

The Guidebook

Citation, Style, and Usage at the Supreme Court of North Carolina

THIRD EDITION

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About *The Guidebook*

Edition

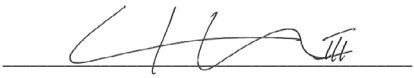
This is the Third Edition of *The Guidebook*. Notable changes in this edition are to "1.2 Decisions of the North Carolina Appellate Courts," which accommodates the Supreme Court of North Carolina's discontinuation of a universal-citation format, and to "2.2 Appellations," which suggests using pseudonyms, initials, or other appellations in certain circumstances. This edition also adds a new section, "2.10 References to the North Carolina State Constitution in Text."

Authorship

The Supreme Court of North Carolina's Office of Administrative Counsel is the author and editor of *The Guidebook*.

Authoritativeness

The Supreme Court of North Carolina approved this edition of *The Guidebook* in conference on 14 June 2023.



For the Court

Foreword

Welcome to *The Guidebook: Citation, Style, and Usage at the Supreme Court of North Carolina*.

As its name implies, *The Guidebook* will guide you as you edit judicial opinions for the Supreme Court of North Carolina. But a guide is all that it is. Where *The Guidebook* is unclear, silent, or impossible to apply, you should contact the Office of Administrative Counsel for assistance. Of course, final authority over the text of an opinion belongs to the justice who writes it.

The Court generally follows the Uniform System of Citation that is described in *The Bluebook*, and the style and usage conventions found in the Texas Law Review's *Manual on Usage & Style*. Instead of reproducing that material, *The Guidebook* focuses on the Court's deviations from those two reference books. *The Guidebook* is therefore purposefully concise.

Use of *The Guidebook* promotes two goals: (1) consistency within an opinion; and (2) consistency between opinions. While variations in citation, style, and usage will inevitably occur, the variations should not occur because of a lack of guidance on the subject.

Accordingly, we present *The Guidebook*.

Office of Administrative Counsel

Grant E. Buckner
Jennifer N. Wyatt
Lucy T. Austin
Ann L. Hale

Citation

1.1 Adherence to the Uniform System of Citation

Unless *The Guidebook* recommends a different citation convention for a particular source, the Supreme Court of North Carolina follows the Uniform System of Citation that is described in *The Bluebook*, which is currently in its twenty-first edition. (*The Indigo Book*, which is in the public domain, describes this system ably as well.)

Comment. The Uniform System of Citation that is described in *The Bluebook* is ubiquitous in American legal writing. When drafting legal citations for the Court, use the current edition of *The Bluebook*.

1.2 Decisions of the North Carolina Appellate Courts

Cite to the *North Carolina Reports* and to the *North Carolina Court of Appeals Reports* without a parallel citation to the regional reporter.

e.g., *State v. Miller*, 367 N.C. 702 (2014).

Dill v. Loiseau, 263 N.C. App. 468 (2019).

NOT *State v. Miller*, 367 N.C. 702, 766 S.E.2d 289 (2014).

NOT *Miller*, 367 N.C. at 703, 766 S.E.2d at 290.

When citing a decision that has not yet been published in the *North Carolina Reports* or the *North Carolina Court of Appeals Reports*, cite to the *South Eastern Reporter*, if available. Otherwise, use the citation form for cases available in slip opinions described in Bluebook Rule 10.8.1(b).

e.g., *State v. Miller*, 766 S.E.2d 289 (N.C. 2014).
► **Prior to publication in the *North Carolina Reports*.**

Dill v. Loiseau, 823 S.E.2d 642 (N.C. Ct. App. 2019).
► **Prior to publication in the *North Carolina Court of Appeals Reports*.**

Doe v. Doe, No. 14A28, slip op. at 2 (N.C. Dec. 1, 2025).
► **Prior to publication in the *North Carolina Reports* and the *South Eastern Reporter*.**

The use of placeholder citations should be avoided.

Comment. The Supreme Court of North Carolina adopted a universal-citation format on 4 December 2019 for decisions of the North Carolina appellate courts filed on or after 1 January 2021. But on 11 January 2023, the Court rescinded the order that had implemented a universal-citation format, and as a result, the Court reinstated its earlier preference of citing to the official reporter. The universal-citation format should no longer be used for decisions of the North Carolina appellate courts.

1.3 Statutory Compilations of North Carolina

Cite to the General Statutes of North Carolina using the abbreviation "N.C.G.S."

e.g., N.C.G.S. § 7A-39 (2021).

NOT N.C. Gen. Stat. § 7A-39 (2021).

Cite to statutory compilations that predate the General Statutes of North Carolina based on the following examples:

e.g., 1 N.C. Revised Stat. of 1837, ch. 14, § 1.
- ▸ **Citation to Volume I, Chapter 14, Section 1, of the Revised Statutes of 1837.**

N.C. Revised Code of 1854, ch. 4, § 3.
- ▸ **Citation to Chapter 4, Section 3, of the Revised Code of 1854.**

N.C. Code Civ. P. of 1868, § 492.
- ▸ **Citation to Section 492 of the Code of Civil Procedure of 1868.**

2 N.C. Code of 1883, § 2500.
- ▸ **Citation to Volume II, Section 2500, of the Code of 1883.**

1 N.C. Revisal of 1905, § 207.
- ▸ **Citation to Volume I, Section 207, of the Revisal of 1905.**

2 N.C. Consol. Stat. of 1919, § 5266.
- ▸ **Citation to Volume II, Section 5266, of the Consolidated Statutes of 1919.**

1.4 Session Laws of North Carolina

In citations to session laws enacted after the General Assembly's 1998 Extra Session, the session law number replaces the chapter number.

e.g., An Act to Update the Charter of the City of Greensboro Consistent with State Law, ch. 807, § 9, 1986 N.C. Sess. Laws 44, 45.
► **Before the General Assembly's 1998 Extra Session.**

An Act to Modify the Right to Appeal in Termination of Parental Rights Cases, S.L. 2021-18, § 2, 2021 N.C. Sess. Laws 73, 74.
► **After the General Assembly's 1998 Extra Session.**

If a session law has not yet been published in the bound volumes, then cite to the PDF version of the session law located on the General Assembly's website.

e.g., Current Operations Appropriations Act of 2022, S.L. 2022-74, § 7.3, https://www.ncleg.gov/EnactedLegislation/SessionLaws/PDF2021-2022/SL2022-74.pdf.
► **Using Short Title from Section 1.1 of the Act.**

Comment. Prior to the General Assembly's 1998 Extra Session, session laws were published with chapter numbers. Like a session law number, a chapter number indicates a law's chronological number for a given legislative session.

1.5 North Carolina Administrative Code

When citing to the North Carolina Administrative Code, prepend the chapter or subchapter number to the rule number without an intervening space.

e.g., Permitted Practice, 21 N.C. Admin. Code 48C.0101 (2018).
► **Citation to Subchapter 48C, Rule .0101.**

When citing to a cumulative supplement of the North Carolina Administrative Code, the format of the date parenthetical is: "(Supp. [Abbreviated Month and Year of Supplement])."

e.g., 2 N.C. Admin. Code 20B.0103 (Supp. Feb. 2019).

Comment. Prior to the June 2012 codification of the North Carolina Administrative Code, the Office of Administrative Hearings issued both supplements and partial recodifications. When citing an administrative rule that appears in a pre-2012 codification, ask the Supreme Court Librarian for assistance.

1.6 No "*Supra*" or "*Infra*"

Do not use "*supra*" to refer to material that has already been cited in an opinion. Instead, use "hereinafter" in accordance with Bluebook Rule 4.2.

e.g., John V. Orth, *The Strange Career of the Common Law in North Carolina*, 36 Adel. L. Rev. 23, 23–24 (2015) [hereinafter Orth, *Strange Career of the Common Law*].

Orth, *Strange Career of the Common Law* at 24.

Do not use "*infra*" to refer to material that appears later in an opinion.

1.7 Quotations

Quote from an official publication, if possible.

Avoid quoting misquotes of something else (e.g., a quote to Case A includes a purported quote to Case B but, in fact, misquotes Case B). Instead, paraphrase or quote the original source.

Consider a "cleaned-up" quotation in accord with Section 8.5 of Garner's *The Redbook* when quoting something with an embedded quotation, especially if doing so would markedly improve the readability of the quoted content.

e.g., Accordingly, "the complaint is adequate if it gives sufficient notice of the claim asserted to enable the borrower to answer and prepare for trial and to show the type of case brought." *U.S. Bank Nat'l Ass'n v. Pinkney*, 369 N.C. 723, 728 (2017) (cleaned up).

NOT Accordingly, "the complaint 'is adequate if it gives sufficient notice of the claim asserted "to enable the [borrower] to answer and prepare for trial . . . and to show the type of case brought." ' " *U.S. Bank Nat'l Ass'n v. Pinkney*, 369 N.C. 723, 728 (2017) (alterations in original (quoting *Sutton v. Duke*, 277 N.C. 94, 102 (1970)).

Comment. A quotation is "cleaned up" when extraneous items that appear in an embedded quote—such as brackets, ellipses, quotation marks, and internal citations—are removed to improve the readability of the quoted content. Citations to a cleaned-up quotation must include the parenthetical "(cleaned up)." When ordering parentheticals within a citation, apply Bluebook Rule 1.5(b) as if "(cleaned up)" appears in the list immediately after "(per curiam)."

1.8 Temporary Citations to the Case File

The Court rarely supports a factual assertion made in an opinion by citing to petitions, motions, briefs, or record materials—even if the material being cited is quoted. But a draft opinion should include a temporary citation to these materials, where appropriate, while the draft opinion is in circulation. These citations should be in bold and enclosed with curly brackets to make the citations conspicuous.

e.g., **{R. at 7}** — Printed Record, page 7.

{T p 101} — Transcript, page 101.

{R S p 34} — Record Supplement, page 34.

{Def.'s Br. at 12} — Defendant's Brief, page 12.

Comment. Temporary citations to the case file allow the justices and other court personnel to substantiate factual assertions made in a draft opinion. Because these temporary citations are removed before the opinion is finalized, accuracy, not technical precision, is paramount.

Style and Usage

2.1 Adherence to the Texas Law Review's *Manual on Usage & Style*

Unless *The Guidebook* recommends a different usage or style convention, the Supreme Court of North Carolina follows the usage and style conventions described in the Texas Law Review's *Manual on Usage & Style*, which is currently in its fifteenth edition.

Comment. Although the *Manual on Usage & Style* is surprisingly comprehensive for a pocket-sized writing guide, it does not cover the field. For a comprehensive treatment of legal usage and style, we recommend Bryan A. Garner's *The Redbook* and *Garner's Dictionary of Legal Usage*.

2.2 Appellations

Do not refer to a party as "appellant" or "appellee," even in a compound noun (e.g., plaintiff-appellant).

Refer to the State of North Carolina in criminal cases as "the State."

Do not capitalize "plaintiff," "defendant," "petitioner," "respondent," or other party-identifiers unless they are the first word in a sentence.

Use a pseudonym, initials, or another appellation in lieu of an individual's legal name when the name is not relevant to the issues in the case and when including the name may put the individual at an increased risk of harm, including damage to the individual's reputation or privacy. For example, use a pseudonym, initials, or another appellation for minors, crime victims, jurors, confidential informants, and witnesses.

Comment. "Appellant" and "appellee" may introduce unnecessary confusion to the reader if the procedural posture of the case changes from the Court of Appeals to the Supreme Court.

2.3 Capitalization of "court"

Capitalize "court" in reference to the Supreme Court of North Carolina and the Supreme Court of the United States, and when "court" is used in a full title.

e.g., The Supreme Court of North Carolina held in *State v. Jones* that . . . . The Court reasoned . . . .

The North Carolina Court of Appeals has also reviewed this issue. Without exception, that court has indicated . . . .

2.4 Collective Nouns

Collective nouns should take singular verbs. When a pronoun takes the place of a collective noun, the pronoun should be singular.

e.g., The jury *is* deliberating. *It* should reach a verdict soon.

Jurors *are* factfinders. *They* determine whether the witness is credible.

2.5 References to Trial Courts

Refer to the trial court as such, rather than to a specific judge.

e.g., The trial court ordered the defendant to appear . . . .

NOT The trial judge entered her order in this matter on . . . .

When referring to the Superior Court Division and to the District Court Division of the General Court of Justice by name, specify the division of court and county, separated by a comma.

e.g., Defendant appeared in the Superior Court, Haywood County.

NOT Defendant appeared in the Haywood County Superior Court.

2.6 Appellate Courts "Hold" or "Conclude," Do Not "Find"

Avoid the verb "find" when describing the decision-making process of an appellate court. Instead, use "hold" or "conclude."

e.g., The Court of Appeals held that . . . .

NOT The Court of Appeals found that . . . .

2.7 Spaces

Use a blank space between consecutive quotation marks and between consecutive brackets.

e.g., " 'text' " and [ ]

NOT "'text'" or []

Use a hard (nonbreaking) space to avoid breaking lines at inappropriate places. Follow Section 4.13 of Garner's *The Redbook* on this topic.

Comment. A hard space is created in Microsoft Word using this command: [control+shift+space].

2.8 Dashes

Use an en dash in the text of an opinion and in citations according to Rule 1.28 of the Texas Law Review's *Manual on Usage & Style*. Do not follow the dash rule in Bluebook Rule 3.2, which permits the use of a hyphen to indicate page ranges in citations.

e.g., *Gideon v. Wainwright*, 372 U.S. 335, 335–37 (1963).

NOT *Gideon v. Wainwright*, 372 U.S. 335, 344-45 (1963).

Hyphenate the names of crimes that are modified by the word "degree," regardless of how they appear in the General Statutes of North Carolina.

e.g., first-degree murder

Consult *Black's Law Dictionary* to determine whether a dash belongs in a compound noun or compound modifier, or after a prefix.

2.9 Statutory References in Text

Do not begin a sentence with a section symbol or other abbreviation.

e.g., Section 15A-2000 of the North Carolina General Statutes states . . . .

But, subsection 15A-2000(f) does not . . . .

OR As indicated in N.C.G.S. § 15A-2000, the defendant should . . . .

NOT N.C.G.S. § 15A-2000 states . . . .

NOT § 15A-2000 states . . . .

2.10 References to the North Carolina State Constitution in Text

When referring to the North Carolina State Constitution in the text of an opinion, do not follow the example provided in Bluebook Rule 11 for capitalization of references to state constitutions. Instead, capitalize terms like "Article," "Section," "Clause," and "Amendment" and the full name of any clause when referring to the North Carolina State Constitution.

e.g., In accordance with Article I, Section 19 of the North Carolina State Constitution . . . .

OR Historically, the Law of the Land Clause . . . .

2.11 Dates

Use the form "[day] [month] [year]" for dates that appear in the text of an opinion, but follow *The Bluebook's* prescribed form "[abbreviated month] [day], [year]" in citations.

e.g., On 5 March 2023, the Carolina Hurricanes defeated . . . .

Carolina Hurricanes, https://www.nhl.com/hurricanes (last visited Mar. 7, 2023).

Additional Resources

The Bluebook: A Uniform System of Citation (Columbia L. Rev. Ass'n et al. eds., 21st ed. 2020).

Tex. L. Rev., *Manual on Usage & Style* (15th ed. 2020).

See also:

Black's Law Dictionary (11th ed. 2019).

Bryan A. Garner, *Garner's Dictionary of Legal Usage* (3d ed. 2011).

Bryan A. Garner, *The Redbook: A Manual on Legal Style* (4th ed. 2018).

Sprigman et al., *The Indigo Book: A Manual of Legal Citation*, Public Resource (2016), https://law.resource.org/pub/us/code/blue/IndigoBook.html.



SUPREME COURT OF NORTH CAROLINA

For additional information about the Supreme Court of North Carolina, please visit NCcourts.gov/SupremeCourt.

Office of Administrative Counsel: 919-831-5930
2 East Morgan Street, Raleigh, NC 27601