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2000

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Terrill Pollman
University of Nevada, Las Vegas -- William S. Boyd School of Law

Leah A. Kane

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Recommended Citation
Pollman, Terrill and Kane, Leah A., "ALWD Citation Manual: A Professional System of Citation" (2000). *Scholarly Works.* Paper 503.
http://scholars.law.unlv.edu/facpub/503

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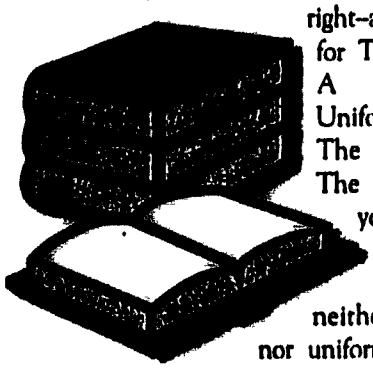
ALWD Citation Manual: A Professional System of Citation

by Terrill Pollman
and Leah Kane

There is a new text on the market that is causing quite a stir in the legal academy, and Nevada attorneys are bound to run into it soon. It's a replacement for the book you hated most in law school–that's right–a replacement for The Bluebook: A System of Uniform Citation. The trouble with The Bluebook, as you probably remember, is that it is neither systematic nor uniform. To most first year law students, The Bluebook's patchwork of inconsistent principles and arbitrary rules has felt like some sort of crazy hazing tradition. To legal writing teachers, The Bluebook has been a nightmare because it combines two deadly characteristics for teaching--it's not only difficult material, but it's also boring. Published by a small consortium of the most elite law schools in the country, it also seemed unassailable. But finally, a group of professional legal educators have decided to take on the Goliath. The Association of Legal Writing Directors (ALWD, pronounced "all-wed") has written a new citation manual that is easy to teach from and easy to use.



Although the ALWD Manual provides a very different teaching and learning experience, practitioners should experience few difficulties adjusting to the new manual. The ALWD Citation Committee, and Darby Dickerson, the primary author, adopted a conservative approach. Rather than creating a radically simplified system, they have aimed for a statement of citation rules as most professionals believe them to be. They call the new manual "a restatement" of the rules of citation form. Because The Bluebook is written by student editors of several prestigious law reviews, the authors are sometimes eager to put their own stamp on the book by changing rules without reason. Signal rules provide an example. Most attorneys have learned that when a source directly supports the proposition the sentence asserts, no signal is needed. They also have learned that when the source provides support only by implication, to use the signal "see." The sixteenth edition of The Bluebook, however, changed the signal rules so that the "see" signal is needed for direct support. Law students in the last two years have learned to use the See signal with nearly every cite. In fact, The Bluebook has changed signal rules with some regularity over the years, as new editorial boards. The ALWD Manual, however, presents the signal rules as most attorneys learned them, restoring the most common understanding of the "see" signal. Although the ALWD Manual generally presents citation as attorneys believe it to be, there are some notable differences between the two manuals. The Bluebook uses one system for citations in court documents, and another system for citations in law reviews or scholarly publications. The ALWD Manual uses one system for both situations–welcome to simplified typeface conventions and the end of Practitioners' Pages. Similarly, The Bluebook distinguishes between citing within the text of a document and versus a separate citation sentence, especially with abbreviations. The ALWD manual uses the same system for both.

There is one place where the ALWD Manual makes a citation more complicated than The Bluebook. When citing books, the ALWD Manual requires the inclusion of the publisher in the parenthetical following the title, along with the year of publication. The Bluebook requires only the year. The ALWD Manual added the publisher in deference to librarians who advised that books are much easier to locate when they know the publisher.

The ALWD Manual is a great improvement for teachers, students and practitioners, but it does leave a few projects undone. It contains no guidance on international citation. It addresses the new universal, vendor-neutral citation forms, such as those propagated by the American Association of Law Libraries, but it does little to further the cause of vendor-neutral citation. Finally, the citation rules are still complicated, and the new manual is long.

The length seems justified, however, by the clear instructions on how to cite. Sidebars throughout the manual help users avoid common problems and explain how to find any additional information needed to follow the rule. The introductory section explains how wordprocessors affect citations. Icons are used to make spacing rules easy to follow. And ALWD maintains a website that updates Manual users on citation news at www.alwd.org. Browsing and downloading are free.

The Boyd School of Law has adopted the ALWD Manual and is teaching it to the current entering class. Over eighty-five other law schools' legal writing programs have adopted the Manual as well, along with a growing number of law journals. Additionally, some courts are beginning to consider using ALWD as their citation manual. For example, the Florida courts recently added it to the list of permissible citation references. This is a tremendous accomplishment, considering the Manual was just published this year. So, although you may find that your law clerks' and associates' use of citation appears the same (or even better!), it's likely they are referring to the ALWD Manual rather than The Bluebook. And, you may hear fewer groans about citation during the writing process. NL

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