

University of Ottawa Faculty of Law (Civil Law Section)

From the Selected Works of Hon. Gerald Lebovits

July, 2009

Nuts 'n' Bolts: Legal-Writing Mechanics—Part II

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Available at: https://works.bepress.com/gerald_lebovits/159/

JULY/AUGUST 2009

VOL. 81 | NO. 6

NEW YORK STATE BAR ASSOCIATION

Journal



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Arbitrating Commercial
Issues: Do You Really Know
the Out-of-Pocket Costs?

The New York City Civil
Rights Restoration Act
Grows Teeth



Nuts 'n' Bolts: Legal-Writing Mechanics — Part II

In the last column, the Legal Writer discussed numbers, numerals, and figures; typographic symbols; and abbreviations. We continue with italicizing, underlining, and capitalizing.

4. Italics and Underlining.

Use italics for foreign words and phrases not commonly used in legal English. *Example: "Ignorantia legis neminem excusat."* If you're using the Bluebook, consult rule 7(b).¹ For ALWD, consult rule 1.8.² If you're using the Tanbook, New York's style manual, read Appendix 5 for the italicization rules for foreign words and phrases.³ When in doubt about whether to italicize a Latin word or phrase, consult *Black's Law Dictionary*.⁴

Don't italicize Latin words and foreign phrases commonly used in legal writing. *Bluebook examples:* "amicus curiae," "certiorari," "corpus juris," "de jure," "e.g." (if you use "e.g." as a signal, italicize it), "en banc," "habeas corpus," "i.e.," "mens rea," "modus operandi," "prima facie," "quid pro quo," and "res judicata."⁵ *ALWD examples:* "ad hoc," "in rem," "quantum meruit," and "de facto."⁶ *Tanbook examples:* "ad hoc," "coram nobis," "de minimis," "inter vivos," "quantum meruit," "scienter," and "sub judice."⁷

Italicize mathematical formulas and variables.⁸ *Bluebook examples:* " $E=mc^2$ " and " $a>2b$."

Use italics for case names. Italicize the parties' names and "v.," "in re," or "ex rel."⁹ Italicize a case name when the case name appears in a textual sentence. *Example:* "In *Smith*, the jury found the defendant guilty of burglary in the second degree." Italicize

case names in short-form citations.¹⁰ *Example:* *Polouizzi*, 564 F.3d at 143.

Italicize case history. *Bluebook examples:*¹¹ "aff'd," "appeal denied," "appeal dismissed," "cert. denied," "cert. granted," "modified," "rev'd," "rev'd on other grounds," "vacated." *ALWD examples:*¹² "appeal filed," "mandamus denied," "modified," "overruled," "superseded," "vacated," "withdrawn." *Bluebook and ALWD example:* *Matar v. Dichter*, 500 F. Supp. 2d 284 (S.D.N.Y. 2007), *aff'd*, 563 F.3d 9 (2d Cir. 2009). *Tanbook examples:*¹³ "aff'd," "aff'd on other grounds," "cert denied," "cert granted," "lv denied," "lv dismissed," "lv granted," "mod," "revd." *Tanbook citation:* (*Matar v Dichter*, 500 F Supp 2d 284 [SD NY 2007], *aff'd* 563 F3d 9 [2d Cir 2009]).

Italicize citation signals.¹⁴ *Examples:* "accord," "but cf.," "but see," "cf.," "compare . . . [and] with [and] . . .," "contra," "e.g.," "see," "see also," "see generally."¹⁵ Only the Bluebook requires a comma, as in "e.g.," after the period in "e.g."¹⁶ The comma is not required under ALWD¹⁷ and the Tanbook.¹⁸

Always italicize "id." and the period after the "id."¹⁹

Don't italicize periods, opening or closing parentheses, or other punctuation marks that aren't part of the italicized matter.²⁰

Only the Bluebook requires italicizing the comma after "see" in "see, e.g."²¹ *Bluebook example:* "See, e.g., *Matar v. Dichter*, 500 F. Supp. 2d 284 (S.D.N.Y. 2007)." No commas are required under ALWD and the Tanbook. *ALWD example:* "See e.g. *Matar v. Dichter*, 500 F. Supp. 2d 284 (S.D.N.Y. 2007)." *Tanbook example:* "(See e.g. *Matar v Dichter*, 500 F Supp 2d 284 [SD NY 2007])."

The Bluebook, ALWD, and the Tanbook recommend not italicizing "see" and "see, e.g.," when the signal serves as the verb of the sentence.²² *Bluebook example:* "For a discussion of violence against works of art, see M.J. Williams, *Framing Art Vandalism: A Proposal to Address Violence Against Art*, 74 Brook. L. Rev. 581, 582 (2009)." *ALWD example:* "For a discussion of violence against works of art, see M.J. Williams, *Framing Art Vandalism: A Proposal to Address Violence Against Art*, 74 Brook. L. Rev. 581, 582 (2009)." *Tanbook example:* "For a discussion of violence against works of art, see M.J. Williams, *Framing Art Vandalism: A Proposal to Address Violence Against Art* (74 Brook L Rev 581, 582 [2009])."

Different rules determine whether to italicize words and phrases introducing related authority. Under the Bluebook, italicize words and phrases introducing related authority.²³ *Examples:* "available at," "in," "reprinted in." Under ALWD, don't italicize words and phrases introducing related authority.²⁴ *Examples:* "reprinted in," "cited in," "reviewing," and "cited with approval in." No corresponding Tanbook rule exists.

Italicize internal cross-references — references to other parts of a document — such as text, endnotes, footnotes, appendices, and other internal material.²⁵ Examples of cross-references include "infra" (below) and "supra" (above). *Example:* "For a discussion of capitalization rules, consult *infra* Part 5." Don't use internal cross-references to cite outside sources like cases or

CONTINUED ON PAGE 52

statutes that you've already used in your document. Use a short citation instead. *Bluebook example*: "Matar, 500 F. Supp. 2d at 285."

The Bluebook, ALWD, and the Tanbook vary on whether to italicize titles of books, treatises, articles, leg-

Capitalizing legal words is a capital offense.

islative materials, reports, other non-periodic materials, and periodicals. The Bluebook differentiates between journal citations (used in journal articles) and non-journal citations (used for all other legal documents such as legal memorandums and briefs).²⁶ For journal publications under the Bluebook, italicize the titles of committee hearings and periodical materials like law-review articles, magazine articles, newspaper articles, proceedings, regular publications by institutes, and newsletters.²⁷ *Bluebook example*: "César de Castro, *Outside Counsel, Sorting Out the Law on Homicide Prosecutions Against Corporations*, N.Y. L.J., Mar. 19, 2009, at 4."

For journal publications using the Bluebook, don't italicize the titles of books, reports, and other non-periodic materials.²⁸ Use large and small capitals instead of ordinary roman type.²⁹ *Bluebook example for journal publications*: "TERESE LOEB KREUZER & CAROL BENNETT, *HOW TO MOVE TO CANADA: A PRIMER FOR AMERICANS* 21 (2006)." If you're writing any other legal document, the Bluebook requires italics for book titles, articles, essays, and legislative materials; don't use large and small capitals.³⁰ *Bluebook example*: "Bryan A. Garner, *The Redbook: A Manual on Legal Style* 69-74 (2006)."

Under ALWD, italicize case names,³¹ the title and bill number of congressional hearings,³² book titles,³³ treatises, other non-periodic materials,

journals, law-review articles, newspapers, newsletters, legal and other periodicals,³⁴ and the title or topic of legal-encyclopedia entries.³⁵ *ALWD example*: "67 Am. Jur. 2d *Robbery* § 80 (2008)."

Under the Tanbook, italicize the title of periodicals, newspapers, and American Law Reports Annotations, but not book titles.³⁶ *Tanbook way to cite a book*: "Kerry Colburn & Rob Sorensen, So, You Want to be Canadian: All About the Most Fascinating People in the World and the Magical Place They Call Home, at 4 (Chronicle Books 2004)."

The Bluebook is the only source that has different citation rules for footnotes and endnotes in journal publications.³⁷ To cite cases in footnotes and endnotes, use ordinary roman type for case names in full citations; however, always italicize procedural phrases. *Example*: "Matar *ex rel. v. Dichter*, 500 F. Supp. 2d 284 (S.D.N.Y. 2007)." For books, use large and small capitals for names of authors and titles. *Example*: "LAUREL CURRIE OATES & ANNE ENQUIST, *JUST BRIEFS* 73 (2d ed. 2008)." For periodicals, italicize article titles and use large and small capitals for periodical names. Authors' names should appear in ordinary roman type. *Example*: "J. Herbie DiFonzo & Ruth C. Stern, *Addicted to Fault: Why Divorce Reform Has Lagged in New York*, 27 *PACE L. REV.* 559 (2007)."

According to the Bluebook and ALWD (no corresponding Tanbook rule exists), use roman type rather than italics when the words or phrases within italicized material would themselves have been italicized.³⁸ *Bluebook example*: "Celia Goldwag, *The Constitutionality of Affirmative Defenses After Patterson v. New York*, 78 *Colum. L. Rev.* 655 (1978)." Italics emphasize. Nothing will stand out if you italicize everything.

All the authorities forbid italicizing the comma after a case name.³⁹ *Incorrect (Tanbook)*: *United States v. Polouizzi*, 564 F.3d 142 [2d Cir. 2009]]. *Correct (Tanbook)*: (*United States v. Polouizzi*, 564 F.3d 142 [2d Cir 2009]).

Use italics to stress parts of quotations, although it's best to do so sparingly. Both the Bluebook and the Tanbook recommend noting only added emphasis, not when the emphasis appears in the original quotation.⁴⁰ *Emphasis in original (Bluebook)*: "In *Hamdi*, Justice O'Connor noted that Justice Scalia 'largely ignores the context of this case: a United States citizen captured in a foreign combat zone.'" *Hamdi v. Rumsfeld*, 542 U.S. 507, 522 (2004) (quoting 542 U.S. at 523 (Scalia, J., dissenting)). *Emphasis not in the original (Bluebook)*: "Mobbs then set forth what remains the sole evidentiary support that the Government has provided to the courts for Hamdi's detention." *Hamdi*, 542 U.S. at 512 (emphasis added). ALWD recommends that you note when you've added or deleted emphasis. When quoted material contains several instances of emphasis, both added and included in the original, indicate which alterations were made.⁴¹ *Emphasis added and in original (ALWD)*: "Further, Justice Scalia largely ignores the context of this case: a United States citizen captured in a foreign combat zone." *Id.* at 522 (first emphasis added; second emphasis in original).

5. Capitalizing.

Don't write a document with all the letters capitalized.⁴² The uniform size of capital letters makes them indistinct; the reader will have difficulty processing the document.⁴³

Always capitalize the pronoun "I." *Example*: "The judge and I watched Mr. Smith enter the courtroom."

Always capitalize the first letter in the first word of a sentence. *Example*: "Make sure to edit the brief."

Capitalize peoples' names. *Example*: "Chief Judge Jonathan Lippman."

Capitalize areas, buildings, and ships: *Examples*: "Tribeca," "Empire State Building," "the USS Abraham Lincoln."⁴⁴

Capitalize personifications: "He's invisible, a walking personification of the Negative."⁴⁵

Capitalize regions. *Example*: "Sitting in Housing Court is different from

sitting on a beach in the South of France."

Capitalize calendar terms, such as days of the week, months, and holidays. *Examples:* "Wednesday," "March," "Martin Luther King, Jr., Day."

Don't capitalize seasons. *Correct:* "The trial started in the fall of 2008 and ended in the spring of 2009."

Capitalize historical events, important eras, and documents. *Examples:* "the Vietnam War," "the Renaissance," "the United States Constitution."

Capitalize the names of governmental departments, agencies, and officials.⁴⁶ *Examples:* "the Federal Bureau of Investigation," "Assistant District Attorney," "the FDA."

Capitalize the names of organizations and institutions: "The Lesbian, Gay, Bisexual & Transgender Law

prepositions that have four or fewer letters ("at," "for," "from," "into," "on"). Capitalize the first and last word of a title and the first word after an em dash — also called a long dash — or a colon, even if the word is an article, a conjunction, or a preposition.⁴⁸ *Example of capitalizing after a colon:* "Lucille A. Jewel, *Bourdieu and American Legal Education: How Law Schools Reproduce Social Stratification and Class Hierarchy*, 56 Buff. L. Rev. 1155 (2008)." *Example of capitalizing after an em dash:* "Kathleen Reilly, *Making a Killing in Real Estate: Solving the Mystery of Murder's Effect on Tenancy by the Entirety in New York — A Legislative Solution*, 82 St. John's Law Review 1203 (2008)." *Example of capitalizing "the" after a colon:* "Daniel M. Levy, *Defending Demaree: The Ex Post Facto Clause's Lack of Control over the Federal*

ter in brackets when changing a letter from uppercase to lowercase, or vice versa, in a quoted sentence fragment or after "that." *Correct:* "The juror kept saying that '[m]urder is murder!'"⁵¹ Don't capitalize an indirect quotation. *Correct:* "Despite the evidence, the defendant stated he was innocent."

Capitalize the first letter of a direct question even if the direct question doesn't begin a sentence. *Example:* "The stenographer asked the witness, 'What's your name, sir?'" An indirect question in the middle of a sentence shouldn't begin with a capital letter. *Correct:* "The stenographer asked you whether you would restate your name."⁵²

When an independent clause follows a colon, capitalize the first word immediately after the colon. *Example:*

Produce a document free of mechanical glitches with all nuts 'n' bolts firmly tight and in place.

Association of Greater New York (LeGaL)" and "Benjamin N. Cardozo School of Law, Yeshiva University."

Capitalize brand and trademark names. "Apple," "Nike," "Starbucks," and "Tony the Tiger."

Capitalize words derived from proper names. *Example:* "New Yorker."

Capitalize only the adjective in a proper adjective. *Example:* "Judges use certified court interpreters to understand Mandarin- and Cantonese-speaking litigants."

Capitalize titles of statutes, books, and articles.⁴⁷ *Bluebook example of a statute:* "N.Y. Penal Law § 98 (McKinney 1998)." To cite books under the Bluebook, either use the first author's name followed by "et al." or list all of the authors' names. *Bluebook example of citing a book:* "Veda R. Charrow, Myra K. Erhardt & Robert P. Charrow, *Clear and Effective Legal Writing* 281 (4th ed. 2007)." *Also correct:* "Veda R. Charrow et al., *Clear and Effective Legal Writing* 281 (4th ed. 2007)." In titles, don't capitalize articles ("a," "an," "the"), conjunctions ("and," "but," "or"), or

Sentencing Guidelines After Booker, 77 Fordham L. Rev. 2623 (2009)."

Capitalize nouns, adjectives, participles, and prefixes in hyphenated compounds. *Example:* "The Post-Rehnquist Supreme Court." Don't capitalize articles, prepositions, or coordinating conjunctions after a hyphen.⁴⁹ *Example of conjunction "and":* "He's known as Mr. Love 'Em-and-Leave 'Em." Don't capitalize after a hyphen in hyphenated single words.⁵⁰ *Example:* "The defendant murdered John Johnson at 92 West Ninety-second Street."

Capitalize the first letter in a quotation if the first letter is capitalized in the original and if the quotation is an independent clause. *Correct:* "The defendant screamed, 'You're a liar. You know I didn't do it!'" Don't capitalize the first letter in a quotation if the quotation is a sentence fragment or is introduced by "that." *Example of sentence quotation fragment:* "According to the witness, the scene was 'gruesome, chaotic, and horrible.'" *Example of "that":* "The officer testified that 'the suspect was armed.'" Enclose the altered let-

"You have two options: Go to trial or settle." When a dependent clause follows a colon, don't capitalize the first word immediately after the colon. *Example:* "You have two options: trial or settlement."⁵³

Capitalize compass points, but only when identifying a specific area, not when referring to a direction.⁵⁴ *Example of specific area:* "More students apply to law schools in the Northeast than in the Southeast." *Example of direction:* "The best judges come from the north, like Canada, for example."

Capitalize all the letters in acronyms — words formed from the initial letters of other words. *Example:* "NATO is the acronym for the North Atlantic Treaty Organization." Don't capitalize all the letters in a false acronym — words in which the letters don't stand for other words. *Correct:* "Fax" or "fax," not "FAX" (facsimile). Don't capitalize acronyms that have become commonly used words. *Correct:* "scuba" (self-contained under-

CONTINUED ON PAGE 54

water breathing apparatus); “laser” (light amplification by the stimulated emission of radiation).⁵⁵

Capitalize the first letter of the words “act” and “code” when referring to a specific act or code. *Example:* “After September 11, 2001, Congress enacted the PATRIOT Act.” *Example:* “The Uniform Commercial Code binds the court.” Under the Bluebook, ALWD, and the Tanbook, lowercase “act,” “statute,” and “code” when standing alone.⁵⁶ *Example:* “Nothing in the statute supports the plaintiff’s argument.”

Lowercase the names of statutes and rules that exist today only as legal doctrines. *Examples:* “rule against perpetuities,” “statute of frauds,” and “statute of limitations.”

Capitalize “court” when referring to a court by its full name.⁵⁷ *Examples:* “The New York City Civil Court,” “Albany City Court.” Under the Bluebook, capitalize the word “court” when naming any court in full or when referring to the U.S. Supreme Court.⁵⁸ *Example:* “In the *Flood* case, the Court held that baseball’s reserve clause is exempt from the Sherman Antitrust Act.” Under ALWD, capitalize the word “court” when (1) naming the court in full; (2) referring to the highest court in any jurisdiction once you’ve identified it by its full name; (3) referring to the U.S. Supreme Court or the highest court in a state; or (4) referring to the court to which you’re submitting the document (*i.e.*, “this Court”).⁵⁹ ALWD recommends not capitalizing the word “court” when referring to any other court by partial name or to lower courts in general.⁶⁰ Under the Tanbook, capitalize the word “court” when standing alone to refer to the U.S. Supreme Court, New York’s Appellate Division, or a jurisdiction’s highest court.⁶¹

Under the Bluebook and ALWD, capitalize the word “judge” or “justice” when referring to a judge or justice by name.⁶² *Example:* “He appeared before Judge Able.”

According to the Tanbook, whose advice on this issue contradicts other authorities, capitalize short-form references to a specific “judge” or “justice.”⁶³ *Tanbook example:* “During oral arguments, the Judge chided the attorney for chewing gum in the courtroom.” Otherwise, don’t capitalize general references to a “judge” or “justice” unless referring to a “judge” or “justice” of a named court. *Correct:* “More than 10 judges have written on this issue.” *Also correct:* “More than 10 Judges of the New York Civil Court, Housing Part, have written on this issue.”

All authorities recommend capitalizing “justice” when referring to a Justice of the U.S. Supreme Court.

For capitalization rules on titles of honor or respect, see ALWD and the Redbook.⁶⁴ Capitalize titles that precede proper names. No corresponding rules exist for the Bluebook or the Tanbook. *Examples:* “Senior Court Attorney Jane Smith,” “Senior Director James Roe,” “The Reverend Billy Graham.” Titles that go after a name aren’t capitalized unless the title is important. *Examples:* “Professor Nadine Strossen was the president of the American Civil Liberties Union for 18 years.” “Billy Graham is a reverend.” *But:* “Joe Smith is the President of the United States but would rather be a Supreme Court Justice.”

Lowercase titular appositives. *Incorrect:* “Convicted Murderer Bobby Joe Lee was sentenced to life imprisonment without parole.” *Correct:* “Convicted murderer Bobby Joe Lee was sentenced to life imprisonment without parole.”

Capitalize the words “state” and “commonwealth” when part of a state title (New York State), when used as an adjective (the State bird), or when it’s a named litigant (*Commonwealth v. Smith*).⁶⁵

Under the Bluebook, capitalize party designations when referring to a case’s specific parties.⁶⁶ *Bluebook examples:* “Plaintiff,” “Defendant,” “Appellant,” “Appellee,” “Petitioner,” “Respondent.” Under ALWD, capitalize the “p” in “plaintiff” and the “d”

in “defendant” when submitting to a court a document that refers to a specific party in the case.⁶⁷ *Bluebook and ALWD examples:* “Plaintiff denies Defendant’s affirmative defense.” *But:* “In that case, the plaintiff alleged that the defendant was not a permanent statutory tenant.” Under the Redbook, capitalize party designations when referring to a specific party if the designation isn’t preceded by a “the.”⁶⁸ *Redbook example:* “Defendant argued that Plaintiff had a motive to lie.” *But:* “The defendant argued that the plaintiff had a motive to lie.” Under the Tanbook, always lowercase “appellant,” “defendant,” “plaintiff,” “respondent,” and “petitioner.”⁶⁹ *Tanbook example:* “Here, plaintiff alleges that defendant acted in bad faith.”

According to ALWD and the Redbook, capitalize terms you’ve defined in a contract.⁷⁰ *Example:* “Buyer agreed to purchase 100 Shares from Seller.”

Capitalize and spell out the section symbol (§) at the beginning of a sentence. *Incorrect:* “§ 21 of the employee handbook provides that all attorneys at Smith and Smith, P.C., submit to mandatory arbitration if a dispute arises.” *Becomes:* “Section 21 of the employee handbook provides that all attorneys at Smith and Smith, P.C., submit to mandatory arbitration if a dispute arises.”

Don’t capitalize applications, orders, papers, or motions.⁷¹ *Incorrect:* “Defense counsel filed a Motion to Vacate the Default.” *Correct:* “Defense counsel filed a motion to vacate the default.” *Incorrect:* “The attorney filed an Order to Show Cause to Appoint a Guardian.” *Correct:* “The attorney filed an order to show cause to appoint a guardian.” *Incorrect:* “The court required her to submit three copies of her Brief.” *Correct:* “The court required her to submit three copies of her brief.” *Incorrect:* “The respondent moved for Summary Judgment.” *Correct:* “The respondent moved for summary judgment.”

Capitalizing legal words is a capital offense. *Incorrect:* “Plaintiff did not

prove the claim by a Preponderance of the Evidence.” *Correct*: “Plaintiff did not prove the claim by a preponderance of the evidence.” Don’t capitalize proceedings unless they’re named after a case. *Incorrect*: “The court conducted a Suppression Hearing.” *Correct*: “The court conducted a suppression hearing.” *Correct*: “The court granted defendant’s application for a Ventimiglia hearing.”

Don’t capitalize foreign words. *Incorrect*: “He handled the case Pro Bono.” *Correct*: “He handled the case pro bono.”

Capitalize languages, religions, nationalities, countries, and races but not colors (“black,” “white”). *Examples*: “English,” “European,” “the United States,” “African American.”

Conclusion

The Bluebook, ALWD, the Tanbook, and the Redbook, among other authorities, have various rules for numbers, numerals, figures, typographic symbols, abbreviations, italicizing, underlining, and capitalizing. Sometimes the authorities agree with one another; sometimes they’re at odds. Whichever authority you use, be consistent: Produce a document free of mechanical glitches with all nuts ‘n’ bolts firmly tight and in place. ■

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1. The Bluebook: A Uniform System of Citation (Columbia Law Review Ass’n et al. eds., 18th ed. 2005).
2. Darby Dickerson & Association of Legal Writing Directors, ALWD Citation Manual: A Professional System of Citation (3d ed. 2006).
3. New York Law Reports Style Manual (Tanbook) (2007), available at http://www.nycourts.gov/reporter/New_Styman.htm (html version) and <http://www.nycourts.gov/reporter/NYStyleMan2007.pdf> (pdf version) (last visited June 6, 2009).

4. Black’s Law Dictionary (9th ed. 2009).
5. Bluebook R. 7(b), at 75.
6. ALWD R. 1.8, at 15.
7. Tanbook R. 13.7, at 88, and Appendix 5, at 127–135.
8. Bluebook R. 7(e), at 75.
9. Bluebook R. 2.2(a)(i), at 56; ALWD R. 1.3(3), at 13; Tanbook R. 2.2(a)(1), at 10.
10. Short-form citation may be used after a full citation appears in the document if (a) the short citation tells the reader clearly what’s being referenced, (b) the full citation falls in the same general discussion, and (c) the full citation can be located in the document easily. Don’t use a short citation if doing so will confuse the reader. In a new section of a brief, repeat the full citation before short-form citing within that section. For short-form citing rules, see Bluebook R. B5.2, at 11; ALWD R. 11.2(b)(2), at 52–53; Tanbook R. 1.3, at 5–6.
11. Bluebook R. B 5.1.5, at 10, and Table 8, at 340.
12. ALWD R. 12.8(a), at 87–89.
13. Tanbook R. 2.2(a)(5), at 11–12, and Appendix 3, at 118–119.
14. Bluebook R. 1.2(a), at 46–47, and R. 2.1(d), at 55; ALWD R. 1.3(1), at 13, and R. 44.6(b), at 326; Tanbook R. 1.4(a), at 6–7.
15. Bluebook R. 1.2, at 46–47; ALWD R. 44.3, at 324–325; Tanbook rule 1.4(a), at 6–7.
16. Bluebook R. 1.2(a), at 46, and R. B4.3, at 5.
17. ALWD R. 44.3, at 325.
18. Tanbook R. 1.4(a), at 6–7.
19. Bluebook, R. 4.1, at 64; ALWD R. 11.3(c), at 55; Tanbook R. 1.3(d), at 6.
20. Bluebook R. 2.1(f), at 56; Redbook R. 3.10, at 74.
21. Bluebook R. 2.1(f), at 56.
22. Bluebook R. 2.1(d), at 55; ALWD R. 44.6(b), at 326; Tanbook rule 1.4(b), at 7.
23. Bluebook R. 1.6, at 52.
24. ALWD R. 46.4, at 337.
25. Bluebook R. 3.5, at 63, and R. 4.1, at 64; and ALWD rule 10.3(c), at 50; Tanbook R. 1.3, at 5–6.
26. Bluebook R. B13, at 23–2 and R. 2, at 54.
27. Bluebook R. 13.3, at 116, and R. 16.2, at 139.
28. Bluebook R. 15.3, at 132.
29. “Small capitals” — a typographic feature — are capital letters that have the same height as surrounding lower-case letters. Using “large capitals” is synonymous to upercasing, or capitalizing, the letters.
30. Bluebook R. B13, at 24.
31. ALWD R. 1.3, at 13–14.
32. ALWD 15.7(c)(4), at 130.
33. ALWD R. 22.1(b), at 204.
34. ALWD R. 23.1(b), at 218–219.
35. ALWD R. 26.1(c), at 235–236.
36. Tanbook R. 7.2, at 49–50; R. 7.5, at 53.
37. Bluebook R. 2.1, at 54–56.
38. Bluebook R. 16.2, at 139; ALWD R. 1.6, at 14.
39. Bluebook R. 2.1(f), at 56; ALWD R. 1.4, at 14; Tanbook R. 2.1, at 9–10;
40. Bluebook R. 5.2 (d)(iii), at 70; Tanbook R. 11.1(f), at 78.
41. ALWD R. 48.5(b), at 350.
42. For more on capitalizing, see Gerald Lebovits, *The Legal Writer, Uppercasing Needn’t Be a Capital Crime*, 75 N.Y. St. B.J. 64 (May 2003).
43. See *id.*
44. See Bluebook R. 8(b)(i), at 76; ALWD R. 3.2(c), at 21–22.
45. Ralph Ellison, available at <http://www.the-personification.com/home.html> (last viewed June 5, 2009).
46. Bluebook R. 8(b)(i), at 76; ALWD rule 3.2(b), at 21; Tanbook R. 10.1(b)(1), at 65–66.
47. Bluebook rule 8(a), at 76; ALWD rule 3.1(b), at 19; Tanbook rule 10.1(a), at 65; Redbook R. 2.6, at 56.
48. Bluebook R. 8(a), at 76; ALWD R. 3.1(b)(4), at 19; Tanbook R. 10.1(a), at 65.
49. Redbook R. 2.10(c), at 59.
50. ALWD R. 3.1(c), at 19–20; Redbook, R. 1.56, at 38, and R. 1.57, at 38–39.
51. Bluebook R. 5.2(a), at 69; ALWD R. 48.1, at 348; Redbook, R. 2.4, at 55.
52. Redbook R. 2.5, at 55–56.
53. For more on this topic, see Gerald Lebovits, *The Legal Writer, Do’s, Don’ts, and Maybes: Legal-Writing Punctuation — Part I*, 80 N.Y. St. B.J. 64 (Feb. 2008).
54. See Redbook R. 2.13, at 60–61.
55. Redbook R. 2.11, at 59–60.
56. Bluebook R. 8(b)(ii), at 76–78; ALWD R. 3.3, at 23–27; Tanbook R. 10.1(j), at 70.
57. Bluebook R. 8(b)(ii), at 76–78; ALWD R. 3.3, at 23–27; Tanbook R. 10.1(h), at 68.
58. Bluebook R. 8(b)(ii), at 76–78.
59. ALWD R. 3.3, at 25.
60. *Id.*
61. Tanbook R. 10.1(h), at 68.
62. Bluebook R. 8(b)(ii), at 78; ALWD R. 3.3, at 26.
63. Tanbook R. 10.1(i)(1), at 68–69.
64. ALWD R. 3.2(a), at 21; Bryan A. Garner et al., *The Redbook: A Manual on Legal Style* R. 2.15, at 62–63 (2d ed. 2006).
65. Bluebook R. 8(b)(ii), at 77–78; ALWD R. 3.3, at 23–27.
66. Bluebook R. B.10.6.2, at 21.
67. ALWD R. 3.3, at 23–27.
68. Redbook R. 2.15(f), at 62.
69. Tanbook R. 10.1(l), at 71.
70. ALWD R. 3.2(h), at 22; Redbook rule 2.9, at 58.
71. Tanbook R. 10.1(m), at 71.