

Lewis left a legacy of clear writing that allows anyone who can read to understand the thoughts of the writer. This style of writing should be celebrated, whether or not one agrees with the opinion of the author. Lewis immersed himself in the law, knew it backwards and forwards, and then was able to explain a case in a clear, concise, interesting manner. His lyrical style as well as his worldview is captured in a few sentences from his obituary for Abraham Chasanow, in an "Abroad at Home" opinion published in the *New York Times* on June 15, 1989. "Any society, however committed to law, has to be reminded again and again that it is deadly to reach conclusions with secret, untested evidence. * * * In secrecy, there cannot be truth."

*janyce.katz@
ohioattorneygeneral.gov*



*Janyce C. Katz, a lawyer for
the State of Ohio, 24 years.*

A QUICK REFERENCE GUIDE to Citations in the Supreme Court of Ohio Writing Manual

By Jeffrey A. Willis and Marisa Bartlette Willis

The Supreme Court of Ohio Writing Manual ("Writing Manual") was adopted and released by the Ohio Supreme Court in 2011 (effective January 1, 2012) as a comprehensive guide for its use in writing judicial opinions. It was updated as a second edition in 2013. The proposed citation formats contained in the Writing Manual are based on several factors, including whether the judicial decision was issued before or after May 1, 2002, whether the decision was published in an official reporter, and whether a WebCite is available. The Writing Manual also has several new changes to citation formats including the identification of district courts and, perhaps the biggest change, placing the date of the decision at the end of the citation.

Although not mandatory for lower court judges and lawyers, the Ohio Supreme Court strongly encourages the use of the Writing Manual for writing opinions and briefs in Ohio courts. The committee drafting the Writing Manual produced an excellent, easy-to-follow guidebook that provides detailed instructions and examples of almost every citation used by judges and attorneys. It also provides writing tips, a listing of commonly used abbreviations, and guidance on structuring opinions. Every Ohio practitioner should keep a copy of the Writing Manual in their personal library for drafting assistance. We reference the Writing Manual for every brief, pleading, and legal memorandum we write.

Because of its comprehensiveness and the number of citation illustrations contained in the Writing Manual, we found ourselves constantly flipping back and forth between self-tabbed pages. As a solution, we created the following one-page summary of citation formats as a quick reference tool for the more common Ohio citation formats. It has become an invaluable, time-saving tool to our legal practice and has helped us be more consistent in writing opinions and briefs.

We have attached the reference guide to this article. Please feel free to use it. As a disclaimer, the Writing Manual is very comprehensive and the attached summary of citation formats only skims the surface of the Writing Manual's guidance and direction. Please make sure you reference the actual Writing Manual as the final authority on submitting filings in Ohio courts. The entire Writing Manual can be viewed online here: <http://www.supremecourt.ohio.gov/ROD/manual.pdf>.



Jeffrey A. Willis and Marisa Bartlette Willis

Quick Reference Guide to Citation Formats in the Supreme Court of Ohio Writing Manual

I. CIVIL RULES. *Supreme Court of Ohio Writing Manual* 47, 49 (2d Ed.2013).

Examples: Civ.R. 12(B)(6); Fed.R.Civ.P. 60(b)(1)

II. LOCAL RULES. *Supreme Court of Ohio Writing Manual* 48 (2d Ed.2013).

Example: Loc.R. 13.01 of the Court of Common Pleas Stark County, General Division

III. RULES OF APPELLATE PROCEDURE. *Supreme Court of Ohio Writing Manual* 47, 49 (2d Ed.2013).

Examples: App.R. 14; Fed.R.App.P. 28(a)(1)

IV. RULES OF EVIDENCE. *Supreme Court of Ohio Writing Manual* 47, 49 (2d Ed.2013).

Examples: Evid.R. 801(d)(1) and 803(1); Fed.R.Evid. 804(b)(2)

V. STATUTES. *Supreme Court of Ohio Writing Manual* 41, 43 (2d Ed.2013).

Examples: R.C. 4511.55 and 4511.56; 45 U.S.C. 151 et seq.

VI. REGULATIONS. *Supreme Court of Ohio Writing Manual* 49-50 (2d Ed.2013).

Examples: Ohio Adm.Code 123:5-3-06 et seq.; 46 C.F.R. 16.113(b)(1)

VII. STATE COURT CASES DECIDED BEFORE MAY 1, 2002. *Supreme Court of Ohio Writing Manual* 5-13 (2d Ed.2013).

Supreme Court of Ohio case example:

Foster Wheeler Enviresponse, Inc. v. Franklin Cty. Convention Indus., Inc., 78 Ohio St.3d 353, 363, 678 N.E.2d 519 (1997).

Print published case examples:

Cincinnati v. Black, 8 Ohio App.2d 143, 150-151, 220 N.E.2d 821 (1st Dist.1966).

Moscow v. Moscow Village Council, 29 Ohio Misc.2d 15, 19, 504 N.E.2d 1227 (C.P.1984).

Non-print published case examples:

Huntington Natl. Bank v. Metzemaum, 8th Dist. Cuyahoga No. 73723, 1998 Ohio App. LEXIS 5403, *7 (Nov. 12, 1998).

Fairfield Cty. v. Allstate Ins. Co., Franklin C.P. No. 91CVH02-1112 (July 24, 1992).

VIII. STATE COURT CASES DECIDED ON OR AFTER MAY 1, 2002. *Supreme Court of Ohio Writing Manual* 13-18 (2d Ed.2013).

Ohio Supreme Court case example:

Doe v. Ronan, 127 Ohio St.3d 188, 2010-Ohio-5072, 937 N.E.2d 556, paragraph one of the syllabus.

Print published with WebCite available case examples:

Mattlin Holdings LLC v. First City Bank, 189 Ohio App.3d 213, 2010-Ohio-3700, 937 N.E.2d 1087, ¶ 16 (10th Dist.).

Teeters Constr. v. Dort, 142 Ohio Misc.2d 1, 2006-Ohio-7254, 869 N.E.2d 756, ¶ 22 (M.C.).

Non-print published with WebCite available case example:

Bay W. Elec. Co. v. GMS Constr. Ltd., 8th Dist. Cuyahoga No. 83016, 2003-Ohio-6927, ¶ 1, fn. 1.

Non-print published with WebCite not available case example:

Mattlin Holdings LLC v. First City Bank, Franklin C.P. No. 09CVH05-8009 (Nov. 10, 2009).

IX. FEDERAL CASES. *Supreme Court of Ohio Writing Manual* 23-26 (2d Ed.2013).

United States Supreme Court case example:

Apodaca v. Oregon, 406 U.S. 404, 414, 92 S.Ct. 1628, 32 L.Ed.2d 184 (1972) (Stewart, J., dissenting).

Federal circuit court case examples:

Hamilton Cty. Bd. of Commrs. v. NFL, 491 F.3d 310, 317 (6th Cir.2007).

United States v. Starnes, 6th Cir. No. 11-3446, 2012 U.S. App. LEXIS 20374, *12 (Sept. 26, 2012).

Federal district court case examples:

Am. Energy Corp. v. Tex. E. Transm., LP, 701 F.Supp.2d 921, 924, fn. 1 (S.D. Ohio 2010).

Charvat v. GVN Mich., Inc., 531 F.Supp.2d 922 (S.D. Ohio 2008), *aff'd*, 561 F.3d 623 (6th Cir.2009).

Villagarcia v. Warden, Noble Corr. Inst., S.D. Ohio No. 2:05-cv-810, 2007 U.S. Dist. LEXIS 23796 (Mar. 30, 2007).

X. COMMON SIGNALS. *Supreme Court of Ohio Writing Manual* 63-69 (2d Ed.2013). Examples: *Accord*; *see also*; *cf.*