

Louisiana Law Review

Volume 79 | Number 4
Summer 2019

Louisiana Citation and Style Manual

Louisiana Law Review V.79 Board of Editors

Repository Citation

Louisiana Law Review V.79 Board of Editors, *Louisiana Citation and Style Manual*, 79 La. L. Rev. (2019)
Available at: <https://digitalcommons.law.lsu.edu/lalrev/vol79/iss4/13>

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Louisiana Law Review

LOUISIANA CITATION AND STYLE MANUAL

First Edition

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Last updated: 4/2/2019 2:39 PM.

Published and Distributed by the
Louisiana Law Review
LSU Paul M. Hebert Law Center
1 E. Campus Dr., Room W114
Baton Rouge, LA 70803

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INTRODUCTION

The *Louisiana Citation and Style Manual*¹ is the successor to the *Streamlined Citation Manual*.² The SCM began in 1984 as “a list of guidelines applicable to the technical aspects of the legal articles, commentaries on legislation or cases, and book reviews published in the [*Louisiana Law Review*].”³ In this sense, the *Manual* is no different. The original SCM served two purposes: first, it stated the general *Bluebook* rules governing citation format; and second, it noted specific deviations from *The Bluebook*. The *Manual* honors the spirit of the SCM, builds on its foundations, and adds a third purpose to this list: in addition to providing common *Bluebook* rules and deviations, it also serves as an expression of the editorial policy of the *Louisiana Law Review* (“the *Law Review*”). In this vein, the *Manual* provides direction on matters of citation form, textual usage, and style. Additionally, the *Manual* aims to resolve common issues that arise during the editorial process, especially as it relates to conflicts between *The Bluebook* and *The Redbook*. By producing the LCSM, the *Law Review* hopes to not only inform potential authors of its citational and stylistic preferences, but also to ensure that the *Law Review* uses these preferences uniformly across future volumes.

Moreover, the Editorial Board would be remiss not to acknowledge the growing literature on student-run law reviews. Often, the work of law review editors—especially regarding footnotes, citations, and grammar—is criticized as “obsessive.”⁴ But the desire for accuracy, both in substance and in form, need not be a painful exercise exclusively concerned with italicized periods and the like. Indeed, the *Manual* hopes to dispel some of the misconceptions regarding the editorial process by providing short explanations on why the *Law Review* adheres to a specific editorial style.

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1. The *Louisiana Citation and Style Manual* is referred to as “the *Manual*” and “the LCSM” within this publication.

2. The *Streamlined Citation Manual* is also referred to as the “SCM.” While the SCM governed prior volumes of the *Louisiana Law Review*, this *Manual* shall be effective beginning with Volume 80.

3. Mark Alan Bodron, *An Introduction to the Louisiana Law Review Streamlined Citation Manual*, 50 LA. L. REV. 195, 195 (1989).

4. See, e.g., J.C. Oleson, *You Make Me [Sic]: Confessions of a Sadistic Law Review Editor*, 37 U.C. DAVIS L. REV. 1135 (2004); Carol Sanger, *Editing*, 82 GEO. L.J. 513 (1993).

The Editorial Board understands that many articles⁵ are the culmination of countless hours of dedicated research and devotion and are deeply personal to the authors. The *Law Review* generally tries to respect the integrity and personal style of the authors. As the *California Law Review* put it:

There is no single “voice” that the Review attempts to achieve; each author speaks for him- or herself. On the other hand, we feel a responsibility, first, to verify the research on which an article is based, and second, to do our duty to the English language by scrupulously correcting errors in grammar, word choice, and punctuation.⁶

The *Louisiana Law Review* adopts the same philosophy.

Finally, some disclaimers are necessary. This *Manual* is exclusively concerned with scholarly works, that is, works published by law reviews, legal journals, and legal blogs. The *Manual*, therefore, should generally not be used in drafting legal briefs, memoranda, or other documents practitioners prepare in the practice of law. Instead, the Editorial Board respectfully directs the practitioner to the *Interactive Citation Workbook*,⁷ a helpful resource that Professor Heidi Thompson of the Paul M. Hebert Law Center compiled. Also, a word of caution: legal citation is a tricky business, and neither *The Bluebook*, *The Redbook*, nor the *Louisiana Citation and Style Manual* are perfect. That said, one must recall the overarching principle of legal citation, which “is to allow the reader to efficiently locate the cited source.”⁸ Thus, if no rule or authority is directly on point with a certain source, one must always attempt to analogize it to a similar rule with the intent of allowing the reader to locate the underlying source.

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5. The *Louisiana Law Review* publishes, *inter alia*, articles, comments, and case notes. In the context of this *Manual*, however, the term “article” refers generally to all published works.

6. *Review Essay: Editorial Note*, 78 CAL. L. REV. 1675, 1675 (1990).

7. HEIDI THOMPSON, INTERACTIVE CITATION WORKBOOK (Matthew Bender & Co., Inc., 2018), https://www.lexisnexis.com/documents/pdfstore/Louisiana_Bluebook_and_ALWD_Final.pdf [<https://perma.cc/PJM9-QYUM>].

8. THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION 1 (Columbia Law Review Ass’n et al. eds., 20th ed. 2015) [hereinafter THE BLUEBOOK].

§ 1 Authority

§ 1.1 Louisiana Citation and Style Manual

Citations, textual usage, and style shall conform to the *Louisiana Citation and Style Manual*.

§ 1.2 Adherence to The Bluebook and The Redbook

Citations shall also conform to *The Bluebook: A Uniform System of Citation*,⁹ unless otherwise provided by this *Manual*. Textual usage and style shall also conform to *The Redbook: A Manual on Legal Style*,¹⁰ unless otherwise provided by this *Manual*.

§ 1.3 Conflicts Between The Bluebook and The Redbook

Neither *The Bluebook* nor *The Redbook* supersede or take preference over each other. Any conflict between *The Bluebook* and *The Redbook* should be resolved on an ad hoc basis with the underlying spirit of each publication in mind. Thus, when a rule that primarily affects citations is involved, *The Bluebook* should generally control. Likewise, if a rule that primarily affects textual usage or style is involved, *The Redbook* should generally control. Above all else, any conflict should be resolved in a way that avoids affecting the substantive accuracy of a citation or the body of the text in a manner that preserves editorial consistency.

§ 1.4 Managing Editor

The Managing Editor of the *Louisiana Law Review*, in consultation with the Editor-in-Chief, shall make all final decisions about the citation format to be used in the *Louisiana Law Review*.

9. *Id.*

10. BRYAN GARNER, *THE REDBOOK: A MANUAL ON LEGAL STYLE* (W. Acad. Publ'g 4th ed. 2018) [hereinafter *THE REDBOOK*].

§ 2 Typography & Style

§ 2.1 Typefaces

The *Louisiana Law Review* uses three typefaces¹¹ in citations: (1) plain text; (2) *italics*; and (3) LARGE AND SMALL CAPITALS. Periodical titles appear in italics.¹² Periodical names appear in large and small capitals.¹³ Authors' names and titles appear in large and small capitals for books.¹⁴

Example JEFFREY TOOBIN, *THE NINE: INSIDE THE SECRET WORLD OF THE SUPREME COURT* (First Anchor Books 2008 ed.). See also Adam Liptak, *Supreme Court Blocks Louisiana Abortion Law*, N.Y. TIMES (Feb. 7, 2019), <https://www.nytimes.com/2019/02/07/us/politics/louisiana-abortion-law-supreme-court.html> [<https://perma.cc/8KVY-8XPZ>].

§ 2.2 Fonts

The *Louisiana Law Review* uses only one font: Times New Roman. The font size for the body of a written submission is 11, and the font size for footnotes is 10.

§ 2.3 Punctuation

§ 2.3.a Spacing

Put only one space after any punctuation mark. In other words, “[a]lways one—never two [spaces].”¹⁵

11. A “typeface” is a set of one or more fonts each composed of glyphs that share common design features, but “fonts” (e.g., Lucida Sans, Times New Roman, etc.) enable the printing of typefaces. See Allan Haley, *Fonts vs. Typefaces, Explained by a Designer*, AIGA (Oct. 21, 2002), <https://www.aiga.org/theyre-not-fonts> [<https://perma.cc/M4LV-FSXA>].

12. THE BLUEBOOK, *supra* note 8, at 161 (Rule 16.3).

13. *Id.* at 159 (Rule 16.1).

14. *Id.* at 149 (Rule 15.1).

15. Matthew Butterick, *One Space Between Sentences*, TYPOGRAPHY FOR LAW., <https://typographyforlawyers.com/one-space-between-sentences.html> [<https://perma.cc/U4J4-K99P>] (last visited Apr. 2, 2019) (emphasis omitted).

§ 2.3.b *Commas*

Use the serial comma, also known as the Oxford comma, to separate items in a list or series of three or more. Place the comma before the conjunction.

Example John Adams, John Quincy Adams, John F. Kennedy, and George H.W. Bush hail from Massachusetts.

Use a comma to separate two independent clauses joined by a conjunction (and, but, or, nor, for, yet, so).

Use a comma to set off an introductory phrase or clause.

§ 2.3.c *Colons*

Do not capitalize the first word following a colon unless the first word is a proper noun or part of a quotation.

§ 2.3.d *Semicolons*

Use a semicolon to separate independent clauses that are not joined by a conjunction.

Use semicolons instead of commas to separate items in a list or series if at least one item contains an internal comma or if semicolons make the sentence clearer.

Example Presidents from the Commonwealth of Massachusetts include: John Adams; John Quincy Adams, the son of John Adams; John F. Kennedy; and George H.W. Bush.

§ 2.3.e Quotation Marks

Always use “smart” quotation marks,¹⁶ as opposed to “straight” quotation marks. “Straight quotes are the two generic vertical quotation marks located near the return key”¹⁷

Example There are four smart quote characters: the opening single quote (‘); the closing single quote (’); the opening double quote (“); and the closing double quote (”).¹⁸

§ 2.3.f Other Punctuation Relative to Quotation Marks

Place periods and commas inside quotation marks. Place colons and semicolons outside quotation marks. Question marks and exclamation marks go inside quotation marks *only* if they are part of the quoted matter.

Example President John F. Kennedy exclaimed, “Ask not what your country can do for you—ask what you can do for your country”; this line would go on to define a generation.

Not President John F. Kennedy exclaimed, “Ask not what your country can do for you—ask what you can do for your country;” this line would go on to define a generation.

§ 2.3.g Slashes

Avoid the use of slashes, especially the use of “and/or.”

§ 2.3.h Hyphens

Hyphenate phrasal adjectives preceding the noun modified; do not, however, hyphenate a phrasal adjective beginning with an “-ly” adverb. Moreover, certain phrases should be hyphenated, such as “three-year-old” and “10-year period.”

16. “Smart quotes” and “curly quotes” are used interchangeably. *See generally* THE REDBOOK, *supra* note 10, at 25; Matthew Bender, *Straight and Curly Quotes*, TYPOGRAPHY FOR LAW., <https://typographyforlawyers.com/straight-and-curly-quotes.html> [<https://perma.cc/RK29-M2AP>] (last visited Apr. 2, 2019).

17. Bender, *supra* note 16.

18. *Id.*

§ 2.3.i *Parentheses*

Avoid the use of parentheses in the body of an article. Instead, use commas, semicolons, or em-dashes appropriate for the context. Parentheses, however, can be used in footnotes.

§ 2.3.j *En-Dashes*

Use an en-dash (“–”) in footnotes to show a range of pages. Additionally, use an en-dash to join two terms of equal weight.

Example Taft–Hartley Act, Pub. L. 80–1010, 61 Stat. 136 (1947)
(codified at 29 U.S.C. §§ 141–197).

Not Taft-Hartley Act, Pub. L. 80–1010, 61 Stat. 136 (1947)
(codified at 29 U.S.C. §§ 141-197).

§ 2.3.k *Em-Dashes*

Use an em-dash (“—”) to create a strong break in a sentence. There are no spaces between the em-dash and the words on either side of the em-dash.

Example Principle—that is what is at stake here.

Example Because an assignment for the benefit of creditors places a debtor’s property out of the reach of creditors—legal title passes to the assignee—it might seem that creditors could avoid the assignment under several statutes.

§ 2.4 *Numbers*

§ 2.4.a *Numbers Less Than 10*

Spell out numbers between one and nine. The Arabic numeral should be used for all numbers 10 and higher, unless referring to a different form for a specific reason, such as a Roman numeral. Always spell out the number if it is the first word of a sentence.

Example The Louisiana Senate passed four bills before the end of the week. The House, on the other hand, has not convened in 28 consecutive days.

§ 2.4.b *Mismatched Numbers*

If one number directly precedes another number as a modifier or measurement, then one number—usually the first—should be spelled out to avoid confusion.

Example The package contains fifty \$20 bills.

§ 2.4.c *Fractions*

Spell out fractions.

Example About one-fifth of the Louisiana population is impoverished.

Not About 1/5 of the Louisiana population is impoverished.

§ 2.4.d *Percentages*

Use the percentage symbol (“%”); do not write “percent,” unless it is at the beginning of a sentence.

Example About 20% of the Louisiana population is impoverished.

Not About 20 percent of the Louisiana population is impoverished.

§ 3 Subdivisions & Internal Cross-References

§ 3.1 *Subdivisions*

All pieces published in the *Louisiana Law Review* shall adhere to the following style and layout: (1) the heading referring to an entire Part of an article shall be prefaced with a Roman numeral, centered on the page, in LARGE AND SMALL CAPS, with case names, foreign words, etc. *italicized*;

(2) the heading referring to a Section of a Part shall be prefaced with a capitalized English alphabet letter, aligned to the left margin, and *italicized* with the exception of case names, foreign words, etc. not italicized; (3) the heading referring to a Subsection of a Part shall be prefaced with an Arabic numeral, aligned to the left margin, indented one-fourth of an inch, and *italicized* with the exception of case names, foreign words, etc. not italicized; (4) the heading referring to a Sub-subsection of a Part shall be prefaced with a lowercase English alphabet letter, aligned to the left margin, indented one-fourth of an inch, and *italicized* with the exception of case names, foreign words, etc. not italicized. Follow every subdivision heading with body text. For example:

I. A HISTORY OF *ALLGEYER V. LOUISIANA*

A. *A History of Allgeyer v. Louisiana*

Body text.

1. *A History of Allgeyer v. Louisiana*

Body text.

a. *A History of Allgeyer v. Louisiana*

Body text.

§ 3.2 *Internal Cross-References*

For internal cross-references, the *Louisiana Law Review* adheres to the format prescribed by *The Bluebook*. Note that periods, rather than hyphens or en-dashes, are used when referring to subsections, sub-subsections, etc. Further note the distinction between “Part” and “Section.” Although “Part” is used when citing to the largest subdivision of an article, “Section” refers to a smaller, more specific segment of the article.

Example See discussion *infra* Part II. See also *infra* Sections III.A.1, III.B.2. See generally *supra* Sections I.A–B.

§ 4 Louisiana Cases

§ 4.1 Official Reporter

All Louisiana cases should be cited to the Southern Reporter (“So.,” “So. 2d,” and “So. 3d”) series, if available. If a case was not published in the Southern Reporter series, it should be cited to the appropriate reporter according to *The Bluebook* T1.

Example Wooley v. Lucksinger, 61 So. 3d 605 (La. 2011).

§ 4.2 No Public Domain Citation

The *Law Review* does not incorporate the public domain citation when citing Louisiana cases; there is no distinction in citation format for cases decided before or after 1993. Furthermore, the *Law Review* does not incorporate public domain citations for any other American state. If *The Bluebook* indicates that a particular case should be cited using a public domain format, cite the case as though the particular *Bluebook* rule does not exist.

§ 4.3 Appellate Courts

§ 4.3.a Circuit Designation

The Bluebook recommends using “(La. Ct. App.)” as the parenthetical identifier when citing to a court of appeal decision. This form, however, does not indicate to which of Louisiana’s five circuit courts of appeal the citation refers. Thus, the *Law Review* uses “(La. Ct. App. [circuit number] Cir.)”

First Circuit Melon v. Capital City Press, 407 So. 2d 85 (La. Ct. App. 1st Cir. 1981).

Second Circuit Vines v. Vines, 379 So. 2d 1219 (La. Ct. App. 2d Cir. 1980).

Third Circuit Bohn v. Miller, 189 So. 3d 592 (La. Ct. App. 3d Cir. 2016).

Fourth Circuit Francois v. Andry, 930 So. 2d 995 (La. Ct. App. 4th Cir. 2006).

Fifth Circuit Jones v. ABC Ins. Co., 249 So. 3d 310 (La. Ct. App. 5th Cir. 2018).

§ 4.3.b *Court of Appeal vs. Court of Appeals*

Note the distinction between Louisiana courts of appeal versus federal circuit courts of appeals. Use “court of appeal” when referring to an intermediary Louisiana appellate court, but “court of appeals” when referring to an intermediary federal appellate court.

§ 5 Statutory Sources

§ 5.1 *Proper Year*

Per *Bluebook* Rule 12.3.2, the year cited for all statutory sources should be that of the bound, printed version. The Louisiana State University Law Library maintains the bound statute books for federal statutes, in addition to those of the following six states: Alabama; Arkansas; Delaware; Georgia; Louisiana; Mississippi; and Texas.

For federal statutes and those six states, cite to the year that appears on the spine of the volume, the year found on the title page, or the latest copyright year, in that order of preference. Do not cite to the latest copyright year found on Westlaw or LexisNexis.

Note that the United States Code (“U.S.C.”) is published in six-year intervals. Citations to U.S.C. Titles 1–51 are updated in the 2012 version. There are also supplements available for certain Titles. Please check the LSU Law Library for updates before citing.

Example Robinson–Patman Act, 15 U.S.C. § 13 (2012).

§ 5.2 *Louisiana Statutory Sources*

§ 5.2.a *Annotated Louisiana Sources*

For Louisiana statutory sources, insert “ANN.” into the citation only if referring to the bound, hardback codifications.¹⁹ Otherwise, omit “ANN.”

19. These codifications are commonly referred to as “green books” because of their green binding.

if referring to the softcover version of a particular code or statutory compilation (e.g., Louisiana Civil Code, Louisiana Code of Civil Procedure, etc.). If a non-annotated version is available, a citation to the non-annotated version is preferred, unless referencing a comment to the statute. This rule deviates from the form found in T1 of *The Bluebook*.

Example LA. CIV. CODE art. 2315 (2019).

LA. CIV. CODE ANN. art. 2315 cmt. a (2019).

LA. CODE CIV. PROC. art. 925 (2019).

§ 5.2.b Short Citation Form

Louisiana statutory sources shall be shortcited in compliance with *The Bluebook* “rule of five.”²⁰ If citing to a different article or section in the same statutory source, use “*id.*” followed by the article or section number. Omit the year unless referencing a different version of the statute.

Example LA. CIV. CODE art. 465 (2019).

Id.

Id. art. 496.

LA. REV. STAT. § 13:4522 (2019).

Id. § 13:4534.

§ 5.2.c Textual References

In the text of an article, Louisiana Civil Code articles shall be referenced as “Louisiana Civil Code article [number]” or “article [number].” The same format should be used for references to articles in other Louisiana codal authorities (e.g., Louisiana Code of Civil Procedure, Louisiana Code of Criminal Procedure, Louisiana Code of Evidence, etc.).

In the text of an article, Louisiana statutes shall be referred to as “Louisiana Revised Statutes § [title:section]” or “§ [title:section].” Note

20. See THE BLUEBOOK, *supra* note 8, at 133–34 (Rule 12.10(b)).

that the spelling of “Statutes” is plural even when it is referring to only one statute.

§ 5.3 *States Other Than Louisiana*

For statutes from all other states, cite to Westlaw. If the source is not available on Westlaw, then citation to LexisNexis is acceptable.

The *Law Review* uses a simpler method than *The Bluebook* when citing to statutes in online databases. First, identify the statutory compilation published by West for that state by consulting T1 of *The Bluebook*. For example, the proper compilation for Pennsylvania is PA. STAT. AND CONS. STAT. ANN. Second, after citing the pertinent statutory section(s), add a parenthetical citation to West and the year in which the material was accessed.

Example <title> PA. STAT. AND CONS. STAT. ANN. § <section> (West <year>).

If the legislation in question is currently under legislative review (i.e., subject to possible impending repeal or modification), include information regarding the currency of the database according to *Bluebook* Rule 12.5.

§ 6 Louisiana Session Laws & Bills

The *Law Review* deviates from *The Bluebook* for Louisiana source material when citing to session laws in the Acts of the Louisiana Legislature. In addition to providing the year and page number for the particular session law, the *Law Review* also provides the act number for the convenience of the reader. Parenthetically give the year in which the Louisiana Legislature passed the statute; if no date of enactment is identified, give the date on which the statute became effective. The Acts of the Louisiana Legislature can be found on HeinOnline (under “Session Laws Library”) or in the LSU Law Library.

Example Act No. 765, 2008 La. Acts 2925.

Example Act No. 81, 1970 Acts 237 (codified at LA. REV. STAT. §§ 22:1375–22:1394 (1970)).

Be sure to differentiate between citations to a session law and a bill or resolution. Bills of the Louisiana House or Senate should be cited in accordance with *Bluebook* Rule 13.2(c).

Example H.B. 10, 2018 Leg., Reg. Sess. (La. 2018).

§ 7 Louisiana Administrative & Executive Sources

§ 7.1 Louisiana Administrative Code

The *Law Review* deviates from *The Bluebook* for Louisiana source material when citing to the Louisiana Administrative Code. The *Law Review* cites to the title number, then the part number, and then the section number, as each appears in the Code. Note that the *Law Review* cites to these sections using Arabic numerals, even if the section appears as Roman numerals in the Code itself.

Example LA. ADMIN. CODE tit. 51, pt. 1, § 105 (2019).

§ 7.2 Louisiana Attorney General Opinions

Cite to opinions of the Louisiana Attorney General using “La. Atty. Gen. Op. No. [number],” followed by the date the opinion was issued and the Westlaw or LexisNexis citation, if available.

Example La. Atty. Gen. Op. No. 12-0083 (Sept. 14, 2012), 2012 WL 4865717.

§ 8 Louisiana Civil Law Treatise

The proper citation to the *Louisiana Civil Law Treatise*²¹ is as follows: [Author], [*Treatise Topic*], in [volume] LOUISIANA CIVIL LAW TREATISE § [section][, pin cite to page number, if applicable] ([number of edition] ed. [year]).

21. The *Law Review* recognizes that “[t]here is little, if any, consistency among the court system, *SCM*, *The Bluebook*, and *ALWD* regarding citing to the Louisiana Civil Law Treatise” THOMPSON, *supra* note 7, at 24. Nevertheless, this format, if used uniformly, will promote consistency within publications of the *Louisiana Law Review*.

Example Frank L. Maraist, *Civil Procedure*, in 1 LOUISIANA CIVIL LAW TREATISE § 6:9, 212 (2d ed. 2008).

§ 9 French Treatise & Materials

For citations to the *Civil Law Translations* series, translations to French materials generally, or French editions of civil law treatises, the *Law Review* adopts the format provided in M.A. Cunningham's *Guide to Louisiana and Selected French Legal Materials and Citation*.²²

§ 10 Archiving Internet Sources

Consistent with *Bluebook* Rule 18.2.1(d), the *Law Review* archives all internet sources, unless the Online Editor determines that archival of a particular source is not practical. The *Law Review* uses Perma.cc for the archival of its internet sources.

22. M.A. Cunningham, *Guide to Louisiana and Selected French Legal Materials and Citation*, 67 TUL. L. REV. 1305, 1352–53 (providing citation formats for civil law treatises and French versions).