

Florida Style Manual

Fourth Edition

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Introduction

The *Florida Style Manual* is designed to aid practitioners and scholars in the proper use of citation form for legal documents and scholarly articles. The *Manual* supplements the uniform citation system for Florida legal documents, Rule 9.800, *Florida Rules of Appellate Procedure*, and the standard citation authority for American legal journals, *The Bluebook: A Uniform System of Citation* (16th edition). The *Manual* is an outgrowth of the *Florida State University Law Review's* annual *Review of Florida Legislation*. From the conception of that project, the editors realized that citation to many Florida-specific sources—particularly those generated by the Florida Legislature—would be rendered almost meaningless if conventional *Bluebook* citation forms were followed. Other Florida sources were not addressed at all by *The Bluebook*. This *Florida Style Manual* provides meaningful citation forms for Florida materials.

The *Florida Style Manual* citation forms were first developed in 1985 by Floyd R. Self, the 1985 Legislative Editor. Because of the many changes that take place in the Legislature and state government over time, this *Manual* is periodically updated to account for these changes. The *Manual's* first revision occurred in 1991 and was coordinated by Marjorie C. Makar. Stephanie L. Williams coordinated the second revision in 1995. That edition retained many of the same citation rules provided in the previous editions, but was substantially restructured to cater to the needs of both practitioners and scholars. The proper citation form for various materials differs depending on the type of document the author is writing—legal document or scholarly work. These conflicts are at best confusing and oftentimes lead to improper citation form. While the 1995 edition improved upon this situation, numerous inconsistencies remained. It was the intent of the editors of this fourth edition to clarify these inconsistencies so that the *Manual* will be a valuable resource tool for both practitioners and scholars. Toward that end, the *Manual* now provides extensive examples of proper citation forms using the two typefaces commonly employed in legal documents and scholarly works. In addition, some citation forms have been either simplified or clarified. Here are some of the major changes:

Rule 2.2.2 reflects the new committee structure of the Florida House of Representatives following the 1996 elections. **Rule 5.7.1** is new. It provides citation forms for statutes that have been repealed. Similarly, **rule 5.7.2** has been added to provide citation forms for statutes that have been amended. **Rule 6** has been revamped to clarify Florida session law citations and conform them to the form used in *The Bluebook*.

The goal of proper citation form for all documents, whether legal documents or scholarly works, is one for which all authors should strive. Not only will it increase the integrity of the instrument, but it hopefully will result in better manuscripts that ultimately will advance legal scholarship and public policy in Florida. The *Law Review* welcomes and encourages comments or suggestions for improvement.

James H. Wyman
Editor-in-Chief, Volume 24
Florida State University Law Review

How to Use This Manual

This Manual is designed to be a “user friendly” resource for practitioners and scholars, providing proper citation form for Florida materials. It supplements the uniform citation system for Florida legal documents, Rule 9.800, *Florida Rules of Appellate Procedure* (1995), and the standard citation authority for American legal journals, *The Bluebook: A Uniform System of Citation* (16th ed.). Because the proper citation form for various materials differs depending on the type of document the author is writing—legal document or scholarly work—it is important to note the distinction and use the correct form.

The rules in the *Manual* are applicable to all types of legal writing, from legal documents to scholarly works. Where there are differing citation forms for legal documents and scholarly works, they are so designated. Otherwise, all of the citation examples given in the *Manual* conform to the typeface conventions required for legal documents. For a quick comparison to differing citation rules for legal documents and scholarly articles, see the following chart.

Quick Reference to Differing Citation Rules for Scholarly Articles and Legal Documents

	<i>Scholarly Articles</i>		<i>Legal Documents</i>	
	Text	Citation	Text	Citation
<i>Florida Statutes</i>	Section 90.803(3), Florida Statutes, provides*	FLA. STAT. § 90.803(3) (1995)	Section 90.803(3), Florida Statutes, provides	§ 90.803(3), Fla. Stat. (1995)
<i>Florida Statutes Annotated</i>		FLA. STAT. ANN. § xx (West 19xx)		xx Fla. Stat. Ann. xxx (Supp. 19xx)
Florida Constitution	Article IV, section 3 of the Florida Constitution	FLA. CONST. art. IV, § 3	Article IV, section 3 of the Florida Constitution	Art. IV, § 3, Fla. Const.
Laws of Florida	Chapter 96-159, Florida Laws, provides	Act effective Oct. 1, 1996, ch. 96-159, 1996 Fla. Laws 147	Chapter 96-159, Laws of Florida, provides	Ch. 96-159, Laws of Fla.
Florida Attorney General Opinions	In opinion 96-51, the attorney general	96-51 Fla. Op. Att’y Gen. 1 (1996)	In opinion 96-51, the attorney general	Op. Att’y Gen. Fla. 96-51 (1996)

* Language requiring emphasis may be *italicized* or underscored.

Contents

GENERAL RULES OF STYLE

1. CAPITALIZATION	1
1.1 Particular Persons, Places, or Things	1
1.2 Headings and Titles.....	1
1.3 Acts, Laws, Bills, Treaties, Constitutions.....	1
1.4 Government Entities.....	1
2. ABBREVIATIONS	2
2.1 In Text	2
2.1.1 State Agencies.....	3
2.2 In Footnotes	4
2.2.1 General	4
2.2.2 Legislative Committees.....	5
2.2.3 Legislation.....	8
2.2.4 State Agencies.....	8
2.2.5 Rules.....	10

BASIC CITATION FORMS

3. LEGISLATIVE MATERIALS	10
3.1 Florida Legislative Journals.....	11
3.1.1 In Text.....	11
3.1.2 In Footnotes or Stand-Alone Cites.....	11
3.1.3 Index	13
3.1.4 Uses of the Journals.....	13
3.1.5 Limitations	14
3.2 Legislative Bill Information Publications.....	14
3.2.1 Introduction	14
3.2.2 In Text.....	15
3.2.3 In Footnotes or Stand-Alone Cites.....	15
3.3 Full Committees, Select Committees, Subcommittees, and House Councils	16
3.4 Joint Legislative Committees.....	16
3.4.1 Statutory Joint Committees.....	16
3.4.2 Nonstatutory Joint Committees.....	16
3.5 Legislative Staff Analyses and Fiscal Notes.....	17
3.5.1 Staff Analysis.....	17
3.5.2 Senate Staff Analysis and Economic Impact Statement.....	17
3.5.3 Fiscal Notes.....	17
3.5.4 Short Forms: Use of “Hereinafter”.....	17
3.6 Official Legislative Branch Reports or Publications.....	17
3.6.1 Author.....	18
3.6.2 Title	18
3.6.3 Date.....	18
3.6.4 Location.....	18
3.6.5 Short Forms: Use of “Hereinafter”.....	19
3.6.6 Conference Committee Reports.....	19
3.7 Tape Recordings of Legislative Proceedings.....	19

3.7.1	House or Senate Formal Proceedings.....	19
3.7.2	Committee Proceedings.....	19
3.7.3	Short Forms: The Use of “Hereinafter”.....	20
3.8	Transcripts of Legislative Proceedings.....	20
3.8.1	Basic Form.....	20
3.8.2	Unusual Pagination.....	20
3.9	Legislative Computer Printouts.....	21
3.9.1	Statutory Revision Division.....	21
3.9.2	Economic and Demographic Research Division.....	21
3.10	Official Legislative Rules.....	21
3.10.1	In Text.....	21
3.10.2	In Footnotes or Stand-Alone Cites.....	21
3.10.3	Amendments to Rules and Proposed Rules.....	22
3.11	Identifying Information for Legislators.....	22
3.11.1	General Rule.....	22
3.11.2	First Reference Occurs in a Footnote.....	22
3.11.3	Former Legislators.....	22
3.11.4	Committee Heads.....	22
4.	BILLS	23
4.1	Introduction.....	23
4.2	Did the Bill Pass?.....	23
4.3	Proposed Committee Bills.....	23
4.3.1	In Text.....	23
4.3.2	In Footnotes or Stand-Alone Cites.....	24
4.4	Committee Substitutes and Amendments.....	24
4.4.1	In Text.....	24
4.4.2	Multiple Committee Substitutes.....	24
4.4.3	Committee Amendments to a Bill.....	25
4.5	Year of the Bill.....	25
4.6	Sections.....	25
4.6.1	Bills With Numbered Sections.....	25
4.6.2	Bills Without Numbered Sections.....	25
4.6.3	Special Rule—Page and Line Form.....	25
4.7	Parentheticals.....	26
4.7.1	Changing or Proposing Citations.....	26
4.7.2	Specific Version of a Bill.....	26
4.8	Titles of Bills.....	26
4.8.1	Location of Title on Bill.....	26
4.8.2	In Text.....	26
4.8.3	In Footnotes or Stand-Alone Cites.....	26
4.9	Subdivisions of Statutes and Bills.....	26
4.10	Appropriations Bills.....	27
4.10.1	General Information.....	27
4.10.2	Letter of Intent.....	27
5.	FLORIDA STATUTES	28
5.1	Authority.....	28
5.2	Chapters.....	28
5.3	Sections.....	28
5.4	In Text.....	28
5.4.1	Generally.....	28

5.4.2	Multiple Sections	29
5.4.3	Entire Chapters	29
5.5	In Footnotes or Stand-Alone Cites	29
5.5.1	Sections	30
5.5.2	Entire Chapter	31
5.6	Year of a Statute	31
5.6.1	In Text	31
5.6.2	In Footnotes	31
5.7	Historical Reference	32
5.7.1	Repeal	32
5.7.2	Amendment	32
5.8	Name of a Statute	33
5.9	Form for Quotation of Statutes	33
5.9.1	Basic Form of Statutes	33
5.9.2	Form of Block Quotation: Complete Quotation	33
5.9.3	Form of Block Quotation: Incomplete Quotation	33
5.9.4	Quoting Further Internal Subdivisions	34
6.	FLORIDA SESSION LAWS	34
6.1	Basic Form	34
6.1.1	In Text	34
6.1.2	In Footnotes or Stand-Alone Cites	35
6.2	Priority	35
6.3	Chapter Numbers	35
6.4	Section Numbers	36
6.5	Sections of Acts	36
6.5.1	Subsections of Acts	37
6.6	Names of Acts	37
6.6.1	In Text	37
6.6.2	Short Forms	37
6.6.3	In Footnotes or Stand-Alone Cites	37
6.7	Short Forms	38
6.7.1	Use of “ <i>Id.</i> ”	38
6.7.2	Other Acceptable Short Citation Forms	38
6.9	Parenthetical Indicating Statutory Change	39
6.9.1	General Rule	39
6.9.2	Creation of New Statutes: “To Be Codified At”	39
6.9.3	Creation of New Statutes: Codification Completed	39
6.9.4	Amending Existing Law	40
6.9.5	Amending and Recodifying Existing Law	40
6.9.6	Reenacting Law	40
7.	FLORIDA CONSTITUTIONAL MATERIALS	41
7.1	In Text	41
7.2	In Footnotes or Stand-Alone Cites	41
7.3	Research Materials: Florida Constitution	41
7.4	Annotations	41
7.5	Proposed Constitutional Amendments	42
8.	EXECUTIVE BRANCH MATERIALS	42
8.1	Executive Orders	42
8.1.1	In Text	42

8.1.2	In Footnotes or Stand-Alone Cites.....	42
8.2	Executive Veto	43
8.3	Executive Departments.....	43
8.3.1	In Text	43
8.3.2	In Footnotes or Stand-Alone Cites.....	43
8.4	Florida Attorney General Opinions.....	43
8.4.1	In Text	43
8.4.2	In Footnotes or Stand-Alone Cites.....	44
8.5	<i>Florida Administrative Code</i>	44
8.5.1	In Text	44
8.5.2	In Footnotes or Stand-Alone Cites.....	44
8.6	<i>Florida Administrative Weekly</i>	45
8.6.1	In Text	45
8.6.2	In Footnotes or Stand-Alone Cites.....	45
8.7	<i>Florida Administrative Law Reporter</i>	46
8.7.1	In Text	46
8.7.2	In Footnotes or Stand-Alone Cites.....	46
8.8	Public Employees Relations Commission Decisions.....	46
8.8.1	In Text	46
8.8.2	In Footnotes or Stand-Alone Cites.....	46
8.9	Florida Public Service Commission Decisions.....	47
8.9.1	In Text	47
8.9.2	In Footnotes or Stand-Alone Cites	47
8.10	<i>Florida Administrative Practice Manual</i>	47
8.10.1	In Text	47
8.10.2	In Footnotes or Stand-Alone Cites.....	47
9.	JUDICIAL BRANCH MATERIALS	48
9.1	Rules	48
9.2	Published Reports.....	48
9.3	Unpublished Minutes.....	49
9.4	Administrative Orders.....	49
9.5	Identifying Information for Judges.....	49
9.6	<i>Florida Bar Journal</i>	50
10.	FLORIDA CASES	50
10.1	Official Reporter.....	50
10.2	Unofficial Reporter.....	50
10.3	Courts.....	50
10.3.1	In Text	50
10.3.2	In Footnotes or Stand-Alone Cites.....	51
11.	MISCELLANEOUS REFERENCES	52
11.1	Correspondence: Letters, Memoranda, and Notes to the File.....	52
11.2	Interviews	52
11.3	Press Releases	53
11.4	Location Parentheticals.....	53
11.4.1	Committee That Wrote Document.....	53
11.4.2	Florida State Archives.....	53
11.4.3	Legislative Library	53
11.4.4	State Library.....	54

11.4.5	Law Reviews and Journals.....	54
11.4.6	Other Forms.....	54
11.5	Florida Newspapers.....	54

GENERAL RULES OF STYLE

1. CAPITALIZATION

The following are capitalization rules for words frequently used in legal writing. This list is not exclusive, and reference to *Bluebook* Rule 8 or the *Government Printing Office Style Manual* may be helpful.

1.1 Particular Persons, Places, or Things

In addition to proper nouns, capitalize words that designate a particular person, place or thing:

the Chief Justice	The Florida Bar
Congress	the Constitution
the Board of Bar Examiners	the Civil Rights Act

1.2 Headings and Titles

When referring to a heading or title in legal writing, capitalize all words except articles, conjunctions or prepositions with *four or fewer letters*—unless the article, conjunction or preposition is the first word or the word immediately following a colon.

Norton L. Steuben, *The Income Tax Treatment of Interests Acquired from a Ground Lessor*, 23 FLA. ST. U. L. REV. 863 (1996).

1.3 Acts, Laws, Bills, Treaties, Constitutions

Capitalize acts, laws, bills, and treaties only when referring to a specific act, law, bill or treaty.

Civil Rights Act of 1964	House Bill 281
Public Law 480	Treaty of Versailles

But:

The Senate bill stalled on the calendar for months.

The Sunday closing laws were originally efforts to promote church attendance.

Note: Also capitalize legislative sessions (i.e., the Regular Session, Special Session, or Organizational Session).

Capitalize references to the United States Constitution or parts thereof, and complete references to any other constitutions.

the Due Process Clause
Article 2, Section 3 of the Constitution
the Florida Constitution

1.4 Government Entities

(a) **Government Bodies.** Capitalize the names of governmental bodies.

House of Representatives Department of Justice

Senate

Internal Revenue Service

Only capitalize short forms of names of national and international bodies. Short forms of names of state and local governmental groups are not capitalized, except for purposes of emphasis.

(1) Courts. Capitalize the name of the court in the following circumstances:

- (a) When referring to the United States Supreme Court:

The Court concluded in *Roe v. Wade* that there is a constitutional right to privacy.

- (b) When referring to the full name of any court:

the Florida Supreme Court

But:

the supreme court

- (c) In legal documents when referring to the court in which the document will be submitted:

This Court accepted jurisdiction based on article V, section 3(b)(3) of the Florida Constitution.

(b) Government Officials

President Bill Clinton

Governor Lawton Chiles

When referring to titles of government officials which *follow* or *replace* a personal name, only capitalize the title in cases of high-ranking international, national, and state officials. It is appropriate, however, to capitalize titles of local government officials in writing where the intended reader would consider the government official to have a high rank.

the President

the Attorney General

the Secretary of State

[national]

the Governor

the attorney general

the secretary of state

[state]

2. ABBREVIATIONS

2.1 In Text

Generally, do not abbreviate anything in the text or in a textual discussion in footnotes, except case names as provided by *Bluebook* Rule 10.2.2, and state agencies as provided in Rule 2.1.1 below.

The United States Supreme Court declined to rule on the constitutionality of punitive damages in *Aetna Life Insurance Co. v. Lavoie*.

Jack Overstreet, Staff Director of the House Committee on Governmental Operations, told the Chairman of the Senate Committee on Appropriations that the funding for House Bill 1288 should be as approved by the House.

1. Representative Hector, in explaining the development of the bill, told the House Committee on Governmental Operations that similar acts of Missouri, Texas, Oregon, and Massachusetts were considered by the Subcommittee on Administrative Procedures.

2.1.1 State Agencies

The following acronyms for certain state agencies and divisions may be used on second reference either in the text or in a textual discussion in footnotes. The acronym should be identified after the first reference to the full title.

The public education campaign launched by the Department of Health and Rehabilitative Services (DHRS) in 1988 educated elderly Floridians about services available to them.

Note that some of the acronyms are used by more than one agency. If two or more agencies with the same acronym are mentioned in the same article, do not use the acronym. (*Agencies followed by an asterisk are either no longer in existence or have been renamed.*)

Agency	Text Abbreviation
Administration Commission	AC
Agency for Health Care Administration	AHCA
Board of Trustees of the Internal Improvement Trust Fund	BOT
Commission on Ethics	COE
Department of Administration*	DOA
Department of Agriculture & Consumer Services	DACS
Department of Banking & Finance	DBF
Department of Business Regulation*	DBR
Department of Business & Professional Regulation	DBPR
Department of Children & Family Services	DCFS
Department of Citrus	DOC
Department of Commerce	DOC
Department of Community Affairs	DCA
Department of Corrections	DOC
Department of Education	DOE
Department of Elder Affairs	DOEA
Department of Environmental Protection	DEP
Department of Environmental Regulation*	DER
Department of General Services*	DGS
Department of Health	DOH
Department of Health & Rehabilitative Services*	DHRS
Department of Highway Safety & Motor Vehicles	DHSMV
Department of Insurance	DOI
Department of Juvenile Justice	DJJ
Department of Labor & Employment Security	DLES
Department of Law Enforcement	DLE
Department of Legal Affairs	DLA
Department of the Lottery	DOL
Department of Management Services	DMS
Department of Military Affairs	DMA
Department of Natural Resources*	DNR
Department of Professional Regulation*	DPR

Department of Revenue	DOR
Department of State	DOS
Department of Transportation	DOT
Department of Veterans' Affairs	DVA
Division of Administrative Hearings	DOAH
Florida Elections Commission	FEC
Executive Office of the Governor	EOC
Game & Fresh Water Fish Commission	GFWFC
Health Care Board	HCB
Health Care Cost Containment Board*	HCCCB
Information Resource Commission	IRC
Judicial Qualifications Commission	JQC
Land & Water Adjudicatory Commission	LWAC
Marine Fisheries Commission	MFC
Office of Executive Clemency	OEC
Parole & Probation Commission	PPC
Parole Commission*	PC
Public Employees Relations Commission	PERC
Public Service Commission	PSC
State Board of Administration	BOA
State Board of Education	BOE
State Board of Regents	BOR

2.2 In Footnotes

The following abbreviations shall be used in citation sentences *only*, including any parentheticals in the citation sentence. In textual discussions in footnotes, as in regular text, do not use these abbreviations. Otherwise follow *Bluebook* Rule 10.2.2. The abbreviations are pluralized by adding the letter “s” inside the period.

2.2.1 General

Word	Abbreviation
annual	ann.
April	Apr.
assistant	ass't
attorney	att'y
Attorney General	Att'y Gen.
August	Aug.
Bankruptcy	Bankr.
chapter	ch.
Commission	Comm'n
Committee	Comm.
Constitution	Const.
December	Dec.
Democrat	Dem.
Director	Dir.
Division	Div.
Executive	Exec.
February	Feb.
Florida	Fla.
Florida Supreme Court	Sup. Ct. of Fla.

footnote	n. (when citing a footnote, e.g., n.7) note (when cross referencing, e.g., supra note 7)
Fort	Ft. (when used as a part of a city's name)
Governor	Gov.
Governor's	Gov.'s
Honorable	Hon.
House of Representatives	H.R.
January	Jan.
July	July
June	June
legislative	legis.
Legislature	Legis.
Lieutenant Governor	Lt. Gov.
Management	Mgmt.
March	Mar.
May	May
November	Nov.
October	Oct.
paragraph	¶
President	Pres.
report	rep.
Representative	Rep.
Republican	Repub.
Saint	St.
secretary	sec'y
section	§
Senate	S.
Senator	Sen.
September	Sept.
Statutes	Stat.
Subcommittee	Subcomm.

2.2.2 Legislative Committees

For citation form, see Rules 3.3 and 3.4, *infra*. (*Legislative committees followed by an asterisk are either no longer in existence or have been re-named.*)

Senate Committee	Abbreviation
Agriculture	Agric.
Appropriations*	Approp.
Banking and Insurance	Banking & Ins.
Commerce*	Com.
Commerce and Economic Opportunity	Com. & Econ. Opp.
Community Affairs	Comm'y Aff.
Corrections, Probation & Parole*	Correct., Probat. & Parole
Criminal Justice	Crim. Just.
Education	Educ.
Executive Business, Ethics & Elections	Exec. Bus., Ethics & Elec.
Finance, Taxation & Claims*	Fin., Tax'n & Claims

Governmental Operations*	Govtl. Ops.
Governmental Reform & Oversight	Gov't Reform & Oversight
Health & Rehabilitative Services	HRS
Health & Rehabilitative Services Reorganization*	HRS Reorg.
Health Care	Health Care
Higher Education	Higher Educ.
International Trade, Economic Development & Tourism*	Int'l Trade, Econ. Dev. & Tourism
Judiciary	Judiciary
Natural Resources	Nat. Resources
Natural Resources & Conservation*	Nat. Resources & Conser.
Personnel, Retirement & Collective Bargaining*	Pers'l, Ret. & Coll. Barg.
Professional Regulation*	Prof. Reg.
Reapportionment*	Reapp.
Regulated Industries	Reg'd Indus.
Rules & Calendar	Rules & Calendar
Transportation	Transp.
Ways and Means	Ways and Means

House Committee

Academic Excellence Council
Aging and Human Services*
Agriculture*
Agriculture & Consumer Services*
Appropriations
Business & Professional Regulation*
Business Development &
International Trade
Business Regulation &
Consumer Affairs
Children & Family Empowerment
Civil Justice & Claims
Claims*
Commerce*
Community Affairs
Community Colleges & Career Prep
Colleges & Universities
Corrections
Criminal Justice
Crime & Punishment
Economic Impact Council
Education*
Education Innovation
Education/K-12
Election Reform
Employee & Management Relations*
Environmental Protection
Ethics & Elections*
Finance & Taxation
Financial Services
Fiscal Responsibility Council

Abbreviation

Acad. Excel.
Aging & Human Serv.
Agric.
Agric. & Consumer Serv.
Approp.
Bus. & Prof. Reg.
Bus. Dev. & Int'l Trade

Bus. Reg. & Consumer Aff.

Child. & Fam. Empwmt.
Civ. Just. & Cl.
Cl.
Com.
Comm'y Aff.
Comm'y Coll. & Career Prep
Coll. & Univ.
Correct.
Crim. Just.
Crime & Pun.
Econ. Impact
Educ.
Educ. Innov.
Educ./K-12
Elec. Reform
Empl. & Mgmt. Rel.
Envtl. Prot.
Ethics & Elec.
Fin. & Tax'n
Fin. Servs.
Fiscal Resp.

General Government	Gen. Gov't
Governmental Operations	Govtl. Ops.
Governmental Reform & Oversight*	Govtl. Reform & Oversight
Governmental Responsibility Council	Govtl. Resp.
Governmental Rules & Regulations	Govtl. Rules & Regs.
Governmental Services Council	Govtl. Servs.
Health & Human Services	Health & Hum. Servs.
Health & Rehabilitative Services*	HRS
Health Care*	Health Care
Health Care Services	Health Care Servs.
Health Care Standards & Regulatory Reform	Health Care Stds. & Reg. Reform
Higher Education*	Higher Educ.
House Administration*	H. Admin.
Insurance*	Ins.
Judiciary*	Judiciary
Juvenile Justice	Juv. Just.
Justice Council	Just.
Law Enforcement & Public Safety	Law Enf. & Pub. Saf.
Long Term Care	Long Term Care
Natural Resources*	Nat. Resources
Postsecondary Education*	Postsec. Educ.
Procedural Council	Proc.
Public Schools*	Pub. Schs.
Real Property & Probate	Real Prop. & Prob.
Reapportionment	Reapp.
Regulated Industries*	Reg'd Indus.
Regulated Services	Reg'd Servs.
Rules and Calendar*	Rules & Cal.
Rules, Resolutions & Ethics	Rules, Resol. & Ethics
Tourism	Tourism
Tourism & Cultural Affairs*	Tourism & Cultural Aff.
Tourism, Hospitality & Economic Development*	Tourism, Hosp'y & Econ. Dev.
Transportation	Transp.
Transportation & Economic Development	Transp. & Econ. Dev.
Utilities & Telecommunications*	Util. & Telecom.
Utilities & Communications	Util. & Comm.
Veterans & Military Affairs & Emergency Preparedness*	Vet. & Mil. Aff. & Emerg. Prep.
Vocational/Technical Education*	Voc./Tech. Educ.
Water & Resource Management	Water & Resource Mgmt.

Joint Committees

Administrative Procedures
Advisory Council on Environmental Education*
Advisory Council on Intergovernmental Relations*
Florida Legislative Committee on Intergovernmental Relations
Information Technology Resources

Abbreviations

Jt. Admin. Procs. Comm.
Jt. Advis. Council on Envtl. Educ.
Jt. Advis. Council on Intergovtl. Rel.
Jt. Legis. Comm. on Intergovtl. Rel.
Jt. Comm. Info. Tech. Resources

Legislative Auditing	Jt. Legis. Audit. Comm.
Legislative Management Committee	Jt. Legis. Mgmt. Comm.

2.2.3 Legislation

House Bill	HB
Senate Bill	SB
Committee Substitute for Senate Bill	CS for SB
Committee Substitute for Committee Substitute for Senate Bill	CS for CS for SB
House Committee Substitute for Senate Bill	HCS for SB
Senate Committee Substitute for House Bill	SCS for HB
House Joint Resolution	HJR
Senate Joint Resolution	SJR
House Concurrent Resolution	HCR
Senate Concurrent Resolution	SCR
Proposed Committee Bill	PCB
Proposed Committee Substitute	PCS

2.2.4 State Agencies

The following abbreviations shall be used in citation sentences *only*, not in text or textual sentences in footnotes. However, do not abbreviate the first word of the name of a party in a citation. See *Bluebook* Rule 10.2.2. (*Agencies followed by an asterisk are either no longer in existence or have been renamed.*)

Agency	Citation Abbreviation
Administration Commission	Admin. Comm'n
Agency for Health Care Administration	Ag. for Health Care Admin.
Board of Trustees of the Internal Improvement Trust Fund	Board of Trust. of the Int. Imp. Trust Fund
Commission on Ethics	Comm'n on Ethics
Department of Administration*	Dep't of Admin.
Department of Agriculture & Consumer Services	Dep't of Agric. & Consumer Servs.
Department of Banking & Finance	Dep't of Bank. & Fin.
Department of Business & Professional Regulation	Dep't of Bus. & Prof. Reg.
Department of Children & Family Services	Dep't of Child. & Fam. Servs.
Department of Citrus	Dep't of Citrus
Department of Commerce	Dep't of Com.
Department of Community Affairs	Dep't of Comm'y Aff.
Department of Corrections	Dep't of Correct.
Department of Education	Dep't of Educ.
Department of Elder Affairs	Dep't of Elder Aff.
Department of Environmental Protection	Dep't of Env'tl. Prot.

Department of Environmental Regulation*	Dep't of Env'tl. Reg.
Department of General Services*	Dep't of Gen. Servs.
Department of Health	Dep't of Health
Department of Health & Rehabilitative Services*	Dep't of HRS
Department of Highway Safety & Motor Vehicles	Dep't of High. Saf. & Motor Veh.
Department of Insurance	Dep't of Ins.
Department of Juvenile Justice	Dep't of Juv. Just.
Department of Labor & Employment Security	Dep't of Labor & Employ. Sec.
Department of Law Enforcement	Dep't of Law Enforce.
Department of Legal Affairs	Dep't of Legal Aff.
Department of the Lottery	Dep't of Lott.
Department of Management Services	Dep't of Mgmt. Servs.
Department of Military Affairs	Dep't of Mil. Aff.
Department of Natural Resources*	Dep't of Nat. Resources
Department of Professional Regulation*	Dep't of Prof. Reg.
Department of Revenue	Dep't of Rev.
Department of State	Dep't of State
Department of Transportation	Dep't of Transp.
Department of Veterans' Affairs	Dep't of Vet. Aff.
Division of Administrative Hearings	Div. of Admin. Hearings
Division of Elections	Div. of Elec.
Ethics Commission	Ethics Comm'n
Executive Office of the Governor	Exec. Office of the Gov.
Florida Elections Commission	Fla. Elec. Comm'n
Game & Fresh Water Fish Commission	Game & Fresh Water Fish Comm'n
Health Care Board	Health Care Bd.
Health Care Cost Containment Board*	Health Care Cost Contain. Bd.
Information Resource Commission	Info. Res. Comm'n
Office of Executive Clemency	Off. of Exec. Clemency
Judicial Qualifications Commission	Jud. Qual. Comm'n
Land & Water Adjudicatory Commission	Land & Water Adj. Comm'n
Marine Fisheries Commission	Marine Fish. Comm'n
Parole & Probation Commission	Parole & Probation Comm'n
Parole Commission*	Parole Comm'n
Public Employees Relations Commission	Public Empls. Rels. Comm'n
Public Service Commission	Public Serv. Comm'n
State Board of Administration	State Bd. of Admin.
State Board of Education	State Bd. of Educ.
State Board of Regents	State Bd. of Regents

2.2.5 Rules

(a) Rules of court. (refer to Rule 9.1 for typeface conventions).

Fla. R. Civ. P. 1.180
 Fla. R. Crim. P. 3.850
 Fla. R. Cert. & Ct.-Apptd. Mediators 10.020
 Fla. R. Jud. Admin. 2.035
 Fla. R. Work. Comp. P. 4.113
 Fla. Prob. R. 5.120
 Fla. R. Traf. Ct. 6.165
 Fla. Sm. Cl. R. 7.070
 Fla. R. Juv. P. 8.070
 Fla. R. App. P. 9.100
 Fla. Admin. Code R. 8H-3.02
 Fla. Code Jud. Conduct, Canon 5B
 Fla. Bar Code Prof. Resp. D.R. 1-101(A)
 R. Regulating Fla. Bar 4-1.10
 Fla. Bar Found. By-Laws, art. 2.18(b)
 Fla. Bar Found. Charter, art. 3.4
 Fla. Bar Integr. R., art. XI, rule 11.09
 Fla. Bd. Bar Exam. R. III
 Fla. Fam. L.R.P. 12.490
 Fla. Jud. Qual. Comm'n R. 9
 Fla. Std. Jury Instr. (Civ.) 6.4(c)
 Fla. Std. Jury Instr. (Crim.) [page no.]
 Fla. Stds. Imposing Law. Sancs. 9.3
 Fla. Stds. Imposing Law Sancs. (Drug Cases) 3
 Fla. Bar Admiss. R., art. III

(b) Legislative Rules. (refer to Rule 3.10.2 for typeface conventions)

Fla. H.R. Rule 1.6
 Fla. S. Rule 4.6

BASIC CITATION FORMS

3. LEGISLATIVE MATERIALS

Typeface of Legislative Materials

Legal Documents:

Generally, the name of a published official legislative material is under-scored or *italicized* in footnotes or stand-alone cites in legal documents. The author's name, whether a person or an institution, appears in ordinary roman type. See Rule 3.6.1, *infra*.

2. Fla. S. Jour. 1397-98 (Reg. Sess. 1990).

3. Fla. S. Comm. on Fin., Tax'n & Claims, History of Florida Tax Study Commissions 1911-1988, at 3 (1988) (available at Fla. Dep't of State, Bureau of Archives & Records Management, Fla. State Archives, Tallahassee, Fla.)

Unpublished or unofficial materials (e.g., computer printouts, unofficial staff analyses, tape recordings, and transcripts) appear in ordinary roman type.

4. Fla. S. Comm. on Com., CS for SB 1 (1985) Staff Analysis 2 (final June 10, 1985) (on file with comm.).

5. Fla. H.R. Comm. on Govtl. Ops., Subcomm. on Governmental Effectiveness, unpaginated draft transcript of proceedings (Feb. 20, 1991) (on file with comm.).

Scholarly Works:

Generally, the name of a published official legislative material appears in large and small capital letters in the footnotes of scholarly articles. The author's name, whether a person or an institution, also appears in large and small capital letters. See Rule 3.6.1, *infra*.

6. FLA. S. JOUR. 1397-98 (Reg. Sess. 1990).

7. FLA. S. COMM. ON FIN., TAX'N & CLAIMS, HISTORY OF FLORIDA TAX STUDY COMMISSIONS 1911-1988, at 3 (1988) (available at Fla. Dep't of State, Bureau of Archives & Records Management, Fla. State Archives, Tallahassee, Fla.)

Unpublished or unofficial materials (e.g., computer printouts, unofficial staff analyses, tape recordings, and transcripts) appear in ordinary roman type.

8. Fla. S. Comm. on Com., CS for SB 1 (1985) Staff Analysis 2 (final June 10, 1985) (on file with comm.).

9. Fla. H.R. Comm. on Govtl. Ops., Subcomm. on Governmental Effectiveness, unpaginated draft transcript of proceedings (Feb. 20, 1991) (on file with comm.).

3.1 Florida Legislative Journals

3.1.1 In Text

Both the House and the Senate publish an official journal for each day that each house is in formal session. Specific references to the House or Senate journals should be underscored or *italicized*.

Representative Jones reported in the Journal that she abstained from voting on House Bill 256 because she had a financial interest in the subject matter of the bill.

3.1.2 In Footnotes or Stand-Alone Cites

(a) Basic Form. The basic form is:

Fla. [S. or H.R.] Jour. [page] (session designation and year).

Legal Documents:

10. Fla. S. Jour. 903 (Reg. Sess. 1990).

Scholarly Works:

11. FLA. S. JOUR. 903 (Reg. Sess. 1990).

(b) Numbering Problems. The reason for indicating in the parenthetical whether it is a regular session, special session, or an organizational session is that the Legislature begins a new set of page numbers each time a new session convenes (the 1976 House Journal is one of the few exceptions). Also, more than one session may be bound in the same volume.

The following examples are in the same volume:

- FLA. H.R. JOUR. (Org. Sess. 1988).
- FLA. H.R. JOUR. (Reg. Sess. 1989).

The following examples are in the same volume:

- FLA. S. JOUR. (Reg. Sess. 1989).
- FLA. S. JOUR. (Spec. Sess. A 1989).
- FLA. S. JOUR. (Spec. Sess. B 1989).

(c) Multiple Special Sessions. If a single volume reports more than one special session, regular session, or organizational session having the same year, and the sessions by designation are indistinguishable, then cite the exact date.

The following special session examples are in the same volume:

- FLA. H.R. JOUR. (Spec. Sess. 1969).
- FLA. H.R. JOUR. (Spec. Sess. Oct. 9, 1970).
- FLA. H.R. JOUR. (Spec. Sess. June 10, 1970).

[Note: In 1969 there was only one special session of the Legislature, therefore, an exact date is unnecessary for its citation.]

Even though the years are the same in the following examples, the exact date is unnecessary because the session types are distinguishable by their designations:

- FLA. S. JOUR. (Spec. Sess. A 1989).
- FLA. S. JOUR. (Spec. Sess. B 1989).

(d) Unbound Copies of the Journals. Use the same basic forms except include in the parenthetical the exact date for the page number being cited. Ordinarily, this will arise only for the journals of the immediate past session.

12. FLA. H.R. JOUR. 604 (Reg. Sess. Apr. 17, 1991).
13. FLA. S. JOUR. 1430 (Reg. Sess. May 1, 1991).
14. FLA. S. JOUR. 9 (Spec. Sess. B Jan. 22, 1991).

(e) Special Parentheticals. In addition to the basic form, it is often helpful to include a second parenthetical that pinpoints the exact action being cited. This may include a particular bill, amendment, conference committee report, bill reference, or any other relevant action. If this form is used, it may also be necessary to indicate two page numbers: the first page number indicates where the relevant action starts, and the second page number pinpoints the exact item being cited.

15. FLA. H.R. JOUR. 665 (Reg. Sess. 1985) (rep. of standing comms.).

In the following examples, the first page number references where the bill was first considered for action on the floor, and the second page number indicates where the vote was recorded:

16. FLA. H.R. JOUR. 1885, 1886 (Reg. Sess. 1990) (reconsideration of Fla. CS for SB 2794).

17. FLA. H.R. JOUR. 1041, 1042 (Reg. Sess. 1994) (amendment 1 to Fla. CS for HB 237, § 3 (1994)) (proposed amendment to FLA. STAT. § 120.52(8) (1993)).

(f) Short Forms: The Use of “*Id.*”

Complete Reference: Use “*id.*” alone only when the footnote refers to everything in the preceding note.

Partial Reference: If the reference is to the same general matter or to a different matter, then use the form “*id.*” followed by the word “*at*” and the page number the citation is to (if the cite is to a different page), and then an appropriate parenthetical to pinpoint the matter.

For example, if the *id.* citation is to the same bill, but to a different amendment, cite as follows:

18. FLA. S. JOUR. 577, 595-96 (Reg. Sess. 1990) (amendment 1B).

19. *Id.* at 596-97 (amendment 2).

If the *id.* citation is to different bills, the first page number references where the report starts and the second page number references where the vote is recorded:

20. FLA. S. JOUR. 1005, 1006 (Reg. Sess. 1985) (Conference Comm. Rep. on Fla. CS for HJR 386); *id.* at 1006, 1008 (Conference Comm. Rep. on Fla. CS for HB 387); FLA. H.R. JOUR. 1160, 1162 (Reg. Sess. 1985) (Conference Comm. Rep. on Fla. CS for HB 387); *id.* at 1162, 1163 (Reg. Sess. 1985) (Conference Comm. Rep. on Fla. CS for HJR 386).

3.1.3 Index

There is a separate index for each session, but no master index for the bound volume. For the current session, before the index is available, the daily legislative computer printout (the *Daily Legislative Bill Information* [sometimes entitled *Provisional Legislative Bill Information*]) will contain a cross-reference to the journal for each entry.

3.1.4 Uses of the Journals

The journals should be cited whenever there is a footnote reference to committee or floor actions, including floor amendments. Do not cite to the Legislature’s computer printout (either the *Daily Legislative Bill Information* or the end of the session’s *Final Legislative Bill Information* [previously entitled *History of Legislation*]). Note that the Legislature’s computer printouts cross-reference committee and floor actions to the respective journals.

The most important use of the journals is to trace bill history. There are indices by subject and bill number. Be sure to check the journals and the Legislature's computer printout (either the *Daily Legislative Bill Information* or the end of the session's *Final Legislative Bill Information*) because each has information that the other does not.

Each journal has basic data about the number of bills introduced each session, a listing of the bills introduced by each legislator, all roll call votes, and a verbatim statement of every amendment to a bill in floor debate. One of the journals usually reproduces the Governor's messages to the Legislature.

3.1.5 Limitations

Unlike the *Congressional Record*, the journals do not reproduce a transcript of the floor debate. Debate must be listened to from tape recording. See Rule 3.7, *infra*.

Each journal begins only on the first day of a legislative session and is published only for each day the House or Senate meets in formal session. The journals are not published during the interim and do not carry any reports of interim committee activity.

When reporting the date a bill was introduced, note that the first reading of each bill reported in the journal at the start of each session is a formality observed for State constitutional reasons. Many bills are pre-filed, and often committee activity has taken place before the legislative session officially commences. To determine the date of pre-filing and to learn of any interim committee action, examine the appropriate bill report in either the *Daily Legislative Bill Information* or the end of the session's *Final Legislative Bill Information*.

3.2 Legislative Bill Information Publications

3.2.1 Introduction

Each day of the legislative session the Legislative Information Division produces a report in the form of a bound computer printout entitled *Daily Legislative Bill Information* (sometimes entitled *Provisional Legislative Bill Information*). At the end of the session, the Division produces a final version of this computer printout and renames the report *Final Legislative Bill Information*. Before the 1987 special sessions B, C, and D, the final version was entitled *History of Legislation*.

Both of these documents are indexed by subject, bill number, and legislator, with each day's report including the cumulative action to date and whether there are any companion or similar bills for each bill as of the date of publication. Additionally, *Final Legislative Bill Information* shows the final disposition of all bills, including the date of the Governor's signing or vetoing, the session law chapter numbers of approved legislation, and various statistical reports for the session.

These documents also have an index by statute number that lists all bills introduced that relate to identified chapters or sections of the Florida Sta-

utes. This provides a quick way to find out if a statute has been repealed or modified. Note, however, that this is not foolproof because not all bills are keyed to specific statutes.

3.2.2 In Text

Do not mention these legislative computer printouts in the text. It is more appropriate to discuss the action or source referenced by the printout rather than to discuss the printout's memorialization of the action.

3.2.3 In Footnotes or Stand-Alone Cites

Only the *Final Legislative Bill Information* (or *History of Legislation*, as previously entitled) is ever cited, and then only for actions that are not otherwise indicated in the journals or session laws.

The basic form is:

Fla. Legis., [Final Legislative Bill Information or History of Legislation], [year of session and type of session], History of [House or Senate] Bills at [page number], [bill number under discussion].

Legal Documents:

21. Fla. Legis., Final Legislative Bill Information, 1990 Regular Session, History of House Bills at 419, CS for HB 2539.

Scholarly Works:

22. FLA. LEGIS., HISTORY OF LEGISLATION, 1985 REGULAR SESSION, HISTORY OF SENATE BILLS at 23, SB 159.

(a) Short Forms: The Use of "Id."

Complete Reference: When the next reference is to the same year's report and to the same house's bill report, use "id.," the page number cited, and the bill number under discussion.

23. FLA. LEGIS., FINAL LEGISLATIVE BILL INFORMATION, 1989 REGULAR SESSION, HISTORY OF SENATE BILLS at 82, SJR 341; id. at 37, SB 46.

Partial Reference: When the next reference is to the same year's report but to the other house's history, use the following form:

24. FLA. LEGIS., FINAL LEGISLATIVE BILL INFORMATION, 1990 REGULAR SESSION, HISTORY OF HOUSE BILLS at 204, HB 1127.

25. Id., HISTORY OF SENATE BILLS at 224, SB 2890.

26. See, e.g., FLA. LEGIS., HISTORY OF LEGISLATION, 1976 REGULAR SESSION, HISTORY OF SENATE BILLS at 123, SB 387; id., HISTORY OF HOUSE BILLS at 390, HB 2590; FLA. LEGIS., HISTORY OF LEGISLATION, 1977 REGULAR SESSION, HISTORY OF HOUSE BILLS at 56, HB 219.

(b) Short Forms: Use of "Hereinafter." As a general rule, "hereinafter" forms should not be used with *Final Legislative Bill Information* if there is more than one house's bill report cited in the entire article. However, if within an article there are references to only one *Final Legislative Bill Information*

and it is to only one house's bill report, then the hereinafter form may be used. Note that the hereinafter form takes the same type style as the full citation form.

In the following example, the bill report is the only one cited in the document:

27. FLA. LEGIS., HISTORY OF LEGISLATION, 1985 REGULAR SESSION, HISTORY OF SENATE BILLS at 8, SJR 27 [hereinafter HISTORY OF SENATE BILLS].

3.3 Full Committees, Select Committees, Subcommittees, and House Councils

Use the abbreviations in Rule 2.2.2, *supra*. When referring to a committee in a citation sentence in a footnote, the form is:

Fla. [H.R. or S.] Comm. on [abbreviation for committee].
Fla. [H.R. or S.] Select Comm. on [abbreviation for committee].

When citing to a subcommittee, the form is:

Fla. [H.R. or S.] Comm. on [abbreviation for committee], Subcomm. on [full name of committee, not abbreviated].

When citing to a council of the House of Representatives, the form is:

Fla. H.R. [abbreviation for council] Council.

3.4 Joint Legislative Committees

There are two types of joint committees in the Florida Legislature. The first type, created by the Speaker and the President, continues as a committee for a definite period to investigate a particular topic. The second type of joint committee is created by statute to continue indefinitely.

3.4.1 Statutory Joint Committees

Use the statutory name specified in chapter 11, *Florida Statutes*. Use the abbreviations in Rule 2.2.2, *supra*. The basic form is:

Fla. Legis. [abbreviation for committee]

But:

Fla. Jt. Legis. Audit Comm.
Fla. Jt. Legis. Mgmt. Comm.

3.4.2 Nonstatutory Joint Committees

Use the abbreviations in Rule 2.2.2. Follow the basic rules for committee names set out above, except that the form will be:

Fla. Legis. Jt. Comm. on [abbreviation for committee]

3.5 Legislative Staff Analyses and Fiscal Notes

3.5.1 Staff Analysis

The basic form is:

Fla. [H.R. or S.] Comm. on [abbreviation of committee name], [bill and number] (year of bill) Staff Analysis [page cited] (parenthetical indicating version of analysis and date) (location of analysis).

The original version will have only the date. Use the abbreviation “rev.” for revised, “2d rev.” for a second revision that is not indicated as the final version, and spell out “final” if the analysis indicates that it is the final version.

28. Fla. H.R. Comm. on HRS, HB 19-A (1984) Staff Analysis 2 (final Dec. 12, 1984) (on file with comm.).

29. Fla. H.R. Comm. on HRS, HB 715 (1985) Staff Analysis 3 (rev. Apr. 16, 1985) (on file with comm.).

3.5.2 Senate Staff Analysis and Economic Impact Statement

The Senate “Staff Analysis and Economic Impact Statement” is cited only as a “Staff Analysis” and follows the basic form.

30. Fla. S. Comm. on Com., CS for SB 1162 (1985) Staff Analysis 2 (May 2, 1985) (on file with comm.).

3.5.3 Fiscal Notes

The fiscal notes produced by the House Finance and Taxation Committee and the House Appropriations Committee are cited like a staff analysis except that the phrase “Fiscal Note” is substituted for the phrase “Staff Analysis.” Because the Senate fiscal note is a part of the “Staff Analysis and Economic Impact Statement” there will be no references to Senate fiscal notes.

31. Fla. H.R. Comm. on Approp., HB 261 (1985) Fiscal Note 1 (May 22, 1985) (on file with comm.).

3.5.4 Short Forms: Use of “Herein after”

Short forms should include enough information to identify and distinguish the citation from any other short forms that might be used in the article. This may include as little as an abbreviation for the committee and the phrase “Staff Analysis.” Note that the hereinafter form takes the same type style as the full citation.

32. Fla. S. Comm. on HRS, SB 708 (1985) Staff Analysis 1 (May 2, 1985) (on file with comm.) [hereinafter HRS Comm. SB 708 Staff Analysis].

3.6 Official Legislative Branch Reports or Publications

Legal Documents:

Generally, the name of an official legislative branch report or publication is underscoped or *italicized* in footnotes or stand-alone cites. The author’s name should appear in ordinary roman type.

33. Fla. S. Comm. on Govtl. Ops., A Review of Indexing of Agency Orders Issued Pursuant to Chapter 120, F.S., Administrative Procedure Act 5-7 (1989) (on file with comm.).

Scholarly Works:

Generally, the name of an official legislative branch report or publication and the name of its author appears in large and small capital letters.

34. FLA. H.R. BILL DRAFTING SERV., GUIDELINES FOR BILL DRAFTING 3 (1989).

3.6.1 Author

Legal Documents:

The author's name, whether a person or an institution, appears in ordinary roman type. Institutional authors may be abbreviated. For legislative committee staff authors, use the appropriate committee abbreviations. For individuals, use the author's full name. Shorten any middle name to a middle initial unless the author uses an initial in place of his or her first name, in which case retain the first initial and the full middle name.

Scholarly Works:

The author's name, whether a person or an institution, will appear in large and small capital letters. Institutional authors may be abbreviated. For legislative committee staff authors, use the appropriate committee abbreviations. For individuals, use the author's full name. Shorten any middle name to a middle initial unless the author uses an initial in place of his or her first name, in which case retain the first initial and the full middle name.

3.6.2 Title

Legal Documents:

The title of the publication should be underscored or *italicized* and reproduced exactly as it appears on the title page. Do not abbreviate the title unless it is abbreviated in the original. For some reports there will not be a formal title; it will be "Final Report" or something similar.

Scholarly Works:

The title of the publication should appear in large and small capital letters and be reproduced exactly as it appears on the title page. Do not abbreviate the title unless it is abbreviated in the original. For some reports there will not be a formal title; it will be "Final Report" or something similar.

3.6.3 Date

Abbreviate the month, if used. Rule 2.2 sets forth the abbreviations for the names of the months.

3.6.4 Location

The place where someone may acquire or examine the report should be indicated in a parenthetical.

3.6.5 Short Forms: Use of “Hereinafter”

Short forms should include enough information to identify and distinguish the citation from any other short forms that might be used in the article.

3.6.6 Conference Committee Reports

These reports are not formal reports in the sense that they are formally published or printed. Rather, they are usually short summaries prepared by the conference committee for a bill that explains to each house which version of the underlying bill is being recommended. These reports should be cited to the House or Senate journal, see Rule 3.1, when they are reproduced therein; otherwise the typewritten report may be cited, with a parenthetical indicating where a copy may be obtained.

Legal Documents:

35. Fla. S. Jour. 1005 (Reg. Sess. May 31, 1985) (Conference Comm. Rep. on Fla. CS for HJR 386); Fla. H.R. Jour. 1160 (Reg. Sess. May 31, 1985) (Conference Comm. Rep. on Fla. CS for HJR 386).

Scholarly Works:

36. FLA. S. JOUR. 1005 (Reg. Sess. May 31, 1985) (Conference Comm. Rep. on Fla. CS for HJR 386); FLA. H.R. JOUR. 1160 (Reg. Sess. May 31, 1985) (Conference Comm. Rep. on Fla. CS for HJR 386).

3.7 Tape Recordings of Legislative Proceedings

Ordinarily, legislative debates and testimony are not transcribed in full. Tape recordings for formal sessions of either house are available through the Clerk of the House or Secretary of the Senate. Tapes of committee debates are made by the respective committees. Each recording is retained by the Clerk, Secretary, or the individual committees for several years. When finished with the tapes, usually after each biennium, they are sent to the Legislative Library. The Legislative Library eventually sends all legislative materials to the Florida State Archives in the R.A. Gray Building, Tallahassee, Florida.

3.7.1 House or Senate Formal Proceedings

The basic form is:

Fla. [S. or H.R.], tape recording of proceedings (date) (location) (nature of matter under discussion or person who spoke).

Generally, the location parenthetical will be either “on file with Secretary” or “on file with Clerk.”

37. Fla. S., tape recording of proceedings (Apr. 12, 1990) (on file with Secretary) (discussion of access to the floor of the Senate under SJR 2).

3.7.2 Committee Proceedings

The basic form is:

Fla. [S or H.R.] Comm. on [abbreviation for committee], [name of subcommittee if appropriate], tape recording of proceedings (date) (location) (nature of matter under discussion or person who spoke).

Generally, both committee and subcommittee tapes are kept on file with the committee.

38. Fla. H.R. Comm. on Com., Subcomm. on Small Business, tape recording of proceedings (Apr. 16, 1985) (on file with comm.) (testimony of Barbara Garrett, representing the Northwest Fla. Creek Indians).

3.7.3 Short Forms: The Use of “Hereinafter”

Short form references may be used with either chamber or committee tapes. These short forms should include enough information to identify and distinguish the citation from any other of the short forms. This may include a committee’s proper abbreviation or the date of the tape. Note that the hereinafter form is in the same typestyle as the full citation. Also note that the hereinafter designation should go immediately after the full cite but before additional specific information that may vary from cite to cite.

39. Fla. S. Comm. on Approp., tape recording of proceedings (May 23, 1985) (on file with comm.) [hereinafter S. Approp. Tape].

40. Fla. S. Comm. on Rules & Calen., tape recording of proceedings (Apr. 5, 1990) (on file with comm.) [hereinafter April Committee Debate] (comments of Sen. Curt Kiser, Repub., St. Petersburg).

3.8 Transcripts of Legislative Proceedings

3.8.1 Basic Form

The basic form is:

Fla. [S. or H.R.] [committee, if applicable], transcript of proceedings [or hearing, as appropriate] at [page] (date of tape) (location of tape) (nature of matter under discussion or person who spoke).

41. Fla. H.R. Select Comm. on Sovereignty Lands, transcript of hearing at 40 (June 7, 1978) (available at Fla. Dep’t of State, Div. of Archives, Tallahassee, Fla.) [hereinafter H.R. SCSL Transcript] (statement of David Gluckman).

3.8.2 Unusual Pagination

If the transcript is not continuously paginated or the transcript is only a part of the hearing or proceeding, modify the usual form so that the citation will properly direct the reader to the location of the information.

42. Fla. S. Select Comm. on Sovereignty Lands, unpaginated partial transcript of tape recording of proceedings, lines 375-83 (June 6, 1978, tape 1) (available at Fla. Dep’t of State, Div. of Archives, Tallahassee, Fla.) (statement of Dean Frank E. Maloney).

Where the statement of the witness has its own pagination, cite as follows:

43. Fla. H.R. Select Comm. on Oil Spill Legislation, Statement of C. Jensen at 2 (Oct. 11, 1973) (on file with comm.).

3.9 Legislative Computer Printouts

3.9.1 Statutory Revision Division

The Legislature's Statutory Revision Division has the full text of the Florida Statutes on computer. When requested, the Division will conduct searches of the statutes; these searches can be of key words or phrases.

When used as a citation, the form is:

Fla. Jt. Legis. Mgmt. Comm., Div. of Statutory Revision, computer printout at [page] (date) (nature of search or matter under discussion) (location where copy of printout may be obtained).

44. Fla. Jt. Legis. Mgmt. Comm., Div. of Statutory Revision, computer printout at 1 (Mar. 27, 1984) (rep. on the appearance of the phrase "legislative intent" in the 1983 Fla. Stat.) (on file with J. Land Use & Env'tl. L., Tallahassee, Fla.).

3.9.2 Economic and Demographic Research Division

The Legislature's Economic and Demographic Research Division has a computer database that contains numerous statistical analyses regarding the State of Florida, including especially invaluable data concerning tax revenues and forecasts.

When used as a citation, the form is:

Fla. Jt. Legis. Mgmt. Comm., Div. of Economic & Demographic Research, computer printout at [page number] (date) (nature of the search or matter under discussion) (location).

45. Fla. Jt. Legis. Mgmt. Comm., Div. of Economic & Demographic Research, computer printout at 15 (Feb. 5, 1986) (rep. on 1985 Fla. sales tax receipts, Leon County data).

3.10 Official Legislative Rules

3.10.1 In Text

Both the House and Senate have codified rules governing the administration of their house and the behavior of their members. Specific references to the House or Senate rules are capitalized, unabbreviated, and typed in normal roman typeface.

Florida House Rule 5.19 provides that legislation shall be considered pending if filed with the Clerk of the House and

3.10.2 In Footnotes or Stand-Alone Cites

In a citation sentence, the form is:

Fla. [H.R. or S.] Rule [rule number] (year).

Legal Documents:

46. Fla. H.R. Rule 5.19 (1990).

Scholarly Works:

47. FLA. H.R. RULE 5.19 (1990).

3.10.3 Amendments to Rules and Proposed Rules

Amendments to a legislative rule or to a proposed legislative rule should be cited as unofficial material.

48. Fla. S. Comm. on Rules & Calen., Amendment 1 to S. Rules Rep. at 2 (proposed March 9, 1989).

3.11 Identifying Information for Legislators**3.11.1 General Rule**

The first time a member of the Legislature is mentioned in either the text or in a footnote, cite to the member's party and home town. The basic form is: [party], [home town].

Representative Frances Irvine⁴⁹ said

49. Repub., Orange Park.

3.11.2 First Reference Occurs in a Footnote

If the first reference to the member occurs in a footnote, then simply follow the member's name with the party and hometown.

50. The committee consisted of Representatives F. Allen Boyd, Dem., Monticello; Chris Corr, Repub., Apollo Beach; Daryl Jones; Charles Sembler II, Repub., Sebastian; and Robert Trammell.

[Note: the example shows some legislators who had been previously mentioned, thus, there is no party or hometown designation.]

3.11.3 Former Legislators

If the legislator is no longer in the Legislature, then the footnote should indicate the term of office.

In 1983, with encouragement from the Florida Press Association and the Florida Society of Newspaper Editors and the support of the Speaker of the House, Representative H. Lee Moffitt,⁵¹ the Legislature enacted

51. Dem., Tampa, 1974-1984.

3.11.4 Committee Heads

While the Florida Legislature has no express uniform method of title when referring to committee heads, the accepted practice among legislators is to use the term "Chair" to denote both male and female committee heads.

4. BILLS

4.1 Introduction

Bills are either sponsored by individual members of the Legislature or by committees of the Legislature. When discussing legislation, it is important to remember that a bill requires nothing: it only *proposes* change in the law. Session laws (acts) and statutes require or permit action.

While an individual member's bill will not be heard by a committee until it has been formally introduced, the committees often hear "proposed committee bills" or "PCBs." These bills may eventually be formally introduced as committee bills, but they are heard by the committee before introduction for refinement and to avoid some of the technical amending procedures required of introduced bills.

Often a bill is substantially amended in committee, and it becomes a committee substitute. The committee substitute also may be amended into a new committee substitute, either in the same committee or when it is heard by another committee. Consequently, because some bills may be heard by as many as three committees, the final bill heard by the full house may be referred to as "the Committee Substitute for Committee Substitute for Committee Substitute for House/Senate Bill xxx."

Depending upon the author's approach, an article may discuss the legislation either by reference to the bill or to the act. However, the recommended course is for the basis of the discussion of passed legislation to be the act, with unpassed or earlier versions of the legislation discussed as the bill.

4.2 Did the Bill Pass?

Not all bills pass the Legislature. In the final days of the legislative session, however, bills that are killed, or die on the calendar or in committee may nevertheless become law. This occurs by amending another bill to include a second bill, in full or in part, or by including the thrust of the bill in the proviso language to the Appropriations Act. Technically, when a bill is amended to include all or part of another bill, the amendment form is to state the number of the bill that is being amended onto the host bill. When this occurs, the legislative computer will indicate this information. For political reasons, however, this notice may not be revealed to the house considering the amendment.

4.3 Proposed Committee Bills

These are bills proposed by the committees of the Legislature. Once the committee has passed the proposed committee bill (referred to as a "PCB"), the bill is formally introduced and assigned a regular bill number.

4.3.1 In Text

In textual sentences, these references should generally be capitalized and spelled out when referring to a specific proposed committee bill.

Senator Walker moved that the Committee adopt Proposed Committee Bill 12.

The Committee, however, did not adopt the proposed committee bill.

4.3.2 In Footnotes or Stand-Alone Cites

(a) General Form. The standard form for citation sentences is:

Fla. [H.R. or S.] Comm. on [abbreviation for committee], PCB [number] (year) (optional description or clarification).

If appropriate, include a parenthetical notation indicating “draft of” and the date of the draft in the parenthetical that indicates the year. Depending upon the context, a parenthetical notation indicating what bill the PCB is a preliminary draft for may also be included.

52. Fla. H.R. Comm. on Ethics & Elect., PCB 90-6 (draft of Mar. 30, 1990) (proposed FLA. CONST. art. IV, § 13(b)).

(b) Sections. Sections within a bill are cited in the same way that they are for statutes. See Rule 5.5.1, *infra*.

Sections within a proposed committee bill are cited in the same way that they are within any other bill.

53. Fla. S. Comm. on Com., PCB 85-3, § 3 (draft of Mar. 27, 1985).

4.4 Committee Substitutes and Amendments

4.4.1 In Text

Textual references to committee substitutes that include the bill’s number should be spelled out and capitalized. If the textual discussion does not include the bill’s number, do not capitalize the phrase “committee substitute.”

Committee Substitute for House Bill 145 had become a vehicle for House Bill 1378.

The committee substitute addressed the concerns of key legislators.

4.4.2 Multiple Committee Substitutes

If the bill is captioned as a committee substitute for a committee substitute, or as a committee substitute for a committee substitute for a committee substitute, then either refer to the bill as a specific committee’s substitute or as a specific committee’s second committee substitute.

Representative Clark spoke against the Commerce Committee’s Committee Substitute for House Bill 112.

Senator Scott agreed that the Appropriations Committee’s second Committee Substitute for Senate Bill 157 provided too much money for the Department.

4.4.3 Committee Amendments to a Bill

Bill amendments that take place upon the floor are cited to the legislative journals. See, e.g., Rule 3.1.2, *supra*. However, bill amendments in committee should be cited in the following form:

Fla. [H.R. or S.] Comm. on [abbreviation for committee], [title of amendment] [optional, “at” with page number] (year or if necessary, exact date) (location) (optional description).

54. Fla. H.R. Comm. on Approp., Amendment 1C to Amendment 1 to SJR 2 (1990) (on file with comm.) (proposed FLA. CONST. art. III, § 4(e)).

4.5 Year of the Bill

Each time a bill is cited in a footnote, give its year.

55. Fla. SB 20 (1985).

4.6 Sections

4.6.1 Bills With Numbered Sections

(a) Basic form. The basic form is:

56. Fla. HB 237, § 4 (1994).

(b) Bills with subsections. Sections of bills frequently have subsections that correspond to their proposed location in the *Florida Statutes*. Retain the parentheses surrounding the subsection numbers (as well as those surrounding further subdivisions). The use of a parenthetical to indicate the proposed location of the subsection in the *Florida Statutes* is recommended.

57. Fla. CS for HB 1907, § 5(1) (1996) (proposed FLA. STAT. § 106.024(1)).

4.6.2 Bills Without Numbered Sections

Joint resolutions (HJR and SJR) do not include numbered sections. Rather, they only enumerate the proposed or amended constitutional language. Because these resolutions lack numbered sections, indicate the page number of the resolution where the proposed language appears, and pinpoint the proposed changes to the constitution in a parenthetical notation.

58. Fla. HJR 953 (1989) at 1-2 (proposed FLA. CONST. art III, § 19(a)).

4.6.3 Special Rule—Page and Line Form

If the section is long and it would be helpful to the reader in finding the reference, indicate the page and line number or line item where the reference is located in the bill. This rule will most likely be used only with appropriations or omnibus bills.

59. Fla. HB 1750, § 2.1, at 266, line 2004 (1989).

4.7 Parentheticals

4.7.1 Changing or Proposing Citations

Parentheticals for bills should be in the form “proposed” for new statutory enactments, or “proposed amendment to” for amendments or deletions to existing law (this latter form should also include the year of the statutes the bill proposes to affect).

60. Fla. CS for HB 186, § 1 (1975) (proposed amendment to FLA. STAT. § 286.011(1)(b)).

61. Fla. CS for SB 1225, § 3 (1985) (proposed FLA. STAT. § 562.51(3)).

4.7.2 Specific Version of a Bill

If the matter under discussion pertains to a specific version of a bill, indicate this in the citation.

62. Fla. HB 1352, § 15 (1985) (Second Engrossed).

63. Fla. H.R. Comm. on Com., PCB 85-2, § 15 (draft of Apr. 26, 1985).

4.8 Titles of Bills

4.8.1 Location of Title on Bill

The title begins at the very top of the bill in a block indented paragraph that may run on for several pages depending upon the length and complexity of the bill. These titles will not be reproduced in the statutes, but they will appear in the session laws.

4.8.2 In Text

Refer to the bill by its caption title, short title, or other descriptive phrase that helps to identify the bill.

The House Drinking Age Bill also encountered problems.

4.8.3 In Footnotes or Stand-Alone Cites

A bill’s caption title, short title, or other descriptive phrase may be used as a parenthetical to help identify a bill.

64. Fla. CS for SB 1 (1985) (The House Drinking Age Bill).

4.9 Subdivisions of Statutes and Bills

The Florida Legislature has its own way of referring to subdivisions within the Florida Statutes and bills. While these names are not used in citations, they are set out below to help interpret any references that may be made by legislators, legislative staff, or legislative documents and publications. For citation form, see Rule 4.61, *supra*. The material is based upon the House Bill Drafting Service’s *Guidelines For Bill Drafting* (1989).

987.01. This is a catchline.—This is a section with its catchline. When a section is subdivided it also sometimes has an “introductory paragraph” such as this paragraph.

(1) SUBSECTION CATCHLINE.—This is a subsection. Subsections are designated by arabic numerals within parentheses. If a subsection has its own catchline (most do not), it is capitalized as shown here.

(a) Paragraph catchline.—This is a paragraph. If a paragraph has its own catchline, it is styled like a catchline for the whole section.

1. This is a subparagraph. A subparagraph begins with an arabic numeral followed by a period.

a. This is a sub-subparagraph. Florida Statutes are seldom broken down any further, but, if the occasion demands it there is the next division.

(I) This is the sub-sub-subparagraph which is designated by a Roman numeral within parentheses.

4.10 Appropriations Bills

4.10.1 General Information

The appropriations bill is essentially the same as any other bill in the Legislature. The only major difference between it and other bills is that a single section of the bill may exceed 100 pages. Therefore, it is often helpful to include a citation to the item number of the appropriation. For an example, see Rule 4.6.2.

4.10.2 Letter of Intent

Each year the Appropriations Committees of the two houses prepare a joint “letter of intent,” a terse annotation of the general Appropriations Act. The letter of intent contains a specific record of how the appropriated money is to be spent. These details are not contained within the bill itself.

5. FLORIDA STATUTES

5.1 Authority

Whenever possible, cite to the official codification of Florida law, the *Florida Statutes*. For laws that are not available in the official code, or when desired for clarity or adoption reference, cite in accordance with Rule 9.800, *Florida Rules of Appellate Procedure*.

5.2 Chapters

A chapter in the *Florida Statutes* represents all of the relevant statutory law on a particular subject. While the Legislature may create specific chapters, the Legislature's Statutory Revision Division has the final authority to determine where in the statutes the legislation will be codified, which is why some laws do not appear in the statutes where the bill identifies their placement. A detailed explanation of the codification procedure can be found in the beginning of any volume of the *Florida Statutes*. A chapter in the *Florida Statutes* is *not* a session law chapter.

5.3 Sections

Sections of the *Florida Statutes* represent a further subdivision of each chapter. The Statutory Revision Division of the Florida Legislature has the final authority over the location of the sections within the chapters. The Division provides numerous cross-reference tables in each volume of the statutes. A section in the *Florida Statutes* is *not* a session law section.

5.4 In Text

5.4.1 Generally

(a) General Form

Legal Documents:

Section 216.177, Florida Statutes (1995), governs the form and content of the annual statement of intent that accompanies each General Appropriations Act.

Use the abbreviated citation form of the *Florida Statutes* in the text of legal documents when the citation is intended to stand alone.

The statute of limitations for any action founded on the design, planning, or construction of improvements to real property is four years. See § 95.11(3)(c), Fla. Stat. (1995).

Scholarly Works:

When referring to the *Florida Statutes* in the text of a scholarly article or in textual discussion in footnotes, the *Bluebook* recommends the following form:

Section 216.177 of the Florida Statutes⁶⁴ governs the form and content of the annual statement of intent that accompanies each General Appropriations Act.

65. FLA. STAT. § 216.177 (1995).

In practice, however, most scholars have adopted a format similar to the one required for legal documents when referring to the *Florida Statutes* in the text of scholarly articles. This format, set forth below, is different from the format required for legal documents, however, in that it underscores or *itali-*
zizes the words “Florida Statutes” in the text of the article.

Section 216.177, Florida Statutes, governs the form and content of the annual statement of intent that accompanies each General Appropriations Act.⁶⁵

66. FLA. STAT. § 216.177 (1995)

(b) Multiple References to a Statute. It is not necessary to refer to the “Florida Statutes” every time a section or chapter is mentioned in the text as long as the year of the statutes discussed is the same. *Cf.* Rule 5.6.1 *infra*. Continued reference to the “Florida Statutes” in textual discussions may be useful for purposes of clarity or emphasis.

The Matthews court found that section 627.7372 did not bar a cause of action by an insured against his insurer.

5.4.2 Multiple Sections

Use the designation “section” even if the reference is to paragraphs or other subunits of the section. When the reference is to multiple units, use the plural. Do not capitalize or abbreviate “section(s)” in textual discussions.

During the debate, Representative Abrams noted that section 119.07(1)(b) had provided that when the nature or the volume of a request

Sunset and Sundown reports are required by sections 11.61 and 11.611, Florida Statutes.

5.4.3 Entire Chapters

Refer to an entire chapter in the same manner as a section.

Chapter 380, Florida Statutes, requires that before undertaking

House Bill 287 makes only a minor change in the vested rights provisions of chapter 380.

5.5 In Footnotes or Stand-Alone Cites

(a) Florida Statutes. The basic form is:

Legal Documents:

67. § 25.381, Fla. Stat. (1995).

Scholarly Works:

68. FLA. STAT. § 25.381 (1995).

(b) Florida Statutes Annotated. The *Florida Statutes Annotated* is the unofficial version of the *Florida Statutes*. Citation to the *Florida Statutes* is strongly preferred, followed by citation to the Laws of Florida. Otherwise cite to the *Florida Statutes Annotated*.

Legal Documents:

69. 32 Fla. Stat. Ann. 116 (Supp. 1975).

Scholarly Works:

70. FLA. STAT. ANN. § 159.09 (West 1993).

5.5.1 Sections

Abbreviate section references in a footnote citation sentence by using the section symbol (§).

(a) Single section. Use a single section symbol with a space between the section symbol and the section's number.

Legal Documents:

71. § 40.01, Fla. Stat. (1993).

Scholarly Works:

72. FLA. STAT. § 40.01 (1993).

(b) Consecutive Sections. Use two section symbols with no space between them, although there is a space between the two section symbols and the sections' numbers.

Legal Documents:

73. §§ 120.532-.533, Fla. Stat. (1995).

Scholarly Works:

74. FLA. STAT. §§ 120.532-.533 (1995).

(c) Nonconsecutive Sections. Use two section symbols with no space between them, although there is a space between the two section symbols and the sections' numbers.

Legal Documents:

75. See §§ 240.229, .319(3), Fla. Stat. (1995).

Scholarly Works:

76. See FLA. STAT. §§ 240.229, .319(3) (1995).

(d) Multiple Subdivisions Within a Single Section. Use a single section symbol with a space between the section symbol and the section's number.

Legal Documents:

77. § 186.021(1), (4), Fla. Stat. (1995).

Scholarly Works:

78. FLA. STAT. § 186.021(1), (4) (1995).

5.5.2 Entire Chapter

Use the abbreviation “ch.” when citing to an entire chapter.

Legal Documents:

79. Ch. 119, Fla. Stat. (1995).

Scholarly Works:

80. FLA. STAT. ch. 119 (1995).

5.6 Year of a Statute

5.6.1. In Text

The first time a statute is cited, there must be an indication of the year of the statute under discussion. When the statute is subsequently discussed in the text, it is not necessary to give the year each time the statute is cited.

Legal Documents:

Section 90.803, Florida Statutes (1995), currently provides a hearsay exception for certain statements of a child victim of abuse.

Scholarly Works:

The first citation to a statute in the text of the document must be accompanied by a footnote identifying the full citation form of the statute.

Section 90.803(23), Florida Statutes, currently provides a hearsay exception for certain statements of a child victim of abuse.⁸⁰

81. See FLA. STAT. § 90.803(23) (1995).

5.6.2. In Footnotes

Each time a full citation to a statute occurs, include the year. A short citation form may be used (i.e., an “id.” form) in law review footnotes. Where the “id.” form is used, do not include the year of the statute with the citation unless the short form citation is to a statute of a different year.

Legal Documents:

82. § 120.69(7), Fla. Stat. (1995).

83. Id. § 119.12.

84. §§ 92.53(1), .54(1), Fla. Stat. (1989).

85. Id. § 95.11 (Supp. 1990).

Scholarly Works:

86. FLA. STAT. § 120.69(7) (1995).

87. Id. § 119.12.

88. FLA. STAT. §§ 92.53(1), .54(1) (1989).

89. Id. § 95.11 (Supp. 1990).

5.7 Historical Reference

When the discussion concerns the present state of the law, cite to the current edition of the *Florida Statutes*. When the discussion deals with the law of an earlier time, as in a discussion of an earlier court opinion construing a statute, the cite should be to the earlier edition of the *Florida Statutes* with which the discussion deals.

Legal Documents:

Section 731.34, Florida Statutes (1955), provided for the wife's claim to dower to be free from all liabilities of the deceased spouse's estate.

Scholarly Works:

Section 731.34 provided for the wife's claim to dower to be free from all liabilities of the deceased spouse's estate.⁸⁸

90. FLA. STAT. § 731.34 (1955).

5.7.1 Repeal

When citing a statute that has been repealed, indicate the year of repeal parenthetically, or cite the repealing session law in full if pertinent to the discussion.

Legal Documents:

91. § 191.04, Fla. Stat. (Supp. 1994) (repealed 1995).

92. § 191.04, Fla. Stat. (Supp. 1994), repealed by ch. 95-344, Laws of Fla.

Scholarly Works:

93. FLA. STAT. § 191.04 (Supp. 1994) (repealed 1995)

94. FLA. STAT. § 191.04 (Supp. 1994), repealed by Act effective June 16, 1995, ch. 95-344, 1995 Fla. Laws 3024.

If the cited statute has been repealed and recodified elsewhere, use either the form “(repealed and recodified [year])” or the form “(current version at FLA. STAT. § xxx.xx ([year]))”.

5.7.2 Amendment

When citing a statute that has since been amended *once*, indicate the year of amendment, or cite the amending session law in full if pertinent to the discussion. Otherwise, citation to the earlier edition of the *Florida Statutes* alone is sufficient. See Rule 5.7, *supra*.

Legal Documents:

95. § 364.339, Fla. Stat. (1993), amended by ch. 95-403, § 27, at 3338-39, Laws of Fla.

96. § 364.339, Fla. Stat. (1993) (amended 1995).

Scholarly Works:

97. FLA. STAT. § 364.339 (1993), amended by Act effective July 1, 1995, ch. 95-403, § 27, 1995 Fla. Laws 3311, 3338-39.

98. FLA. STAT. § 364.339 (1993) (amended 1995).

5.8 Name of a Statute

A statute has a name only if there is a specific statement to that effect in the statute itself; do not confuse names of statutes with titles of acts. Often the official name of the statute is the same as that for the act and is found in the section of the statute referring to “Short Title.”

Section 688.001, Florida Statutes, states: “Sections 688.001-688.009 may be cited as the Uniform Trade Secrets Act.”

The phrase “Uniform Trade Secrets Act” is the name of the statute and the Act. It is not the title of the Act, nor the bill. This name may be used in a textual discussion.

5.9 Form for Quotation of Statutes

5.9.1 Basic Form of Statutes

In the official publication, most statutes begin with a section number and catchline followed by the text of the statute.

409.405. Court placement of delinquent children. — Any court having jurisdiction to place delinquent children may . . .

5.9.2 Form of Block Quotation: Complete Quotation

When using a block-indented quotation, eliminate the section number and catchline unless its needed for a specific purpose. The paragraph should remain indented because titles and catchlines are only editorial devices and technically not part of the codification.

[FLA. STAT. § 120.68(10) (1993)]:

If the agency’s action depends on any fact found by the agency in a proceeding meeting the requirements of s. 120.57, the court shall not substitute its judgment for that of the agency as to the weight of the evidence on any disputed finding of fact. The court shall, however, set aside agency action or remand the case to the agency if it finds that the agency’s action depends on any finding of fact that is not supported by competent substantial evidence in the record.

5.9.3 Form of Block Quotation: Incomplete Quotation

If anything more than the section number and catchline is omitted, do not indent the paragraph for the block quotation.

[§ 286.011(1), Fla. Stat. (1993)]:

The Government-in-the-Sunshine Act requires in part that [a]ll meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in

the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting.

5.9.4 Quoting Further Internal Subdivisions

While the following is an example of a correct citation, try to avoid quotations consisting of large omissions by using narrative to tie the blocks of material together.

99. Under section 680.1031(1)(g), Florida Statutes, a finance lease is defined as a lease in which:

1. The lessor does not select, manufacture, or supply the goods;
... and
3. Either:
 - a. The lessee receives a copy of the contract evidencing the lessor's purchase of the goods on or before signing the lease contract;
....
 - ... or
 - d. Only if the lease is not a consumer lease, on or before the signing of the lease contract by the lessee the lessor:
....
- III. Advises the lessee in writing to contact the supplier for a description of any such rights.

6. FLORIDA SESSION LAWS

6.1 Basic Form

Bills that have passed the Florida Legislature and become law are reproduced in their entirety in the session laws. A session law's section numbers will be identical with those that appeared in the bill.

The statutes are the selected reproduction of those portions of each session law that have general applicability. For example, the title of the bill and the "Whereas" clauses that appear at the beginning of a bill are not reproduced in the statutes, but they do appear in the session laws, and they are sometimes used by the courts to help identify the legislative intent of the act.

The session law should be cited only when it is the subject of discussion. Thus, if the text refers to an earlier legislative action, it is appropriate to cite to the session law, because that is the product of the legislative action. Similarly, if a court deals with a new law before it has been codified, a cite to the session law would be required.

6.1.1 In Text

The basic form is:

Legal Documents:

Florida's Administrative Procedure Act was extensively revised by chapter 96-159, Laws of Florida.

Scholarly Works:

Florida's Administrative Procedure Act was extensively revised by chapter 96-159, Florida Laws.

6.1.2 In Footnotes or Stand-Alone Cites

For scholarly works, the *Bluebook* recommends that session laws without official or popular names be identified with the form "Act of [date of enactment]." Dates of enactment, however, are not provided in the official Laws of Florida. Instead, use the secondary identification form recommended by the *Bluebook*, "Act effective [date of effectiveness]." The effective date is usually found in the last section of the session law. This section may read, "This act shall take effect on becoming a law." In such cases, the effective date will be the date the act is either approved by the Governor or becomes law without his or her signature, one of which is normally indicated at the end of the session law.

Although the Florida Constitution provides that when the Legislature enacts a law without an effective date, the law goes into effect on the sixtieth day after adjournment sine die of the session of the legislature in which enacted, in such cases, as well as when major provisions within the same law have differing effective dates, the identification form should be omitted. Legal documents should only indicate the official or popular name of the law.

The basic form is:

Legal Documents:

Ch. 96-159, Laws of Fla.

Scholarly Works:

Act effective Oct. 1, 1996, ch. 96-159, 1996 Fla. Laws 147.

6.2 Priority

Always cite to the official Laws of Florida. If the official Laws of Florida are unavailable, cite to West's Florida Session Laws Service.

The basic form for West's Florida Session Law Service is:

Legal Documents:

Ch. 90-50, § 6, 1990 Fla. Sess. Law Serv. 64, 75 (West) (to be codified at § 415.504(4)(c)(1)(g), Fla. Stat.).

Scholarly Works:

Act effective June 11, 1990, ch. 90-50, § 6, 1990 Fla. Sess. Law Serv. 64, 75 (West) (to be codified at FLA. STAT. § 415.504(4)(c)(1)(g)).

6.3 Chapter Numbers

Session law chapter numbers appear at the head of each bill approved by the Legislature, signed by the Governor, and filed with the secretary of state. These numbers are assigned by the secretary of state in the order in which

the acts are filed with the office. The first two digits of the chapter number represent the year of the legislation; the numbers after the hyphen indicate the numerical order in which the acts appear in the session laws. This is a different chapter from a *Florida Statute* chapter. Note that before 1957, the secretary of state used a different numbering system that numbered all session laws from the nineteenth century until 1956 in a consecutive numbering system. When citing to pre-1957 session laws in legal documents, include the year of the law.

Legal Documents:

Ch. 22000, Laws of Fla. (1943).

Scholarly Works:

Act effective June 10, 1943, ch. 22000, 1943 Fla. Laws 702.

6.4 Section Numbers

Two types of section numbers are used in legislation. Each act begins with section one and is numbered consecutively throughout. Sometimes this is the only set of section numbers. For example, in the chapter laws, the Uniform Trade Secrets Act was divided into ten sections. After becoming a law, it was codified at sections 688.001-.009, *Florida Statutes*, but the location in the statutes was not established by the enactment.

More frequently, each act also contains the intended location of codification in the *Florida Statutes*. For example, chapter 88-337, Laws of Florida, created the Family Policy Act. It provided as follows:

Section 13. Section 39.403, Florida Statutes, is amended to read:

Textual reference to the aforementioned section is “Section thirteen of the Act,” or “Section 39.403, Florida Statutes,” but not “Section 39.403 of the Act.”

6.5 Sections of Acts

Use the section symbol when referring to a specific section within the session law. Provide a pinpoint reference to the page in the Laws of Florida on which the material within the cited section can be found; in scholarly articles, indicate the page on which the act begins as well. Include a parenthetical reference to the *Florida Statutes* if it is helpful to identify the specific portion of the section of the act under discussion.

Legal Documents:

100. Ch. 90-109, § 13, at 326, Laws of Fla.

101. *Id.* § 8, at 319 (amending § 713.135(1)(d), Fla. Stat. (1989)).

102. Ch. 89-114, § 2, at 310, Laws of Fla. (codified at § 287.133(3)(e)(1), Fla. Stat. (1989)).

Scholarly Works:

103. Ch. 90-109, § 13, 1990 Fla. Laws 307, 326.

104. Id. § 8, 1990 Fla. Laws at 319 (amending FLA. STAT. § 713.135(1)(d) (1989)).

105. Act effective July 1, 1989, ch. 89-114, § 2, 1989 Fla. Laws 307, 310 (codified at FLA. STAT. § 287.133(3)(e)(1) (1989)).

6.5.1 Subsections of Acts

A sections of an act frequently has subsections that correspond to their anticipated location in the *Florida Statutes*. Retain the parentheses surrounding the subsection numbers (as well as those surrounding further subdivisions). A parenthetical indicating the location of the subsection in the *Florida Statutes* may be used if it is helpful to identify the subsection.

Legal Documents:

106. Ch. 96-224, § 4(3)(a), at 838, Laws of Fla. (codified at § 282.72(3)(a), Fla. Stat. (Supp. 1996)).

Scholarly Works:

107. Electronic Signature Act of 1996, ch. 96-224, § 4(3)(a), 1996 Fla. Laws 837, 838 (codified at FLA. STAT. § 282.72(3)(a) (Supp. 1996)).

6.6 Names of Acts

The legal title of an act is found in the language directly following the chapter and bill number. Often, this title is not reproduced in the statutes. It will be in the session laws.

Chapter 91-74, House Bill 1431 is entitled: “An act relating to bias in Florida’s court and justice systems . . .”

Do not use the legal title to identify an act in the footnotes of scholarly articles unless it is the official or popular name (e.g., the Uniform Trade Secrets Act). For acts without official or popular titles, see Rule 6.1.2, *supra*.

6.6.1 In Text

When referring to an act by its name, capitalize according to its appearance in the statutes. Also, on first reference to the act, include a footnote that cites to the session law.

Senate Bill 1330 designated part I of chapter 713 as the Construction Lien Law.

6.6.2 Short Forms

After the first reference to an act by its full name, it is permissible in subsequent references to simply use “Act” as a short form reference.

The new Act seeks to streamline the permitting process. This procedure is a licensing action subject to the requirements of Florida’s Administrative Procedure Act (APA).

6.6.3 In Footnotes or Stand-Alone Cites

If an act has an official name, it should be cited the first time the act is referenced, but it is not necessary if the text gives the full name of the act.

Legal Documents:

108. The Uniform Trade Secrets Act, ch. 88-254, Laws of Fla. (codified at §§ 688.001-.009, Fla. Stat. (1989)).

Scholarly Works:

109. The Uniform Trade Secrets Act, ch. 88-254, 1988 Fla. Laws 1377 (codified at FLA. STAT. §§ 688.001-.009 (1989)).

6.7 Short Forms

6.7.1 Use of “*Id.*”

“*Id.*” alone is sufficient when, on subsequent reference in the next footnote, the citation is to the same section. However, if the next footnote is to the same act but to a different section, then include the section number, the session law reporter (except in legal documents), and the page the cited section begins on.

Legal Documents:

110. Ch. 91-74, § 1, at 455, Laws of Fla. (amending § 43.29, Fla. Stat. (1989)); *id.* § 4, at 456 (to be codified at § 760.51, Fla. Stat.); *id.* § 5, at 456 (to be codified at § 16.57, Fla. Stat.).

111. Ch. 90-50, § 6, 1990 Fla. Sess. Law Serv. 64, 75 (West) (to be codified at § 415.504(4)(c)(1)(g), Fla. Stat.).

112. *Id.*

113. *See* ch. 90-109, Laws of Fla.

114. *Id.* § 3, at 313, Laws of Fla. (amending § 713.03(1), Fla. Stat. (1989)).

Scholarly Works:

115. Act effective Oct. 1, 1991, ch. 91-74, § 1, 1991 Fla. Laws 455, 455 (amending FLA. STAT. § 43.29, (1989)); *id.* § 4, 1991 Fla. Laws at 456 (to be codified at FLA. STAT. § 760.51,); *id.* § 5, 1991 Fla. Laws at 456 (to be codified at FLA. STAT. § 16.57).

116. Act effective June 11, 1990, ch. 90-50, § 6, 1990 Fla. Sess. Law Serv. 64, 75 (West) (to be codified at FLA. STAT. § 415.504(4)(c)(1)(g)).

117. *Id.*

118. *See* ch. 90-109, 1990 Fla. Laws 307.

119. *Id.* § 3, 1990 Fla. Laws at 313 (amending FLA. STAT. § 713.03(1) (1989)).

6.7.2 Other Acceptable Short Citation Forms

In addition to the “*id.*” form, other short citation forms for Florida session laws may be used *in scholarly works only*. The following examples illustrate the use of acceptable short forms to refer to cited session laws:

- 120. Electronic Signature Act of 1996, ch. 96-224, 1996 Fla. Laws 837.
- 121. Act effective Oct. 1, 1996, ch. 96-159, 1996 Fla. Laws 147.
- 122. Electronic Signature Act § 5, 1996 Fla. Laws at 838.
- 123. Ch. 96-159, § 13, 1996 Fla. Laws at 174.

6.9 Parenthetical Indicating Statutory Change

6.9.1 General Rule

Include a parenthetical reference to aid the reader in finding the law in the current version of the *Florida Statutes*. This is not needed if the law is no longer in force and there is no current version to cite. However, in such a case indicate that the law has been repealed, amended, or transferred. See Rule 5.7 for guidance on the citation format for *Florida Statutes* in these instances.

6.9.2 Creation of New Statutes: “To Be Codified At”

If it is a new law, indicate parenthetically where it is to be codified if the official statutes containing the new act are not yet published. If relying upon the bill or session laws for the citation, the parenthetical should read “(to be codified at § xxx.xx, Fla. Stat.)” in legal documents or “(to be codified at FLA. STAT. § xxx.xx)” in scholarly works, with no year for the statute indicated.

Legal Documents:

- 124. Ch. 91-74, § 10, at 457, Laws of Fla. (to be codified at § 943.1715, Fla. Stat.).

Scholarly Works:

- 125. Act effective Oct. 1, 1991, ch. 91-74, § 10, 1991 Fla. Laws 455, 457 (to be codified at FLA. STAT. § 943.1715).

6.9.3 Creation of New Statutes: Codification Completed

Once the session law is codified in the official statutes, indicate parenthetically its location in the current code. Use the form “codified at” if indicating a historical fact or the legislation as it appeared when first codified. Use the form “current version at” to reflect any amendments since enactment when referencing the current codification of the act. If the codification is to a supplement to the *Florida Statutes*, which comes out in the even-numbered years, use the form “(Supp. 19xx)” for the year of the statute.

Legal Documents:

- 126. See ch. 88-337, § 21, at 1773-76, Laws of Fla. (codified at § 415.504(4)(a), Fla. Stat. (1989)).
- 127. Ch. 85-55, § 14(g), at 230, Laws of Fla. (current version at § 163.3202(2)(g), Fla. Stat. (1989)).

Scholarly Works:

128. See ch. 88-337, § 21, 1988 Fla. Laws 1750, 1773-76 (codified at FLA. STAT. § 415.504(4)(a) (1989)).

129. Ch. 85-55, § 14(g), 1985 Fla. Laws 207, 230 (current version at FLA. STAT. § 163.3202(2)(g) (1989)).

6.9.4 Amending Existing Law

If the session law amends an existing law, then the parenthetical must indicate the existing statute and the year of the statute being amended. This will be indicated in the act.

Legal Documents:

130. Ch. 91-75, § 1, at 459, Laws of Fla. (amending § 581.192, Fla. Stat. (1989)).

Scholarly Works:

131. Act effective July 1, 1991, ch. 91-75, § 1, 1991 Fla. Laws 459, 459 (amending FLA. STAT. § 581.192 (1989)).

Note that citations to a statute that has since been amended should conform to Rule 5.7.2, *supra*.

6.9.5 Amending and Recodifying Existing Law

If the session law amends an existing law and directs that it be codified at a new location, then indicate both the amending section as well as the new location in a single parenthetical.

Legal Documents:

132. Ch. 91-74, § 3, at 456, Laws of Fla. (amending § 39.024(2)(b), Fla. Stat. (Supp. 1990), to be codified at § 39.024(2)(c), Fla. Stat.).

Scholarly Works:

133. Act effective Oct. 1, 1991, ch. 91-74, § 3, 1991 Fla. Laws 455, 456 (amending FLA. STAT. § 39.024(2)(b) (Supp. 1990), to be codified at FLA. STAT. § 39.024(2)(c)).

6.9.6 Reenacting Law

If the session law reenacts a previously repealed statute, indicate that fact parenthetically.

Legal Documents:

134. Ch. 91-187, § 3, at 1588, Laws of Fla. (reenacting § 270.22, Fla. Stat.).

Scholarly Works:

135. Act effective Oct. 1, 1991, ch. 91-187, § 3, 1991 Fla. Laws 1587, 1588 (reenacting FLA. STAT. § 270.22).

7. FLORIDA CONSTITUTIONAL MATERIALS

Most constitutional provisions begin with a section number and catchline followed by the text of the section.

Section 23. Right to Privacy. — Every natural person has the right to be let alone

7.1 In Text

Spell out the terms but not the numbers. Do not italicize the words “Florida Constitution.”

If the Governor dies, article IV, section 3, subsection a of the Florida Constitution provides that the Lieutenant Governor shall become Governor.

7.2 In Footnotes or Stand-Alone Cites

As with statutes, the citation form for constitutions is different for law review articles and legal documents. In either case, use roman numerals for the article number and arabic numerals for the section number (regardless of the form used by the original source). However, in scholarly works, the phrase “FLA. CONST.” should be in large and small capital letters and should be the first element in the citation.

Legal Documents:

136. Art. V, § 3(b)(3), Fla. Const.

Scholarly Works:

137. FLA. CONST. art. V, § 3(b)(3).

7.3 Research Materials: Florida Constitution

Most of the materials used in the 1968 revision of Florida’s Constitution have not been published and are found either in the State Archives or at the Florida Supreme Court library. The Legislative Library has copies of the bound proceedings from the 1968 and 1978 Constitution Revision Commissions.

7.4 Annotations

When citing an annotation to the Florida Constitution, use the following form, with a parenthetical indicating the subject of the annotation.

The basic form is:

Fla. Stat. Ann. [page] (Supp. [year]).

Legal Documents:

138. See Fla. Stat. Ann. 154 (Supp. 1989) (annot. to art. XII, § 10, Fla. Const.).

Scholarly Works:

139. See FLA. STAT. ANN. 154 (Supp. 1989) (annot. to FLA. CONST. art. XII, § 10).

7.5 Proposed Constitutional Amendments

Cite to a proposed amendment to the Florida Constitution by citing to the legislative resolution number, page number where the proposed amendment may be found, and year. Indicate the section to be amended in a parenthetical.

Legal Documents:

140. Fla. SJR 341 (1989) at 2 (proposed art. III, § 19(a)-(c), Fla. Const.).

Scholarly Works:

141. Fla. SJR 341 (1989) at 2 (proposed FLA. CONST. art. III, § 19(a)-(c)).

8. EXECUTIVE BRANCH MATERIALS

8.1 Executive Orders

Executive orders issued by Florida governors generally take the form of presidential executive orders. See *generally Bluebook* Rule 14.7.

8.1.1 In Text

Spell out and use lower case letters if general reference to an executive order is made. The first reference to the executive order should be footnoted to include all identifying information.

Governor Chiles, in August of 1991, signed an executive order extending the executive assignment of State Attorney Bruce Colton regarding the arrest of the defendant for attempted first degree murder.¹³⁴

142. Fla. Exec. Order No. 91-215 (Aug. 23, 1991).

Specific References: Spell out and capitalize the phrase “Executive Order” when referring to a particular executive order by number.

In 1991, in order to rectify this situation, Governor Lawton Chiles issued Executive Order 91-220.

8.1.2 In Footnotes or Stand-Alone Cites

Abbreviate a citation sentence in a footnote. If available, include the date of the order.

143. Fla. Exec. Order No. 91-215 (Aug. 23, 1991).

8.2 Executive Veto

The Governor transmits his veto of a bill in letter form to the secretary of state. Citation to the Governor's veto should refer to the legislation vetoed, the letter sent to the secretary of state, and the present location of the letter.

144. Veto of Fla. HB 237 (1994) (letter from Gov. Chiles to Sec'y of State Jim Smith, Apr. 12, 1994) (on file with Sec'y of State, The Capitol, Tallahassee, Fla.).

When citing to the Governor's line item veto power with respect to the state budget, use the above format and include a parenthetical indicating the dollar amount of the budget deletion.

145. Veto of Fla. HB 1, § 10 (1994) (letter from Gov. Chiles to Sec'y of State Jim Smith, Apr. 12, 1994) (deleting [specify dollar amount]) (on file with Sec'y of State, The Capitol, Tallahassee, Fla.).

8.3 Executive Departments

8.3.1 In Text

If completely identifying an agency, start with the department followed by the division, bureau, section, and subsection (as appropriate). Depending upon the context, it is sometimes appropriate for the word "Florida" to appear before the department's name. The names of agencies are spelled out in both text and textual discussions in footnotes. However, if the agency is more frequently known by an acronym, that acronym may be used on subsequent reference. See Rule 2.1.1, *supra*.

Financing statements are filed with the Department of State, Division of Corporations, Bureau of Uniform Commercial Code, Documents Examination Section.

The Department of Health and Rehabilitative Services (HRS) is the largest agency in Florida government.

8.3.2 In Footnotes or Stand-Alone Cites

Abbreviate the agency's name in a citation sentence in a footnote according to Rule 2.2.4.

146. Interview with Jerome W. Hoffman, Chief, Antitrust Section, Div. of Economic Crimes, Dep't of Legal Aff. (Aug. 22, 1989) (available at Fla. Dep't of State, Bureau of Archives & Records Management, Fla. State Archives, Tallahassee, Fla.).

8.4 Florida Attorney General Opinions

8.4.1 In Text

Do not capitalize "opinion."

In opinion 89-39, the attorney general concluded that aides of county commissioners are generally not subject to the Sunshine Law

8.4.2 In Footnotes or Stand-Alone Cites

Legal Documents:

Cite formal advisory opinions of the attorney general in footnotes or stand-alone cites in legal documents by issuing agency, volume, and year.

147. Op. Att’y Gen. Fla. 92-14 (1992)

Scholarly Works:

Cite formal advisory opinions of the attorney general in the footnotes of scholarly articles by volume, issuing agency, page, and year.

148. 92-14 Fla. Op. Att’y Gen. 1 (1992).

8.5 Florida Administrative Code

8.5.1 In Text

When referring to the *Florida Administrative Code* in a textual sentence, it should be underscored or *italicized*. Follow this Manual’s rules for abbreviation and capitalization.

The Department’s rules are found in chapter 1C of the Florida Administrative Code. The Bureau’s rules are found in Rule 1C-6 of the Code.

8.5.2 In Footnotes or Stand-Alone Cites

(a) General Form. Rules of the *Florida Administrative Code* can be cited in one of two ways: (1) to the publication of the rule, or (2) to the rule itself.

(1) Citation to the publication of the rule. The *Florida Administrative Code Annotated* is the official publication for the rules and regulations of state regulatory agencies that have been filed with the Department of State pursuant to the provisions of chapter 120, *Florida Statutes*.

The basic form is:

Fla. Admin. Code Ann. r. [number] (date).

Legal Documents:

In footnotes or stand-alone cites in legal documents, the abbreviation should appear in ordinary roman type:

149. Fla. Admin. Code Ann. r. 28-5.604 (1990).

Scholarly Works:

In the footnotes of scholarly articles, the abbreviation should appear in large and small capitals:

150. FLA. ADMIN. CODE ANN. r. 28-5.604 (1990).

Because the code is published in loose-leaf form, use either the date that appears on the page on which the provision appears or the date on the first page of the subdivision, if more recent than the date the volume was published.

151. FLA. ADMIN. CODE ANN. r. 9J-14.006 (1990).

Cite to an entire chapter of the Administrative Code as follows:

The basic form is:

Fla. Admin. Code Ann. ch. [number] (date).

152. FLA. ADMIN. CODE ANN. ch. 10-5 (1990).

(2) Citation to the rule itself. The basic form is:

Fla. Admin. Code R. [number] (date).

Legal Documents:

In footnotes or stand-alone cites in legal documents, the abbreviation should appear in ordinary roman type:

153. Fla. Admin. Code R. 9J-14.006 (1990).

Scholarly Works:

In the footnotes of scholarly articles, the abbreviation should appear in large and small capitals:

154. FLA. ADMIN. CODE R. 9J-14.006 (1990).

(b) Short Form: The Use of “*Id.*” When citing to the exact material as in the preceding footnote, use “*id.*” alone. When the second citation is to the Code but to a different rule, use “*id.*” followed by the rule number. Include the year if it is different than the preceding footnote.

155. FLA. ADMIN. CODE ANN. r. 28-3.031 (1990).

156. *Id.* at r. 28-3.031(1).

157. *Id.* at r. 28-5.111 (Aug. 1989).

8.6 Florida Administrative Weekly

8.6.1 In Text

When referring to the *Florida Administrative Weekly* in a textual sentence, it should be underscored or *italicized*. Follow this Manual’s rules for abbreviation and capitalization.

The Department of Business Regulation published its emergency rule in the June 28, 1991, edition of the Florida Administrative Weekly.

8.6.2 In Footnotes or Stand-Alone Cites

The basic form is:

[volume number] Fla. Admin. W. [page] (date).

Because this is an unbound publication, it appears in ordinary roman type in legal documents and scholarly works.

The State Touring Program rule published in the Florida Administrative Weekly provides for bringing state touring companies to local communities.¹⁵⁰

158. 17 Fla. Admin. W. 2724 (June 21, 1991).

8.7 *Florida Administrative Law Reporter*

Cite agency decisions other than those rendered by the Public Employees Relations Commission or the Florida Public Service Commission to the *Florida Administrative Law Reporter*.

8.7.1 In Text

When referring to the *Florida Administrative Law Reporter* in a textual sentence, it should be underscored or *italicized*. Follow this Manual's rules for abbreviation and capitalization.

The decision was reported in the Florida Administrative Law Reporter.

8.7.2 In Footnotes or Stand-Alone Cites

The basic form is:

[volume number] F.A.L.R. [page] [(agency) (year)].

159. 2 F.A.L.R. 648-A (Fla. Dept. of Insurance 1980).

8.8 Public Employees Relations Commission Decisions

8.8.1. In Text

Public Employees Relations Commission decisions are published in two separate reporters: the *Florida Public Employee Reporter* and the *Florida Career Service Reporter*. When referring to either of these reporters in a textual sentence, the title should be underscored or *italicized*. Follow this Manual's rules for abbreviation and capitalization.

The decisions of the Public Employees Relations Commission are published in the Florida Public Employee Reporter and the Florida Career Service Reporter.

8.8.2 In Footnotes or Stand-Alone Cites

(a) *Florida Public Employee Reporter*. For citation to the *Florida Public Employee Reporter*, the basic form is:

[volume number] F.P.E.R. ¶ (number) [year].

160. 8 F.P.E.R. ¶ 13385 (1982).

(b) *Florida Career Service Reporter*. For citation to the *Florida Career Service Reporter*, the form is:

[volume number] F.C.S.R. ¶ (number) [year].

161. 8 F.C.S.R. ¶ 077 (1993).

8.9 Florida Public Service Commission Decisions

8.9.1 In Text

Florida Public Service Commission decisions are published in the *Florida Public Service Commission Reporter*. When referring to the *Florida Public Service Commission Reporter* in a textual sentence, it should be under-scored or *italicized*. Follow this Manual's rules for abbreviation and capitalization.

The decisions of the Florida Public Service Commission are reported in the *Florida Public Service Commission Reporter*.

8.9.2 In Footnotes or Stand-Alone Cites

Decisions of the Florida Public Service Commission can be cited in one of two ways: (1) to the publication of the rule, or (2) to the rule itself.

(a) Citation to the publication of the rule. The basic form is:

[volume number] Fla. Pub. Serv. Comm'n Rep. [page] (year).

162. 81 Fla. Pub. Serv. Comm'n Rep. 2:120 (1981)

Before 1977, Florida Public Service Commission Orders were not formally published in a reporter. These orders should be cited as follows:

163. In re Application of Florida Power Corporation for approval of territorial agreement with City of Ocala, Docket No. 7061-EU, Order No. 3799, at 3 (F.P.S.C., Apr. 28, 1965).

(b) Citation to the rule itself. The form is:

[volume number] F.P.S.C. [page] (year).

164. In re Application of Tampa Elec. Co., 81 F.P.S.C. 2:120 (1981).

If appropriate, the docket number, order number, date of the order or subject of the order may be included in a parenthetical.

165. In re Application for a rate increase in Lee County by FFEC SIX, Inc., 91 F.P.S.C. 2:420 (1991) (Docket No. 900521-WS; Order No. 24128, Feb. 18, 1991) (order suspending proposed rate schedules and granting interim rates, subject to refund).

8.10 Florida Administrative Practice Manual

8.10.1 In Text

When referring to the *Florida Administrative Practice Manual* in a textual sentence, it should be under-scored or *italicized*. Follow this Manual's rules for abbreviation and capitalization.

The model rule is promulgated in the Florida Administrative Practice Manual.

8.10.2 In Footnotes or Stand-Alone Cites

The basic form is:

Fla. Admin. Practice [section], at [page] (year).

Legal Documents:

In footnotes or stand-alone cites in legal documents, the abbreviation should appear in ordinary roman type:

166. Fla. Admin. Practice § 3.03, at 3-5 to 3-10 (Supp. 1995).

Scholarly Works:

In the footnotes of scholarly articles, the abbreviation should appear in large and small capitals:

167. FLA. ADMIN. PRACTICE § 3.03, at 3-5 to 3-10 (Supp. 1995).

9. JUDICIAL BRANCH MATERIALS

9.1 Rules

Legal Documents:

In footnotes or stand-alone cites in legal documents, cite the rules adopted by the Florida Supreme Court and published in *Florida Rules of Court* in the following manner:

168. Fla. R. Jud. Admin. 2.051.

Scholarly Works:

In the footnotes of scholarly articles, the abbreviation for the rule should appear in large and small capitals:

169. FLA. R. JUD. ADMIN. 2.051.

Cite the creation of the rule to the published opinion, if available.

170. In re Rule of App. Proc. 9.800(n), Citations, 661 So. 2d 815 (Fla. 1995).

171. See In re Interest on Trust Accounts, A Petition to Amend the Rules of the Florida Bar, 538 So. 2d 448 (Fla. 1989).

172. In re Amendment to Rules of Judicial Admin., 465 So. 2d 1217 (Fla. 1985).

9.2 Published Reports

Cite these reports as one would cite official legislative branch reports. See Rule 3.6, *supra*.

Legal Documents:

173. Comm. on Court Statistics and Workload, Report of the Committee on Court Statistics and Workload at 2 (Nov. 1, 1984) (on file with Court Adm'r, Fla. Sup. Ct.) [hereinafter Committee Report].

174. Judicial Council of Fla., 1985 Annual Report C-1 (Feb. 1, 1986) (minutes of meeting) (on file

with Court Adm'r, Fla. Sup. Ct.) [hereinafter Council Annual Report].

175. Auditor Gen., Report on Audit of the Supreme Court of Florida for the Fiscal Year Ended June 30, 1983, at 5 (May 31, 1984) (on file with Clerk, Fla. Sup. Ct.).

Scholarly Works:

176. COMM. ON COURT STATISTICS AND WORKLOAD, REPORT OF THE COMMITTEE ON COURT STATISTICS AND WORKLOAD at 2 (Nov. 1, 1984) (on file with Court Adm'r, Fla. Sup. Ct.) [hereinafter Committee Report].

177. JUDICIAL COUNCIL OF FLA., 1985 ANNUAL REPORT C-1 (Feb. 1, 1986) (minutes of meeting) (on file with Court Adm'r, Fla. Sup. Ct.) [hereinafter COUNCIL ANNUAL REPORT].

178. AUDITOR GEN., REPORT ON AUDIT OF THE SUPREME COURT OF FLORIDA FOR THE FISCAL YEAR ENDED JUNE 30, 1983, at 5 (May 31, 1984) (on file with Clerk, Fla. Sup. Ct.).

9.3 Unpublished Minutes

Minutes of meetings that have not been published in a report as indicated above are cited similarly to Transcripts of Legislative Proceedings. See Rule 3.8, *supra*.

179. Judicial Council of Fla., minutes of meeting at 3 (Mar. 13, 1986).

9.4 Administrative Orders

Cite these orders like the executive orders. See Rule 8.1, *supra*. Give the title and number of the order, if available, and the date. Include a parenthetical indicating where a copy of the order may be located.

180. In re Time Standards for Trial and Appellate Courts, Fla. Admin. Order (Apr. 12, 1985) (on file with Clerk, Fla. Sup. Ct.).

181. Lineman v. Dep't of Corr., Fla. Admin. Order (July 23, 1990) (on file with Clerk, Div. of Admin. Hearings).

182. Fla. Admin. Order No. 90-3106 (Fla. Sept. 13, 1990) (on file with Clerk, Fla. Sup. Ct.).

9.5 Identifying Information for Judges

Judges must be fully identified where discussed, either in the text or in a textual footnote. That is, a judge mentioned in the text is not footnoted as a legislator would be.

Judge J.E. Joanos of Florida's First District Court of Appeal raised a practical problem

Note that a member of the Florida Supreme Court should not formally be referred to as “Judge [name].” “Justice” is the appropriate title for members of the Florida Supreme Court.

Justice Ben F. Overton is the first Florida Supreme Court justice to be selected under the merit selection process.

9.6 Florida Bar Journal

Legal Documents:

183. See John F. Harkness, Jr., The Case for More Judges, 69 Fla. B.J. 10, 10 (April 1995).

Scholarly Works:

Cite to articles published in the *Florida Bar Journal* according to *Bluebook* Rule 16.3.

184. See John F. Harkness, Jr., *The Case for More Judges*, FLA. B.J., Apr. 1995, at 10, 10.

10. FLORIDA CASES

10.1 Official Reporter

For cases decided after 1948, cite to the official *Southern Reporter*. For cases decided before 1948, cite to both the official *Florida Reports* and the *Southern Reporter*. For cases decided before 1887, cite to the official *Florida Reports*.

10.2 Unofficial Reporter

Cite to the *Florida Law Weekly* only if the opinion does not yet appear in the *Southern Reporter*.

10.3 Courts

Do not capitalize court, unless referring to a specific one.

10.3.1 In Text

(a) Florida Supreme Court

the court

the supreme court

the Florida Supreme Court

the Supreme Court of Florida [the official name]

(b) Florida District Courts of Appeal

the court

the district court

the Third District Court

the Third District Court of Appeal

(c) Florida Circuit Courts

the court

the circuit court

the Sixteenth Circuit Court

(d) Florida County Courts

the court

the county court

the Leon County Court

10.3.2 In Footnotes or Stand-Alone Cites

(a) Florida Supreme Court

1846-1886:

185. *Livingston v. L'Engle*, 22 Fla. 427 (1886).

1887-1948:

186. *Sawyer v. State*, 94 Fla. 60, 113 So. 736 (1927)

1948-date:

187. *Allen v. Martinez*, 573 So. 2d (Fla. 1991).

188. *Carter v. State*, 15 Fla. L. Weekly S255 (Fla. May 4, 1990).

(b) Florida District Courts of Appeal

The *Bluebook* recommends using “(Fla. Dist. Ct. App.)” as the parenthetical identifier when citing to a district court of appeal decision. This form, however, does not indicate to which of Florida’s five district courts of appeal the citation refers. Thus, accepted practice in Florida is to indicate the number of district court, followed by the abbreviation “DCA.”

189. *Florida Pub. Serv. Comm’n v. Central Corp.*, 551 So. 2d 568 (Fla. 1st DCA 1989).

190. *D.J. v. Department of HRS*, 15 Fla. L. Weekly D2052 (Fla. 2d DCA Aug. 10, 1990)

(c) Florida Circuit Courts

191. *Fenty v. State*, 45 Fla. Supp. 2d. 74 (Fla. 11th Cir. Ct. 1991).

(d) Florida County Courts

192. *Swezy v. Ramos*, 45 Fla. Supp. 2d 181 (Fla. Dade County Ct. 1990).

(e) Slip Opinions

193. *Myers v. State*, No. 90-1092 (Fla. 4th DCA June 5, 1991).

11. MISCELLANEOUS REFERENCES

11.1 Correspondence: Letters, Memoranda, and Notes to the File

The basic form is:

Letter from [or "Memorandum from"] [name and title, abbreviated, of author of item] to [name and title, abbreviated, of recipient] (date) (subject of item, if appropriate) (location of item).

For an individual who is a staff member of the Florida Legislature, include a reference to "Fla. H.R." or "Fla. S." in the title reference. For State legislators, each legislator's name should be preceded by the abbreviation for the house the legislator is a member of ("Sen." or "Rep.") followed by the member's name and, if first reference, the abbreviation for the political party to which the member belongs, and the home town of the member.

194. Letter from Larry Polivka, Ass't Secretary, DHRS Aging and Adult Servs., to June Noel, Exec. Dir., Fla. Pepper Comm'n on Aging (May 23, 1990) (available at Fla. Dep't of State, Div. of Archives, Tallahassee, Fla.).

195. See Letter from David K. Coburn, then Staff Dir., Fla. H.R. Majority Office, to Carroll Webb, Exec. Dir., Jt. Admin. Procs. Comm. (Oct. 16, 1990) (on file with House Speaker's office).

11.2 Interviews

The basic form is:

Interview with [name and title, abbreviated, of the person interviewed] (date of interview) (location of notes or tape recording of interview).

For an individual who is a staff member of the Florida Legislature, include a reference to "Fla. H.R." or "Fla. S." in the title reference. For State legislators, each legislator's name should be preceded by the abbreviation for the house the legislator is a member of ("Sen." or "Rep.") followed by the member's name and, if first reference, the abbreviation for the political party to which the member belongs, and the member's home town.

If the subject is a lobbyist, indicate after the individual's title that the individual is a "lobbyist for" and the appropriate group that the lobbyist represents, as recorded in the Lobbyist Registration book prepared by the Clerk of the Florida House of Representatives.

196. Interview with Karen Stolting, Staff Dir., Fla. Legis. Jt. Comm. Info. Tech. Resources (Mar. 28, 1996) (available at Fla. Dep't of State, Div. of Archives, Tallahassee, Fla.).

197. Interview with Rep. Elaine Gordon, Dem., Miami (April 1, 1990).

198. Telephone Interview with D. Steven Kahn, Att'y, Fla. S. Office of the Pres. (Apr. 9, 1985) (notes on file, J. Land Use & Envtl. L., Tallahassee, Fla.).

199. Telephone Interview with Wade Hopping, Att’y, lobbyist for ITT Community Development Corp. and Gulfstream Land & Development Corp. (July 10, 1985).

200. Telephone Interview with Steve Metz, representing Fla. Lumbermen & Material Dealers Ass’n (Aug. 1, 1989) (available at Fla. Dep’t of State, Div. of Archives, Tallahassee, Fla.).

11.3 Press Releases

The basic form is:

Press Release from [office, name and title, abbreviated, of sender] (date of press release) (subject of press release) (location of copy of press release).

201. Press Release from Fla. H.R. Majority Office, Rep. Ron Silver, D-N. Miami, Chair (Apr. 1, 1994) (detailing reasons for decline of Republican Party over the last twenty years) (on file with Fla. St. U. L. Rev., Tallahassee, Fla.).

11.4 Location Parentheticals

When a citation requires the inclusion of a parenthetical that indicates the location of the document, report, or other item, use the formats given below.

11.4.1 Committee That Wrote Document

The form is:

(on file with comm.)

11.4.2 Florida State Archives

If the document is located at the State Archives, use the following form:

(available at Fla. Dep’t of State, Div. of Archives, ser. [number], carton [number], Tallahassee, Fla.)

202. Memorandum from Bob Crawford, 1988 President-designate, Fla. S., to Members, Advisory Comm. (Oct. 17, 1988) (discussing the Advisory Comm.) (available at Fla. Dep’t of State, Div. of Archives, ser. 157, carton 153, Tallahassee, Fla.).

For cited materials that may be difficult to obtain or which the *Law Review* has placed at the Archives for the convenience of its readers, no series or carton numbers are required.

203. For a detailed proposal of such an assisted living program, see K. Wilson, *Assisted Living: The Merger of Housing and Long-Term Care Services* (unpublished paper) (available at Fla. Dep’t of State, Div. of Archives, Tallahassee, Fla.).

11.4.3 Legislative Library

The form is:

(available at Fla. Legis., Jt. Legis. Mgmt. Comm., Div. of Legis. Library Servs., Tallahassee, Fla.)

11.4.4 State Library

The form is:

(available at Fla. Dep't of State, Div. of Library Servs., Tallahassee, Fla.)

11.4.5 Law Reviews and Journals

If a legal publication has a copy of the item on file, then indicate this in the following manner:

(notes on file, J. Land Use & Envtl. L., Tallahassee, Fla.)

11.4.6 Other Forms

For the location of other documents, reports, or materials devise an appropriate short form using the abbreviations in Rule 2 of this Manual. If the item is held by the office that created or received the item, use the form "on file with" to introduce the location. If the item is held by a library, archives, or other such repository use the form "available at."

11.5 Florida Newspapers

(a) General form. Citation to Florida newspapers follows the format of *Bluebook* Rule 16.4.

Legal Documents:

204. Craig Crawford, Ask Right Question, Answer May Follow, Orlando Sent., Feb. 20, 1995, at A14.

205. Study: Cuts in Benefits are Needed, St. Pete Times, Dec. 31, 1994, at A7.

Scholarly Works

206. Craig Crawford, Ask Right Question, Answer May Follow, ORLANDO SENT., Feb. 20, 1995, at A14.

207. Study: Cuts in Benefits are Needed, ST. PETE TIMES, Dec. 31, 1994, at A7.

(b) Abbreviations. The following is a list of abbreviations for the major Florida newspapers.

Newspaper	Abbreviation
Florida Times-Union	FLA. TIMES-UNION
Fort Lauderdale Sun Sentinel	FT. LAUD. SUN SENT.
Miami Herald	MIAMI HERALD
Orlando Sentinel	ORLANDO SENT.
Palm Beach Post	PALM BCH. POST
St. Petersburg Times	ST. PETE. TIMES
Tallahassee Democrat	TALL. DEM.
Tampa Tribune	TAMPA TRIB.