

BOOK REVIEWS

SEVENTH EDITION OF *ALWD GUIDE TO LEGAL CITATION*

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Although updates to legal citation manuals generally do not make front-page news, the most recent version of *ALWD Guide to Legal Citation*¹ (the “*Guide*”) offers a glimpse into the evolving and dynamic field of legal citations. Admittedly, I had not really used the *Guide* before I embarked on this book review. And the last time I cracked open the *The Bluebook: A Uniform System of Citation Bluebook*² (the “*Bluebook*”) was probably a decade ago, if not longer. My recollections of wading through the *Bluebook* as a law student, law clerk, and junior attorney were that it was a utilitarian guide—generally providing the answer but often failing to explain the why or nuance.

The Seventh Edition of the *Guide*, however, picks up that challenge and meets it. The *Guide* does not supplant the *Bluebook*’s citation system or offer an alternative model to citations. Rather, it endeavors to help explain the “why” to much of the seemingly opaque methods of citation and to fill in certain gaps left open in the *Bluebook*. It also works to bring the citations alive by offering context tailored to our contemporary

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1. CAROLYN V. WILLIAMS & ALWD, *ALWD GUIDE TO LEGAL CITATION* (7th ed. 2021) (hereinafter *ALWD GUIDE*).

2. *THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION* (Columbia L. Rev. Ass’n et. al eds., 21st ed. 2020).

era and by focusing on an emerging array of authorities (can you cite a tweet? Yes!³).

Building on the good work of prior editions, the *Guide's* Seventh Edition aims to provide an even more user-friendly approach and to shine a spotlight on modern (and ever-changing) sources for legal citations. Years ago, I recall agonizing over whether to cite a blog post in a federal appellate brief. But now, many briefs are brimming with all sorts of citations to nonconventional sources. These sources do, however, have the power to persuade, and the *Guide* ensures that you can cite them in the proper manner, and it reflects the changing nature of legal practice and research.⁴ Today, a junior associate does not begin with a Westlaw search—that lawyer probably opens up Google first, and who knows what research path unfolds from there.

The Seventh Edition devotes considerable attention to these modern sources that legal writers (academics and practitioners alike) need to cite. Updated Rules 26–28 and 33, for instance, provide means for citing oral presentations (including how to cite an online conference or webinar),⁵ informal interviews (such as a virtual video interview),⁶ videos (including videos people take on their phones⁷ or share on YouTube),⁸ and emails⁹ and other electronic messages¹⁰ (even shared Google docs).¹¹ One of the important contributions of the *Guide*, however, is that it does not merely recite the rule. Rather, it explores the rule with visually appealing graphics and features like sidebars that help the cu-

3. See Rule 31.2 in ALWD GUIDE for the citation format of social media posts.

4. See Rule 31.2 in ALWD GUIDE for the citation format of blog posts.

5. See ALWD GUIDE R. 26.1, at 297–99.

6. See ALWD GUIDE R. 27.1, at 302–04.

7. See ALWD GUIDE R. 28.7, at 320–01.

8. See ALWD GUIDE R. 28.1(f), at 315–16.

9. See ALWD GUIDE R. 33.1, at 353–54.

10. See ALWD GUIDE R. 33.3, at 354–56.

11. See ALWD GUIDE R. 33.5, at 356–58.

rious dig deeper into the intricacies of the rule.¹² The citation format is also broken down into discrete and deliberate subparts, which enable someone to better understand the purpose and building blocks of the rule. The *Guide* takes the rule and sets it in a modern context, providing myriad examples from contemporary sources, all of which helps to contextualize the rule at hand and reinforce the *Guide's* pedagogical mission.¹³ But the Seventh Edition takes care to not just refresh newer versions of the same old sources, and instead it captures a more diverse group of authors, speakers, viewpoints, and courts than before, highlighting an inclusive approach to the book.

Related to these updates, the newest edition of the *Guide* reflects how the pandemic affected the legal practice. Lawyers and courts alike altered longstanding practices to provide more flexibility during the midst of COVID-19. Rules 25 and 12.15 were updated to account for changes in how judges and lawyers now cite documents in their own cases or in other pending matters.¹⁴ As more state systems migrate online in tandem with the federal PACER system (and more briefs end up on commercial databases like Westlaw and Lexis), this renewed emphasis on citation format for these documents is certainly welcome. Updates to Rule 5.5, for instance, help explain what star pagination is and how to cite it, replete with graphics from Westlaw and Lexis to illustrate the point.¹⁵

The *Guide* also contains notations to highlight which citation formats are more oriented for academic

12. For an example, see ALWD GUIDE Sidebar 26.1, at 297, which explains the difference between using Rule 26 that covers speeches and Rule 31.1 that covers speeches found only online.

13. See ALWD GUIDE R. 28.1(f), at 315, which explains various citation formats for the numerous types of videos found online.

14. For example, see ALWD GUIDE R. 25.4, at 292–93, which explains how to cite to a video recording of depositions and hearings.

15. ALWD GUIDE R. 5.5(b), at 24–27.

writing than litigation.¹⁶ This distinction is important because many times academic and practitioner citations are treated differently, which can cause young lawyers and law students to run down rabbit holes before realizing they went down the wrong path and have to start over. Flagging distinctions like these helps avoid such scenarios. Along with these cues, the *Guide* assists law review cite-checkers by including specific cross-references to the most recent edition of the *Bluebook* (courtesy of newly added Appendix 8). Therefore, although it contains a trove of resources, it makes it very easy for a reader to find the rule they need with appropriate cross-references and helpful related information.

And I think this is particularly true for lawyers starting their career (or aspiring lawyers). Consider Part 4 of the *Guide*—it provides an easily digestible explanation for how to actually use citations in legal writing, including whether you need a citation, how many citations, and where to place them.¹⁷ But it also keeps in mind (and conveys) the underlying purpose of the citation as a tool to help persuade the reader of your position. More seasoned lawyers might take such matters for granted, but the *Guide* appreciates that its readers may not yet be experts.

I would be remiss if I did not praise the *Guide*'s updated Appendix 2, which catalogs the local rules from courts across the country. The first appellate brief I ever filed as a lawyer was stricken by the court (the court on which I now sit) because I had neglected to follow the local rules. Fortunately, the court permitted me to file a corrected version, but it provided a good lesson for myself and other young lawyers—the local rules matter, and don't expect your superiors to know them (as I had done). Appendix 2 provides the most comprehensive listing that I have ever seen of federal and state court

16. See ALWD GUIDE 21.6, at 248, which demonstrates the addition of large and small caps for the periodical name when citing to an article in a law review.

17. See ALWD GUIDE R. 34, at 364–69 regarding citation placement and use.

websites, links to local rules, identification of rules relevant to citation format, and other helpful information (such as links to practitioner guides offered by several courts). This tool is indispensable for modern lawyers who regularly practice across jurisdictions. And, in recognition of how important this is, the *Guide* elected to make this appendix free on the internet.¹⁸

We should appreciate and celebrate the contributions made by the *Guide* in the field of legal citations. The Seventh Edition furthers the *Guide*'s mission, facilitates teaching how to use legal citations, and livens up the process.

18. You can find Appendix 2 for free at https://www.wklegaledu.com/File%20Library/Faculty-Product-Resources/Law%20School/Authors%20A-E/ALWD%207e/ALWD_App02.pdf (last accessed Oct. 28, 2021). Appendix 5, the abbreviations for entire periodical titles, is also free online, https://www.wklegaledu.com/File%20Library/Faculty-Product-Resources/Law%20School/Authors%20A-E/ALWD%207e/ALWD_App05.pdf (last accessed Oct. 28, 2021).