

CLR Style Guide

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Preamble

This Guide sets out the publication standards of the *California Law Review* (CLR). It serves primarily as a tool for editors, but it is also a reference for authors. Consistent with CLR's Principles of Equity and Inclusion, the Style Guide is accompanied by a technical quick-reference guide for authors and editors that address frequently missed rules, inclusive language/equity, and formatting.

CLR Principles of Style

Any Principles of Style explicitly identified in this Style Guide should be followed even if they are different than the *Bluebook* (BB) or *Chicago Manual of Style* (CMS) rules. When there is tension between BB and CMS rules and the CLR Style Guide does not state otherwise, follow BB.

For all citations, CLR adheres to the most current BB edition. For all text, CLR adheres to the most current CMS edition. This includes text that appears in a footnote outside of an explanatory parenthetical.

There are currently seven exceptions to our CMS adherence:

1. Follow BB **6.2** for numerals in citations, but follow the CMS for numerals in text and parenthetical information, including percentages.
2. Follow BB **7** to determine when foreign words should be italicized.
3. Follow BB **8**, not the CMS, to determine when words should be capitalized.
4. Follow CLR **6.3** for abbreviations of <United States>, not CMS **10.4** and **10.34**.
5. Follow CLR **3.5** for non-hyphenation of common terms related to the legal profession, notwithstanding CMS **7.85**.
6. Follow *The Merriam-Webster Dictionary* and CLR **1.13** for the use of gendered pronouns including ethnic labels, not the CMS.
7. Disregard CMS **7.84**. Where no rule states otherwise and ambiguity is possible, hyphenate.

It is important for all CLR members to have a basic working knowledge of CMS rules and to know where to look when confronted with a stylistic, grammatical, or formatting problem. Note, though, that all rules are designed to improve readability. If applying a rule would make the piece less readable or more confusing, choose not to follow the rule. Explain that choice in a comment bubble.

The CLR Style Guide supplements—and does not replace—the CMS and BB. **For quick references, see Part Three's Common Bluebook Errors and Part Four's Helpful CMS Materials.**

If you have any questions or concerns about this *Style Guide* or its rules, reach out to the Senior Supervising Editor, Alizeh Hussain (alizeh.hus@berkeley.edu).

Statement on Equity and Inclusion in the Editing Process

CLR is committed to publishing diverse scholarship, fostering inclusive discourse around legal issues, and affirming the dignity of marginalized groups, including the sovereignty of Indigenous communities. Consistent with this mission, CLR's approach to grammar and style is flexible, thoughtful, and responsive to social changes. In particular, editors and authors should use special care when working with writing that invokes marginalized identities and voices traditionally excluded from legal scholarship. Editors and authors should always feel free to raise concerns if they believe following a grammar or style rule would hinder these efforts.

CLR prioritizes how groups prefer to identify themselves, which includes spelling, specificity, capitalization, and other conventions. For example, CLR 5.3 recommends that editors defer to a community's own spelling of their identity where possible, and CLR 1.13 strongly discourages the use of gendered pronouns and labels, recommending <they> and neutral labels like <Latine> or <Latinx>.

CLR also prioritizes the openness of its scholarship, so editors should flag terms that may offend readers. If a term may offend readers, CLR strives to make a deliberate, informed decision about its publication. See CLR 5.4 and CMS 5.251's suggestions on bias-free language.

Wherever there is a question about appropriate presentation, CLR encourages a four-step process:

1. Consult CLR editors and leadership to arrange conversations with students who identify with the community mentioned. Do not overburden these students: work with leadership to ensure you are only consulting students who are willing and able to discuss appropriate presentation.
2. Look for online resources published by groups who purport to represent the mentioned community. For example:
 - a. African-American cultures: <https://www.nabj.org/page/styleguide>
 - b. Asian-American cultures: <https://www.aaja.org/aajahandbook>
 - c. Immigrant Communities: https://www.raceforward.org/sites/default/files/DTIW_update_JournalistStyleGuide4.pdf
 - d. In general: <https://consciousstyleguide.com/>
3. Recommend the change to the author, explaining the rationale and offering to speak further.
4. If the choice is controversial, consider adding a footnote to clarify the competing interests and explain the author's or CLR's choice. Editors may cite this *Statement on Equity and Inclusion in the Editing Process*.

Finally, CLR recognizes that equity, inclusion, and openness require accessibility. To that end, CLR strives to help authors make their writing clear, clean, and concise so that all readers—including those outside the legal field—can access and understand the articles we publish.

This commitment extends to the *Style Guide* itself. In maintaining the CLR Style Guide, the Senior Supervising Editor works to make the Guide accessible and easy to use for all editors (including by using a *sans serif* font).

Part One: References and Best Practices

§ 1: Frequently Missed Rules

Top 10 CLR Style Guide and CMS rules that authors and editors forget:

- Use single (rather than double) spaces after periods. *CMS 2.9; CLR 6.1.*
- When referencing the instant piece, see *CLR 5.3* and *6.2* for appropriate terminology.
- Use the past tense to describe what judges have written in legal opinions. *CLR 1.7.*
- Hyphenate adjective+noun when used as an adjective, but do not hyphenate adverb ending in -ly+adjective. Refer to the *CMS* Hyphenation table for additional guidance. *CMS 7.89.*
- Do not overuse the em-dash (—). *CLR 2.4.*
- Generally avoid the passive voice. *CLR 1.1.*
- Keep adverbs close to their verbs. *CMS 5.167.*
- Periods and commas go inside quotation marks. Unless in the quoted text, colons, semicolons, question marks, and exclamation points go outside the quotation marks. *CLR 2.3.*
- If confused about forming possessives, see *CLR 3.1* and *3.2.*
- Use the Oxford comma. *CLR 2.1.*

§ 2: Glossary of Style Terms

The *CMS* Online has a helpful search function, which can help find applicable rules. This glossary defines grammar and style terms used throughout the *CMS* according to the *Oxford English Dictionary* Online. Use these names to search for *CMS* rules where necessary.

CMS Table of Contents and Main References	Definition	Example
Adverb (5.156 et seq, 7.86)	A word (often ending in -ly) that modifies the meaning of a verb, adjective, or other adverb.	(Spoke) quietly Angrily (walked away) Very (clever)
Antecedent	The word or phrase a pronoun refers back to.	<u>Raja</u> took the children with <i>him</i> . I went to get my <u>coat</u> , <i>which</i> I had left in the hall.
Appositive (5.23)	A noun or adjective made of two or more words where X-Y means “both X and Y.”	Baby sister Singer-songwriter Rhythmic-melodic
Conjunction (5.196 et seq)	A word used to connect other words, phrases, clauses, or sentences.	And, But, Or, If, When, Although, Because, Unless
Dependent (or Subordinate) Clause (6.24 et seq)	A clause whose meaning depends on another part of the sentence.	<u>After we had lunch</u> , we went back to work.
Gerund (5.112, 5.116, see also 7.85)	A word ending in -ing that derives from a verb.	<u>Eating</u> your dinner <u>Watching</u> the game
Hyphen vs. Dash (6.75 et seq)	Hyphen: word-word (a single minus sign between two words)	I worked on antecedent-referent problems for <i>CLR</i> .

	<p>Em-Dash: word—word (two consecutive minus signs, formatted automatically to combine, between two words)</p> <p>* Note: an en-dash is formed using a single minus sign with spaces on either side. This is used for number ranges and to signify “to” (ex: cost–benefit analysis).</p>	<p>The Style Guide has rules—albeit ones that are applied flexibly and updated regularly—for editing legal scholarship.</p> <p>Never: The grocery store – it’s located just blocks away – carries avocados.</p>
Independent Clause (6.22)	A clause that is not dependent on another clause because it has a subject and a verb.	<p><u>I am glad</u> that you came.</p> <p>If you have a fever, <u>stay home</u>.</p>
Modifier (5.109, 5.115, 5.116, see also 7.85, 7.86)	A word, phrase, or clause that limits or qualifies the meaning of another word.	<p><u>School</u> trip</p> <p><u>Just</u> next to it</p> <p>City <u>of</u> dreams</p>
Participle (5.110), Participial Phrase (6.30)	A verb form used with auxiliary verbs to create tenses.	<p>Perfect: They had <u>taken</u> the train.</p> <p>Passive: Their allegations were <u>denied</u>.</p> <p>Present: I am <u>thinking</u>.</p>
Passive Voice (5.118)	A sentence structure where the grammatical subject is the thing to which something is being done, not the thing which acts.	<p>Your vase was broken by my dog.</p> <p><i>Rather than:</i> My dog broke your vase.</p>
Preposition (5.172 et seq)	A word that typically precedes a noun, noun phrase, or pronoun and expresses a relationship between it and another word in the sentence.	After, At, By, For, From, In, On, To, With, Under
Pronoun (5.27 et seq, 5.56 et seq)	A word that functions like a noun and refers to something or someone else.	<p>Raja took the children with <u>him</u>.</p> <p>I went to get the coat, <u>which</u> I had left in the hall.</p>
Relative Clause (6.27)	<p>A clause introduced by a relative pronoun (who, whom, which, that).</p> <p>*Note: When using “which” rather than “that,” use a comma before “which.” This rule comes from the distinction between <i>nonrestrictive</i> and <i>restrictive</i> relative clauses; see <i>CLR</i> 3.3.</p>	<p>This is the person <u>who called yesterday</u>.</p> <p>Birthday parties, <u>which people celebrate annually</u>, are fun.</p> <p>The Clean Water Act is a statute <u>that authorizes the regulation of air pollution</u>.</p>

Part Two: Style Guidelines

Good writing is not mechanical. The “rules” of grammar and style may be broken if they would leave text stilted or awkward.

Hard copies of *CMS* and *The Bluebook* are available in the office. Some members might prefer the online version of *CMS*, which is free on campus or through the proxy server.

§ 1: Grammar and Usage

For more on grammar and usage, consult *CMS* Chapter 5.

1.0 Clarity

CLR strives to make writing accessible for all of its potential readers. Avoid using legal jargon wherever possible. If a term is necessary to convey a particular legal concept (for example, “*per se* violations”), include explanations or definitions to clarify its meaning. These explanations may be placed in footnotes. Editors are empowered to note words, phrases, and concepts they feel need further explanation.

Where possible, construct sentences and paragraphs simply. Choose short words and vary sentence lengths. Keep paragraphs concise and include a topic sentence for each one. These techniques allow writing to flow easily and clearly.

Sometimes, a sentence that does not technically violate any grammar or usage rules can be unclear or awkward. In these cases, editors should use their judgment to suggest changes to the author. Unclear writing often occurs when authors use excessive passive voice, long sentences, and multisyllabic words, but it may also occur when authors fail to clearly articulate each step in their analyses. Editors should aim to identify any part of an article that may be difficult for readers to understand and bring those to the author’s attention.

1.1 Active Voice

Consult *CMS* 5.118. *CLR* generally prefers active voice.

Active: <I will always remember my first primary edit.>

Passive: <My first primary edit will always be remembered by me.>

When the agent (or actor) is an important part of the sentence’s meaning, use the active voice. If the agent is less important than the acted-on or the agent is absent, it may be better to use the passive voice.

Awkward: <The book was returned to the library by the Executive Editor.>

Clear (Active): <The Executive Editor returned the book to the library.>

Clear (Passive): <The book was returned to the library.>

Note in these examples that the clear passive sentence is shorter. If it is unimportant that the Executive Editor returned the book, it may be better to use the passive construction. In a case like this, the editor should write each of the possible clear sentence constructions in a comment and allow the author to choose between them.

1.2 The First Person

Using the first person is acceptable when it does not detract from readability. Using the first person is preferable when it improves readability.

1.3 Subject-Verb Number Agreement

Always match the number of the subject to the number of the verb. Words that intervene between subject and verb do not affect the number of the verb.

Incorrect: <The bittersweet flavor of youth—its trials, its joys, its adventures, its skin diseases—are not soon forgotten.>

Correct: <The bittersweet flavor of youth—its trials, its joys, its adventures, its skin diseases—is not soon forgotten.>

Subject-verb confusion commonly occurs when the subject is “one of” a group. In some cases, “one of” will require a singular verb:

Incorrect: <One of them are lying.>

Correct: <One of them is lying.>

But “one of” will not always require a singular verb. If the intended subject is the group, not a single member of it, use the plural:

Incorrect: <One of the students who is writing a note will be published.>

Correct: <One of the students who are writing notes will be published.>

Note that if the author instead wanted to refer to only one student, the sentence could be written as:

Correct: <One of the students, who is writing a note, will be published.>

1.4 Sentence and Paragraph Length

Split lengthy sentences that contain strings of prepositional phrases or long clauses when doing so aids comprehension. Long clauses usually interfere with readability.

Where possible, prefer short paragraphs to long ones.

1.5 Wordiness

Eliminate excessive or needless words. Particularly look out for phrases such as <the fact that>, <the question as to whether>, <there is no doubt>, and <in the event that>.

Writers commonly use “of” clauses. These should often be rewritten:

Worse: The County of Alameda

Better: Alameda County

I.6 Parallel Constructions

Similar ideas should be expressed using similar constructions.

Incorrect: <These new regulations apply to presidents of universities, county sheriffs, and CEOs of corporations.>

Correct: <These new regulations apply to university presidents, county sheriffs, and corporate CEOs.>

Incorrect: <Formerly, law was taught by the Socratic method, while now the Gilbretic method is employed.>

Correct: <Formerly, professors taught law by the Socratic method; now they teach it by the Gilbretic method.>

An article or preposition that applies to all series members must be used only before the first term or must be repeated before each term:

Incorrect: <the first years, second years, and the third years>

Correct: <the first years, the second years, and the third years>

Correct: <the first years, second years, and third years>

Correlative expressions (both, and; not, but; not only, but also; first, second, third) should be followed by the same grammatical construction:

Incorrect: <The article was both a long article and very tedious.>

Correct: <The article was both long and tedious.>

I.7 Tense

Strive for consistency in tense. Where possible, use a single tense within a paragraph. If the content of the paragraph dictates otherwise, use the present, past, and future tenses (and variations thereof) correctly. Consult *CMS 5.128* for more guidance.

Always use the past tense to describe what judges and justices have written in legal opinions.

I.8 Word Choice

Consult an unabridged dictionary before correcting an author’s word choice, but feel free to suggest changing long words or phrases to shorter words or phrases.

Worse: The author's loquacious writing obscured his meaning.

Better: The author's wordiness obscured his meaning.

For tips on legal jargon (and in many cases, how to avoid it), consult Bryan Garner's *A Dictionary of Modern Legal Usage*.

For additional guidance in specific circumstances, consult *CMS*:

Emphasis: *CMS 7.50–7.52*.

Highlighting Key Terms and Expressions: *CMS 7.56–7.62*.

Common Expressions and Figures of Speech: *CMS 7.60*.

1.9 That vs. Which

Use <that> to introduce a restrictive clause that limits the meaning of the sentence.

Correct: <Pizza that is less than an inch deep just isn't Chicago style.>

Use <which> with commas to set off nonrestrictive clauses.

Correct: <Pizza, which is a favorite among Chicagoans, can be either bad for you or good, depending on how much of it you eat.>

Consult *CMS 6.27* for more guidance.

1.10 Antecedent-Referent Problems

Badly placed words cause confusion and ambiguity. Keep related words together to avoid misplaced modifiers, dangling participles, and other common problems.

Incorrect: <Regarding elections, the plaintiffs told the judge that their conduct was illegal.>

This is unclear because the reader does not know whose conduct was illegal. It is possible the author meant that the judge's conduct was illegal. If so, the sentence could be correctly rewritten as:

Correct: <The plaintiffs told the judge that the judge's conduct regarding elections was illegal.>

But the author may also have meant that a different subject's conduct was illegal—perhaps the author is referring to a subject *missing* from the sentence, such as the defendants. If so, the sentence could be correctly rewritten as:

Correct: <The plaintiffs told the judge that the defendants' conduct regarding elections was illegal.>

But the author could also have meant to say that the plaintiffs admitted to the judge that the *plaintiffs'* conduct was illegal. If so, the sentence could be correctly rewritten as:

Correct: <The plaintiffs told the judge that their own conduct regarding elections was illegal.>

The editor can often determine the correct edit using the context of the paragraph or article. Where the author's intended meaning is unclear, the editor should flag the ambiguity and provide suggested rewrites for the author.

Note that interposing a phrase or clause is not usually bothersome when the flow is interrupted only by a relative clause or by an expression in apposition. Sometimes, authors use interruptions deliberately to create suspense or vary the article's flow. For example, the following sentences are fine:

<I also wish to thank my cousin—that sweet child—for helpful distractions and discussions.>

<You will notice, by the way, that my model fails to account for reality.>

<The author, despite our best efforts, never learned how to use a comma.>

Participial phrases at the beginning of a sentence refer to the grammatical subject:

<Agonizing over the state of legal scholarship, they heard the editor cry.>

The word <agonizing> refers to the subject of the sentence, not the editors. If the writer wishes to make it refer to the editors, they must recast the sentence:

<They heard the editors, agonizing over the state of legal scholarship, cry.>

In some cases, a particular construction may be ambiguous as to the agent, even where the antecedent and referent are properly placed. A different construction might be preferable where clear identification of the agent is essential to the sentence's meaning or necessary to avoid potential bias. Authors and editors should use their discretion in determining which construction is clearest.

Ambiguous: <Officer-involved shooting>

Clearer: <Police shooting>

Clearest: <Shooting by police>

Clearest: <The police officer shot and killed the boy.>

1.11 Joining Independent Clauses

If two or more grammatically complete clauses form a single sentence and are not joined by a conjunction, the proper punctuation mark is a semicolon:

<It is nearly half past five; we will never meet the deadline.>

If the sentences are combined with a conjunction, use a comma:

<It is nearly half past five, and we will never meet the deadline.>

Even if used correctly, semicolons should be used sparingly.

1.12 Pronoun Case

The personal pronouns, as well as the pronoun <who>, change form as they function as subject or object. When <who> introduces a subordinate clause, its case depends on its function in that clause as a subject or object:

Incorrect: <Lyndon LaRouche is the candidate whom we think will win.>

Correct: <Lyndon LaRouche is the candidate who we think will win.>

Similarly:

Incorrect: <Lyndon LaRouche is the candidate who we hope to elect.>

Correct: <Lyndon LaRouche is the candidate whom we hope to elect.>

Gerunds usually require the possessive case:

<Robert Doty objected to our trouncing his softball team.>

A present participle as a verbal participle, on the other hand, takes the objective case:

<They heard them singing in the shower.>

The difference between a gerund and a verbal participle is illustrated by the following example:

Gerund: <Do you mind my asking a question?>

Verbal Participle: <Do you mind me asking a question?>

These issues can often also be resolved by restructuring the sentence to omit pronouns and -ing words:

Worse: <Lyndon LaRouche is the candidate who we think will run.>

Better: <Lyndon LaRouche is the candidate we think will run.>

Better yet: <We think Lyndon LaRouche will run.> (If unclear, add “for election” to the end of the sentence.)

Worse: <Lyndon LaRouche is the candidate whom we hope to elect.>

Better: <We hope to elect Lyndon LaRouche.>

Worse: <Do you mind my asking a question?>

Worse: <Do you mind me asking a question?>

Better: <Do you mind if I ask a question?>

1.13 Gendered Pronouns

CLR adheres to *The Merriam-Webster Dictionary* over CMS and strongly *discourages* the use of gender-binary pronouns and labels except where the subject’s preferred pronoun or label is clear and unambiguous.

Instead, CLR strongly *encourages* the use of:

- The gender-neutral pronoun “they” in place of “he” or “she” where avoidance techniques would alter the author’s voice.
- Where possible, a gender-neutral ethnic label (e.g. <Latine>), consistent with a group’s preferred name. For guidance, see the Preamble’s *Statement on Equity and Inclusion in the Editing Process*.

CLR encourages “they” because it provides a commonly understood pronoun of indefinite gender and indefinite number. While some grammarians decry the use of “they” for the indefinite singular pronoun, others argue that it is commonly accepted and understood in the United States, particularly in spoken English. An author is welcome to include an explanatory footnote to ensure readers know the author’s use of “they” is intentional.

See *Merriam-Webster’s Dictionary* (“The use of *they*, *their*, *them*, and *themselves* as pronouns of indefinite gender and indefinite number is well established in speech and writing, even in literary and formal contexts.”)

CLR works with authors to employ avoidance techniques where it would improve awkward phrasing and sentence structure. Examples of avoidance techniques include:

- 1) Omit the pronoun: “the programmer should update the records when data is transferred to her by the head office” becomes “the programmer should update the records when data is transferred by the head office.”
- 2) Repeat the noun: “a writer should be careful not to needlessly antagonize readers, because her credibility will suffer” becomes “a writer should be careful not to needlessly antagonize readers, because the writer’s credibility will suffer.” This often improves clarity as well.
- 3) Use the plural antecedent: “a contestant must conduct himself with dignity at all times” becomes “contestants must conduct themselves with dignity at all times.”
- 4) Use an article instead of a personal pronoun: “a student accused of cheating must actively waive his rights to have his guidance counselor present” becomes “a student accused of cheating must actively waive the right to have

a guidance counselor present.” Here, though, “their” is likely preferable to “the” because it conveys that the students is waiving *their* right.

- 5) Use the neutral singular pronoun “one”: “He should consider the following example” becomes “One should consider the following example.”
- 6) Use the relative pronoun “who” (works best when it replaces a personal pronoun that follows “if”): “employers presume that if an applicant can’t write well, he won’t be a good employee” becomes “employers presume that an applicant who can’t write well won’t be a good employee.”
- 7) Use the imperative mood: “a lifeguard must keep a close watch over children while he is monitoring the pool” becomes “keep a close watch over children while monitoring the pool.”
- 8) Revise the clause: “a person who decides not to admit he lied will be considered honest until someone exposes his lie” becomes “a person who denies lying will be considered honest until the lie is exposed.”

1.14 Connecting Ideas Through Sentence Construction

For a reader to follow an author’s argument, each sentence must relate to the one before it. There are many ways to indicate relationships between sentences:

1. **Transition Words.** Start sentence with words like “And,” “But,” “For example,” and “Or” to indicate its relationship to the sentence before it.
2. **Repetition of Key Phrases.** Use language from the end of the preceding sentence to begin your sentence. For example, an author might write:

<To be influential, a law review article must be **easy to understand**. Readers can **easily understand** articles that use simple language, active voice, and short sentences.>

3. **Reference concepts using pronouns.** Authors can improve flow by referring back to the subject of a previous sentence using a clear and unambiguous pronoun:

<Law review articles are often dense, wordy, and jargon-filled. **This** makes law review articles difficult for readers to understand.>

4. **Introduce the subject of your next sentence at the end of the preceding one.** Queuing up what’s coming next often helps the reader feel oriented. For example, you may write:

<The Ninth Circuit has not decided whether an author can be held liable for poorly written prose, but several district courts have. In *CLR v. Smith*, the Northern District found . . . >

During the primary edit, editors should pay close attention to authors’ paragraph constructions to confirm that each sentence logically connects to the ones before and

after it. If these issues require significant sentence-level restructuring, they generally need to be addressed before line editing can begin.

§ 2: Punctuation

For punctuation guidance, consult *CMS Chapter 6* and, for ellipses, *BB 5.3*. Relevant sections include the following:

Commas: Follow *CMS 6.16–6.55*.

Semicolons: Follow *CMS 6.56–6.60*.

Hyphens and Dashes: Follow *CMS 6.75–6.94*.

Parentheses: Follow *CMS 6.95–6.98*.

Ellipses: Follow *BB 5.3*.

2.1 Commas in a Series

In a series of three or more terms with a single conjunction, use a comma after each term including the last in the series:

<Life, love, and law>

<We opened the envelope, checked the contents, and rejected the article.>

But substitute semicolons for serial commas where a series item contains internal punctuation:

<There are basically two ways to write: with a pen or pencil, which is inexpensive and easily accessible; or by computer and printer, which is more expensive but quick and neat.>

In the names of business or law firms, the last comma is usually omitted. Follow the usage of the individual firm:

<McCutchen, Doyle, Brown & Enersen>

Do not necessarily spell out the entire firm name. Look to the firm's website to see what name the firm uses.

Do not use commas after state names and dates when they are used as adjectives:

Incorrect: <The Portland, Oregon, woman> AND <the April 15, 2002, holding>

Correct: <The Portland, Oregon woman> AND <the April 15, 2002 holding>

2.2 Colons

Follow *CMS 6.61–6.67*.

A colon tells the reader that what follows is closely related to the preceding clause. The colon can be used after an independent clause to introduce a list, an appositive, an

amplification, or an illustrative quotation. A colon should be followed by one space. Use lowercase for text that follows the colon. The colon should not separate a verb from its complement or a preposition from its object:

Incorrect: <Your dedicated primary editor requires: a red pen and *The Bluebook*.>

Correct: <Your dedicated primary editor requires two tools: a red pen and *The Bluebook*.>

Join two independent clauses with a colon if the second interprets or amplifies the first:

<The court's ruling seems to have been entirely its own idea: nothing in the parties' briefs suggested or argued for the approach the court took.>

2.3 Quotations and Quotation Marks

Do not capitalize the first word of a quotation introduced indirectly in the text. But capitalize the first word of a quotation when it is not an integral part of the text

Incorrect: <The plaintiff argued that "The defendant lacked credibility.">

Correct: <The plaintiff argued that "the defendant lacked credibility.">

But:

Incorrect: <The plaintiff argued, "the defendant lacked credibility.">

Correct: <The plaintiff argued, "The defendant lacked credibility.">

Place commas and periods inside quotation marks:

Incorrect: <"We shall always remember you", said the speaker, "as a dedicated leader, a cheerful giver, and a hopeless editor".>

Correct: <"We shall always remember you," said the speaker, "as a dedicated leader, a cheerful giver, and a hopeless editor.">

If a comma or period that is not in the original quotation is added to the end of a quotation, do not use brackets.

Incorrect: <The last sentence didn't contain the words "semicolon and question mark[,] " but it did contain the words "comma or period[.] ">

Correct: <The last sentence didn't contain the words "semicolon and question mark," but it did contain the words "comma or period.">

Note that the comma and period within the quotation marks do not appear in the original sentence.

All other punctuation is placed inside quotation marks only when the punctuation is part of the quoted matter:

Incorrect: <“Run, Inez”! shouted the baseball coach. “It’s out of the park!”!>

Correct: <“Run, Inez!” shouted the baseball coach. “It’s out of the park!”>

When the punctuation is not part of the quoted matter, and not a comma or a period, place the punctuation outside the quotation marks:

Incorrect: <Does anyone understand what the court means by “historic?”>

Correct: <Does anyone understand what the court means by “historic”?>

When using quoted language as a phrase or clause, do not use brackets or ellipses to indicate omissions of text before or after a quotation. When using quoted language as a sentence, indicate that text has been omitted with an ellipsis. See *BB 5.3*. Never use a bracketed period or comma.

Incorrect: <The author argued that she “. . . know[s] grammar better than [the editor] because . . . [she] is old enough to have gone to a place called ‘grammar school.’”>

Correct: <The author argued that she “know[s] grammar better than [the editor] because . . . [she] is old enough to have gone to a place called ‘grammar school.’”>

Incorrect: <The author wrote, “You should really look into a different profession[.]”>

Correct: <The author wrote, “You should really look into a different profession”>

Incorrect: The author thought she knew grammar best because she’d attended “grammar school”

Correct: The author thought she knew grammar best because she’d attended “grammar school.”

When deleting a single word, follow *BB 5.1* and use ellipses, not brackets.

Incorrect: <The plaintiff alleged the defendant tortiously interfered with “prospective economic advantage by calling [] customer[s] to say the plaintiff was a liar.”>

Correct: <The plaintiff alleged the defendant tortiously interfered with “prospective economic advantage by calling . . . customer[s] to say the plaintiff was a liar.”>

Use nonbreaking spaces before, after, and between ellipses. See **CMS 13.50** and **CMS 6.121**.

Slang: Place slang in quotation marks when it is not a phrase normally used by the writer AND it is not preceded by the word <so-called>:

Correct: <They belong to the so-called wired generation.>

Correct: <They belong to the “wired” generation.>

Irony: Words used ironically should only be placed in quotation marks when the irony would not be apparent to the reader without them. Where the ironic content is clear, do not use quotation marks.

2.4 Dashes

Do not overuse the dash. Dashes may be used to indicate an abrupt change in a sentence:

<Shabina sees words that blow like leaves in the winds of autumn—golden words, bronze words, words that catch the light like opals.>

Dashes may also be used to set off a phrase from the rest of the sentence:

<We rejected the article—a juvenile discussion of sixteenth-century agriculture—three times, but the author kept submitting it.>

Where a comma is a problematic substitute for parentheses, authors may use dashes instead:

<All Boards produce their individual eccentrics—there was even an editor who went to class—but they were united in their solid understanding that money is the ultimate object of legal training.>

2.5 Slashes

Avoid using slashes (e.g., <and/or>, <he/she>, <s/he>).

§ 3: *Distinctive Treatment of Words and Compounds*

Generally consult **CMS Chapter 7** and **BB 7**.

3.1 Forming Possessives

Follow **CMS 7.16–7.29**. Bear in mind that proper names and singular nouns that end with “s” still require an apostrophe AND an “s” (e.g., <Congress’s>).

3.2 Forming Possessive Singulars

Do not use an apostrophe when discussing decades:

Incorrect: <The 1970's were a time of high-caliber television.>

Correct: <The 1970s were a time of high-caliber television.>

Generally, use an apostrophe-s after a singular word ending in s:

Incorrect: <Barry Bonds' 73rd home run>

Correct: <Barry Bonds's 73rd home run>

But do not use an apostrophe-s after singular compound words when the last word is plural and ends with an s:

Incorrect: <Three Strikes's impacts>

Correct: <Three Strikes' impacts>

A common error is to write <it's> for <its>, or vice versa. The first is a contraction meaning "it is." The second is a possessive.

Incorrect: <Its hard to know what I like most about the dissenting opinion. I like it's tone, it's witty banter, and it's powerful closing argument.>

Correct: <It's hard to know what I like most about the dissenting opinion. I like its tone, its witty banter, and its powerful closing argument.>

3.3 Parenthetical Expressions

Enclose parenthetical expressions between commas.

Correct: <The best way to see a country, unless you are pressed for time, is to travel on foot.>

This rule is difficult to apply; it is frequently unclear whether a single word, such as <however> or a brief phrase is parenthetical. If the interruption in the flow of the sentence is slight, the writer may omit the commas. One should never, however, omit one comma and leave the other.

Incorrect: <Michelle's father, Fraser gave the tour.>

Correct: <Michelle's father, Fraser, gave the tour.>

A name or a title in a direct address is parenthetical. The abbreviations <etc.>, <i.e.>, and <e.g.>, the abbreviations for academic degrees, and titles that follow a name are parenthetical:

Correct: <Well, Roberto, whose weekend did we ruin this time?>

Correct: <Angela H. James, MA, JD, LLM, had a research assistant write their article.>

Consistent with *CMS*, *CLR* prefers abbreviations for academic degrees written without periods. In author dagger notes, *CLR* accepts periods in abbreviations for academic degrees.

Note, however, that we do not use <i.e.>, <e.g.>, or <etc.> in footnote text in order to avoid confusion with their more precise meaning in footnote signals. These abbreviations may be used in the main text unless such usage would be confusing.

Nonrestrictive relative clauses are parenthetical, as are similar clauses introduced by conjunctions indicating time or place. A nonrestrictive clause is one that does not identify or define the antecedent noun:

<The membership, which had at first been indifferent, became more and more delighted.>

The above sentence contains two statements that might have been made separately. The clause introduced by <which> does not limit or define the range of possible audiences, it merely adds something. Thus it is nonrestrictive.

Restrictive clauses, by contrast, are not parenthetical and are not set off by commas. Thus:

<People who live in glass houses shouldn't sing high notes.>

In this sentence, the clause introduced by <who> describes which people shouldn't sing high notes; the sentence cannot be split into two different statements.

3.4 Using Letters as Examples

Authors sometimes set up hypothetical examples using letters to distinguish between different parties or alternatives. Italicize these letters: "Person *A* signed a contract with Person *B*, but then Corporation *C* stole all the proceeds anyway." Note that *CLR* does not follow *CMS* here, primarily to avoid confusion when an example "A" begins a sentence. So, it should *not* be "A signed a contract with B."

Words used as words should be italicized. The only exception is when the word relates to spoken language. In that case, quotation marks may be used around the word.

Correct: <The author frequently uses *affect* incorrectly.>

Correct: <A change from "you" to "thou" implies an insult in Elizabethan dialogue.>

Enclose technical terms used in a special sense in quotation marks and do not italicize:

<By leaking the embarrassing tale of opposing counsel's bad behavior to the press, they sought to "sanction" opposing counsel.>

Enclose quoted phrases or single words that provide general background information that is recognizable to the reader in quotation marks:

<Myths about “paradise lost” are common in folklore.>

For more guidance, see *CMS 7.63–7.69*.

3.5 Compounds and Hyphenation

Follow *CMS 7.81–7.89*. Because usage varies, it is impossible to make inflexible rules for hyphenating phrases. When it is unclear whether a phrase should be hyphenated, consult an authoritative source, such as an up-to-date dictionary or the *CMS*. For example, use <socioeconomic>, not <socio-economic> because *Webster’s* does not hyphenate. For common journalistic usage, you can also do a Google news search. Disregard *CMS 7.84*. Wherever it could improve clarity and no rule states otherwise, hyphenate.

More specific guidance and rules are below:

Adjectives

Use a hyphen between the units forming a compound adjective before the noun modified:

first-class ticket	two-person job
deep-blue sweater	up-to-date fashion
four-year-old girl	high-minded attitude
house-to-house search	hard-hitting policy
long-distance telephone	well-deserved vacation
a medium-sized commercial	Three-State Bus Line

Some common compound adjectives are commonly not hyphenated. The list below includes labels and titles germane to the legal field that should not be hyphenated despite *CMS 7.85*:

<common law doctrine>, <parole evidence rule>, and similar
<clear and convincing evidence standard>, <beyond a reasonable doubt standard>, and similar
<assistant district attorney>, <criminal defense attorney>, <intellectual property lawyer>, and similar
<district court judge>, <trial court judge>, <circuit court judge>, and similar

When a compound adjective follows the noun or the predicate, it is ordinarily not hyphenated:

<Many fashions, popular and up to date, will be on display.>
<Her fame, well deserved and worldwide, rests on her scientific achievements.>

Proper names used as adjectives are not joined by a hyphen:

<New England winters, Magnificent Mile shoppers, South American plants.>

But notice such forms as German-American, Anglo-Indian, Indo-European, which are purely adjectival are almost always hyphenated. We usually defer to our authors' wishes as to hyphenation of these forms. African American, Asian American, and so forth are often unhyphenated.

Use the hyphen to form adjectives compounded with <well> preceding the noun (e.g., well-bred, well-born, well-to-do, well-earned, well-expressed, well-known):

Correct: <Their well-known courtesy made them a favorite.>

Do not use the hyphen with such expressions when they follow the word modified:

Correct: <She showed herself a woman well versed in the ways of the world.>

Foreign phrases used as adjectives should not be hyphenated:

<an a priori argument>
<a noblesse oblige attitude>

Use <decision-maker> and <decision-making> for both noun and adjective forms. Never use the closed form. This usage conforms with the *CMS*. Likewise, use <policy-maker> and <policy-making> for both noun and adjective forms.

Adverbs

An adverb ending in -ly is not joined with a hyphen to the adjective that it qualifies:

<highly developed intelligence>
<a beautifully told story>

Nouns

Use a hyphen in certain compounds made up of nouns and prepositional phrases.

sons-in-law	hand-to-hand
fleur-de-lis	man-of-war
vis-a-vis	

But there are many exceptions to this rule: <commander in chief>, <maitre d'hotel>, and others.

Numbers

Use a hyphen in compound numbers: <forty-six>, <twenty-one hundredths>, <twenty-first.>

Use a hyphen when compounding numbers with other words: <twenty-foot pole>, <150-yard dash.>

Fractions are hyphenated when used as an adjective: <They are entitled to ten and one-half shares of stock.> When the fraction is used as a noun, no hyphen is necessary: <He invested one third of his money in real estate.> However, fractions may be hyphenated when used as a noun for readability: <One-third of women agreed.> (CMS 9.14).

Hyphenate age when used before the subject, but not after:

Correct: <The sixteen-year-old girl>

Correct: <The girl is sixteen years old.>

Titles and Names

Use a hyphen in titles compounded with <ex> and <elect>:

ex-Governor	Governor-elect
ex-Senator	President-elect
ex-President	

Civil and military titles (single) are not hyphenated.

Surnames written with a hyphen are in most cases considered as one name:

<Harley Granville-Barker>
<Sheila Kay-Smith>
<Madame Schumann-Heink>

Compound Words Including Prefixes

Use the hyphen in compounds made up of prefixes joined to proper names:

mid-Atlantic	pseudo-Gothic
mid-August	un-American
neo-Platonism	Pan-American
pan-Hellenic	non-European

Ordinarily, do not use the hyphen between a prefix and the stem when the added word is not a proper noun:

antisocial	intramural
biannual	nonconformist
bicentennial	nonessential
biennial	nonofficial

coauthor	preview
extracurricular	retroactive
foreclose	semiyearly
intercollegiate	supermarket

Compounds are hyphenated when otherwise a vowel would be confusingly doubled in combination:

anti-imperialist
co-owner
intra-atomic
semi-independent

There is no risk of confusion for <cooperate>, <coordinate>, and <preexisting.> These should not be hyphenated.

Use the hyphen in the following examples to distinguish words spelled alike but differing in meaning:

re-cover (to cover again)
recover (to regain)
re-count (to count again)
recount (to relate in detail)

Use the hyphen generally in words compounded with <self> as a prefix:

Correct: <self-conceit, self-confidence, self-control, self-reliance, self-respect, self-starter, self-assured, self-explaining, self-governing, self-made, self-taught, self-willed>

Do not use the hyphen in <selfsame> and <selfless> or in pronouns compounded with self:

Correct: <myself, himself, herself, itself, oneself, ourselves, themselves>

3.6 Proper Nouns

When citing to an online journal source, use the form you would use for a direct citation to the Internet. For example:

Perry Dane, *Sad Time: Thoughts on Jurisdictionality, the Legal Imagination, and Bowles v. Russell*, 102 NW. U. L. REV. COLLOQUY 164, 167–68 (2008),
<http://colloquy.law.northwestern.edu/main/2008/01/sad-time-thought.html>.

Use <website>, not <Web site> or <web site>, and use <email>, not <e-mail.> Use <Internet> when referring to the proper noun. The network within an organization is an intranet.

<You can connect to the Internet anywhere on campus through AirBears, UC Berkeley's wireless intranet.>

3.7 Capitalizing Names and Terms

Consult *BB 8*. For items not specifically covered in the *BB*, consult the *CMS*. Some useful *CMS* sections are listed below:

Words Derived from Proper Names: *CMS 8.60–61*.

Names of Organizations and Governmental Bodies: *CMS 8.62–8.70*.

Historical and Cultural Terms: *CMS 8.71–8.87*.

Religious Names and Terms: *CMS 8.91–8.111*.

Military Terms: *CMS 8.112–8.115*.

Scientific Terms: *CMS 8.119–8.152*.

See *CLR § 3.8 Racial/Ethnic Descriptors* below for capitalization of racial and ethnic descriptors.

Adhere to *BB 8* when capitalizing the instant piece or portion of the piece. Capitalization must be consistent with the capitalization (or use of lowercase) on the original document.

Capitalize <Article> and <Clause> when referring to the Constitution. Otherwise, do not capitalize. Say <article six> not <Article six>. Where an Article or Clause has a specific nickname or usage (e.g. Commerce Clause, Emoluments Clause, Equal Protection Clause, Article III judges), capitalize all parts of the name. Do not capitalize claims that arise from these provisions.

Correct: <The Lanham Act for trademarks is based on the Commerce Clause.>

Correct: <In the author's most recent article on legislative power, they cited to Article I of the Constitution.>

Correct: <The plaintiff raised an equal protection claim and a due process claim.>

Do not capitalize <doctrine> or <rule> when referring to a legal principle such as the parol evidence rule or the doctrine of equivalents.

Capitalize <President>, <Justice>, and <Chief Justice>. Do not capitalize <executive>, <legislative>, or <judicial>. See *BB 8*. Do not capitalize <presidents> when referring to presidents generally, such as <some presidents of South American countries>. Capitalize <Framer> and <Founder>. Do not capitalize the adjectives <constitutional> and <congressional>.

Capitalize places when referring to a specific one:

Correct: <She grew up in Cattaraugus County.>

Also capitalize when referring to the place as an institution:

Correct: <The State argued that it was being coerced into expanding Medicaid. They signed a contract with the County.>

But do not capitalize when referring to the place as simply a place:

Correct: <They lived within the county their entire lives.>

3.8 Racial/Ethnic Descriptors

Where possible, use specific terms instead of collective nouns:

<Students confronted an Omaha elder.>

<Some Chinese-American families take road trips in the summer.>

Capitalize <Black>, <Indigenous>, <Native>, and <White> as racial descriptors. *But see CLR 4.I for racial descriptors used in direct quotations.*

Consistent with common practice, <Black> and <African-American> may be used interchangeably. *But see the National Association of Black Journalists' [Style Guide](#) for reasons why <Black> may be considered more inclusive.*

For other suggestions, see *CMS 8.38–8.43*.

3.9 Language Use Surrounding Indigeneity

Be as specific as possible when discussing Indigenous groups, but if necessary, always use Indigenous peoples rather than Indigenous people. Capitalize the word <Tribe.>

Be aware of semantics regarding paternal language. “Indigenous people of Canada” is not the same as “Indigenous people in Canada.” Do not use “Canada’s Indigenous people” as the possessive suggests a hierarchal relationship; or “Indigenous Canadian” as many Indigenous people do not identify with a Canadian national identity.

Be aware of how verb tense can mischaracterize histories: saying a First Nation “held” traditional territories is different from saying they “hold” them. Saying Indigenous Peoples have “been assimilated” is different than referring to their lives “within a history of assimilation.” Cultural change and assimilation are not the same.

Be aware of colonial language relating to agency when discussing Indigenous issues, i.e. “allow,” “grant” or “permit.” Do not relegate Indigenous Peoples to a passive voice or use verbs that denote control. Indigenous Peoples do not need to be permitted to act on their own land.

Avoid framing that implies that Tribal rights are “given” to Tribes. The federal government does not “give” Tribal nations anything. Through treaties, Tribes ceded their traditional homelands and other properties and rights. The land Tribes reserved for themselves to continue living upon are called “reservations” for a reason. Any benefits Tribal members receive come from treaty rights in exchange for non-Native people to make their homes on Tribal lands and use their resources.

3.10 Queer/LGBTQ Identifiers

Use LGBTQ+ and variants (e.g. LGBTQ, LGBT) as an umbrella term. When referring to a specific identity, refer specifically to the identity under the umbrella term (e.g. <a lesbian woman>, <a bisexual man>, etc.).

Avoid using “homosexual” outside of quotes. In some cases, using “homosexual” to describe a cisgender gay man may be appropriate, but the term should not be used to describe the group collectively.

In reference to individuals, words describing sexual orientation and gender identity should be used as adjectives, not nouns. In description of transgender individuals, “trans woman/en” and “trans man/en” should be two words. When trans men/women’s transness is not relevant to the sentence, they should be referred to as just men or women. Use “queer” when appropriate for self-identified individuals and groups, but avoid using it as an umbrella term.

3.11 Ambiguity in Proper Spelling of Non-English Words

Where the spelling of a non-English word represented in English is ambiguous, authors and editors should defer to how the community from which the word derives would spell it. See *also CMS 7.53-7.55* for guidance on italicization.

To discern preferred spelling: follow the steps (and look at the suggested websites) in the Preamble’s *Statement on Equity and Inclusion in the Editing Process* or consult the brief list below. Contact the Senior Supervising Editor for further guidance on specific languages and their conventions, particularly for languages that do not use the Latin alphabet and thus have inconsistent romanization.

<Hawai‘i> [note reverse-apostrophe, called an *okina*], *but* <Hawaiian>, as it is an English-invented word
<Qur’an> or <Quran>, not <Koran>
<Beijing>, not <Peking> (except when referring to Peking University)
<Muslim>, not <Moslem>

For more guidance, consult *CMS 7.53–7.55*. Note that we follow *CMS*, not *BB*, and italicize <[sic]>.

§ 4: Quotations and Citations

4.1 Altering Quotations for Consistency with These Rules

Do not change quotations to conform to our style guidelines, except with regard to racial descriptors and references to Indigenous Tribes. Capitalize/bracket racial descriptors for consistency with the main paper and the CLR Style Guide.

4.2 Author Names in Text and Citations

Use authors' full names the first time you refer to them, then use only their last name (or their title and last name, (e.g., "Dean Chemerinsky" or "Professor Bridges")). Once you have used the author's full name once, continue to use only the last name for the duration of the article, no matter how many pages have passed since the full reference.

In a textual sentence referencing an article written by multiple authors, use <Author 1 and Author 2>, not <Author 1 & Author 2>.

Do not intentionally deadname when citing trans authors. If in doubt about how to cite an author who has used a dead name, ask the author for their preferences or refer to their most recent work for guidance.

Do not refer to trans authors using guidelines designed for academics who changed their surnames after marriage. <Carter, née Knowles> is generally acceptable for marriage-based name changes but not for trans people who have changed their names.

4.3 Fair Citation Rule

Consistent with CLR's Principles of Equity and Inclusion, all authors are deemed "particularly relevant" for the purposes of BB 15.1(b). Accordingly, list the names of each and every author for a source that has more than two authors the first time the source is cited. For subsequent short form citations, BB 4.2 "et al." should be used following the name of the first author (see, e.g., the "Keeton et al." example in BB 4.2(a)).

§ 5: Numbers

Consult generally CMS Chapter 9. Useful sections include the following:

Ordinal Numbers: CMS 9.6–9.7.

Percentages: CMS 9.18 (see below). Do not use BB 6.2(d).

Fractions: CMS 9.14–9.15.

CMS 9.18 generally requires that percentages be expressed in numerals, except when the sentence begins with the percentage.

Correct: <Three percent of the pigs went to market.>

Correct: <More than 3 percent of the pigs went to market.>

For purposes of *CMS 9.18*, *CLR* defines “technical” contexts as those where a substantial portion of the author’s argument—thesis and proof—is based on statistical data. Thus where an author predominantly relies on statistical data, use <%>; otherwise, spell out <percent>.

5.1 In Text

When numbering items in text, use Arabic numbers in parentheses: <(1) red, (2) blue,> not <(i) red, (ii) blue.>

5.2 No Superscript

Do not put ordinal number abbreviations in superscript, either in text or footnotes: <1st> not <1st.>

5.3 Using Part

Spell out numbers when used with *Part*: for example, <Part Six> but <Art. III, § 6.>. Do not use this rule with internal cross-references (write as <As I explain in Part VI, ...>)

5.4 In Citations

Within citations, follow *BB 6.2* and do not use a comma in four-digit numerals. Within text and parenthetical text in citations, follow the *CMS 9.54* and use a comma.

§ 6: Miscellaneous CLR Style Rules

6.1 Spaces

Use one space after periods, not two.

6.2 Internal References

Capitalize <Article>, <Comment>, <Part>, and <Section> when referring to a portion of a piece.

Use <Note>, <Book Review>, <Review Essay>, or <Essay> depending on the piece.

When referring to a portion of the text by numeral, *CLR* uses the term <Part>, not <Section>, even when referring to sections within Parts. For example:

Part V
Part V.B

Use <Section> when referring to a piece of the text without numerals, such as <this Section>, <the following Section>, or <the previous Section.> Otherwise, always use <Part.> Never refer in the text to a <Part> with more than two subparts, although you may do so in a footnote:

<In Part II.A.I> may be used in text.

<In Part II.A.I.b> may be used in a footnote but not in text.

Do not use Roman numerals in <Introduction> or <Conclusion> headings.

Do not include any header labeling the Abstract or Table of Contents.

6.3 Abbreviations

Spell out uncommon abbreviations and acronyms the first time they are mentioned in the abstract, and again the first time they are mentioned in the body of the text (e.g., <the California Law Review (CLR)>). No quotation marks are necessary (e.g., <(ACLU)> not <("ACLU")>). **BB 6.1(b)** provides additional guidance on abbreviations and acronyms.

You do not need to use parentheses to indicate future uses of clear abbreviations or acronyms. For example:

Incorrect: <Jane Doe (Doe) filed the lawsuit in 2014. . . . Doe alleged . . . >

Correct: <Jane Doe filed the lawsuit in 2014. . . . Doe alleged . . . >

If unsure whether the abbreviation is unclear, spell it out.

When an article title ends with a quotation, put the comma inside the quotation marks, but keep the comma non-italicized. Though this may seem mystifying, see the second example under **BB 2.1(f)**: Nancy Reagan, Editorial, *Just Say "Whoa,"* WALL ST. J., Jan. 23, 1996, at A14 (the comma after "Whoa" is NOT italicized).

Although the CMS accepts <U.S.> for both the adjective and noun forms, CLR prefers <United States> for all noun uses and <U.S.> for all adjective uses, including for names of federal government agencies like <U.S. Department of Justice>. Generally, default to what the entity itself uses (e.g. <E.U.> and <U.N.>); if it is unclear what the entity uses, consult **BB** abbreviation tables.

6.4 Wikipedia

CLR does not generally allow citations to Wikipedia except when discussing Wikipedia as the subject. Suggest an edit citing to the underlying source.

6.5 Obscenities and Offensive Terms

CLR encourages authors to remove or redact obscenities from their writing, including quoted material. Consistent with *CMS 5.251*, if language is likely to offend a particular group—for example, based on race, ethnicity, gender, socioeconomic status, gender identity, sexual orientation, or ability—CLR strongly encourages authors to consider using other words.

Because the use of language is subjective and ever-changing, these suggestions should be made on a case-by-case basis. Editors should initiate dialogue with authors by flagging offensive terms and engaging the Senior Supervising Editor and other applicable journal personnel. For a suggested process, see the Preamble’s *Statement on Equity and Inclusion in the Editing Process*.

CLR particularly discourages the use of adjectives with a medical or clinical meaning in a non-medical or non-clinical context. These adjectives are generally inappropriate to apply outside of medical or clinical contexts. These include (but are not limited to):

- schizophrenic
- deaf
- blind
- bipolar
- crazy
- insane
- suicidal
- spastic

§ 7: CLR’s Treatment of Book Reviews

7.1 Title Format

LEARNED HAND, THE MAN AND THE JUDGE. By Gerald Gunther.† New York: Alfred A. Knopf, 1994. Pp. xxi, 818. \$35.00 cloth.

7.2 Book Price and Binding Type Treatment

\$35.00 cloth
\$19.95 paper

7.3 Rules on Place of Publication

Use the name of the city where the publisher’s main editorial offices are located. If the title page of the book lists two cities with the publisher’s name, use the city listed first. If the place of publication is not widely known, and it is not obvious where the place of publication is from the publisher’s name, the abbreviation of the state name, region, or country should follow it. Short state names, like Alaska, Iowa, Maine, and Ohio, are given in full. For example:

<Post Mills, Vt.: Chelsea Green, 1992.> <Ottawa, Ill.: Jameson Books, 1991.>
<Harmondsworth, England: Penguin Books, 1988.>

The distinction between Cambridge, England, and Cambridge, Massachusetts, should be made. In the absence of contrary indications (such as the inclusion of the state name or mention of Harvard University or MIT) it will be assumed that the English city is meant. The following are acceptable:

<Cambridge: Cambridge University Press, 1979.>
<Cambridge: Harvard University Press, 1979.>

7.4 How to Do Internal Cites Within a Book Review Essay

To cite a quotation from the book being reviewed, insert parentheses between the quotation with the numeral of the page(s) on which the quote appears and the end punctuation:

<Professor Kennedy writes that one of her major purposes is “moving interracial intimacy to center stage as a necessary focus of inquiry for anyone seriously interested in understanding and improving American society” (12).>

For multiple citations within a sentence, use this format:

<They give as examples the removal of children from the custody of their white mother after she entered a relationship with a black man (377–86), the denial or delay of transracial adoptions (402–08), and the bureaucratic authorization to require “cultural competency” for white adoptive parents (41–46).>

If the author quotes from the book being reviewed but goes on to comment on that quotation or to quote further as an aside, use the above citation format and drop a footnote:

<Instead, the author proposes that “because group identity can make organization around almost any cause easier” (21),¹ it makes no sense to offer a sweeping condemnation of all identity politics.>

<¹ This concurs with the author’s earlier argument that “identity is an effective means of . . .” (12).>

§ 8: Formatting Conventions

8.1 Headings

In general, headers should be consistent across articles in an issue. To promote consistency across issues and volumes, Supervising Editors and Publishing Editors should follow this suggested hierarchy:

< <INTRODUCTION> [centered, smallcaps, 10.5 pt.]
 < I. <HEADER 1> [line below “I,” centered, smallcaps, 10.5 pt.]
 < A. <Header 2> [centered, italic, 10.5 pt.]
 < I. <Header 3> [left-justified, italic, 10.5 pt.]
 < a. <Header 4> [centered, italic, 10.5 pt.]
 < <CONCLUSION> [centered, smallcaps, 10.5 pt.]

Notes: Introduction and Conclusion do not begin with numbers or letters. The only Header that is left-justified is *Header 3*.

8.2 Section Breaks

If an Article has a section break that is marked by three asterisks (***) , the three asterisks should be aligned in the center of the page.

8.3 Footnotes

Footnotes should be 8.5 pt. font, left-right justified, and double spaced consistent with the above-the-line text. In addition, the number should be in regular font and indented, not a superscript.

Incorrect: <³ Additional information on sentencing in Louisiana . . .>

Correct: < 3. Additional information on sentencing in Louisiana . . .>

Do not leave a space between the end of the sentence and the footnote.

Incorrect: <The Supreme Court held in *American Express* that the credit card market was a two-sided platform. '¹>

Correct: <The Supreme Court held in *American Express* that the credit card market was a two-sided platform.¹>

8.4 Online Accessibility

To avoid accessibility issues when an article is presented on a website, CLR recommends that authors:

- limit images, figures, and tables to a reasonable number and/or place them in an appendix;
- avoid using equations, multi-paragraph “talking footnotes,” and/or tables of contents that have four or more indentations (e.g., I., A., I., (a)); and
- offer alternative text (“alt text”) that describes the appearance or function of any images, figures, and tables. Alt text is read aloud by screen readers used by individuals with visual impairments.

Part Three: Common *Bluebook* Errors

The following is a list of frequently overlooked or misapplied *Bluebook* rules. Scan this list before each edit. This is not the complete set of rules; please also consult *The Bluebook*.

1.2(a-d) Signals with Parentheticals

The signals <cf.>, <but cf.>, <see generally>, and <see also> should be followed by parentheticals explaining the relevance of the authority. See BB 1.5 for proper structure.

1.2(e) Signals as Verbs

Signals used as verbs within a sentence should **not** be italicized.

Incorrect: <For further discussion of this legal proposition, see Bob Walker, *The Destruction of the Constitution*, 66 CALIF. L. REV. 1534 (1999).>

Correct: <For further discussion of this legal proposition, see Bob Walker, *The Destruction of the Constitution*, 66 CALIF. L. REV. 1534 (1999).>

Note: if a signal is used as a verb, and followed by another signal used as a signal, the textual sentence should end with a period and the citation sentence should begin with a capital letter. For example:

<For further discussion of this legal proposition, see Bob Walker, *The Destruction of the Constitution*, 66 CALIF. L. REV. 1534 (1999). See also Smith v. Jones.>

1.3 Order of Signals

Signals of the same basic type must be strung together in the same citation sentence and separated by semicolons.

Incorrect: <See Smith v. Brown. See also Lindsay v. McCabe.>

Correct: <See Smith v. Brown; see also Lindsay v. McCabe.>

1.4 Order of Authorities Within Each Signal

FEDERAL STATUTES; STATE STATUTES (alphabetically by state); FEDERAL CASES (Supreme Court, Courts of Appeal, District Courts, then reverse chronological order within each); STATE CASES (alphabetically by state); BOOKS (alphabetically by author); LAW REVIEW ARTICLES; BOOK REVIEWS; LAW REVIEW COMMENTS (i.e., student authors); NEWSPAPERS.

Incorrect: <See *Smith v. Brown*, 100 F. Supp. 100 (E.D. Pa. 1982); *Lindsay v. McCabe*, 50 F.2d 50 (3d Cir. 1973).>

Correct: <See *Lindsay v. McCabe*, 50 F.2d 50 (3d Cir. 1973); *Smith v. Brown*, 100 F. Supp. 100 (E.D. Pa. 1982).>

1.5 Parenthetical Information

Parenthetical phrases should precede subsequent history.

Incorrect: <See *Smith v. Brown*, 100 F. Supp. 100 (E.D. Pa. 1982), *aff'd*, 55 F.2d 50 (1983) (recognizing the right of law review members to sue the review for intentional infliction of emotional distress).>

Correct: <See *Smith v. Brown*, 100 F. Supp. 100 (E.D. Pa. 1982) (recognizing the right of law review members to sue the review for intentional infliction of emotional distress), *aff'd*, 55 F.2d 50 (1983).>

Note: please see **BB 1.5** for acceptable formats of parenthetical information.

CLR welcomes the use of the (cleaned up) parenthetical. “Cleaned up” can be used in place of parenthetical information indicating that internal quotation marks, brackets, ellipses, footnotes, and citations have been omitted.

2.2 Typeface Conventions for Textual Material

When the case name is grammatically part of the sentence in which it appears, it should be italicized.

Incorrect: <In *Loving v. Virginia*, 388 U.S. 1 (1967), the Court invalidated Virginia’s miscegenation statute.>

Correct: <In *Loving v. Virginia*, 388 U.S. 1 (1967), the Court invalidated *Virginia’s* miscegenation statute.>

When the case name is not grammatically part of the sentence but instead used in a citation clause embedded in the sentence, do not italicize.

Incorrect: <Justice Harlan quipped that “one man’s vulgarity is another’s lyric,” *Cohen v. California*, 403 U.S. 15, 25 (1971), but failed to give further explanation.>

Correct: <The Court has upheld race-specific statutes that disadvantage a racial minority, e.g., *Korematsu v. United States*, 323 U.S. 214 (1944), but those decisions have been severely criticized.>

3 Sections, Page Numbers, and Paragraphs

Retain only the last two digits for multiple pages, but retain all digits for multiple sections.

Incorrect: <See *supra* note 3, §§ 100–05, at 100–105.>

Correct: See *supra* note 3, §§ 100–105, at 100–05.

Unless paragraphs in the original source are introduced by the ¶ symbol, do not reference the paragraph number with the symbol. Instead, use <para.>

4 Short Citation Forms

Use “*id.*” when citing the immediately preceding authority within the same footnote or within the immediately preceding footnote *when the preceding footnote contains only one authority*. The period at the end of “*id.*” is italicized.

“*Supra*” and “*Hereinafter*” should not be used to refer to cases, statutes, constitutions, legislative materials, restatements, model codes, or regulations, except in extraordinary cases, such as when the name of the authority is extremely long.

5.3 Quotations and Omissions

Never begin a quotation with an ellipsis.

For an ellipsis at the end of a quotation:

1. If the quoted passage is a phrase or clause, do not use an ellipsis at all.
2. If the omission is before the end of a sentence, insert an ellipsis between the last word quoted and the final punctuation of the sentence.

Correct: <“Compulsory cite-checking is abominable” >

Correct: <“Is compulsory cite-checking abominable . . . ? Courts have not addressed the question.”>

3. If the omission after the end of a sentence is followed by further quoting, insert an ellipsis between the two sentences.

Correct: <“Compulsory cite-checking is abominable and actionable. . . . Courts have held for injured law review members in such actions.”>

Correct: <“Is compulsory cite-checking abominable and actionable? . . . Courts have not addressed the question.”>

Always use curly quotation marks—never use straight quotes.

Incorrect: < "Never!" >

Correct: < “Never!” >

10.9 Short Forms for Cases

The preferred form that we almost always use in our footnotes is: <*Calandra*, 414 U.S. at 343.> The short form may be used *only* when it identifies a case cited in the same footnote, prominently cited in one of the preceding five footnotes, or named in the same textual paragraph to which the footnote is appended.

For works in collection, do not provide a full cite for each new work cited. Use a short cite per **BB 15.10.1**.

For both short and long forms: if the case is named in the textual paragraph, the case name should not be repeated in the footnote citation.

Text: <In *Brown v. Board of Education*, the U.S. Supreme Court recognized that “education . . . is the very foundation of good citizenship.”^{FN}>

Footnote: <347 U.S. 483, 493 (1954).>

15.1 Books

Use small caps, not all caps, for both the author name and title. Use all caps as usual for the first letter of words that should be capitalized.

Incorrect: <PROSSER, HANDBOOK OF THE LAW OF TORTS 100 (1972).>

Incorrect: <GERALD W. PROSSER, HANDBOOK OF THE LAW OF TORTS 100 (1972).>

Correct: <GERALD W. PROSSER, HANDBOOK OF THE LAW OF TORTS 100 (1972).>

16.3 Periodical Titles

Follow **BB 16.3**, both in text and in the footnotes:

<I hope Professor Colgan’s article *Reviving the Excessive Fines Clause* causes the Supreme Court to reconsider its misguided interpretation of the Constitution.>

16.6(f) Newspapers

Online newspapers may be cited in place of print newspapers, see 16.6(f).

Part Four: Helpful CMS Material

CMS Cheat Sheet

The following table is intended to provide a quick, easy reference for common CMS issues. **When making an edit to conform to these rules, please be sure to insert a comment bubble citing the applicable rule.** Also, please be clear that we may *not* change quotations to conform to our style guidelines.

Rule Number	Rule(s)	Examples
CMS 7.85 More than one modifier	For modifiers that work together, such as adjective + noun, adjective + participle, age terms, noun + gerund, gerund+ noun, adverb not ending in ly + participle or adjective, adjectival phrases, etc, use a hyphen for readability. But see <i>CLR 3.5</i> 's non-exhaustive list of terms in legal writing that are not hyphenated.	middle-class neighborhood, high-jumping grasshopper, fifty-five-year-old individual, debt-free year, decision-making body, cutting-edge methods, over-the-counter drugs <i>Incorrect:</i> criminal-defense lawyer circuit-court judge
CMS 7.86 Adverb ending in -ly + another modifier	Compounds formed by an adverb ending in -ly plus an adjective or participle (such as largely irrelevant or smartly dressed) are <u>not hyphenated</u> either before or after a noun, since ambiguity is almost impossible.	largely irrelevant rule smartly dressed man
CMS 9.2 Numbers—Chicago's general rule	In nontechnical contexts, the following are <u>spelled out</u> : (1) whole numbers from one through one hundred, (2) round numbers, and (3) any number beginning a sentence. For other numbers, numerals are used. For the numerous exceptions and special cases,	Thirty-two children from eleven families were in three vans. The property is held on a ninety-nine-year lease. The building is three hundred years old.

	see throughout this chapter and consult the index.	The three new lots will provide space for 540 more cars. The population of our village now stands at 5,893.
CMS 9.7 Consistency and flexibility (with numbers)	Where many numbers occur within a paragraph or a series of paragraphs, maintain consistency in the immediate context. If according to rule you must use numerals for one of the numbers in a given category, use them for all in that category. In the same sentence or paragraph, however, items in one category may be given as numerals and items in another spelled out.	A mixture of buildings—one of 103 stories, five of more than 50, and a dozen of only 3 or 4—has been suggested for the area. The population grew from an initial 15,000 in 1960 to 21,000 by 1970 and 34,000 by 1980. Between 1,950 and 2,000 people attended the concert.
CMS 9.6 Ordinals	The general rule applies to ordinal as well as cardinal numbers.	Wen Tong stole second base in the top half of the eighth inning. She found herself in 125th position out of 360. The 122nd and 123rd days of the strike were marked by renewed violence. The thousandth child to be born in Mercy Hospital was named Mercy.
CMS 6.16-6.55 Commas	CMS 6.22. When joining two independent clauses, a comma precedes the conjunction. CMS 6.24. If a sentence begins with a dependent clause (one that begins with a subordinating conjunction such as “if,” “because,” “until,” or “when,” a comma follows the dependent clause.	Yareli went to the grocery store, but there was no parking available. When editing a piece, students should be careful to catch misspellings.

	<p>CMS 6.25. If a dependent clause is essential to the meaning of the main clause, <i>do not</i> use a comma. But if it is merely supplementary or parenthetical, use a comma.</p> <p>CMS 6.27. If a sentence uses “that,” do not use a comma. But if a sentence uses “which,” use a comma.</p> <p>CMS 6.33. Commas for introductory phrases depend on relationship to the rest of the sentence and length. See CMS 6.30 for participial phrases and 6.31 for adverbial phrases.</p> <p>CMS 6.36-6.37. Use commas to separate coordinate or repeated adjectives, regardless of number.</p>	<p>We will agree to the proposal if you sign here.</p> <p>She has a point, whether you agree with her or not.</p> <p>The book that talks about cats will be published in May.</p> <p>The book, which will be published in May, is good.</p> <p>It was very, very rainy.</p> <p>The hot, muggy weather was uncomfortable.</p>
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Frequently Used CMS Rules

A. General Information

1. 2.9—Use one space between sentences and after a colon
2. 5.242—Parallelism generally (see 5.243 for use of prepositions in a parallel series)
3. 7.89—Guide to hyphenation
4. 5.250—Commonly used, but incorrect, words and phrases (“Glossary of Problematic Words and Phrases”).

B. Adjectives

1. 5.85-5.86—Comparative and superlative adjectives
2. 5.89—List of adjectives that cannot be used comparatively (e.g., “unique,” “impossible”)

C. Verbs & Adverbs

1. Species of misplaced modifiers
 - a. 5.109—Dangling infinitives (e.g., “To repair your car properly, it must be sent to a mechanic.”)
 - b. 5.115—Dangling participles (“Frequently used in early America, experts suggest that shaming is an effective punishment.”)

- c. 5.116—Dangling gerunds (e.g., “After finishing the research, the screenplay was easy to write.”)
 - 2. 5.118—Active voice generally preferred over passive voice
 - 3. 5.123-5.127—Use of the subjunctive mood is often appropriate for hypothetical or otherwise unlikely situations (e.g., “If I were you” or “I wish it were so.”)
 - 4. 5.129—Present tense is appropriate for timeless facts and past but extant works
 - 5. 5.167—Adverbs should generally be as close as possible to their verbs
- D. Prepositions**
- 1. 5.186—Misuse of “only”
 - 2. 5.187—Avoid overuse of prepositions
 - 3. 5.190—Using adverbs to replace prepositional phrases
 - 4. 5.191—Using genitives (i.e., possessive adjectives) to replace prepositional phrases
 - 5. 5.118/5.192—Using active voice to eliminate prepositions
- E. Punctuation**
- 1. 6.19—Serial commas (aka Oxford commas)
 - 2. 6.27—Use of “which” versus “that” in restrictive/nonrestrictive clauses
 - 3. 6.48—Using commas with parenthetical elements
 - 4. 6.27—Commas with restrictive/nonrestrictive clauses
 - 5. 6.60—Semicolons substituted for serial commas where a series item contains internal punctuation
- F. Numbers**
- 1. 9.2—Spell out numbers 0-100.
 - 2. 9.4—Large “round” numbers (e.g., three hundred, three thousand, three hundred thousand) should generally be spelled out (see 9.8 for the same prescription where even larger numbers—millions, billions, etc.—are used)
 - 3. 9.20-9.25—See for instruction on monetary amounts
- G. Quotes/Dialogue**
- 1. 13.7—When to change punctuation, capitalization, or spelling in a quote
 - 2. 13.9-13.10—Run-in versus block quotations
 - 3. 13.18-13.21—Capitalization of first letter for set-in quotations (see 13.22-24 for block quotations)