

School of Government

Legal Citation and Style Guide

Contents

Introduction

NORTH CAROLINA CASES	2
Case Reporters	3
OFFICIAL CASE REPORTERS	3
UNOFFICIAL (REGIONAL) CASE REPORTER FOR NORTH CAROLINA CASE LAW	3
Case Citations to Official Reporters	3
Parallel Citations	3
“Blank” Citations to Cases Not Published in Official Reporter	3
PUBLISHED IN REGIONAL REPORTER	3
NOT PUBLISHED IN A REPORTER	4
FEDERAL CASES	4
United States Supreme Court	4
Federal District and Circuit Courts	5
CIRCUIT COURT OF APPEALS	5
DISTRICT COURT	5
GENERAL NOTES ABOUT CASE CITATIONS	6
What to Include/Exclude in Party Names in Citations	6
Jurisdictional Indicators	7
Short-Form Citations	7
Pinpoint Citations	8
PINCITES: FAQS	8
MISCELLANEOUS QUESTIONS RELATED TO QUOTED MATERIAL AND PINCITES	10
Parentheticals, Subsequent and Prior History, and Order of Such Elements in Case Citations	11
PARENTHETICALS	11
Weight of Authority Parentheticals	11
Quoting/Citing Parentheticals	12
Explanatory Parentheticals	12
SUBSEQUENT AND PRIOR HISTORY—THE BASICS	13
ORDER OF PARENTHETICALS AND CASE HISTORIES IN CITATIONS	14
Treatment of a Case Name That Is Part of a Sentence	14
STATUTES	14
North Carolina Statutes, Session Laws	14
CITATIONS TO THE NORTH CAROLINA GENERAL STATUTES	14
NORTH CAROLINA SESSION LAWS	15
Federal Statutes, Regulations	15
UNITED STATES CODE	15
CODE OF FEDERAL REGULATIONS	16
FEDERAL REGISTER	16

CONSTITUTIONS	16
Federal Constitution	16
TEXT REFERENCES	16
CITATIONS IN NOTES	17
State Constitutions	17
TEXT REFERENCES	17
CITATIONS IN NOTES	17
STATE ADMINISTRATIVE REGULATIONS, OPINIONS, ETC.	17
North Carolina Administrative Code	17
Decisions from State Administrative Bodies	18
NORTH CAROLINA OFFICE OF ADMINISTRATIVE HEARINGS (OAH)	18
NORTH CAROLINA INDUSTRIAL COMMISSION	18
MISCELLANEOUS CITATION FORMS	19
Pattern Jury Instructions	19
Attorney General Opinions	19
North Carolina State Bar Ethics Opinions	19
North Carolina Rules of Professional Conduct	19
CITATIONS TO SECONDARY SOURCES	20
Books	20
SCHOOL OF GOVERNMENT BOOKS	20
BOOKS FROM OTHER PUBLISHERS	20
TREATISES/MULTI-VOLUME WORKS	20
UNIQUE CITATION FORMS	20
Periodicals	20
LAW REVIEW ARTICLES	20
NEWSPAPER ARTICLES	20
Print	20
Online	20
MAGAZINE ARTICLES	21
Print	21
Online	21
AMERICAN LAW REPORTS (ALR) ANNOTATIONS/ARTICLES	21
AMERICAN BAR ASSOCIATION (ABA) SECTION REPORTS	21
School of Government Bulletins	21
Websites	21
ONLINE-ONLY SOURCE	21
ARTICLE LINKED FROM WEBSITE MAIN PAGE	21
Blogs	21
Podcasts	21
ENTIRE SEASON	21
SINGLE EPISODE	22

GENERAL RULES APPLICABLE TO

ALL CITED SOURCES 22

Use of *Id.* 22

Use of *Supra* and *Infra* 22

SHORT-FORM CITES 22

INTERNAL CROSS-REFERENCES 23

Use of Signals 23

NO SIGNAL NEEDED 23

SIGNAL REQUIRED 24

E.g. 24

See 24

See also 24

But see 25

Cf. 25

OTHER STYLE POINTS 25

Numbers/Numerals, Certain Ordinals 25

NUMBERS/NUMERALS 25

CERTAIN ORDINALS 26

In Textual Sentences 26

In Citations 26

INTRODUCTION

With increasing frequency, School of Government legal publications are being written according to the style dictates of THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION. Some faculty authors (our *Bluebook* purists) are fully committed to this style scheme, while others modify it to align more with personal preferences. Either approach is acceptable, provided it is followed consistently.

Most authors choose to source their legal material using a combination of superscripted footnote indicators in text and below-the-rule footnotes containing source information, while a few use an inline citation method (see, e.g., *North Carolina Crimes: A Guidebook on the Elements of Crime*). Again, neither form is better; it's a matter of preference.

The sections below discuss citation forms for sources most commonly referenced in School legal publications. Deviations from *Bluebook* style are noted, as are trends in the way a particular source is being treated by our authors. Additional information is offered when relevant.

Sample citations are shaded in grey.

NORTH CAROLINA CASES

The North Carolina Court System has two divisions, the Trial Division and the Appellate Division. The Trial Division comprises the District and Superior courts. The Court of Appeals and the Supreme Court make up the Appellate Division. Appellate Division cases are the ones most cited in works by School faculty.

In a publication discussing only North Carolina law, after making a first full reference to “the North Carolina Supreme Court,” one can use “the supreme court” (lowercase) in subsequent references. In material that covers both state and federal law, to avoid confusion it's helpful to add “state” before references to North Carolina's top-level court (“the state supreme court”) if decisions of the United States Supreme Court are also being discussed.

NOTE: Variations of state court names are acceptable.

- North Carolina Supreme Court/Supreme Court of North Carolina
- North Carolina Court of Appeals/Court of Appeals of North Carolina

Case Reporters

OFFICIAL CASE REPORTERS

There are two official reporters in North Carolina (each one's abbreviation, for citation purposes, is in parentheses).

- North Carolina Reports (N.C.)
- North Carolina Court of Appeals Reports (N.C. App.)

UNOFFICIAL (REGIONAL) CASE REPORTER FOR NORTH CAROLINA CASE LAW

There is one unofficial reporter covering North Carolina's appellate courts (it is referred to as a "regional" reporter because it also includes cases from Georgia, South Carolina, Virginia, and West Virginia).

- South Eastern Reporter (S.E.)

Case Citations to Official Reporters

A basic case citation contains the following elements: (1) the case name, (2) the reporter volume number, (3) the abbreviation for the reporter, (4) the page number in the reporter on which the case begins, and (5) the date of the decision.

North Carolina Supreme Court: King v. Town of Chapel Hill, 367 N.C. 400 (2014).
North Carolina Court of Appeals: State v. Crow, 175 N.C. App. 119 (2005).

Parallel Citations

When a case is published in both an official and an unofficial reporter, some authors choose to include both reporters in the citation of the case. The reference to the regional reporter is called a *parallel citation*.

State v. Kochuk, 366 N.C. 549, 742 S.E.2d 801 (2013).
State v. Coleman, 228 N.C. App. 76, 743 S.E.2d 62 (2013).

NOTE: School faculty used parallel citations as a matter of course for years, but this practice is on the decline. It is neither right nor wrong to include a parallel citation; it is simply a preference. However, if parallels are used in a given publication, every citation should contain a parallel.

"Blank" Citations to Cases Not Published in Official Reporter

PUBLISHED IN REGIONAL REPORTER

When a decision is not, or has yet to be, published in an official reporter but is available in a regional reporter, many faculty authors will cite the decision using a "blank" cite, that is, three underscores, followed by the abbreviated official reporter name, followed by another three underscores.

___ N.C. ___

The blank cite is then followed, after a comma, by a regional reporter citation and the date of decision (in parentheses).

State v. Bullock, ___ N.C. App. ___, 785 S.E.2d 746 (2016).

ALTERNATIVE: Some authors choose to dispense with blank cites and use only the regional reporter cite. This is acceptable, provided the jurisdictional indicator is placed before the decisional year in the parentheses at the end of the citation. The state court of appeals is abbreviated “N.C. Ct. App.” and the state supreme court is abbreviated “N.C.” for purposes of jurisdictional labeling. Note that the jurisdictional abbreviation for the North Carolina Court of Appeals (N.C. Ct. App.) is **not the same** as the abbreviation for the official reporter (N.C. App.) for this appellate body used in citations. (Jurisdictional abbreviations are found in *Bluebook* Table 1. For non-North Carolina cases especially, it’s a good idea to verify that an author has used the correct abbreviation.)

State v. Bullock, 785 S.E.2d 746 (N.C. Ct. App. 2016).

NOT PUBLISHED IN A REPORTER

When a decision is not, or has yet to be, published in either an official or a regional reporter, some faculty authors choose to use a “double blank” citation.

State v. Huey, ___ N.C. ___, ___ S.E.2d ___ (Sept. 29, 2017).

Such cites often function as placeholders, with the author (or editor) updating them as the production process rolls on and publication of the decision finally occurs.

ALTERNATIVE: If a decision is not published in any reporter but is available on an electronic database (e.g., Westlaw, LEXIS, Bloomberg Law), it is acceptable (and more helpful for readers, I think), in lieu of a double blank cite, to use a database citation. This citation should contain the following elements: (1) case name, (2) docket number, (3) unique number assigned to the case by the database proprietor, (4) jurisdiction and date (including month and day) in parentheses.

State v. Huey, No. 355PA15, 2017 WL 4322611 (N.C. Sept. 29, 2017).

United States *ex rel.* Customs Fraud Investigations, LLC v. Victaulic Co., No. 13-2983, 2015 BL 103347 (E.D. Pa. Apr. 10, 2015).

FEDERAL CASES

United States Supreme Court

United States Reports—abbreviated “U.S.”—is the official reporter of U.S. Supreme Court opinions. (**Aside:** After making a first full reference to “United States Supreme Court,” it is common practice to use “U.S. Supreme Court” or “the Court” (capitalized) in subsequent mentions.)

There are several unofficial reporters of U.S. Supreme Court cases (each one’s abbreviation, for citation purposes, is in parentheses following the full reporter name): *Supreme Court Reporter* (S. Ct.); *United States Supreme Court Reports, Lawyers’ Edition* (L. Ed.); and *United States Law Week* (U.S.L.W.). If an opinion has been published in *United States Reports*, the citation to it does not require a parallel.

Mich. Dep’t of State Police v. Sitz, 496 U.S. 444 (1990).

However, if a case has not been published in *United States Reports* at the time it is cited by an author, the practice at the School has been to use a blank *United States Reports* cite, followed by a citation to the case in the *Supreme Court Reporter*.

United States v. Bryant, ___ U.S. ___, 136 S. Ct. 1954 (2016).

Occasionally, an author will know the *United States Reports* volume number in which a case is slated to be published but not the page number on which it will appear, and a partial blank cite will result.

United States v. Bryant, 580 U.S. ___, 136 S. Ct. 1954 (2016).

If the case is not available from *United States Reports* or from the *Supreme Court Reporter* (uncommon, as the latter tends to publish quickly), use the blank U.S. cite followed by a citation to an unofficial reporter, in this order of preference:

1. Lawyers' Edition—resulting citation following case name: ___ U.S. ___, 123 L. Ed. 2d 456 (2017).
2. United States Law Week—resulting citation: ___ U.S. ___, 123 U.S.L.W. 4567 (2017).

Federal District and Circuit Courts

CIRCUIT COURT OF APPEALS

Decisions from U.S. Circuit Courts of Appeal (the intermediate appellate courts at the federal level) are published in the *Federal Reporter* (abbreviated F.). There are thirteen such courts, eleven carrying sequential ordinal numbers (e.g., 1st, 2d, 3d Cir.) plus the District of Columbia Circuit (D.C. Cir.) and the Federal Circuit (Fed. Cir.). North Carolina is located within the Fourth (4th) Circuit. A parenthetical following the case name and reporter cite should contain the jurisdictional abbreviation and the year.

N.C. State Conference of NAACP v. McCrory, 831 F.3d 204 (4th Cir. 2017).

Federal Circuit Court opinions that have not been chosen for publication in the *Federal Reporter* are published in the *Federal Appendix*, an unofficial reporter. This reporter is abbreviated F. App'x (note that Westlaw incorrectly abbreviates it as "Fed. Appx.").

Fox v. South Carolina, 668 F. App'x 442 (4th Cir. 2016).

If a case from a federal circuit court has not yet been published in the *Federal Reporter* but is available on an electronic database, the database cite may be used (and can be updated if publication of the case occurs prior to files being sent to the printer).

Dankam v. Gonzales, No. 06-1277, 2007 WL 2028170 (4th Cir. July 16, 2007).

Faculty authors occasionally use blank cites for federal circuit court citations; the parallel in such instances is the database citation.

Dankam v. Gonzales, ___ F.3d ___, No. 06-1277, 2007 WL 2028170 (4th Cir. July 16, 2007).

DISTRICT COURT

Decisions of federal district courts (the lower-level federal courts) are reported in the *Federal Supplement* (abbreviated F. Supp.). A parenthetical following the case name and reporter cite should contain the jurisdictional abbreviation and the year.

United States v. McDaniels, 147 F. Supp. 3d 427 (E.D. Va. 2015).

As with federal circuit court cases, if a case has not yet been published in the *Federal Supplement* but is available on an electronic database, the database cite is an acceptable alternative. It is **not** the practice of faculty authors to use blank cites for federal district court citations.

Indep. Warehouse v. Kim, No. 4:17-CV-49-BO, 2017 WL 4322399 (E.D.N.C. Sept. 28, 2017).

GENERAL NOTES ABOUT CASE CITATIONS

What to Include/Exclude in Party Names in Citations

The most common error involving party names has to do with using names that have either too many or too few words/names. Below are some rules of thumb for avoiding this problem.

- Do not include phrases indicating that there are multiple parties (e.g., et al.).
- Do not include alternative names for the first-listed party (e.g., “doing business as” or “d/b/a” names).
- With very limited exceptions, do not include the word “The” as the first word in a party’s name.
- Do not include terms that describe the party **after** the party’s name has been given (e.g., “administrator” or “executor”).
- Do not include initials or first names in individual party names.
- Do not include multiple corporate status indicators in business party names.

Jones Dairy Co., Inc. is **incorrect** (OMIT “Inc.”)

- Do not include “State of,” “People of,” or a similar geographical term in any case name where one party is a state, commonwealth, etc., with the following exception: when the decision being cited comes from the courts of the state connected with the geographical term, then use **only** that term.

Smith v. Pennsylvania, 123 U.S. 456 (2016). [“COMMONWEALTH OF” OMITTED BECAUSE DECISION NOT FROM PA. COURT]

Commonwealth v. Smith, 123 A.2d 456 (Pa. 2016). [“OF PENNSYLVANIA” OMITTED BECAUSE DECISION COMES FROM PA. COURT]

- Make sure to abbreviate “in the matter of,” “petition of,” and “application of” to *In re*.
- Make sure to abbreviate “on behalf of,” “on the relation of,” and “as next friend of” to *ex rel*.
- Make sure to abbreviate widely known acronyms (e.g., AARP, CIA, NAACP).
- Make sure to abbreviate the following words:
 - and (abbreviate to &),
 - Association (abbreviate to Ass’n),
 - Brothers (abbreviate to Bros.),
 - Company (abbreviate to Co.),
 - Incorporated (abbreviate to Inc.),
 - Limited (abbreviate to Ltd.), and
 - Number (abbreviate to No.).

- Make sure to add descriptive phrases such as “Estate of,” “Will of,” and “Accounting of” **before** party names.

Schmidt v. Estate of Bowden, 86 N.C. App. 484 (1987).

- Only abbreviate “United States” in a party name when it is being used as an adjective (e.g., U.S. Steel); ***DO NOT ABBREVIATE WHEN THE UNITED STATES IS THE PARTY**

Jurisdictional Indicators

Full citations should indicate the court that decided the case being cited. This can be achieved a couple of ways. Often, in citations to official case reporters, the reporter name clearly conveys the name of the deciding court.

In re C.L.S., 369 N.C. 58 (2016).

Sometimes, however, the jurisdiction is not apparent by looking at the name of the reporter. In such instances, a jurisdictional label must be inserted into the parenthetical listing the date of decision after the case name and volume/reporter/page number string. Use the jurisdictional labels for each state/court that are set out in *Bluebook* Table 1. (See NOTE below for modification to labels.)

In re Jefferson Cty. Dep't of Soc. Servs. v. Morris, 65 N.Y.S.3d 806 (App. Div. 2017) (mem.)

NOTE: The case in the above example was decided by the Appellate Division of New York's Supreme Court, which is, antiaxiomatically, **not** the state's highest court. The Bluebook abbreviation for this court is "N.Y. App. Div." Because the reporter cited (*New York Supplement*, or N.Y.S.) unmistakably conveys the state in which the deciding court is located, it is not necessary to repeat "N.Y." in the parenthetical. Such alterations (usually truncations) to jurisdictional labels should be made in all cites.

Short-Form Citations

When a case has been cited, whether in full, in short form, or through the use of *id.* (see heading below titled “Use of *Id.*”), within the previous five footnotes, a full citation is not necessary. Instead, a short-form cite is appropriate. For reported cases, a short cite consists of (1) (a) the italicized name of one party (in adversary-party actions) or, (b) in single-party cases, the party name, in italics, minus any introductory procedural phrase (e.g., *In re*), and (2) the reporter volume and page cite. ***Neither the jurisdiction nor the year need be repeated in the short cite.**

Footnote examples:

1. State v. Crow, 175 N.C. App. 119 (2005).

2. *In re C.L.S.*, 369 N.C. 58 (2016).

3. Faires v. State Bd. of Elections, 368 N.C. 758 (2016).

4. State v. Griffin, 368 N.C. 602 (2015).

5. *Faires*, 368 N.C. 758.

6. *Crow*, 175 N.C. App. 119.

7. *C.L.S.*, 369 N.C. 58.

8. *Wright v. North Carolina*, 787 F.3d 256 (4th Cir. 2015).

9. *Daniels v. Perry*, 595 F. App'x 237 (4th Cir. 2015).

10. *Wright*, 787 F.3d 256.

Short cites for electronic database citations work a little differently. The cite still begins with a truncated, italicized party name and ends without a jurisdiction/date parenthetical, but in between the docket number is dropped.

1. *State v. Hammonds*, No. 389A15-2, 2017 WL 4322423 (N.C. Sept. 29, 2017).

2. *Keziah v. Bostic*, 452 F. Supp. 912 (W.D.N.C. 1978).

3. *Hammonds*, 2017 WL 4322423.

Pinpoint Citations

When an author refers to specific material found within a source that has been cited, he or she must provide a pinpoint citation, or pincite, for that material. A pincite is, simply, the page(s) on which the specific material appears within the source cited. Most times pincites serve as sourcing for quoted material, but not always. Sometimes they are used when an author has discussed a particular point made in a case (a court's reasoning, for example).

PINCITES: FAQs

Q: When are pinpoint cites necessary for quoted material—i.e., how many words must be quoted to warrant a pincite?

A: A rule—origin unknown—has developed over time holding that a quotation containing three or fewer words does not require a pincite unless it is especially relevant or particularly singular in nature (“particularly singular” would be something like, The court responded, “Oh, hell no!”). Most of our authors follow this rule. A couple provide pincites for everything, even one-word quotations. Best practice would be to suggest that an author provide pincites for quoted material longer than four words.

Q: Treatment of multiple pins within one case cite and citing pins that cover material spanning a range of pages—is there a difference?

A: Short answer: Yes. This question has caused more than a little confusion. If an author has several different quoted items within a case writeup or parenthetical, and each of the items comes from a different page in the case cited, then the case citation should reflect each separate page.

State v. Bartlett, 369 N.C. 309, 311, 312, 314 (2015) (in impaired driving case, police officer testified that “defendant’s performance indicated appreciable impairment”; in deciding upon defendant’s motion to suppress post-arrest evidence, court noted that a “written determination setting forth the findings and conclusions is not necessary, but it is the better practice”; in reversing lower court, state supreme court found that “the testimony of the experts at the suppression hearing created a material conflict that the presiding judge did not resolve”).

***The following cite is not correct for this parenthetical:**

State v. Bartlett, 369 N.C. 309, 309–14 (2015) (. . .). [*QUOTED MATERIAL APPEARED ON THREE SEPARATE PAGES WITHIN PAGE RANGE CITED]

If, however, the author has quoted material that falls across more than one page in a case, **the following citation form is correct:**

State v. Bartlett, 369 N.C. 309, 311–12 (2015) (state supreme court reiterated that “[b]ased on this application of *Williams*, the [lower] court affirmed the oral ruling by Judge Jones”).

Q: When does one use a comma vs. the word “at” in pincites?

A: When the pincite is being provided within a full citation to the case, one uses a comma.

State v. Smathers, 232 N.C. App. 120, 124 (2014) (court noted that “[a]pplication of this doctrine outside the context of vehicle impoundment, specifically in regard to the seizure of citizens, is a matter of first impression”).

When the pincite is being provided within a short-form case cite, that is, within a subsequent citation to a case that has been cited within the preceding five footnotes (see heading above titled “Short-Form Citations”), one uses “at.”

Smathers, 232 N.C. App. at 124 (court noted that “[a]pplication of this doctrine outside the context of vehicle impoundment, specifically in regard to the seizure of citizens, is a matter of first impression”).

Q: How does one provide a pincite for an electronic database citation?

A: As noted above, electronic database cites are used when cases have not yet been published in a reporter. Each of these databases carries its own unique page-numbering system, and the *Bluebook* treats pincites to databases slightly differently. Whether the pincite is attached to a full case cite or to a short cite, the combination of a comma and “at” is always used. **Footnote examples:**

1. State v. Hammonds, No. 389A15-2, 2017 WL 4322423, at *3 (N.C. Sept. 29, 2017) (“Conclusions of law are reviewable on appeal.”).

2. Keziah v. Bostic, 452 F. Supp. 912 (W.D.N.C. 1978).

3. *Hammonds*, 2017 WL 4322423, at *6 (“Accordingly, the trial court’s order denying defendant’s motion to suppress must be reversed because the trial court’s conclusion to the contrary was an erroneous application of the law.”).

Q: What if the Westlaw (or other electronic database) case document does not contain pagination for the relevant case reporter(s) and a pincite is called for?

A: A caveat: This answer is based on the assumption (largely borne out in practice) that authors are researching and reading case opinions on electronic research platforms, as opposed to looking up/reading cases in hard-copy case reporters.

A practice has developed at the School of adding an explanatory parenthetical when page numbers cannot be located.

Smith v. Jones, 123 N.C. 456 (2015) (not paginated on Westlaw).

When the citation is to the official reporter or is made up of a "blank" cite plus a citation to the regional reporter, **the following citation results:**

In re C.S.L.B., , ___ N.C. App. ___, ___, 803 S.E.2d 429, ___ (2017) (not paginated on Westlaw).

NOTE: If the citation contains other parentheticals, the "not paginated" parenthetical is treated as an explanatory parenthetical for citation priority purposes. See "Parentheticals," below.

MISCELLANEOUS QUESTIONS RELATED TO QUOTED MATERIAL AND PINCITES

Q: What are the rules for internal quotation marks (i.e., when an author is quoting material from a case and that material contains quoted material from another source)?

A: In such instances, the first-level quote should be handled like any other quote—that is, set off with double quotation marks, pinpoint given for page(s) on which the quote appears in the case—while the second-level quote (the quote within the quote) should typically be set off with single quotation marks and a parenthetical that (1) indicates that the first-level material is quoting the second-level material and (2) cites the second-level source.

[ASSUME FOR PURPOSES OF THIS EXAMPLE THAT THE BODY OF THE PUBLICATION HAS SET OUT THE FOLLOWING QUOTE, WITH A SUPERSCRIPTED FOOTNOTE INDICATOR ATTACHED, AND THAT THE CITE IS IN THE FOOTNOTES.]

The court then concluded that “any purported error in the jury instructions did not have ‘a probable impact on the jury’s finding of guilt.’ ”¹⁰

10. State v. Maready, 362 N.C. 614, 622 (2008) (quoting State v. Odom, 307 N.C. 655, 661 (1983)).

In instances where an author is using a quote from a case and that quote contains within it another quote (as in the example just above), some authors choose to omit quotation marks as well as the citation to the second source. The resulting cite in such circumstances looks **like this:**

The court then concluded that “any purported error in the jury instructions did not have a probable impact on the jury’s finding of guilt.”¹⁰

10. State v. Maready, 362 N.C. 614, 622 (2008) (internal quotation marks omitted) (citation omitted).

NOTE: There is an exception to the rule of alternating between double and single quotation marks in circumstances where the primary quote is itself quoting another source. If the open quote mark and the close quote mark of the primary quote are in the same places as these marks are in the secondary material, then you don’t have to use the single quotation marks. This makes more sense when you see it in a citation.

State v. White, 232 N.C. App. 296, 301 (2014) (“Generally, an appellate court’s review of a trial court’s order on a motion to suppress is strictly limited to a determination of whether its findings are supported by competent evidence, and in turn, whether the findings support the trial court’s ultimate conclusion.” (quoting State v. Roberson, 163 N.C. App. 129, 132 (2004))).

The following cite is not correct under this exception:

State v. White, 232 N.C. App. 698, 701 (2014) (“ ‘Generally, an appellate court’s review of a trial court’s order on a motion to suppress is strictly limited to a determination of whether its findings are supported by competent evidence, and in turn, whether the findings support the trial court’s ultimate conclusion.’ ” (quoting State v. Roberson, 163 N.C. App. 129, 132 (2004))).

See also “Quoting/Citing Parentheticals,” below.

Q: Plagiarism concerns—does a general citation to a case, statute, or other source in text, followed by quoted material from the case, etc. in the text with no attendant footnote/pincite protect an author from plagiarism allegations?

A: No. The initial broad mention of the source does not provide adequate cover. Each particularized use of language from the authority referenced should be sourced/attributed. **The following paragraph does not contain proper attribution.**

In 1990, the constitutionality of such impaired driving checkpoints was examined by the United States Supreme Court in *Michigan Department of State Police v. Sitz*.¹ In this case, a group of Michigan drivers challenged on Fourth and Fourteenth Amendment grounds the legality of the state’s highway sobriety checkpoint program. The High Court ruled for the state, finding that “the balance of the State’s interest in preventing drunken driving, the extent to which this system can reasonably be said to advance that interest, and the degree of intrusion upon individual motorists who are briefly stopped, weighs in favor of the state program.”

1. 496 U.S. 444 (1990).

***The quotation in the final sentence should have been sourced** (*Id.* at 455.). The citation to the case in its entirety is not sufficient. Err on the side of over-, rather than under-, sourcing.

Parentheticals, Subsequent and Prior History, and Order of Such Elements in Case Citations

PARENTHETICALS

The parentheticals most commonly used in citations by faculty authors relate to what’s called *weight of authority*, to the quotation or citation of other sources, and to further explanation of text points.

Weight of Authority Parentheticals

Weight of authority parentheticals note things about the opinion being cited, such as

- the fact that the case was decided en banc (heard by all judges on a given court),

- the vote tally of the decision makers,
- the fact that it was per curiam (handed down by the court in its entirety vs. by a given judge or group of judges),
- the fact that it was a memorandum opinion (abbreviated “mem.” and indicating a case disposed of without the court handing down an opinion), and
- the fact that it is a dissenting or concurring opinion.

A weight of authority parenthetical should be placed in a citation after the parenthetical indicating the date (and possibly jurisdiction) of the decision, like this:

State v. Williams, No. 242P17-1, 2017 WL 4402043 (N.C. Oct. 4, 2017) (mem.).

Quoting/Citing Parentheticals

A quoting/citing parenthetical should be placed in a citation following (1) the parenthetical indicating the date (and possibly jurisdiction) of the decision and (2) any weight of authority parenthetical.

[ASSUME FOR PURPOSES OF THIS EXAMPLE THAT THE BODY OF THE PUBLICATION HAS SET OUT THE FOLLOWING QUOTE, WITH A SUPERSCRIPTED FOOTNOTE INDICATOR ATTACHED, AND THAT THE CITE IS IN THE FOOTNOTES.]

The dissent noted that “any similarities between the *offense* of which defendant was previously convicted and the current charged *offense* (as opposed to similarities in the facts and circumstances underlying such offenses) manifestly *increases* the danger of unfair prejudice.”¹⁰

10. State v. Maready, 362 N.C. 614, 627 (2008) (Timmons-Goodson, J., dissenting) (quoting State v. Wilkerson, 148 N.C. App. 310, 327 (2002)).

NOTE: When used in a parenthetical, the words “quoting” and “citing” are not italicized.

Explanatory Parentheticals

An explanatory parenthetical should be placed in a citation following (1) the parenthetical indicating the date (and possibly jurisdiction) of the decision, (2) any weight of authority parenthetical, and (3) any quoting/citing parenthetical.

The dissent noted that “any similarities between the *offense* of which defendant was previously convicted and the current charged *offense* (as opposed to similarities in the facts and circumstances underlying such offenses) manifestly *increases* the danger of unfair prejudice.”¹⁰

10. State v. Maready, 362 N.C. 614, 627 (2008) (Timmons-Goodson, J., dissenting) (quoting State v. Wilkerson, 148 N.C. App. 310, 327 (2002)) (this view has been adopted by many courts).

NOTE: In instances where an author has quoted a source that itself is quoting a second source and the author has decided to omit internal quotation marks and citations, a parenthetical indicating such omissions would fall **after** the parenthetical indicating the date (and possibly jurisdiction) of the decision and **before** any weight of authority, quoting/citing, or explanatory

parentheticals. (The same order/placement rules covering “internal quotation marks omitted” and “citations omitted” apply to parentheticals indicating “alteration in original,” “emphasis added,” and “footnote omitted.”)

The dissent noted that “any similarities between the *offense* of which defendant was previously convicted and the current charged *offense* (as opposed to similarities in the facts and circumstances underlying such offenses) manifestly *increases* the danger of unfair prejudice.”¹⁰

10. *State v. Maready*, 362 N.C. 614, 627 (2008) (internal quotation marks omitted) (Timmons-Goodson, J., dissenting) (quoting *State v. Wilkerson*, 148 N.C. App. 310, 327 (2002)) (this view has been adopted by many courts).

SUBSEQUENT AND PRIOR HISTORY—THE BASICS

While there are rules for what history should or should not be included in a case citation (e.g., include only “significant” prior history, provide subsequent history of any case that is cited in full but don’t include denials of certiorari and the like that are two+ years old), in practice it boils down to personal preference. Some faculty authors choose to note practically every disposition, motion filed, etc. that takes place related to a given case, while others include little to no prior or subsequent history.

When the case being cited has itself taken action vis-à-vis another proceeding (e.g., reversed a lower-level proceeding), the cited case (name, reporter, (jurisdiction possibly), date) is followed by (1) a comma, then (2) the action/explanatory phrase, in italics (but no comma after italicized phrase), then (3) the citation for the proceeding acted upon.

State v. Maready, 362 N.C. 614, *rev’g* 188 N.C. App. 169 (2008).

When the case being cited is followed in a citation by another case that has taken some sort of action regarding the cited case (e.g., the second-cited case has reversed the first), the cited case (name, reporter, (jurisdiction possibly) date) is followed by (1) a comma, then (2) the action/explanatory phrase, in italics, then (3) a comma, then (4) the citation for the proceeding that has taken the action.

State v. Maready, 188 N.C. App. 169, *rev’d*, 362 N.C. 614 (2008).

Below are the most commonly cited explanatory phrases used as case history indicators:

- *aff’d* (affirmed)
- *aff’g* (affirming)
- *cert. denied* (certiorari denied)
- *overruled by*
- *overruling*
- *reh’g denied* (rehearing denied)
- *reh’g granted* (rehearing granted)
- *rev’d* (reversed)
- *rev’g* (reversing)
- *vacated*

NOTE: Some weight of authority terms may be relevant to note in prior or subsequent history. In such cases, the weight of authority notation should not be placed in parens (see “Weight of Authority,” above) but should instead be part of the italicized subsequent history.

State v. Long, ___ N.C. ___, 689 S.E.2d 138 (2009) (mem.), *aff’d per curiam*, 365 N.C. 5 (2011).

ORDER OF PARENTHETICALS AND CASE HISTORIES IN CITATIONS

As illustrated in the sections above, in addition to a basic case citation, you have the potential for “add-on” items such as parentheticals indicating (1) alterations, (2) emphases added, (3) citing/quoting, and (4) explanatory information, not to mention (5) various omission-indicating types of parentheticals. Now let’s throw case history into the citation-order mix.

In a nutshell, case history, set in italics, should follow all of the aforementioned sorts of parentheticals. Writers often put subsequent history after the parenthetical indicating court and date and before any other parentheticals. This is an error. **The following citation is incorrect:**

State v. Maready, 188 N.C. App. 169, *rev’d*, 362 N.C. 614 (2008) (Timmons-Goodson, J., dissenting) (the reasoning set out in the dissent has since been adopted by many courts).

This version is correct:

State v. Maready, 188 N.C. App. 169 (Timmons-Goodson, J., dissenting) (the reasoning set out in the dissent has since been adopted by many courts), *rev’d*, 362 N.C. 614 (2008).

Treatment of a Case Name That Is Part of a Sentence

When a case is being used as part of a sentence, whether in body text or in footnote text, the case name gets italicized.

In 1990, the constitutionality of such impaired driving checkpoints was examined by the United States Supreme Court in *Michigan Department of State Police v. Sitz*.

If an inline citation is included in the sentence along with the case name (as opposed to the citation being placed in a footnote), the volume/reporter/page/date portion of the cite **does not** get italicized.

In 1990, the constitutionality of such impaired driving checkpoints was examined by the United States Supreme Court in *Michigan Department of State Police v. Sitz*, 496 U.S. 444 (1990).

STATUTES

North Carolina Statutes, Session Laws

CITATIONS TO THE NORTH CAROLINA GENERAL STATUTES

School of Government style for references to the General Statutes, whether in body text or in footnotes, is to give a first full mention of the state laws, followed by a parenthetical indicating our in-house short form. (**Note:** This is *contra Bluebook*.) Subsequent references may use this short form. (See the second NOTE below on the use of “hereinafter.”) **Footnote examples:**

1. Chapter 14, Section 223 of the North Carolina General Statutes (hereinafter G.S.).

2. G.S. 14-224(a).

NOTE: When citing scattered statutory sections, separate each section with a comma. Faculty authors will sometimes use the word "and" before the last section cited. This is acceptable. An ampersand should not be used in place of "and" in such instances (under *Bluebook* style, ampersand use is chiefly reserved for case and publication names, multi-author listings, citations to both a main volume and a supplement, and citations to more than one footnote, table, or figure).

G.S. 7B-151, §§ 2(b), 3(a), 7(d).

See 25 U.S.C. § 12111(a) (2011 & Supp. 2015).

See figs. 1, 2, & 3.

NOTE: Under *Bluebook* style, "hereinafter" is not to be used to refer to cases, statutes, regulations, constitutions, legislative materials (with the exception of hearings), model codes, or restatements. Faculty authors at the School **do not follow** the *Bluebook* on this style point.

NORTH CAROLINA SESSION LAWS

Session laws are the yearly compilation of legislation passed by the General Assembly. The General Statutes, by contrast, represent the state's official legal code and do not include/publish all enacted legislation, e.g., local laws and appropriations. One session law could potentially revise several different statutory sections.

In the past, the session laws were treated differently for citation purposes depending on the date they carried. The rationale for this distinction is lost on many authors, and, as a result, there is a growing trend of citing all session law references uniformly.

This cite form begins with the abbreviation for "session law" (S.L.) then lists the year and number of the session law, separated by a hyphen. Individual sections within a session law should be set off with a section symbol, **not** with an abbreviation of the word "section" (e.g., sec. or s.).

S.L. 1997-55, § 2(b).

Federal Statutes, Regulations

Below are cite forms for the federal statutes most commonly referenced by School of Government authors.

UNITED STATES CODE

A basic citation to the *United States Code* includes the title number, code abbreviation (U.S.C.), section symbol(s), and section(s) referenced. We don't normally include a code date in the citation (a date may be included for historical reasons, e.g., when discussing a former version of the code). (This is *contra Bluebook*.)

42 U.S.C. § 2601.

When citing more than one section of the code (or any source broken down into sections), use two section symbols (with no space between them).

42 U.S.C. §§ 2601, 2602.

Sometimes statutes will appear within appendixes to the United States Code. The basic citation form is modified only slightly for such statutes.

50 U.S.C. app. § 5.

CODE OF FEDERAL REGULATIONS

A basic citation to the *Code of Federal Regulations* includes the title number, code abbreviation (C.F.R.), section symbol(s), and section(s) referenced. We don't normally include a code date in the citation (a date may be included for historical reasons, e.g., when discussing a former version of the code). (This is *contra Bluebook*.)

19 C.F.R. § 141.1.

FEDERAL REGISTER

Federal rules and regulations are published in the *Federal Register* before being entered into the *Code of Federal Regulations*. A basic citation to the *Federal Register* contains the common name of the rule or regulation being cited, the volume of the *Federal Register*, the abbreviation for the publication, the page number on which the rule/regulation begins, and the rule/regulation's date.

Approval and Promulgation of Implementation Plans; Klamath Falls, Oregon, Nonattainment Area; Particulate Matter Emissions Inventory and Strengthening Measures, 80 Fed. Reg. 51,470 (Aug. 25, 2015).

NOTES: (1) Do not use the abbreviation for page number (“p.”) in the cite and (2) add a comma to the page number cited as needed (electronic databases do not typically include commas in *Federal Register* page number listings).

CONSTITUTIONS

Federal Constitution

TEXT REFERENCES

After an initial full reference (“United States Constitution”) in text, it’s acceptable to use “U.S. Constitution” or “the Constitution” (capitalized) in subsequent mentions.

Text references to the U.S. Constitution and its various subdivisions (e.g., amendments, clauses, articles, sections) should be capitalized.

The court referenced Article IV, Section 1 of the United States Constitution, known familiarly as the Full Faith and Credit Clause.

The story goes that the Emoluments Clause was included in the Constitution to safeguard the nation against potentially corrupt foreign influences.

The First Amendment, widely known for its shielding of free speech, actually offers a wide range of protections.

CITATIONS IN NOTES

In footnotes, the federal Constitution should be cited from largest to smallest component (i.e., Constitution itself first, followed by article, then section, then clause, etc.). The citation should contain (1) an abbreviated version of the document's name, in cap/small caps, (2) an abbreviated version of the subdivision being cited, lowercased, followed by a comma, and (3) for sections, a section symbol before the numbered section being cited. Note that articles and amendments to the Constitution are expressed in Roman numerals, while sections and clauses use Arabic numerals.

U.S. CONST. art. I, § 9, cl. 8.

Below is a list of abbreviations for citing subdivisions of the U.S. Constitution in notes.

- amend. (amendment)
- art. (article)
- cl. (clause)
- pmb. (preamble)
- § (section)

State Constitutions

TEXT REFERENCES

Text references to state constitutions and their various subdivisions (e.g., articles, sections, parts) should be lowercased.

Under article I, section 4 of North Carolina's constitution, secession is barred.

CITATIONS IN NOTES

In footnotes, citations to state constitutions should be ordered from largest to smallest component (i.e., constitution itself first, followed by article, then section, then clause, etc.). The citation should contain (1) an abbreviated version of the document's name, in cap/small caps, (2) an abbreviated version of the subdivision being cited, lowercased, followed by a comma, and (3) for sections, a section symbol before the numbered section being cited.

N.C. CONST. art. I, § 4.

STATE ADMINISTRATIVE REGULATIONS, OPINIONS, ETC.

North Carolina Administrative Code

In text references, provide a first full mention of the code title, chapter, and section being cited, followed by the abbreviation for the code in parentheses.

Title 13, Chapter 16, Section .0402 of the North Carolina Administrative Code (hereinafter N.C.A.C.) addresses citations and penalties for violations of the law related to migrant housing.

In footnotes, provide a first full reference and the abbreviated code name, as discussed immediately above for text references, then, for subsequent references, use a citation containing (1) the code title being referenced, (2) the code abbreviation, (3) the chapter followed by a comma,

and (4) the code section preceded by a section symbol and letter space. (This is *contra Bluebook*.)

Footnote example:

1. Title 14B, Chapter 11D, Section .0101 of the North Carolina Administrative Code (hereinafter N.C.A.C.) defines the term “complaint” in the context of the juvenile justice system. Said complaint initiates the intake process for undisciplined or delinquent juveniles, which involves an evaluation “to determine whether a complaint shall be filed as a petition.” 14B N.C.A.C. 11D, § .0102.

Decisions from State Administrative Bodies

NORTH CAROLINA OFFICE OF ADMINISTRATIVE HEARINGS (OAH)

Administrative law judges (ALJs) at OAH hear what are termed *administrative law contested cases*. These cases essentially involve civil rights charges lodged by state employees that were not resolved through a settlement process. We don’t get a lot of manuscripts citing these ALJ decisions, but we do get some. The decisions are available on the OAH website (through a searchable table tool: www.ncoah.com/hearings/decisions/). The citation form for decisions so accessed has several uniform elements but varies by the state agency involved in the action.

N.C. Alcoholic Beverage Control Comm’n v. Osei Enters., 15 ABC 08455 (N.C. Office of Admin. Hearings Mar. 9, 2016).

Republican Governors Ass’n v. N.C. State Bd. of Elections, 04 BOE 2051 (N.C. Office of Admin. Hearings June 30, 2005).

OAH decisions are also accessible via electronic database. A sample citation for an OAH decision accessed via Westlaw is provided below.

Foster v. Env’tl. Health Dep’t, No. 16 DHR 07886, 2017 WL 4112373 (N.C. Office of Admin. Hearings July 28, 2017).

Either citation form is acceptable.

NORTH CAROLINA INDUSTRIAL COMMISSION

The Industrial Commission administers several state laws, chief among them the Workers’ Compensation Act. Like the OAH, the Commission hears disputed cases and hands down decisions. Also like the OAH, decisions of the Industrial Commission may be accessed via a searchable database on the Commission’s website (www.ic.nc.gov/database.html). A sample citation for a decision accessed this way is provided below.

Canady v. N.C. Dep’t of Pub. Safety, I.C. No. TA-23753 (N.C. Indus. Comm’n Sept. 5, 2017).

Industrial Commission decisions are also accessible via electronic database. A sample citation for a Commission decision accessed via Westlaw is provided below.

Canady v. N.C. Dep’t of Pub. Safety, No. I.C. TA-23753, 2017 WL 3951682 (N.C. Indus. Comm’n Sept. 5, 2017).

Either citation form is acceptable.

MISCELLANEOUS CITATION FORMS

Pattern Jury Instructions

N.C.P.I.—CRIM. 311.10.

N.C.P.I. CRIM.—240.40—Willful Neglect or Refusal to Adequately Support and Maintain a Child Born Out of Wedlock.

Attorney General Opinions

The Attorney General’s Office has a searchable database of advisory opinions (www.ncdoj.gov/getdoc/683dc0b7-ad27-4dbd-8ea5-c9109ff016a0/2-6-4-2-Legal-Opinions.aspx). Opinions accessed from this database are **cited like this**:

N.C. Dep’t of Justice, Office of the Att’y Gen., Advisory Opinion: Personnel Information Required to Be Made Available for Inspection, Op. N.C. Att’y Gen. (Nov. 8, 2010).

Attorney General opinions pulled from an electronic database such as Westlaw are **cited like this**:

Personnel Information Required to Be Made Available for Inspection, Op. N.C. Att’y Gen., 2010 WL 9581638 (Office of the N.C. Att’y Gen. Nov. 8, 2010).

Either citation form is acceptable.

North Carolina State Bar Ethics Opinions

The State Bar has a searchable database of ethics opinions (www.ncbar.gov/for-lawyers/ethics/index-of-ethics-opinions/). Ethics opinions accessed from this database are **cited as follows**:

N.C. State Bar, Negotiating Private Employment with Opposing Counsel, 2016 Formal Ethics Op. 3 (Jan. 27, 2017).

Bar ethics opinions pulled from an electronic database such as Westlaw are **cited like this**:

Negotiating Private Employment with Opposing Counsel, 2016 Formal Ethics Op. 3, 2017 WL 600138 (N.C. State Bar Jan. 27, 2017).

Either citation form is acceptable.

North Carolina Rules of Professional Conduct

N.C. RULES OF PROF’L CONDUCT r.16 (N.C. State Bar 2017).

CITATIONS TO SECONDARY SOURCES

Books

Note that under *Bluebook* style, the volume, if there is one, precedes the author(s) in the citation and the page number(s) cited, if any, follow(s) the title (with no comma between title and page(s)).

SCHOOL OF GOVERNMENT BOOKS

SARA DEPASQUALE, *FATHERS AND PATERNITY: APPLYING THE LAW IN NORTH CAROLINA CHILD WELFARE CASES* 125 (UNC School of Government, 2016).

BOOKS FROM OTHER PUBLISHERS

BETHANY MCLEAN & PETER ELKIND, *THE SMARTEST GUYS IN THE ROOM: THE AMAZING RISE AND SCANDALOUS FALL OF ENRON* 10–17 (2013).

For books with more than two authors, use the first author's name followed by "ET AL." or list all authors' names.

For any author who uses two or more initials in place of his or her given name, there is no letter spacing between initials.

H.L. MENCKEN, *IN DEFENSE OF WOMEN* (1918).

TREATISES/MULTI-VOLUME WORKS

1 WAYNE R. LAFAVE, *SEARCH AND SEIZURE* §1.8(a) (5th ed. 2012).

NOTE: When listing edition, use "2d" instead of "2nd" and "3d" instead of "3rd."

UNIQUE CITATION FORMS

Cert Pool, BLACK'S LAW DICTIONARY (10th ed. 2014).
4 AM. JUR. 2D *Animals* § 4 (2017). [Am. Jur. = American Jurisprudence]

Periodicals

LAW REVIEW ARTICLES

Scott W. Gaylord & Thomas J. Molony, *Individual Rights, Federalism, and the National Battle Over Bathroom Access*, 95 N.C. L. REV. 1661 (2017).

NEWSPAPER ARTICLES

Print

Winnie Hu, *Uber, Booming in the Boroughs, Passes City Taxis*, N.Y. TIMES, Oct. 13, 2017, at A1.

Online

Jose A. Delreal, *The Bronx's Quiet, Brutal War with Opioids*, N.Y. TIMES (Oct. 12, 2017), www.nytimes.com/2017/10/12/nyregion/bronx-heroin-fentanyl-opioid-overdoses.html?ref=todayspaper.

MAGAZINE ARTICLES

Print

Benjamin Wittes, *Without Precedent*, ATLANTIC MONTHLY, Sept. 2005, at 39, 40.

Online

Robert W. Poole, Jr., *Your Flight Is Delayed*, REASON (Nov. 2017), <https://reason.com/archives/2017/09/26/your-flight-is-delayed>.

AMERICAN LAW REPORTS (ALR) ANNOTATIONS/ARTICLES

Claudia Catalano, Annotation, *Unlawful Access Under Stored Communications Act*, 18 U.S.C. §§ 2701 et seq., 1 A.L.R. Fed. 3d Art. 1 (2015).

AMERICAN BAR ASSOCIATION (ABA) SECTION REPORTS

Linda D. Elrod & Robert G. Spector, *Review of the Year 2015–2016 in Family Law: Domestic Dockets Stay Busy*, 50 A.B.A. SEC. FAM. L. Q. 501 (Winter 2017).

School of Government Bulletins

Gregory S. Allison, *2017–2018 Finance Calendar of Duties for City and County Officials*, LOC. FIN. BULL. No. 52 (UNC School of Government, 2017).

Websites

ONLINE-ONLY SOURCE

DAIYA FOODS INC., <https://daiyafoods.com/> (last visited Oct. 16, 2017).

ARTICLE LINKED FROM WEBSITE MAIN PAGE

Leslie Eastman, *California Officially Declares “State of Emergency” Over Hepatitis A Outbreak*, LEGAL INSURRECTION (Oct. 15, 2017, 11:35 AM), <https://legalinsurrection.com/2017/10/california-officially-declares-state-of-emergency-over-hepatitis-a-outbreak/>.

Blogs

Jeff Welty, *Should an Officer Use His or Her Personal Cell Phone to Take Work-Related Photographs?* N.C. CRIM. L., UNC SCH. OF GOV'T BLOG (Oct. 9, 2017), www.sog.unc.edu/blogs/nc-criminal-law/should-officer-use-his-or-her-personal-cell-phone-take-work-related-photographs.

Podcasts

ENTIRE SEASON

Beyond the Bench, Season 02: Homelessness, Neglect, and the Child Welfare System in North Carolina, UNC SCHOOL OF GOVERNMENT, NORTH CAROLINA JUDICIAL COLLEGE (2016) (also available through iTunes and Stitcher).

SINGLE EPISODE

Beyond the Bench: The Child's Voice in Court: The Role of the Guardian ad Litem, UNC SCHOOL OF GOVERNMENT, NORTH CAROLINA JUDICIAL COLLEGE (Jan. 12, 2016) (also available through iTunes and Stitcher).

GENERAL RULES APPLICABLE TO ALL CITED SOURCES

Use of *Id.*

Id. (note that the letters and the period are italicized) may be used in place of a full citation in a footnote in two circumstances:

A. When one is citing a source just cited within the same footnote, **like this**:

1. State v. Friend, 237 N.C. App. 490 (2014). The appellate court in *Friend* reiterated the principle that the “poison tree” doctrine “does not operate to exclude evidence of attacks on police officers where those attacks occur while the officers are engaging in conduct that violates a defendant’s Fourth Amendment rights.” *Id.* at 495.

B. When one is citing a source just cited in the immediately preceding footnote, provided that footnote contains **only one source, like this**:

1. State v. Friend, 237 N.C. App. 490 (2014).

2. *Id.*

Under the rule set out in circumstance B above, the following use of *id.* is incorrect:

1. State v. Friend, 237 N.C. App. 490 (2014). *See also* G.S. 14-233.

2. *Id.* [TWO SOURCES CITED IN PRECEDING NOTE]

Use of *Supra* and *Infra*

Supra may be used as part of a short-form cite or for internal cross-references; *infra* may be used for internal cross-references.

NOTE: Under *Bluebook* style, *supra* is not to be used to refer to cases, statutes, regulations, constitutions, legislative materials (with the exception of hearings), model codes, or restatements. Faculty authors at the School **do not follow** the *Bluebook* on this style point.

SHORT-FORM CITES

1. Jeff Welty, *Should an Officer Use His or Her Personal Cell Phone to Take Work-Related Photographs?* N.C. CRIM. L., UNC SCH. OF GOV'T BLOG (Oct. 9, 2017), www.sog.unc.edu/blogs/nc-criminal-law/should-officer-use-his-or-her-personal-cell-phone-take-work-related-photographs.

2. State v. Friend, 237 N.C. App. 490 (2014).

3. *See* Welty, *supra* note 1.

INTERNAL CROSS-REFERENCES

[FN] 1. See discussion *infra* Sections I.A.1 and IV.C.7.

2. See *supra* text accompanying notes 11–15.

Use of Signals

Signals are used to let the reader know how the authority cited for a given statement or point relates to that statement/point. (Does the source support the statement directly and exclusively? Is the source but one authority of many that support the point?) The signals most commonly used by faculty authors are

- *e.g.*,
- *see*,
- *see also*,
- *but see*, and
- *cf.*

Other signals are listed in *Bluebook* section 1.2.

NOTE: The signal “e.g.” may be, and is often, combined with the signals “see” and “but see” to form “see, e.g.” and “but see, e.g.”

NO SIGNAL NEEDED

When the authority cited for a statement or point

- directly states the statement/point,
- is the source of a quotation in the statement/point, or
- is mentioned in the statement/point,

no signal is required before the authority in the citation.

Freedom of the press is enshrined in the First Amendment.¹⁰

10. U.S. CONST. amend. I.

The court of appeals stated that “[i]n order to support a motion for summary judgment, affidavits and accompanying evidence must be made on personal knowledge, . . . [and] be admissible in evidence.”¹⁰

10. Plum Props., LLC v. Holland, ___ N.C. App. ___, No. COA17-50, 2017 WL 5580032, at *3 (N.C. Ct. App. Nov. 21, 2017) (internal quotation marks omitted) (emphasis omitted) (citation omitted).

The definition of “juvenile” is found, not surprisingly, in North Carolina’s Juvenile Code.¹⁰

10. G.S. 7B-101(14).

SIGNAL REQUIRED

E.g.

Some statements/points are sourced using an authority that, while directly stating the statement/point, is not the sole authority for it but is, rather, just one authority on the matter. In such instances, the italicized introductory signal *e.g.*, is placed before the citation to the authority.

Footnote example:

The General Assembly recently made changes to North Carolina’s sentencing laws relating to gang offenses. Experts are divided on the potential impact of the revisions.¹⁰

10. *E.g.*, Jamie Markham, *New Gang Sentencing Enhancements*, N.C. CRIM. L., UNC SCH. OF GOV’T BLOG (Nov. 9, 2017), <https://nccriminallaw.sog.unc.edu/new-gang-sentencing-enhancements/>.

See

Sometimes the authority cited for a statement/point supports—but does not directly state—the statement/point, though it clearly follows from it. In such instances, the italicized introductory signal *see* is placed before the citation to the authority. **Footnote example:**

If goods are destroyed in warehouse when they are under CBP supervision, the liability of the importer for duties upon the goods is determined under a complex set of regulatory rules.¹⁰

10. *See* U.S. DEP’T OF HOMELAND SEC., U.S. CUSTOMS AND BORDER PROTECTION (CBP), IMPORTING INTO THE UNITED STATES: A GUIDE FOR COMMERCIAL IMPORTERS 14 (2012), <http://www.cpsc.gov/PageFiles/113831/iius.pdf>.

NOTE: When the signal “see” is used as a verb in a sentence (whether in text or in notes), it does not get italicized.

See North Carolina Department of Public Safety v. Brown, ___ N.C. Ct. App. ___, No. COA16-1298, 2017 WL 5580039 (N.C. Ct. App. Nov. 21, 2017), for a Whistleblower Act retaliation case involving a corrections officer who claimed he was passed over for promotion because he reported what he believed to be excessive force used against an inmate.

See also

When the authority cited for a statement/point offers additional information in support of the statement/point, the italicized introductory signal *see also* is placed before the citation to the authority.

Animals that are ridden or that pull a vehicle are also considered vehicles for purposes of G.S. Chapter 20.¹⁰

10. G.S. 20-171. *See also* *State v. Dellinger*, 73 N.C. App. 685 (1985) (upholding conviction for impaired driving under former version of G.S. 20-138.1 based upon the defendant’s riding of a horse on a street with a BAC of 0.18).

But see

When a cited authority clearly supports a statement/point that is contrary to the main statement point being made by the author, the italicized introductory signal *but see* is placed before the citation to the authority.

Most courts have permitted plaintiff whistleblowers to assert promotion-related retaliation claims.¹⁰

10. *But see* North Carolina Department of Public Safety v. Brown, ___ N.C. Ct. App. ___, No. COA16-1298, 2017 WL 5580039 (N.C. Ct. App. Nov. 21, 2017) (dismissing for lack of subject matter jurisdiction).

Cf.

When the authority cited for a statement/point differs from the statement/point but is similar enough to it that it is considered supportive, the italicized introductory signal *cf.* is placed before the citation to the authority.

Most courts have permitted plaintiff whistleblowers to assert promotion-related retaliation claims.¹⁰

10. *Cf.* Univ. of N.C. v. Doe, 123 N.C. Ct. App. 456 (2016) (allowing plaintiff's wrongful discharge claim under the Whistleblower Act to move forward).

OTHER STYLE POINTS

Numbers/Numerals, Certain Ordinals

NUMBERS/NUMERALS

Generally speaking, *Bluebook* style is to (1) spell out zero through ninety-nine and (2) use numerals to express larger numbers in both text and notes. **Exception:** Any number that begins a sentence should be spelled out.

Bluebook counsels adding commas where needed in numerals with five or more digits (with a few exceptions, e.g., page numbers for Federal Register citations, as discussed above). The sentences below are both correct under this rule.

The defendant was ordered to pay \$1280 in compensation.

The plaintiff argued that driving 15,000 miles was unduly burdensome.

In practice, however, faculty authors add commas to numerals that contain four digits or more. In sentences containing numbers both below and above 100, numerals should be used.

The court handed down sentences of 5, 25, and 175 years.

Round numbers (e.g., “hundred” or “thousand”) may be spelled out, but if this is done, all numbers in the publication must be expressed in this fashion.

School of Government legal authors have developed a pattern of using numerals (in place of spelled-out numbers) for

- ages,
- jail/prison terms, and
- probationary sentences.

The defendant, who was 20 at the time he committed the crime, was given a 2-year term of imprisonment. His co-conspirator received a 32-month probationary sentence.

CERTAIN ORDINALS

Ordinals standing in, when appropriate, for the words “second” and “third” are treated differently depending on their usage.

In Textual Sentences

Use “2nd” and “3rd” when the ordinal appears in a sentence.

The tax legislation was passed by the 102nd Congress. The 103rd Congress attempted to undo most of its predecessor’s work on the issue.

In Citations

Use “2d” and “3d” instead of “2nd” and “3rd” when the ordinal is part of a citation.

H.R. 123, 102d Cong. (3d Sess. 2010).