

chicago citation examples for legal sources

Mastering Chicago Citation Examples for Legal Sources

chicago citation examples for legal sources are essential for any academic, legal, or research work that delves into legal scholarship. Accurate and consistent citation is not merely a stylistic preference; it's a cornerstone of academic integrity, allowing readers to trace your sources, verify your claims, and engage critically with the material. This comprehensive guide will navigate you through the intricacies of the Chicago Manual of Style (CMOS) for legal materials, covering everything from foundational principles to specific examples of common legal source types. Understanding these examples will empower you to present your research with clarity, authority, and adherence to established scholarly standards. We will explore the nuances of citing statutes, cases, constitutions, administrative regulations, and secondary legal sources, providing practical, easy-to-follow examples.

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Understanding the Chicago Manual of Style for Legal Sources

The Chicago Manual of Style offers two primary citation systems: Notes and Bibliography, and Author-Date. For legal scholarship, the Notes and Bibliography system is overwhelmingly preferred, particularly when dealing with primary legal documents and extensive footnotes or endnotes are common. This system utilizes numbered notes (footnotes or endnotes) to cite sources and a bibliography at the end of the work listing all sources cited. Understanding the fundamental differences and applications of these systems is crucial before diving into specific examples. Legal writing often demands a higher degree of precision in source attribution than other disciplines, making a thorough grasp of the chosen citation style paramount.

The Notes and Bibliography System for Legal Research

The Notes and Bibliography system, as outlined in the Chicago Manual of Style, is the standard for most legal writing, including academic articles, theses, and dissertations. It allows for detailed in-text citations without interrupting the flow of the prose, offering readers immediate access to source information through footnotes or endnotes. This system is particularly beneficial when original source material requires extensive quotation or detailed analysis, as the notes can accommodate supplementary information or further clarifications. The bibliography then serves as a comprehensive overview of all materials consulted, reinforcing the scholarly foundation of the work.

When to Use Chicago Style for Legal Materials

Chicago style is generally recommended for legal scholarship in academic settings, particularly in history, law reviews, and other disciplines that frequently cite both legal and non-legal sources. While other citation styles like the Bluebook are dominant in US law reviews, Chicago remains a widely accepted and understood standard, especially for interdisciplinary legal research or when the author is more familiar with CMOS. It is always advisable to confirm the specific citation requirements of your publisher or institution.

Core Principles of Chicago Legal Citation

Several core principles underpin Chicago style for legal sources, ensuring consistency and clarity. These principles address the essential components of a citation, the importance of identifying specific editions and reporters, and the formatting conventions that distinguish legal citations. Adhering to these principles will make your citations accurate and readily understandable to your audience.

Essential Components of a Legal Citation

A robust legal citation typically includes several key pieces of information, regardless of the source type. These components help the reader locate the exact source being referenced.

- The name of the case, statute, or document
- The reporter or publication where the source can be found
- The volume number of the reporter or publication
- The page number of the specific citation
- The court and year of decision for cases
- The date of enactment or amendment for statutes

The Role of Reporters and Citators

Reporters are official or unofficial publications that print the full text of judicial opinions. For statutes, codified versions are published in official and unofficial compilatory works. Citators, such as Shepard's or LexisNexis's citators, are tools used to check the validity and subsequent history of cases and statutes, and while not always cited directly in the bibliography, understanding their use is part of legal research proficiency.

Citing Primary Legal Sources

Primary legal sources are the foundational laws of a jurisdiction, including constitutions, statutes, and judicial opinions. Citing these accurately is paramount for legal scholarship. Chicago style provides specific formats for each.

Citing Cases

Citing judicial opinions requires identifying the case name, the reporter volume and abbreviation, the page number where the case begins, and the court and year of decision. For subsequent citations, the use of short form citations is common and encouraged.

Example of a Case Citation (Footnote)

United States v. Nixon, 418 U.S. 683 (1974).

Example of a Case Citation (Bibliography)

United States v. Nixon. 418 U.S. 683. United States Supreme Court Reports. 1974.

Citing Statutes

Statutes are laws enacted by legislative bodies. The citation format for statutes typically includes the title number, the abbreviation for the official or unofficial compilation, and the section number.

Example of a Statute Citation (Footnote)

National Labor Relations Act, 29 U.S.C. § 151 (2018).

Example of a Statute Citation (Bibliography)

National Labor Relations Act. Title 29, United States Code. Annotated. 2018.

Citing Constitutions

Citing constitutional provisions involves referencing the constitution by name, the article and section number, and the date of adoption or amendment.

Example of a Constitution Citation (Footnote)

U.S. Const. art. I, § 8, cl. 3.

Example of a Constitution Citation (Bibliography)

United States Constitution.

Citing Administrative Regulations

Administrative regulations are rules issued by executive agencies. Citations typically include the title and section number of the relevant code of federal regulations or state equivalents.

Example of an Administrative Regulation Citation (Footnote)

40 C.F.R. § 1502.21 (2023).

Example of an Administrative Regulation Citation (Bibliography)

Code of Federal Regulations. Title 40, Protection of Environment. Washington, D.C.: Office of the Federal Register, National Archives and Records Administration. 2023.

Citing Secondary Legal Sources

Secondary legal sources, such as law review articles, books, and treatises, analyze and discuss primary legal materials. Their citation formats in Chicago style are more akin to standard academic citations but with specific considerations for legal content.

Citing Law Review Articles

Law review articles are frequently cited in legal scholarship. The citation includes the author's name, the article title, the journal name, the volume number, the first page of the article, and the specific page number if applicable.

Example of a Law Review Article Citation (Footnote)

Charles A. Reich, The New Property, 73 Yale L.J. 733, 737 (1964).

Example of a Law Review Article Citation (Bibliography)

Reich, Charles A. "The New Property." Yale Law Journal 73 (1964): 733.

Citing Legal Books and Treatises

Books and treatises offer in-depth analysis of legal topics. Citation requires author, title, publication details, and specific page numbers.

Example of a Legal Book Citation (Footnote)

Laurence H. Tribe, American Constitutional Law 875 (2d ed. 1988).

Example of a Legal Book Citation (Bibliography)

Tribe, Laurence H. American Constitutional Law. 2nd ed. Mineola, NY: Foundation Press, 1988.

Special Considerations in Legal Citation

Beyond the standard formats, several special considerations are vital for accurate legal citation in Chicago style. These include handling subsequent history, citing unpublished materials, and understanding the nuances of electronic sources.

Subsequent History and Parallel Citations

When citing cases, it is often important to include their subsequent history, such as appeals or reversals. Parallel citations, providing citations to multiple reporters where a case is published, may also be required depending on the jurisdiction or specific publication guidelines.

Citing Unpublished Materials

Unpublished judicial opinions, briefs, and other documents may be cited. These citations typically include the case name, the court, the docket number, and the date, along with information on where the document can be accessed, such as a legal database.

Electronic Legal Sources

With the prevalence of online legal databases, citing electronic sources is common. The general

principle is to provide enough information for the reader to locate the source, including URLs or database information when necessary, and access dates.

Frequently Asked Questions

Q: What is the primary difference between Chicago citation for legal sources and other legal citation styles like the Bluebook?

A: The primary difference lies in the systems and specific formatting conventions. While the Bluebook is the de facto standard for most US law reviews and meticulously details every aspect of legal citation, the Chicago Manual of Style, particularly its Notes and Bibliography system, is often used in broader academic contexts that include legal scholarship. CMOS generally offers more flexibility and is less prescriptive on minute details compared to the Bluebook, focusing on clarity and reader accessibility.

Q: When is it appropriate to use Chicago style for legal sources rather than the Bluebook?

A: Chicago style is generally appropriate for interdisciplinary legal studies, historical research involving legal documents, or when a specific publication or institution has adopted CMOS for legal materials. If you are writing for a traditional US law review, the Bluebook is almost always the required style.

Q: How do I cite a statutory amendment in Chicago style?

A: When citing a statutory amendment, you would typically include the original statute citation along with information indicating the amendment and its date. For example, if a statute was amended in 2020, the citation might reflect the current compiled version but note the amendment. The exact format can vary, but clarity on the operative version of the law is key.

Q: What is the rule for citing a dissenting or concurring opinion in Chicago style?

A: When citing a dissenting or concurring opinion, you clearly indicate its nature. For example, in a footnote, you might cite the majority opinion first, then add a reference to the dissenting opinion, specifying the judge and the page where the dissent begins. The bibliography entry would focus on the main case citation.

Q: How do I handle long case names in Chicago style citations?

A: For longer case names in footnotes, Chicago style generally permits abbreviating them after the first full citation. The bibliography entry, however, should retain the full case name as it appears in

the reporter.

Q: What is the purpose of a bibliography in Chicago style legal citation?

A: The bibliography in Chicago style legal citation serves as a comprehensive list of all sources cited in the text, providing authors, titles, publication information, and dates. It allows readers to easily locate and consult the original sources, verifying the research and exploring the topics further.

Q: Are there specific rules for citing federal vs. state statutes in Chicago style?

A: Yes, the basic structure remains similar, but the abbreviations and official reporters/compilations will differ. Federal statutes are typically cited from the United States Code (U.S.C.), while state statutes are cited from their respective state codes. Always ensure you are using the correct abbreviation and identifying the relevant state code.

Q: How do I cite a legal encyclopedia in Chicago style?

A: To cite a legal encyclopedia, you would typically include the title of the article, the name of the encyclopedia, the volume number, and the relevant section number. For example: "Negligence," Am. Jur. 2d, Vol. 57, § 10 (2023). The bibliography entry would follow a similar pattern.

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