

# CLR Style Guide

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# Preamble

This Guide sets out the publication standards of the *California Law Review* (CLR) and serves as both a tool for editors and a reference for authors.

## *CLR Principles of Style*

Generally speaking, CLR adheres to the twentieth edition of *The Bluebook* (BB) for all citations, including the principles dictating explanatory parentheticals. For all text, however, CLR adheres to the principles in the seventeenth edition of *The Chicago Manual of Style* (CMS). This includes text that appears in a footnote outside of an explanatory parenthetical. There are six exceptions to our adherence to the CMS (for now):

1. Follow BB 6.2 for numerals in citations but the CMS for numerals in text and parenthetical information, including percentages.
2. Follow BB 7 to determine when foreign words should be italicized.
3. Follow BB 8, not the CMS, to determine when words should be capitalized.
4. Follow CLR 5.1 for abbreviations of <United States>, not CMS 10.4.
5. Follow CLR 3.5 for non-hyphenation of common terms related to the legal profession, notwithstanding CMS 7.85.
6. Follow *The Merriam-Webster Dictionary* and CLR 1.13 for the use of gendered pronouns including ethnic labels, not the CMS.

It is important for all CLR members to have a basic working knowledge of CMS rules or at least to know where to look when confronted with a stylistic, grammatical, or formatting problem. Note, however, that all rules are designed to improve readability. If application of a rule would make the piece less readable or more confusing, err on the side of making the piece easier to understand (and explain as much in a comment bubble).

The CLR Style Guide supplements—and does not replace—the CMS and BB. **For quick references, see Part Three’s Common Bluebook Errors and Part Four’s Helpful CMS Materials.**

## *Statement on Equity and Inclusion in the Editing Process*

CLR is committed to publishing diverse scholarship, fostering inclusive discourse around legal issues, and affirming the dignity of marginalized groups, including the sovereignty of Indigenous communities. Consistent with this mission, CLR’s approach to grammar and style rules is flexible, thoughtful, and responsive to societal changes. In particular, editors and authors should use special care when working with writing that invokes marginalized identities and other voices traditionally excluded from legal scholarship.

CLR prioritizes how groups prefer to identify themselves, which includes spelling, specificity, capitalization, and other conventions. For example, CLR 5.3 recommends that editors defer to a community’s own spelling of their identity where possible, and CLR 1.13

strongly discourages the use of gendered pronouns and labels, recommending <they> and neutral labels like <Latine> or <Latinx>.

CLR also prioritizes the openness of its scholarship, which includes flagging terms that may offend readers and making informed decisions about their publication. See CLR 5.4 and CMS 5.251's suggestions on bias-free language.

Wherever there is a question of appropriate presentation, CLR encourages a four-step process:

1. Consult with CLR editors and leadership to arrange conversations with students—in the journal or outside—who identify with the community mentioned and defer to them.
2. Look for online resources published by groups who purport to represent the mentioned community. For example:
  - a. African-American cultures: <https://www.nabj.org/page/styleguide>
  - b. Asian-American cultures: <https://www.aaja.org/aajahandbook>
  - c. Immigrant Communities:  
[https://www.raceforward.org/sites/default/files/DTIW\\_update\\_JournalistStyleGuide4.pdf](https://www.raceforward.org/sites/default/files/DTIW_update_JournalistStyleGuide4.pdf)
  - d. In general: <https://consciousstyleguide.com/>
3. Recommend the change to the author, explaining the rationale and offering to speak further.
4. If the choice is controversial, either with the author or among members of the community mentioned, consider adding a footnote to clarify the competing interests and explain the author's/CLR's choice. Editors may also cite to this *Statement on Equity and Inclusion in the Editing Process*.

Finally, CLR's commitment to inclusivity extends to this document itself. In maintaining the CLR Style Guide, the Senior Supervising Editor should seek to make the Guide as accessible as possible (including, but not limited to, using a *sans serif* font) and easy to use for all editors (including, but not limited to, revising Part One's Glossary as needed).

## ***Frequently Missed Rules***

### **Top 10 CLR Style Guide and CMS rules that editors forget:**

- Use single (rather than double) spaces after periods.
- Use the past tense to describe what judges and academics have written. CLR 1.7.
- Use the Oxford comma for series. CLR 2.1.
- If confused about passive voice, see CLR 1.1.
- If confused about punctuation going inside or outside of quotation marks, see CLR 2.3.
- If confused about forming possessives, see CLR 3.1 and 3.2.
- If referencing the instant piece, see CLR 3.6 and 5.1 for appropriate terminology.
- Do not overuse the em-dash (—) or hyphenate excessively. CLR 2.4 and 3.5.
- On first reference, spell out full names, acronyms, and abbreviations. CLR 5.1.
- Check for commonly used, but incorrect, words and phrases. CMS 5.250 (“Glossary of Problematic Words and Phrases”).

# Part One: Glossary of Style Terms

The CMS Online has a helpful search function, and to aid in searching for applicable rules, this glossary defines grammar and style terms used throughout the CMS according to the *Oxford English Dictionary Online*.

<b>CMS Table of Contents and Main References</b>	<b>CLR Style Guide Uses</b>	<b>Definition</b>	<b>Example</b>
Adverb (5.156 <i>et seq</i> , 7.86)	1.11 Joining Independent Clauses 3.5 Compounds and Hyphenation	A word (often, but not always, ending in -ly) that modifies the meaning of a verb, adjective, or other adverb and that typically expresses manner, degree, or a circumstance.	(spoke) quietly Angrily (walked away) Very (clever) (They arrived) yesterday)
Antecedent	1.10 Antecedent-Referent Problems	A word or phrase which is referred back to by a pronoun.	<u>Raja</u> took the children with <i>him</i> .  I went to get my <u>coat</u> , <i>which</i> I had left in the hall.
Appositive (5.23)	2.2 Colons	A noun or adjective made of two or more words where X-Y means “both X and Y.”	Baby sister Singer-songwriter Rhythmic-melodic
Auxiliary Verbs		A limited class of verbs used to help other verbs.	Be (sold, bought) Have (earned, lost)
Conjunction (5.196 <i>et seq</i> )	1.11 Joining Independent Clauses 2.1 Commas in a Series	A word used to connect other words, phrases, clauses, or sentences.	And But Or If When Although Because Unless
Dependent (or Subordinate) Clause (6.24)		A clause that is dependent on another part of the sentence and that could not stand alone as a complete sentence.	<u>After we had lunch</u> , we went back to work. <u>They</u> sat in the garden, <u>drinking tea</u> .

Gerund (5.110, 7.85)	1.12 Pronoun Case	A word ending in -ing that derives from a verb and has both verb-like properties and noun-like properties.	<u>Eating</u> your dinner <u>Watching</u> the game
Hyphen vs. Dash (6.75 et seq)	2.4 Dashes 3.5 Compounds and Hyphenation	Hyphen: word-word (a single minus sign between two words)  Em-Dash: word—word (two consecutive minus signs, formatted automatically to combine, between two words)  *Note: an ‘en-dash’ is formed using a single minus sign with spaces on either side. This is <i>not</i> used in typical above-the-line sentences; see <i>CLR</i> 2.4.	I worked on antecedent-referent problems for <i>CLR</i> .  The Style Guide has rules—actually guidelines because grammar is flexible—for editing legal scholarship.  Never: The grocery store – just blocks away – carries avocados.
Independent Clause (6.22)	1.11 Joining Independent Clauses 2.2 Colons	A clause that is not dependent on another clause because it has a subject and a predicate (verb).	<u>I am glad</u> that you came.  If you have a fever, <u>stay home</u> .
Modifier (7.85, 7.86)	1.10 Antecedent-Referent Problems	A word, phrase, or clause that limits or qualifies the meaning of another word.	<u>School</u> trip <u>Just</u> next to it City <u>of dreaming</u> spires
Participle (5.110), Participial Phrase (6.30)	1.10 Antecedent-Referent Problems	A form of a verb used with auxiliary verbs to create tenses.  <b>Past</b> participles form the perfect and passive tenses.  <b>Present</b> participles form the progressive tense.	Perfect: They had <u>taken</u> the train. Passive: Their allegations were <u>denied</u> .  Present: I am <u>thinking</u> .

Passive (Voice)	I.1 Active Voice	A sentence structure where the grammatical subject refers to the person or thing which undergoes, or is affected by, the action expressed by the verb.	Your vase was broken by my dog.  <i>Rather than:</i> My dog broke your vase.
Preposition (5.172 et seq)	I.4 Sentence Length I.6 Parallel Constructions I.14 Limiting Prepositional Phrases	A word that typically precedes a noun, noun phrase, or pronoun and expresses a relationship between it and another word in the sentence.	After At By For From In On To With Under
Pronoun (5.57 et seq)	I.12 Pronoun Case I.13 Gendered Pronouns	A word that functions like a noun and refers to something or someone else.	<i>Raja</i> took the children with <u>him</u> .  I went to get the coat, <u>which</u> I had left in the hall.
Relative Clause (6.27)	3.3 Parenthetic Expressions	A clause introduced by a relative pronoun (who, whom, which, that).  *Note: When using “which” rather than “that,” use a comma before “which.” This rule comes from the distinction between <i>nonrestrictive</i> and <i>restrictive</i> relative clauses; see CLR 3.3.	This is the person <u>who called yesterday</u> .  Birthday parties, <u>which people celebrate annually</u> , are fun.  The Clean Water Act is a statute <u>that authorizes the regulation of air pollution</u> .

# Part Two: Style Guidelines

Good writing is not mechanical. The “rules” of grammar and style may be broken if they would leave text stilted or awkward.

Hard copies of *CMS* and *The Bluebook* are available in the office. Some members might prefer the online version of *CMS*, free on campus or through the proxy server.

## § 1: Grammar and Usage

For more on grammar and usage, consult *CMS* Chapter 5.

### 1.1 Active Voice

Consult *CMS* 5.118. *CLR* generally prefers active voice.

Active: <I will always remember my first primary edit.>

Passive: <My first primary edit will always be remembered by me.>

When the agent (the person or thing doing the action) is an important part of the conveyed meaning, use the active voice. However, the passive voice can result in more readable sentences in some circumstances. In particular, where the agent is less important than the receiver of the action or where the agent is absent from the sentence, it may be preferable or even necessary to use the passive voice.

Awkward: <The book was returned to the library by the Executive Editor.>

Clear (Active): <The Executive Editor returned the book to the library.>

Clear (Passive): <The book was returned to the library.>

In this example, the decision to use the active or passive construction depends on whether the agent, the Executive Editor, is important to the author’s meaning.

**Trap 1:** Not all uses of <to be> and similar verbs reflect passive-voice constructions. For example, there is no verb in the passive voice in the following sentence: “When I was a kid, I thought that I was going to become Emperor, but I ended up becoming a law professor instead.”

**Trap 2:** Do not confuse the past perfect tense with the passive voice; there is nothing passive, or even slightly awkward, with using <had> in sentences like this one: <I had already burned the book before I realized it was the *CMS*.>

### 1.2 The First Person

Use of the first person is acceptable where it does not detract from readability.

### I.3 Subject-Verb Number Agreement

Always match the number of the subject to the number of the verb. Words that intervene between subject and verb do not affect the number of the verb.

<The bittersweet flavor of youth—its trials, its joys, its adventures, its skin diseases—is not soon forgotten.>

NOT:

<The bittersweet flavor of youth—its trials, its joys, its adventures, its skin diseases—are not soon forgotten.>

A common blunder is the use of the singular verb form in a relative clause following “one of” or a similar expression when the relative is the subject:

<one of those authors who are never ready on time>

NOT:

<one of those authors who is never ready on time>

### I.4 Sentence Length

Split lengthy sentences that contain strings of prepositional phrases or long clauses when doing so aids comprehension. Long clause length, in particular, rather than long sentence length, usually interferes with readability.

### I.5 Wordiness

Eliminate excessive or needless words. Particularly look out for <the fact that> and other unnecessary phrases like <the question as to whether>, <there is no doubt>, and <in the event that>.

<Who is>, <which was>, and similar phrases are often superfluous.

Worse: <her sister, who is a member of the same firm,>

Better: <her sister, a member of the same firm,>

### I.6 Parallel Constructions

Similar ideas should be expressed in parallel constructions.

Correct: <These new regulations apply to university presidents, county sheriffs, and corporate CEOs.>

Incorrect: <These new regulations apply to presidents of universities, county sheriffs, and CEOs of corporations.>

Correct: <Formerly, professors taught law by the Socratic method; now they teach it by the Gilbretic method.>

Incorrect: <Formerly, law was taught by the Socratic method, while now the Gilbretic method is employed.>

An article or preposition applying to all the members of a series either must be used only before the first term or must be repeated before each term:

Correct: <the first years, the second years, and the third years>

Incorrect: <the first years, second years, and the third years>

Correlative expressions (both, and; not, but; not only, but also; first, second, third) should be followed by the same grammatical construction:

Correct: <The article was both long and tedious.>

Incorrect: <The article was both a long article and very tedious.>

## 1.7 Tense

Strive for consistency in tense. Where possible, use a single tense within a paragraph, but where the content of the paragraph dictates otherwise, use the present, past, and future tenses (and variations thereof) correctly. Consult *CMS 5.128* for more guidance.

Note: Always use the past tense to describe what judges, justices, and academics have written.

## 1.8 Word Choice

Consult an unabridged dictionary before correcting an author's word choice. For tips on legal jargon (and in many cases, how to avoid it), consult Bryan Garner's *A Dictionary of Modern Legal Usage*.

## 1.9 That vs. Which

Use <that> to introduce a restrictive clause that limits the meaning of the sentence.

Correct: <Pizza that is less than an inch deep just isn't Chicago style.>

Use <which> with commas to set off nonrestrictive clauses.

Correct: <Pizza, which is a favorite among Chicagoans, can be either bad for you or good, depending on how much of it you eat.>

Consult *CMS 6.27* for more guidance.

## 1.10 Antecedent-Referent Problems

Badly placed words result in confusion and ambiguity. Keep related words together to avoid problems such as misplaced modifiers, dangling participles, and so forth.

Correct: <Recruiting and retaining professionals generally, much less highly effective ones, is a challenge in rural communities.>

Incorrect: <Recruiting and retaining professionals generally is a challenge in rural communities, much less highly effective ones.>

As a rule, the subject of a sentence and the principle verb should not be separated by a phrase or clause that can be transferred to the beginning of the sentence.

Better: <If you fail to discipline them, law professors will stand before their mirrors, assigning grades, singing, “Who shall say I am not the happy genius of the law school?”>

Worse: <Law professors, if you fail to discipline them, will stand before their mirrors, assigning grades, singing, “Who shall say I am not the happy genius of the law school?”>

Interposing a phrase or clause is not usually bothersome when the flow is interrupted only by a relative clause or by an expression in apposition. Sometimes, authors use the interruption deliberately to create suspense or to vary the flow of language. For example, the following sentences are fine:

<I also wish to thank my cousin—that sweet child—for helpful distractions and discussions.>

<You will notice, by the way, that my model fails to account for reality.>

<The author, despite our best efforts, never learned how to use a comma.>

In other cases, however, interposing a phrase or clause interrupts the flow of the main clause or creates ambiguity. In most instances, the relative pronoun should come immediately after its antecedent:

Better: <A stir suggesting disapproval swept the audience.>

Worse: <There was a stir in the audience suggesting disapproval.>

If the antecedent consists of a group of words, the relative pronoun comes at the end of the group, unless this placement would create ambiguity:

<The dean of the law school, who loves to play basketball, happily signed the proposal for construction of a new court at the law school.>

No ambiguity results from the above. But:

<A proposal that has been variously judged to amend the Sherman Act will cause mass mayhem if signed.>

should be:

<A proposal, which has been variously judged, to amend the Sherman Act will cause mass mayhem if signed.>

. . . if the meaning of the sentence is that the proposal has been variously judged and not that it has been variously judged to amend the Sherman Act.

Participial phrases at the beginning of a sentence refer to the grammatical subject:

<Agonizing over the state of legal scholarship, they heard the cries of the editors.>

The word <agonizing> refers to the subject of the sentence, not to the editors. If the writer wishes to make it refer to the editors, she must recast the sentence:

<They heard the tormented cries of the editors agonizing over the state of legal scholarship.>

## 1.11 Joining Independent Clauses

If two or more grammatically complete clauses form a single compound sentence and are not joined by a conjunction, the proper punctuation mark is a semicolon:

<It is nearly half past five; we will never meet the deadline.>

If a conjunction is inserted, the proper mark is a comma:

<It is nearly half past five, and we will never meet the deadline.>

Note that if the second clause is preceded by an adverb, such as <accordingly>, <besides>, <then>, <therefore>, or <thus>, and not a conjunction, the semicolon is still required:

<It is nearly half past five; therefore, we will never meet the deadline.>

## 1.12 Pronoun Case

The personal pronouns, as well as the pronoun <who>, change form as they function as subject or object. When <who> introduces a subordinate clause, its case depends on its function in that clause as a subject or object:

<Lyndon LaRouche is the candidate who we think will win.>

NOT:

<Lyndon LaRouche is the candidate whom we think will win.>

Similarly:

<Lyndon LaRouche is the candidate whom we hope to elect.>

NOT:

<Lyndon LaRouche is the candidate who we hope to elect.>

In general, avoid “understood verbs” by supplying them:

<Laurine loves editing more than she loves me.>

<I think Jennifer admires Professor Mishkin more than I do.>

rather than:

<Laurine loves editing more than me.>

<I think Jennifer admires Professor Mishkin more than I.>

Gerunds usually require the possessive case:

<Robert Doty objected to our trouncing his softball team.>

A present participle as a verbal participle, on the other hand, takes the objective case:

<They heard them singing in the shower.>

The difference between a gerund and a verbal participle is illustrated by the following example:

Gerund: <Do you mind my asking a question?>

Verbal Participle: <Do you mind me asking a question?>

In the first sentence, the issue is whether any question may be asked at all. In the second example, the queried objection is to me, as opposed to other members of the group, putting one of the questions.

## 1.13 Gendered Pronouns

*CLR* adheres to *The Merriam-Webster Dictionary* over *CMS* and strongly discourages the use of gender-binary pronouns and labels.

Instead, *CLR* strongly encourages the use of:

- The gender-neutral pronoun “they” in place of “he” or “she” where avoidance techniques would alter the author’s voice.
- Where possible, a gender-neutral ethnic label (e.g. <Latine>), consistent with a group’s preferred name. For guidance, see the Preamble’s *Statement on Equity and Inclusion in the Editing Process*.

CLR encourages “they” because it provides a commonly understood pronoun of indefinite gender and indefinite number. While some grammarians decry the use of “they” for the indefinite singular pronoun, others argue that it is commonly accepted and understood in the United States, particularly in spoken English. An author is welcome to include an explanatory footnote to ensure readers know the author’s use of “they” is intentional.

See *Merriam-Webster’s Dictionary* (“The use of *they*, *their*, *them*, and *themselves* as pronouns of indefinite gender and indefinite number is well established in speech and writing, even in literary and formal contexts.”)

CLR works with authors to employ avoidance techniques where it would improve awkward phrasing and sentence structure. Examples of avoidance techniques include:

- 1) Omit the pronoun: “the programmer should update the records when data is transferred to her by the head office” becomes “the programmer should update the records when data is transferred by the head office.”
- 2) Repeat the noun: “a writer should be careful not to needlessly antagonize readers, because her credibility will suffer” becomes “a writer should be careful not to needlessly antagonize readers, because the writer’s credibility will suffer.”
- 3) Use the plural antecedent: “a contestant must conduct himself with dignity at all times” becomes “contestants must conduct themselves with dignity at all times.”
- 4) Use an article instead of a personal pronoun: “a student accused of cheating must actively waive his rights to have his guidance counselor present” becomes “a student accused of cheating must actively waive the right to have a guidance counselor present.”
- 5) Use the neutral singular pronoun “one”: “an actor in New York is likely to earn more than he is in Paducah” becomes “an actor in New York is likely to earn more than one in Paducah.”
- 6) Use the relative pronoun “who” (works best when it replaces a personal pronoun that follows “if”): “employers presume that if an applicant can’t write well, he won’t be a good employee” becomes “employers presume that an applicant who can’t write well won’t be a good employee.”
- 7) Use the imperative mood: “a lifeguard must keep a close watch over children while he is monitoring the pool” becomes “keep a close watch over children while monitoring the pool.”
- 8) Use “he or she” (sparingly): “if a complainant is not satisfied with the board’s decision, then he can ask for a rehearing” becomes “if a complainant is not satisfied with the board’s decision, then he or she can ask for a rehearing.”

- 9) Revise the clause: “a person who decides not to admit he lied will be considered honest until someone exposes his lie” becomes “a person who denies lying will be considered honest until the lie is exposed.”

As a last resort, the author may alternate between “he” and “she” throughout the article as long as there is a rough balance between “he” and “she.”

### 1.14 Limiting Prepositional Phrases

Split sentences of significant length that contain long strings of prepositional phrases or long clauses into multiple sentences when doing so aids comprehension. It is long clause length, rather than long sentence length, that can interfere with readability.

Worse: <The book, which is shaped by the perspective of African Americans whose ancestors came to this country after the Civil War, reviewed the last twenty years of Supreme Court cases on the topic of the Civil Rights movement and surveyed state-law cases on the same topic.>

Better: <The book reviews the last twenty years of Supreme Court and state cases on the civil rights movement. The perspective of African Americans whose ancestors came to the United States after the Civil War shapes the book.>

## § 2: Punctuation

Consult CMS Chapter 6.

See Punctuation (cont.) at § 6.1 for additional punctuation rules governed by other authorities.

### 2.1 Commas in a Series

In a series of three or more terms with a single conjunction, use a comma after each term including the last in the series:

<Life, love, and law>  
<We opened the envelope, checked the contents, and rejected the article.>

But substitute semicolons for serial commas where a series item contains internal punctuation:

<There are basically two ways to write: with a pen or pencil, which is inexpensive and easily accessible; or by computer and printer, which is more expensive but quick and neat.>

In the names of business or law firms, the last comma is usually omitted. Follow the usage of the individual firm:

<McCutchen, Doyle, Brown & Enersen>

Do not necessarily spell out the entire law firm name. Look to the firm's website to see what name the firm uses.

Use commas after state names and dates even when they are used as adjectives:

<The Portland, Oregon, woman>

<The April 15, 2002, holding>

## 2.2 Colons

Follow *CMS 6.61–6.67*.

A colon tells the reader that what follows is closely related to the preceding clause. The colon can be used after an independent clause to introduce a list of particulars, an appositive, an amplification, or an illustrative quotation. A colon should be followed by one space. Use lowercase for text that follows the colon. The colon should not separate a verb from its complement or a preposition from its object:

<Your dedicated primary editor requires two tools: a red pen and *The Bluebook*.>

NOT:

<Your dedicated primary editor requires: a red pen and *The Bluebook*.>

Join two independent clauses with a colon if the second interprets or amplifies the first:

<Even so, there was a directness and dispatch about animal burial: there was no stopover in the undertaker's parlor, no wreath or spray.>

## 2.3 Quotations and Quotation Marks

Do not capitalize the first word of a quotation introduced indirectly in the text:

<My broker stated that "it's just too early to spot a trend.">

Do capitalize the first word when it is not an integral part of the text:

<My broker stated, "It's just too early to spot a trend.">

<My broker refuses to predict the market: "It's just too early to spot a trend.">

Place commas and periods inside quotation marks:

<"We shall always remember you," said the speaker, "as a dedicated leader, a cheerful giver, and a hopeless editor.">

If a comma or period that is not in the original is added to the end of a quotation, brackets are not needed.

<The last sentence didn't contain the words "semicolon and question mark," but it did contain the words "comma or period.">

(Note that the comma and period within the quotation marks do not appear in the original sentence. Note also that if you are quoting a sentence as a full sentence, ellipses *are* necessary.)

All other punctuation is placed inside quotation marks only when the punctuation is part of the quoted matter:

<"Run, Inez, it's out of the park!" shouted the baseball coach.>

<"Can't you understand what I am saying?" Professor Mishkin asked.>

When the punctuation is not part of the quoted matter, and not a comma or a period, place the punctuation outside the quotation marks:

<Didn't you mean to say "deprecate" rather than "depreciate"?>

<He called it "not a movement but a lifestyle"; did anyone take heed?>

When using quoted language as a phrase or clause, do not indicate omission of matter before or after a quotation with brackets or ellipses. But when using quoted language as a sentence, indicate the omission of matter with an ellipsis. See *BB 5.3*. Also, do not use a bracketed period or comma.

<The author argued that she "know[s] grammar better than [the editor] because . . . [she] is old enough to have gone to a place called 'grammar school.'">

<The author wrote, "You should really look into a different profession . . . .">

In the first example, words are omitted from the quote after <because.> In the second example, the end of the statement is omitted.

Deletion of single words: follow *BB 5.1* and use ellipses rather than brackets.

Use nonbreaking spaces before, after, and between ellipses. See *CMS 13.53*.

Slang: Place slang in quotation marks when it is not a phrase normally used by the writer AND it is not preceded by the word <so-called>:

<They belong to the so-called wired generation.>

<They belong to the "wired" generation.>

Irony: Words used ironically should only be placed in quotation marks when the irony would not be apparent to the reader without them. Where the ironic content is clear, do not use quotation marks.

## 2.4 Dashes

Do not overuse the dash. Dashes may be used to indicate an abrupt change in a sentence:

<Shabina sees words that blow like leaves in the winds of autumn—golden words, bronze words, words that catch the light like opals.>

When commas punctuate a phrase, use a dash to set off a phrase in apposition:

<We rejected the article—a juvenile discussion of sixteenth-century agriculture—three times, but the author kept submitting it.>

Where a comma is a problematic substitute for parentheses, the dash may be used:

<All Boards produce their individual eccentrics—there was even an editor who went to class—but they were united in their solid understanding that money is the ultimate object of legal training.>

## § 3: *Distinctive Treatment of Words and Compounds*

Consult *CMS Chapter 7* and *BB 7*.

### 3.1 Forming Possessives

Follow *CMS 7.16–7.29*. Bear in mind that proper names and singular nouns that end with “s” still require an apostrophe AND an “s” (e.g., <Congress’s>).

### 3.2 Forming Possessive Singulars

Do not use an apostrophe when discussing decades:

<The decade of the 1970s was a time of high-caliber television.>

Generally, use an apostrophe-s after a singular word ending in s:

<Barry Bonds’s 73rd home run>

NOT:

<Barry Bonds’ 73rd home run>

But do not use an apostrophe-s after singular compound words when the last word is plural and ends with an s:

<Three Strikes' impacts>

NOT:

<Three Strikes's impacts>

A common error is to write <it's> for <its>, or vice versa. The first is a contraction meaning "it is." The second is a possessive.

Correct: <It's hard to know what I like most about the dissenting opinion. I like its tone, its witty banter, and its powerful closing argument.>

### 3.3 Parenthetical Expressions

Enclose parenthetical expressions between commas.

<The best way to see a country, unless you are pressed for time, is to travel on foot.>

This rule is difficult to apply; it is frequently unclear whether a single word, such as <however> or a brief phrase is parenthetical. If the interruption in the flow of the sentence is slight, the writer may omit the commas. One should never, however, omit one comma and leave the other.

Incorrect: <Michelle's father, Fraser gave the tour.>

A name or a title in a direct address is parenthetical. The abbreviations <etc.>, <i.e.>, and <e.g.>, the abbreviations for academic degrees, and titles that follow a name are parenthetical:

<Well, Roberto, whose weekend did we ruin this time?>

<Angela H. James, MA, JD, LL.M., had a research assistant write their article.>

Consistent with *CMS*, *CLR* prefers abbreviations for academic degrees written without periods. In author dagger notes, *CLR* accepts periods in abbreviations for academic degrees.

Note, however, that we do not use <i.e.>, <e.g.>, or <etc.> in footnote text in order to avoid confusion with their more precise meaning in footnote signals. These abbreviations may be used in the main text unless such usage would be confusing.

Nonrestrictive relative clauses are parenthetical, as are similar clauses introduced by conjunctions indicating time or place. A nonrestrictive clause is one that does not serve to identify or define the antecedent noun:

<The membership, which had at first been indifferent, became more and more delighted.>

The above sentence contains two statements that might have been made separately. The clause introduced by <which> does not limit or define the range of possible audiences, it merely adds something. Thus it is nonrestrictive.

Restrictive clauses, by contrast, are not parenthetical and are not set off by commas. Thus:

<People who live in glass houses shouldn't sing high notes.>

In this sentence, the clause introduced by <who> does serve to tell which people are meant; the sentence cannot be split into two different statements.

### 3.4 Using Letters as Examples

Occasionally, authors set up hypothetical examples using letters to distinguish between different parties or alternatives. Italicize these letters: "Person *A* signed a contract with Person *B*, but then Corporation *C* stole all the proceeds anyway." Note that *CLR* does not follow *CMS* here, primarily to avoid confusion when an example "A" begins a sentence. So, it should *not* be "A signed a contract with B."

Words used as words should be italicized. The only exception is when the word relates to spoken language. In that case, quotation marks may be used around the word.

<The author frequently uses *affect* incorrectly.>

BUT:

<A change from "you" to "thou" implies an insult in Elizabethan dialogue.>

Certain terms should be set in italics the first time they appear and in roman type for all subsequent appearances. The rule applies to key terms in a discussion, terms with special meaning, terms to which the reader's attention is directed, and technical terms: <The *world of gift* describes the body of law developed around the giving of gifts. The world of gift differs from the world of contract.>

Enclose technical terms used in a special sense in quotation marks and do not italicize:

<By leaking the embarrassing tale of opposing counsel's bad behavior to the press, they sought to "sanction" opposing counsel.>

Enclose quoted phrases or single words that provide general background information that is recognizable to the reader in quotation marks:

<Myths of "paradise lost" are common in folklore.>

### 3.5 Compounds and Hyphenation

Follow *CMS* 7.81–7.89. Because usage varies, it is impossible to make inflexible rules for hyphenating phrases. When it is unclear whether a phrase should be written as one word, written as two words, or hyphenated, consult an authoritative source, such as an up-to-date dictionary or the *CMS*. For example, use <socioeconomic>, not <socio-

economic> because *Webster's* does not hyphenate. For common journalistic usage, you can also do a Google news search. **Table 7.89** in the *CMS* is particularly helpful. Nevertheless, "where no ambiguity could result . . . hyphenation is unnecessary." *CMS 7.84*.

## Adjectives

Use a hyphen between the units forming a compound adjective before the noun modified:

first-class ticket	two-person job
deep-blue sweater	up-to-date fashion
four-year-old girl	high-minded attitude
house-to-house search	hard-hitting policy
long-distance telephone	well-deserved vacation
a medium-sized commercial	Three-State Bus Line

However, some common compound adjectives are commonly not hyphenated. The list below includes labels and titles germane to the legal field that should not be hyphenated in spite of *CMS 7.85*:

<common law doctrine>, <parole evidence rule>, and similar  
<clear and convincing evidence standard>, <beyond a reasonable doubt standard>, and similar  
<assistant district attorney>, <criminal defense attorney>, <intellectual property lawyer>, and similar  
<district court judge>, <trial court judge>, <circuit court judge>, and similar

When a compound adjective follows the noun or the predicate, ordinarily it is not hyphenated:

<Many fashions, popular and up to date, will be on display.>  
<Her fame, well deserved and worldwide, rests on her scientific achievements.>

Proper names used as adjectives are not joined by a hyphen:

<New England winters, Magnificent Mile shoppers, South American plants.>

But notice such forms as German-American, Anglo-Indian, Indo-European, which are purely adjectival are almost always hyphenated. However, we usually defer to our authors' wishes as to hyphenation of these forms. The most common are African American, Asian American, and so forth.

Use the hyphen to form adjectives compounded with <well> preceding the noun (e.g., well-bred, well-born, well-to-do, well-earned, well-expressed, well-known):

<Their well-known courtesy made them a favorite.>

Do not use the hyphen with such expressions when they follow the word modified:

<She showed herself a woman well versed in the ways of the world.>

Foreign phrases used as adjectives should not be hyphenated:

<an a priori argument>

<a noblesse oblige attitude>

Use <decision-maker> and <decision-making> for both noun and adjective forms. Never use the closed form. This usage conforms with the *CMS*. Likewise, use <policy-maker> and <policy-making> for both noun and adjective forms.

## **Adverbs**

An adverb ending in -ly is not joined with a hyphen to the adjective that it qualifies:

<highly developed intelligence>

<a beautifully told story>

## **Nouns**

Use a hyphen in certain compounds made up of nouns and prepositional phrases.

sons-in-law

fleur-de-lis

vis-a-vis

hand-to-hand

man-of-war

However, there are many exceptions to this rule: <commander in chief>, <maitre d'hotel>, and others.

## **Numbers**

Use a hyphen in compound numbers: <forty-six>, <twenty-one hundredths>, <twenty-first.>

Use a hyphen when compounding numbers with other words: <twenty-foot pole>, <150-yard dash.>

Fractions are hyphenated when used as an adjective: <They are entitled to ten and one-half shares of stock.> When the fraction is used as a noun, no hyphen is necessary: <He invested one third of his money in real estate.> However, there is a growing tendency in business writing to use the hyphen in both the adjective and the noun.

## Titles and Names

Use a hyphen in titles compounded with <ex> and <elect>:

ex-Governor	Governor-elect
ex-Senator	President-elect
ex-President	

Civil and military titles (single) are not hyphenated.

Surnames written with a hyphen are in most cases considered as one name:

<Harley Granville-Barker>  
<Sheila Kay-Smith>  
<Madame Schumann-Heink>

## Compound Words Including Prefixes

Use the hyphen in compounds made up of prefixes joined to proper names:

mid-Atlantic	pseudo-Gothic
mid-August	un-American
neo-Platonism	Pan-American
pan-Hellenic	non-European

Ordinarily, do not use the hyphen between a prefix and the stem when the added word is not a proper noun:

antisocial	intramural
biannual	nonconformist
bicentennial	nonessential
biennial	nonofficial
coauthor	preview
extracurricular	retroactive
foreclose	semyearly
intercollegiate	supermarket

However, compounds are hyphenated when otherwise a vowel would be confusingly doubled in combination:

anti-imperialist  
co-owner  
intra-atomic  
semi-independent

This is not always the case, however. For example, there is no risk of confusion for <cooperate>, <coordinate>, and <preexisting.>

Use the hyphen in the following examples to distinguish words spelled alike but differing in meaning:

re-cover (to cover again)  
recover (to regain)  
re-count (to count again)  
recount (to relate in detail)

Use the hyphen generally in words compounded with <self> as a prefix:

self-conceit, self-confidence, self-control, self-reliance, self-respect, self-starter,  
self-assured, self-explaining, self-governing, self-made, self-taught, self-willed

Do not use the hyphen in <selfsame> and <selfless> or in pronouns compounded with self:

myself, himself, herself, itself, oneself, ourselves, themselves

### 3.6 Capitalization of Names and Terms

See Capitalization of Names and Terms (cont.) at § 6.2 for additional capitalization rules governed by other authorities.

Capitalize the following when referring to the instant piece or portion of that piece (contrary to *BB 8*):

<Article>  
<Essay>  
<Book Review>  
<Comment>  
<Part>  
<Section>

Capitalize <Article> and <Clause> when referring to the Constitution. Otherwise, do not capitalize. Say <article six> not <Article six>. Where an Article or Clause has a

specific nickname or usage (e.g. Commerce Clause, Emoluments Clause, Equal Protection Clause, Article III judges), capitalize all parts of the name. Do not capitalize claims that arise from these provisions.

<Unlike patent law, the Lanham Act for trademarks is based on the Commerce Clause.>

<In the author's most recent article on legislative power, they cited to Article I of the Constitution.>

BUT:

<The plaintiff raised an equal protection claim and a due process claim.>

Do not capitalize <doctrine> or <rule> when referring to a legal principle such as the parol evidence rule or the doctrine of equivalents.

Capitalize <President>, <Justice>, and <Chief Justice>. Do not capitalize <executive>, <legislative>, or <judicial>. See *BB 8*. Do not capitalize <presidents> when referring to presidents generally, such as <some presidents of South American countries>.

Capitalize <Framer> and <Founder>.

Do not capitalize the adjectives <constitutional> and <congressional>.

State, County, Park: Capitalize when referring to a specific place (even if not including the name of that place, such as when it is clear from context). Capitalize when referring to the institution:

<The State argued that it was being coerced into expanding Medicaid. They entered into a contract with the County.>

BUT:

<They live within the county.>

Capitalize <Black>, <Indigenous>, <Native>, and <White> as racial descriptors.

### **3.7 Racial/Ethnic Descriptors**

Where possible, use specific terms instead of collective nouns:

<Students confronted an Omaha elder.>

<Some Chinese-American families take road trips in the summer.>

Rather than

<Students confronted the Native American person.>

<Some Asian-American families take road trips in the summer.>

## § 4: Numbers

Consult generally *CMS* Chapter 9. See Numbers (cont.) at § 6.3 for additional number rules governed by other authorities.

### 4.1 In Text

When numbering items in text, use Arabic numbers in parentheses: <(1) red, (2) blue,> not <(i) red, (ii) blue.>

### 4.2 No Superscript

Do not put ordinal number abbreviations in superscript, either in text or footnotes: <1st> not <1<sup>st</sup>.>

### 4.3 Using Part

Spell out numbers when used with *Part*: for example, <Part Six> but <Art. III, § 6.>. Do not use this rule with internal cross-references (e.g., <As I explain in Part VI, ...> is correct.)

### 4.4 In Citations

In citations, follow *BB* 6.2 (no comma in four-digit numerals). In text and parenthetical text in citations, follow the *CMS* (e.g. \$1,000).

## § 5: Miscellaneous CLR Style Rules

### 5.1 Additional Conventions

Capitalize the following when referring to a portion of a piece:

- Article
- Comment
- Part
- Section

Use <Note>, <Book Review>, <Review Essay>, or <Essay> depending on the piece.

When referring to a portion of the text by numeral, CLR uses the term <Part>, not <Section>, even when referring to sections within Parts. For example:

- Part V
- Part V.B

Use <Section> when referring to a piece of the text without numerals, such as <this Section>, <the following Section>, or <the previous Section.> Otherwise, always use <Part.> Never refer in the text to a <Part> with more than two subparts, although you may do so in a footnote:

- <In Part II.A.I> may be used in text.
- <In Part II.A.I.b> may be used in a footnote but not in text.

Do not use Roman numerals in <Introduction> or <Conclusion> headings.

Do not include any header labeling the Abstract or Table of Contents.

Always use a person's full name at first mention in text (e.g., <Professor Herbert Hovenkamp>).

When citing to an online journal source, use the form you would use for a direct citation to the Internet. For example:

Perry Dane, *Sad Time: Thoughts on Jurisdictionality, the Legal Imagination, and Bowles v. Russell*, 102 NW. U. L. REV. COLLOQUY 164, 167–68 (2008),  
<http://colloquy.law.northwestern.edu/main/2008/01/sad-time-though.html>.

Use <website>, not <Web site> or <web site>, and use <email>, not <e-mail.> Use <Internet> when referring to the proper noun. The network within an organization is an intranet.

<You can connect to the Internet anywhere on campus through AirBears, UC Berkeley’s wireless intranet.>

Although the CMS accepts <US> for both the adjective and noun forms, CLR prefers <United States> for all noun uses and <U.S.> for all adjective uses, including for names of federal government agencies like <U.S. Department of Justice>. Generally, default to what the entity itself uses (e.g. <EU> and <UN>); if it is unclear what the entity uses, consult BB abbreviation tables.

Avoid using slashes (e.g., <and/or>, <he/she>, <s/he>).

Spell out abbreviations and acronyms at first mention in the text (e.g., <the American Civil Liberties Union (ACLU)>). No quotation marks are necessary (e.g., <(ACLU)> not <(“ACLU”)>. If they appear in the footnotes after they appear in the text, do not spell out abbreviations or acronyms in the footnotes. However, if they appear first in the footnotes, spell out the abbreviation or acronym at first mention in both the text and the footnotes. BB 6.1(b) provides additional guidance on abbreviations and acronyms.

When an article title ends with a quotation, put the comma inside the quotation marks, but keep the comma non-italicized. Though this may seem mystifying, see the second example under BB 2.1(f): Nancy Reagan, Editorial, *Just Say “Whoa,”* WALL ST. J., Jan. 23, 1996, at A14 (the comma after “Whoa” is NOT italicized).

When citing to *The Federalist Papers* in text, use italics and omit “Papers.”

<The Supreme Court has interpreted the taxing power broadly, despite its early acknowledgement of the risk, described by Alexander Hamilton in *The Federalist No. 31*, that . . .>

## 5.2 Wikipedia

CLR does not generally allow citations to Wikipedia except when discussing Wikipedia as the subject. Suggest an edit citing to the underlying source.

## 5.3 Ambiguity in Proper Spelling of Non-English Words

Where the spelling of a non-English word represented in English is ambiguous, authors and editors should defer to how the community from which the word derives would spell it. See also CMS 7.53-7.55 for guidance on italicization.

To discern preferred spelling: follow the steps (and look at the suggested websites) in the Preamble’s *Statement on Equity and Inclusion in the Editing Process* or consult the brief list below. Contact the Senior Supervising Editor for further guidance on specific languages and their conventions, particularly for languages that do not use the Latin alphabet and thus have inconsistent romanization.

<Hawai’i> [note reverse-apostrophe, called an *okina*], *but* <Hawaiian>, as it is an English-invented word

<Qur’an> or <Quran>, not <Koran>

<Beijing>, not <Peking> (except when referring to Peking University)

<Muslim>, not <Moslem>

## 5.4 Obscenities and Offensive Terms

*CLR* encourages authors to consider removing or redacting obscenities from their writing, including when it appears in quoted material. Consistent with *CMS 5.25 I*, if the language is likely to offend a particular group—for example, based on race, ethnicity, gender, socioeconomic status, gender identity, sexual orientation, or ability—*CLR* strongly encourages authors to consider using other words or, at the very least, including a footnote justifying use of the word.

Because the use of language is subjective and ever-changing, these suggestions should be made on a case-by-case basis. Editors should initiate a dialogue with the author by flagging offensive terms and engaging the Supervising Editor, the Senior Supervising Editor, or other relevant or applicable journal personnel. For a suggested process, see the Preamble’s *Statement on Equity and Inclusion in the Editing Process*.

In particular, *CLR* discourages the use of adjectives with a medical or clinical meaning in a non-medical or non-clinical context. These adjectives are generally inappropriate to apply outside of medical or clinical contexts. These include (but are not limited to):

schizophrenic

deaf

blind

bipolar

crazy

insane

suicidal

spastic

## § 6: Rules Governed by Other Authorities

### 6.1 Punctuation (cont.)

Consult CMS Chapter 6. For additional punctuation rules, see § 6.1.

**Commas:** Follow CMS 6.16–6.55.

**Semicolons:** Follow CMS 6.56–6.60.

**Hyphens and Dashes:** Follow CMS 6.75–6.94.

**Parentheses:** Follow CMS 6.95–6.98.

**Ellipses:** Follow BB 5.3.

### 6.2 Capitalization of Names and Terms (cont.)

Consult generally BB 8. For items that are not specifically covered by *The Bluebook*, you can consult the CMS for guidance (as long as it doesn't appear to contradict *The Bluebook*). For example:

**Ethnic, Socioeconomic and Other Groups:** CMS 8.38–8.43.

**Words Derived from Proper Names:** CMS 8.60–61.

**Names of Organizations and Governmental Bodies:** CMS 8.62–8.70.

**Historical and Cultural Terms:** CMS 8.71–8.87.

**Religious Names and Terms:** CMS 8.91–8.111.

**Military Terms:** CMS 8.112–8.115.

**Scientific Terms:** CMS 8.119–8.152.

### 6.3 Numbers (cont.)

Consult generally CMS Chapter 9.

**Ordinal Numbers:** CMS 9.6–9.7.

**Percentages:** CMS 9.18 (see below). Do not use BB 6.2(d).

**Fractions:** CMS 9.14–9.15.

For purposes of CMS 9.18, CLR defines “technical” contexts as those where a substantial portion of the author’s argument—thesis and proof—is based on statistical data. Thus where an author predominantly relies on statistical data, use <%>; otherwise, spell out <percent>.

## 6.4 Italics, Capitals, and Quotation Marks for Special Terminology and Words and Letters Used as Words

Follow CMS 7.48–7.76.

**Emphasis:** CMS 7.50–7.52.

**Words from Other Languages:** CMS 7.53–7.55.

Note that we follow the CMS, not *The Bluebook*, and italicize <[sic]>.

**Highlighting Key Terms and Expressions:** CMS 7.56–7.62.

**Common Expressions and Figures of Speech:** CMS 7.60.

**Words and Letters Used as Words:** CMS 7.63–7.69 (except as noted below).

## 6.5 Periodical Titles

Follow BB 16.3, both in text and in the footnotes:

<I hope Professor Colgan’s article *Reviving the Excessive Fines Clause* causes the Supreme Court to reconsider its misguided interpretation of the Constitution.>

# § 7: CLR’s Treatment of Book Reviews

## 7.1 Title Format

LEARNED HAND, THE MAN AND THE JUDGE. By Gerald Gunther.† New York: Alfred A. Knopf, 1994. Pp. xxi, 818. \$35.00 cloth.

## 7.2 Book Price and Binding Type Treatment

\$35.00 cloth  
\$19.95 paper

## 7.3 Rules on Place of Publication

Use the name of the city where the publisher’s main editorial offices are located. If the title page of the book lists two cities with the publisher’s name, use the city listed first. If the place of publication is not widely known, and it is not obvious where the place of publication is from the publisher’s name, the abbreviation of the state name, region, or country should follow it. Short state names, like Alaska, Iowa, Maine, and Ohio, are given in full. For example:

<Post Mills, Vt.: Chelsea Green, 1992.> <Ottawa, Ill.: Jameson Books, 1991.>  
<Harmondsworth, England: Penguin Books, 1988.>

The distinction between Cambridge, England, and Cambridge, Massachusetts, should be made. In the absence of contrary indications (such as the inclusion of the state name or mention of Harvard University or MIT) it will be assumed that the English city is meant. The following are acceptable:

<Cambridge: Cambridge University Press, 1979.>

<Cambridge: Harvard University Press, 1979.>

## 7.4 How to Do Internal Cites Within a Book Review Essay

To cite a quotation from the book being reviewed, insert parentheses between the quotation with the numeral of the page(s) on which the quote appears and the end punctuation:

<Professor Kennedy writes that one of her major purposes is “moving interracial intimacy to center stage as a necessary focus of inquiry for anyone seriously interested in understanding and improving American society” (12).>

For multiple citations within a sentence, use this format:

<They give as examples the removal of children from the custody of their white mother after she entered a relationship with a black man (377–86), the denial or delay of transracial adoptions (402–08), and the bureaucratic authorization to require “cultural competency” for white adoptive parents (41–46).>

If the author quotes from the book being reviewed but goes on to comment on that quotation or to quote further as an aside, use the above citation format and drop a footnote:

<Instead, the author proposes that “because group identity can make organization around almost any cause easier” (21),<sup>1</sup> it makes no sense to offer a sweeping condemnation of all identity politics.>

<<sup>1</sup> This concurs with the author’s earlier argument that “identity is an effective means of . . .” (12).>

## § 8: Formatting Conventions

### 8.1 Headings

In general, headers should be consistent across articles in an issue. To promote consistency across issues and volumes, Supervising Editors and Publishing Editors should follow this suggested hierarchy:

		<HEADER 1>	[centered, smallcaps, 14 pt.]
<	I.	Header 2>	[left-justified, boldface, 12 pt.]
<	A.	Header 3>	[left-justified, boldface and italic, 12 pt.]
<		I. Header 4>	[left-justified, italic, 12 pt.]
<		a. Header 5>	[left-justified, plain, 12 pt.]

### 8.2 Footnotes

Footnotes should be 8.5 pt. font, left-right justified, and double spaced consistent with the above-the-line text. In addition, the number should be in regular font and indented, not a superscript.

Incorrect: <<sup>3</sup> Additional information on sentencing in Louisiana . . .>

Correct: < 3. Additional information on sentencing in Louisiana . . .>

## Part Three: Common *Bluebook* Errors

The following is a list of frequently overlooked or misapplied *Bluebook* rules. Scan this list before each edit. This is not the complete set of rules; please also consult *The Bluebook*.

### 1.2(a-d) Signals with Parentheticals

The signals <*cf.*>, <*but cf.*>, <*see generally*>, and <*see also*> should be followed by parentheticals explaining the relevance of the authority. See *BB 1.5* for proper structure.

### 1.2(e) Signals as Verbs

Signals used as verbs within a sentence should **not** be italicized.

Incorrect: <For further discussion of this legal proposition, see Bob Walker, *The Destruction of the Constitution*, 66 CALIF. L. REV. 1534 (1999).>

Correct: <For further discussion of this legal proposition, see Bob Walker, *The Destruction of the Constitution*, 66 CALIF. L. REV. 1534 (1999).>

Note: if a signal is used as a verb, and followed by another signal used as a signal, the textual sentence should end with a period and the citation sentence should begin with a capital letter. For example:

<For further discussion of this legal proposition, see Bob Walker, *The Destruction of the Constitution*, 66 CALIF. L. REV. 1534 (1999). See also Smith v. Jones.>

### **1.3 Order of Signals**

Signals of the same basic type must be strung together in the same citation sentence and separated by semicolons.

Incorrect: <See Smith v. Brown. See also Lindsay v. McCabe.>

Correct: <See Smith v. Brown; see also Lindsay v. McCabe.>

### **1.4 Order of Authorities Within Each Signal**

FEDERAL STATUTES; STATE STATUTES (alphabetically by state); FEDERAL CASES (Supreme Court, Courts of Appeal, District Courts, then reverse chronological order within each); STATE CASES (alphabetically by state); BOOKS (alphabetically by author); LAW REVIEW ARTICLES; BOOK REVIEWS; LAW REVIEW COMMENTS (i.e., student authors); NEWSPAPERS.

Incorrect: <See Smith v. Brown, 100 F. Supp. 100 (E.D. Pa. 1982); Lindsay v. McCabe, 50 F.2d 50 (3d Cir. 1973).>

Correct: <See Lindsay v. McCabe, 50 F.2d 50 (3d Cir. 1973); Smith v. Brown, 100 F. Supp. 100 (E.D. Pa. 1982).>

### **1.5 Parenthetical Information**

Parenthetical phrases should precede subsequent history.

Incorrect: <See Smith v. Brown, 100 F. Supp. 100 (E.D. Pa. 1982), *aff'd*, 55 F.2d 50 (1983) (recognizing the right of law review members to sue the review for intentional infliction of emotional distress).>

Correct: <See *Smith v. Brown*, 100 F. Supp. 100 (E.D. Pa. 1982) (recognizing the right of law review members to sue the review for intentional infliction of emotional distress), *aff'd*, 55 F.2d 50 (1983).>

Note: please see *BB 1.5* for acceptable formats of parenthetical information.

## 2.2 Typeface Conventions for Textual Material

When the case name is grammatically part of the sentence in which it appears, it should be italicized.

Incorrect: <In *Loving v. Virginia*, 388 U.S. 1 (1967), the Court invalidated Virginia’s miscegenation statute.>

Correct: <In *Loving v. Virginia*, 388 U.S. 1 (1967), the Court invalidated *Virginia’s* miscegenation statute.>

When the case name is not grammatically part of the sentence, but rather used in a citation clause embedded in the sentence, do not italicize.

Incorrect: <Justice Harlan quipped that “one man’s vulgarity is another’s lyric,” *Cohen v. California*, 403 U.S. 15, 25 (1971), but failed to give further explanation.>

Correct: <The Court has upheld race-specific statutes that disadvantage a racial minority, e.g., *Korematsu v. United States*, 323 U.S. 214 (1944), but those decisions have been severely criticized.>

## 3 Sections, Page Numbers, and Paragraphs

Retain only the last two digits for multiple pages, but retain all digits for multiple sections.

Incorrect: <See *supra* note 3, §§ 100–05, at 100–105.>

Correct: See *supra* note 3, §§ 100–105, at 100–05.

Unless paragraphs in the original source are introduced by the ¶ symbol, do not reference the paragraph number with the symbol. Instead, use <para.>

## 4 Short Citation Forms

Use “*id.*” when citing the immediately preceding authority within the same footnote or within the immediately preceding footnote *when the preceding footnote contains only one authority*. The period at the end of “*id.*” is italicized.

“*Supra*” and “Hereinafter” should not be used to refer to cases, statutes, constitutions, legislative materials, restatements, model codes, or regulations, except in extraordinary cases, such as when the name of the authority is extremely long.

### 5.3 Quotations and Omissions

Never begin a quotation with an ellipsis.

For an ellipsis at the end of a quotation:

1. If the quoted passage is a phrase or clause, do not use an ellipsis at all.
2. If the omission is before the end of a sentence, insert an ellipsis between the last word quoted and the final punctuation of the sentence.

<“Compulsory cite-checking is abominable . . . .” >

<“Is compulsory cite-checking abominable . . . ? Courts have not addressed the question.”>

3. If the omission after the end of a sentence is followed by further quoting, insert an ellipsis between the two sentences.

<“Compulsory cite-checking is abominable and actionable. . . . Courts have held for injured law review members in such actions.”>

<“Is compulsory cite-checking abominable and actionable? . . . Courts have not addressed the question.”>

### 10.9 Short Forms for Cases

The preferred form that we almost always use in our footnotes is: <*Calandra*, 414 U.S. at 343.> The short form may be used only when it identifies a case cited in the same footnote, prominently cited in one of the preceding five footnotes, or named in the same textual paragraph to which the footnote is appended.

For works in collection, do not provide a full cite for each new work cited. Use a short cite per BB 15.10.1.

For both short and long forms: if the case is named in the textual paragraph, the case name should not be repeated in the footnote citation.

Text: <In *Brown v. Board of Education*, the U.S. Supreme Court recognized that “education . . . is the very foundation of good citizenship.”<sup>FN</sup>>

FN: <347 U.S. 483, 493 (1954).>

## **15.1 Books**

Incorrect: <PROSSER, HANDBOOK OF THE LAW OF TORTS 100 (1972).>

Correct: <GERALD W. PROSSER, HANDBOOK OF THE LAW OF TORTS 100 (1972).>

## **16.6(f) Newspapers**

Online newspapers may be cited in place of print newspapers, see 16.6(f).

# Part Four: Helpful CMS Material

## CMS Cheat Sheet

The following table is intended to provide a quick, easy reference for common CMS issues. **When making an edit to conform to these rules, please be sure to insert a comment bubble citing the applicable rule.** Also, please be clear that we may *not* change quotations to conform to our style guidelines.

Rule Number	Rule(s)	Examples
<b>CMS 7.85</b> <b>More than one modifier</b>	For modifiers that work together, such as adjective + noun, adjective + participle, age terms, noun + gerund, gerund+ noun, adverb not ending in ly + participle or adjective, adjectival phrases, etc, use a hyphen for readability.  But see <i>CLR 3.5</i> 's non-exhaustive list of terms in legal writing that are not hyphenated.	middle-class neighborhood, high-jumping grasshopper, fifty-five-year-old individual, debt-free year, decision-making body, cutting-edge methods, over-the-counter drugs  <i>Incorrect:</i> criminal-defense lawyer circuit-court judge
<b>CMS 7.86</b> <b>Adverb ending in -ly + another modifier</b>	Compounds formed by an adverb ending in -ly plus an adjective or participle (such as largely irrelevant or smartly dressed) are <u>not hyphenated</u> either before or after a noun, since ambiguity is virtually impossible.	largely irrelevant rule smartly dressed man
<b>CMS 9.2</b> <b>Numbers—Chicago's general rule</b>	In nontechnical contexts, the following are <u>spelled out</u> : (1) whole numbers from one through one hundred, (2)	Thirty-two children from eleven families were in three vans.

	<p>round numbers, and (3) any number beginning a sentence. For other numbers, numerals are used. For the numerous exceptions and special cases, see throughout this chapter and consult the index.</p>	<p>The property is held on a ninety-nine-year lease. The building is three hundred years old. The three new lots will provide space for 540 more cars. The population of our village now stands at 5,893.</p>
<p><b>CMS 9.7</b> <b>Consistency and flexibility (with numbers)</b></p>	<p>Where many numbers occur within a paragraph or a series of paragraphs, maintain consistency in the immediate context. If according to rule you must use numerals for one of the numbers in a given category, use them for all in that category. In the same sentence or paragraph, however, items in one category may be given as numerals and items in another spelled out.</p>	<p>A mixture of buildings—one of 103 stories, five of more than 50, and a dozen of only 3 or 4—has been suggested for the area. The population grew from an initial 15,000 in 1960 to 21,000 by 1970 and 34,000 by 1980. Between 1,950 and 2,000 people attended the concert.</p>
<p><b>CMS 9.6</b> <b>Ordinals</b></p>	<p>The general rule applies to ordinal as well as cardinal numbers.</p>	<p>Wen Tong stole second base in the top half of the eighth inning. She found herself in 125th position out of 360. The 122nd and 123rd days of the strike were marked by renewed violence. The thousandth child to be born in Mercy Hospital was named Mercy.</p>
<p><b>CMS 6.16-6.55</b> <b>Commas</b></p>	<p><b>CMS 6.22.</b> When joining two independent clauses, a</p>	<p>Yareli went to the grocery store, but there was no parking available.</p>

	<p>comma precedes the conjunction.</p> <p><b>CMS 6.24.</b> If a sentence begins with a dependent clause (one that begins with a subordinating conjunction such as “if,” “because,” “until,” or “when,” a comma follows the dependent clause.</p> <p><b>CMS 6.25.</b> If a dependent clause is essential to the meaning of the main clause, <i>do not</i> use a comma. But if it is merely supplementary or parenthetical, use a comma.</p> <p><b>CMS 6.27.</b> If a sentence uses “that,” do not use a comma. But if a sentence uses “which,” use a comma.</p> <p><b>CMS 6.33.</b> Commas for introductory phrases depend on relationship to the rest of the sentence and length. See <b>CMS 6.30</b> for participial phrases and <b>6.31</b> for adverbial phrases.</p> <p><b>CMS 6.36-6.37.</b> Use commas to separate coordinate or repeated adjectives, regardless of number.</p>	<p>When editing a piece, students should be careful to catch misspellings.</p> <p>We will agree to the proposal if you sign here.</p> <p>She has a point, whether you agree with her or not.</p> <p>The book that talks about cats will be published in May.</p> <p>The book, which will be published in May, is good.</p> <p>It was very, very rainy.</p> <p>The hot, muggy weather was uncomfortable.</p>
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## Frequently Used CMS Rules

### A. General Information

1. 2.9—Use one space between sentences and after a colon
2. 5.212—Parallelism generally (see 5.213 for use of prepositions in a parallel series)
3. 7.85—Guide to hyphenation

### B. Adjectives

1. 5.83-5.86—Comparative and superlative adjectives
2. 5.88—List of adjectives that cannot be used comparatively (e.g., “unique,” “impossible”)

### C. Verbs & Adverbs

1. Species of misplaced modifiers
  - a. 5.107—Dangling infinitives (e.g., “To repair your car properly, it must be sent to a mechanic.”)
  - b. 5.112—Dangling participles (“Frequently used in early America, experts suggest that shaming is an effective punishment.”)
  - c. 5.113—Dangling gerunds (e.g., “After finishing the research, the screenplay was easy to write.”)
2. 5.115—Active voice generally preferred over passive voice
3. 5.120—Use of the subjunctive mood is often appropriate for hypothetical or otherwise unlikely situations (e.g., “If I were you” or “I wish it were so.”)
4. 5.123—Present tense is appropriate for timeless facts and past but extant works
5. 5.165—Adverbs should generally be as close as possible to their verbs

### D. Prepositions

1. 5.182—Misuse of “only”
2. 5.183—Avoid overuse of prepositions
3. 5.186—Using adverbs to replace prepositional phrases
4. 5.187—Using genitives (i.e., possessive adjectives) to replace prepositional phrases
5. 5.116/5.188—Using active voice to eliminate prepositions

### E. Punctuation

1. 6.18—Serial commas (aka Oxford commas)
2. 6.22—Use of “which” versus “that” in restrictive/nonrestrictive clauses
3. 6.24—Using commas with parenthetical elements
4. 6.26—Commas with restrictive/nonrestrictive clauses
5. 6.58—Semicolons substituted for serial commas where a series item contains internal punctuation

### F. Numbers

1. 9.2—Spell out numbers 0-100.
2. 9.4—Large “round” numbers (e.g., three hundred, three thousand, three hundred thousand) should generally be spelled out (see 9.8 for the same prescription where even larger numbers—millions, billions, etc.—are used)
3. 9.21-9.26—See for instruction on monetary amounts

### G. Quotes/Dialogue

1. 13.7—When to change punctuation, capitalization, or spelling in a quote
2. 13.9—Run-in versus block quotations
3. 13.14—Capitalization of first letter for set-in quotations (see 13.15 for block quotations)