVAL GUIDE FOR STUDENTS, EDITORS, INSTRUCTORS, AND PRACTITIONERS* (1997).]

<sup>19</sup> A. Darby Dickerson, *An Un-Uniform System of Citation: Surviving with the New Bluebook (Including Compendia of State and Federal Rules Concerning Citation Form)*, 26 *Stetson L. Rev.* 53 (1996). [See, e.g., A. Darby Dickerson, *An Un-Uniform System of Citation: Surviving with the New Bluebook (Including Compendia of State and Federal Rules Concerning Citation Form)*, 26 *STETSON L. REV.* 53 (1996).]

<sup>20</sup> *Id.* at 56-57. [See *id.* at 56-57.]

<sup>21</sup> *Id.* at 56. [See *id.* at 56.]

<sup>22</sup> *Bluebook*, *supra* n. 3. [BLUEBOOK, *supra* note 3.]

<sup>23</sup> As Professor Dickerson aptly noted, however, "Revising the introductory-signal section appears to be a rite of passage for *Bluebook* editors: the signals have changed in each edition since the Seventh." A. Darby Dickerson, *Seeing Blue: Ten Notable Changes in the New Bluebook*, 6 *Scribes J. Leg. Writing* 75, 75 (1998). [A. Darby Dickerson, *Seeing Blue: Ten Notable Changes in the New Bluebook*, 6 *SCRIBES J. LEGAL WRITING* 75, 75 (1998).]

reproduce the author's research and the significance he assigns to his conclusions and authority, changes in the signals could bring an accurate author's credibility into question."<sup>24</sup>

The signal change resulted in an extraordinary response from the academic community. At the 1997 Annual Meeting of the American Association of Law Schools, the House of Representatives passed a resolution asking the editors of the *Bluebook* to reinstate the signals definitions found in the fifteenth edition of the *Bluebook*.<sup>25</sup> The resolution also encouraged law reviews to continue to use the fifteenth edition's introductory signal rules.<sup>26</sup> The *Bluebook* editors recently acknowledged this sentiment, and plan to return to the introductory signals definitions from the fifteenth edition when the seventeenth edition is published later this year.<sup>27</sup>

The second criticism noted by Dean Dickerson also involves the failure of the *Bluebook* to maintain and adhere to uniform standards: The law reviews that produce the *Bluebook* often deviate from *Bluebook* rules.<sup>28</sup> The two additional criticisms of the *Bluebook* involve practical matters. Specifically, the *Bluebook* fails to incorporate or adequately reference mandatory court rules practitioners must follow.<sup>29</sup> Also, because the *Bluebook* is complex and not perceived as being user-friendly, there have been numerous proposed alternatives to either supplement or supplant the *Bluebook*.<sup>30</sup>

Indeed, many alternative guides for legal citation exist. Miles O. Price's *A Practical Manual of Standard Legal Citations*<sup>31</sup> was prepared based on citation practices the author found in briefs.<sup>32</sup> Many law review staffs have published either

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<sup>24</sup> Richard L. Bowler, *Book Review*, 44 U. Chi. L. Rev. 695, 701 (1977) (reviewing the twelfth edition of the *Bluebook*). [Richard L. Bowler, *Book Review*, 44 U. CHI. L. REV. 695, 701 (1977) (reviewing the twelfth edition of the *Bluebook*).]

<sup>25</sup> Dickerson, *supra* n. 23, at 79. [See Dickerson, *supra* note 23, at 79.]

<sup>26</sup> *Id.* [See *id.*]

<sup>27</sup> Harv. L. Rev., *The Bluebook: A Uniform System of Citation* <<http://www.legalbluebook.com/discus/>> (last updated Feb. 9, 2000). [Harvard Law Review, *The Bluebook: A Uniform System of Citation* (last modified Feb. 9, 2000) <<http://www.legalbluebook.com/discus/>>.]

<sup>28</sup> Dickerson, *supra* n. 19, at 57. [See Dickerson, *supra* note 19, at 57.]

<sup>29</sup> *Id.* [See *id.*]

<sup>30</sup> *Id.* [See *id.*]

<sup>31</sup> Miles O. Price, *A Practical Manual of Standard Legal Citations* (1st ed., Oceana Publications 1950). [MILES O. PRICE, A PRACTICAL MANUAL OF STANDARD LEGAL CITATIONS (1st ed. 1950).]

<sup>32</sup> See Byron D. Cooper, *Anglo-American Legal Citation: Historical Development and Library Implications*, 75 L. Lib. J. 3, 22 (1982). [See Byron D. Cooper, *Anglo-American*

supplements or alternatives to the *Bluebook*.<sup>33</sup> Finally, many jurisdictions have adopted specific citation rules for practice within that jurisdiction.<sup>34</sup>

The most widely recognized challenger to the *Bluebook* was developed by various law journals at the University of Chicago in 1986.<sup>35</sup> *The University of Chicago Manual of Legal Citation*, known as the *Maroonbook*, was intended to "provide a simple, workable system of citation for legal writing."<sup>36</sup> A primary objective of the *Maroonbook* was to allow writers some flexibility in citation:

"[A] citation system should prize ease of reference and internal consistency within a journal over a rigid adherence to form . . . . [W]riters and editors should devote their time to writing and editing, rather than spending hours slogging through the *Bluebook* to unearth and answer. Since it is neither possible nor desirable to craft a rule for every citation problem that could arise, the *Maroonbook* grants writers and editors a fair amount of discretion. This above all: Be clear, sensible and consistent."<sup>37</sup>

The *Maroonbook* found considerable support in Judge Richard A. Posner, who published an essay in *The University of Chicago Law Review* titled *Goodbye to the Bluebook*.<sup>38</sup> Other scholars also supported the *Maroonbook* as a viable alternative to the *Bluebook*. For example, the preface to the third edition of *Legal Research and Citation* by Larry L. Teply notes: "The text and exercises are designed so that students may use the citation form set out in *A Uniform System of Citation* (14th ed. 1986) or

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*Legal Citation: Historical Development and Library Implications*, 75 L. LIBR. J. 3, 22 (1982).]

<sup>33</sup> See Dickerson, *supra* n. 19, at 91-92. [See Dickerson, *supra* note 19, at 91-92.]

<sup>34</sup> *Id.* at apps. B-1 to B-3. [See *id.* at apps. B-1 to B-3.]

<sup>35</sup> *The University of Chicago Manual of Citation*, commonly known as the *Maroonbook*, was first published as an appendix to Posner, *supra* n. 15. *University of Chicago Manual of Legal Citation* (U. Chi. L. Rev. & U. Chi. Leg. Forum eds. 1986) [hereinafter *Maroonbook*]. [UNIVERSITY OF CHICAGO MANUAL OF LEGAL CITATION (University of Chicago Law Review & University of Chicago Legal Forum eds., 1989) [hereinafter MAROONBOOK].]

<sup>36</sup> *Maroonbook*, *supra* n. 35, at 7. [MAROONBOOK, *supra* note 35, at 7.]

<sup>37</sup> Dickerson, *supra* n. 19, at 221 n. 260 (quoting Letter from Tom Dupree, Editor, *Univ. of Chi. L. Rev.*, to ABA Spec. Comm. on Citation Issues (July 21, 1996) (copy on file with *Stetson Law Review*)). [Dickerson, *supra* note 19, at 221 n.260 (quoting Letter from Tom Dupree, Editor, *University of Chicago Law Review*, to ABA Special Committee on Citation Issues (July 21, 1996) (copy on file with *Stetson Law Review*)).]

<sup>38</sup> Posner, *supra* n. 15. [Posner, *supra* note 15.]

*The University of Chicago Manual of Legal Citation* (1989).<sup>39</sup>

Even with the solid endorsement of Judge Posner, the *Maroonbook* failed to effectively oust the *Bluebook* from its authoritative position.<sup>40</sup> The most plausible reason for the *Bluebook*'s endurance is that most law schools adhere to the *Bluebook* and, consequently, most lawyers are familiar with and therefore married to *Bluebook* form. Because the *ALWD Citation Manual* has been prepared by legal writing instructors who influence the style and format of the next generation of law review editors, practitioners and judges, it stands the greatest chance of infiltrating the exclusive turf of the *Bluebook*.

#### IV. FORMAT DIFFERENCES BETWEEN THE *BLUEBOOK* and the *ALWD CITATION MANUAL*

Several differences in format between the two citation guides are worth noting. First, the *ALWD Citation Manual* is slightly longer than the *Bluebook*. This is likely due to the emphasis on creating a teaching tool envisioned by the creators of the *ALWD Citation Manual*. The *ALWD Citation Manual* is 470 pages long (approximately 9 x 6 inch), including appendices and indices, as compared to the 365-page (approximately 8 x 5 inch) *Bluebook*, complete with index and related tables. However, much of the length of the *ALWD Citation Manual* is attributable to straightforward information on how to use the manual and how to clearly cite the sources. Also, the *ALWD Citation Manual* has standard margins and 12-point font in contrast to 1/4-inch margins at the top and bottom of each *Bluebook* page. Consequently, while the *ALWD Citation Manual* may be slightly longer, it is significantly easier on the eyes.

The *ALWD Citation Manual*, like the *Bluebook*, has ring binding so that it conveniently lays flat. Also, the front and back covers of the *ALWD Citation Manual* are laminated to ensure durability and the pages are of heavy stock.

The *ALWD Citation Manual* clearly shows spacing with icons, and uses color variation to emphasize points and make

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<sup>39</sup> Larry L. Teply, *Legal Research and Citation iii* (3d ed. West 1989). [LARRY L. TEPLY, *LEGAL RESEARCH AND CITATION iii* (3d ed. 1989).]

<sup>40</sup> E.g. Larry L. Teply, *Legal Research and Citation iii* (4th ed., West 1992) (noting "The citations in this text are keyed to the fifteenth edition of *The Bluebook: A Uniform System of Citation*"). [See, e.g., LARRY L. TEPLY, *LEGAL RESEARCH AND CITATION iii* (4th ed. 1992) (noting "The citations in this text are keyed to the fifteenth edition of *The Bluebook: A Uniform System of Citation*").]

distinctions clear. Teaching tools referred to as “Sidebars” discuss key points that are extremely helpful to novice researchers. The “Fast Formats” sections that precede chapters covering a particular source are valuable tools which illustrate application of the rules. Also, cross-references in each section to applicable appendices facilitate use of the *ALWD Citation Manual*. Finally, the *ALWD Citation Manual* features a Web site that will address frequently asked questions and material the authors felt were useful but too cumbersome to include in the text.<sup>41</sup> It is worth noting that the editors of the *Bluebook* now also maintain a Web site.<sup>42</sup>

#### V. THE *ALWD CITATION MANUAL* AND THE *BLUEBOOK*: A COMPARISON OF SELECTED RULES<sup>43</sup>

**Typeface Conventions:** With respect to typeface conventions, the *ALWD Citation Manual* eliminates the use of small caps in citations. The *ALWD Citation Manual* has only two type styles: italics and regular type.<sup>44</sup> If the portion of the citation is not in italics, then it is to be in regular type. The *Bluebook* requires the use of different fonts depending upon the type of document and where the source is cited within the document.

**Cases and Statutes:** A prominent feature of the *ALWD Citation Manual*, and one that significantly impacts its simplicity and resultant usefulness, is that the *ALWD Citation Manual* does not distinguish between case citations appearing in legal memoranda, law review articles, and law review footnotes. The *ALWD Citation Manual* uses the same citation format regardless of where the citation appears.

Unlike the *Bluebook*, the *ALWD Citation Manual* contains diagrammed examples that emphasize each component of a citation. The *ALWD Citation Manual* explains initial case references and emphasizes the importance of pinpoint references. The Sidebar that addresses pinpoint references is clear, straightforward, and gives the novice researcher appropriate information within a practical context. It provides:

The importance of pinpoint references whenever possible cannot be overstated. If you do not refer readers to specific

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<sup>41</sup> The *ALWD Citation Manual* Web address is <<http://www.alwd.org>> [hereinafter *ALWD*].

<sup>42</sup> Har. L. Rev., *supra* n. 27. [See Harvard Law Review, *supra* note 27.]

<sup>43</sup> Unless otherwise noted, comparisons are based on the *ALWD Citation Manual* and the sixteenth edition of the *Bluebook*.

<sup>44</sup> Like the *Bluebook*, underlining may be substituted for italics.



pages or other subdivisions where the referenced material appears, readers will be frustrated. Moreover, if a judge or judicial law clerk cannot locate support for your position, you may lose credibility with the court, or the court may discount your position. Accordingly, always spend the extra time it takes to insert the pinpoint reference.<sup>45</sup>

Comprehensive organization helps users determine the actual case name, including how to distinguish case names from party names in textual sentences. A particularly illustrative Sidebar explains commonly used procedural phrases.<sup>46</sup> The *ALWD Citation Manual* notes that parallel citation should be used only when required by local rule and a helpful Sidebar explains how to find a parallel citation.<sup>47</sup> A straightforward list of subsequent histories<sup>48</sup> and an excellent Sidebar pertaining to denials of certiorari<sup>49</sup> are particularly helpful to the novice legal researcher who can be easily sidelined by a misapprehension of subsequent treatment.

Another useful feature of the *ALWD Citation Manual* regards abbreviations, which are clearly addressed in Appendices 3, 4, and 5. Appendix 3 demonstrates categorically the types of words that can be abbreviated. The *ALWD Citation Manual* differs from the *Bluebook* in that there are not as many differences in abbreviations for cases and other sources. Federal court abbreviations are shown in Appendix 4, with proper spacing.<sup>50</sup> Appendix 5 contains a comprehensive list of abbreviations for legal periodicals. To reduce the length of the *ALWD Citation Manual*, Appendix 5 contains most traditional law reviews. For any periodical not listed in Appendix 5, an author can consult additional listings that appear on the Web site that complements the *ALWD Citation Manual*.<sup>51</sup> The legal periodicals appendix is particularly helpful as it provides cross-references to journals that have changed names. Also, abbreviations for law reviews are more consistent with each other. Moreover, the same abbrevia-

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<sup>45</sup> *ALWD Citation Manual*, *supra* n. 2, Sidebar 5.1. [ALWD CITATION MANUAL, *supra* note 2, Sidebar 5.1.]

<sup>46</sup> *ALWD Citation Manual*, *supra* n. 2, Sidebar 12.3. [See ALWD CITATION MANUAL, *supra* note 2, Sidebar 12.3.]

<sup>47</sup> *ALWD Citation Manual*, *supra* n. 2, Sidebar 12.5. [See ALWD CITATION MANUAL, *supra* note 2, Sidebar 12.5.]

<sup>48</sup> *ALWD Citation Manual*, *supra* n. 2, Rule 12.8. [See ALWD CITATION MANUAL, *supra* note 2, Rule 12.8.]

<sup>49</sup> *ALWD Citation Manual*, *supra* n. 2, Sidebar 12.6. [See ALWD CITATION MANUAL, *supra* note 2, Sidebar 12.6.]

<sup>50</sup> Abbreviations for state courts can be found on the Web site for the *ALWD Citation Manual*. ALWD, *supra* n. 41. [See ALWD, *supra* note 41.]

<sup>51</sup> ALWD, *supra* n. 41. [See ALWD, *supra* note 41.]

tions are used regardless of where the citation appears in a document. Finally, the *ALWD Citation Manual* rule on case citation eliminates the *Bluebook's* admonition against abbreviating the first word of a party name.<sup>52</sup>

*ALWD Citation Manual Citation*

*Brown v. Bd. of Educ.*, 349 U.S.  
294, 297 (1955).

*Bluebook Citation*

*Brown v. Board of Educ.*,  
349 U.S. 294, 297 (1955).

The *ALWD Citation Manual* provides clearer examples of proper spacing than the *Bluebook*, which has been criticized for requiring stringent regard for spacing but using 11 point font that all but ensures that no one could identify a space in the examples provided. The *ALWD Citation Manual* does not change rules regarding spacing, but shows spacing with an icon. Also, a helpful introductory section in the *ALWD Citation Manual* describes the variety of ways that word processing programs can affect citations and which includes methods for resolving those problems. True to its commitment to elevate good judgment over rigid conformity to rule, the section on justification advises writers to conform the justification settings, and the resultant impact on spacing, to the sensibilities of the audience to the particular document.

**Legislative Material:** Most forms for citation to legislative material are consistent with the *Bluebook*. The term "Senate" has been abbreviated in the *ALWD Citation Manual* as "Sen." instead of "S." to avoid confusion with other abbreviations.

*ALWD Citation Manual Citation*

Sen. Res. 35, 106th Cong. (1999).

*Bluebook Citation*

S. Res. 35, 106th Cong.  
(1999)

Helpful Fast Format sections for federal and state legislative materials give clear examples of citation formats and there are detailed instructions on how to cite the individual components of federal and state legislative materials.

**Administrative Material:** As with legislative materials, the *ALWD Citation Manual* has separate sections for federal and state materials. A notable difference between the *ALWD Citation Manual* and the *Bluebook* concerns citations to the Federal Register, for which the *ALWD Citation Manual* requires exact dates. Because the Federal Register is published every

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<sup>52</sup> *ALWD Citation Manual*, *supra* n. 2, Rule 12.2. [See *ALWD CITATION MANUAL*, *supra* note 2, Rule 12.2.]

business day, this change is particularly helpful in leading a reader to the source.

ALWD Citation Manual Citation  
64 Fed. Reg. 12473 (Mar. 12,  
1999).

Bluebook Citation  
64 Fed. Reg. 12473  
(1999).

**Treatises:** The *ALWD Citation Manual* requires that treatise titles be italicized and that citations include publisher information. Also, the writer may use the term et al. for more than two authors, but is not required to do so. Finally, the volume is treated as any other subdivision and appears after the title.

ALWD Citation Manual Citation  
Charles Alan Wright, Arthur R.  
Miller & Mary Kay Kane,  
*Federal Practice and Procedure*  
Vol. 6A, § 1497, 70-72 (2d ed;  
West 1990)

Bluebook Citation  
6A CHARLES ALAN  
WRIGHT ET AL., FEDERAL  
PRACTICE AND PROCEDURE  
§ 1497, at 70-72 (2d ed.  
1990).

**Legal Periodicals:** In the *ALWD Citation Manual*, unlike the *Bluebook*, the form for citing consecutively paginated journals and nonconsecutively paginated journals is generally the same. The *ALWD Citation Manual* simply includes the complete date in the date parenthetical for consecutively paginated journals. Also, the single term "Student Author" replaces the terms Note, Comment, etc.

ALWD Citation Manual Citation  
Hope Viner Samborn, *Navigating  
Murky Waters*, 85 ABA J. 28  
(July 1998).

Bluebook Citation  
Hope Viner Samborn,  
*Navigating Murky  
Waters*, A.B.A. J., July  
1998, at 28.

Tara Burns Koch, Student  
Author, *Betting on  
Brownsfields—Does Florida's  
Redevelopment Act Transform  
Liability into Opportunity?*, 28  
Stetson L. Rev. 171 (1998).

Tara Burns Koch,  
Comment, *Betting on  
Brownsfields—Does  
Florida's Redevelopment  
Act Transform Liability  
into Opportunity?*, 28  
STETSON L. REV. 171  
(1998).

**Legal Dictionaries, Encyclopedia and A.L.R. Annotations:** For each of these sources, the *Bluebook* provides a sample citation without instructions. The *ALWD Citation Manual* pro-

vides detailed instructions and examples for new users. Also, the *ALWD Citation Manual* includes a Sidebar in the encyclopedia section that lists most state encyclopedia abbreviations with spaces clearly noted. With regard to the A.L.R., spacing rules and examples are shown for all A.L.R. series. Also, the "Annotation" reference has been eliminated.

*ALWD Citation Manual Citation*

Marjorie A. Caner, *Validity, Construction, and Application of Stalking Statutes*, 29 A.L.R.5th 487, 489 (1995).

*Bluebook Citation*

Marjorie A. Caner, *Annotation, Validity, Construction, and Application of Stalking Statutes*, 29 A.L.R.5th 487, 489 (1995).

***Internet Web Site Citations:*** The *ALWD Citation Manual* has expanded the coverage of online sources. The World Wide Web sites section of the manual gives detailed illustrations of citation to such sources and directs the reader to the ALWD Web site<sup>53</sup> for information regarding Gopher, FTP and Telnet sites and electronic bulletin boards, newsgroups and synchronous communications. The *ALWD Citation Manual* replaces the term "visited" with "accessed" to give the citation a more professional tone and to be consistent with non-legal citation guides. Finally, the date of access has been moved to the end of the citation to be consistent with citations of other sources.

*ALWD Citation Manual Citation*

Federal Judicial Center, *Federal Judicial Center Publications* <<http://www.fjc.gov/pubs.html>> (accessed July 10, 1999).

*Bluebook Citation*

Federal Judicial Center, *Federal Judicial Center Publications* (visited July 10, 1999) <<http://www.fjc.gov/pubs.html>>.

***Neutral Citations:*** The *Bluebook* simply indicates that a public domain citation for cases should be used when available and allows parallel citation to the regional reporter. The *ALWD Citation Manual* provides a brief explanation of neutral citation formats. The *ALWD Citation Manual* indicates that if the document is being submitted to a court that requires the use of neutral citations, that court's neutral citation format should be

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<sup>53</sup> *ALWD*, *supra* n. 41. [See *ALWD*, *supra* note 41.]

used. The user is then directed to Appendix 2 of the *ALWD Citation Manual* to determine which courts have neutral citation formats. Where there is no court-prescribed format, the form of the citation may follow the citation used on the source, or the form suggested by the American Association of Law Libraries (AALL).<sup>54</sup> The *ALWD Citation Manual* also indicates that parallel citation to a print source should be used when using neutral citation.

**Signals:** Introductory signals are probably the source of the most vocal recent criticism of the *Bluebook*, as the definitions regarding signals have changed so dramatically in the most recent two editions. Here is where the *ALWD Citation Manual* shines. The *ALWD Citation Manual* returns to long-used and relied upon signal definitions, which were adversely impacted by the sixteenth edition of the *Bluebook*. The most profound example is the return to the common understanding of direct support, for which no signal is necessary, and the *see* signal, which provides implicit, rather than explicit support. The *ALWD Citation Manual* also eliminates some signals, such as *accord* and *see also*, which the authors determined were not sufficiently distinct from others. Consequently, the critical distinctions in this section deal with the most commonly used signals. One useful tool of the *Bluebook* that has not been mirrored in the *ALWD Citation Manual* is the use of headings in the signals section that tell the reader what category of signals follow, e.g., "Signals that suggest a useful comparison," "Signals that indicate contradiction."<sup>55</sup>

#### ALWD Citation Manual Signal

"No signal" is not treated like a signal. Do not use a signal if the cited authority directly supports the stated proposition, identifies the source of a quotation or merely identifies the authority referred to in the text.

#### Bluebook Signal

[no signal]: Cited authority (i) identifies the source of a quotation, or (ii) identifies an authority referred to in text.

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<sup>54</sup> Comm. on Citation Formats & Am. Assn. L. Libs., *Universal Citation Guide* (St. B. of Wis. 1999). [COMMITTEE ON CITATION FORMATS & AMERICAN ASS'N LAW LIBRARIES, UNIVERSAL CITATION GUIDE (1999).]

<sup>55</sup> Under the *ALWD Citation Manual*, the distinctions were determined unnecessary since all signals are separated with semicolons. The *Bluebook* required the subsections to determine when to use a semicolon and when to start a new citation sentence.

*E.g.*: Use to reflect that the cited authority is representative of, or merely an example of, many authorities that stand for the same proposition, but are not cited. Use “*E.g.*” alone when the authorities directly support the stated proposition. In other situations, combine “*e.g.*” with the appropriate signal.

*See*: Use when the cited authority (a) supports the stated proposition implicitly or (b) contains dicta that support the proposition.

*Compare . . . with*: Use to compare authorities or groups of authorities that reach different results concerning the stated proposition.

*Contra*: Use when the cited authority directly contradicts the stated proposition.

*But see*: Use when the cited authority (a) contradicts the stated proposition implicitly or (b) contains dicta that contradict the stated proposition.

*But cf.*: Use when the cited authority contradicts the stated proposition by analogy.

*See generally*: Use when the cited authority is presented as helpful background information related to the stated proposition.

*E.g.* can be combined with any signal, including [no signal] to indicate that other authorities also state, support or contradict the proposition but that citation to them would not be helpful or is not necessary.

*See*: Cited authority *directly states* or *clearly supports* the proposition.

*Compare . . . with*: *Comparison of the authorities cited will offer support for or illustrate* the proposition.

*Contra*: Deleted in the 16th edition.

*But see*: Cited authority *directly states* or *clearly supports a proposition contrary* to the main proposition.

*But cf.*: Cited authority *supports a proposition analogous to the contrary* of the main proposition.

*See generally*: Cited authority *presents helpful background material related to the proposition*.

## VI. OBSERVATIONS

Miles Price provided a classic definition of the primary purpose of legal citation: "A legal citation has only one purpose: to lead its reader to the work cited, and this without enforced recourse to any other source of information, for data which should have been given in the citation itself."<sup>56</sup> Additionally, Byron Cooper has noted that the adequacy of a citation depends on the background of the reader and the resources to which the reader has access, and whether the citation provides information useful to understanding the material for which the citation was provided.<sup>57</sup> These citation goals are facilitated by the *ALWD Citation Manual*. The *ALWD* format clearly leads the reader to appropriate, complete sources. Also, in contrast to the *Bluebook*, the *ALWD Citation Manual* includes teaching tools that provide the reader with context by explaining sources and the information that attribution affords the reader.

There is no doubt that the *ALWD Citation Manual* is an exemplary teaching tool. In this respect its purpose is twofold: Not only to provide a uniform guide to proper citation form, but also to provide the user a more comprehensive context for legal citation. The *ALWD Citation Manual* achieves both purposes. It is not only straightforward and user-friendly, but it provides the novice researcher with generous information regarding the content of sources, where and when to provide attribution, and specifically how and what information is communicated through legal citation. As a result it will likely be, or at least should be, embraced by the academic legal writing community. First-year law students in particular will be better served by a citation manual that attempts to provide a more comprehensive understanding of the relationship between written legal analysis and citation form.

Clearly the biggest obstacle to the success of the *ALWD Citation Manual* is the entrenchment of the *Bluebook*. Only by integrating the *ALWD Citation Manual* in first-year writing curricula can it achieve its objective: to simplify the form of legal citation and overcome the complexities of the *Bluebook*. As a legal writing instructor, I find that the *Bluebook* often undermines my credibility, particularly when I am forced to acknowledge that particular rules do not make sense or that the

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<sup>56</sup> Price, *supra* n. 30, at iii. [PRICE, *supra* note 30, at iii.]

<sup>57</sup> *Id.* [See *id.*]

*Bluebook* fails to provide sufficient explanation or illustration. As a result, our program intends to embrace the new manual. The efforts of Dean Dickerson and the Association of Legal Writing Directors will greatly benefit all legal researchers.



## ERRATA

### Correction to Volume 5:

On page 69, we misprinted a chart for the article, "A History of Writing Advisors at Law School." Here is the correct of that chart and the accompanying text:

#### E. *Salary Ranges*

It is not surprising that faculty status is usually accompanied by a higher salary. For example, all Writing Advisors earning salaries in the D-range (below) listed themselves as faculty. After that, years in position mattered most, with those staying the longest making the best wages. The salary ranges break down into two halves: those earning salaries in the A and B range held part-time positions, and those earning salaries in the C and D range held full-time positions.

It is also not suprising that the lower salary ranges tended to correlate with a restricted range of activities for the Writing Advisors. For example, only a small percentage of the A salary Writing Advisors reported conducting research or making presentations at conferences, and those few in the A salary range who are participating in these scholarly activities all had full-time faculty jobs elsewhere.

A: less than \$15,000      B: between \$15 and \$30  
C: between \$30 and \$45      D: more than \$45,000

