

Admin.

March 22, 2021

Memorandum 2021-13

Commissioner Suggestions

At each meeting, the Commission¹ opens the floor to suggestions from the Commission's members. Suggestions may address any aspect of the Commission's business, including the proposal of a new study topic.

Commissioner David Carrillo has suggested that the Commission change the style it uses when citing court decisions. Specifically, he suggests that the Commission adopt the following practices from the *California Style Manual*:

- (1) Place the year of the decision in parenthesis immediately after the case name (rather than at the end of the citation).
- (2) Omit any spaces in abbreviating case reporter names.

Under the Commission's current practice, which is based on *The Bluebook: A Uniform System of Citation*, a case citation in a memorandum footnote would be structured as follows:

Bernard v. Foley, 39 Cal. 4th 794 (2006).

With the changes described above, the citation would be structured as follows:

Bernard v. Foley (2006) 39 Cal.4th 794.

The Commission considered that suggestion at the February meeting. It did not make a decision at that time, instead directing the the staff to provide further information about the citation practices of the Legislative Counsel and the Committee on Revision of the Penal Code.

Here is what the staff has learned:

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

- The Legislative Counsel uses the California style in its legal opinions. At one time, Bluebook style was used when drafting statutes, but the current practice is to use California style.
- The Committee on Revision of the Penal Code has not yet committed to any particular style practices.

Should the proposed change be made?

Respectfully submitted,

Brian Hebert
Executive Director