

I. Organization and Arrangement

A. *The Bluebook*

The appellate courts generally follow the citation practices set out in the most current version of The Harvard Law Review Association's *The Bluebook, A Uniform System of Citation*, except as noted in this Style Manual. *The Bluebook* is used as the default source for citation questions not addressed here.

B. Consistency of Citations

If you cannot find a specific rule that addresses your particular citation situation, then cite the authority in a clear, sensible manner that will convey the information needed to find the cited authority. Consistency within a particular document is important to avoid distracting and confusing the reader.

In subsequent case history, if all the decisions in one case take place during the same year, then place the date (year) once at the end of the entire citation. However, if the decisions span more than one year, then place all years in the appropriate places, as shown in the examples. See, *e.g.*, pages 23 to 24.

Standard references used for prior or subsequent case history in citations are as follows:

Acceptable Abbreviations:

adh'd to on recons (adhered)
aff'd (affirmed)
cert (*certiorari*)
cert den (*certiorari* denied)
recons (reconsideration; not *recon*)
reh'g (rehearing)
rem'd (remanded)
rev'd (reversed)
rev (revised)
rev den (review denied)
vac'd (vacated)
writ den (writ of mandamus denied)

Terms Not Abbreviated:

allowed (not *all*)
appeal dismissed
as improvidently allowed
compiled as a note after decision by order
dismissed (not *dism*)
modified (not *mod*)
overruled on other grounds

C. Case Names

When citing Oregon appellate cases, DO NOT use the title page, a regional reporter, Premise, Westlaw, or LEXIS as a source for the official case name. Use the case name exactly as published in the official state reporter, located at the top of either the

odd- or even-numbered pages. In the Oregon Reports and the Oregon Appellate Courts Advance Sheets, the case name appears on the even-numbered pages.

Exception for cases concerning the federal Violence Against Women Act (VAWA):

Per Joint CJO 23-012/23-01, effective April 1, 2023, when citing to any VAWA case, the author shall modify the case names to include only the initials of the protected party, regardless of how the case names were previously published. As stated in Joint CJO 23-012/23-01, cases are designated as “VAWA cases” in the Appellate Case Management System and include civil stalking, Family Abuse Prevention Act, Elderly Persons with Disabilities Abuse Prevention Act, Registration of Foreign Restraining Orders, Sexual Abuse Protection Orders, Extreme Risk Protection Orders, and Punitive Contempt Cases, most of which involve the violation of restraining orders, as well as other individual cases that court staff have determined should be so designated under the provisions of VAWA.

In the Oregon Reports and the Oregon Appellate Courts Advance Sheets, the case name appears on the even-numbered pages. If citing a case from a jurisdiction that does not have its own separate official reporter or if you do not have access to the official reports, then use the case name as used in the regional reporter or follow the naming conventions as set out in *The Bluebook* when using online services. Cases that are Affirmed Without Opinion are listed in tables using their full case titles. In the event that such a case needs to be cited using a shortened case name, please contact the Publications Program for the correct case name if it is not easily discernible.

In older bound volumes of the Oregon Reports, case names are shown with small uppercase letters. Replace those with ordinary Roman type for citation purposes. Also in older volumes, running heads are sometimes shown using *et al.*, *et ux.*, or *et vir.* to indicate additional parties. For purposes of consistency when citing such cases, those abbreviations should be included, as well as their punctuation.

D. Spaces and Abbreviations of Citations

Generally, spaces in citations are used to separate longer abbreviations, *e.g.*, S Ct, F Supp, L Ed 2d, Or L Rev, Tex App, etc. A space is not necessary between adjacent single uppercase letters or numerals and ordinals that are treated as single uppercase letters, *e.g.*, P3d, NE2d, NYS2d, but insert a space before any abbreviation containing two or more letters, *e.g.*, So 2d. Periods are not used after abbreviations, except when quoting material in which they are included.

E. String Citations

When using string citations, follow *The Bluebook* format for the order of authorities, *i.e.*, (1) cases decided by the same court, or by all federal circuit courts of appeals or federal district courts, are arranged in reverse chronological order; and (2) different courts generally are set out by rank. Use a semicolon, not a comma or the word “and,” to separate citations within a string.

F. Signals

Introductory signals are used to indicate the level of support to be found in a citation, suggest comparison, indicate contradiction, or indicate background material. When using a signal, it is important to recognize the intent of the signal. Some signals indicate support: *e.g.*, *see*, *see also*, *accord*, *cf.*; others comparison: *compare* (using the construction *compare and* or *compare with*); or contradiction: *contra*, *but see*, *but cf.*; and background: *see generally*. Like signals are grouped into a single citation sentence, separated by a semicolon.

The courts generally follow *The Bluebook* regarding the appropriate use of signals, *i.e.*, the meaning of each signal, order of signals, order of authorities within signals, and parentheticals with signals. When using signals, the courts typically include a parenthetical explanation briefly describing the relevance of the authority cited, *e.g.*,

Cf. State v. Brown, 300 Or 125, 130, 860 P2d 498 (1985) (hearsay inadmissible at trial).

See, e.g., OEC 401 (regarding relevancy of evidence).

School Dist. 1, Mult. Co. v. Bingham et al., 204 Or 601, 611, 283 P2d 670, *modified on reh'g*, 204 Or 606, 284 P2d 779 (1955) (when interpreting Oregon Constitution, court must assume that every word, clause, and sentence therein inserted for some useful purpose).

NOTE: No signal is needed when the cited authority directly states the proposition; in some situations, it still may be advisable to include a parenthetical explanation, even if no signal is used. Also, note that the internal comma within a signal is italicized.

G. Parenthetical Information

Parenthetical explanations are added as needed to describe the relevance of an authority that is cited in the text. Although not mandatory, often that information is

helpful for clarification. A parenthetical statement can consist of quoted material or a brief statement. When including a parenthetical explanation in a case with citations to subsequent history, place the explanation following all the subsequent case history. Quoted statements that read as a complete sentence should include an initial uppercase letter and period (with brackets and/or an ellipsis, if appropriate), but other material that reads as a sentence does not receive an initial uppercase letter or a period, *e.g.*,

Old v. Navy, 555 Or App 444, 447, 222 P3d 888 (2015) (“[An] award of ‘reasonable’ attorney fees does not preclude the use of a multiplier or other fee enhancement * * *. Such an enhancement may be applied at the beginning of the calculation process.”).

Aber v. Crombie, 123 Or 234, 236, 456 P3d 678 (2015) (the constitution does not provide that shirts have to be “button down”).

See, e.g., People v. Vasquez, 148 P3d 326, 330 (Colo Ct App 2006), *rev den*, No 06SC556, 2006 WL 3404625 (Colo, Nov 27, 2006) (“Because the reasonable person standard requires a ‘defendant [to] appraise the situation as would a reasonable *sober* [person],’ evidence of voluntary intoxication is irrelevant to the defendant’s affirmative defense of self-defense.” (Quoting LaFave, 2 *Substantive Criminal Law* § 9.5(d) at 51 (emphasis in LaFave; brackets in *Vasquez*))).

More examples of parenthetical phrases can be found on pages 57 to 58.