

THE GREENBOOK

The Greenbook is the definitive guide for the *Southern California Law Review*; to the extent that it differs from *The Bluebook* and *The Chicago Manual of Style*, it takes precedence over both. The Greenbook provides guidance for instances in which the *Southern California Law Review* deviates from *The Bluebook* or in which *The Bluebook* and *The Chicago Manual of Style* allow editorial discretion. The Greenbook also highlights some of the most important rules from *The Bluebook* and *The Chicago Manual of Style*.

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CITATION

The Law Review’s authoritative source for textual and bibliographic citation is *The Bluebook: A Uniform System of Citation (21st Edition)*.

GREENBOOK RULE 1.1: Citation Clauses and Sentences

Use judgment when determining whether to append a citation to a textual sentence. Do not burden a piece with too many citations. For example, not every sentence reciting the facts of a case requires a footnote. For sentences that mention a case name not in the context of a discussion of the facts of the case, however, citations are required.

In the main text, footnote call numbers should appear *after* most punctuation marks (e.g., periods, commas, semicolons), but *before* dashes and colons.

In footnote text, citations supporting only part of a sentence should appear in citation clauses. Citation clauses are set off by commas, signals should be lowercase, and the clauses should immediately follow the proposition they support. Citation sentences should start with a capital letter and end with a period.

When citing cases, please note that the citation (whether the full or short form) should include the case name even if it appears in the textual sentence.

GREENBOOK RULE 1.2: Signals and Citations

BB Rule 1.2 describes the proper use of citation signals. “*See*” should be used where the proposition in the text is not directly stated by the cited authority and an inferential step is required. “*Cf.*” should be used where the cited authority does not directly support the proposition in the text, but the proposition in the cited authority is related to the proposition in the text. “*But see*” should be used where the proposition in the cited authority is the opposite of the proposition in the text. “*See generally*” should be used to cite an

authority that provides background material; such citations should not have a pincite.

Parentheticals are recommended for “*cf.*,” “*but cf.*,” “*see generally*,” and “*compare . . . with*” signals.

Note the appropriate use of commas with the “*compare . . . , with*” signal:

Example: Compare XXX, and YYY, with AAA, BBB, and CCC.

“*See generally*” signals should be used sparingly. Each article/note should include only a few “*see generally*” signals; often a “*see*” signal will suffice. “*See generally*” signals should include either an explanatory parenthetical or be used in a sentence providing background information if the subject matter of the source is not clear from the title of the source.

GREENBOOK RULE 1.3: Order of Signals

- A. Per BB Rule 1.3, signals of the same type should be strung together in the same citation sentence and separated by semi-colons (e.g., supportive, comparative, etc.). Different types should be grouped into different citations sentences.

Example: See Louis Loss, The Conflict of Laws, 71 HARV. L. REV. 209, 213 (1957); cf. Kay Deaux, A Social-Psychological Model of Gender, 79 COLUM. L. REV. 618, 630–32 (1979). See generally GEORG JELLINEK, THE DECLARATION OF THE RIGHTS OF MAN AND OF CITIZENS: A CONTRIBUTION TO MODERN HISTORY (Max Farrand Trans., 1901).

- B. Remember that signals should appear in the order in which they are listed in BB Rule 1.2.

GREENBOOK RULE 1.4: Order of Authorities

Sources should be listed in a logical manner consistent with BB 1.4.

GREENBOOK RULE 1.5: Parentheticals

- A. Parenthetical information should be written in grammatically correct language. Explanatory parenthetical phrases not directly quoting the authority should generally begin with a present participle and should never begin with a capital letter. BB 1.5(i).

Example: See generally THOMAS SOWELL, THE QUEST FOR COSMIC JUSTICE (1999) (discussing the concept of “traditional justice” relative to the concept of “cosmic justice” and concluding that the latter conception is a harmful philosophy).

Not: See generally THOMAS SOWELL, THE QUEST FOR COSMIC JUSTICE (1999) (discusses concept of “traditional justice” relative to concept of “cosmic justice” and concludes that latter conception is harmful philosophy).

- B. When (1) there are two or more sources in a footnote and (2) the parenthetical for each source is the same, each parenthetical after the first need only read “same.”

Example: See, e.g., KATY NEUBAUER, THE PAPER SHREDDER: WHAT TO DO AFTER WRITE-ON (2017) (reflecting on the law review experience); DANIEL BROVMAN, POSTSCRIPT ROCKS (2018) (same); RACHEL FELDMAN, I GET SO MANY EMAILS (2018) (same).

- C. Order of parentheticals within a citation:
(date) [hereinafter short name] (en banc) (Lastname, J., concurring) (plurality opinion) (per curiam) (alteration in

original) (emphasis added) (footnote omitted) (citations omitted) (quoting another source) (internal quotation marks omitted) (citing another source), <http://www.domainname.com> [permanent link] (explanatory parenthetical), prior or subsequent history.

Note that in direct citations to Internet sources, the “hereinafter” parenthetical should immediately follow the date, preceding the URL.

- D. When the content of a parenthetical is comprised entirely of a quotation that forms one or more complete sentences, it should begin with a capital letter and end with the punctuation from the original source.
- E. Any parenthetical necessary to identify the quote should be nested in the outer parenthetical and should follow the quotation’s ending punctuation and quotation mark.

Example: See *Playboy Enters., Inc. v. Netscape Comm. Corp.*, 354 F.3d 1020, 1035 (9th Cir. 2004) (“Has Charter Club or Macy’s infringed Calvin Klein’s trademark, simply by having another product more prominently displayed before one reaches the Klein line? *Certainly not.*” (citing Gregory Shea, Note, *Trademarks and Keyword Banner Advertising*, 75 S. CAL. L. REV. 529, 554 (2002) (emphasis added))).

- F. Unnecessary introductory phrases should be avoided.

Example: (“Editing is super fun.”), *not* (noting that “[e]diting is super fun”)

GREENBOOK RULE 3.2: Pages, Footnotes, and Graphical Materials

Use an en dash (“–”) rather than a hyphen (“-”) to denote inclusive spans of pages, footnotes, or graphical materials (e.g., 120–28 rather than 120-28).

GREENBOOK RULE 3.3: Sections and Paragraphs

Use an en dash rather than a hyphen to denote inclusive spans of sections or paragraphs (e.g., §§ 31–40 rather than §§ 31-40). Do not use “at” before a section or paragraph symbol, or before a citation to the appendix of a source.

Example: “*Id.* § 125.”

Example: “*Id.* app. 3.”

GREENBOOK RULE 3.5: Internal Cross-References

- A. When referring to material within an article or note itself, cite only a part, a section, or text accompanying a range of footnotes. Do not cite page numbers within the piece. Main sections (I, II, III, etc.) are “Parts.” Any subsections are “Sections.”

Examples: *See supra* text accompanying notes 151–63.
See infra Sections IV.B–C.
See supra note 3 and accompanying text. [This use is generally permitted when the cross-referenced information is found in the footnote].

GREENBOOK RULE 4.2: “Supra” and “Hereinafter”

“*Supra*” is never used to refer to cases, statutes, constitutions, legislative materials (other than hearings), restatements, model codes, or regulations (except in “extraordinary circumstances”). The *supra* form should always include a pinpoint citation unless it

is already abundantly clear what part of the source is being referenced or a pinpoint citation would be inappropriate (for example, unpaginated Internet sources).

Use “hereinafter” where the use of “*supra*” would be difficult. Avoid the overuse of “hereinafter.” “Hereinafter” may be used either (1) where a footnote contains more than one source by the same author or (2) where the title of a work is especially long and cumbersome. The “hereinafter” phrase should appear in brackets after the date parenthetical, and before any other parenthetical information (see BB Rule 1.5(b)). Note that the shortened form should appear in the **same typeface** as the initial citation.

Example 1: See Jay Simmons, Important Article Number One, 86 S. CAL. L. REV. 123, 125 (2011) [hereinafter Simmons, *Important Article*] (discussing the joys and challenges of serving as Executive Senior Editor); Jay Simmons, *I Wrote a Second Article Because I Am Just That Good*, 87 S. CAL. L. REV. 123, 125 (2012) [hereinafter Simmons, *Second Article*].

Example 2: See generally BARRIERS AND BRIDGES TO THE RENEWAL OF ECOSYSTEMS AND INSTITUTIONS (Lance H. Gunderson et al. eds., 1995) [hereinafter BARRIERS AND BRIDGES] (discussing the evolution of watershed protection laws).

GREENBOOK RULE 5.1: Formatting of Quotations

- A. Block Quotes: Quotations of fifty or more words, whether in main text or footnote text, should be set off as a block quote. Include in this number any words in brackets that are added to the quotation. Words that are hyphenated in the dictionary count as one word; words that are hyphenated because of CMS conventions count as two words.
 1. Preface block quotes; in other words, do not

begin a footnote or paragraph with a block quote.

GREENBOOK RULE 5.3: Omissions

- A. When omitting material from the middle of a quoted sentence, where the omission follows punctuation such as a comma, it may be necessary to retain the punctuation in order to preserve the clarity of the original sentence. Only retain the punctuation if it is grammatically correct within the newly formed sentence.

Example: See also *Petersilia*, *supra* note 21, at 6 (finding that while parolees were “watched more closely, . . . ISP supervision did not decrease subsequent arrests”).

- B. When omitting a footnote or citation from quoted text, include the parenthetical phrase “(footnote(s) omitted)” or “(citation(s) omitted)” as necessary. See BB Rule 5.3(c).
- C. When quoting language as a phrase or clause, you do not need to indicate omission of material before or after the quoted portion (though you do need to indicate omissions from the middle of the quote using an ellipsis, or changes in capitalization using brackets). See BB Rule 5.3(a).
- D. When quoting language as a full sentence, if the beginning of the quote is omitted, use a bracket to capitalize the first letter (if not already capitalized), and use an ellipsis to indicate deletion of matter before the period of the quoted sentence. See BB Rule 5.3(b).
- E. **GB Rule 23.8** contains a number of helpful guidelines for editing quoted material.

GREENBOOK RULE 6.1: Abbreviations and Acronyms

- A. In law review text, it is acceptable to use an abbreviation without spelling it out when the words are *almost never* used in their spelled-out form (e.g., IQ, DNA, CEO) and may be used without explanation.
- B. Otherwise, at first occurrence, spell out an abbreviation and give the abbreviation/acronym in parentheses surrounded by quotation marks. Use quotation marks to introduce an acronym or a newly coined or specially defined term the first time it appears in a piece.

Examples: Inter partes review (“IPR”)
Health maintenance organizations (“HMOs”)

Introduce an acronym upon the first use of the full term. The acronym should follow the full term and appear in quotation marks and parentheses. The acronym (without quotation marks) should be used throughout the rest of the piece rather than using the full term. Acronyms should be introduced upon first use in both the main text and in the footnotes.

When using a specialized term, the first instance should appear in quotation marks, but subsequent instances should not unless there is a substantial risk of material confusion. It is permissible for the first instance to be provided in a parenthetical.

Example 1: These urban areas underwent a phenomenon known as “white flight.” Sociologists define “white flight” as the mass exodus of urban whites to surrounding suburbs. White flight has deeply changed the racial balance of Baltimore and Washington, D.C.

Example 2: A specific genre of guitar-heavy, blues-based music (“heavy metal”) was popular in the music

industry in the 1980s. Heavy metal generally enabled teenagers to alienate their parents overnight.

- C. In citations, it is acceptable to use abbreviations for entities that are commonly referred to in speech by their initials (e.g., CBS, CIA, EPA, FDA, NAACP). In citations, these abbreviations may be used in case names and as institutional authors of books or other works. The abbreviations should not include periods.

GREENBOOK RULE 6.2: Numerals and Symbols

- A. Spell out whole numbers from one through one hundred, large round numbers (e.g., “hundred,” “thousand,” “million”—this is a slight deviation from BB Rule 6.2(a)), and numbers that begin a sentence. Numerals may be used for other numbers. However, if a group of numbers are discussed together, they should all be in the same Arabic or numerical form.

Examples: Out of everyone surveyed, 20 out of 105 people responded “yes.”

The Department of Homeland Security’s budget exceeded \$88 billion in 2020.

Not: Out of everyone surveyed twenty out of 105 people in the study responded “yes.”

- B. In law review text, always spell out the numbers of constitutional amendments (e.g., the Fourteenth Amendment).
- C. Percentages: Consistent with BB Rule 6.2(d), if a numeral is used, then the percentage symbol “%” should be used, and if numbers are spelled out (per BB Rule 6.2(a)), then the word “percent” should be used. For whole percentages from one to one hundred, when choosing between using

numerals over spelled-out numbers, in nontechnical contexts, use spelled-out numbers and the word “percent.” In scientific and statistical contexts, use numerals and the percentage symbol “%.”

Example 1: In our study, only 3% of the staffers this year were observed falling asleep during trainings.

Example 2: Fewer than 10% of incarcerated individuals filed constitutional claims in the past year.

Example 3: Twenty-nine percent identified the “big bang” as the origin of the universe; forty-eight percent said they believed in human evolution.

D. Do not use an apostrophe with numerals that indicate decades.

Example: “1960s” not “1960’s”

E. Use separating commas in numbers with four or more digits, except when the number refers to either a year or page/section number. For page/section numbers of statutes or other works, follow the convention that the officially reported work uses.

Example 1: We ate 4,356 cakes and 106,543 pies in 1999.

Example 2: Treatment of Income from Unrelated Trade or Business, 32 Fed. Reg. 17,657, 17,657 (Dec. 12, 1967) (now codified at Treas. Reg. § 15131 (2019)).

*Notice that the Federal Register page number has a comma, while the Treasury Regulation section does not.

F. Always express vote tallies in numerals separated by a

hyphen.

Example: The Court voted 5-4.

- G. The statutory section symbol (“§”) is always spelled out (“section”) in text except when referring to (1) a provision of the U.S.C. or (2) a Federal Regulation. Even when referring to these provisions, however, spell out “section” when it is the first word of a sentence.

However, if a section of the U.S.C. or a Federal Regulation is used repeatedly throughout the text and the author prefers to spell out the word “section,” a parenthetical should be added after the first reference to the section in the text that defines its name going forward. In this case, “section” should be lowercase.

Example: There are many class sessions spent discussing 35 U.S.C. § 102 (“section 102”) in patent law courses. This is due to the fact that section 102 is one of the most difficult subjects in all of patent law.

The symbol “§” is always used in citations.

GREENBOOK RULE 8: Capitalization

- A. Capitalize the word “Part” and “Section” when referring to specific subdivisions of an article or note.

Example: In Part I discuss my hobbies. I discuss my pets in Part IV. I describe my dog, Fielding, in Section IV.A.

- B. Capitalize the words “article” and “note” when they refer to the pieces in which they appear; otherwise, they should remain lowercase.

Example 1: In this Note, I discuss patent infringement.
Spark’s note addresses antitrust laws.

GREENBOOK RULE 10: Case Names

- A. Some authors (and other journals) do not include the full case name in a footnote when the name has been used in the textual sentence to which the footnote cites. The Law Review *always includes the case name even when it is in the textual sentence to which the footnote is appended.* (This rule applies to short form citations of cases as well.)

GREENBOOK RULE 10.7: Prior and Subsequent History

- A. Only give prior history if particularly relevant.
- B. Follow BB Rule 10.7 regarding subsequent history. In general, subsequent history should be included; however, omit subsequent history in the following circumstances:
- denials of certiorari (or similar discretionary appeals), unless the date of decision in the case is less than two years old or the denial is particularly relevant;
 - history on remand;
 - denials of a rehearing (unless particularly relevant);
 - dispositions withdrawn by a deciding authority (e.g., an affirmance followed by a reversal on rehearing).

Take care when considering whether to include subsequent history. Not all Shepard’s treatment codes indicate subsequent history that should be cited. For instance, “distinguished by” and “explained by” refer to indirect history; on the other hand, “criticized by,” “limited by,” or “overruled by,” and the Key Cite treatment code “abrogated by,” may indicate the fact that the case is no longer good law. Direct any questions to the Editor-in-Chief.

The proper forms for explanatory phrases that indicate

prior and subsequent history appear in BB T8. Note that some are followed by a comma and some are not.

GREENBOOK RULE 10.8.1: Pending and Unreported Cases

- A. Cite to the LexisNexis version of pending and/or unreported cases. BB 10.8.1.
- B. When citing the docket number of the case, use the docket number as it appears on the document. However, the following may be omitted: (1) an initial digit in the document number that precedes a colon and (2) the judge’s initials at the end of the docket number.

GREENBOOK RULE 10.8.3: Briefs, Court Filings, and Transcripts

- A. Per BB Rule 10.8.3, the full name of a court filing or similar document should be abbreviated according to BB Rule 10.2.1(c) (this entails abbreviating only widely-known acronyms and business firm designations, but not the case name under T6 and T10 because this rule treats the case as a textual citation).

GREENBOOK RULE 10.9: Short Forms for Cases

While *The Bluebook* provides several different short forms for case citations, the Law Review *always* uses the short form that includes the short form of the case name followed by a comma, the volume, the reporter, and “at” followed by the pincite. *Include the case name even when it is in the textual sentence to which the footnote is appended.* (This rule applies to full citations of cases as well.)

Example: *Calandra*, 414 U.S. at 343.

In short forms for cases, omit the following business designations: “Ass’n,” “Bros.,” “Co.,” “Corp.,” “Inc.,” “Ltd.,” and “No.”

Example: *Revlon*, 506 A.2d at 175.

Not: *Revlon, Inc.*, 506 A.2d at 175.

“*Id.*” may be used only when citing the immediately preceding authority within the same footnote, or the immediately preceding footnote when the preceding footnote contains only one authority.

Note that the short form citation for a case is only appropriate where (1) the case is already cited in the same footnote or (2) the case is cited (in full form, short form, or with “*id.*”) within *the preceding five footnotes*.

GREENBOOK RULE 12: Statutes and Bills

- A. Statutes: Cite the most current official code. However, when citing to an official or unofficial version of the United States Code, including the year of the code is **optional**.

Provide the statute’s name only if the statute is commonly referred to that way or if the information would be particularly helpful. In *citations*, “the” should be omitted from the statute name. When referring to the full name of a statute in law review *text*, “the” should precede the statute name.

When citing state codes, follow BB Rule 12.3, which often requires that state statutes should be cited to the most recent published code. If the most recent published code has not been collected during source collect, the following steps may be considered to cite state codes: (1) identify the desired state in T 1.3; (2) see if there is a website that has the *official* code (not simply a list of the bills and acts) and cite to the preferred format of the state code; (3) if there is no official state website with the code, look at the preferred citation for the state to see whether LexisNexis or Westlaw is the official reporter for that state; if so, go to either and cite accordingly; and (4) if neither Westlaw nor LexisNexis

is the official reporter, check the source using the most up-to-date version of Westlaw, and then cite to the annotated code, rather than the official code, and double check to see whether the annotated code requires “West” in the parenthetical that includes the date.

- B. Short Forms: *The Bluebook* provides several options for the short form for statutes. When formulating the short form, follow the guidelines below.

The proper short form for a statute should include the title number, code, section symbol, and section number; the date parenthetical may be omitted. When using “*id.*,” the proper form is “*Id.* § #.” Please note that the “*id.*” form is appropriate for any code section that is contained *within the same title* as previous cited code sections. When citing a code section from a title that has not been cited in any form in the previous five footnotes, a full citation must be provided.

- Example:*
- ¹ 42 U.S.C. § 1983.
 - ² *Id.* § 1988(b).
 - ³ *Bivens v. Six Unknown Named Officers of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971).
 - ⁴ 42 U.S.C. § 1983.
 - ⁵ *Id.* A related provision relates to attorney’s fees. *See id.* § 1988(b).
 - ⁶ *Id.* § 1988(b).
 - ⁷ 28 U.S.C. § 1346 (2012).
 - ⁸ *Id.* §§ 1346, 1368.

- C. Session Laws: Session Laws should be cited instead of the statute when referring to (1) the historical fact of enactment, amendment, or repeal, or (2) when the statute appears in scattered sections of titles (indicate parenthetically the general location: “codified as amended in scattered sections of 15 U.S.C.”).

When citing session laws, always provide (1) the name of

the statute (or, if there is no name identify the act with a full date), (2) the public law or chapter number, and (3) the volume and page number(s) of the session law (for official federal session laws, this information comes from the *Statutes at Large*, abbreviated “Stat.”).

When citing an entire act, the *Statutes at Large* citation should include the volume number, “Stat.,” and the page on which the session law begins.

Example: National Environmental Policy Act of 1969, Pub. L. No. 91-90, 83 Stat. 852 (1970).

When citing a specific section of the session law, it is necessary to provide a pincite for the *entire page span* of the *Statutes at Large* where that section appears. The section number of the bill should appear after the public law number; the page span from the *Statutes at Large* should follow the citation of the page on which the session law begins. (Note that the number of the section of the session law is not necessarily the same as the number of the section in the codified statute.)

Example: National Environmental Policy Act of 1969, Pub. L. No. 91-90, § 102, 83 Stat. 852, 853–54 (1970).

Also, please note that some session laws amend prior acts. In those cases, it is necessary to indicate *both* the relevant section of the session law *and* the relevant section of the amended act. In that instance, the bill’s section should be indicated as “sec.”; the amended act’s section should be indicated as “§.” See the example below. This information can be found in *Statutes at Large*. For example, under a session law section, the session law generally states, for example, “Section 106 of the act is amended to read ‘blah, blah.’” Lexis is often a very helpful resource—for federal statutes, as long as you have the correct public law number, Lexis provides the *Statutes at Large* citation for the bill, as well as PDFs of the relevant *Statutes at Large* pages.

Example: Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, sec. 1014, § 106, 118 Stat. 3638, 3663–64 (codified as amended at 50 U.S.C. § 403-6 (2006)).

- In this example, “sec. 1014” is the section of the bill, and “§ 106” is the section of the act that is amended.

To determine in which sections of the U.S.C. the session law is codified, it may be helpful to check the Lexis popular names table (in Lexis, go to Federal Legal U.S. and click “View More”; then click “United States Code Service (USCS) Materials”; then click “USCS Popular Names Table.”).

Please note that the date parenthetical may be omitted if the same year is part of the name of the statute or of the session laws. See example above.

GREENBOOK RULE 15.1: Author (Books and Periodicals)

Note that when citing works by an institutional author, the author’s information should be abbreviated according to BB T6 and T10. Also, where entities commonly referred to in speech by their abbreviations are authors, the abbreviation (without periods) may be included as the author. *See* BB Rule 6.1(b).

“Fair Citation Rule”: When citing a work with more than two authors for the first time, include the names of all authors. This is a deviation from BB Rule 15.1 which allows for the use of “et al.” when a source with more than two authors is cited for the first time. In subsequent citations to the same source, list the last name of the first author followed by “et al.” This rule applies to all citations in Bluebook style that refer to BB Rule 15.1 for guidance on authors. Therefore, this rule applies to books, periodicals, and internet sources.

Oxford commas and ampersands should not be used together. When using the ampersand, omit the oxford comma.

Example: Mindy Vo, Sam Clark-Clough & Brooke Kopel, *Law Review Editors Need a Break*, 95 S. CAL. L. REV. 8391 (2022).

Not: Mindy Vo, Sam Clark-Clough, & Brooke Kopel, *Law Review Editors Need a Break*, 95 S. CAL. L. REV. 8391 (2022).

GREENBOOK RULE 15.4: Date (Books and Periodicals)

If the title of a work incorporates the date of publication, do not omit the date parenthetical even though it repeats the date in the title. If, however, the title of a work contains a year, but the source *does not contain a definitive year of publication* (such as a copyright date), omit the date parenthetical.

Example 1: UNIV. OF S. CAL. GOULD SCH. OF LAW, STRESS LEVELS AMONG LAW REVIEW MEMBERS IN 2017: REASONS FOR CONCERN? 145 (2017).

Example 2: JULIA GAGE, SO MANY ARTICLES, SO LITTLE TIME: SUBMISSIONS 2016–17, at vi.

When a consecutively paginated journal has no volume number, use the year of publication as the volume number, and omit the date parenthetical.

Example: Laurence H. Tribe, *Death by a Thousand Cuts: Constitutional Wrongs Without Remedies After Wilkie v. Robbins*, 2007 CATO SUP. CT. REV. 23, 28.

GREENBOOK RULE 15.9: Short Forms (Books and Periodicals)

The number/order of authors cited in the short form citation should track the long form citation. Thus, if all three were included in the long citation, all should be included in the short form.

Example: ^{20.} HANNAH BRUDNEY, FOREST BROWN & CYNTHIA CHIU, PLEASE, NO MORE LAW REVIEW EMAILS 180 (2017).
 ^{25.} BRUDNEY, BROWN & CHIU, *supra* note 20, at 185.

GREENBOOK RULE 16.5: Nonconsecutively Paginated Journals

Consecutively paginated journals do not restart page numbers at the beginning of each issue; page numbers continue throughout all the issues and only restart at the beginning of the next volume. Nonconsecutively paginated journals begin at page one for every issue. If a journal does not appear in BB T13, there is a higher probability it is not consecutively paginated.

Pay attention to whether a journal is nonconsecutively paginated because these journals are cited according to a different citation form (*see* BB Rule 16.5). Nonconsecutively paginated journals should be cited as follows:

Author, *Title*, PERIODICAL, Date of Issue as It Appears on Cover, at [First Page], [Page(s) Cited].

Example: Katy Carlyle, *Here's How to Install the Macros*, THE ATLANTIC, July/August 2018, at 110, 112.

GREENBOOK RULE 17.2.3: Letters, Memoranda, and Press Releases

A. Memoranda: The subject lines of memoranda may be included, in normal text, whenever relevant.

If a memorandum is addressed to, or sent by, multiple

authors, instead of listing all names it is permissible to list one followed by “et al.”

Example: Memorandum from Christopher Phillips to Rachel Feldman et al., Secret Plan to Fail Journal Editors Who Do Not Consult Style Guides (Aug. 3, 2018) (on file with author).

B. Press Release: The URL may be appended to the end of the citation.

Example: Press Release, Samuel Clark-Clough, Managing Editor, S. Cal. L. Rev., Big Surprise, Office Scanner Not Working (Aug. 23, 2021), <https://www.southerncalifornialawreview.com/press-releases/big-surprise-office-scanner-not-working.html> [<https://perma.cc/SCC>].

GREENBOOK RULE 18: Internet Sources

Please remember that Internet citations, although more easily found, should not be used unless there is a digital copy of the source available that is authenticated, official, or an exact copy of the printed source, as described in BB Rule 18.2.1.

When an authenticated, official, or exact copy of a source is available online, citation can be made as if to the original print source (without any URL information appended).

A. Follow BB Rule 18.2.2 for citing online newspaper and magazine articles, blogs, and emails.

Example: Sylvia Zaich, *Students Joining Battle to Upend Laws on Voter ID*, N.Y. TIMES (July 6, 2018), <http://www.nytimes.com/2018/07/06/us/college-students-claim-voter-id-laws-discriminate-based-on-age.html>.

- B. URLs: If possible, attempt to shorten URLs to the bare minimum necessary to link to a particular page (i.e., eliminate search pathways, use official truncated links, remove forward slashes appearing at the end of the URL, remove referrer IDs). Remember to check that a truncated link still functions. Delete the forward slash at the end of the URL.

Example: Caroline Monroy, *Disney and Vice, a Storybook Romance*, WALL ST. J. (Aug. 23, 2017, 10:51 AM), <http://on.wsj.com/2bxdv1q> [<http://perma.cc/123abc>].

Not: Karen Blevins, *Disney and Vice, a Storybook Romance*, WALL ST. J. (Aug. 23, 2016, 10:51 AM), http://www.wsj.com/articles/disney-and-vice-a-storybook-romance-1471963909?referrer_id=10321231287123/ [<http://perma.cc/123abc>].

- C. Permanent links: *SCLR* strongly prefers to use permanent links. Place the permanent link directly after the live URL in brackets (e.g., “<http://on.wsj.com/2bxdv1q> [<http://perma.cc/123abc>]”), as evidenced in the example in GB 18.B and GB 18.D.

Include the time of posting in the citation. If avoiding ambiguity is necessary, editors may also include the time-zone.

If there is no permanent date indication, the permanent link will take the place of the “last updated” or “last modified” parenthetical after the URL.

Example: Caroline Monroy, *Disney and Vice, a Storybook Romance*, WALL ST. J., <http://on.wsj.com/2bxdv1q> [<http://perma.cc/123abc>].

Not: Caroline Monroy, *Disney and Vice, a Storybook Romance*, WALL ST. J., <http://on.wsj.com/>

2bxdvlq [http://perma.cc/123abc] (last updated Aug. 30, 2018).

- D. Author and Title: Include the author and title of the site. Look for an individual or institutional author. With no clear author, use the title alone as long as it clearly identifies the site. It may be appropriate to use more than one “level” of title to account for sub-pages.

- E. The word “Internet” should be capitalized.

PUNCTUATION AND STYLE

The *Southern California Law Review*'s authoritative source for grammar and style is *The Chicago Manual of Style* (17th ed. 2017). Please refer to the online copy available to all USC students for free. It is available at https://libguides.usc.edu/chicago_style.

The Law Review's authoritative source for common English spelling is *Webster's Third New International Dictionary*. Please refer to the copy located in the Law Review Office. The Law Review's authoritative source for the spelling of legal terms of art is *Black's Law Dictionary*. If *Webster's* and *Black's* conflict, *Black's* governs. Also, where *Webster's* lists multiple spellings of words, always use the first spelling listed.

CAPITALIZATION

GREENBOOK RULE 22.1: Headline-Style Capitalization

In headings and titles, capitalize the first and last words of titles and subtitles. Capitalize all other words except for articles, prepositions of four or fewer letters, the conjunctions “and,” “but,” “for,” “or,” and “nor,” and the words “to” and “as.” Titles appearing in sources that do not conform to this rule should be modified accordingly.

Also, capitalize the second word in a hyphenated term.

Example: Zachary Gershman, *Love-Hate Relationships with Student Authors*, 89 S. CAL. L. REV. 123 (2015).

GREENBOOK RULE 22.2: In-Text Capitalization

Do not capitalize the first word following a colon if the colon is followed by a sentence fragment or a single complete sentence that is not a quotation or a direct question. Capitalize the word following a colon only if the colon introduces two or more sentences, a

quotation, or a direct question.

Example 1: Dedicated staff members have two things in common: First, they have a favorite kind of red pen. Second, they have relatively dormant social lives. [Note that the use of a colon here is optional; a period is preferred.]

Example 2: Dedicated staff members have one thing in common: they have a favorite kind of red pen.

If the word “that” immediately precedes a quotation, do not capitalize the first word of the quotation.

PUNCTUATION

GREENBOOK RULE 23.1: Commas

A. Compound Sentences: Where two or more independent clauses (i.e., clauses that can stand on their own as sentences) are joined with conjunctions, the clauses should be separated by a comma. The comma is unneeded if the clauses are short and closely connected conceptually. Where the clauses are especially long or complex or have internal punctuation, semicolons may be required.

Example 1: Membership on the Law Review bestows honor, but the journal requires great dedication.

But: Matt plays the drums and Caitlin sings.

Example 2: Soon after their appointment to the Law Review Board in April 2007, Colleen and Khirin started changing the nature of article selection for the Law Review; but their hard work paid off, maintaining the journal’s excellent reputation and easing the tasks of everyone around them.

- B. Compound Predicates: Sentences where a single subject is followed by multiple verbs are said to have compound predicates. Generally, do not separate the predicates with a comma unless clarity demands that you do so.

Example: While performing an edit, Gemma started eating a chocolate bar and turned on classical music.

But: Law Review staff members write notes on topics they choose, and edit.

- C. Series: Two parallel items connected by a conjunction do not require a separating comma. Use a comma, however, between the last two items in a series of three or more elements if a conjunction separates them. (Note that separating semicolons may be appropriate instead.) For the use of *lists* of elements in a series, see GB Rule 23.9. Hard spaces should follow the number in parentheses.

Example 1: The Law Review considered creating a decal using the colors cardinal, gold, and neon purple.

Example 2: I found three things in the refrigerator:
(1) cheddar cheese, (2) grapefruit juice, and
(3) asparagus.

Example 3: On the first day of class, you should (1) bring a notebook and (2) sharpen your pencil.

- D. Adverbial Clauses: Adverbial and participial phrases that begin a sentence should generally be followed by a comma, especially if a reading pause would occur. (When such introductory adverbial clauses contain subjects and verbs, they should always be followed by a comma.) When such a phrase is one word or exceptionally short, however, a comma may not be necessary if omitting it would not generate confusion.

Example 1: When speaking about *The Chicago Manual of*

Style, Linde and Cecilia spoke with great deference.

Example 2: On Tuesday the staff members will receive their editing assignment.

But: Before eating, the members of the Executive Board met in the Law Review Office.

E. Restrictive v. Nonrestrictive Phrases and Clauses: A restrictive phrase or clause cannot be removed from the sentence without altering its meaning; its information is essential to the sentence. A nonrestrictive phrase or clause could be omitted from the sentence without affecting the sentence’s meaning; its information is not essential.

For example, assume you have two sisters, Grace and Caroline. When you refer to your sister Grace, “Grace” is restrictive—if you removed her name from the sentence, no one would know to which sister you were referring. Assume, however, that you only have one sister. If you refer to your sister, Grace, “Grace” would be nonrestrictive—you could remove her name from the sentence, and everyone would still understand whom you were talking about.

Restrictive phrases should not be set off with commas.

Example 1: The Senior Editor who is wearing a white hat is a star.

Example 2: Many white-collar professionals, including lawyers and doctors, must alter their grooming habits after leaving graduate school.

Example 3: White-collar professionals like lawyers and doctors typically practice fastidious grooming habits. [Note the subtle difference in meaning between Examples 2 and 3.]

Dependent Clauses: The restrictive/nonrestrictive distinction matters for the use of commas that follow dependent clauses. (A dependent clause cannot stand on its own as a sentence.)

Where a dependent clause precedes the main clause of a sentence, it is set off by a comma. Where a dependent clause follows the main clause, it is only set off by a comma if it is nonrestrictive.

Example 1: If you accept our conditions, we will agree to the proposal. [The dependent clause precedes the main clause.]

Example 2: We will agree to the proposal if you accept our conditions. [The dependent clause follows the main clause and is restrictive.]

Example 3: She ought to be promoted given her diligence. [The dependent clause follows the main clause and is restrictive.]

Example 4: She ought to be promoted, if you want my opinion. [The dependent clause follows the main clause and is nonrestrictive.]

The restrictive/nonrestrictive distinction also matters for the use of commas with appositives. *See* GB Rule 23.1.G.

F. **Coordinate Adjectives:** Where two or more adjectives modify the same noun, separate them with a comma if the author could use “and” to separate them without changing the sentence’s meaning.

Example 1: The bright, witty editors spent a lively weekend summarizing grammatical rules.

But: The editors refused to work in the bright fuchsia office.

- G. Appositives: Appositives are words or phrases that define the immediately preceding noun. Where appositives are nonrestrictive, set them off with commas.

Example 1: Our managing editor, Rachel Feldman, is well known for her organizational abilities and charming demeanor.

Example 2: Mary Queen of Scots expected a greater show of affection from her half-sister.

- H. Parenthetical Elements: Set off phrases and clauses that provide parenthetical information with commas. Em dashes and parentheses may also be used, and should be used when commas are not strong enough.

Examples: We were correct, therefore, to revere his editing skills.

The Law Review Office, a delightful room where editing takes place, provides copious bookshelf space.

The Law Review Office—the room that serves as the intellectual birthplace of our fine scholastic publication—is home to a temperamental copy machine.

Where adverbs are necessary to the meaning of a sentence (and do not require a reading pause), they should not be set off by commas.

Example: Michael memorized *The Bluebook* and therefore excelled. His colleagues were indeed jealous.

- I. Interpolations and Transition Words: Generally, set off expressions like “I think,” “to tell the truth,” “in short,” “to say the least,” and “besides.”

- J. “The more . . . the more”: Use a comma to separate clauses of this type unless the clauses are exceptionally short.

Example: The more I read the *Southern California Law Review*, the more I am convinced of its exceptional quality.

But: The more the merrier.

- K. “For example,” “that is,” and similar expressions should be set off with commas.

- L. Repeated Words: Use a comma to separate identical repeated words if clarity requires it.

Example: Let’s go in, in a group.

But: It is fun to go back to school now that that new professor brings doughnuts to class every morning.

GREENBOOK RULE 23.2: Semicolons

- A. Compound Sentences: Use a semicolon to separate two closely related, yet contrasting, independent clauses. Try to avoid using conjunctions in such sentences unless the clauses are especially long and complex.

Example 1: Law professors generate numerous articles; many of them are too boring to be selected for publication in the Law Review.

Example 2: Andrew Lackey, Professor of Percussion at Berlin Conservatory, enjoys a reputation for unparalleled excellence in his small, but competitive teaching field; but Lackey’s counterpart at the Cleveland Institute of Music, Jong-Min Choi, has a lesser reputation as a pedagogue, despite his first-rate

performance experience.

- B. Replacing Commas: Semicolons may be used instead of commas for the sake of clarity—that is, where the elements being separated are overly long and complex, or where the elements being separated contain other internal punctuation.

GREENBOOK RULE 23.3: Colons

- A. A colon may introduce an element, series of elements, clause, sentence, or series of sentences that serves to illustrate or amplify the text that preceded the colon. Two independent clauses that could otherwise be separated by a semicolon may be separated by a colon for added emphasis of sequence. *See* CMS 6.61. Also, a colon may introduce a list, a quotation, or a direct question.

Do not use a colon after expressions such as “namely” or “for example”; a colon may replace these expressions. Use a colon after “as follows” or “the following.” Do not use a colon to introduce a block quotation unless the colon would also be used if the quote were not blocked off from the main text.

Please note that a colon should not separate a verb from its object or a preposition from its object.

Example 1: Here is a good rule of thumb: a colon should only follow a complete sentence.

Example 2: Standard Law Review Office fare includes three delicacies: pub mix, miniature candy bars, and sour fruit gummies.

Not: Standard Law Review Office fare includes: pub mix, miniature candy bars, and sour fruit gummies.

Example 3: From the depths of Chris and Rachel’s office, the editors frequently heard exclamations such as “Brilliant!” “Where’s the source list!” and “Booze!”

Not: From the depths of Chris and Rachel’s office, the editors frequently heard exclamations such as: “Brilliant!” “Where’s the source list!” and “Booze!”

- B. For rules of *capitalization* with colons, see GB Rule 22.2.
- C. For the use of colons with *lists*, see GB Rule 23.9.

GREENBOOK RULE 23.4: Apostrophes

- A. Omissions: An apostrophe indicates the omission of a letter, letters, or figures, as in a contraction, but this form should be used as little as possible. (Use “do not” instead of “don’t”; use “class of 2018” instead of “class of ’18.”)
- B. Plurals: Use an apostrophe to indicate the plural form of letters, figures, and signs.

Examples: A’s; 3’s; &’s

- C. Possessives:

Form the possessive of singular nouns by adding “’s” to the singular form, regardless of whether the singular form ends in “s.”

Examples: Congress’s, Jonas’s, witness’s

There are three exceptions to this rule:

- Biblical and classical names (e.g., Jesus’, Xerxes’);
- Nouns that are plural in form, but singular in meaning (e.g., United States’, politics’, General Motors’);
- “For . . . sake” expressions (e.g., “for goodness’

sake”).

Form a plural possessive by adding an apostrophe to the plural form of the noun. *See* CMS 7.15–7.21.

Examples: cats’, bosses’, Joneses’

Form the possessive of multiple nouns by adding “’s” to each element unless the elements share possession.

Example 1: Obama’s and Trump’s administrations both changed the direction of the nation.

Example 2: Daniel and Ngoc’s favorite movie is playing next week. [They have the same favorite movie.]

D. When using a case name as a possessive, italicize only the case name, and not the apostrophe or “s.”

Example: *Brown’s* holding relied heavily on sociological data.

GREENBOOK RULE 23.5: Question Marks

A. Indirect v. Direct: Only use question marks after direct questions.

Example 1: Do you have a *Bluebook* in your pocket?

But: I was wondering whether you have a *Bluebook* in your pocket.

B. Formal Direct Questions: When a direct, but unquoted, question is presented formally, set it off with a comma (or colon), capitalizing the first word and ending with a question mark.

Example: Given our duty as Senior Editors, we must ask, How do you go about distinguishing between direct and indirect questions?

GREENBOOK RULE 23.6: Slashes, Hyphens, En Dashes, and Em Dashes

- A. Hyphens: Use hyphens for hyphenated and compound words; to denote page numbers of materials using hyphenated systems of pagination; to denote hyphenated statutory sections; and anywhere else a hyphen is used in the original source.
- B. En Dashes: Use en dashes to denote inclusive spans of pages, parts, sections, paragraphs, or other portions of material according to BB Rules 3.3 and 3.4. Also, use en dashes to denote other inclusive spans in text and footnotes, especially where the spans involve numbers (e.g., the years 2008–2009).
- C. Em Dashes: Use em dashes to indicate a break in the text. Do not include spaces before or after em dashes. Em dashes may also be used to include parenthetical information where commas would not be strong enough.

Example 1: Law Review members struggle with the Greenbook—even after spending many late nights in the office doing edits and arguing about the rules.

Example 2: Two of the Executive Board members—although their identities have not yet been discerned—are reputed to have a lifetime supply of Cheez-Its in their office.

- D. Slashes: Slashes may be used when two items are opposites or in tension (e.g., “the public/private distinction,” “the normative/positive debate”). The CMS dictates that if a slash divides two words (e.g., “if/when”), then there is no space before or after the slash. But if it divides two phrases or sentences, a space should be used before and after the slash (e.g., “ninety-four board / ninety-five board”). If using “and/or,” please see GB 24.4.M.

GREENBOOK RULE 23.7: Compound Words and Hyphenation

- A. When determining whether a compound word should appear with a hyphen, space, or no space, your first step should be to check *Webster’s*. If uncertainly remains, refer to CMS 7.85 for extensive and very helpful examples and CMS Chapter 15 for more guidance.
- B. Phrases Used as Modifiers: Hyphenate when combining adverbs, adjectives, nouns, etc. with participles, prepositional phrases, or compound nouns that collectively modify the noun they precede. Do not hyphenate the phrase if it follows the noun. Finally, hyphenate only those parts of phrases intended as modifiers.

Example 1: fast-paced sports, well-known author, tenure-track position, over-the-counter drug, mid-twentieth-century art

Example 2: The author is well known.

When combining an element with an *open compound* (a compound whose words are always separated by a space) to form a modifier, use an *en dash*. See CMS 6.80. (We know it looks weird, but it is correct.)

Examples: pre–Civil War era, Nobel Prize–winning scientist, separation of powers–based principles

- C. Phrasal Exceptions: Avoid hyphenating in the following situations: (1) compounds where the first element is an adverb ending in “ly”; (2) common phrases found in *Black’s Law* or *Webster’s*; (3) foreign language phrases; (4) simple strings that modify the material they precede.

Example 1: quickly moving cars, richly flavored ice cream, exceptionally edited article

Example 2: separation of powers doctrine, high school

student

Example 3: ad hoc legislation, habeas corpus petition

Example 4: liberal pragmatist philosophy, national political dialogue

- D. “Decisionmaker/Decision-making” and “Policymaker/ Policymaking”: Note that the *Southern California Law Review* treats the nouns “decisionmaker,” “policymaker,” and “policymaking” as single words. “Decision-making,” whether used as a noun or preceding modifier, is hyphenated.

GREENBOOK RULE 23.8: Quotations and Quotation Marks

- A. Quotation Mark Placement: Set periods and commas inside quotation marks. Set colons and semicolons outside quotation marks (unless they are part of the quotation). Set question marks and exclamation points inside quotation marks when they are part of the original quotes, but outside when they are not.

Example: In a phenomenon commonly termed “Law Review Syndrome,” Law Review staff members tend to follow blindly the advice of the trustworthy Senior Editors, known as “SEs.” One unnamed Executive Senior Editor is reported as saying, “I think there must be something in the water”; this author tends to agree. One might ask, “Has an SE ever been alone with the water cooler?” Inexplicably, the SEs call that a “stupid question”!

- B. Overuse of Quotation Marks: Do not use quotation marks with terms like “so-called” or “allegedly”; their meaning is clear without the added punctuation.
- C. Altering Quotations: Follow BB Rules 5.2 and 5.3 for

general punctuation rules. But note the following clarification.

In a portion of quoted material containing one or more sentences, where a portion is omitted from the end of a sentence, *The Bluebook* clearly states that the omission should be indicated with three ellipsis dots followed by the end punctuation from the original. *See* BB Rule 5.3(b)(iii), (vi). *The Bluebook* also clearly states that where a portion is omitted from the middle of a quoted sentence, the omission should be indicated by three ellipsis dots. *See* BB Rule 5.3(b)(ii). In the latter context, please note that another form of punctuation may precede or follow the three ellipsis dots if it appears in the original. Note the following examples of portions of block quotes:

Example 1: The lightning flashes through my skull; mine eye-balls ache and ache; . . . my whole beaten brain seems as beheaded . . .

Example 2: It is not, gentleman, that from the time I commenced this case until I shall speak my last word I ever had one single moment of doubt about the verdict of this jury . . . ; for I do not believe . . . that anywhere on the face of the earth a jury could be found today that would send men to jail for the crime of loving their fellow-men.

D. Modifying lower and uppercase letters. When a quotation is introduced by a term such as “explained” or “said,” leave the first letter of the quotation capitalized. If the quotation is incorporated into the sentence without such an introduction, the first letter of the quote should be modified so that it is not capitalized and included with brackets.

Example 1: Ernest Hemingway once explained, “One should write drunk, but edit sober.”

Example 2: Although it is tempting to practice the reverse,

Ernest Hemingway believes “[o]ne should write drunk, but edit sober.”

- E. Errors in Quotations: Where a quotation does not conform with *Southern California Law Review* guidelines, do not change the quote; rather, insert “[sic]” to indicate the error. Only use this remedy for serious errors, however, as the use of “[sic]” is disruptive.
- F. Single and Double Quotation Marks: Insert a hard space between single and double quotation marks.

Example: “When contacted for comment, Abby Sellers said ‘The new Volume 95 Law Review board is awesome!’ ”

GREENBOOK RULE 23.9: Lists

Where a series of elements is very long and elaborate, it should be included in a vertical list. In general, however, series may be included in a run-in list (i.e., without being set off from the main text).

It is not necessary for the elements in a series to be numbered. Where numbering would be helpful (e.g., to indicate sequence or to distinguish between elements in the series), elements should only be preceded by an Arabic numeral in parentheses (e.g., “(1)”), *not* letters or other symbols (e.g., (a) or (i)). Elements should be separated by commas, or by semicolons if internal commas are required. Hard spaces should follow the parentheses (e.g., “(1)[hard space]”).

A colon should only indicate the beginning of a list if the colon follows a complete sentence; a colon should not directly follow a verb or a preposition.

GREENBOOK RULE 23.10: Spacing

- A. Text: The punctuation at the end of a sentence should be followed by a single space.

- B. Hard Spaces: A hard space is a space whose width does not change (despite justified alignment) and that does not allow for a break between the elements it joins (i.e., it keeps the elements it joins on the same line). There are five instances in which hard spaces should appear: (1) after the roman numeral or letter in all headings and subheadings (there should be two hard spaces here); (2) between a section symbol (“§”) and section number; (3) after a number in parentheses (e.g., “(1)”); (4) before, between, and after ellipsis dots; and (5) between single and double quotation marks (“ ‘). When editing, look for page breaks where hard spaces should appear.

Adding a Hard Space:

Mac: Option + Space Bar

PC: Ctrl + Shift + Space Bar

- C. Orphans and Widows: It is acceptable for the last word or line of a paragraph to appear at the top of a page. It is also acceptable for the first line of a paragraph to appear on the last line of a page. *But see* GB Rule 23.11.

GREENBOOK RULE 23.11: Headings

The main sections of pieces are denoted with Roman numerals (i.e., “I, II, III, IV”). The first subsections are denoted with capital letters (i.e., “A, B, C”). The second subsections are denoted with numbers (i.e., “1, 2, 3”). The third subsections are denoted with lowercase Roman numerals (i.e., “i, ii, iii”).

The typeface for levels of heading is as follows:

ALL CAPS 🔘 SMALL CAPS 🔘 Normal

INTRODUCTION

I. PART I
A. SECTION A
1. Sub-Section 1
CONCLUSION

Double check that headings correspond to the correct level. Also, there should be no “hanging” headings (i.e., headings that are the last line of a page). Each heading should be followed by **two** lines of text. If it is not, then it is a hanging heading.

GREENBOOK RULE 23.12: Introductory Material

- A. Author Information: Follow the examples below for formatting author information for professors/professionals and students.

Example 1: Professor of Law, University of Southern California Gould School of Law; B.A. 1990, Columbia University; M.A. 1992, Talbot School of Theology; J.D. 1995, University of Texas Law School.

Example 2: Executive Senior Editor, *Southern California Law Review*, Volume 92; J.D. Candidate 2019, University of Southern California Gould School of Law; B.A. Biology 2000, Johns Hopkins University.

- B. Epigraphs: Epigraphs are not footnoted. Instead, after the quote, provide the author’s name (if there is one) and the published source (if there is one). Do not enclose the quoted material in quotation marks.

Example 1: ’Scuse me while I kiss the sky.
 Jimi Hendrix
 “Purple Haze”

Example 2: Never, never, never give up.
 Winston Churchill

LANGUAGE

GREENBOOK RULE 24.1: Gender-Neutral Language and Identity

The *Southern California Law Review* reaches thousands of readers every year, all from diverse backgrounds. It is of the utmost importance that articles are accessible to all readers; as such, the *Southern California Law Review* commits to using humanizing and inclusive language. The *Southern California Law Review* will not publish language that perpetuates racism, sexism, homophobia, transphobia, classism, and ableism. This list is non-exhaustive, and SCLR reserves the right to request the author to make changes to the language in an article.

- A. **Gender-Inclusive Language:** Use gender-neutral language whenever possible. The singular “they” is increasingly gaining acceptance as a gender-neutral generic pronoun, CMS 5.48, and the Greenbook permits its use. Using generic masculine and feminine pronouns is also acceptable, CMS 5.252, but do not exclusively use “he/him” as universal pronouns. The Greenbook rejects the implication in CMS 5.252 that the singular “they” is a gimmick. “His or her” and “he or she” constructions are disruptive; however, they are preferred to alternating gender in hypotheticals.

Avoid using sex-specific suffixes. Suffixes like “-ess” and “-trix” are easily replaced with suffix-free forms. For example, use “actor” and “testator” instead of “actress” or “testatrix.” The suffix “-man” can be avoided by using an alternative like “mail carrier” and “police officer,” or by using the suffix “-person,” as in “congressperson.” CMS 5.257.

Gender neutrality can also be achieved using the rewording techniques listed in CMS 5.255.

- B. **Epithets:** The *Southern California Law Review* will not publish epithets in quoted or non-quoted language, unless

the author strongly believes that it is integral to the meaning of the text to quote the word as it was historically used. SCLR may ask authors to replace the original epithet with its more sensitive counterpart in brackets, and a footnote may be added to the substituted language to explain the omission. Alternatively, editors may suggest a different quote that conveys the same meaning. Direct questions to the Editor-in-Chief.

- C. Avoid nominalization of identity-based descriptions: Use identify-based descriptors as adjectives, not nouns (for example, “people who are disabled,” not “the disabled”). Authors may deviate from this standard only when directly quoting from a source.

GREENBOOK RULE 24.2: Split Infinitives

Generally, try not to split infinitives. If the sentence cannot be rearranged naturally in order not to split the infinitive, however, do not rearrange the sentence. This is an area where the *Southern California Law Review* defers to the voice and style of the author.

Example: In order to comply fully with the Greenbook, a staff member must actually read it. [“To fully comply” would be permissible.]

GREENBOOK RULE 24.3: Verb Tense

- A. Past Tense for Cases:
- When discussing the facts of a case, use the past tense.
 - When discussing an opinion, generally use the past tense.
 - In some cases, such as those describing how a judge or justice approached an opinion (particularly where such a discussion is integral to the author’s purpose and is included in a portion of the text resembling literary commentary), the present tense may be acceptable.

Example 1: In his dissent, Justice Harlan stated . . . [Do not use “states.”]

Example 2: Justice Kennedy began his opinion for the plurality with a discussion of background international law. [Do not use “begins.”]

But: Justice Scalia’s commanding dissent treats the two principles as interchangeable; the plurality, however, finds their differences to be crucially important. [The use of “treats” and “finds” is acceptable.]

B. **Subjunctive:** Use the subjunctive form of “to be” (i.e., “if it *were*” rather than “if it *was*” or “if it *is*”) when specifying conditions that are contrary to fact. But do not use the subjunctive if the condition is likely to exist.

Example 1: If Judge Schmidt were to decide that Thomas is liable

Not: If Judge Schmidt was to decide that Thomas is liable

Example 2: If I graduate, then I will be happy.

Not: If I were to graduate, then I will be happy.

GREENBOOK RULE 24.4: Spelling and Usage

A. **That v. Which:** “That” is restrictive—that is, it introduces a clause that cannot be removed from the sentence without altering its meaning. “Which” introduces a nonrestrictive clause—that is, the clause can be removed without altering the meaning of the sentence. In general, if a clause should be set off by commas, use “which”; if a clause should not be set off by commas, use “that.”

Example 1: The polar fleece that you brought is not enough to keep you warm in the frigid Law Review Office.

Not: The polar fleece which you brought is not enough to keep you warm in the frigid Law Review Office.

Example 2: *You Got Served*, which is by far the best movie ever made, came out in 2004.

Not: *You Got Served*, that is by far the best movie ever made, came out in 2004.

Which v. Where: “Where” should only be used when referring to a geographic location.

Example: Just like *Erie*, in which the Supreme Court overruled longstanding precedent, is comparable to the case at hand.

Not: Just like *Erie*, where the Supreme Court overruled longstanding precedent, is comparable to the case at hand.

- B. Cannot: Always spell “cannot” as one word.
- C. Toward v. Towards: Use “toward” instead of “towards.” According to Bryan Garner, there is no distinction between these two words; however, “toward” is universally preferred in the United States and thus should be used instead of “towards.”
- D. On v. Upon: *The Chicago Manual of Style* recommends the use of “on” rather than “upon,” and according to Bryan Garner, “on” is almost always better than “upon.” But “upon” may be used to introduce an event or a condition (e.g., Emma called the police upon seeing Jessica steal her Snickers bar.).

- E. Cite: The verb “cite” is not followed by the word “to.”
- F. Different: In comparisons, “different” should be followed by “from” not “than.”
- G. “Not Only”: A clause containing “not only” should always be followed by a clause containing “but also” (not just “but”). The “but” and the “also” need not appear as a unit, however.

Example: Not only did Prab have five red pens in three different shades, but she also purchased a backup copy of *The Bluebook*.

- H. First Person: The use of the first person is generally permissible. Using first person is less desirable, however, if the piece contains only a few first-person references.
- I. Titles of Respect: In general, remove titles of respect (e.g., Professor, Director, etc.). You may retain the title “Professor,” however, in the author’s footnote. Retain the titles “justice” and “judge” throughout. “Justice” should always be capitalized when referring to Justices of the U.S. Supreme Court, and “Judge” and “Justice” should be capitalized when used as a title of respect in front of a judge’s name (e.g., Judge Kronstadt, etc.)
- J. Names: Generally, when a person is first introduced in the text, include the person’s title, first, and last name. Thereafter, use the persons title and last name. If the second appearance of the person’s name is far removed from the first, the full name may be restated.

However, you may use only the last name of judges and Justices, and the President of the United States.

Example 1: Senator Christopher Dodd

Example 2: Justice Scalia

- K. Precede “plaintiff” and “defendant” with “the.”

Example: The plaintiff enjoyed the hamburger.

Not: Plaintiff enjoyed the hamburger.

- L. The abbreviations “e.g.” and “i.e.” should be spelled out (“for example” and “that is,” respectively) unless part of a signal. Also, “versus” should generally be spelled out unless part of a citation, “etc.” or “et cetera” should generally be replaced with “and so forth.”
- M. Avoid using “and/or.” In most instances, it can properly be replaced using one or the other. See CMS 5.202 for further guidance.
- N. The correct spelling is “publicly,” not “publically.”
- O. Use “compared to” when noting the similarities between compared items. Use “compared with” when noting the differences between compared items.

Example: Bluebooking can be compared to exercise: the more the better. Compared with *UCLA Law Review*, *Southern California Law Review* has an appreciably cooler staff.

GREENBOOK RULE 24.5: Ethnic and National Groups

- A. Capitalization: The Greenbook follows the *Chicago Manual of Style* with regard to capitalization of ethnic and national groups: “Names of ethnic and national groups are capitalized. Adjectives associated with these names are also capitalized. For hyphenation or its absence, see [CMS] 8.39.” The *Southern California Law Review* generally defers to authors on the usage

of “Black” versus “African-American” when referring to racial or ethnic identity but prefers consistency wherever possible. Capitalize “Black,” “Native,” and “Indigenous” when referring to racial, ethnic, or cultural identity.

- B. Avoid the word “minority” where possible: If an author is referring to race, editors should encourage the author to be more specific. Alternatively, suggest terms such as “historically oppressed” or “marginalized.”