

CONTENTS

<i>Preface</i>	<i>ix</i>
<i>Acknowledgments</i>	<i>xi</i>
1 INTRODUCTION TO LEGAL REFERENCING AND THIS GUIDE	
1.1 Importance of legal referencing	1
1.2 This guide	3
1.3 Primary materials and secondary materials	6
2 NON-LEGAL STYLES OF REFERENCING	
2.1 There is more than one referencing style	8
2.2 The parenthetical style of referencing (The Harvard System)	8
3 LEGAL REFERENCING	
3.1 Footnotes and endnotes: legal referencing	24
3.2 Using a computer package	34
4 THE FUNDAMENTALS OF LEGAL REFERENCING AND WRITING	
4.1 How do you know when to reference?	35
4.2 Weight of authority	43
4.3 Whatever you do — do not plagiarise!	43
4.4 Legal writing	51
4.5 Two exercises — when to reference	59
4.6 Summary of important points	62
5 CASE LAW	
5.1 What is case law?	63
5.2 Case law citation	63
5.3 The citation of reported decisions	67
5.4 Referencing a judicial statement	75
5.5 Repeating the name of a case in your text	77
5.6 Case history	78
5.7 Unreported decisions	78
5.8 Tribunal decisions	81
5.9 Electronic decisions and vendor neutral citation	82
5.10 How and when to use vendor neutral citation	83
5.11 Guidelines for citing cases	87

6	STATUTES AND OTHER KINDS OF LEGISLATION	
6.1	The aim of this chapter	89
6.2	How to cite a statute	89
6.3	Delegated legislation	97
6.4	Constitutions	99
6.5	Treaties	99
6.6	Guidelines for citing statutes	101
7	TEXTBOOKS, LOOSELEAF SERVICES, LEGAL ENCYCLOPAEDIAS LEGAL DICTIONARIES	
7.1	What are secondary legal materials?	102
7.2	Textbooks	103
7.3	Volumes, unpublished manuscripts and internal citation	110
7.4	Looseleaf services	111
7.5	Legal encyclopaedias	113
7.6	Legal dictionaries	114
8	JOURNALS OR PERIODICALS	
8.1	What is a journal?	115
8.2	Format of a journal citation	116
8.3	Book reviews	119
8.4	Where to find the information	120
9	NEWSPAPERS, MAGAZINES, CONFERENCE PAPERS, UNPUBLISHED MATERIAL, BIBLE, LECTURES	
9.1	Introduction	121
9.2	Citation of newspapers	121
9.3	Format of a magazine citation	123
9.4	Conference papers	123
9.5	Unpublished material	124
9.6	Bible	127
9.7	Lectures	127
10	PARLIAMENTARY DEBATES, REPORTS AND BILLS	
10.1	What are parliamentary debates?	128
10.2	Reports	129
10.3	Bills	132
11	HOW TO CITE LEGAL MATERIALS LOCATED ELECTRONICALLY	
11.1	Is there a correct method of electronic citation?	133
11.2	Citation of material from the World Wide Web	135
11.3	Email messages	141
11.4	File Transfer Protocol, Gopher and Telnet	142

CONTENTS

11.5	Web discussion forum posting, Listservs and Newsgroup (USENET) messages	143
11.6	CD-ROMs	145
11.7	Online	146
11.8	Bibliography	146
12	UNITED KINGDOM, CANADA AND UNITED STATES	
12.1	The aim of this chapter	147
12.2	United Kingdom	147
12.3	Canada	147
12.4	United States	148
13	REFERENCING IN EXAMS	
13.1	To reference or not to reference?	149
13.2	How to reference in a closed book exam	150
13.3	How to reference in an open book exam	152
13.4	How to reference in a take-home exam	152
14	WHERE TO FIND HELP	
14.1	Selected further references	153
14.2	Summary	157
Appendix 1	Recommended Abbreviations for Use in Citation	158
Appendix 2	Citation of Law Reports	161
Appendix 3	Medium Neutral Court Citations	174
Appendix 4	Quick Reference Guide	176
Appendix 5	Melbourne University's <i>Australian Guide to Legal Citation</i> (2nd ed)	179
<i>Index</i>		181