

# DISTRICT OF COLUMBIA COURT OF APPEALS

## CITATION AND STYLE GUIDE

[Revised September 2009]

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**1 Bluebook:** Whenever something in this memorandum conflicts with any provision of *The Bluebook: A Uniform System of Citation* (18th ed. 2005), this memorandum controls. Otherwise, *The Bluebook* controls.

## **2 Signals.**

**2.1 See:** The word “see” should be italicized *only* when it is used as an introductory signal to a citation. A reference to another part of a document you are writing is not a citation but a direction to the reader; in that situation, therefore, “see” is not italicized.

- *See Smith v. District of Columbia*, 399 A.2d 213 (D.C. 1979).
- *See supra* page 4. [See Rule 10 below for more information on using *supra*.]

**2.2 Accord and Contra:** Always put a comma after *accord* and *contra*. (This is contrary to the current *Bluebook*, but consistent with earlier editions of *The Bluebook*. It also makes more sense when case names are italicized.)

**2.3 E.g.:** Never put a comma after *see* and *cf.* except when they are followed by *e.g.*

## **3 Abbreviations.**

**3.1 Reporters, Court Names, and Periodicals:** When two or more letters are used in a single abbreviation, there should be no space between them. For this purpose an ordinal number such as 2d, 3d, or 4th is treated as a single letter.

- U.S., D.C., A.2d, F.2d, S.D.N.Y., A.L.R.3d

When an abbreviation contains more than one letter it should be preceded and followed by a space.

- U.S. App. D.C., Cal. App. 2d, Ill. 2d, So. 2d, S. Ct.
- N.D. W. Va., U. Pa. L. Rev., A.L.R. Fed.

**3.2 Footnotes:** When citing a footnote in a case or other authority, use “n.” See page 60 of *The Bluebook*. When referring to a footnote in the document you are writing, however, use “note.”

- *Coto v. Citibank FSB*, 912 A.2d 562, 566 n.4 (D.C. 2006).
- By contrast, it did persuade the trial court to cut off damages for back pay as of February 2003, finding that the Director of Sales position was eliminated at that time due to a reorganization at WCCA. See *supra* note 4. [See Rule 10 below for more information on using *supra*.]

#### 4 Cases.

**4.1 Case Names:** Italicize all case names, including “v.”, in both the text and footnotes of any document.

(a) In re. “*In the Matter of*,” “*Matter of*,” “*Petition of*,” and “*Estate of*” should always be abbreviated “*In re.*”

(b) District of Columbia. Always spell out District of Columbia when it is in a case name.

- *Smith v. District of Columbia*, 399 A.2d 213 (D.C. 1979).
- *Smith v. District of Columbia Dep’t of Employment Servs.*, 934 A.2d 428 (D.C. 2007).

**4.2 Superior Court Opinions:** Opinions by Superior Court judges should be cited to the Daily Washington Law Reporter, if possible, giving the date of the opinion (not the date of publication):

- *Blue v. Gray*, 112 Daily Wash. L. Rptr. 2345 (D.C. Super. Ct. June 21, 1985).

If the opinion is not published, cite it like any other unpublished opinion:

- *Blue v. Gray*, No. 81-765 (D.C. Super. Ct. June 21, 1985). [See Rule 4.6 below for an explanation of the proper citation of slip opinions.]

**4.3 D.C. Court of Appeals Opinions:** Cite all cases from this court and its predecessor, the Municipal Court of Appeals, as follows:

- *Doe v. Roe*, 508 A.2d 1234 (D.C. 1985).

**4.3.1 Memorandum Opinion and Judgment:** Cite MOJs as follows:

- *Thomas v. United States*, No. 04-CM-722, Mem. Op. & J. at 7 (D.C. Feb. 14, 1999).

**4.3.2 Rehearing:** A denial of rehearing by any court – including the Supreme Court – should not be reflected in the citation unless it is accompanied by an opinion, or unless the denial is relevant to the point for which the case is cited.

- *Breezevale Ltd. v. Dickinson*, 759 A.2d 627, 640 (D.C. 2000), *aff’d on reh’g*, 783 A.2d 573, 575 (D.C. 2001) (en banc).
- *Lyons v. United States*, 622 A.2d 34 (D.C.), *reh’g granted en banc*, 635 A.2d 902 (D.C. 1993). – [Note that no year appears in the citation for the original opinion because both the

original opinion and the opinion granting rehearing en banc issued in the same year.]

**4.3.3 En Banc:** Cite en banc decisions as follows:

- *Wilson-Bey v. United States*, 903 A.2d 818, 836 (D.C. 2006) (en banc).

**4.3.4 Appeal to the Supreme Court:** Be particularly careful to know the Supreme Court status of this court's cases. The grant or denial of a petition for a writ of certiorari should always be reflected in the citation if the case is less than two years old or the denial is particularly relevant. In all other circumstances it may be assumed that certiorari was either denied or that no petition was filed.

When you are citing a case in which certiorari has been denied and wish to add something parenthetically about the case, the parenthetical comment should precede the "*cert. denied*."

- *Doe v. Roe*, 508 A.2d 1234 (D.C. 1985) (plaintiff held liable), *cert. denied*, 462 U.S. 987 (1986).

**4.4 D.C. Circuit Opinions:** Use parallel cites to U.S. App. D.C. and to F.2d or F.3d. Note that the court and jurisdiction – *i.e.*, "D.C. Cir." – are omitted from the date parenthetical.

- *United States v. Doe*, 235 U.S. App. D.C. 99, 730 F.2d 1529 (1984).

Include pinpoint cites as follows:

- *Doe v. Webster*, 196 U.S. App. D.C. 319, 337, 606 F.2d 1226, 1244 (1979).

For subsequent short cites, cite to both U.S. App. D.C. and F.2d or F.3d. [See Rule 10 below for more information on using *supra*.]

- *Doe, supra*, 196 U.S. App. D.C. at 337, 606 F.2d at 1244.
- *Id.* at 337, 606 F.2d at 1244.

If the case is reported in F.3d but not yet in U.S. App. D.C., cite as follows:

- *United States v. Jones*, \_\_ U.S. App. D.C. \_\_, 718 F.3d 543 (2000).

**4.5 Order of Authority.**

**4.5.1 En Banc Opinions:** In string citations for a single proposition, cite this court's en banc decisions ahead of other decisions from this court.

- *Wilson-Bey v. United States*, 903 A.2d 818, 836 (D.C. 2006) (en banc); *Downing v. United States*, 929 A.2d 848, 863 (D.C. 2007).

**4.5.2 State Courts:** In string citations for a single proposition, cite this court's decisions ahead of those from state courts, irrespective of the year decided.

- *Smith v. Jones*, 342 A.2d 987 (D.C. 1975); *Roberson v. Commonwealth*, 185 S.W.3d 634 (Ky. 2006).

**4.5.3 Federal Courts:** In string citations for a single proposition, cite this court's decisions ahead of those from the D.C. Circuit, the U.S. District Court for D.C., or other federal courts, irrespective of the year decided.

- *Smith v. Jones*, 342 A.2d 987 (D.C. 1975); *Brown v. Green*, 199 U.S. App. D.C. 456, 598 F.3d 321 (2000).

**4.5.4 Supreme Court:** In string citations for a single proposition, cite Supreme Court decisions before those of this court, unless the issue is one of District of Columbia law, irrespective of the year decided.

- *Crane v. Kentucky*, 476 U.S. 683 (1986); *Coto v. Citibank FSB*, 912 A.2d 562 (D.C. 2006).

**4.6 Slip Opinions:** When citing slip opinions that appear on the Court of Appeals web site, give the court's case number and the date of decision.

- *Doe v. Roe*, No. 85-1876 (D.C. July 31, 2007).

**4.6.1 Pinpoints:** When referring to a specific page of a slip opinion, cite as follows:

- *Doe v. Roe*, No. 85-1876, slip op. at 4 (D.C. July 31, 2007).

**4.6.2 D.C. Circuit Slip Opinions:** Cite D.C. Circuit slip opinions as follows:

- *United States v. Jones*, No. 85-6789 (D.C. Cir. Aug. 2, 2007).
- *United States v. Jones*, No. 85-6789, slip op. at 4 (D.C. Cir. Aug. 2, 2007).

## **5 Statutes.**

**5.1 D.C. Code:** Cite the District of Columbia Code as follows:

- D.C. Code § 11-721 (2001).
- D.C. Code § 2-301.04 (2007 Supp.).
- D.C. Code §§ 22-1805a, -2101 (2001).

- D.C. Code §§ 2-1831.01 to -18 (2001).

**5.2 Section:** Always use the section symbol (§), even if you reference the D.C. Code within the text of a document.

- Appellant appeals his conviction in a bench trial of attempted credit card fraud in violation of D.C. Code §§ 22-3223 (d) and -1803 (2001).

Spell out and capitalize “Section,” however, if it is the first word in a sentence.

- Section 16-916.01 of the D.C. Code details the Child Support Guideline applicable to child support actions in the District.

**5.3 Spacing:** In citing statutes by section and subsection numbers, leave a space between “§” and the section number, and between the section number and the subsection letter enclosed in parentheses. There should also be a space before the date, which is likewise in parentheses:

- D.C. Code § 17-305 (a) (2001).

Do not leave a space between subsection letters and the designation of smaller subdivisions, such as paragraphs or subparagraphs:

- D.C. Code § 11-721 (a)(2)(A) (2001).

**5.4 Year:** If the code provision has been renumbered between the 1981 and 2001 editions, cite both provisions the first time, as follows, and then cite only to the 2001 edition.

- D.C. Code § 2-510 (a) (2001) *formerly* D.C. Code § 1-1510 (a) (1981).

Remember to cite the most recent edition applicable to a particular case, but not an edition issued after the relevant time period.

**5.5 D.C. Administrative Procedures Act:** The District of Columbia Administrative Procedure Act, after its full name has been given once, should be abbreviated “DCAPA”, without periods or spaces.

## 6 Legislative Materials.

**6.1 D.C. Rules and Regulations:** Cite the Daily Washington Law Reporter, the District of Columbia Register, the District of Columbia Municipal Regulations, and the District of Columbia Rules and Regulations as follows:

(a) Daily Washington Law Reporter:  
112 Daily Wash. L. Rptr. 1038 (1984).

(b) District of Columbia Register:  
51 D.C. Reg. 6052 (2004).

(c) District of Columbia Municipal Regulations:  
1 DCMR § 2800.3 (2006).

(d) District of Columbia Rules and Regulations:  
18 DCRR § 4607.1 (1983).

**6.2 D.C. Legislative History**: Cite D.C. legislative history as follows:

(a) D.C. Council Reports:  
D.C. Council, Report on Bill 16-205 at 4 (Feb. 28, 2006).

(b) D.C. Session Laws:  
Child Support Guideline Revision Act, 2006 D.C. Sess. Law Serv. 1 (West).

(c) Commission Report:  
Report of the District of Columbia Child Support Guideline Commission, Final Recommendations 27 (July 2004).

**7 Court Rules**: Always use the appropriate rule abbreviations, even within the text of a document. Always include a space after R. and before the Rule number.

- We note at the outset that appellees made no attempt to obtain sanctions under Super. Ct. Civ. R. 11.

Because “R.” in citations refers to either “Rule” or “Rules,” it should be used in citing multiple rules as well as single ones.

- D.C. App. R. 26 (c), 31 (a)(5).

Do not include a date in the citation for court rules unless you are citing a previous version of the rules.

**7.1 D.C. Court of Appeals**: Cite the court’s rules as D.C. App. R. 26 (c).

**7.2 D.C. Bar**: Cite the D.C. Bar Rules as D.C. Bar R. XI, § 1 (a).

**7.3 Superior Court**: Cite the Superior Court’s various rules as follows:

(a) Superior Court Rules of Civil Procedure:  
Super. Ct. Civ. R. 4.

(b) Superior Court Rules of Criminal Procedure:  
Super. Ct. Crim. R. 4.

(c) General Rules of the Family Division:  
D.C. Fam. Ct. R. 4.

(d) Superior Court Rules of Procedure for the Small Claims and Conciliation Branch:  
Super. Ct. Sm. Cl. R. 4.

(e) Superior Court Rules of Procedure for the Landlord and Tenant Branch:  
Super. Ct. L&T R. 4.

(f) Rules Governing Domestic Relations Proceedings:  
Super. Ct. Dom. Rel. R. 4.

(g) Rules Governing Juvenile Proceedings:  
Super. Ct. Juv. R. 4.

(h) Superior Court Rules of Procedure for Mental Health:  
Super. Ct. Ment. H. R. 4.

(I) Superior Court Rules for Mental Retardation Proceedings:  
Super. Ct. Ment. Ret. R. 4.

(j) Rules Governing Neglect Proceedings:  
Super. Ct. Neg. R. 4.

(k) Superior Court Rules of the Probate Division:  
Super. Ct. Prob. R. 4.

(l) Rules of Practice and Procedure Before the Tax Division of the Superior Court of the District of Columbia:  
Super. Ct. Tax R. 4.

**8 Jury Instructions:** Cite jury instructions as follows:

(a) Standardized Civil Jury Instructions (the “Blue Book”):  
Standardized Civil Jury Instructions for the District of Columbia, No. 15-6 (2007 ed. rev.).

(b) Standardized Criminal Jury Instructions (the “Red Book”):  
Criminal Jury Instructions for the District of Columbia, No. 417 (4th ed. rev. 2008).

Remember to cite the most recent edition applicable to the instructions given in a particular case, but not an edition issued after the relevant time period.

**9 American Bar Association Standards for Criminal Justice:** The following special citation form should be used:

- ABA Standards for Criminal Justice, *The Defense Function* § 3.7 (a) (3d ed. 1993).

**10 Supra:** In general, when a case is cited for the first time in a document (text or footnote), give its complete citation. If it is cited again after that point, use “*supra*” if the original citation was in the text, or “*supra* note \_\_\_” if the original citation was in a footnote. (This is specifically contrary to *The Bluebook*.) To refer to a specific page in the cited case when using the *supra* form, cite as follows:

- *Smith, supra*, 342 A.2d at 991.
- *Smith, supra* note 6, 342 A.2d at 991.
- *Doe, supra*, slip op. at 4.
- See *supra* note 8.

If you are not referring to a specific page, however, and if the case you are citing for the second time was originally cited so far back in the document that the original citation may be difficult to find, you may wish to give the full citation again for the convenience of the reader.

If the context is clear, both the case name and the *supra* may be omitted. For example:

- We rejected the identical argument in the *Smith* case, characterizing it as “silly and absurd.” 342 A.2d at 991.

## 11 Style.

**11.1 Font:** Use a clearly readable font such as Times New Roman or Garamond (12 or 13-point size).

**11.2 Margins:** Use one-inch margins all the way around.

**11.3 Spacing:** Double space all text, except block quotations and footnotes. Double hard return between paragraphs.

Use two spaces at the end of each sentence. Use two spaces after a colon. Use a space between a word and a dash.

Within a footnote, place two spaces after the footnote number before you begin typing the text of the footnote.

**11.4 Block Quotations:** Always introduce block quotations with a colon.

Quotes over fifty words are double indented (ten spaces) from both the right and left margins and single spaced. When quoted material is set off by being indented in an document, do not use quotation marks.

The source of the quotation should not be enclosed in brackets, nor should it be indented. Instead, it should appear at the left margin on the line immediately following the quotation. For an illustration see page 23 of *The Bluebook*.

**11.5 Punctuation:** Place all punctuation within a quotation mark, with the exception of colons, semi-colons, and question marks.

**11.6 Ellipsis:** See pages 70-71 of *The Bluebook* for general guidance. Where language from the middle of a quoted sentence is omitted, use an ellipsis as follows:

- “The very integrity of the judicial system . . . depends on compulsory process.”

For omission of language at the end of a quoted sentence, use an ellipsis as follows:

- “To ensure that justice is done, it is imperative that compulsory process be available . . . .”

Where language after the end of a quoted sentence is deleted and the sentence is followed by additional quoted material, use an ellipsis as follows:

- “The need to develop all relevant facts in the adversary system is both fundamental and comprehensive. . . . The very integrity of the judicial system therefore depends on compulsory process.”

**11.7 Page Numbers:** Place page numbers at the top of the page. Do not number the first page.

**11.8 Headings:** Roman numerals shall be in bold and followed by a period.

**11.9 Capitalization:** Do not capitalize “government” when referring to the United States or the District of Columbia as a party.

Do not capitalize “appellant,” “appellee,” “petitioner,” “respondent,” or “claimant.”

Do not capitalize “court” when referring to this or any other court except the Supreme Court of the United States.

**11.10 Numbers:** Any number that begins a sentence must always be spelled out. Otherwise, numbers from 100 to infinity should generally be given in numerals. Numbers from zero to ninety-nine should generally be spelled out in both text and footnotes, except numbers containing decimal points, dollar amounts, and citations to statutes or rules should always be given in numerals. When a series includes one or more numerals, numerals should be used throughout. Percentages less than 100 may be given either in words or in numerals, so long as you are consistent, except that percentages containing decimal points must be given in numerals.

- He was sentenced to a prison term of eight to twenty-four years.
- The search yielded six rounds of ammunition and \$2.74 in change.
- The packets contained 24, 112, and 66 milligrams of heroin, respectively.
- He was disqualified under section 10 of the statute.
- Ivory Soap is 99.44 percent pure.