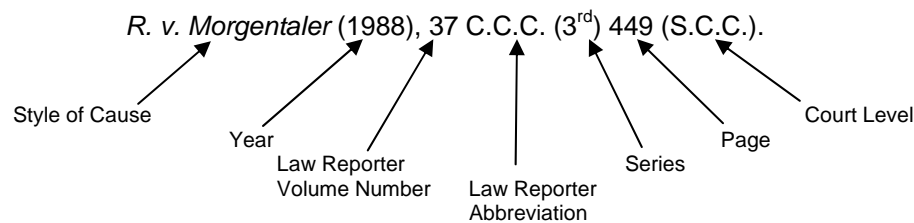


# LEGAL CITATION

This Guide shows examples for the most common legal citations. It is based on the *Canadian Guide to Uniform Legal Citation*, 6<sup>th</sup> ed. (Toronto: Carswell, 2006), also known as the "*McGill Guide*", which can be found in the Reference section under call number **REF KE 259 C35 2006**.

## CITING CASES FROM PRINT SOURCES (McGill Guide 3.2)

Case citations indicate where judge-made law is reported in the form of a judicial decision. The following is the standard formula for citing a case in Canada:



### Style of Cause

- the names of those who were parties to the litigation; "v." is an abbreviation for versus; the names of the parties and the "v" are italicized
- Canadian executive government authority is formally vested in the Queen, hence the use of "R." for the Latin word for queen, *regina*, in legal citations

### Year

- a **comma** follows parentheses, but comes before square brackets
- **(Parentheses)** indicate that the reporter volume numbering continues from year to year
- **[Square brackets]** indicate that the law reporter starts with volume 1 each year, as in:

*Hopp v. Lepp*, [1980] 2 S.C.R. 192.

### Law Reporter Volume Number

- **consecutive volume numbers** are used by the majority of law reporters
- the second possibility is a **new sequence of volume numbers each year**; the date is critical to locating the case and is put in square brackets

### Law Reporter Abbreviation, Series and Page Number

- use a standard abbreviation of the reporter's title, e.g. C.C.C. for Canadian Criminal Cases
- The reporter series number is also abbreviated and placed in parentheses directly following the report title. The abbreviations used are (2d), (3d), (4<sup>th</sup>), (5<sup>th</sup>) etc.

## Court

- One must always be able to discern **both** the jurisdiction (e.g. British Columbia) and court level (e.g. Court of Appeal) from the citation. This information is indicated at the end of the citation unless it is implicit in the title of the law reporter. Examples:

*R. v. Brown*, [1984] 2 W.W.R. 212 (Ont. C.A.).

Explanation: it is **not** obvious from the law reporter that the decision was handed down by the *Ontario* Court of Appeal. Hence, it must be indicated as (Ont. C.A.)

*Hopp v. Lepp*, [1980] 2 S.C.R. 192.

Explanation: it is clear from the law reporter title that this case was heard by the Supreme Court of Canada. It is not necessary to list the court in parentheses at the end of the citation.

## Decoding Case Citations: what does this mean?

***R. v. Cognos Inc.* (1987), 63 OR (2d) 389 (H.C.J.).**

Explanation: the *R. v. Cognos* case is reported in volume 63 of the *Ontario Reports* (2d series), beginning at page 389. It is a decision of the Ontario High Court of Justice.

***R. v. Cognos Inc.* (1990), 74 OR (2d) 176 (C.A.).**

Explanation: The Ontario Court of Appeal made a decision in the *R. v. Cognos* dispute in 1990, and the case can be found in volume 74 of the *Ontario Reports* (2d series), beginning at page 176.

***R. v. Cognos Inc.*, [1993] 1 S.C.R. 87.**

Explanation: the *R. v. Cognos* case is reported in volume 1 of the 1993 *Canada Supreme Court Reports*, beginning at page 87. The fact that it appears in this reporter indicates that the decision was rendered by the Supreme Court of Canada.

***R. v. Cognos Inc.* (1993), 99 D.L.R. (4th) 626 (S.C.C.).**

Explanation: *R. v. Cognos* can be found in volume 99 of the Fourth Series of the *Dominion Law Reports*, beginning at page 626, and it is a decision of the Supreme Court of Canada.

***R. v. Cognos Inc.*, [1993] 1 S.C.R. 87, 99 D.L.R. (4th) 626, 14 C.C.L.T. (2d) 113.**

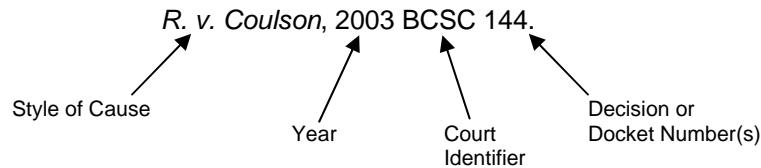
Explanation: This is called a parallel citation. *R. v. Cognos* is reported in the *Canada Supreme Court Reports*, the *Dominion Law Reports* (4th series), and in *Canadian Cases on the Law of Torts* (2d series). It must have been a decision of the Supreme Court of Canada as the first citation is to the S.C.R.

***R. v. Cognos Inc.*, [1993] 1 S.C.R. 87, 99 D.L.R. (4th) 626, 14 C.C.L.T. (2d) 113, rev'g (1990), 74 OR (2d) 176, 69 D.L.R. (4th) 288 (C.A.), aff'g (1987), 63 OR (2d) 389 (H.C.J.).**

Explanation: The 1993 decision from the Supreme Court of Canada *reversed* the 1990 decision from the Ontario Court of Appeal, but *affirmed* the 1987 decision of the Ontario High Court of Justice. The 1993 decision is reported in 3 different law report series (S.C.R, D.L.R., C.C.L.T), the first appeal decision from 1990 is reported in 2 different series (OR, D.L.R.), and the 1987 trial level decision was only reported in one law report series (OR).

### NEUTRAL CITATION (McGill Guide 3.2.3)

When a decision is rendered for a case, the court assigns a neutral citation. Many cases are never published in printed law reporters and will only have this neutral citation. The following is the standard formula for a neutral citation in Canada:



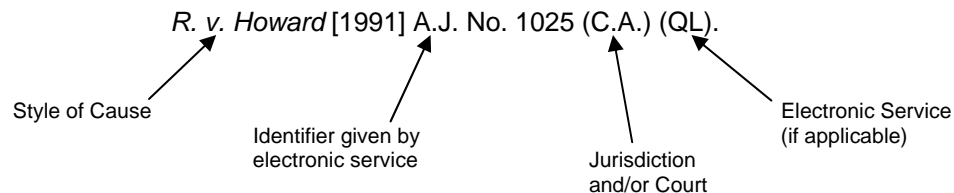
A neutral citation should only be used alone if no printed citation is available. If both a neutral and a printed citation are available, the neutral citation should always be followed by a citation to a print reporter.

### CITING CASES FROM ELECTRONIC SERVICES (McGill Guide 3.10)

If you do not quote from the judgment, simply cite the case as you would cite it to the printed reporter **without** referring to the electronic service (3.10.1.1).

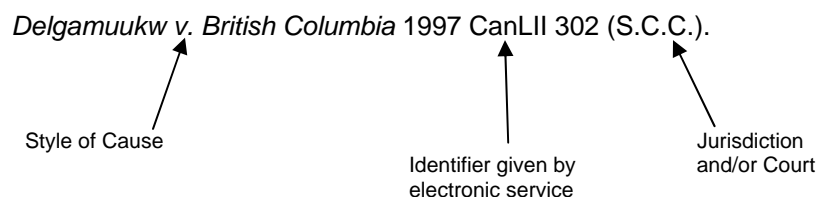
For judgments **not** available in printed reporters, electronic database services provide either a neutral citation, their own case identifiers, or docket numbers. If a neutral citation is given, cite to the neutral citation. If there is **no** neutral citation given and there is **no** reference to a printed reporter, cite to the electronic service (3.10.2)

#### Example Quicklaw:



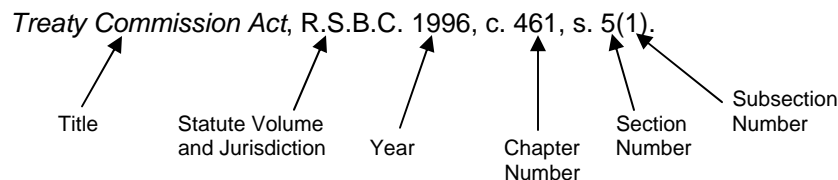
- **Style of Cause:** follows the same criteria as in the citation of printed cases
- **Identifier:** the date is enclosed in **square brackets** followed by an abbreviation of the Quicklaw database in which the case is located and a case number assigned by Quicklaw
- **Jurisdiction and/or Court:** As in the case of printed reporters, one must always be able to discern both the jurisdiction and the court level from the citation. In the above example, it is clear from the Identifier that the jurisdiction is Alberta (A.J. stands for Alberta Judgments), but the court level is not clear. Hence, it must be included in parentheses after the Identifier (C.A. stands for Court of Appeal)
- **Electronic Service:** This will appear at the end as (QL).

#### Example CanLII:



## CITING STATUTES FROM PRINT RESOURCES (McGill Guide 2.1)

The standard form for citing statutes in Canada is as follows:



### Title

- Italicize the title and follow it with a non-italicized comma

### Statute Volume and Jurisdiction

- **Revised Statutes or Regulations:** Statutes are published at the end of each parliamentary session. Periodically, all existing statutes are put into one complete set, the *Revised Statutes*. The Statutes of British Columbia were last revised in 1996, the Statutes of Canada in 1985. They are cited as:

**R.S.B.C. 1996** *Revised Statutes of British Columbia 1996*

**R.S.C. 1985** *Revised Statutes of Canada 1985*

- **Annual statutes:** Between the publications of Revised Statutes, annual statute volumes are published. These contain both new and amending statutes which have received Royal Assent during the past year. They are cited as follows:

**S.B.C. 2001** *Statutes of British Columbia 2001*

**S.C. 1991** *Statutes of Canada 1991*

### Chapter, Section and Subsection Numbers

- Include the specific chapter number which the statute has been assigned in the volume
- If necessary, include a reference to the section(s) and subsection(s) you are discussing; abbreviate section or subsection to “s” and sections or subsections to “ss”

## CITING STATUES FROM ELECTRONIC SERVICES or from the INTERNET (McGill Guide 2.9)

If citing to an electronic service (QuickLaw or QP Legaleze), put the abbreviation of the service in parentheses at the end of the citation. If citing to a government website, put a comma and **online: name of website <URL>** at the end of the citation. Example:

Parental Responsibility Act, S.B.C. 2001, c. 45 (QPLE).

Parental Responsibility Act, S.B.C. 2001, c. 45, online: The Revised Statutes and Consolidated Regulations of British Columbia <<http://www.qp.gov.bc.ca/statreg>>.