

Using the *Canadian Guide to Uniform Legal Citation*

The ***Canadian Guide to Uniform Legal Citation*** (*McGill Guide*) is the style guide most commonly used by Canadian courts, law journals, universities and legal practitioners.

All information contained in this hand-out is based on the ***Canadian Guide to Uniform Legal Citation***, 8th ed (Toronto: Carswell, 2014). The Guide is also known as the ***McGill Guide*** because it is produced by the editors of the McGill Law Journal. This hand-out highlights only the most commonly used information from the *McGill Guide*. **If you are in doubt about how to cite a particular item or if you wish to cite an item not addressed in this hand-out, please consult the *McGill Guide* directly.** Copies of the *McGill Guide* are available at the Research Help Desk on the Main floor of the Library, and on Reserve (KE259.C35 2010). **Still in doubt? Consult with your instructor.**

LEGAL CITATION – GENERAL RULES

It is important to provide proper citation to sources used when writing academic papers. Most academic papers in law and legal studies require the use of numbered footnotes or endnotes for citation purposes. Footnotes are listed at the bottom of each page, while endnotes appear at the end of the paper.

The first time you cite a work in your paper you should provide a complete citation for the work in a footnote or endnote. Subsequent citations may use *ibid* or *supra*. (See *McGill Guide* at E-12.)

***Ibid*:** Abbreviation for Latin word *ibidem* meaning “in the same place.” Use *ibid* when referring to the same source as in the immediately preceding reference. *Ibid* may be used after a *supra*, or even after another *ibid*.

***Supra*:** Latin word meaning “above.” Use *supra* when referring to a source for which you

have already provided a full citation (but not the immediately preceding citation).

1. *R v Sharpe*, 2001 SCC 2, [2001] 1 SCR 45 at para 25, 194 DLR (4th) 1 [*Sharpe*].
2. *Ibid* at para 26.
3. Sanjeev Anand, “A Case for Upholding the Child Pornography Law” (1999) 25 CR (5th) 312.
4. *Sharpe*, *supra* note 1 at para 26.
5. Anand, *supra* note 3 at 313.

Short forms: You can make a short form for the source – for example, a short form of the case name (see note 4). Provide a short form for a source if you will be referencing the source multiple times, particularly if the title of the source is longer than three words. Place the short form for the source in brackets at the end of the first citation for the source, as in note 1 above. For books and articles, simply use the author’s last name for subsequent references (see note 5).

Pinpoints: A citation is necessary to properly credit another source or to identify evidence you are relying on. In most cases, it is not sufficient to simply identify the source as a whole. Rather, it is often necessary to identify the precise page or paragraph number of the source that you are relying on. This is called a pinpoint. The format for a pinpoint **paragraph** reference is demonstrated in notes 1, 2, and 4 in the example above. The format for indicating a pinpoint **page** reference is demonstrated in note 5 in the example above. Note that “page” or “p” are **not** written prior to the pinpoint page reference, but “para” is used prior to a pinpoint paragraph reference.

Avoiding repetition: It is not necessary to repeat information provided in the text in the citation. For example, if the name of the case being cited is provided in the text of your paper, do not repeat the name in the citation.

CITING LEGISLATION

For in-depth instructions on citing legislation, see chapter 2 of the *McGill Guide*.

Bills: Laws are first presented for consideration by the legislature in the form of bills. These bills must be debated and finally approved by the legislature before receiving royal assent and becoming enforceable statutes.

Federal bills:

Bill Number, *Title*, Session, Legislature, Year, Clause Pinpoint.

Bill C-32, *An Act to Amend the Copyright Act*, 2d Sess, 35th Parl, 1997, cl 15(1)(a).

Provincial bills:

Bill Number, *Title*, Session, Legislature, Provincial Jurisdiction, Year, Clause Pinpoint.

Bill 139, *An Act to Make April 21 Climate Change Awareness Day*, 2d Sess, 38th Leg, Ontario, 2006, cl 3.

Statutes: Once a bill has received the necessary legislative approval and royal assent, it becomes a statute. Statutes are first collected in **Annual Volumes**. Periodically, all the statutes in a particular jurisdiction (including all amendments) are collected in a collection of statutes known as the **Revised Statutes**.

Statutes:

Title, Statute Volume and Jurisdiction Year, (session or supplement), Chapter, Section Pinpoint.

Annual volume:

Personal Information Protection and Electronic Documents Act, SC 2000, c 5.

Revised statutes:

Criminal Code, RSC 1985, c C-46, s 319.

Electronic versions: Federal and provincial governments now publish their statutes electronically on government websites, some of which are **official** versions. Citations still use the print format, however. For more information, see 2.1.3 of the *McGill Guide* (E-24 to E-27).

CITING JURISPRUDENCE

For in-depth instructions on citing jurisprudence, see chapter 3 of the *McGill Guide*.

Cases:

Style of Cause (Year of Decision), Neutral Citation, [Year of Reporter] Volume reporter (Series) Page at Pinpoint, Parallel Citation (Court) [*short form*].

R v Sharpe, 2001 SCC 2, [2001] 1 SCR 45 at para 25, 194 DLR (4th) 1 [*Sharpe*].

Neutral citations: Since about 2001, most courts now publish their decisions with a neutral citation indicating the year of the decision, the court, and a decision number. If a neutral citation is available, list it first, right after the name of the case (style of cause); for example, “2001 SCC 2” is the neutral citation for the Supreme Court of Canada’s decision in the *Sharpe* case listed above.

Case Reporters: Judicial decisions are also often collected and published in edited Case Reporters, organized according to either yearly volumes or series. For example, the Supreme Court Reports (SCR) are organized into yearly volumes (every year, volume numbering starts again at 1), while the Dominion Law Reports (DLR) are organized according to series (volume numbering does not restart at 1 every year). The format for citing these two types of Case Reporters is as demonstrated above – note in particular the use of brackets [] vs parentheses (), depending on the type of Case Reporter.

CITING JOURNAL ARTICLES

When citing journal articles, include the name of the author as it appears on the first page of the article. In addition, use the abbreviation for the name of the journal in which the article is published. Please see Appendix D in the *McGill Guide* for a list of law journal abbreviations, and the information on page E-121 for citing non-law journals. Finally, if you used a database to retrieve the full text of the article, you can include this information at the end. Common law databases include Quicklaw (QL), Westlaw Canada (WL Can) and LexisNexis (Lexis).

Journal articles:

Author, "Title of Article" (Year) Volume:Issue abbreviated Journal Title First Page (Database Service, if applicable).

Journal article with one author:

David M Tanovich, "E-Racing Racial Profiling" (2004) 41 *Alta L Rev* 905 (QL).

Journal article with additional authors:

Rachel Cox & Karen Messing, "Legal and Biological Perspectives on Employment Testing for Physical Abilities: A Post-Meiorin Review" (2006) 24 *Windsor YB Access* Just 23.

Rafael La Porta et al, "Law and Finance" (1998) 106:6 *Journal of Political Economy* 1113 at 1152.

CITING BOOKS

Books:

Author (as name appears on title page), *Title* (Place of publication: Publisher, Year).

Book with a single author:

LW Sumner, *The Hateful and the Obscene: Studies in the Limits of Free Expression* (Toronto: University of Toronto Press, 2004).

Book with three authors: authors are separated by a comma and the "&" symbol:

Patrick Fitzgerald, Barry Wright & Vincent Kazmierski, *Looking at Law: Canada's Legal System*, 6th ed (Toronto: LexisNexis, 2010).

Book with more than three authors: include only the first author's name and "et al":

CJC Sampford et al, *Retrospectivity and the Rule of Law* (Oxford: Oxford University Press, 2006).

Article in an edited collection:

Cathy Caruth, "The Claims of the Dead: History, Haunted Property and the Law" in Austin Sarat et al, eds, *Law's Madness* (Michigan: University of Michigan Press, 2003) 119.

CITING NEWSPAPERS

When citing newspaper articles, cite to the electronic database or the online source where you obtained the article.

Newspaper articles:

Author, "Title of Article", *Newspaper* (Date) Page (Database Service, if applicable) OR online: <URL>.

Rod Mickleburgh & Gloria Galloway, "Storm brews over drug strategy", *The Globe and Mail* (15 January 2007) A1 (Lexis).

Naomi Wolf, "Take the Shame Out of Rape" *The Guardian* (25 November 2005), online: <www.guardian.co.uk>.

CITING GOVERNMENT DOCUMENTS

Government documents include diverse sources ranging from legislative debates, reports from parliamentary committees, and documents and reports from other bodies such as Officers of Parliament and Commissions of Inquiry. Parliamentary documents are published by a legislative body (either federal, provincial, or territorial); all others are non-parliamentary. See chapter 4 of the *McGill Guide*.

Debates:

Jurisdiction, Legislature, *Title*, Legislative Session, Volume or Number (Date) at Pinpoint (Speaker).

House of Commons Debates, 37th Parl, 1st Sess, No 64 (17 May 2001) at 4175 (Hon Elinor Caplan).

Non-parliamentary Papers:

Jurisdiction, Issuing Body, *Title*, Volume (Publication Information).

Office of the Privacy Commissioner of Canada, *Protecting Your Privacy on the Internet: Canada's New Privacy Laws* (Fact Sheet) (Ottawa: Office of the Privacy Commissioner of Canada, 2004).

CITING INTERNATIONAL DOCUMENTS

International documents include a wide range of materials from inter-governmental bodies such as the UN, the WTO, and the European Union, case law from international courts such as the International Court of Justice and the European Court of Human Rights, and bilateral and multilateral treaties. See Chapter 5 of the *McGill Guide* for more information.

Treaties and UN Documents:

While most treaties and UN documents can now be found online, it is preferable to cite to the print version (most of the needed information should be listed on the website), with an optional reference to the electronic source.

Treaties:

Treaty Name, Parties (if applicable), Date of Signature, Treaty Series Reference at Pinpoint (Date of Entry into Force and any other information).

Convention for the Protection of Human Rights and Fundamental Freedoms, 4 November 1950, 213 UNTS 221 at 223 (entered into force 3 September 1953).

UN Documents (Supplements example):

Author (if applicable), *Title*, UN Body Res or Dec Number, UN Body and OR, Session Number or Calendar Year, Supp Number, UN Doc Number (Calendar Year) First Page and Pinpoint.

Universal Declaration of Human Rights, GA Res 217A (III), UNGAOR, 3rd Sess, Supp No 13, UN Doc A/810 (1948) 71.

CITING ONLINE MATERIALS

For materials found online, give the citation according to its traditional form (e.g., government document), and then add “online: name of website <URL>”, as in the Privacy Commissioner example below.

Office of the Privacy Commissioner of Canada, *Protecting Your Privacy on the Internet: Canada’s New Privacy Laws* (Fact Sheet) (Ottawa: Office of the Privacy Commissioner of Canada, 2004), online: Privacy Commissioner of Canada

<http://www.privcom.gc.ca/fsfi/02_05_d_13_e.asp>.

Give a direct URL whenever possible; otherwise, give the address of the home page. If a digital object identifier (DOI) is available, use this. See 6.22.5 of the *McGill Guide* for more information on DOIs.

BIBLIOGRAPHIES

This tip sheet demonstrates the style for footnotes and endnotes. In most cases, however, you will also be expected to include a bibliography at the end of your paper, in addition to your footnotes or endnotes. Your bibliography should be a list of all sources you used in preparing your paper, whether or not you actually cited them, arranged alphabetically by author’s last name.

You may wish to further organize your bibliography according to categories of sources; e.g., jurisprudence, legislation, government documents, international documents, and secondary sources. The style is largely the same as that for footnotes and endnotes. For in-depth instructions on creating a bibliography, see pages E-3 to E-4 of the *McGill Guide*.

NEED MORE HELP?

Writing Tutorial Service

Location: 4th floor, Library
Telephone: 613-520-2600 x1125
Web site: <http://www.carleton.ca/sasc/writing-tutorial-service/>

Research Help Desk

Location: Main floor, Library
Telephone: 613-520-2735
Web site: www.library.carleton.ca