

GUIDE TO THE DELAWARE RULES OF LEGAL CITATION

in the Superior Court of Delaware

Second Edition

This revised guide to the Delaware rules governing legal citation and style is intended to provide uniformity, clarity, and consistency in the Superior Court's decisions, and to make life easier for each arriving generation of law clerks. The *Guide* is based on the *Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds. 17th ed. 2000), the *Chicago Manual of Style* (15th ed. 2003), internal Superior Court rules, and established Delaware practice. It also updates the Superior Court *Guide to the Delaware Rules of Legal Citation* adopted in July 1997. Although it is intended to highlight the *Bluebook*, and not substitute for it, we hope this guide provides a convenient, Delaware-specific resource for the Superior Court's judicial officers, law clerks, interns, externs, and staff.

In some ways, it is misleading to refer to the "rules" governing citations, as their structure constantly fluctuates. Citations evolve through a fluid and dynamic process, constantly reacting to substantive changes in the organization of the state and federal judiciary, as well as the stylistic preferences of its officers and academic commentators. Accordingly, this guide is by definition a continuous work in progress. Suggestions, comments, and criticisms are therefore always valued.

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PART ONE:

CASES

I. SUPERIOR COURT CIVIL RULE 107(c)(4)

A. Civil Cases

Superior Court Civil Rule 107(c)(4) provides that:

The following shall be the form of citations:

a. Reported Opinions. The style of citation shall be as set forth in THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION, with no reference to State Reporter Systems or other parallel citations. For example:

Melson v. Allman, 244 A.2d 85 (Del. 1968).

Prince v. Bensinger, 244 A.2d 89 (Del. Ch. 1968).

State v. Pennsylvania R.R. Co., 244 A.2d 80 (Del. Super. Ct. 1968).

b. Unreported Opinions. The style of citation shall be any of the three alternatives set forth below:

LEXIS Citation Form: *Fox v. Fox*, 1998 Del. LEXIS 179 (Del. Supr.).

OR

WESTLAW Citation Form: *Fox v. Fox*, 1998 WL 280361 (Del. Supr.).

OR

Delaware Citation Form: *Fox v. Fox*, Del. Supr., No. 510, 1997, Berger, J. (May 14, 1998).

c. Other Authority. The style of citation to any other type of authority, including but not limited to statutes, book, and articles, shall be as set forth in THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION.

Although the *Bluebook* directs otherwise, italicize case captions per established usage. In addition, per established usage, the parenthetical information in Lexis citations is optional, unless necessary to identify the deciding court.

Fox v. Fox, 1998 Del. LEXIS 179.

Fox v. Fox, 1997 Del. Super. LEXIS 837.

BUT: *Fox v. Fox*, 1998 U.S. Dist. LEXIS 123 (D. Del.).

BUT: *Fox v. Fox*, 1999 U.S. App. LEXIS 942 (3rd Cir.).

NOTE: The eighteenth edition of the Bluebook is scheduled to be released in 2005. Changes to citation style for electronic opinions will likely result.

B. Criminal Cases

Superior Court Civil Rule 107(c)(4) is made applicable to criminal cases by Superior Court Criminal Rule 57(d), which provides that “[i]n all cases not provided for by rule or administrative order, the court shall regulate its practice in accordance with the applicable Superior Court civil rule. . . .”

II. CITATIONS TO REPORTED DELAWARE CASES (ATLANTIC REPORTER)

As a matter of established usage, case names should be italicized. Underlining in case citations or other text is not used in the Superior Court. These examples follow the style of Rule 107(c)(4).

A. Supreme Court. *Melson v. Allman*, 244 A.2d 85 (Del. 1968).

B. Superior Court. *Crowhorn v. Nationwide Mut. Ins. Co.*, 836 A.2d 558 (Del. Super. Ct. 2003).

C. Court of Chancery. *Prince v. Binsinger*, 244 A.2d 89 (Del. Ch. 1968).

D. Court of Common Pleas. *Bank v. Polk*, 1 Del. Cas. 580 (Del. C.P. 1817).

E. Family Court. *Scholl v. Scholl*, 621 A.2d 808 (Del. Fam. Ct. 1992).

F. Court on the Judiciary. *In re Williams*, 701 A.2d 825 (Del. Jud. 1997).

G. Court of Oyer and Terminer. *State v. Adams*, 65 A. 510 (Del. Oyer & Term. 1906).

H. Orphans Court. *Whitehead v. Whitehead*, 181 A. 684 (Del. Orph. 1935).

I. Court of General Sessions. *Lyons v. Delaware Liquor Comm’n*, 58 A.2d 889 (Del. Gen. Sess. 1948).

See also Supreme Court Rule 93, which describes the function of the Advisory Committee on Publication of Opinions and mirrors the form of citations embodied in Superior Court Civil Rule 107(c)(4).

III. CITATIONS TO UNREPORTED DELAWARE CASES & AGENCY DECISIONS

As a general rule, cite to the Westlaw or Lexis caption. If the case is not available through these media, use the non-electronic formats listed below. Reference to the month and day is not necessary for electronic citations.

A. Supreme Court

1. Opinions. All Supreme Court opinions are eventually reported. Cite to either (but not both) Westlaw or Lexis, or by case number as established by local usage. Full citations are given once, followed by a short form citation thereafter.

Knight v. State, Del. Supr., _ A.2d _, No. 498, 1995, Holland, J. (Oct. 28, 1996).
Knight, No. 498, at 5.

Knight v. State, 1996 Del. LEXIS 402.
Knight, 1996 Del. LEXIS 402, at *10.

Larson v. State, 1995 WL 389718 (Del. Supr.).
Larson, 1995 WL 389718, at *2.

As all Supreme Court opinions are assigned electronic citations, either the Westlaw or Lexis form is preferred. A slip opinion is an opinion that later will be published in an official reporter. *See* Black's Law Dictionary 1125 (8th ed. 2004). Therefore, Supreme Court opinions are slip opinions before they are reported in the Atlantic Reporter; unreported Superior Court opinions are not.

2. Orders. Cite to the Atlantic Reporter, if available. If not, use the electronic citation. Where no electronic citation exists, use the following non-electronic format:

Council of Civic Orgs. of Brandywine Hundred, Inc. v. New Castle County, Del. Supr., No. 336, 1992, Moore, J. (June 4, 1993) (ORDER).

3. Administrative Directives. Use the following format, without italics:

Admin. Dir. No. 88, Del. Supr., Christie, C.J. (Feb. 5, 1992) at 4.

B. Superior Court

1. Generally. All Superior Court memorandum and letter opinions and significant orders issued by judges are promptly posted on the Delaware judiciary's website. *See* First State Judiciary, at <http://courts.state.de.us>. If available, cite to Westlaw or Lexis. When using the non-electronic format, however, describe each unreported Superior Court decision as either "Mem. Op." (Memorandum Opinion), "Letter Op." (Letter Opinion), or "ORDER." The use of "Op. and Order" (Opinion and Order) is discouraged per established usage. Use only the civil action number ("C.A. No.") or the criminal identification number ("ID #"), not the criminal action number, to identify a decision. Additionally, the assigned judge's initials need not be included in the civil action number.

2. Decisions of Judges. For example:

Lee v. McLean, 2004 Del. Super. LEXIS 225.
Kentucky Fried Chicken v. Iman, 1998 WL 437140 (Del. Super.).
Keeler v. Conco Tellus, Inc., Del. Super., C.A. No. 96A-02-014, Alford, J. (Sept. 25, 1996) (Mem. Op.).
Dorsey v. Service America Corp., Del. Super., C.A. No. 95C-01-020, Lee, J. (Feb. 25, 1997) (Letter Op.)
State v. Rampmeyer, Del. Super., ID No. 9808014797, Witham, J. (Dec. 9, 2002) (ORDER).

Physical copies of unreported decisions are filed by date in the county law libraries. Thus, include the day, month, and year when citing to non-electronic formats. Electronic citations do not require exact dates.

3. Decisions of Commissioners. If a commissioner's order has the force of law on its own, no other citation is needed. *See generally* Super. Ct. Civ. R. 132.

State v. Grivas, Del. Super., ID No. 9603001060, Reynolds, Comm'r (Feb. 3, 1997) (ORDER).

Where an order or report requires review by a judge, additional information is required. Where a judge accepts a commissioner's report, cite to the judge's decision.

State v. Stevenson, Del. Super., ID No. 0301013593, Freud, Comm'r (June 30, 2004) (review pending).
Righter v. State, Del. Super., ID No. 30112297, Cooch, R.J. (Jan. 2, 1997) (ORDER) (accepting Comm'r Report of Dec. 9, 1996).

In lieu of "P.J." or "R.J.," it is acceptable to simply use the "J." format (*e.g.*, "ID No. 30112297, Cooch, J.").

C. Court of Chancery

1. Generally. Use the electronic citation, if available. Otherwise, follow the formats set forth below.

2. Decisions of the Chancellor or Vice-Chancellors.

Wagner v. Ware, 1985 Del. Ch. LEXIS 376.
Council of Civic Orgs. of Brandywine Hundred v. New Castle County, Del. Ch., C.A. No. 12048, Hartnett, V.C. (June 25, 1992) (Mem. Op.).
Alliance Gaming Corp. v. Gaming Int'l, Del. Ch., C.A. No. 14440, Jacobs, V.C. (Aug. 11, 1995) (Letter Op.).

3. Decisions of Masters. If a master's report has the force of law on its own, no other citation is necessary. Where it must be or has been confirmed by the Court, then the citation should so reflect.

Lofland v. Demsey, Del. Ch., C.A. No. 7544, Kiger, M. (Feb. 5, 1986) (Report).

In re Estate of Dorothy Barrett, Del. Ch., Reg. of Wills Folio No. RW-76, Kiger, M. (Oct. 11, 1995) (Report).
In re Smith, Del. Ch., C.A. No. 10000, Chandler, V.C. (Apr. 30, 1996) (Letter Op.) (confirming Master's Report of Apr. 29, 1996).
D. Court of Common Pleas

Use an electronic citation, if available. Pursuant to local usage, no parenthetical information is required for non-electronic citations. Note the absence of periods in "CCP." This adopts the citation preference used in that court.

Harry S. Wilson, Inc. v. Hurschman, 1993 Del. C.P. LEXIS 6 *or* 1993 WL 1303158 (Del.Com.Pl.).
B.H. Construction Co. v. Kennedy Fried Chicken, Del. CCP, C.A. No. 1992-07-195, DiSabatino, J. (July 23, 1993).

E. Family Court

Use an electronic citation, if available. Pursuant to local usage, no parenthetical information regarding the type of decision is required for non-electronic citations.

R.L. v. J.L., 1999 Del. Fam. Ct. LEXIS 146.
Pairo v. Pairo, Del. Fam., C.A. No. CN95-07854, Tumas, J. (Aug. 8, 1996).
State v. Gomez, Del. Fam., Cr. A. No. 55-34-1985, Horgan, J. (Mar. 24, 1985).

F. Justice of the Peace Court

Pursuant to local usage, no parenthetical information is required. This format tracks the citation used in the Justice of the Peace courts.

Abdul-Aleem v. Redman, Del. J.P., C.A. No. JP-87-C-534, Blakely, J. (May 28, 1987).
Hathaway v. Ross, Del. J.P., C.A. No. JP-88-C-123, Griffin, C.M. (Apr. 1, 1997).

G. Decisions of Administrative Agencies and Citations to the Record

Include the caption, hearing number, and date. When citing to the record, add a title in front of the caption (e.g., "Tr. Gardner" for "transcript of witness Gardner"). Cite to the record, not to the parties' briefs.

1. Citation to a Decision

Parks v. Wal-Mart Stores, Inc., IAB Hearing No. 1212513 (Mar. 10, 2003).
Tatman v. Delaware Home Maintenance Services, et al., UIAB Appeal Docket No. 426720 (Mar. 31, 2003), *rev'g* Decision of Appeals Referee (Feb. 12, 2003).
Darling v. Sara Lee Corp., IAB Hearing No. 1211222 (May 13, 2003), at 9.
National Paint & Coatings Assoc. v. Dept. of Nat. Resources & Env'tl. Control, EAB Appeal No. 2002-03 (June 2, 2003).

2. Citation to the Record

Tr. Gardner, EAB Appeal No. 2002-03, at 188.
Tr. Smith, IAB Hearing No. 1212513, at 34.

H. Judicial Ethics Advisory Committee

JEAC 1994-3, at 6.

I. Advisory Opinions of the Attorney General

Do not italicize advisory opinions.

Assessment of Attorneys' Fees, Op. Att'y Gen., 94-1034 (Dec. 9, 1994).

J. Pinpoint Citations to Unreported Decisions

Use this form to pinpoint a specific page: *Melson v. Allman*, 244 A.2d 85, 86 (Del. 1968). Sometimes the author will need to cite both the full opinion and a quotation from its first page. Note that a pinpoint cite is required for these direct references: *Melson v. Allman*, 244 A.2d 85, 85 (Del. 1968). See generally Bluebook R. 3, at 34-39.

Thomas, 2004 Del. Super. LEXIS 158, at *4.
National Paint, 2004 Del. Super. LEXIS 61, at *25-26.
Evans, Del. Super., C.A. No. 83A-NO-5, at 2.
Council of Civic Orgs., Del. Supr., No. 336, at 3.
Kennedy Fried Chicken, Del. CCP, C.A. No. 1992-07-195, at 5-7.

K. Footnotes

State Personnel Comm'n v. Howard, 420 A.2d 135, 138 n.4 (Del. 1980).
Howard, 420 A.2d at 138 & n.4.
Keeler v. Conco Tellus, Inc., Del. Super., C.A. No. 96A-02-014, Alford, J. (Sept. 25, 1996) (Mem. Op.) at n.2.

IV. CITATIONS TO CASES FROM OTHER JURISDICTIONS

A. Reported Decisions Generally

Follow the conventions set forth in Bluebook Rule 10, but italicize the case name. Thus:

Cardon Investments v. Town of New Market, 485 A.2d 678 (Md. 1984).
Colonna v. Colonna, 2001 PA Super. 368 [this is a Pennsylvania-specific format]
Boyd v. County of Henrico, 581 S.E.2d 863 (Va. Ct. App. 2003).
Becnel v. LaFayette Ins. Co., 785 So.2d 827 (La. 2001).
Comm'r of Corps. and Taxation v. St. Botolph Club, Inc., 72 N.E.2d 518 (Mass. 1947).

B. Federal Cases

- Markman v. Westview Instruments, Inc.*, 517 U.S. 370 (1996).
Grupo Dataflux v. Atlas Global Group, L.P., 2004 U.S. LEXIS 3676.
Rabin v. America's Favorite Chicken Co., 1997 WL 33557801 (U.S.).
- Lighthouse Inst. for Evangelism v. City of Long Branch*, 2004 U.S. App. LEXIS 10566 (3d Cir.).
United States v. Casseus, 282 F.2d 253 (3d Cir. 2002).
Gallus Investments, L.P. v. Pudgie's Famous Chicken, Ltd., 1997 WL 33539428 (4th Cir.).
- Couden v. Duffy*, 305 F. Supp. 2d 379 (D. Del. 2004).
NMSBPCSLDHB L.P. v. Integrated Telecom Express, 2004 U.S. Dist. LEXIS 9109 (D. Del.).
Anderson v. Airco, Inc., 2003 WL 21842085 (D. Del.).
Konstantopoulos v. Westvaco Corp., D. Del., C.A. No. 90-146-CMW, Wright, J. (June 19, 1992) (Mem. Op.).
-

V. CASE ABBREVIATIONS

A. Abbreviations Generally

Abbreviate words where substantial space will be saved and the result is unambiguous. Case names and geographical terms should be abbreviated according to Bluebook 302, tbls. T.6, 311, tbl. T.11, respectively. Do not abbreviate "United States." *See generally* Bluebook Rule 10.2.2.

B. Consolidations and Multiple Parties

If the case is a consolidation of two or more actions, cite only the first listed. Omit all parties other than the first listed on each side, but do not omit any portion of a partnership name. *See* Bluebook R. 10.2.1(a).

Fry v. Mayor of Wilmington
NOT: *Fry v. Mayor & City Council of Wilmington*
State v. Smith
NOT: *State v. Gerald Smith and Ted Jones*

Similarly, omit words indicating multiple parties, such as "et al." Also omit alternative names given for the first-listed party on either side:

Franklin v. Amanat
NOT: *Franklin et al. v. Amanat d/b/a The Man, Inc.*

Anderson v. Airco, Inc.
NOT: *Anderson v. Airco, Inc., et al.*

C. Governmental Units and Business Names

In criminal case citations, omit the state name. Similarly, in civil action citations, omit “State of,” “Commonwealth of,” or “People of.”

State v. Ferrone (criminal)
NOT: *State of Delaware v. Ferrone*
Lundgren v. Delaware (civil)
NOT: *Lundgren v. State of Delaware*

Omit “City of” and like expressions unless the expression begins a party name:

Mayor of New York v. Clinton
NOT: *Mayor of the City of New York v. Clinton*
BUT: *Butts v. City of Wilmington*

Omit “Inc.,” “Ltd.,” “LLC,” and other like terms where the name clearly indicates the party is a business firm.

Delaware Packing Co. v. Indiana Refrigerator Lines, Inc.
NOT: *Delaware Packing Co., Inc. v. Indiana Refrigerator Lines, Inc.*

See Bluebook R. 10.2.1(f) and (h), respectively.

D. Procedural Phrases

Abbreviate “on the relation of,” “for the use of,” “on behalf of,” and similar expressions to “*ex rel.*” Abbreviate “in the matter of,” “petition of,” “application of,” and similar expressions to “*In re.*” When adversarial parties are named, omit all procedural phrases except “*ex rel.*” See Bluebook R. 10.2.1(b), at 58.

E. Months

See Bluebook 316 tbl. T.13.

Jan.	Apr.	July	Oct.
Feb.	May	Aug.	Nov.
Mar.	June	Sept.	Dec.

F. Judges and Officials

The following is a list of abbreviations useful for Delaware practice. For a more exhaustive list, see Bluebook 315 tbl. T.12.

Arbitrator	Arb.
Master	M.
Assistant Public Defender	Assist. Pub. Def.
President Judge	P.J.

Attorney General	Att’y Gen.
Public Defender	Pub. Def.
Chancellor	C.
Referee	R.
Chief Judge, Chief Justice	C.J.
Representative	Rep.
Commissioner	Comm’r
Resident Judge	R.J.
Deputy Attorney General	D.A.G.
Senator	Sen.
Governor	Gov.
Vice-Chancellor	V.C.
Judge, Justice	J.

G. Explanatory Phrases

Give prior history only if significant to the point for which the case is cited or if the disposition cited does not intelligently describe the issues in the case. Those phrases that are followed by a case citation as their direct object are not followed by commas. Otherwise, a comma is required. *See* Bluebook 309 tbl. T.9. Following the general rule that commas should not be italicized unless part of the citation itself, Bluebook R. 2.1(f), at 68, only the phrase itself should be italicized.

<i>aff’d,</i>	<i>cert. dismissed,</i>	<i>rev’d,</i>
<i>aff’d on other grounds,</i>	<i>cert. granted,</i>	<i>rev’d on other grounds,</i>
<i>aff’g</i>	<i>certifying questions to</i>	<i>rev’d per curiam</i>
<i>amended by</i>	<i>modifying</i>	<i>rev’g</i>
<i>appeal dismissed,</i>	<i>overruled by</i>	<i>vacated,</i>
<i>cert. denied,</i>	<i>reh’g granted [denied],</i>	<i>withdrawn,</i>

Thus:

Goodridge v. Hyster Co., 2002 WL 32007200, *aff’d*, 845 A.2d 498 (Del. 2004).
Schadt v. Latchford, 843 A.2d 689 (Del. 2004), *rev’g* 2001 Del. Super. LEXIS 136.

H. Court Documents

Use these terms to cite to briefs, memoranda, and other docket filings. Since the list is not exhaustive, the writer should be guided by principles of clarity, consistency, and, most importantly, common sense. Bluebook 307 tbl. T.8 contains a more comprehensive list. Cite to the docket index number (“D.I. ___”) or electronic-filing number (“E-File _____”) where doing so would aid the reader.

Affidavit	Aff.	Judgment	J.
Amended	Am.	Memorandum	Mem.
Answer	Answ.	Motion	Mot.
Appeal	Appeal	Opinion	Op.
Appellant	Appellant	Opposition	Opp’n
Appellee	Appellee	Order	Order
Appendix	App.	Petition	Pet.

Attachment	Attach.	Petitioner	Pet’r
Attorney[s]	Att’y[s]	Plaintiff[s]	Pl., Pls.
Brief	Br.	Preliminary	Prelim.
Complaint	Compl.	Produc[e, tion]	Produc.
Counterclaim	Countercl.	Quash	Quash
Court	Ct.	Reargument	Rearg.
Cross-claim	Cross-cl.	Record	R.
Declaration	Decl.	Rehearing	Reh’g
Defendant[s]	Def., Defs.	Reply	Reply
Deposition	Dep.	Reporter	Rep.
Discovery	Disc.	Request	Req.
Dismiss	Dismiss	Respondent	Resp’t
Docket Index Number	D.I.	Response	Resp.
Document[s]	Doc., Docs.	Stay	Stay
Exhibit	Ex.	Subpoena	Subp.
Hearing	Hr’g	Summary	Summ.
Injunction	Inj.	Testimony	Test.
Interrogatory[ies]	Interrog., Interrogs.	Transcript	Tr.

Thus:

Pl. Mot. to Dismiss, D.I. 78, ¶ 14, at 10.
 Def. Countercl., D.I. 11, at 45.
 Pl. Reply Br., D.I. 26, Ex. B.
 3 Quayle Dep., D.I. 72, at 83.
 Pl. Mot. Rearg., E-File 123456, at 14.
 3d-Party Def. Mot. Summ. J., E-File 654321, at 53.

VI. SHORT CITATIONS

A. “*Id.*”

Use the short form “*Id.*” when citing to the immediately preceding authority. After a full citation, use this form so long as (1) it is clear which case is being referenced; (2) the full citation falls into the same general discussion; and (3) the reader will have little trouble locating the prior citation quickly. Use “at” when referring to page numbers. See Bluebook R. 4.1.

United States v. Calandra, 414 U.S. 338, 343 (1974) becomes
Calandra, 414 U.S. at 343, or, when immediately following a full citation,
Id. at 343.

C.F. Schwartz Motor Co. v. Int’l Truck & Engine Corp., 2004 Del. Super. LEXIS 103
 becomes *C.F. Schwartz*, 2004 Del. Super. LEXIS 103, at *12, or
Id. at *12.

For statutes, constitutional provisions, secondary authorities, and other materials that utilize section symbols, do not use “at.” Use “*id.*” when referring to the same title, constitution, article, etc. See Bluebook R. 4.1.

19 *Del. C.* § 2323 *becomes*
Id. § 2341(a).

U.S. Const. amend. V *becomes*
See id. amend. VI.

Fleming James, Jr. & Geoffrey C. Hazard, Jr., *Civil Procedure* § 1.3-5 (3d ed. 1985)
becomes James, *Civil Procedure* § 1.7, *or Id.* § 1.7.

B. “*Supra*,” “*Infra*,” and “*Hereinafter*”

After fully citing to a secondary authority, subsequently use *supra* (for a preceding citation) or *infra* (for a succeeding citation) to refer to the original citation. Do not use to refer to primary sources, such as cases, statutes, and constitutions. *See* Bluebook R. 4.2

Ackerman, *supra* n.4, at 51.
Becnel et al., *supra* n. 10, § 15-1.
See Dunkle, *infra* Part IV.

These short forms may also be used to refer to other sections of the opinion or order the author is drafting.

See generally Section II.B, *infra*.
But see ¶ 5, *supra*.

“*Hereinafter*” may be used in lieu of traditional short forms. Following the full citation, place “*hereinafter*” and a short citation form in brackets. This form is often used when two or more works by the same author are repeatedly cited.

n5. Peter M. Tiersma, *The Judge as Linguist*, 27 *Loy. L.A. L. Rev.* 269, 281-83 (1993) [*hereinafter* Tiersma I]; *see also* Peter M. Tiersma, *A Message in a Bottle: Text, Autonomy, and Statutory Interpretation*, 76 *Tul. L. Rev.* 431, 437 (2001) [*hereinafter* Tiersma II].

Tiersma II, *supra* n.5, at 440.

VII. INTRODUCTORY SIGNALS

One commentator argues that “[t]he choice of signal can influence not only the interpretation of cited cases, but also the path of the law.” Ira P. Robbins, *Semiotics, Analogical Legal Reasoning, and the Cf. Citation: Getting Our Signals Uncrossed*, 48 Duke L. J. 1043 (1999). It is important to utilize the most appropriate signal (which often includes no signal at all) when citing authority for a proposition. Signal choice is often a close question.

A. Types of Signals

- 1. No Signal.** Do not use a signal where the citation *directly* stands for the proposition quoted or advocated.
- 2. See and But see.** Use when the cited authority supports the proposition, but *does not directly* state it. There is thus an inferential step between the authority cited and the proposition it supports. Use “But see” where the cited authority supports a proposition contrary to the main proposition.
- 3. See also.** Cited authority constitutes additional source material that supports the proposition.
- 4. E.g.** Cited authority constitutes only one example of the proposition. May be combined with other signals or used standing alone.
- 5. Cf. and But cf.** Cited authority supports a proposition different from the main proposition but is sufficiently analogous to lend support. Use “*but cf.*” when directing the reader to compare contrary authority.
- 6. Contra.** Cited authority *directly* states the contrary to the proposition.
- 7. Accord.** Commonly used when two or more cases state or support the proposition but the text quotes or refers to only one; the others are then introduced by “accord.”
- 8. See generally.** Cited authority presents background material related to the proposition.
- 9. Signals as Verbs.** Signals may be used as verbs in textual sentences. In this context, they are not italicized, and abbreviations are spelled out. Thus, “*Cf.*” becomes “Compare,” and “*E.g.*” becomes “For example.”

“For a related discussion on this point, see the comments to D.R.E. 702.”

“Compare *Princess Hotels Int’l, Inc. v. Delaware State Bar Assoc.*, 1998 Del. Super. LEXIS 189, with *Pollard v. The Placers, Inc.*, 1996 Del. Super. LEXIS 327.”

B. Non-Textual Illustrations of Signals

See Fed. R. Civ. P. 26 Advisory Committee Note; see also *Duplan Corp. v. Moulinage et Retorderie De Chavanoz*, 509 F.2d 730 (4th Cir. 1974) (“The most controversial problem in the discovery area”), *cert. denied*, 420 U.S. 997 (1975); *Developments in the Law, Discovery*, 74 Harv. L. Rev. 942, 1027 (1961) (“[U]ndoubtedly the most controversial problem in the discovery area”); Annotation, *Development, Since Hickman v. Taylor, of Attorney’s “Work*

Product" Doctrine, 35 A.L.R.3d 412, 422 (1971) ("[O]ne of the most controversial problems in the discovery area").

Fed. R. Civ. P. 26 (b)(3). As to judicial optimism, see *Virginia Elec. & Power Co. v. Sun Shipbuilding & Dry Dock Co.*, 68 F.R.D. 397, 410 (E.D. Va. 1975) ("The provisions of [Federal] Rule 26 (b)(3) are straightforward and easily understood. No interpretation or construction seems necessary.").

But see, e.g., Hickman v. Taylor, 329 U.S. at 517 (Jackson, J., concurring) (noting that opposing counsel could impeach adverse witnesses' credibility by calling their attorneys to testify to pre-litigation conversations).

Cf. Flonnelly v. State, 778 A.2d 1044, 1050-1051 (Del. 2001) (quoting 4 William Blackstone, Commentaries *343). *See also* Del. Const. art. I, § 7; *Fountain v. State*, 275 A.2d 251 (Del. 1971) (construing Article I, Section 7 as guaranteeing jury trial right as it existed at common law).

Parenthetical information is recommended when the relevance of a cited authority might not otherwise be clear, or could be made clearer. *See* Part VIII.A., *infra*. Do not italicize signals when used in full sentences. *See* Bluebook R. 1.2.

C. Textual Illustration of Signals

Example:

Part Two details the history and current state of American patent law and Seventh Amendment jurisprudence. Specifically, the Part begins with a general overview and history of the right to trial by jury, covering British common law origins, debates during the drafting of the Constitution,¹ the political setting surrounding the Amendment's passage,² and the subsequent application and

¹ The right to trial by jury under the Seventh Amendment is applicable only to civil litigation; the criminal jury, a comparatively uncontroversial topic during the Convention, is addressed within the body of the Constitution itself. *See* U.S. Const. art. III, § 2, cl. 3 ("The Trial of *all Crimes*, except in Cases of Impeachment, shall be by jury. . . .") (emphasis added). For a discussion of the right in the criminal setting, see Albert W. Alschuler & Andrew G. Deiss, *A Brief History of the Criminal Jury in the United States*, 61 U. Chi. L. Rev. 867 (1994); William T. Pizzi & Morris B. Hoffman, *Jury Selection Errors on Appeal*, 38 Am. Crim. L. Rev. 1391, 1408-09, n.77 (2001) (noting unanimous approval and uncharacteristic lack of debate regarding Article III right to jury trial).

² Although Madison kept a detailed record of the proceedings of the Constitutional Convention, there is little indication of debate or even discussion on the subject of the jury trial, whether civil or criminal. The committee charged with drafting Article III introduced Section Three in substantially its final form. *See* Wilbourn E. Benton ed., 1787: Drafting the United States Constitution, II, at 1349 (1986). The only deliberation on the subject came via a motion made by two of the delegates hoping to preserve trial by jury in civil cases explicitly within Article III. *Id.* at 1357-58. The motion was defeated, after what Madison described Delegate Pinckney's response that such a provision would render the Constitution "pregnant with embarrassment." *Id.* at 1358. *See also* Jonathan Elliot ed., 5 Debates on the Adoption of the Federal Constitution . . . 381 (1888) (reprinting draft of Constitution introduced to the Convention on August 6, 1787, concerning criminal jury trials: "The trial of all criminal offenses (except in cases of impeachment) shall be in the state where they shall be committed; and shall be by jury."). *Cf.* Declaration of Independence ¶ 20 (U.S. 1776) ("For depriving us in many cases, of the benefits of Trial by Jury. . . .").

scope of the jury trial in contemporary legal practice. The following sections discuss the subject of patent law, and details a brief history of patent litigation in the United States and England, the drafting of the Arts and Sciences clause,³ general statutory principles of patent protection and infringement, and the rise of claim construction's role in patent suits. Part Two then concludes with a discussion of the language of patents and the cognitive assumptions made by the Federal Circuit and the Supreme Court in *Markman*.

VIII. PARENTHETICALS AND COMMENTARIES

Parenthetical information is recommended when the relevance of a cited authority might not otherwise be clear, or could be made clearer. *See generally* Bluebook R. 1.5.

A. Form of Parenthetical Information

Explanatory parenthetical phrases ordinarily begin with a present participle (“-ing”) and should not begin with a capital letter.

Becnel v. Dupuis, 488 U.S. 891 (1988) (denying certiorari).

Lundgren v. United States, 141 F.2d 497 (9th Cir. 1944) (affirming without comment).

B. Citations Within Citations: Parenthetical Versus Non-Parenthetical Embedded Citations

Works that discuss or quote the primary authority may also be appended to the citation without parentheses as related authorities. Italicize “citing,” “quoted in,” etc., only in non-parenthetical citations.

Restatement of Restitution § 74 (1937), *quoted in Fleeer Corp. v. Topps Chewing Gum, Inc.*, 539 A.2d 1060, 1062 (Del. 1988).

Washam v. State, 235 A.2d 279, 281 (Del. 1967) (citing *Chapman v. California*, 386 U.S. 18 (1967)).

C. Parenthetical Quotes

If the parenthetical information quotes one or more full sentences, it should begin with a capital letter and include appropriate closing punctuation. A pinpoint citation and signal is required.

³ U.S. Const. art. I, § 8, cl. 8 (authorizing Congress to “promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.”). Like criminal jury trials, the subject of patents was little discussed, and was unanimously approved without substantive debate. *See* Max Farrand, *The Framing of the Constitution of the United States* 179 (5th ed. 1925); Gaillard Hunt & Jonathan Brown Scott, *The Debates in the Federal Convention . . .* 512-13 (1920) (providing Madison’s curt entry regarding copyrights and patents: “the [arts and sciences clause] was agreed to. . .”).

Cf. Pauline Newman, *Law and Science: The Testing of Justice*, 57 N.Y.U. Ann. Surv. Am. L. 419, 426 (2000) (“[I]n the grip of the judge charged with application of the law, the rigors of the scientific method may be overwhelmed by the social and cultural values of the institutions of justice.”).

Accord Super. Ct. Civ. R. 52 (“Any error, defect, irregularity, or variance which does not affect substantial rights shall be disregarded.”).

D. Order of Parenthetical Information

Explanatory parenthetical phrases should precede any citation of subsequent history or other related authority.

McKinney v. Kent County Bd. of Adjustment, 1995 Del. Super. LEXIS 83 (applying Superior Court Civil Rule 15(a) to an administrative appeal), *aff’d on other grounds*, *Di’s, Inc. v. McKinney*, 673 A.2d 1199 (1996).

E. Separate Opinions in One Citation

A separate opinion should be noted as such in a parenthetical reference, which precedes other textual parenthetical information. Other information regarding authorship should be placed in parentheses.

Parker v. Randolph, 442 U.S. 62, 84 (1979) (Stevens, J., dissenting).

PART TWO:

CONSTITUTIONS, STATUTES, AND RULES

IX. CONSTITUTIONS AND STATUTES

A. Constitutions

1. United States Constitution. Cite the federal constitution as follows.

U.S. Const. art. I, § 9, cl. 2.

U.S. Const. amend. XIV, § 2.

U.S. Const. pmbl.

2. Delaware Constitution. Include the date only when citing previous versions of Delaware’s constitution.

Del. Const. art. I, § 6.

Del. Const. art. III, § 2 (1776).

Dec. of Rights and Fund. R. of Del. § 1 (1776).

See generally Bluebook R.11.

B. Delaware Code

1. Generally. The *Bluebook* directs that the Delaware Code be cited “Del. Code Ann.” See Bluebook 195 tbl. T.1. Notwithstanding this provision, the Delaware Code should be cited pursuant to local usage as follows:

19 *Del. C.* § 2304.

Note that the published date of the statute should not be included unless relevant, such as when the author is referring to different versions of the same statute.

11 *Del. C.* § 4205 (Supp. 1992).

Stylistically, it is better to avoid starting a sentence with a statute reference, as the combination of spelled-out numbers and numerals can be awkward. If it must be done, however, the title nonetheless should be spelled out. Thus: “Eleven *Del. C.* § 201 provides that. . . .”

Session laws should be cited as follows, with the year in parentheses.

68 *Del. Laws*, c.9, §§ 32-33 (1991).

2. Multiple Sections. When citing multiple sections, do not use “*et seq.*” or omit digits (as is done when indicating multiple pages). See Bluebook R. 3.4.

Motor Vehicle Franchising Practices Act, 6 *Del. C.* §§ 4901-4917.
9 *Del. C.* §§ 817-819.

3. Agency Regulations. Cite state agency regulations with the name of the agency, title, regulation number, and section number, if applicable. The year should follow in parentheses.

Delaware Dept. of Natural Resources and Env'tl. Control, Div. of Air and Waste Mgmt.,
Reg. No. 3,
§ 6 (1999).
Delaware Dept. of Health and Human Services, *Delaware Social Services Manual*, DE
ADC 40 800 005, § 5405(5) (Westlaw) (2004).

See also Bluebook R.14.

4. Legislative History. Cite legislative history by including a short description of the document (if applicable), bill number, and date of the document cited. If available online, use “*available at*” followed by the complete URL.

Synopsis, Senate Bill No. 80 (Mar. 20, 2001).
Remarks of Representative Hudson, House Bill No. 64 (Mar. 13, 2003).
House Committee Report, House Bill No. 64 (Mar. 26, 2003).
Senate Concurrent Resolution No. 20 (June 11, 2003), *available at*
[http://www.legis.state.de.us/
LIS/LIS142.NSF/fsHTML/?openframeset](http://www.legis.state.de.us/LIS/LIS142.NSF/fsHTML/?openframeset).

See also Bluebook R.13.

C. Federal Statutes

Cite to the United States Code as follows (do not cite the United States Code Annotated).

29 U.S.C. §§ 651-678.

Use this format for the Code of Federal Regulations and Federal Register, respectively.

29 C.F.R. § 1910.1017.

68 F.R. 41597.

D. Short Form for Statutes and Regulations

Do not use “*at*” when citing to sources with sections.

19 *Del. C.* § 2304 *becomes*

Id. § 2304

Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, Reg. No. 3, § 6 (1999) *becomes*

DNREC, Reg. No. 3, § 6.

X. RULES OF COURT

A. Delaware Rules

Although the Bluebook directs otherwise, abbreviate Delaware court rules pursuant to local usage as described below. *See, e.g.*, Bluebook R. 12.8.3 (directing that Court of Common Pleas Rule 8(f) be cited “Del. Ct. C.P.R. 8(f)”). As a matter of local usage, do not use smallcaps (*e.g.*, “SUPER CT. CIV. R. 8”).

Ald. & Mayor Cts. Crim. R. 8.

Ct. Ch. R. 12(b)(6).

CCP Civ. R. 12.

CCP Crim. R. 4.

D.R.E. 403.

Fam. Ct. Civ. R. 41.

Fam. Ct. Crim. R. 61.

JEAC R. 3.

Jud. Cond. R. 1.

Jud. Ct. R. 3.

J.P. Civ. R. 17.

J.P. Crim. R. 24.

Prof. Cond. R. 8.5.

Super. Ct. Civ. R. 68.

Super. Ct. Crim. R. 61.

Supr. Ct. R. 54.

B. Federal Rules

For the same reasons, use these formats for citing to federal court rules. Do not use smallcaps.

Sup. Ct. R. 17.

3d Cir. R. 5.

USDC D. Del. LR 23.1.

Fed. R. Civ. P. 12.

Fed. R. Crim. P. 42(a).

Fed. R. Evid. 410.

C. In-Text and Footnote Citations

Stylistically, it is better to abbreviate rules of court only in footnotes. Textual references to the rules should be spelled out. If one set of rules is repeatedly cited in a decision, the “[*hereinafter* ___]” short form designation may be useful. Similarly, so long as no ambiguity would result, the full title of the rules need only be spelled out once. Use “Rule ___” thereafter.

Pursuant to Superior Court Civil Rule 19, the Board filed a motion to dismiss for failure to join indispensable parties.

Rule 25, as discussed above, details the procedures for substituting parties after litigation has commenced.

PART THREE:

OTHER MATERIALS AND STYLE

XI. SECONDARY SOURCES

A. Books

Follow Bluebook Rule 15, except do not use smallcaps.

Adrienne Rich, *Transcendental Etude*, in *The Fact of a Doorframe* 264, 267-68 (1984).
Charles Dickens, *Bleak House* (Norman Page ed. Penguin Books 1971) (1853).
The Bluebook: A Uniform System of Citation (Columbia Law Review Ass’n. et al. eds., 17th ed. 2000).
Joyce J. George, *Judicial Opinion Writing Handbook* (4th ed. 2000).

B. Frequently Cited Works

1. Generally.

Black’s Law Dictionary 712 (8th ed. 2004).
10 Am. Jur. 2d *Contracts* § 74 (1964).
88 C.J.S. *Trial* § 192 (1955).
Restatement (Second) of Torts § 892C cmt. b. (1979).
William B. Johnson, Annotation, *Use of Plea Bargain or Grant of Immunity as Improper Vouching for Credibility of Witness in Federal Cases*, 76 A.L.R. Fed. 409 (1986).
Andrew A. Lundgren, *The Eligibility of DNA Sequence Discoveries for Federal Patent Protection* (W.S. Hein & Co. 2004).
3 Arthur Larson & Lex K. Larson, *Larson’s Workers’ Compensation Law* § 60.01 (2003).

2. Some Delaware Works.

1 Victor B. Woolley, *Woolley's Practice in Civil Actions* § 227 (1906).
Del. App. Hbk. § 19.05 (2d ed. 1996).

3 *Debates and Proceedings of the Constitutional Convention of the State of Delaware 1730* (1958).

Richard Rodney Cooch, *A History of Christiana, Delaware* (1976).

Helen L. Winslow, et al., eds., *The Delaware Bar in the Twentieth Century* (Del. State Bar Assoc. 1994).

Randy J. Holland, et al., eds., *The Delaware Constitution of 1897: The First One Hundred Years* (Del. State Bar Assoc. 1997).

Robert K. Beste, Jr. & Robert K. Beste III, *Auto Injury and Insurance Claims: Delaware Law and Practice* (2003).

Randy J. Holland & Helen L. Winslow eds., *Delaware Supreme Court Golden Anniversary* (Delaware Supreme Court 2001).

Dudley Cammett Lunt, *Tales of the Delaware Bench and Bar* (Univ. of Delaware Press 1963).

Richard R. Cooch, *Some Random Observations of a (Relatively) New Superior Court Judge* 12 *Delaware Lawyer* 22 (Winter 1994).

John E. James, *Privileged Communications and the Delaware Corporation: Corporate and Commercial Privilege Litigation in the Delaware Courts* (CCH Inc. 2000).

Carole Hoffecker, *Federal Justice in the First State: A History of the United States District Court for the District of Delaware* (1992).

Del. P.J.I. Civ. § 9.19 (2000) [pattern jury instructions for civil cases].

David L. Finger & Louis J. Finger, *Delaware Trial Handbook* (1999).

C. Articles, Periodicals, and Newspapers

Follow Bluebook Rule 16, except do not use smallcaps.

Jennifer Batchelor, *Veasey Joins Weil Gotshal*, *Del. L. Weekly*, June 9, 2004, at 1.

Jason Krause, *Cyber-Libertarians*, *A.B.A. J.*, Nov. 2003, at 50.

Associated Press, *Man Wields Dead Snake*, *Delaware State News*, Aug. 25, 2004, at 2.

New York County Lawyers Association: Edwin M. Otterbourg To Represent the Association in House of Delegates of American Bar Association, 124 *N.Y.L.J.* 1221 (1950).

Bruce Ackerman & David Fontana, *Thomas Jefferson Counts Himself Into the Presidency*, 90 *Va. L. Rev.* 551 (2004).

Randy J. Holland, *State Jury Trials and Federalism: Constitutionalizing Common Law Concepts*, 38 Val. U.L. Rev. 373 (2004).
Note, *Being Atticus Finch: The Professional Role of Empathy in To Kill a Mockingbird*, 117 Harv. L. Rev. 1682 (2004).
Nancy Reagan, Editorial, *Just Say "Whoa,"* Wall St. J., Jan. 23, 1996, at A14.
Michael Harwood, *The Ordeal: Life as a Medical Resident*, N.Y. Times, June 3, 1984, § 6 (Magazine), at 38.
Jennifer Morgan Becnel, *Dusenbery v. United States*, in *The Pocket Constitutionalist* (Paul Baier, ed. 2003).

D. Internet

Bluebook Rule 18.2 presents an exhaustive discussion of citation style for web-based resources. When citing a website address, as a general rule include the page title, full address, and date last visited. Use “at” to introduce the address. The eighteenth edition of the *Bluebook*, expected in 2005, will undoubtedly contain revisions.

First State Judiciary, at <http://courts.state.de.us> (last visited June 24, 2004).

Use “available at” when citing a print source that is also available online.

Vinyl Chloride Monomer, Georgia Gulf Product Information, *available at* http://www.ggc.com/docs/products/el/vcm_info.pdf (last visited May 5, 2004).
Report on Carcinogens, Tenth Edition, U.S. Department of Health and Human Services, Public Health Service, National Toxicology Program (Dec. 2002), *available at* <http://ehp.niehs.nih.gov/roc/tenth/profiles/s186viny.pdf> (last visited June 1, 2004).

XII. STYLE

The following section is based in part on the guidelines set forth in Bryan A. Garner’s The Elements of Legal Style (Oxford 2002).

A. Typeface

1. Italics. In citations, italicize case names, the Delaware Code, signals, and article (but not book) titles. Italicize in-text references to both article and book titles, foreign phrases, words as words, cases, and emphasized words and phrases. Punctuation is italicized only when part of the citation.

Evergreen Plantation, Inc. v. Zunamon, 291 So. 2d 414, 416 (La. Ct. App. 1974).
14 *Del. C.* § 101.
See, e.g., Conroy, *supra* n. 156.

Daniel Halberstam, *Of Power and Responsibility: The Political Morality of Federal Systems*, 90 Va. L. Rev. 731 (2004).
Richard Sexton, *Vestiges of Grandeur* (Chronicle 1999).

“In a recent *New York Times* article . . .”
“Plaintiff seeks to proceed *in forma pauperis*.”
“The meaning of the term *motor vehicle franchise* is in dispute.”
“The significance of the *Kennedy Fried Chicken* criteria . . .”
“He may punish the *overt acts*, but not the *tendency*, which is not actually hurtful.”

Italicize words for emphasis sparingly. The more words italicized, the less emphasis they contain.

2. Smallcaps. Although the Bluebook directs otherwise, pursuant to local usage do not use smallcaps in citations.

Restatement (Second) of Torts § 876, Comment *b* (1977).
NOT: RESTATEMENT (SECOND) OF TORTS § 876, Comment *b* (1977).

B. Quotations and Textual Illustrations

1. Block Quotations. Lengthy quotations (fifty words or more) should be indented one-half inch left and right, without quotation marks. *See* Bluebook R. 5.1.

2. Brackets. When a letter must be changed from upper to lower case, or vice-versa, enclose it in brackets. Other inserted material, including punctuation, should also be in brackets. Indicate the omission of letters with empty brackets. Significant mistakes in the original should be followed by “[sic]” and otherwise left as they appear in the original.

“[P]ublic confidence in the [adversary] system depend[s] [on] full disclosure of all the facts.”

3. Emphasis or Omission. Indicate in a parenthetical clause after the citation any change of emphasis or omission of citations or footnote numbers. Do not indicate the omission of a citation or footnote number that follows the last word quoted.

Minor alterations to punctuation or spelling may be indicated with parenthetical information:

Id. at 54 (punctuation altered).

4. Ellipses. Three spaced periods indicate an omission within a sentence or between the first and last words of a quoted sentence fragment. Four spaced periods (a period, followed by four spaced periods) indicate the omission of either the last part of the quoted sentence or the first part of the next sentence. *See* Bluebook R. 5.3.

In defining the term new motor vehicle dealer, the General Assembly provided coverage for two types of franchisees: (1) any person or entity “engaged in the

business of selling new motor vehicles . . . who holds a valid sales and service . . . contract granted by the manufacturer. . . .” or (2) any person who “engages exclusively in the repair of motor vehicles . . . if such repairs are performed . . . as part of a manufacturer’s or franchiser’s warranty.”

C. Capitalization

1. People. Capitalize government branches, officials, businesses, and titles when referring to them by name. Do not capitalize when using them in the abstract or generic sense.

“The United States District Court’s opinion. . . .” but “Nationally, few district courts agree.”
“After Governor du Pont left office. . . .” but “Most governors, unlike presidents, are. . . .”
“Defendant Adams then fled. . . .” but “After interrogation, defendants are likely to confess.”

When referring to plaintiffs and defendants as such, capitalize these terms as if using a name. Thus:

“In June 2004, Defendant filed his motion to dismiss. Shortly thereafter, Plaintiff responded.”

2. Authorities. Follow the same rule as above: names are capitalized, generic uses are not.

“The Delaware Constitution” but “constitutional law” and “constitutional implications.”
“Statute of Frauds,” but “statute of limitations.”
“Section 6853 provides. . . .,” but “multiple sections of the Delaware Code.”

D. Punctuation

Resort to William Strunk, Jr., et al., The Elements of Style (4th ed. 2000) for punctuation issues.

1. Apostrophe. To indicate the possessive, add ‘s to singular words, including those that end in s, excepting only corporate names. Use s’ to form the possessive of plural words.

“Thomas’s argument incorporates these three factors.”
“DFS’s motion seeks judgment as a matter of law.”
“The Joneses’ appeal was denied.”
“The witnesses’ testimony. . . .”

2. Comma. For clarity, use commas to set off each item in a narrative list, except before an ampersand.

“The defendants, third-party defendants, and the counterdefendants.”
“Richards, Layton & Finger”

To separate clauses that include commas, use semi-colons.

“Real estate; commodities; and coins, stocks, and bonds.”

3. Hyphen. Hyphenate phrases when they function as adjectives.

- “Common-law mirror-image rule”
- “Child-support payments”
- “Civil-rights case” (but “proponent of civil rights”)
- “Common-law privilege” (but “at common law”)
- “Good-faith exception”

Apart from phrasal adjectives, avoid hyphenating prefixes. Generally, hyphenate only when omitting the hyphen would cause a misreading of the word (pre-judicial vs. prejudicial, re-sign vs. resign); omitting the hyphen would create an unreadable word (multiinstitutional, antiinjunction); or the base is a proper noun (pro-Delaware).

As new hyphenated compounds become familiar, hyphens usually drop out, leaving either a new compound or separate words. Terms such as *internet*, *cooperation*, and *courtroom* were once hyphenated. Similarly, terms such as *decisionmaking*, *email*, *caselaw*, *online* and the like should be written as one word.

4. Virgule (Slash). Avoid using virgules such as “and/or,” “him/her,” etc. In other contexts, use a hyphen instead: “Times-Gertz line of cases,” not “Times/Gertz line of cases.”

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