

Here is my attempt at putting a few more complex U.S. citations into the JSON format specified by the Technical subcommittee.

Modern cases, even those that seem complex, are relatively easy to parse into JSON format. For example, this fairly complex current case:

[State v. Bernard, 844 N.W.2d 41, 45 \(Minn. App. 2014\), \*aff'd on other grounds\* 859 N.W.2d 762 \(Minn. 2015\), \*cert. granted\* 84 U.S.L.W. 3336 \(U.S. Dec. 12, 2015\)\(No. 14-1470\).](#)

This citation to the decision of the Minnesota Court of Appeals decision in this case contains citations to that decision's subsequent history, which are required by *Bluebook* Rule 10.7.

As an explanation to those not familiar with US case citations, here is the procedural history of this case:

Level	Action	Discrete Citation
Trial (State)	This case started in a local District Court, one of the several trial courts of record in the State of Minnesota. The decisions and orders at this level are rarely “published” in an official or unofficial reporter, but are issued as slip opinions/orders to the parties and available from the clerk of the court.	Unless published, these shouldn't be cited.
Direct Appeal (State)	This is the direct appeal by right from the decision of the lower court to the intermediate court of appeals, which in Minnesota is the Court of Appeals. <b>This is the decision to which we are citing.</b>	<p><a href="#">844 N.W.2d 41, 45 (Minn. App. 2014)</a></p> <p>This is volume 844 of the North Western Reporter, Second Series, beginning on page 41. We are specifically citing to page 45 of that opinion. Although the N.W.2d is an unofficial West published regional reporter, for Minnesota, is the official reporter for both the Minnesota Court of Appeals and the Minnesota Supreme Court (they discontinued their own official reporter in 1977). As it is a multi-state reporter, the parenthetical must indicate the state, and because it is not the highest state court, the court name, in addition to the year the decision was made.</p>
Discretionary Appeal (State)	The Minnesota Supreme Court, which is the highest state court in Minnesota, granted review of this case and affirmed the Court of Appeals holding, but on different grounds.	<p><a href="#">859 N.W.2d 762 (Minn. 2015)</a></p> <p>As above, this is a citation to volume 859 of the North Western Reporter, Second Series, beginning on page 762. We need to indicate the state in the parenthetical along with the year of decision, but as this is the highest court, we do not need to specify it.</p>
Certiorari (Federal)	The loser at the Minnesota Supreme Court petitioned the U.S. Supreme Court to review that decision. The federal Supreme Court has jurisdiction because federal constitutional rights are at issue. As of right now, all that the U.S. Supreme Court has done is agree to review the case by issuing a writ of certiorari to the Minnesota Supreme Court. The citation	<p><a href="#">84 U.S.L.W. 3336 (U.S. Dec. 12, 2015)(No. 14-1470)</a></p> <p>Cert. decisions are usually cited to an unofficial reporter, as the official reporter won't be available until well after the Court has issued an opinion in the case. Here the citation is to volume 84 of the U.S. Law Week, published by</p>

	<p>is to a 2 sentence order from the Court. The case is currently scheduled for oral argument in April 2016.</p> <p>At this level, the name of the case changes from <i>State v. Bernard</i> to <i>Bernard v. Minnesota</i> (because Bernard is party moving the Court, and because you have to specify the state name when you move to the federal level), but the subsequent history citation</p>	<p>BloombergBNA, and page 3336. The parentheticals are both required. The first one notes that this is in the U.S. Supreme Court. This publication contains notices from other courts, so this is considered essential. It also has the exact date that the Court granted the writ. The second required parenthetical gives the docket number in the U.S. Supreme Court for this case.</p>
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While the required citation has a great deal of required case subsequent history in it, for the source frame purposes, I think we can either ignore the subsequent history and just encode the specific decision (in this case, the court of appeals decision), or we can specify that each discrete part of the citation be encoded as its own string.

I have a problem with calling it an “official number”. Official number indicates to me that is is a number assigned to the decision by an official authority, which is not the case here (although it would be the case in those states that have public domain citations). Perhaps “primary identifier”? And then any parallel sources could be “secondary identifiers”.

In addition, in 12 states (including Minnesota in the above example), the highest court's opinions are currently officially published in a third-party regional reporter that is unofficial for most of the other states it publishes. And the same is true for the intermediate courts of appeals in 12 states (including Minnesota). So in those cases, using the reporter alone will not work. We need to add the court identifier. I would propose basing it on state postal abbreviations, adding information for lower courts. For example, the Minnesota Supreme Court would be “mn”, and the Minnesota Court of Appeals would be “mn-ca”. The federal district court for the southern district of New York would be “us-sdny”.

```
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//   feature
//   hierarchy of equivalent values
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        [41]
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        [],
        [],
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  }
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```

```

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      ["mn", "Minnesota"]
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      ["STATE of Minnesota v. William Robert BERNARD, Jr."]
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  "expression": {
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      ["en-US", "eng-US", "English (American)"]
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}
}
}

```

Sixteen states have adopted public domain neutral citation forms. Most of these also require the regional reporter citation as well. In the below example from Colorado, in the primary identifier instead of reporter, we have the official court designation, instead of volume, we have the year, instead of beginning page, we have the official serial case number for that year. We repeat the court identifier even though it is the same in this case, to avoid ambiguity. If it had been the Court of Appeals of Colorado, the official court identifier would have been "COA" instead of "CO".

[Coats v. Dish Network, LLC, 2015 CO 44, 350 P.3d 849.](#)

```

// frames
//   FRBR levels
//   feature
//   hierarchy of equivalent values
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        ["CO"],
        [2015],
        [44]
      ],
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        ["P.3d"],
        [350],
        [849],
      ],
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        [2015]
      ]
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  }
},

```

```

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  "work": {
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      [05],
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      ["judgment"]
    ],
    "court": [
      ["Supreme Court of Colorado"]
    ],
    "jurisdiction": [
      ["us", "USA"],
      ["co", "Colorado"]
    ],
    "document title": [
      ["Brandon COATS v. DISH NETWORK, LLC"]
    ]
  },
  "expression": {
    "language": [
      ["en", "eng", "English"],
      ["en-US", "eng-US", "English (American)"]
    ]
  }
}
"manifestation": {
  "format": [
    ["print"],
    ["P.3d"],
    [350],
    [849]
  ]
}
}
}
}

```

The difficult part, for me, is that the common law relies on decisions from eras of our history when case reporting was not only unofficial, but pretty haphazard as well. Here are a few examples:

### [Murray v. Schooner Charming Betsy, 6 U.S. \(2 Cranch\) 64 \(1804\)](#)

This is a U.S. Supreme Court case from before the U.S. Reports officially began. It was published by the appointed court reporter of decisions, William Cranch. When the Court decided to start publishing their own decisions themselves, they took the nominative reports and assigned U.S. volume numbers to them. The *Bluebook* requires the nominative volume & reporter to be included parenthetically, as above. But for source frame purposes, I think it should be relegated to a secondary identifier. Furthermore, there are often parallel citations to these cases in the two standard unofficial U.S. Supreme Court reporters, West's "Supreme Court Reporter" and the "U.S. Supreme Court Reports, Lawyers Edition". In some cases, these unofficial sources may be the only source listed in an historical citation. The Charming Betsy case above, for example is sometimes cited in historical documents to the first series of the "U.S. Supreme Court Reports, Lawyers Edition":

### [2 L.Ed. 208](#)

It could also be cited to the Westlaw service's proprietary online citation:

### [1804 WL 1103.](#)

```

// frames
//   FRBR levels
//   feature
//   hierarchy of equivalent values

```

```

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        ["Murray v. Schooner Charming Betsy"]
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      ],
      "secondary identifier": [
        ["us"],
        ["L.Ed."],
        [2],
        [208],
      ],
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        ["us"],
        ["WL"],
        [1804],
        [1103],
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    }
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        ["Supreme Court of the United States"]
      ],
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        ["Alexander MURRAY, Esq. v. SCHOONER CHARMING BETSY"]
      ]
    },
    "expression": {
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      ]
    }
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  "manifestation": {
    "format": [
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      ["U.S."],
      [6],
      [64]
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    [
      ["print"],
      ["Cranch"],
    ]
  }
}

```

```

    [2],
    [64]
  ]
  [
    ["print"],
    ["L.Ed."],
    [2],
    [208]
  ]
  [
    ["online"],
    ["WL"],
    [1804],
    [1103]
  ]
}
}
}

```

And finally, lower federal cases from before 1880 are a bit different. There was no official reporter. Several private reporters gathered up reports from the U.S. District Courts and U.S. Circuit Courts and published them in nominative reports. These were gathered up and republished in the Federal Cases series by West. Few libraries have the nominatives any more, and so modern citations to these cases is to the West Federal Cases set. But contemporary citations were only to the nominatives, which were the only source extant when they were created.

So here is a Circuit Court case prior to 1880 as it would be cited today:

[United States v. Baker, 24 F. Cas. 962, 963 \(C.C.S.D.N.Y. 1861\)\(No. 14,501\)](#)

Here is how it was cited at the time:

[United States v. Baker, 5 Blatchf. 6 \(C.C.S.D.N.Y. 1861\)](#)

```

// frames
//   FRBR levels
//     feature
//       hierarchy of equivalent values
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        ["F. Cas."],
        [24],
        [962]
      ],
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        ["us-cc-sdny"],
        ["F. Cas."],
        [],
        [14501],
      ],
      "secondary identifier": [
        ["us-cc-sdny"],
        ["Blatchf."],
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```

```

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      ["judgment"]
    ],
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      ["us", "USA"],
      ["cc", "Circuit Court"],
      ["sdny", "Southern District of New York"]
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    "document title": [
      ["UNITED STATES v. Thomas Harrison BAKER, et al."]
    ]
  },
  "expression": {
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      ["en-US", "eng-US", "English (American)"]
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  "format": [
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    [6]
  ]
}
}
}
}

```

Questions:

1. In the US v. Baker case above, how do we handle the case number given it by the West editors when Federal Cases was compiled (in this case 14501)? You can usually find the case in F. Cas. just using the volume/page number. The serial number is useful when trying to use the tables in F. Cas. to find a decision just listed by the nominative in a source. I added it as a secondary identifier in the example above, but I am not at all sure that is correct.
2. Do we consider dissenting/concurring opinions as separate documents, or as parts of the main document?
3. Where do we encode pinpoint citations?
4. Did I do the manifestation parts correctly in the above examples? I was guessing.