

# JUDICIAL STUDIES INSTITUTE JOURNAL

## *House Style*

---

### I. General style for text

#### **Body Text**

All body text should be single-spaced on A4 in Times New Roman point size 12. No hard page breaks should be used. Paragraphs are indented, with no extra carriage returns between them. Footnotes should be numbered consecutively and placed at the bottom of the page, set in Times New Roman point size 10.

#### **Headings**

There are four possible levels of headings:

1. Title. This should be in centred capitals, Times New Roman point size 14.

#### CENTERED CAPITALS FOR TITLE

2. Subheading level 1. This should be in centred small capitals, Times New Roman bold point size 12 and preceded with roman numerals.

#### **I. SUBHEADING LEVEL 1**

3. Subheading level 2. This should be in centred, in mixed case (initial capitals for main words), Times New Roman italic point size 12 and preceded with A, B, etc.

#### *A. Subheading level 2*

4. Subheading level 3. This should be flush left, in mixed case (initial capitals for main words), Times New Roman italic point size 12 and preceded with arabic numbers.

#### *1. Subheading level 3*

#### **Quotations**

Quotations of more than *c.* 60 words (unless in footnotes) should be set in Times New Roman point size 11, indented and set off from the text without quotation marks. Otherwise double quotation marks should be used, except for quotations within quotations which use single quotation marks. If anything is omitted from the quotation, it should be indicated with an ellipsis (...). If the case of a letter is changed or a word substituted for the sake of clarity, this should be indicated by enclosing the new letter or word in square brackets (“As the judge said, ‘[h]ere is a [defendant]...’”). The Judicial Studies Institute house style should not be applied to quotations. If punctuation within the quotation is being reproduced, it should appear inside the quotation marks. If the punctuation is not part of the original quotation, it should appear outside the quotation marks.

## Punctuation

All punctuation marks should be outside closing quotation marks except an exclamation mark, question mark, dash or parenthesis belonging only to the quotation or a full point at the end of a grammatically complete sentence beginning with a capital letter. Full points should be outside closing parentheses unless the parenthesis is a complete sentence beginning with a capital letter. Footnote indicators in the text follow punctuation marks.<sup>1</sup> There should be one space between words and after punctuation marks.

Commas are not used in case references (except before page references within the report), between the names and titles of judges or after the abbreviation *e.g.* Thus:

*Jones v. Smith* [1967] 1 Q.B. 63, at 72.

Finlay C.J.

## Capitals

Capitals should be used when a specific reference is intended: the Bill, the Cabinet, the Government (but government and industry), Parliament (but parliamentary). Unless referring to a specific court by name (such as the High Court), “court” should not be capitalised.

These are capitalised: Act, Article (of Constitution or international treaties), Bill, Chapter, Constitution (but constitutional), Convention, Directive, Part (of an Act or other statutory instrument), President, Regulation(s), Schedule, Tánaiste, Taoiseach, Title (of treaty).

These are not capitalised: article or section (of national secondary legislation), barrister, cabinet, company (except in case name or where giving the name of a particular company), defendant, judge (if not referring to a specific judge), minister (unless in reference to a specific minister), plaintiff, section, solicitor.

## Abbreviations

No full points should be used in abbreviations consisting of initials (e.g. SIPTU, RTÉ, GATT) unless referring to law reports and journals (Q.B., C.L.J.). Otherwise full points are retained (*e.g.* ch., Dr., ed., Ltd., St., vol.). Note that the correct abbreviation for public limited company is p.l.c. and that “per cent.” has a full point.

Textual abbreviations (for footnotes)

<i>Word</i>	<i>Singular</i>	<i>Plural</i>
page	p.	pp.
paragraph	para.	paras.
footnote or endnote	n.	nn.
Article	Art.	Arts.
Order	Ord.	Ords.

---

<sup>1</sup>Like this.

rule	r.	rr.
Schedule	Sched.	Scheds.
section	s.	ss.
subsection	subs.	subss.

### Italics

The following should be in italics:

- Case names.
- Latin/foreign words and phrases, unless they are common in English (such as *vice versa*, *bona fide*, *status quo*). Legal Latin terms should generally be italicised.
- The abbreviations *cf.*, *e.g.*, *i.e.*, *viz.*
- Titles of books, journals, films, works of art and ships.

Italics should be used for emphasis, never underlines.

### Dates

Give dates like this: “the 23rd March 1990”; “March 1990”; 1989-90; 1990s.

### Numerals

Numbers and ordinals below 10 should be spelt out (unless part of a sequence). Use figures thereafter, *e.g.* four judges, 10 policemen, second place, 14th, 7 per cent., section 5, 2 million.

### Spelling

English spelling should be used, except in a quotation which originally used another spelling. In particular, use *-ise* rather than *-ize*; *judgment* rather than *judgement*; *ius* rather than *jus*; and *centre* rather than *center*.

### Judges’ titles

- Smith C.J. (for the Chief Justice)
- Smith P. (for the President of the High Court)
- Smith J. (for an ordinary judge of the Superior Courts)
- Smith and Byrne JJ. (for more than one judge of the Superior Courts)
- Judge Smith (for judges of the Circuit and District Courts)

## II. Citations

### General

Page numbers should not be elided (45-49 rather than 45-9).

### The Constitution

The Constitution should be cited as:

- Constitution of Ireland 1937, Article 27.5.1<sup>o</sup>.i
- Article 27.5.1<sup>o</sup>.i of the Irish Constitution
- Article 27.5.1<sup>o</sup>.i (thereafter)

### Statutes

Refer to statutes as follows:

Investment Limited Partnerships Act, 1994, s. 25(2)(b)(ii)

There is a comma before the year of the Act. Note that ‘The’ is omitted unless it is part of the sentence (“The Investment Limited Partnerships Act, 1994 provides...”). The abbreviations “s.”, “ss.”, “subs.”, “Sched.”, “Pt.”, etc., are used only following the title of an Act or in footnotes; otherwise “section”, etc., should be in full. Abbreviations and short references can be used provided they are clear. It is useful to indicate these abbreviations the first time the full title is cited:

Shannon Free Airport Development Company Limited (Amendment) Act, 1965 (“S.F.A.D.C.L.(A.) Act, 1965”)

Shannon Free Airport Development Company Limited (Amendment) Act, 1965 (“the 1965 Act”)

### Statutory Instruments

Use the style:

Local Government (Planning and Development) Regulations (S.I. No. 89 of 1990)

Abbreviations and short names are also permitted for S.I.s.

Statutory Rules and Orders (i.e. statutory instruments brought into force before the passing of the Statutory Instruments Act, 1947) are cited as:

Aliens Order (S.R. & O. No. 395 of 1946)

### European Legislation

This consists of treaties, conventions, regulations, directives, Council decisions, Commission notices, Rules of Procedure of the ECJ and CFI, and are all subdivided into Articles, always with upper case A. A full reference to European legislation should indicate the following:

The institutional origin	(Commission/Council)
The form	(Regulation/Directive/Decision)
The number	
The year of enactment	
The treaty under which it is made	(EEC/ECSC/Euratom)
The date	

An example would be:

Council Decision 91/384/EEC 30 June 1991

The Official Journal citation should be given against the first mention of a piece of legislation (in a footnote if in the main text), in the form [1991] O.J. L298.

## Cases

### (i) Irish cases

#### Reported cases

Case names should be given in italic, including the *v.*

*Irish Shell Ltd v. Elm Motors Ltd.* [1984] I.R. 200

*Fajujonu v. The Minister for Justice* [1990] 2 I.R. 151

The Irish Reports are the preferred reports. Use the following formatting:

<i>Report</i>	<i>Abbreviation</i>	<i>Year Format</i>
Irish Reports	I.R.	[...]
Irish Law Reports Monthly	I.L.R.M.	[...]
Irish Law Times Law Reports	I.L.T.R.	(...)
Irish Jurist Law Reports	Ir. Jur. Rep.	[...]

Where a series of reports uses the calendar year to describe the volumes, the years are enclosed in square brackets. If not, the years are enclosed in round brackets.

The opening page of the report should always be referred to first:

*Murphy v. Dublin Corporation* [1972] I.R. 215, at 217.

References to a particular page in a law report should be ‘... at 448’, not ‘... at p. 448’.

Lengthy case names can be abbreviated provided the abbreviations are clear. Any such abbreviations should be indicated when the full title of the case is given. When giving the full name of a case, do not abbreviate words unless they are abbreviated in the report. Thus, use *Attorney General* rather than *A.G.*; *The State* rather than *State*; *The People* rather than *People*; *The Minister of* rather than *Minister of*. Initials in a case name which represent

the personal name of the parties are followed by a full point. If the initials are an abbreviation for the name of a company or organisation, they are generally not followed by a full point.

*D.M. v. C.M.*

*Cooper-Flynn v. RTE*

### **Unreported cases**

Unreported judgments should be cited as

*Smith v. Jones* (High Court, unreported, McWilliam J., 25 January 1985)

Give the full name of the court without abbreviation. References to an unreported judgement should be ‘... at page 448’ (or ‘... at p. 448’).

### **(ii) EU cases**

Give both E.C.R. and C.M.L.R. references when possible; the E.C.R. are preferred. All cases are numbered as they are registered. This scheme changed somewhat when the Court of First Instance was established. Before 16th November 1989, when the CFI was established, ECJ cases have no prefix. After that date, ECJ cases are prefixed with ‘C-’ and CFI cases with ‘T-’, e.g.

Case 74/81, *Rudolf Flender KG v. E.C. Commission* [1982] E.C.R. 395; [1982] 2 C.M.L.R. 265

Case C-175/88, *Biehl v. Administration des Contributions des Grand Duché du Luxembourg* [1990] E.C.R. 1-1779; [1990] 3 C.M.L.R. 143

When citing cases that have common nicknames (such as the *Cassis de Dijon* case), the nickname should be used provided the full name and citation is given at the first mention.

### **(iii) European Court of Human Rights cases**

There are two series of official reports for the European Court of Human Rights. Up to 1995, cases should be cited as:

*Tyer v. U.K.*, Series A, No. 26

After 1995, cases should be cited as:

*Murray v. U.K.*, E.C.H.R., 1996-I, p. 30

Parallel citations to the *European Human Rights Reports* should be given if available, in the form:

*Hussain v. U.K.* (1996) 22 E.H.R.R. 1.

Unreported cases should be cited as with Irish cases, e.g.

*Heaney and McGuinness v. Ireland* (European Court of Human Rights, unreported, 21 December 2000)

### **(iv) English cases**

The hierarchy of reports is:

<i>Report</i>	<i>Abbreviation</i>
Appeal Cases	A.C.
Chancery	Ch.
Queen's Bench	Q.B.
Weekly Law Reports	W.L.R.
All England Reports	All E.R.

### **(v) American cases**

Citations of American cases should follow the scheme set out in the Harvard Law Review Association's *A Uniform System of Citation* ("The Blue Book").

### **Books**

Books should be cited as follows:

Guest (ed.), *Oxford Essays in Jurisprudence*, pp. 171-172.

10 *Halsbury's Laws of England* (4th ed.), paras. 1450-54.

Maitland, *Equity* (2nd ed., 1988) by John Brunyate, p. 100.

Use the abbreviations: "2nd ed.", "vol.", "ch." (all lower case). Edition information should only be given if there has been more than one edition.

Articles in collections should be cited as:

Keogh, "Church, State and Society" in Farrell (ed.), *De Valera's Constitution and Ours*, p. 82.

### **Articles**

Abbreviations (without emphasis) may be used for titles of familiar legal journals. Otherwise give the title in full, with emphasis:

McMahon, "Herrington and trespassers in Ireland", (1975) 91 L.Q.R. 323

McMahon, "The Injured Trespasser: Adieu to Addies", (1971) 6 Ir. Jur. (n.s.) 331

Williams, "Development in British Environmental Law" (1984) 24 *Natural Resources Journal* 511.

The page number at which the article begins should be given, followed by any specific page reference within the article, separated by a comma: (1975) 91 L.Q.R. 323, 364.

### **Rules of Court**

The various Court rules can be cited without reference to statutory instrument number.

RSC Ord 17, r 6

RDC Ord 23, r 7

### **Law Reform Commission Reports**

These should be cited as follows:

Law Reform Commission, *The Confiscation of the Proceeds of Crime* (L.R.C. 35 - 1991).

### **Newspapers**

The titles of newspapers should be given as mixed case italic. With British newspapers, 'The' should be italicised: the *Irish Times*, the *Sunday Tribune*, *The Times*, *The Guardian*.

McNamara v. An Bord Pleanála, *Irish Times*, 3 April 1995.

### **Oireachtas Debates**

Use the form Vol. No. *Report* Col. No. If the citation is in relation to a bill, an indication of the stage is useful.

437 *Dáil Debates* 16-93 (Second Stage)

140 *Seanad Debates* 1176-1217 (Report and Final Stages)

### **Repeating citations**

If the same material is referred to multiple times in an article, the use of *ibid.*, *op. cit.* and so on are not to be used, as they can frequently lead to confusion and mistakes. Instead, give an abbreviated version of the citation, unless the previous citation is much before the current one in the text.