

§ 10.4

Federal Cases

Reports and Reporters

The majority of federal case law emanates from three federal courts: The *U.S. District Courts*, the *U.S. Circuit Courts of Appeal*, and the *U.S. Supreme Court*. The same general rules of citation apply, but instead of referencing state courts, the citation must indicate the federal court that authored the opinion being cited.

U.S. DISTRICT COURT CITATIONS – THE FEDERAL SUPPLEMENT

Cases decided by *United States District Courts* are published in the *Federal Supplement* (F. Supp. or F. Supp. 2d).

Spacing Note

There is a space between the "F." and the "Supp."

The *Federal Supplement* is published by *West Publishing Company*. There is no official publication for *U.S. District Court* cases.

Since it is impossible to tell which *U.S. District Court* decided the case by looking at the publication (F. Supp.), the court must be specified in parentheses.

In citation format, "D." stands for district. "E.D.", then, stands for eastern district, "W.D." stands for western district, etc. Each state has at least one federal district; many have more than one. "D. Haw.", for instance, stands for the *U.S. District Court, District of Hawaii*. "S.D.N.Y." stands for the *Southern District of New York*.

EXERCISE § 10.4(A) | YOUR U.S. DISTRICT COURT

What is your federal district and its abbreviation?

Court: _____ Abbreviation: _____



Example

U.S. District Court citations are constructed in the following manner:

Akers v. Lewis, 462 F. Supp. 531 (D.N.M. 1976)

Spacing Note

There is generally a space between the "D." and any subsequent abbreviation, such as "W.D. Tex." Or "D. Colo." The exception occurs when there are abbreviated initials only, such as "S.D.N.Y." In that case, there are no spaces.

U.S. FEDERAL CIRCUITS

Refer to the U.S. Federal Circuits Map on page 182 or in [Appendix C](#)

**EXERCISE § 10.4(B) | U.S. DISTRICT COURT CITATION**

You have found a case titled *Simms v. Kastor*. The case was decided by the *U.S. District Court* in your jurisdiction. It can be found in Volume 598, Page 256. The case was decided in 1987.

**U.S. CIRCUIT COURT CITATIONS –
THE FEDERAL REPORTER**

A federal Circuit is a collection of federal Districts. Cases decided by the *U.S. Courts of Appeal* (sometimes referred to as the *U.S. Circuit Courts*) are published in the *Federal Reporter* (F., F.2d, or F.3d).

Spacing Notes

There is no space between the "F." and the series numbers that follow.

There is a space between the number (such as "4th") and the "Cir."

Example: "4th Cir."

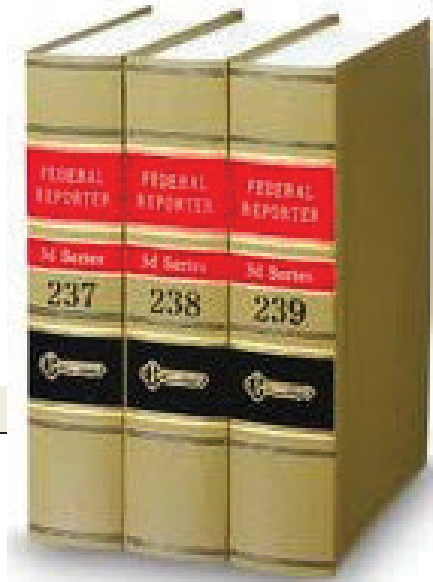
The *Federal Reporter* is published by *West*. There is no official publication for *U.S. Circuit Courts of Appeal* cases.

Again, the *Circuit Court* that decided the case is indicated in parentheses. "Cir." is the abbreviation for Circuit, preceded by the number of the appropriate Circuit (For example, "5th Cir.>").

Example

U.S. Circuit Court citations are constructed in the following manner:

Smith v. Jones, 795 F. 2d 914 (10th Cir. 1992)



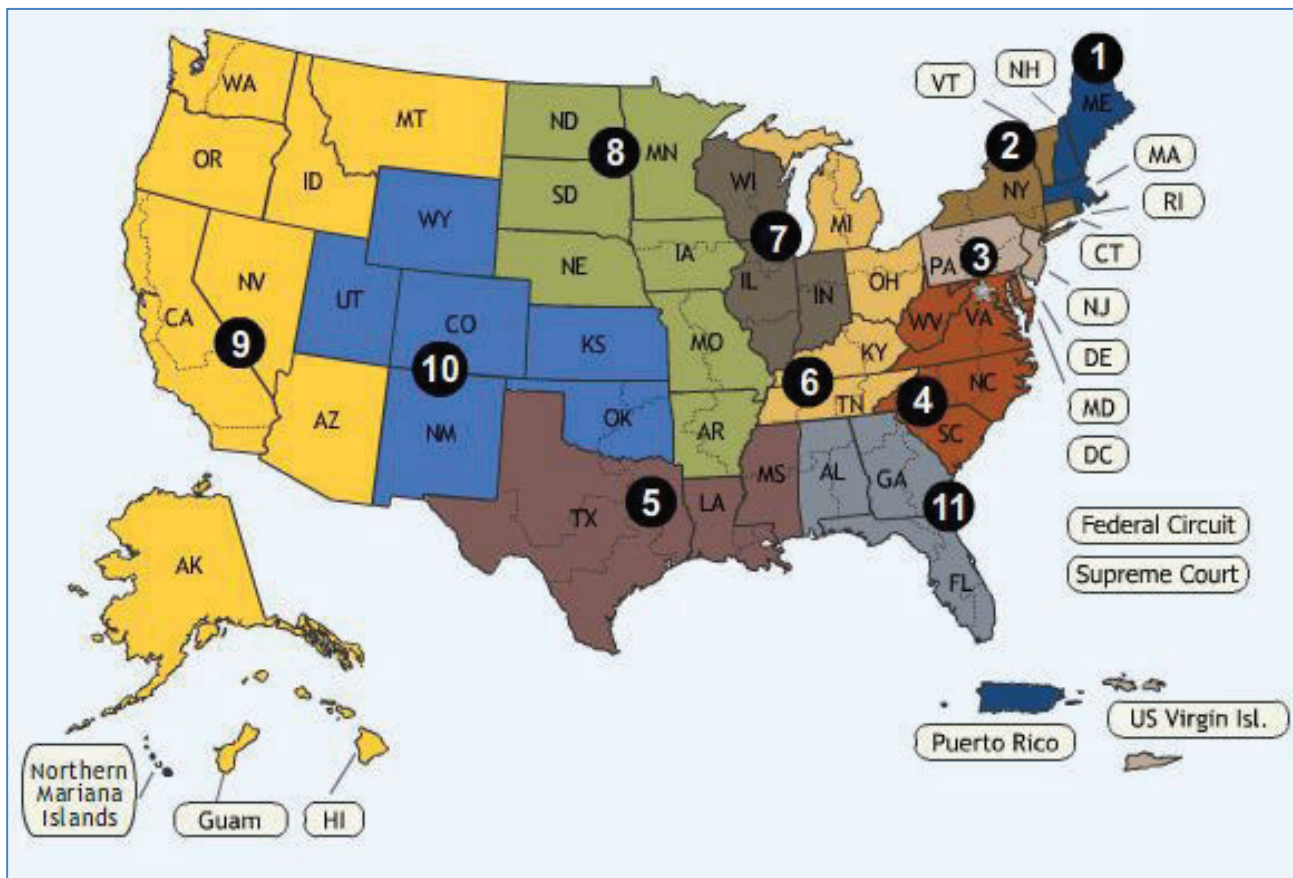
EXERCISE § 10.4(C) | YOUR FEDERAL CIRCUIT COURT

What is your federal circuit and its abbreviation?

Court: _____

Abbreviation: _____

DIAGRAM | FEDERAL CIRCUITS



EXERCISE § 10.4(D) | U.S. CIRCUIT COURT CITATION

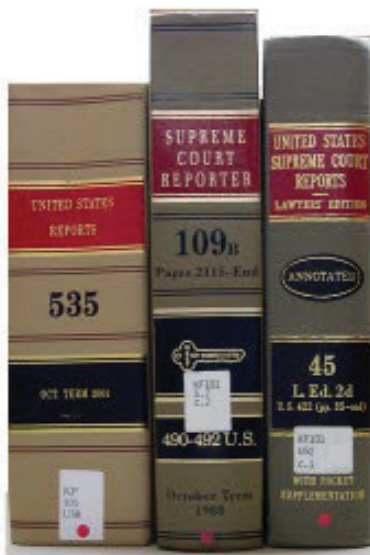
During your research, you have found a case titled *Jenson v. Higgins*. The case was decided by the *U.S. Circuit Court* in your jurisdiction. The case can be found in Volume 121, Page 1298, third series. The case was decided in 1996. Use the map above, which can also be found in the appendix in the back of this textbook.

U.S. SUPREME COURT CITATIONS

U.S. Supreme Court Cases

The *U.S. District Courts* and *U.S. Circuit Courts* each publish their opinions in a single publication (the *Federal Supplement* and the *Federal Reporter*, respectively). There are no parallel citations for those opinions because there is no official publication that reports cases from those courts.

That certainly simplifies things. However, things are a bit more complicated for *United States Supreme Court* cases. Three publications publish *U.S. Supreme Court* cases:



U.S. Reports

Abbreviation: U.S.

The official publication (federal government)

Supreme Court Reporter

Abbreviation: S. Ct.

Unofficial publication by West Publishing

U.S. Supreme Court Reports, Lawyer's Edition

Abbreviation: L. Ed. – or – L. Ed. 2d

Unofficial publication by Lawyer's Cooperative

U.S. Supreme Court cases should be cited in this order:

U.S., then S. Ct. then L. Ed. 2d.

Example

A U.S. Supreme Court opinion would be constructed as follows:

Akers v. Lewis, 516 U.S. 331, 694 S. Ct. 265, 112 L. Ed. 2d 871 (1978)

Spacing Notes

The abbreviation "U.S." has no spaces: U.S.

There is a space between the "S." and "Ct.": S. Ct.

There are spaces between the "L.", the "Ed.", and the "2d": L. Ed. 2d

EXERCISE § 10.4(E) | UNITED STATES SUPREME COURT CITATION

You have found a case titled *Moore v. Withers*, decided in 1981 by the *U.S. Supreme Court*. It can be found in Volume 571, Page 832 of the *U.S. Reports*, Volume 630, Page 103 of the *Supreme Court Reporter*, and Volume 712, Page 499 of *Lawyer's Edition, second series*. Provide the correct cite.

Note Regarding U.S. Supreme Court Short Form Citations

Bluebook citation form requires only the case title, the official *U.S. Reports* cite, and the year in parenthesis.

Example

A *U.S. Supreme Court* citation in short form would be constructed in the following manner:

Akers v. Lewis, 516 U.S. 331 (1978)

The above short form citation seems much simpler than the long form, and it is. It would be natural to ask, why do we have to learn long form if *Bluebook* only requires short form citations for U.S. Supreme Court opinions?

The answer is that, once you are hired as a paralegal, there is no way to know what form of citation your supervising attorney (or court rules) will require. You will be much better prepared if you know the long form citation, and if the attorney prefers short form the adjustment will be simple. However, if you only know the short form, and the attorney prefers the long form, you will appear ill-trained. In other words, you are being trained to the "highest common denominator." And in any case, citing to all three publications is a courtesy. You don't know which publication they will need to reference.

Additional Federal Case Citations

While most federal case law will be found in previously mentioned publications, the researcher may need to cite a few other sources. Citation assistance can always be found in the *Bluebook, A Uniform System of Citation*.

The researcher can also refer to the front of the volume being cited. Most publications will inform you how they want to be cited. Here are a few more examples of citations for federal case law authorities:

Bankruptcy Reporter

This publication collects and reports full court opinions from the *U.S. Bankruptcy Court*, a division of the *U.S. District Court*.

Smith v. Jones, 287 B.R. 423 (Bankr. D. Colo. 1983)

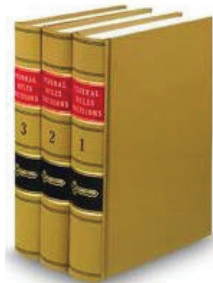


Federal Rules Decisions

This set of books reports full *U.S. District Court* opinions where a federal rule or regulation is being applied, and where that court has decided not to designate the opinion for publication.

Typically, if the opinion has been published in the *Federal Supplement*, it will not be published additionally in the F.R.D.

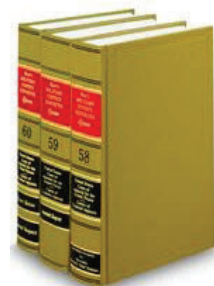
Smith v. Jones, 341 F.R.D. 938 (D. Neb. 1983)



Military Justice Reporter

Collects and reports full court opinions and rulings of military tribunals.

Smith v. Jones, 125 M.J.R. 637 (D. Idaho 1983)



Federal Appendix

The newest of all reporters, this publication was first issued in 2002. The opinions published in the *Federal Reporter* or the *Federal Supplement* are included in those books because they have been “designated for publication” by the court.

The *Federal Appendix* publishes those cases not designated for publication. (Some believe that such cases do not have precedential value since the court does not find them important enough to print.)



Smith v. Jones, 21 F. App'x 583 (D. Colo. 1983)

Note the strange abbreviation. There is an apostrophe between the “p” and the “x”, but no period following the “x”. It looks like a typo, but it’s not.

Federal Claims Reporter

This publication covers opinions from the United States Court of Federal Claims. Opinions include those involving tax refund suits, governmental contracts, environment and natural resource disputes, and civilian and military government pay issues.



Smith v. Jones, 34 Fed. Cl. 527 (E.D.N.C. 1998)

EXERCISE § 10.4(F) | FEDERAL CITATIONS

Provide appropriate *Bluebook* citations for the following:

1. *Your case is Bickers v. Beal. It is found on Page 73 in the reporter that cites U.S. District Court cases, Volume 502. It was decided in the Western District of Tennessee in 1978.*
2. *The title of the case is Sonders v. Brickmont. It is found in the Federal Supplement. The Volume is 783, Page 221. It was decided in 1989 in the District of Nevada.*
3. *Your cite was written by a judge in the U.S. District Court in the Eastern District of Texas. The case is titled Minnie v. Mickey, decided in 1968 and found on Page 385, Volume 410.*
4. *The title of the case is Jordan v. Summers. It was decided in the federal trial court in the Middle District of Georgia. The Volume is 832, the Page is 364, second series. It was decided in 1992.*
5. *Your case, Us v. Them, was decided by the U.S District Court in New Mexico and is found on Page 288 and Volume 693. It was decided in 1985.*
6. *The title of the case is Anton v. Everly. It was decided in the federal trial court in the Western District of North Carolina. The Volume is 289, and the Page is 141, second series. It was decided in 1966.*
7. *You have found a case, Him v. Her, located in Volume 344 of the Federal Reporter, second series, Page 159. The case was decided in 1956 in the Tenth Circuit.*

8. *The title of the case is Trapper v. Pringle. It is found in the Federal Reporter, third series. The Volume is 88, and the Page is 1103. It was decided in 1988 in the Ninth Circuit.*
9. *Your case is Hump v. Back. It is found on Page 538 in the reporter that cites federal court of appeals cases, Volume 655, second series. It was heard in the Second Circuit in 1989.*
10. *The title of the 1995 case is Vorley v. Ingleborg. It is found in the Federal Reporter, second series and was decided in the Sixth Circuit. The Volume is 901, and the Page is 896.*
11. *The title of the 1998 case is Canterbury v. Cribbers. It was decided in the fourth federal appellate court. The Volume is 152, the Page is 358, third series.*
12. *Your cite, Adam v. Eve, was found on Page 313 and Volume 189 of the publication that contains U.S. Circuit Courts of Appeal cases, second series. It was heard in the Fifth Circuit on Dec. 19, 1956.*
13. *The U.S. Supreme Court decided a case you wish to cite titled Wimp v. Weasel. The official cite was in Volume 387, Page 148; the Lawyer's Edition cite was on Page 96, Volume 442 second series; the West publication was in Volume 408, Page 161. The case was originally brought in Georgia. The date of the decision was 1979.*
14. *The title of the case is In re Stevens, decided by the U.S. Supreme Court in 1985. The official cite is Volume 342, Page 728. The Supreme Court Reporter is Volume 424, Page 628. The Lawyer's Edition cite is Volume 276, Page 1281, second series.*