

**Examples of Some Major Differences between Citation in
Legal Office & Court Documents
and
Citation in Academic Writings**

1. Cases:

Compare Rule B5 with Rules 2.1(a), 10.2, 10.9

Office/Court documents: Complete case names in citations are italicized or underlined. Footnotes are rarely used, and citations are in phrases in textual sentences or in citation sentences at end of textual sentences.

Example: One of the elements . . . not discussed by the majority. *Herrick v. Lindsey*, 391 N.E.2d 729, 731 (Ohio 1979).

Academic writing: Complete case names in citations in footnotes are in ordinary Roman, upper and lower case, not italicized.

Example: One of the elements . . . not discussed by the majority.¹

¹ *Herrick v. Lindsey*, 391 N.E.2d 729, 731 (Ohio 1979).

Both: Complete case names are italicized in textual sentences.

Example: One dissenting justice in *Herrick v. Lindsey* emphasized

Both: Short form case names in citations are italicized.

Example: One concurring justice criticized the *Herrick* majority for

2. Statutes currently in force:

Compare Rule B6 with Rules 12.3, 12.9

Office/Court documents: Statutes in citations are in ordinary Roman, upper and lower case.

Example: The statute prohibits punitive damages Del. Code Ann., tit. 13, § 1301 (1981).

Academic writing: Statutes in citations in footnotes are in large and small caps.

Example: The statute prohibits punitive damages²

² DEL. CODE ANN., tit. 13, § 1301 (1981).

Both: Statutes in textual sentences are in ordinary Roman, upper and lower case.

Both: Short form statute references in textual sentences and short citations are in ordinary Roman, upper and lower case.

Example: The state's Environmental Protection Act has a provision requiring Delaware Environmental Protection Act § 1301.

3. Books:

Compare Rule B8 with Rules 2.1(b), 15

Office/Court documents: Book author and title are in ordinary Roman, upper and lower case, with title underlined or italicized.

Example: One of the principles most abused . . . Richard Kluger, *Simple Justice* 17 (1999).

Academic writing: Book authors and titles in citations in footnotes are in large and small caps.

Example: One of the principles most abused . . .³

³ RICHARD KLUGER, *SIMPLE JUSTICE* 17 (1999).

Both: Book author and title in textual sentences are in ordinary Roman, upper and lower case, with title underlined or italicized.

Example: In Richard Kluger's *Simple Justice*, he emphasized . . .

4. Periodicals:

Compare Rule B9 with Rules 2.1(c), 16 Both office/court and academic documents have different citation forms for consecutively and nonconsecutively paginated journals. Only consecutively paginated journals are discussed here.

Office/Court documents: Periodical author, title of article, and name of journal in citations are in ordinary Roman, upper and lower case, with title of article underlined or italicized.

Example: The difficulties with prosecution of rape cases are chronicled . . . Vivian Berger, *Man's Trial, Women's Tribulation: Rape Cases in the Courtroom*, 77 Colum. L. Rev. 1 (1977).

Academic Writing: Periodical author, title of article, and name of journal in citations in footnotes have author and title of article in ordinary Roman, upper and lower case, with title of article italicized, and name of journal in large and small caps.

Example: The difficulties with prosecution of rape cases are chronicled . . .⁴

⁴ Vivian Berger, *Man's Trial, Women's Tribulation: Rape Cases in the Courtroom*, 77 COLUM. L. REV. 1 (1977).

Both: Periodical author and title of article in textual sentences are in ordinary Roman, upper and lower case, with title underlined or italicized. You will rarely refer to the full name of an article or the journal in a textual sentence. Your reference will more likely be to a "commentator," etc. in general or to an author by name, with a citation following.

Example: Vivian Berger chronicled the difficulties with prosecution of rape cases . . . [citation sentence or footnote].

5. Short Forms:

Compare Rules B5.2, B6.2, B8.2, B9.2, with Rules 4, 10.9, 12.9

Both: Use of *id.* is the same in office/court and academic writing.

Academic writing: For books and periodicals you may use *supra* in all situations in academic writing when you may not use *id.* For cases and statutes, you may not use *supra*, and use of other abbreviated forms is limited in academic writing to situations in which the last reference to your source appears within the preceding five footnotes. If the last reference is not within the preceding five footnotes, you must use a full citation to that source.
