

# Legal Citation

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## 1. Legal Citation

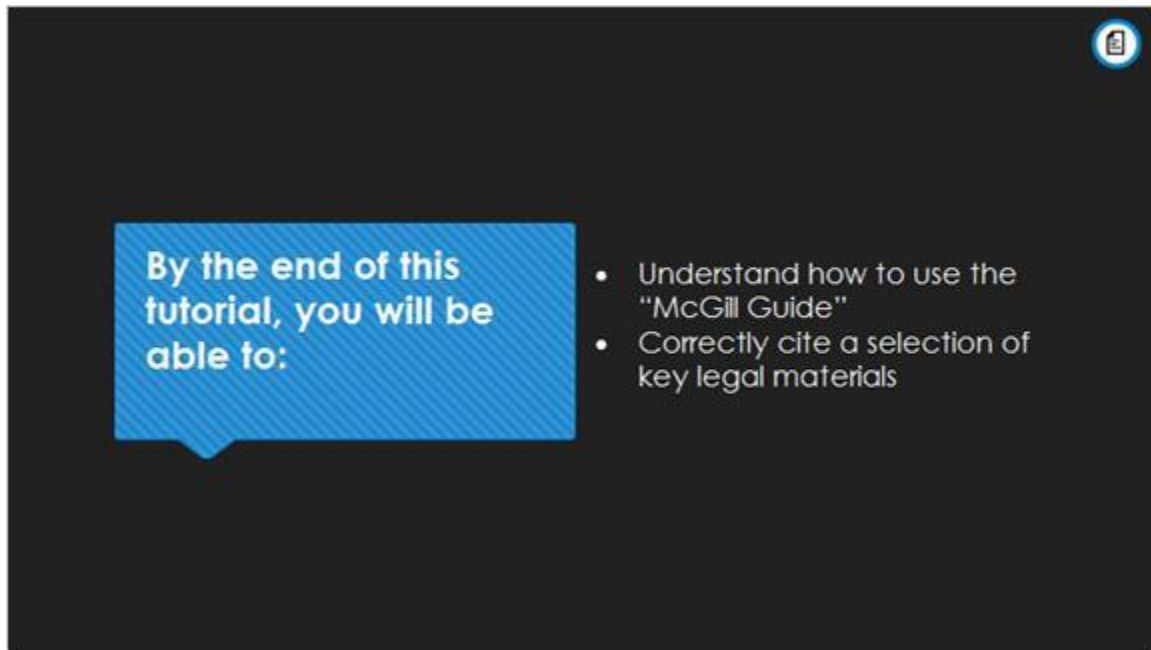
### 1.1 Legal Citation



#### Notes:

Hello, my name is Meris, and I'm a law librarian. I'll be walking you through this tutorial about legal citation.

## 1.2 Learning Objectives



By the end of this tutorial, you will be able to:

- Understand how to use the "McGill Guide"
- Correctly cite a selection of key legal materials

### Notes:

This tutorial will help you learn how to correctly cite a selection of legal materials in accordance with the guidelines set out in the *Canadian Guide to Legal Citation* 8th edition, or McGill Guide.

### 1.3 Importance of Citation

## Importance of Citation

### Purposes of Citation:

1. Give credibility to your work.
2. Enable readers to locate sources.

The image shows the front cover of a spiral-bound book titled "Canadian Guide to Uniform Legal Citation" (1st Edition) and its French equivalent "Manuel canadien de la référence juridique". The cover is red with white and gold text. A small McGill University crest is visible. A red label at the bottom right of the image reads "McGill Guide".

#### Notes:

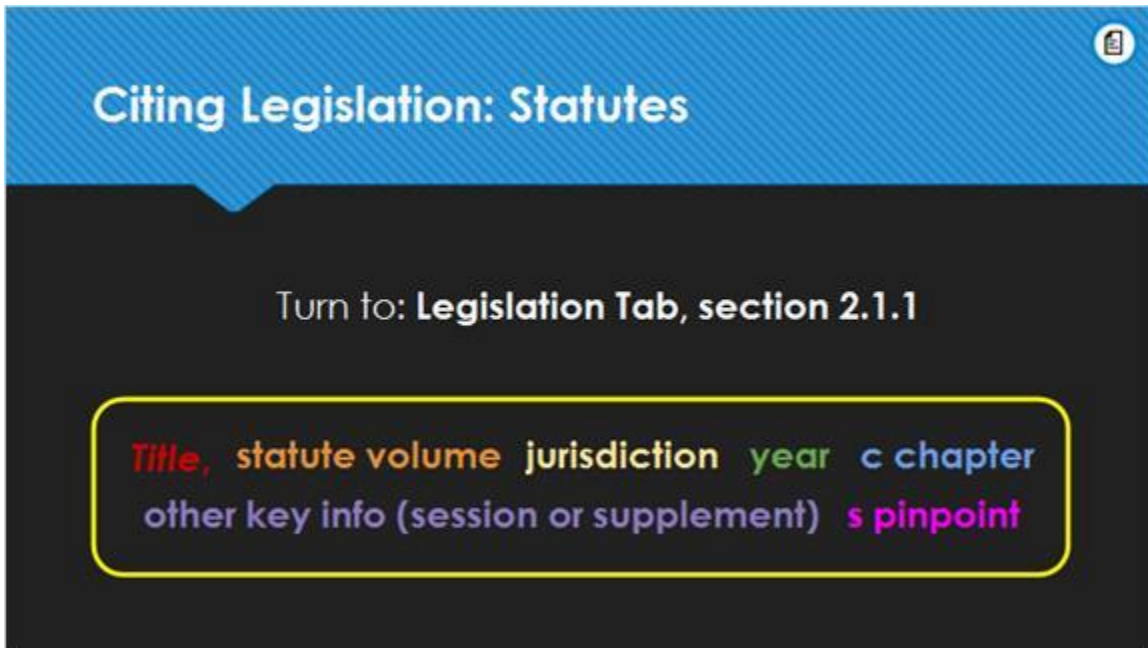
Citation for any type of material, including legal materials, serves two main purposes. First, to give credibility to your work by identifying the sources you have used as authorities in your research. And second, to enable your readers to locate these works for themselves, to examine them if they wish.

Therefore, citations need to be accurate and complete.

For Canada, the rules to be followed for correct citation of legal materials are found in the *Canadian Guide to Uniform Legal Citation*, commonly referred to as the "McGill Guide." Keep your copy of the guide near at hand, as we work through a few examples with its help! We'll be working through fairly straightforward examples, so keep in mind that the McGill Guide will be a great help in the future, when you come across material that's not so easy to cite.

Also, note that legal citation includes many abbreviations. You'll find a list of abbreviations in the bilingual Appendix section, at the very back of your guide. Get it at the law library.

## 1.4 Legislation: Statutes



**Citing Legislation: Statutes**

Turn to: **Legislation Tab, section 2.1.1**

**Title**, **statute volume** **jurisdiction** **year** **c chapter**  
**other key info (session or supplement)** **s pinpoint**

### Notes:

Citing a statute is fairly straightforward. Open the McGill guide to the legislation tab, section 2.1.1, General Form.

Start with the italicized official short title of the act (which you can find in the first section of the act), followed by a comma. Then, the abbreviation for the statute volume and jurisdiction. The abbreviation “RS” is used for an act found in a set of revised statutes; the letter “S” is used for an act found in an annual or sessional volume of statutes. Both of these abbreviations are followed by an abbreviation for the jurisdiction, such as “RSA” for Revised Statutes of Alberta.

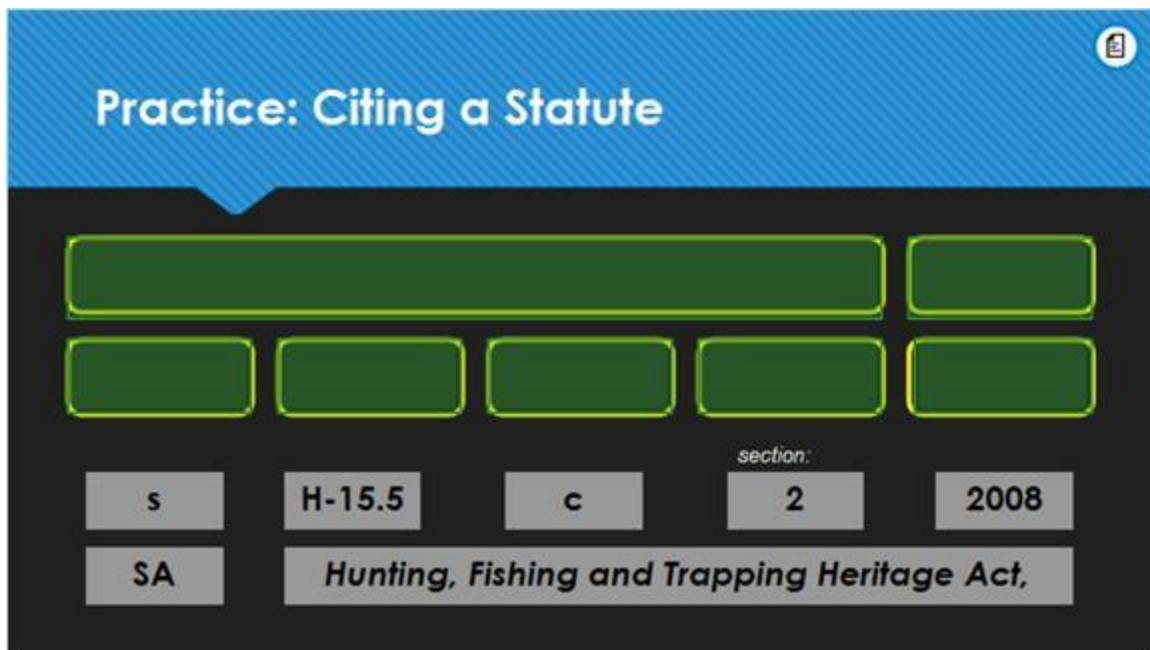
Next comes the year of the act, then its chapter number, prefixed with lowercase letter “c.” If you need to indicate the supplement volume where the act is found, do so after the chapter number.

At the end of the citation, you may wish to “pinpoint” a particular section, part, or schedule of the act you are citing to, to highlight the importance of that section. A single section is indicated by “s,” and multiple sections by “ss.”

When you cite an act, it’s assumed that you are citing to the current, most up to

date (i.e. as amended) version. If you want to cite an act or section as it read at a previous point in time, just add “as it appeared on” with the date in question at the end of the citation.

### 1.5 Practice: Statute



The interface is titled "Practice: Citing a Statute" in a blue header. Below the header, there are two rows of yellow boxes for text entry. The first row has one long box, and the second row has five smaller boxes. Below these boxes are several grey boxes containing text: "s", "H-15.5", "c", "2", "2008", "SA", and "Hunting, Fishing and Trapping Heritage Act,". A label "section:" is positioned above the "2" box. The interface is designed for a drag-and-drop activity where users place the grey boxes into the yellow boxes to form a correct citation.

#### Notes:

Now, you try it. Use Section 2.1.1 of the McGill Guide for help.

Drag a grey box onto a yellow box where you think that information would go, in the correct order to make a complete citation. When you drag the grey box to the correct location, it will turn green; if you drag it to an incorrect location, it will turn red.

If it turns red, drag it back to its original location. Then, you can try putting it into another yellow box, until it turns green. If you need to move on and come back to it later, you can advance to the next slide at any time.

**ANSWER:** *Hunting, Fishing and Trapping Heritage Act, SA 2008 c H-15.5 s 2*

## 1.6 Legislation: Regulations

**Citing Legislation: Regulations**

Turn to: **Legislation Tab, section 2.5**

**Title (optional), Jurisdiction (abbreviation)**  
**Reg number / year s pinpoint**

Consolidated **Title, CRC c chapter s pinpoint yr (optional)**

Unconsolidated **Title (optional), SOR / yr-number s pinpoint**

### Notes:


Still in the Legislation tab, turn to Section 2.5, Regulations.

Let's use Alberta as an example. Begin with the regulation title. The McGill Guide indicates that titles are optional for all provincial regulations and for federal regulations after 1978. It is good practice, however, to always include the title, as it helps your reader to know what the regulation is actually about. Next, indicate the jurisdiction in abbreviated form, followed by "Reg" if you are citing an Alberta regulation, and the regulation number and year. It depends on the jurisdiction whether the year should be indicated with all four digits, or just the last two, so check the Guide as needed. For Alberta, write out the whole 4-digit year. Lastly, include a section pinpoint if needed.

Federal regulations can be Consolidated or Unconsolidated. Consolidated regs use the abbreviation CRC, and look like this. Unconsolidated regs use the abbreviation SOR, and look like this. Federally, the year only requires the last 2 digits.



## 1.7 Practice: Regulation

Practice: Citing a Regulation 

Alta 2013 / Reg reg number: 158


*Languages in the Courts Regulation,*

### Notes:

Your turn! Referring to Section 2.5 of the McGill Guide, drag this regulation citation into the correct order. As previously, you can advance at any time and come back to this slide later.

**ANSWER:** *Languages in the Courts Regulation*, Alta Reg 158/2013

## 1.8 Practice: Regulation

Practice: Citing a Regulation 

reg number:

s 129, SOR - /

year: section:

98 6 Electronic Payment Regulations,

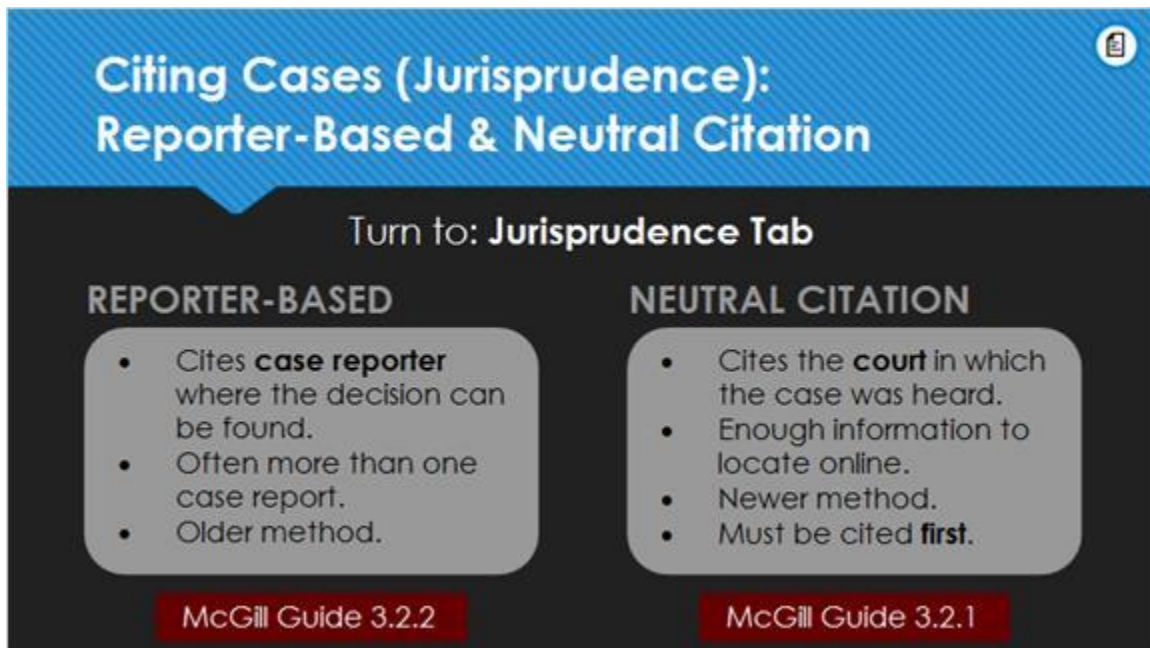
### Notes:

Now, try again with this regulation citation, from a different jurisdiction.

**ANSWER: *Electronic Payments Regulations*, SOR/98-129, s 6**



## 1.9 Jurisprudence: Reporter & Neutral



**Citing Cases (Jurisprudence):  
Reporter-Based & Neutral Citation**

Turn to: **Jurisprudence Tab**

REPORTER-BASED	NEUTRAL CITATION
<ul style="list-style-type: none"><li>• Cites <b>case reporter</b> where the decision can be found.</li><li>• Often more than one case report.</li><li>• Older method.</li></ul>	<ul style="list-style-type: none"><li>• Cites the <b>court</b> in which the case was heard.</li><li>• Enough information to locate online.</li><li>• Newer method.</li><li>• Must be cited <b>first</b>.</li></ul>
McGill Guide 3.2.2	McGill Guide 3.2.1

### Notes:

The rules for case citation in McGill are found under the tab "Jurisprudence." Case citations can involve more elements than legislation, and thus, be more complex. In this tutorial, we will concentrate on the general form for both reporter-based and neutral citations.

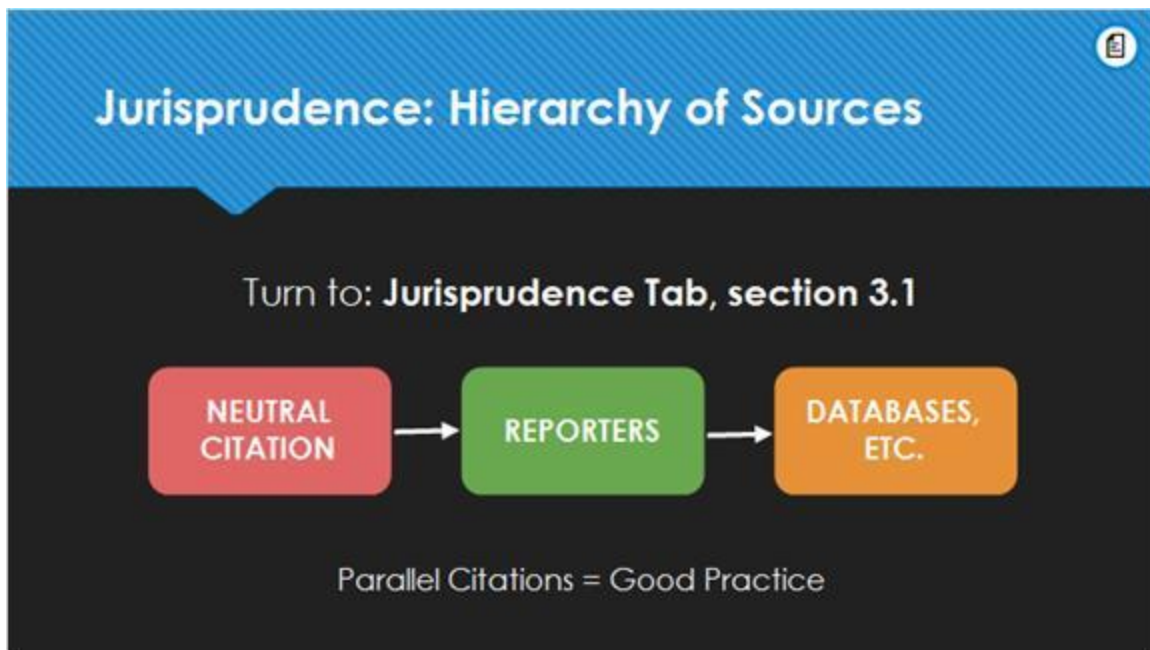
Reporter-based citations cite to the case reporter where the case decision can be found -- often to more than one case report. This has been used for many years, first for reporters available only in print, and more recently for reporters available also (or only) online.

Neutral citation is a newer format that cites to the court that heard the case. It provides enough information to locate the case in an online database, without having to wait for a traditional reporter-based citation. By allowing the court to create the neutral citation, online access is made easier and faster, at the same time providing traditional reporter-based citations as they are added to the database over time. A key McGill Guide rule is that if a neutral citation exists, it must be cited first, before any citations to traditional law reports.

See McGill Guide 3.2.1 for the general form for neutral citations, and 3.2.2 for the general form of reporter-based citations. Key elements are style of cause, year of

decision, standard abbreviation for the court (which also tells you court jurisdiction and level), followed by a number assigned in the order decisions are issued.

### ***1.10 Jurisprudence: Hierarchy of Sources***



#### **Notes:**

Turn to Jurisprudence Section 3.1 to view the chart describing the hierarchy of sources. In essence, start with a neutral citation if available, followed by any official or semi-official reporters, followed only if needed by other sources such as databases.

Multiple citations to the same case are often referred to as “parallel citations.” Since you don’t know what sources your readers will have access to, identifying multiple sources for a case will help ensure that they can find a copy of the case.

## 1.11 Jurisprudence: Style of Cause

**Jurisprudence: Style of Cause**

Turn to: **Jurisprudence Tab, section 3.3**

*Smith v Jones* ✓

*Smith V Jones* ✗

*Smith v. Jones.* ✗

Rules for variant forms of names: **McGill Guide 3.3.1 - 3.3.18**

### Notes:

Use the McGill Guide starting at Section 3.3 to address general rules for style of cause, which tells you how to format the title of the case, usually composed of the names of the involved parties.

The entire style of cause should be italicized, including the v or action, which should be lowercase and \*not\* be followed by a period. Use only a single party name on each side of the action, and use only last names.

See Sections 3.3.1 to 3.3.18 for rules dealing with the various forms for the names of the parties.

## 1.12 Jurisprudence: Pinpoint

**Jurisprudence: Pinpoint Citations**

Turn to: **Jurisprudence Tab, section 3.6**

**R v Proulx, 2000 SCC 5 at para 27, [2000] 1 SCR 61.**

Neutral Citation      Reporter Citation

### Notes:

Case decisions can vary significantly in length, and some can be many pages long. Providing a pinpoint in your citation helps your reader move quickly to the exact material you have quoted.

Look at Section 3.6 to get a detailed description of the various forms a pinpoint can take. Due to the nature of legal publishing, there are a few different ways to go about creating an accurate and useful pinpoint citation.

Most commonly, you will cite either to a paragraph or page of the case decision. Citing to a paragraph is preferred, like in this example. Paragraph pinpoint should always be used for a neutral citation, or if the court has assigned paragraph numbers in the case. The word “at” signifies a pinpoint in a case citation.

If you need to cite to a page, the pinpoint must immediately follow the abbreviation for the reporter name, as the pagination *only* applies to that reporter. As parallel citations are preferred, the rules in 3.6.2 indicate that you should always create a pinpoint citation using the first, most official reporter. In our example, the Hierarchy of Sources tells us that the neutral citation should come first. Therefore, the pinpoint refers to the paragraph in the neutral citation, coming immediately after it. The reporter citation follows after.

### 1.13 Practice: Jurisprudence

Practice: Citation to Print Reporter

(1989),

Graham Construction and Engineering Ltd v Alberta

AR

(ABQB)

judge:

Dixon J

reporter page:

209

reporter volume:

101

#### Notes:

Neutral citation is not available in all cases, especially older ones. Let's start with an example of a traditional reporter-based citation. Using the McGill Guide Section 3.3, put the citation in the correct order by dragging the grey boxes into the yellow ones, according to the correct citation format order.

**ANSWER:** *Graham Construction and Engineering Ltd v Alberta* (1989), 101 AR 209 (ABQB) Dixon J

### 1.14 Practice: Jurisprudence

## Practice: Citation to Neutral and Print Reporter

2014

*Halter v Standard Life Assurance Co of Canada,*

decision number  
(court assigned):

57,

AR

reporter page:

148

reporter volume:

569

ABCA

#### Notes:

In this example, we're creating a parallel citation, as per best practice. This means that it includes both neutral citation and reporter-based. Duplicates in information are removed, so you'll see in the McGill Guide that it's not identical to the previous example. ABCA is the court, and AR is the reporter.

**ANSWER:** *Halter v Standard Life Assurance Co of Canada*, 2014 ABCA 57, 569 AR 148



## 1.15 Secondary: Periodicals

**Citing Secondary Sources: Periodicals**

Turn to: **Secondary Sources and Other Materials Tab, section 6.1**

- Author names are written as they appear
- Periodical citations: no part is italicized
- Periodical title abbreviations: Appendix D
- No periods in abbreviations

Image from Wikimedia

### Notes:

Turn to the “Secondary Sources and Other Materials” tab, Section 6.1. Learning to use the McGill Guide’s rules for secondary sources may come as an adjustment, if you are accustomed to citation systems such as MLA or APA.

A few key differences: author names are presented as written on the title page, including any titles, which means that first names often appear before last names. No part of the periodical citation is italicized, and periodical names are abbreviated. You can find these abbreviations in Appendix D. As with other parts of the McGill style, no periods are used in abbreviations.

## 1.16 Secondary: Books

### Citing Secondary Sources: Books

Turn to: **Secondary Sources and Other Materials Tab, section 6.2**

- Author names are written as they appear
- Book titles are italicized

On citing loose-leaf books: **McGill Guide 6.2.6**

### Notes:

Like periodical citations, the name of a book author is also cited as it appears on the page. However, the title of the book should be italicized.


You can find all of the information that you need, such as publication location and edition, on the copyright information page, which is usually printed on the back of the title page or one of the first few pages.


One quirk of legal publishing is the loose-leaf. These texts can be more complicated to cite, as they are constantly changing their contents. Check McGill 6.2.6 for guidelines on including the loose-leaf revision number.


## 1.17 Secondary: Encyclopedic Digests


# Citing Secondary Sources: Encyclopedic Digests

Turn to: **Secondary Sources and  
Other Materials Tab, section 6.5**



 **Canadian  
Encyclopedic Digest  
(CED) via WestLaw**




 **Halsbury's Laws of  
Canada  
via QuickLaw**

### Notes:

Encyclopedic digests, such as the Canadian Encyclopedic Digest (or CED) and Halsbury's Laws of Canada, are useful sources, especially while you are in law school. Use Section 6.5 to find their rules of citation.

Don't forget that the CED is on WestLawNext Canada, and Halsbury's is on LexisNexis QuickLaw, so pay special attention to the guidelines for citing the online edition. Note that in the CED, some titles have a "West" and an "Ontario" version, which should be noted in the citation.

### 1.18 Practice: Secondary



## Practice: Citing Secondary Sources

"R. v. Kapp: A Case of Unfulfilled Potential"

2010

page:  
81

Dominique Nouvet,

Indigenous LJ

)

(


volume:  
8

#### Notes:

Now, let's create a complete citation for an article from a periodical. Use Rule 6.1. and following sub-rules of the McGill Guide.

**ANSWER: Dominique Nouvet, "R. v. Kapp: A Case of Unfulfilled Potential" (2010) 8 Indigenous LJ 81**

### 1.19 Practice: Secondary



## Practice: Citing Secondary Sources

author:

*The Law of Contracts,*

SM Waddams,

6th ed

publisher:

Canada Law Book,

)

Toronto:

2010

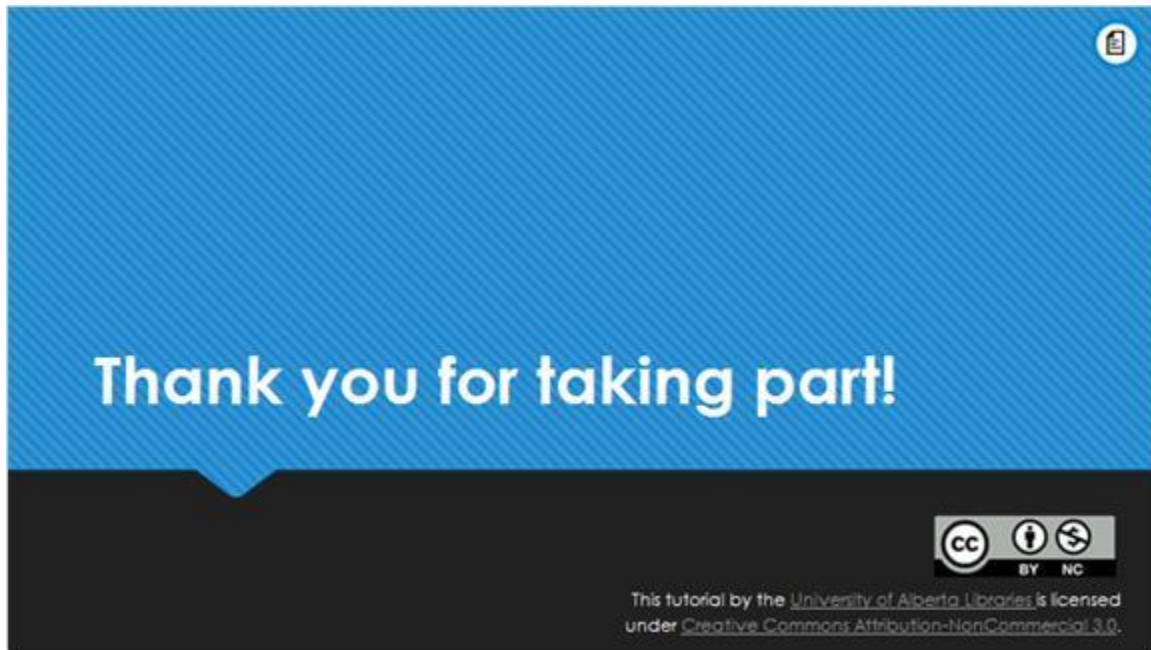
(

#### Notes:

Next, let's create a complete citation for a book. Use Rule 6.2 and following from the McGill Guide.

**ANSWER: SM Waddams, *The Law of Contracts*, 6th ed (Toronto: Canada Law Book, 2010)**

## 1.20 Thank you



### Notes:

Thank you for participating in this tutorial. If you have any questions about legal citation, please contact the library for assistance.