



THE YALE LAW JOURNAL

VOLUME 124 STYLE SHEET

The *Yale Law Journal* follows [The Bluebook: A Uniform System of Citation](#) (19th ed. 2010) for citation form and the [Chicago Manual of Style](#) (16th ed. 2010) 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](#) (30th ed. 2008). The *Journal*'s official reference dictionary is [Merriam-Webster's Collegiate Dictionary, Eleventh Edition](#).

This Style Sheet codifies *Journal*-specific guidelines that take precedence over these sources. Rules 1-21 clarify and supplement the citation rules set out in *The Bluebook*. Rule 22 focuses on recurring matters of style.

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Rule 1

SR 1.1 String Citations in Textual Sentences

1.1.1 (a)—When parts of a string citation are grammatically integrated into a textual sentence in a footnote (as opposed to being citation clauses or citation sentences grammatically separate from the textual sentence), treat them as if they were in the text, which means:

- Use semicolons to separate the citations from one another;
- Use an “and” to separate the penultimate and last citations, even where there are only two citations;
- Use textual explanations instead of parenthetical explanations;
- 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.”

For 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.

(b)—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. For example:

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).

(c)—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. For example:

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).

SR 1.2 Two Claims in One Sentence

1.2.1—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.

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.

SR 1.3 Order of Authorities

1.3.1—Contrary to *Bluebook* Rule 1.4, when ordering secondary materials, alphabetize based on the spelling of *all* authors' last names, and not just the first author's last name. Compare author names in the order that they are listed. Works by Author X precede works by author X & Y. Only alphabetize by title if two pieces have the same authors, in the same order. For example:

See Jones & Smith, *supra* note 8; Smith, *supra* note 14; Smith & Jones, *supra* note 3.

GILDEROY LOCKHART, TRAVELS WITH TROLLS (1986); GILDEROY LOCKHART & RITA SKEETER, YEAR WITH THE YETI (1989); RITA SKEETER & GILDEROY LOCKHART, BREAK WITH A BANSHEE (1990).

1.3.2—When alphabetizing by title, do not count “A,” “An,” or “The” as the first word of a title; in such cases, alphabetize by the second word of the title. Unsigned articles or notes are alphabetized as though the first word in the title (excluding “A,” “An,” and “The”) were the author's name.

1.3.3—Note that you cannot trump the order of authorities to use *id.* for a source. Instead, use *supra*. Thus, if footnote 24 contains work *X*, and footnote 25 contains *W* and *X*, you must order them alphabetically and use a *supra* reference for source *X*. However, if footnote 25 contained *X* and *Y*, you could use *Id.* for source *X*.

1.3.4—Online sources that also fall under one of the more authoritative categories (e.g., PDF reports) should be ordered as the more authoritative type. So a PDF report would fall under 1.4(i)(2) rather than 1.4(i)(10).

SR 1.4 Structure of Parentheticals

1.4.1—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. For example:

See, e.g., *State v. Dumlao*, 715 P.2d 822, 829 (Haw. Ct. App. 1986) (suggesting that the MPC's EED defense is a partial diminished capacity defense).

1.4.2—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.

SR 1.5 Parentheticals for Citations, Quotations, and Alterations

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

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)).

1.5.2—(alteration in original)

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

1.5.3—(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.

1.5.4—(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).

1.5.5—(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).

1.5.6—(quoting . . .)

(a)—Whenever possible, a quotation within a quotation should be attributed to its original source. Rule 5.2(e). The *Journal* endorses this rule, and sourceciters should mark as an error any internal quotation that is not attributed to a secondary source. 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.

For example:

The source being quoted is the case <i>Sorrell v. IMS Health</i> . The 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> , 131 S. Ct. 1207, 1220 (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. <i>Sorrell v. IMS Health Inc.</i> , 131 S. Ct. 2653, 2670 (2011) (quoting <i>Snyder v. Phelps</i> , 131 S. Ct. 1207, 1220 (2011)).

(b)—Note that 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.

(c)—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).

(c)—Finally, when authors write “(internal quotations omitted),” they generally mean “(internal quotation marks omitted).”

Rule 3

SR 3.1 Page Ranges

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

RIGHT: 391-92, 21-29

WRONG: 21-9

3.1.2—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

SR 3.2 Internal Cross-References

3.2.1—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”). The second subdivision of a Part is the lowest unit that can be used in a cross-reference. For example:

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

3.2.2—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. Thus:

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

SR 3.3 Volume Number Placement

3.3.1—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.”

Rule 4

SR 4.1 String Citations and “*id.*”

4.1.1—Although Rule 4.1 indicates that “*id.*” refers to the immediately preceding authority, this may be confusing where that authority is the last citation in a preceding string of citations. When this is the case, use “*supra*” or another appropriate short form. For example:

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); see also Wilson, *supra*, at 491 (discussing Colorado cases).

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); 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).

SR 4.2 Citations Within Parentheticals

4.2.1—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.

SR 4.3 *Supra* and Parentheticals

4.3.1—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.

SR 4.4 “Hereinafter”

4.4.1—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. For 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.

4.4.2—The “hereinafter” goes *after* a direct Internet citation and Perma URL but *before* an explanatory parenthetical:

<source info>, [http://www . . .](http://www...) [hereinafter *Journal Memo*] (discussing . . .).

Rule 5

SR 5.1 Quoted Material

5.1.1—*The Bluebook* thoroughly covers the use of quoted material. Review those rules. Most mistakes involving omissions, alterations, and indentations of quoted material cannot be caught after the second sourcecite—catching them is critical.

5.1.2—Consistent with Rule 5.3, ellipses are formed by three periods, each with a space between them.

RIGHT: . . .

WRONG: ...

5.1.3—The notation for omissions of quoted material is confusing, but some guidelines may help:

(a)—Quotation used as phrase or clause: No ellipses are used.

(b)—Quotation used as full sentence:

(1)—If the beginning of the quoted sentence is omitted, no ellipses are used. The initial letter should be capitalized. It should be placed in brackets unless the original is already capitalized. (“[S]tart of the sentence is missing.” BUT “Caroline omitted the start of the sentence.”)

(2)—If the middle of the quoted sentence is omitted, use one ellipsis, with spaces on either side. (“But in the . . . middle, there is nothing.”)

(3)—If the end of the quoted sentence is omitted, use one ellipsis, with spaces on either side, followed by the sentence’s punctuation and a close quotation mark. (“The end is omitted . . . !”)

(4)—If the material between a full sentence and an additional quote is omitted, punctuate the full sentence normally, followed by one ellipsis separated by spaces on either side. (“This is a full sentence. . . . [B]ut the start of this sentence is missing.”)

(c)—Quotation crossing multiple sentences:

(1)—In addition to the above, there are special rules for quotations crossing multiple sentences, whether used as a phrase or as a sentence.

(2)—Ellipses: 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 reader, and not to reflect the original punctuation. So, the sentences “Shakespeare is old. But he’s still worth reading.” would become “Shakespeare is . . . still worth reading,” *not* “Shakespeare is . . . still worth reading.”

(3)—Concluding punctuation: When a quotation includes both a quoted clause and a quoted full sentence, the full sentence requires terminating punctuation.

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

(d)—Block quotes for fifty or more words:

(1)—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.

(2)—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).

WRONG: The Court stated that:
RIGHT: The Court stated,
 The Court stated:
 The Court stated that

(e)—Capitalization of quotes: 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. For example:

Original: Plough deep, while sluggards sleep.

Benjamin Franklin reminds us to “[p]lough deep, while sluggards sleep.”

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:

Original: Remember, my name is Benjamin.

As Franklin said, "Remember, my name is Benjamin."

As Franklin said, "[M]y name is Benjamin."

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

(f)—Quotations within quotations:

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

The source that is being quoted reads:	When asked to comment, Tony the Tiger said, "Frosted flakes are more than good; they're great."
The article text should look like:	As the <i>New York Times</i> reported yesterday, "Tony the Tiger said, 'Frosted flakes are more than good; they're great.'"

(2)—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).

The source that is being quoted reads:	When asked to comment, Tony the Tiger said, "Frosted flakes are more than good; they're great."
The article text should look like:	<p>RIGHT WAY: In response to press inquiries, the cereal's spokesman replied, "Frosted flakes are more than good; they're great."</p> <p>WRONG WAY: In response to press inquiries, the cereal's spokesman replied, "'Frosted flakes are more than good; they're great.'"</p>

(3)—Within a block quote, however, use double quotation marks.

Rule 6

SR 6.1 Abbreviations

6.1.1—Non-*Bluebook* abbreviations may be introduced if they occur more than once throughout the article. On first reference within the text and first reference within the footnotes, the words must be spelled out and followed with the abbreviation in parentheses. 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.

Right: United Parcel Service (UPS)

Wrong: United Parcel Service (“UPS”)

6.1.2—Footnote calls always go before parenthetical abbreviations or shorthand notations. For example:

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

6.1.3—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.”

6.1.4—Abbreviations in footnotes can be confusing. Follow this helpful guide:

(a)—Cases in footnote text: For case names that are 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).

(b)—Cases in explanatory parentheticals: 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.

SR 6.2 Numerals

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

9,876

NOT: 9876

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

6.2.2—Consistent with Rule 6.2(a), we generally write out numerals between zero and ninety-nine. We also write out round numbers per Rule 6.2(a)(ii). For example:

- Some forty-seven thousand persons attended the fair.
- The population of our city is more than two hundred thousand.
- An estimated thirty million Americans lacked health insurance in 1998.
- The work dates from the nineteenth century.

See the *Chicago Manual of Style* ¶¶ 9.2, 9.4 for examples.

Rule 8

SR 8.1 Capitalization

8.1.1—Rule 8 requires capitalization in text of “[n]ouns that identify specific persons, officials, groups, government offices, or government bodies.” For this category of nouns, *The Bluebook* requires much more capitalization than the *Chicago Manual of Style* does; remember that *The Bluebook* is authoritative for these nouns. The terms “executive branch,” “legislative branch,” “judicial branch,” “executive,” “legislative,” and “judicial” remain lowercase. But “Administration” is capitalized when used to refer to a specific presidential administration (e.g., “the Bush Administration,” “the new Administration’s appointees”; but “faulty agency administration”). “Founders” and “Framers” also are capitalized when referring to those who signed the Declaration of Independence or participated in drafting the U.S. Constitution or one of its amendments.

8.1.2—You should also be familiar with 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.

8.1.3—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](#).

8.1.4—Also note the following *Journal* styles:

- (a)—Capitalize “Article,” “Essay,” “Note,” “Review,” etc., when the author refers to his or her own piece, but not when the author refers to other works: “In this Article, I will explain another article that I have written.”
- (b)—Capitalize the word “Part” when referring to portions of a written work: “In the next Part of this Article, I will attack Part II of Wray’s article.”

8.1.5—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.

Rule 9

SR 9.1 First Names

9.1.1—First names should be provided on first reference in text for everyone but judges, justices, and presidents (but first names should be provided for these individuals when they are not being referred to in their institutional capacity). Thus:

In an article in the *Yale Law Journal*, Judge Richard Posner discussed the life of Judge Hand, the legendary jurist of the Second Circuit.

9.1.2—The first names of judges, justices, and presidents may be provided on first reference, however, to avoid ambiguity or if the title does not precede the name:

Before Ronald Reagan became president, he said that President Carter had the easiest job in the world.

Rule 10

SR 10.1 Cases

10.1.1—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:

(a)—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:

Douglas v. Indep. Living Ctr. of S. Cal., No. 09-958, slip op. at 1 (U.S. Feb. 22, 2012) (majority opinion), <http://www.supremecourt.gov/opinions/11pdf/09-958.pdf> [<http://perma.cc/XYZ>].

Douglas v. Indep. Living Ctr. of S. Cal., No. 09-958, slip op. at 1 (U.S. Feb. 22, 2012) (Roberts, C.J., dissenting), <http://www.supremecourt.gov/opinions/11pdf/09-958.pdf> [<http://perma.cc/XYZ>].

(b)—Second, when citing slip opinions using “*id.*,” only include additional information that is nonrepetitive, i.e., 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):

1. Douglas v. Indep. Living Ctr. of S. Cal., No. 09-958, slip op. at 1 (U.S. Feb. 22, 2012) (majority opinion), <http://www.supremecourt.gov/opinions/11pdf/09-958.pdf> [<http://perma.cc/XYZ>].

2. *Id.* at 3.

3. *Id.* at 1 (Roberts, C.J., dissenting).

4. *Id.* at 3 (majority opinion).

Rule 11

SR 11.1 Constitutions

11.1.1—*The Journal's* official source for the U.S. Constitution is the GPO transcript, found [here](#). The main page for the website is: <http://www.gpoaccess.gov/constitution>.

11.1.2—When using “*id.*” to refer to a constitution, do not use “at” before a pincite (e.g., “*id.* art. III, § 4.”).

Rule 15

SR 15.1 Commas and Ampersands

15.1.1—Oxford commas and ampersands should not be used together.

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).

SR 15.2 Subtitles

15.2.1—Contrary to 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.

SR 15.3 Multivolume Works

15.3.1—To cite a multivolume work as a set, drop the subtitles and provide both years. Thus:

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

Rule 16

SR 16.1 Newspapers

16.1.1—The *Yale Law Journal* no longer requires a hard copy of a newspaper to be produced if a hyperlink to the paper is available. No “*available at*” is required for such citations and no page number should be given. The name of the newspaper should be abbreviated according to T.10 and T.13. The title, date of publication, and all quotes should be drawn from the online version of the article. Cite such newspaper articles as follows:

John Markoff, *Computer Wins on “Jeopardy!”: Trivial, It’s Not*, N.Y. TIMES, Feb.

16, 2011, <http://www.nytimes.com/2011/02/17/science/17jeopardy-watson.html> [<http://perma.cc/XYZ>].

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

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

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

16.1.3—Newspapers not available online still require an original copy.

16.1.4—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.

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

Rule 17

SR 17.1 “On file with”

17.1.1—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).”

Rule 18

SR 18.1 Internet Citations Generally

18.1.1—Contrary to *The Bluebook*, which employs “*available at*” for some publications that are known to exist in print, the *Journal* does not follow this convention. If the source was obtained from the Internet, we either:

- (a)—Cite the source as if we had pulled a hard copy, *see* SR 18.2.
- (b)—Cite the website directly, *see* SR 18.3 to 18.5.

18.1.2—Most PDFs available online will fall within SR 18.4 and most websites will fall within SR 18.5. SR 18.2 will not apply to many sources.

SR 18.2 Original Images Obtained Online

18.2.1—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.

18.2.2—The only sources that should be cited according to this section are:

- (a)—Original images of books found online, e.g., Google Books.
- (b)—Law review articles 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.

SR 18.3 Online Versions of Common, Published Sources

18.3.1—If the source is an online version of a common, published source—but a source that is not listed under SR 18.2—it should be cited according to its respective *Bluebook* rule, but with a direct citation to its online version.

18.3.2—(a)—The sources that should be cited according to this section include:

- (1)—Briefs or other case filings;
- (2)—Newspaper or magazine articles; and
- (3)—Working papers and drafts.

(b)—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:

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

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

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

SR 18.4 PDFs Obtained from the Internet

18.4.1—PDFs obtained from the Internet are very common. It is important that they be cited correctly and consistently. The rules below warrant careful study. Finally, remember we prefer PDFs wherever possible, so look for a PDF version online.

18.4.2—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.13 and T.10; a pincite, if applicable; the date in parentheses; and the URL in ordinary roman font:

(a)—Author

(1)—The author’s name, if available, should be in ordinary roman font. For example:

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

(2)—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:

Envtl. Div., *Clean Coal Technology Demonstration Program*, U.S. DEP’T ENERGY, http://www.fossil.energy.gov/aboutus/history/researchsuccesses/CCT_DemoProg_FC_HRes.pdf [<http://perma.cc/XYZ>] (last updated June 2011).

(3)—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. Thus:

Annual Report 2010-2011, CENTER INDIVIDUAL RTS. 19 (2011), http://www.cir-usa.org/articles/cir_annual_report_2011sm2.pdf [<http://perma.cc/XYZ>].

(b)—Title. The title of the PDF should be in italics.

(c)—Sponsoring Institution, Agency, or Organization

(1)—Look to the PDF itself to identify the institution, agency, or organization that sponsored its creation or publication.

(2)—The name of this organization should be in small caps.

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

(3)—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.13 and T.10. Thus:

Envtl. Div., *Clean Coal Technology Demonstration Program*, U.S. DEP’T ENERGY, http://www.fossil.energy.gov/aboutus/history/researchsuccesses/CCT_DemoProg_FC_HRes.pdf [<http://perma.cc/XYZ>] (last updated June 2011).

(d)—Date of Publication. Identify the date that the PDF was published or uploaded to the Internet in its final form. If no date is available, use the month; if no month is available, use the year. If none of this information is available, identify the date that the site was last updated. If that information is unavailable, use the date that the site was last visited. Note that a “last updated” or “last visited” parenthetical goes *after* the URL. Thus:

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

But:

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

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

SR 18.5 Non-PDF Webpages and Documents

18.5.1—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:

(a)—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 SR 18.5.2(c).

(b)—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.

18.5.2—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.10 and T.13; the date in parentheses; and the URL in ordinary roman font.

(a)—Author

(1)—The author’s name, if available, should be in ordinary roman font. For example:

Marissa Miller, *Monday Round-Up*, SCOTUSBLOG (Mar. 5, 2012, 9:55 AM),
<http://www.scotusblog.com/2012/03/monday-round-up-108> [<http://perma.cc/XYZ>].

(2)—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:

Fed. R.R. Admin., *Railroad Safety*, U.S. DEP’T TRANSP.,
http://www.fra.dot.gov/rrs/pages/fp_3.shtml [<http://perma.cc/XYZ>] (last visited

Mar. 8, 2012).

(3)—If, however, the institutional author is the same as the owner of the main page, simply omit the institution’s name from the author position:

The Butterfly Conservatory, AM. MUSEUM NAT. HIST.,
<http://www.amnh.org/exhibitions/butterflies> [<http://perma.cc/XYZ>] (last visited
Nov. 25, 2009).

(b) Title

(1)—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.

Yasmin Nair, *In Defense of Sluts*, JEZEBEL (Mar. 8, 2012, 2:20 PM),
<http://jezebel.com/5891313/in-defense-of-sluts> [<http://perma.cc/XYZ>].

(2)—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.13- and T.10-abbreviated main page title is necessary:

DAILY KOS, <http://www.dailykos.com> [<http://perma.cc/XYZ>] (last visited Jan. 19,
2009).

(3)—Note that this kind of citation should be used very infrequently—for example, to demonstrate the existence of a home page.

(c)—The Main Webpage

(1)— 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*, *.edu*, etc.

(2)—The main page title should be in small caps.

(3)—Abbreviate the main page title according to T.13 and T.10.

The URL is:	http://www.justice.gov/osg/briefs/2011/3mer/2mer/toc3index.html
The main webpage is:	www.justice.gov
The site says: Abbreviate it as:	The United States Department of Justice U.S. DEP’T JUST.

(5)—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. Thus:

The URL is:	http://www.fra.dot.gov
The main webpage is:	www.dot.gov
The site says:	The United States Department of Transportation
Abbreviate it as:	U.S. DEP'T TRANSP.

But:

The URL is:	http://www.mva.maryland.gov/About-MVA/FAQ/default.htm
The main webpage is:	www.mva.maryland.gov
The site says:	Maryland Motor Vehicle Association
Abbreviate it as:	MD. MOTOR VEHICLE ASS'N

(d)—Date and Time

(1)—Identify the date and time that the website was created, or the piece or post was published:

Eric Posner, *More on Section 7 of the Torture Convention*, SCOTUSBLOG (Jan. 29, 2009, 10:04 AM), <http://www.scotusblog.com/2012/1233241458.shtml> [<http://perma.cc/XYZ>].

(2)—If this information is not available, identify the date and time that the site was last updated. Note that the “last updated” parenthetical goes *after* the URL:

Dale Fast, *History of Biology and Medicine*, ST. XAVIER U., http://faculty.sxu.edu/~fast/general_biology/history.htm [<http://perma.cc/XYZ>] (last updated Oct. 31, 2001).

(3)—Finally, if that information is not available, simply identify the date and time that the site was last visited:

YAHOO!, <http://www.yahoo.com> [<http://perma.cc/XYZ>] (last visited Nov. 24, 2009).

SR 18.6 URLs

18.6.1—If a URL is broken at the end of a line, the break should be made *after* a colon or a double slash

(/); *before* a single slash (/), a tilde (~), a period, a comma, a hyphen, an underline, a question mark, a number sign, or a percent symbol; or *before or after* an equals sign or an ampersand. A hyphen should never be added to a URL to denote a line break, nor should a hyphen that is part of a URL appear at the end of a line. If a particularly long element must be broken to avoid a seriously loose line, it should be broken between syllables whenever possible. See the *Chicago Manual of Style* ¶¶ 7.42, 14.12 for further explanation. [Note: Google Docs may incorrectly render line breaks in this *Style Sheet*. This rule overrides that rendering where they conflict.]

18.6.2—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 “http://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.

18.6.3—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, <http://www.nytimes.com/2011/02/17/science/17jeopardy-watson.html> [<http://perma.cc/XYZ>].

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

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

RIGHT: Michael Aikins, *Common Control and the Delineation of the Taxable Entity*, 121 YALE L.J. (forthcoming 2012), <http://ssrn.com/abstract=1821286> [<http://perma.cc/XYZ>].

WRONG: Michael Aikins, *Common Control and the Delineation of the Taxable Entity*, 121 YALE L.J. (forthcoming 2012), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1821286 [<http://perma.cc/XYZ>].

18.6.5—Perma Citation: *All* URLs in our published work should be archived using our archival tool, Perma. See the “How to Use Perma” document separately circulated. The Perma URL should follow the original URL in brackets, as shown in the examples throughout this guide. When creating a Perma URL, you must *both* (1) [create the Perma link](#) and (2) [vest the link](#). Both steps are crucial; see the guide at those links for more detailed instructions. When using a Perma link, last visited/updated/accessed parentheticals should not be included.

Rule 21

SR 21.1 Citations from the European Court of Human Rights

21.1.1—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—we deviate 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. Thus:

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

Rule 22 GUIDELINES FOR STYLE

SR 22.1 Use of the *Chicago Manual of Style* and *GPO Style Manual*

22.1.1—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 and will be available at all sourcecites. 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* or the *Chicago Manual of Style*.

SR 22.2 “E.g.,” and “i.e.,” (as text)

22.2.1—“E.g.” means “for example.” “I.e.” means “that is.” They are not italicized when used as part of a sentence and are always followed by a comma. Either may be used in text, but should not be used to start a sentence.

SR 22.3 Possessives

22.3.1—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.”

SR 22.4 Coined Plurals

22.4.1—“Coined plurals” do not require an apostrophe before the “s.” For example, “the 1920s,” “YMCA’s,” and “BTU’s.” When items in a series are long and complex, or involve internal punctuation, they should be separated by semicolons for the sake of clarity.

SR 22.5 Punctuation

22.5.1—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.

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

SR 22.6 Quotation Marks

22.6.1—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 reference to papers is not a scrivener’s error,” 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:

The reference to papers is not a “scrivener’s error.”¹

¹United States v. Seljan, 547 F.3d 993, 1014 (9th Cir. 2008) (en banc) (Kozinski, C.J., dissenting).

SR 22.7 Spacing

22.7.1—Place only one space after a period or question mark in *Journal* manuscripts to allow for conversion to desktop publishing. Also, there should be only one space following a colon or semi-colon. There should, however, be two spaces after a Roman numeral in a section heading.

SR 22.8 That versus Which

22.8.1—“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.

SR 22.9 Dashes and Hyphens

22.9.1—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, use hyphens. The *Journal* does not place a space on either side of an em-dash. Thus:

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.”).

SR 22.10 Slashes and Hyphens

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

The shopping center was built by a unique public-private partnership.
Feldman misunderstands the nature of the public/private distinction.

SR 22.11 Incorrect Spelling

22.11.1—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:

Original: The doctors is opposed.

Quoted: “The doctors [are] opposed.”

Original: The doctors, are opposed.

Quoted: “The doctors[] are opposed.”

Original: The dactors are opposed.

Quoted: “The d[o]ctors are opposed.”

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

SR 22.12 Compounds and Words Formed with Prefixes

22.12.1—The decision about whether to hyphenate, close, or leave open should be left to the author’s discretion unless it is objectively incorrect (for example, a misspelling of a word defined in the dictionary), or significant unclarity ensues. The *Chicago Manual* provides [detailed guidance](#) on objective matters of hyphenation.

RIGHT: Redo

WRONG: Re-do

RIGHT: Pre-Christian

WRONG: Prechristian, PreChristian

RIGHT: Small-state senators

WRONG: Small state senators