

Building a citation from the ground up.

Note: This information is based on the Canadian Guide to Uniform Legal Citation, 8th ed (also known as the McGill Guide). Do not rely solely on this handout. Check the McGill Guide for more detailed information.

CASES/JURISPRUDENCE

Information you need:

1. Names of the parties, i.e. the style of cause
 - a. The parties in the case.
 - b. The entire style of cause is italicized.
 - c. There is a comma at the end of the style of cause if it is in a footnote.

2. Year
 - a. The year of the decision.
 - b. The year of the decision and the year of the reporter may be different. If the years are different, you will have to include both if the first citation is to a reporter published by year (see the *Swiss Bank Corp* example below).

3. The neutral citation (if available)
 - a. This is a citation a court has assigned to a judgment. The citation is not associated with a printed reporter.
 - b. If there is a neutral citation, it must be cited first as it comes from the court itself.
 - c. A neutral citation consists of the year of the decision, the jurisdiction and court, and the decision or ordinal number. Ex: 2010 NBCA 24.
 - d. Check Appendix B for a list of neutral citation abbreviations, as well as the years each court in Canada implemented neutral citations.

4. Reporter information
 - a. There is a reporter hierarchy in place for cases: neutral citation first then official reporter, semi-official reporter, and unofficial reporter. See Chapter 3 of the McGill Guide for more information.
 - b. To see which reporters are official, semi-official, and unofficial, see Appendix C of the McGill Guide.

- c. Some reporters are published in a series, some are published yearly. See No. 2 in Other Information below for more details.
 - d. Use the appropriate abbreviation for a reporter. See Appendix C in the McGill Guide for a list of abbreviations.
5. Jurisdiction and Court Level
- a. If the jurisdiction and/or court level is not obvious from the rest of the citation (excluding the style of cause), include the information at the end of the citation in brackets.
 - b. If a neutral citation is included, that will provide both the jurisdiction and court level so no additional information will be needed.
 - c. The court level can be combined with the jurisdiction if all the letters are in uppercase. Ex: (BCCA) versus (Man CA).

Other Information:

1. Always include at least one parallel (or second) citation so readers will be able to find the case in at least two different places.

Parallel example: *Smith v Jones*, [1999] 2 SCR 54, 134 DLR (4th) 182.

2. When a reporter is published in a series, for example the Dominion Law Reports, the year is included in parentheses (round brackets) after the style of cause and a comma is placed behind the second round bracket. The round brackets indicate that the year is not part of the reporter information. Since the year is not considered part of the citation, if a reporter published by series is the second citation, the year in round brackets is not needed. See the parallel citation example above.

If the reporter begins its volume numbers over each year at one, for example the Supreme Court Reports, the comma goes directly after the style of cause and the year is in square brackets. Square brackets are an indication that the year is part of the reporter information. If a reporter published by year is the second citation, the year must be given, even if it means the year is listed twice. See the *Murray* example below. See Chapter 3 of the McGill Guide for more information.

Series example: *Smith v Jones* (1999), 134 DLR (4th) 182 (SCC).

Yearly example: *Smith v Jones*, [1999] 2 SCR 54.

3. If available, pinpoint to a paragraph number as opposed to a page number. If paragraph numbers don't exist in either the print or online versions of the case, do not create your own paragraph numbers.
4. The placement of the pinpoint depends on the type of citations used (neutral, official, etc.). See the McGill Guide for more details.
5. In criminal cases, the Crown is represented. The Crown is referred to as *R* for Regina or Rex.
6. If you rely on a case found in an electronic resource such as WestlawNext Canada, LexisNexis Quicklaw, or CanLII, identify the electronic resource at the end by an abbreviation (ex: WLNC, QL).
7. If you rely on a case found online but not in an electronic resource, for example from a court or tribunal website, include the URL.
8. Don't use electronic citations unless there are no neutral or print citations available. A Quicklaw citation looks like this: [1990] OJ No 215 (notice the 'J' and 'No'); a WestlawNext Canada citation looks like this: 1990 CarswellOnt 722 (notice 'Carswell').

Examples:

Murray v Groundhog (1993), 298 DLR (3d) 867, [1993] 10 WWR 34 (Man CA).

Swiss Bank Corp v Air Canada (1987), [1988] 1 FC 71, 37 CPR (3d) 89 (TD).

Marcus v Trundel, 2007 ABQB 58 at para 54, [2007] 10 WWR 345.

Topeka Energy Inc v Director, Southern Region, Regional Services, Alberta Environment (20 July 2007), AEAB Appeal No 07-001-D, online: AEAB <<http://www.eab.gov.ab.ca/dec/07-001-D.pdf>>.

Queen v Cognos Inc, [1993] 1 SCR 87, 99 DLR (4th) 626, 14 CCLT (2d) 113.

Bank of Nova Scotia v Visentin, [1996] OJ No 4563 (Gen Div) (QL).

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Statutes (please see the McGill Guide for information on citing regulations)

Information you need:

1. Short title
 - a. Some statutes have a long title and a short title. Use the short title.
 - b. The title should always be italicized.
 - c. Usually the year of the act is not in the title, but sometimes it is. If the year is in the title, it must be included. See below for an example.
 - d. Usually the word 'the' is not part of the official title, but sometimes it is (mainly in Manitoba and Saskatchewan; for example: *The Cities Act*, SS 2002, c C-11.1). Double-check to see if 'the' needs to be included.

2. Statute volume
 - a. Revised Statutes (are consolidated = RS) and Statutes (are annual = S) are the most common volumes, but there are others (for example, Manitoba: Continuing Consolidated Statutes of Manitoba = CCSM).

3. Jurisdiction
 - a. Combine the statute volume and the jurisdiction, e.g.: RSO (Revised Statutes of Ontario); SNB (Statutes of New Brunswick).

4. Year
 - a. Place the year directly after the jurisdiction, followed by a comma.

5. Session or supplement, if applicable
 - a. Include this information if applicable. See the McGill Guide, Section 2.1.8.

6. Chapter
 - a. A chapter number may be numeric or alphanumeric. The abbreviation is c, which stands for chapter. Ex: c G-2.

7. Pinpoint

- a. If you are pinpointing to a section, include it in the citation. The abbreviation is s for one section, and ss for more than one section.
- b. When referring to a section or sections in the text of your work, spell out the word, do not use the abbreviations.

Other information:

1. Some provinces publish their statutes in loose-leaf format. See Section 2.1.6 of the McGill Guide for more information.
2. Regulations exist only under the authority of their enabling statute. See Section 2.5 of the McGill Guide for more information on regulations.
3. See the McGill Guide for information on how to cite legislative documents such as bills, municipal by-laws, rules of court, etc.
4. In some jurisdictions, electronic versions of legislation are not considered official and only printed versions are official. The current exceptions jurisdictions where online versions are official are: Federal, New Brunswick, Ontario, Quebec, Manitoba, Newfoundland and Labrador, and Nova Scotia (2nd session of 2003 and later).

Examples:

Judges Act, RSC 1985, c J-1, ss 4-7, 17, 20-23.

Quality of Care Information Protection Act, 2004, SO 2004, c 3, Schedule B.

Employment Standards Act, RSO 1990, c E.14, as amended by SO 1991, c 16.

Venereal Disease Act, RSNB 1973, c V-2, as repealed by *Public Health Act*, SNB 1998, c P-22.4, s 74.

Canadian Charter of Rights and Freedoms, s 7, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11.

OR

Canadian Charter of Rights and Freedoms, s 7. [Please note: this is how the Supreme Court of Canada cites the *Charter* and other constitutional documents. While the McGill Guide uses a long form, I would suggest either is correct.]

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SECONDARY SOURCES

Information you need (depending on the source):

1. Author (footnotes)

- a. List the author by their first name then their last name, followed by a comma.
- b. If a book has an editor instead of an author, list the editor's name followed by a comma, the abbreviation ed, and another comma.
- c. If there are more than three authors or editors, list the first author or editor followed by et al and a comma.

2. Title

- a. List the title of the book or article after the author.
- b. For an article, the title is in quotation marks. There is no period or comma after the title.
- c. For a book, the title is italicized. There is no comma after the title unless you need to list the edition number of the book.

3. Year

- a. For articles, the year is listed after the title in brackets.
- b. For books, the year is indicated after the place of publication and publisher, all contained within round brackets. See Number 9 below for more details.

4. Volume and issue number

- a. For an article, the volume is listed before the journal name.
- b. Not all journals have an issue number. If there is one, place it after the volume, separated by a colon.
- c. For a book, where the volume number appears depends on if the volumes are published as separate titles or as a single title. See Section 6.2.4.1 of the McGill Guide for more information.

5. Journal name and abbreviation

- a. Abbreviate the title of the journal. Look at Appendix D of the McGill Guide for a list of journal abbreviations. If the title of the journal is not in this list, write it out in full.

6. Page (journal)

- a. List the page number on which the article begins in a journal. You do not need to put the end page of the article.

7. Pinpoint

- a. For articles, list the pinpoint after the page number.
- b. For books, list the pinpoint at the end of the citation.

8. Edition (book)

- a. If there is an edition number for a book, place it after the title. Place a comma before the edition information.

9. Place of publication and publisher (book)

- a. List the place of publication, publisher, and year in brackets after the title. There is a colon between the place of publication and the publisher; there is a comma between the publisher and the year. If the city name is not one most people would recognize, include the province, state, or country.

10. Table of Authorities / Bibliography

- a. When transferring secondary sources to a table of authorities or bibliography, make sure the author's name is switched so that the last name comes first, then the first name, followed by a period. If there is more than one author, the second and subsequent author names are listed by their first name first, their last name second.
- b. Remove all pinpoints when listing documents in a table of authorities or bibliography; this applies to legislation, jurisdiction, and secondary material.
- c. See Section 1.1 of the McGill Guide for more information on tables of authorities.

Other information:

1. If you need to cite other sources such as interviews, dictionaries, newsletters, and so forth, refer to Chapter 6 of the McGill Guide.
2. If you cite a document from an electronic resource such as WestlawNext Canada or LexisNexis Quicklaw, list the citation as normal and then list the electronic resource in brackets at the end.
3. If a journal or book is produced exclusively online, cite it as normal (as much as possible) and provide the URL at the end of the citation.
4. The McGill Guide does not cover every secondary source. If you have questions, ask a librarian or your professor. When in doubt, cite the material as a book, reworking it as needed.

Examples (footnotes):

Peter W Hogg, *Liability of the Crown*, 2d ed (Toronto: Carswell, 1989) at 9.

Dennis S Karjala, "Does Information Beget Information?", online: (2007) Duke L & Tech Rev 1 <<http://www.law.duke.edu/journals/dltr/>>.

Emir Aly Crowne Mohammed, "L'ego My Trade-Mark! Mega Blocks to Protection: Lego and the Functionality Doctrine Revisited" (2007) 12 IPJ 27 at 29 (QL).

Alan D Gold, *Expert Evidence in Criminal Law: The Scientific Approach* (Toronto: Irwin Law, 2003) (QL).

John Sopinka, Sidney N Lederman & Alan W Bryant, *The Law of Evidence in Canada*, 2d ed (Toronto: Butterworths, 1999) at 55.

Examples (Table of Authority):

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