

chicago manual of style legal citation examples

Understanding Chicago Manual of Style Legal Citation Examples is crucial for anyone navigating the complex world of legal scholarship and academic writing that intersects with legal fields. While the Chicago Manual of Style (CMOS) is primarily known for its comprehensive guidance on general academic writing, it also offers specific advice for legal citations, often drawing from or complementing established legal citation systems like The Bluebook. This article will delve into the nuances of applying CMOS to legal sources, exploring common scenarios and providing clear examples. We will cover foundational principles, variations for different legal materials, and best practices for integrating these citations seamlessly into your work, ensuring clarity and adherence to academic standards.

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Understanding the Basics of Chicago Style Legal Citations

The Chicago Manual of Style's approach to legal citations, while not a standalone legal citation manual like The Bluebook, provides a framework for writers who need to incorporate legal sources into their work. It acknowledges the existence and importance of specialized legal citation practices and often directs users to consult legal-specific guides for definitive rules. However, for writers working within a general academic context where legal materials are discussed, CMOS offers principles for integrating these sources clearly and consistently. The fundamental goal remains the same as any citation system: to provide readers with enough information to locate the original source accurately.

When applying CMOS to legal materials, the key is to maintain consistency with the overall style guide while adapting to the conventions of legal documentation. This often means creating a hybrid approach, using CMOS general principles for overall paper formatting, bibliographies, and footnote/endnote structure, while adopting the specific informational elements required for legal citations. For instance, while CMOS typically favors footnotes or endnotes over in-text citations, legal scholarship often relies on these parenthetical or footnote citations to pinpoint precise locations within lengthy legal documents.

Citing Statutes and Constitutions in Chicago Style

Citing statutes and constitutions requires specific information to identify the exact legislative act or constitutional provision. In the Chicago style context, this usually involves identifying the jurisdiction, the name or number of the statute or act, and the relevant section or amendment. The specific format can vary slightly depending on whether you are referencing a federal or state statute, or the U.S. Constitution versus a state constitution.

When citing federal statutes, the general approach is to identify the codified law. For instance, a reference to the Americans with Disabilities Act would typically include its Public Law number and year, followed by its location in the United States Code. For state statutes, the process is similar but involves referencing the specific state's code. Constitutional citations require identifying the constitution by name and then citing the specific article, section, or amendment.

Federal Statutes in Chicago Style

Citing federal statutes involves providing the official codification. The United States Code (U.S.C.) is the primary source for this. When referencing a statute that has been enacted, it's often useful to include its Public Law (P.L.) number and the year of enactment for additional clarity, especially if the

statute has been amended or recodified.

Here are some common examples:

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Public Law Citation:

Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 327 (1990).

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United States Code Citation:

42 U.S.C. § 12101 (2018).

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Combined Citation (often used in footnotes for clarity):

Americans with Disabilities Act of 1990, Pub. L. No. 101-336, § 2, 42 U.S.C. § 12101 (1990 & Supp. 2020).

State Statutes in Chicago Style

Citing state statutes follows a similar pattern but refers to the specific state's codified laws. Each state has its own compilation of statutes. It is essential to identify the correct abbreviation for the state code.

For example, citing a section of the California Civil Code:

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Cal. Civ. Code § 51 (West 2021).

Or, for a statute in the Illinois Compiled Statutes:

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775 Ill. Comp. Stat. 5/2-102 (2020).

Constitutions in Chicago Style

Citing constitutions, both federal and state, is generally straightforward. You identify the constitution and then the specific article, section, or amendment.

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U.S. Constitution:

U.S. Const. amend. XIV, § 1.

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State Constitution:

Ill. Const. art. I, § 2.

Citing Court Cases with Chicago Manual of Style Examples

Citing court cases is a cornerstone of legal research and writing. While CMOS itself does not provide an exhaustive system for legal case citation, it guides writers on how to incorporate case citations within their footnotes or endnotes. The most common practice for legal scholars and practitioners is to adhere to *The Bluebook: A Uniform System of Citation*. However, if a general academic paper needs to reference a case, a simplified but informative citation can be constructed.

The essential components of a case citation include the names of the parties, the volume and page number of the reporter where the case can be found, and the court and year of decision.

Understanding these elements is crucial for enabling readers to locate the specific judicial opinion.

When using Chicago style generally, the case citation will appear in a footnote or endnote, rather than an in-text parenthetical, though the citation format itself will largely mirror legal conventions.

Federal Court Cases

Federal court decisions are reported in official and unofficial reporters. The Supreme Court of the United States has its official reporter, *United States Reports*. Decisions from federal circuit courts and district courts are published in designated reporters.

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U.S. Supreme Court Case:

Miranda v. Arizona, 384 U.S. 436 (1966).

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U.S. Court of Appeals Case:

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

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U.S. District Court Case:

Katz v. United States, 389 U.S. 347 (1967). (This example is actually a Supreme Court case for demonstration of reporter usage; a district court case would cite a district court reporter.)

State Court Cases

State court decisions are published in state reporters or regional reporters. The specific reporter depends on the state and the level of the court.

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Example of a state supreme court case (if reported in a state reporter):

People v. Renteria, 24 N.Y.3d 526 (2014).

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Example of a state court case found in a regional reporter (e.g., Pacific Reporter):

Smith v. Jones, 123 P.3d 456 (Cal. 2005).

It is important to note that for brevity and clarity in academic writing, especially when a case is mentioned multiple times, subsequent citations will often use a shortened form, typically including the case name and the pinpoint citation to the relevant page.

Citing Secondary Legal Sources Using Chicago Style

Secondary legal sources are materials that discuss or analyze the law, rather than stating the law itself. This category includes law review articles, treatises, hornbooks, legal encyclopedias, and restatements of the law. When citing these sources within a Chicago style framework, the approach is more aligned with general CMOS guidelines for citing published works, but with specific attention to legal terminology and publication details.

Law review articles, for instance, are treated much like other scholarly articles. Treatises and hornbooks, which are in-depth scholarly books on a legal subject, are cited as books. Legal encyclopedias offer broad overviews and are cited similarly to other encyclopedic works. Restatements of the law, published by the American Law Institute, have a specific format that identifies the subject matter, the section number, and often the reporter volumes if they include comments and illustrations.

Law Review Articles

Citing a law review article follows the general CMOS format for journal articles, including the author's name, article title, journal title, volume number, and page numbers.

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Jane Doe, *The Future of Online Privacy*, 88 Chi. L. Rev. 123 (2020).

Treatises and Hornbooks

Treatises and hornbooks are scholarly books that provide comprehensive analysis of legal topics. They are cited as books, with author, title, publisher, year, and specific section or page numbers.

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Laurence H. Tribe, *American Constitutional Law* § 15-10 (2d ed. 1988).

Legal Encyclopedias

Works like Corpus Juris Secundum (C.J.S.) or American Jurisprudence (Am. Jur.) are legal encyclopedias. They are cited by volume number, title, section number, and year.

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42 C.J.S. *Divorce* § 210 (2019).

Restatements of the Law

Restatements, published by the American Law Institute (ALI), summarize the common law in various

fields. They are cited by their title, section, and volume if applicable.

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Restatement (Second) of Torts § 402A (Am. Law Inst. 1965).

Footnotes vs. Endnotes in Legal Citation with Chicago Style

The Chicago Manual of Style offers flexibility in citation placement, typically allowing for either footnotes or endnotes. This choice often depends on the nature of the publication and the publisher's preference. For legal citation, the principle remains the same: citations are placed in notes to provide supporting evidence and allow for supplementary information without disrupting the main text's flow. While legal scholarship frequently utilizes footnotes, the decision to use footnotes or endnotes in a Chicago-styled paper with legal citations should be made based on established conventions for that type of work.

Footnotes appear at the bottom of the page on which the reference is made, while endnotes are collected at the end of the document. Both systems serve to keep the narrative clean and readable. When citing legal materials, each footnote or endnote will contain the necessary information to identify the source, following the rules previously discussed for statutes, cases, and secondary materials. In cases where a source is cited multiple times, the first citation is typically full, and subsequent citations are shortened.

First Reference

The initial mention of a legal source in a footnote or endnote should be comprehensive. This ensures

that the reader has all the necessary details to find the original material, even if they are only reading that particular note.

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Example (Case):

1. *Gideon v. Wainwright*, 372 U.S. 335, 343 (1963).

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Example (Statute):

2. 15 U.S.C. § 1692e (2018).

Subsequent References

After the first full citation, subsequent references to the same source can be shortened. This is commonly done by using the case name (italicized) and a pinpoint citation, or the short title of a statute or secondary source along with the relevant section or page.

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Example (Shortened Case):

15. *Gideon*, 372 U.S. at 345.

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Example (Shortened Statute):

16. 15 U.S.C. § 1692e.

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Example (Shortened Secondary Source):

17. Tribe, *American Constitutional Law*, § 15-10.

Specific Challenges and Nuances in Chicago Style Legal Citations

Navigating legal citations within the Chicago Manual of Style can present specific challenges due to the specialized nature of legal sources. While CMOS provides a general framework, the nuances of legal citation often require a deeper understanding of how legal documents are structured and referenced. This includes dealing with different editions of sources, citing materials that are not yet published, and understanding the conventions for foreign or international legal materials.

One common challenge is ensuring the accuracy of pinpoint citations. For legal cases, this means referring to specific page numbers, including those within opinions that might be lengthy or contain concurring or dissenting statements. For statutes, pinpointing the exact section or subsection is critical. Furthermore, the use of "id." and "supra" for subsequent references, while common in legal citation, requires careful adherence to CMOS guidelines for notes to maintain clarity and consistency. When working with legal materials in a non-legal academic context, it is often beneficial to err on the side of providing more information rather than less, ensuring the reader can always access the original

source.

Unpublished Materials

Citing unpublished judicial opinions or other legal documents can be complex. These materials may not have official reporters, and their citation format will often rely on information such as the case name, court, docket number, date, and the availability of the document through legal databases or court clerks' offices.

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Example (Unpublished Opinion):

Doe v. Roe, No. 19-CV-001 (S.D.N.Y. Mar. 15, 2023) (unpublished opinion),
<https://www.courtlistener.com/opinion/xxxxx/doe-v-roe/>.

Pinpoint Citations

The accuracy of pinpoint citations is paramount in legal writing. These refer to the specific page or part of a source where the relevant information is found. This applies to cases, statutes, and secondary sources.

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Example (Case Pinpoint):

Marbury v. Madison, 5 U.S. (1 Cranch) 137, 177 (1803).

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Example (Statute Pinpoint):

17 U.S.C. § 77b(a)(1) (2018).

Understanding the differences between official and unofficial reporters, and knowing when to cite each, is also a critical aspect of accurate legal citation within the broader framework of Chicago style.

FAQ

Q: What is the primary difference between Chicago Manual of Style legal citations and The Bluebook?

A: The primary difference lies in their scope and primary audience. The Chicago Manual of Style (CMOS) is a general style guide for academic and professional writing, offering guidance on legal citations when legal sources are incorporated into non-legal scholarship. The Bluebook: A Uniform System of Citation is a dedicated legal citation manual used extensively in law schools and legal practice, providing highly detailed rules for all types of legal sources. CMOS often defers to legal citation conventions for legal materials.

Q: Can I use The Bluebook format entirely if my paper is about a legal topic but follows Chicago style overall?

A: If your paper is about a legal topic and is intended for a legal audience, or if your institution or publisher specifically requires it, you might be expected to use The Bluebook. However, if you are writing a general academic paper that happens to cite legal sources and the overarching style guide is CMOS, you should integrate legal citations in a manner consistent with CMOS's principles of clarity and consistency, while potentially drawing on Bluebook conventions for the specific elements of legal

citation. Always clarify requirements with your instructor or publisher.

Q: How do I cite a U.S. Supreme Court case for the first time in a Chicago style footnote?

A: For the first citation of a U.S. Supreme Court case in a Chicago style footnote, you would typically include the case name (italicized), the volume and reporter abbreviation, the page number where the case begins, and the year of the decision. For example: *Brown v. Board of Education*, 347 U.S. 483 (1954).

Q: What is the correct way to cite a federal statute in a Chicago style footnote?

A: To cite a federal statute in a Chicago style footnote, you generally include the title number, the abbreviation for the United States Code (U.S.C.), the section symbol (§), the section number, and the year of the code edition. For example: 42 U.S.C. § 1983 (2018).

Q: How should I abbreviate court reporters when citing cases in Chicago style?

A: When citing court cases within a Chicago style framework that aims to follow legal conventions, you would use the standard abbreviations for court reporters as found in resources like The Bluebook or other authoritative legal citation guides. For instance, U.S. for United States Reports, S. Ct. for Supreme Court Reporter, or F.3d for the Federal Reporter, Third Series.

Q: What is the purpose of a pinpoint citation in legal referencing within

Chicago style?

A: A pinpoint citation directs the reader to the exact page or section within a legal source where the cited information can be found. This is crucial for enabling readers to quickly locate the specific passage being referenced, especially in lengthy documents like court opinions or statutes. In Chicago style footnotes, it would typically follow the main citation, for example, *Miranda v. Arizona*, 384 U.S. 436, 444 (1966).

Q: When citing secondary legal sources like law review articles in Chicago style, are there any special considerations for legal content?

A: When citing secondary legal sources such as law review articles, the general Chicago style format for journal articles applies, including author, article title, journal name, volume, and page numbers. However, ensure that any legal terminology or case citations within your discussion of the article are themselves correctly formatted according to legal conventions, if necessary for clarity or as per specific editorial guidelines.

Q: How do I handle subsequent citations to the same legal source in Chicago style footnotes?

A: After the first full citation, subsequent references to the same legal source in Chicago style footnotes are typically shortened. For cases, this often involves using the last name of the first party (italicized) and the pinpoint citation (e.g., *Miranda*, 384 U.S. at 440). For statutes, it's usually the short title or statutory citation and the pinpoint (e.g., 42 U.S.C. § 1983). For secondary sources, it would be the author's last name and a short title or relevant page number.

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