

The Writing Center

DLA: CA Case Citations, the Bluebook Cases



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Student Name:

Important Note

To get completion credit for this DLA, make sure you complete all the required activities. If you'd like help while working on a specific DLA, you can meet with a specialist at the Writing Center. Keep in mind that you might need to schedule a second appointment to review your work, check your understanding, and get your completion credit. You can only review **ONE** DLA per appointment. (Check the last section of this DLA for information on making your appointment and receiving completion credit for your work).

Objective

Now that you understand how to integrate a reference to your legal sources, you must learn the exact format for your legal references. The federal court system follows the rules of citation set out in The Bluebook, A Uniform System of Citation. California allows the use of The Bluebook. This book gives very specific rules on how to cite various legal sources, including cases. This activity takes students through an easy-to-follow, step-by-step process in which students learn how to cite California cases following The Bluebook format.

Notes about The Bluebook

Many of the citation rules contained in "The Bluebook" are actually rules governing citations for law review articles, and not for court documents. The back inside cover is a quick way to find examples of citation forms to be used in court documents. Also, the back outside cover is a helpful table of contents. Further, the blue pages contain state and court-specific information. California-specific information can be found on pages 46 and 252-253. Finally, Bluebook rules can vary depending on the court in which the office is filing the document. For the purposes of this DLA, we will assume that the office is following Bluebook rules, filing a document in a California state court.

Understanding California Case Citation Using the Bluebook:

There are three levels of courts in California

1. **California Supreme Court:** This is the state's highest court, and when possible, you should use cases from this court because they have the highest level of authority on California law.

Example: Mercy Hospital and Medical Center v. Farmers Insurance Group of Companies, 15 Cal. 4th 213, 932 P. 2d 210, 61 Cal. Rptr. 2d 638 (1997).

2. **California Court of Appeals:** These are the intermediate level courts in California. The state is divided into six districts. You can use any of these published case opinions (subject to Shepard's verification) but try to use cases from your client's appellate district (in Los Angeles County, the Second District).

Example: Betts v. Allstate Insurance Company, 154 Cal. App. 3d 688, 201 Cal. Rptr. 528 (1984).

3. **California trial courts:** According to the California Rules of Court, Rule 8.1115, unpublished court opinions are not to be cited, and since trial court opinions are not published, they must not be cited. Refer to your PLGL 31 professor for details on this rule.

Rules for Citing a Case

Let's start with the rules for citing a case from the Supreme Court of California. The deciding court will be indicated near the top of the case, under the party names.

Case names: According to The Bluebook, case names are underlined or italicized (not both), whether you're citing the entire case name (Marvin v. Marvin) or just referring to the case by its short name (Marvin). For this DLA we will be underlining the case names rather than italicizing them. However, if you're just referring to the parties, Mr. Marvin or Mrs. Marvin, you do not italicize or underline their names. Further, we only use last names in the case title (not Michelle Marvin v. Lee Marvin). The case name is the only part of the citation that is underlined or italicized. Most cases follow the format Plaintiff v. Defendant, but there are exceptions, such as In re Menna (meaning in regards to Menna's case or Menna's petition).

Example: Marvin v. Marvin,

Citation to official reporter: Cases from the Supreme Court of California are published in three different sets of books. In your research you can use whichever set is most convenient for you. However, when you cite the case it is considered good form to give all of the reporters which contain the case, starting with the official reporter, even if you are not using it. The official reporter for Supreme Court of California decisions is California Reports, abbreviated Cal., followed by the series number: Cal., Cal. 2d, Cal. 3d, Cal. 4th. Notice that there is a space between the period and the number, and 2d is not written 2nd, nor is 3d written 3rd. All case citations follow this format: volume # reporter abbreviation page #.

Example: Marvin v. Marvin, 18 Cal. 3d 660

This indicates that the case Marvin v. Marvin, starts on page 660 of volume 18 of the California Reports, third series. (Series are not editions. This will be explained in PLGL 31.)

Citation to unofficial reporters: Because the cases can be found in three different sets of books, the Yellow Book tells us that it's good practice to give parallel citations to the other reporters that also contain the case. The Bluebook states that "all case citations should be to the reporters required by local rules" (102), and in California the citation rules are contained in the Yellow Book. Therefore, we must include parallel citations. This is partly because we don't know which set of books opposing counsel has in his/her office. The judges usually have the official reporters, Westlaw, or Lexis. Therefore, you must give references to all three sets of books that contain the case.

The unofficial reporters are California Reporter and Pacific Reporter. California Reporter is abbreviated Cal. Rptr. followed by its series: Cal. Rptr., Cal. Rptr. 2d, Cal. Rptr. 3d. Again, there is a space between the words and between the words and the series number. Pacific Reporter is abbreviated P. followed by its series: P., P.2d. Here, for some strange reason, no spaces are used. The unofficial reporters are listed with the Pacific Reporter citation listed before the California Reporter. Also, unlike the Yellow Book, The Bluebook does not call for the unofficial reporter citations to be enclosed in brackets. The three parallel citations are simply separated by commas.

Example: Marvin v. Marvin, 18 Cal. 3d 660, 557 P.2d 106, 134 Cal. Rptr. 815.

Year of decision: The year the case was decided comes last. It will be found near the top of the case. It goes into parenthesis and is not italicized.

Example: Marvin v. Marvin, 18 Cal. 3d 660, 557 P.2d 106, 134 Cal. Rptr. 815 (1976).

California Courts of Appeal Cases

Next let's look at cases from the California Courts of Appeal. The deciding court will be indicated near the top of the case, under the party names.

Case names: This follows the same format as for Supreme Court of California cases: The case name is underlined or italicized, and most cases follow the Plaintiff v. Defendant format. Again, first names are not included.

Example: People v. Sanchez

Citation to official reporter: Cases from the California Courts of Appeal are published in two different sets of books. When doing your research you can use whichever set is most convenient for you. However, when you cite the case, you must list the official reporter first, even if you are not using it. The official reporter for California Courts of Appeal decisions is California Appellate Reports, abbreviated Cal. App., followed by the series number: Cal. App., Cal. App. 2d, Cal. App. 3d, Cal. App. 4th. Notice that there is a space between the abbreviated words, or between the period and the number, and 2d is not written 2nd, nor is 3d written 3rd. All case citations follow this format: volume # reporter abbreviation page #.

Example: People v. Sanchez, 23 Cal. App. 4th 1680

Citation to unofficial reporter: As with cases from the Supreme Court of California, The Bluebook refers to the Yellow Book in regards to rules for parallel citations to unofficial reporters. Because the cases can be found in two different sets of books, the Yellow Book tells us that it's good practice to give parallel citations to the other reporter that also contains the case. This is partly because we don't know which set of books opposing counsel has in his/her office. Judges usually have the official reporters, Westlaw, or Lexis. Therefore you must give references to both sets of books that contain the case.

The unofficial reporter is California Reporter, which contains cases from both the Supreme Court of California and the California Courts of Appeal. California Reporter is abbreviated Cal. Rptr. followed by its series: Cal. Rptr., Cal. Rptr. 2d, Cal. Rptr. 3d. Again, there is a space between the words and between the words and the series number, and The Bluebook does not enclose the parallel citation in brackets. Just separate the two parallel citations with a comma.

Example: People v. Sanchez, 23 Cal. App. 4th 1680, 29 Cal. Rptr. 2d 367.

Year of decision: The year the case was decided comes last and is enclosed in parenthesis. It can be found near the top of the case, near the case name.

Example: People v. Sanchez, 23 Cal. App. 4th 1680, 29 Cal. Rptr. 2d 367 (1994).

Note about the period: Many professors require students to include a period at the end of each citation as a reminder to always put the citation at the end of the sentence. A citation placed in the middle of a sentence is very distracting to your reader, sometimes forcing her to reread the entire sentence in order to understand it.

Activity (approximately 30-40 minutes)

Complete the steps below and check off each box once you have completed the activity.

□ 1. Citation for *In re Garcia*

Go to the Mt. SAC Library website at <http://www.mtsac.edu/library> and access the database “Westlaw.” Click on the State Materials tab, then on “California” and then on “All California State Cases.” In the search box type “In re Garcia 2014” and click search. The top case should be *In re Garcia*, dated January 2, 2014. Click on it. Scroll down past the word “Opinion.” Choose a passage from the text to directly quote and write it in the space provided. Include a signal phrase to introduce your quote.

Which court decided this case?

Using the citation format for that court, specified above, give a complete Bluebook citation, including parallel citations, for your quote.

□ 2. Citation for *Caldwell v. Methodist Hospital*

Close *In re Garcia*. This time, in the Westlaw search box, type “Caldwell v. Methodist Hospital” 1994, including the quotation marks. Click on the first case displayed, which should be *Caldwell v. Methodist Hospital of Southern California*. Which court decided this case?

Choose a passage from the text to directly quote and write it in the space provided. Include a signal phrase to introduce your quote.

Using the format for that court specified above, give a complete Bluebook citation, including parallel citations for your quote.

□ 3. Review the DLA/Receive Completion Credit

1. Go to [EAB Navigate](#) and make an appointment (online or in-person).
2. Attend your session and be prepared to explain your understanding of the information you've learned in the DLA. Consider the main concept you learned and how you might use this in your future assignments/classes.
3. If your professor asks you to provide proof, you can review the "appointment summary report" through EAB Navigate (app or desktop). You will find all Writing Center appointments under "appointment summary reports" (app or desktop). Look for the summary report for your DLA appointment. This is where your writing specialist will indicate the title of your DLA and state whether it is "completed" or "not completed." If it is marked as "not completed," book a follow up appointment to complete.

Note: Appointment summary reports are also sent weekly to your instructor on record. If there is an issue, please contact us at writingcenter@mtsac.edu or (909) 274-5325.

If you are an individual with a disability and need a greater level of accessibility for any document in The Writing Center or on The Writing Center's website, please contact the Mt. SAC Accessible Resource Centers for Students, access@mtsac.edu, (909) 274-4290.

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