

ADDING METHOD AND ALLEVIATING MADNESS: A PROCESS FOR TEACHING CITATION

BY JOAN MALMUD

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The lonely law student sits staring at her citation manual. She knows the answer is in there, but where? She flips through the 500 pages of rules. The index, her professor told her, would lead her to any answer she needed. “But, I don’t even know what I’m supposed to be looking for,” she moans to herself. “How can I look it up if I don’t know what I’m looking for?”

Citation manuals, like so many aspects of the first year of law school, are overwhelming to law students. Thus, each fall, I offer first-year law students a class to make using the *ALWD Citation Manual*¹ a little less overwhelming. The class takes an hour and 15 minutes to teach. When it’s over, the students feel that citing, while perhaps not easy, is at least manageable.

The ALWD manual becomes more manageable by my doing three things. First, I focus the students on the information that they will actually need in the fall semester of their first year, and I eliminate from their concern everything else. Second, I make the information they do need easy to retrieve. And, finally, I give them a process for constructing any citation.

The class begins by reading through the table of contents. This seemingly boring task becomes unexpectedly fun. As we read through the table of contents, I distinguish between information the students will need repeatedly as they cite, information the students should read and be aware

of, and information the students will never need during the fall semester.

So for example, I tell them to be sure to read rule 11, “Introduction to Full and Short Citation Formats,” because it provides a helpful foundation for citing. But I explain that as they cite, they probably won’t be referring to those pages as frequently as they will to rule 12, “Cases,” and rule 14, “Statutory Codes,” repeatedly.

Then the fun begins. As we move through, I identify for the students all the information they won’t need during their first semester. Citing footnotes, supplements, graphical materials, and internal cross-references? “That’s 10 pages you can ignore.” Federal legislative materials and court rules? They won’t need those rules until second semester. “That’s 30 pages, eliminated!” Constitutions, local ordinances, and treaties? They will not need those materials at all during their first year. “Fifteen more pages, gone!” And so on.

By marching through the table of contents (even the parts that they won’t use during the first semester), the students begin to learn what is inside the book they were once so scared to open. And, because I get to tell them about all the information they no longer need to worry about, the students begin to feel like the ALWD manual might just be manageable. As we march through the table of contents, I also make the information that they do need to worry about easier to retrieve.

Tabs are the key to easy retrieval. Ordinarily, frustration mounts as students cite because they must re-find information they found just moments ago. It seems they should remember the page on which the rule for citing consecutive pages begins, but they can’t. And so, off they go, to the index, look up “pages,” find the page number, flip back, flip forward, turn a few pages back, a few pages forward, until they get to exactly where they were just a few moments ago when they were citing another case. Thus, students spend proportionately more time tracking down information than they do applying the information. It seems powerfully wasteful. And it

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¹ Students at the University of Oregon School of Law learn legal citation from the *ALWD Citation Manual*. The teaching method explained in this essay could be used generally for *The Bluebook* as well, but an additional step would need to be added: Students would have to ask whether an example needs to be adjusted to account for differences between citation styles in law review articles and court documents.

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is. By sticking a tab on rule 5 and marking it “page numbers,” the students no longer need to spend time flipping forward and backward trying to find the particular page they are looking for. They can go directly to the information they need and apply it.

As we go through the table of contents, we tab those rules that they will use repeatedly.² In my class, we tab 14 rules and appendixes:

- Rule 3.3, “Capitalizing Specific Words.”
- Rule 5.3, “Citing Consecutive Pages.”
- Rule 6.0, “Citing Sections and Paragraph Numbers.”
- Rule 12.0, “Cases.”
- Rule 12.21, “Short Citation Format [for Cases].”
- Rule 14.0, “Statutes.”
- Rule 14.6, “Short Citation Format for Federal and State Statutes.”
- Rule 44, “Signals.”
- Rule 47, “Quotations.”
- Rule 48, “Altering Quoted Materials.”
- Rule 49, “Omissions within Quoted Materials.”
- Appendix 1, “Primary Sources by Jurisdiction.”
- Appendix 3, “General Abbreviations.”
- Appendix 4, “[Federal] Court Abbreviations.”

Clearly, within any one of these rules, the students will be using multiple sub-rules. But the tab on each of these rules will get them to the section they need quickly and easily.

When I know that my students will rely on a particular sub-rule, I tell them to tab that page. For example, I know the real trouble with page numbers is citing consecutive and scattered page numbers. So, they tab the page with information about consecutive and scattered page numbers. From there, they can get to other information about pages. Likewise, within Appendix 1, they’ll be using the information about Oregon the most. We tab that page. If they need information about other jurisdictions, they can find it easily within that section.

² I bring to class stacks of small tabs in multiple colors. As I distribute the tabs to my students, I get to remind them: “See what fun citing can be! We all get party favors.”

Tabbing also helps make a boring citation class a little more fun. First, it’s an arts and crafts project, and the students don’t get many of those in law school. Second, by the time we’re done tabbing, I get to announce, “Look! Five hundred pages reduced to 14 tabs!” Again, the ALWD manual seems just a little bit more manageable.

After we’ve reduced the ALWD manual to the pages the students will be using the most, we discuss the process for building a citation. I explain five steps.

The first step to building a citation is to ask, “What resource am I citing?” I point out that by determining the resource they are relying on, the students have eliminated from the ALWD manual hundreds of pages they do not need to worry about. Turn right to the section about cases; ignore the sections on constitutions, statutes, other legislative materials, court rules, local ordinances, etc.

Second, they should ask, “Do I need a full cite or a short cite?” I give a little background about when they need a full cite as opposed to a short cite and explain that all their citations will be one or the other. I note that determining whether they need a full or short cite again reduces the number of pages that they need to consult.

Third, I tell them to look for an example of either the full cite or short cite. I point out that if they are looking for an example of a full citation, every rule about a particular source begins with an example. The parts of the example are labeled. Helpfully, the sub-rules within each chapter of the ALWD manual follow the order of the example at the beginning. By understanding that sub-rules about a source follow the order of the initial example, the students begin to see organization within the mass of details and, again, it’s easier for them to find the information they need.

In addition, the front and back inside covers of the ALWD manual can help students find a citation example quickly. The front inside cover, the “Fast-Format Locator,” lists each resource alphabetically and a page number where students can find an example of a full citation to that resource. The back

cover, the “Short-Citation Locator,” does the same for short citations.

The fourth step is to begin constructing their citation based on the example. If the example has a case name, their citation needs a case name. If the case name is in italics, their case name should be in italics. If there is a comma after the case name, they should have a comma after the case name. And so on.

The final step to building a citation is to add jurisdiction-specific information to their citation. To do so, the students will have to flip back and forth between the appendixes and their example. Flipping back and forth between pages is often awkward, but it’s a necessary part of the process and the tabs make it easier.

Now that they’re feeling more comfortable with the ALWD manual, I break out cold, hard truths number one and two. The first cold, hard truth is that they must read the ALWD manual. Building a citation based on an example will probably not give them a perfect cite. Students may not realize that they need information in the sub-rules. To know the details, they must read the relevant section of the ALWD manual. I recommend that when they begin citing, they should read each relevant section, or at least as much as they can before their eyes glaze over. At first, this will slow them down considerably. But, gradually, they will learn what is in the ALWD manual, and they will no longer have to read each section to put together a citation.

The second cold, hard truth is that they will never find everything they need to know about a citation in one place. But, by following the steps I’ve laid out, they have a framework within which to work, and the tabs will make it easier to find the various pieces of information they need.

We end the class with a few practice examples. I provide copies of a state case from a regional reporter whose name must be abbreviated, a state statute, and a federal statute. We practice citing to each in turn, carefully following the steps I laid out and using the tabs they have put into their

manuals. When citing the state case, I tell them that the information they want to cite spans two pages. When citing the state statute, I tell them they want to cite two consecutive sections. Before moving on to the federal statute, I tell them that they need to cite the state case again so that they can practice a short cite. The practice reinforces that they really can create a citation by themselves.

This class differs from other citation classes in that it does not teach the students how to cite any one source. Rather, by narrowing the scope of the information they need to know, using tabs to make that information easy to find, and providing the students with a process with which to build cites, it provides them with the tools and builds their confidence in their ability to cite any source.

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