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### Uniform Maine Citations, 2005 Edition (superseded)

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Portland, Maine 04102

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## PREFACE

Although the basic format and objectives sought to be fulfilled by the publication of this new Third Edition of *Uniform Maine Citations* remain the same as its predecessor publications, the numerous new examples, alterations, and additions to content made necessary by the passage of time came about in a wholly different manner than in the past. Unlike the first two editions, this latest reflects the collaborative effort of numerous persons, with Michael D. Seitzinger and me playing a minor role. Professor Nancy A. Wanderer, Director of the Legal Research and Writing Program at the University of Maine School of Law, arranged for the collaborators and served as project leader. Four former law students worked with Nancy and me in redrafting various parts of the former edition – namely, Wendy Brown, Theodore G. Fletcher, Marcie Hornick and M. Katherine Lynch. Thereafter, under the direction of Nancy, Regina Stabile, currently a second-year law student, with contributions from Katharine McCarthy, currently a first-year law student, put the various parts together, updated examples, and added further material on resources that did not exist when the last edition was published a decade ago. The draft was then submitted to the current *Maine Law Review* and to a handful of reviewers, including Dean Edward S. Godfrey, Mike Seitzinger, and me. The final product has been prepared by Ken Albert and Regina Stabile of the *Maine Law Review*.

The above-described collective effort signals a sea change in the manner the *Uniform Maine Citations* will be kept current in the future. Under the watchful eye of Nancy Wanderer, the *Maine Law Review* will hereafter be responsible for making revisions to the manual on an ongoing, as-needed basis. I will continue to participate in the revision process. Mike Seitzinger will not.

This new edition, like its predecessors, is not intended to be the exclusive source for citation form, but is designed for use in conjunction with *The Bluebook: A Uniform System of Citation* and *ALWD Citation Manual: A Professional System of Citations*.

Finally, comments and suggestions on the forms, examples, and materials used in *Uniform Maine Citations* are welcomed.

Charles K. Leadbetter, Esq.

March 2003

## I. CONSTITUTIONS

### A. *United States Constitution*

Provisions of the Constitution of the United States should be cited as follows:

U.S. Const. preamble.

U.S. Const. art. I, § 9, cl. 3.

U.S. Const. amend. XIV, § 1.

### B. *Maine Constitution*

1. Provisions of the Maine Constitution currently in effect should be cited as follows:

Me. Const. preamble.

Me. Const. art. I, § 5.

Me. Const. art. IV, pt. 1, § 3.

Me. Const. art. I, § 9, cls. 1, 5.

2. Provisions of the Maine Constitution that have been repealed or amended should be cited as follows:

Me. Const. art. I, § 16 (1819, amended 1987).

### C. *Debates and Journal of the Maine Constitutional Convention*

The Debates and Journal of the Maine Constitutional Convention should be cited as follows:

Debates and Journal of the Constitutional Convention of the State of Maine (1819-1820) 159 (1894).

### D. *Constitutional Commissions*

1. *Constitutional Commission of 1875*

The Constitutional Commission of 1875 proposed seventeen separate amendments to the Maine Constitution, which it numbered 1-17. The Commission's proposed amendments, which appear as proposed resolves among the legislative documents of the 54th Legislature (1875), should be cited by reference to the number and title assigned them by the Commission as follows:

Const. Comm'n 1875, Proposed Amend. No. 5 (Apportionment of Representatives).

2. *Constitutional Commission of 1963*

The four reports of the 1963 Constitutional Commission should be cited as follows:

L.D. 33 at 2 (101st Legis. 1963).

L.D. 631 at 3-4 (101st Legis. 1963).

L.D. 1394 at 4 (101st Legis. 1963).

L.D. 1476 at 8 (101st Legis. 1963).



## II. CASES

### A. Federal Cases

#### 1. Supreme Court of the United States

- a. Decisions of the United States Supreme Court should be cited to the official reporter as follows:

*Alden v. Maine*, 527 U.S. 706 (1999).

- b. Supreme Court decisions not yet reported in the *United States Reports* should be cited to an alternative source, in the following order of preference:

1. Supreme Court Reporter:

*Alden v. Maine*, 119 S. Ct. 2240 (1999).

2. United States Supreme Court Reports, Lawyers' Edition:

*Alden v. Maine*, 144 L. Ed. 256 (1999).

3. United States Law Week:

*Alden v. Maine*, 67 U.S.L.W. 4601 (U.S. June 23, 1999).

4. An on-line source such as LEXIS or Westlaw:

*Alden v. Maine*, 1999 U.S. LEXIS 4374, at \*1 (June 23, 1999).

*Alden v. Maine*, 1999 WL 412617, at \*1 (U.S. June 23, 1999).

- c. Unreported Supreme Court decisions should be cited to a service as follows:

*Riverside v. McLaughlin*, 59 U.S.L.W. 4413 (U.S. May 13, 1991).

*Payne v. Tennessee*, 49 Crim. L. Rep. 2325 (U.S. June 25, 1991).

- d. For citations to Supreme Court cases prior to 1875 and other

special Supreme Court citation forms, see *The Bluebook: A Uniform System of Citation* (17th ed. 2000) at 183 or *ALWD Citation Manual: A Professional System of Citation* (2d ed. Aspen L. & Bus. 2003) at 78.

2. *United States Court of Appeals for the First Circuit*

- a. Reported First Circuit decisions should be cited as follows:

*Oken v. Warden*, 233 F.3d 86 (1st Cir. 2000).

- b. Unreported First Circuit decisions or decisions not yet reported in the Federal Reporter should be cited as follows:

*Boothby v. Soc. Sec. Administration Commr.*, 1997 U.S. App. LEXIS 32746 (1st Cir. Nov. 18, 1997).

*Boothby v. Soc. Sec. Administration Commr.*, 1997 WL 727535 (1st Cir. Nov. 18, 1997).

- c. First Circuit cases in which a petition for certiorari has been filed should be cited as follows:

*Charlesworth v. Mack*, 925 F.2d 314 (1st Cir. 1991), *petition for cert. filed*, 60 U.S.L.W. 3562 (U.S. Jan. 21, 1992) (No. 92-212).

- d. First Circuit cases in which a petition for certiorari has been granted should be cited as follows:

*Pharmaceutical Research & Manufacturers of America v. Concannon*, 249 F.3d 66 (1st Cir. 2001), *cert. granted*, 122 S. Ct. 2657 (U.S. June 28, 2002) (No. 01-188).

Note: Do not include this information about “cert. granted” after the Supreme Court decides the case.

- e. First Circuit cases in which a petition for certiorari has been denied should be cited as follows:

*Vieux v. Pepe*, 184 F.3d 59 (1st Cir. 1999), *cert. denied*, 68 U.S.L.W. 3533 (No. 98-1864).

Note: Do not include this information unless the denial of certiorari was within the past two years or this information is particularly important to the discussion.

- f. Ceremonial proceedings reported in the Federal Reports series should be cited as follows:

*Presentation of Portrait: Honorable Frank M. Coffin, Proceedings*, 892 F.2d LXXXIX (1989).

3. *United States District Court for the District of Maine*

- a. Decisions of the United States District Court reported in the Federal Supplement should be cited as follows:

*United States v. Goodine*, 180 F. Supp. 2d 201 (D. Me. 2002).

- b. Decisions of the United States District Court reported in the Federal Rules Decisions should be cited as follows:

*Kirkland v. Sunrise Opportunities*, 200 F.R.D. 159 (D. Me. 2001).

- c. Unreported decisions of the United States District Court or cases not yet reported in the Federal Supplement should be cited as follows:

*Leach v. Apfel*, 2000 U.S. Dist. LEXIS 14831 (D. Me. Oct. 5, 2000).

*Leach v. Apfel*, 2000 WL 1511197 (D. Me. Oct. 5, 2000).

- d. Letters added to the docket number must be included in the citation because the letters are part of the official case designation. The first letter identifies the court location, e.g., Bangor (B) or Portland (P), while the second letter, when appearing, signifies the specific District Court judge assigned, e.g., Chief Judge D. Brock Hornby (H), Judge Gene Carter (C), Judge George Z. Singal (S), or Judge John Woodcock (W).

*Kirkland v. Sunrise Opportunities*, Docket No. 00-CV-176-B-S, slip op. at 2 (D. Me. May 7, 2001).

The B-S indicates that the order was authored by Judge Singal in Bangor.

#### 4. *Bankruptcy Court*

- a. Decisions of the United States Bankruptcy Court for the District of Maine found in the *Bankruptcy Reporter* (1979-present) should be cited as follows:

*In re Whitney*, 265 B.R. 1 (Bankr. D. Me. 2001).

- b. Decisions of the United States Bankruptcy Court for the District of Maine found in a service should be cited as follows:

*Health Care Accounting and Consulting Services, LLC v. Executive Risk Indemnity, Inc.*, 2001 U.S. Dist. LEXIS 9609 (Bankr. D. Me. July 11, 2001).

*Health Care Accounting and Consulting Services, LLC v. Executive Risk Indemnity, Inc.*, 2001 WL 776208 (Bankr. D. Me. July 11, 2001).

- c. Decisions of the Bankruptcy Appellate Panel for the District of Maine found in the *Bankruptcy Reporter* (1979-present) should be cited as follows:

*In re Jamo*, 262 B.R. 159 (B.A.P. 1st Cir. 2001).

- d. Decisions of the United States Court of Appeals for the First Circuit regarding bankruptcy should be cited as follows:

*Spentlinhauer v. O'Donnell*, 261 F.3d 113 (1st Cir. 2001).

#### B. *Maine Cases*

##### 1. *Supreme Judicial Court sitting as the Law Court*

- a. Law Court decisions issued on or after January 1, 1997, should be cited as follows:

*Merrill v. Sugarloaf Mountain Corp.*, 1997 ME 180, 698 A.2d 1042.

If no A.2d cite is available yet, cite as follows:

*Haines v. Great Northern Paper, Inc.*, 2002 ME 157, \_\_\_ A.2d \_\_\_.

1. Pinpoint citations should be made by reference to paragraph numbers assigned by the Law Court in the following style:

*Merrill v. Sugarloaf Mountain Corp.*, 1997 ME 180, ¶ 7, 698 A.2d 1042, 1044-45.

2. Acceptable short forms are as follows:

*Merrill*, 1997 ME 180, ¶ 7, 698 A.2d at 1044-45. (decision cited previously, but not in immediately preceding citation)

*Id.* ¶ 8, 698 A.2d at 1045. (decision cited in immediately preceding citation, but different paragraph)

*Id.* (same decision and paragraph as that cited in immediately preceding citation)

3. Footnotes should be cited as follows:

*Merrill v. Sugarloaf Mountain Corp.*, 1997 ME 180, n. 3, 698 A.2d 1042, 1044.

*Merrill v. Sugarloaf Mountain Corp.*, 1997 ME 180, nn. 2 & 3, 698 A.2d 1042, 1043-44.

*Merrill v. Sugarloaf Mountain Corp.*, 1997 ME 180, ¶¶ 7 & 9, n. 3, 698 A.2d 1042, 1044-45.

- b. Law Court decisions issued on or after January 1, 1966, and before January 1, 1997, should be cited as follows:

*Nolette v. O'Neil*, 679 A.2d 1084 (Me. 1996).

1. Pinpoint citations should be made by reference to page numbers in the following style:

*Nolette v. O'Neil*, 679 A.2d 1084, 1085 (Me. 1996).

2. Acceptable short forms are as follows:

*Nolette*, 679 A.2d at 1085. (decision cited previously, but not in immediately preceding citation)

*Id.* at 1086. (decision cited in immediately preceding citation, but different page)

*Id.* (same decision and page as that cited in immediately preceding citation)

3. Footnotes should be cited as follows:

*Nolette v. O'Neil*, 679 A.2d 1084, 1086 n. 1 (Me. 1996).

c. Law Court cases after 1885 and before January 1, 1966 (215 A.2d 919 (1966)) should be cited, with parallel pinpoint citations, as follows:

*Cook v. Colby College*, 155 Me. 306, 310, 154 A.2d 169, 171 (1959).

1. Pinpoint citations should be made by reference to page numbers in both reporters as follows:

*Cook v. Colby College*, 155 Me. 306, 310, 154 A.2d 169, 171 (1959).

2. Acceptable short forms are as follows:

*Cook*, 155 Me. at 310, 154 A.2d at 171. (decision cited previously, but not in immediate preceding citation)

*Id.* at 313, 154 A.2d at 172. (decision cited in immediate preceding citation, but at different page)

*Id.*, 154 A.2d at 173. (decision cited in immediate preceding citation, but at different page in the second reporter)

NOTE: *Id.* may only be used to refer to the first reporter in a parallel citation. The second part of the parallel citation must always include the reporter and pinpoint citation. *Id.* may not be used alone in a parallel citation.

- d. Law Court cases decided before 1885 should be cited as follows:

*Huse v. Brown*, 8 Me. 167, 169 (1831).

- e. *Per Curiam* Decisions

A “*per curiam*” decision, that is, a decision issued by the Law Court as an institution as opposed to a decision issued by a particular justice, should be cited as follows:

*Stilson v. Dexter Shoe Co.*, 2000 ME 208, 762 A.2d 936 (*per curiam*).

- f. Law Court Memoranda of Decision

Effective August, 2004, the Maine Law Court adopted M.R. App. P. 12(c), which addresses decisions issued by the Maine Law Court. This rule notes that Memoranda of Decision do not establish precedent and should not be cited in legal briefs, memoranda, or judicial opinions. It replaces the Court’s “Administrative Order in Regard to Memoranda of Decision” dated February 9, 1989 (No. SJC-114). This rule is discussed in detail in the August 2004 advisory note on pages 94-95 of the 2004 edition of *Maine Appellate Practice*, which can be found on the Judicial Branch web site.

Memoranda of Decision have a separate citation format and should be cited as follows:

*State v. Rocque*, Mem-00-122 (Oct. 20, 2000).

- g. Law Court cases that have not been decided should be cited by reference to the Law Court docket number and the date the appeal was docketed in the Law Court, as follows:

*State v. Worthley*, No. Ken-02-248 (Apr. 9, 2002).

- h. A Law Court case in which a petition for certiorari has been filed should be cited as follows:

*Great Northern Paper Co. v. Penobscot Nation*, 770 A.2d 574 (2001), *petition for cert. filed*, 70 U.S.L.W. 3163 (U.S. Aug. 29, 2001) (No. 01-381).

- i. A Law Court case in which a petition for certiorari has been granted should be cited as follows:

*Camps Newfound/Owatonna v. Town of Harrison*, 655 A.2d 876 (Me. 1995), *cert. granted*, 516 U.S. 1157 (1996).

- j. A Law Court case in which a petition for certiorari has been denied should be cited as follows:

*Kremen v. Maine*, 2000 ME 117, 754 A.2d 964, *cert. denied*, 531 U.S. 1079 (2000).

Note: Include a denial of certiorari only when the lower court case is two years old or less, or if this information is pertinent to the discussion.

- k. A Law Court case from which an appeal has been dismissed should be cited as follows:

*Seaborne v. County Commrs. of Washington County*, 484 U.S. 1053, *appeal dismissed*, (No. 87-6064) (1988).

Note: Include the information about the appeal's dismissal only if it occurred within the past two years or this information is particularly important to the discussion.

- l. A Law Court decision that has been affirmed by the United States Supreme Court should be cited as follows:

*Maine v. Moulton*, 481 A.2d 155 (Me. 1984), *aff'd*, 474 U.S. 159 (1985).

- m. A Law Court decision that has been vacated by the United States Supreme Court should be cited as follows:

*Maine v. Patten*, 436 A.2d 387 (Me. 1981), *vacated*, 457 U.S. 1114 (1982).

- n. A Law Court case that has been modified on reconsideration should be cited as follows:

*Maine Central Railroad v. Halperin*, 379 A.2d 980 (Me.), *modified*, 381 A.2d 8 (Me. 1977).



2. *Supreme Judicial Court sitting other than as the Law Court*

Citation to decisions of the Supreme Judicial Court when not sitting as the Law Court is wholly dependent upon the matter before it:

a. *Opinion of the Justices*

Opinions given pursuant to article VI, section 3, of the Maine Constitution are the opinions of the justices individually and should be cited as follows:

For Opinions issued since 2001:

*Opinion of the Justices*, 2002 ME 169, 815 A.2d 791.

For Opinions issued from 1966 to 2001:

*Opinion of the Justices*, 709 A.2d 1183 (Me. 1997).

For Opinions issued from 1885 to 1966:

*Opinion of the Justices*, 155 Me. 30, 152 A.2d 81 (1959).

b. *Judicial Disciplinary Proceedings*

Decisions of the Supreme Judicial Court in original proceedings involving judicial discipline prior to 2004 should be cited as follows:

*In re Ross*, 428 A.2d 858 (Me. 1981).

For decisions issued since 2003:

*In re Dunleavy*, 2003 ME 124, 838 A.2d 338.

c. *Attorney Disciplinary Proceedings*

Prior to January 1982, the docket number used by the Supreme Judicial Court to identify attorney disciplinary proceedings was “SJC-[No.]” Thereafter this form was replaced by “BAR-[year]-[No.]”

Decisions of a single justice, sitting in the Supreme Judicial Court, relative to these original proceedings, which are not reported, should be cited as follows:

*Board of Overseers of the Bar v. Washburn*, SJC-53.15 (Jan. 5, 1981) (Roberts, J.).

*Board of Overseers of the Bar v. Powers*, BAR-97-11 (July 23, 1998) (Dana, J.).

Decisions of a single justice, sitting in the Supreme Judicial Court, relative to these original proceedings, that are reported in the *Maine Manual on Professional Responsibility* should be cited as follows:

*Board of Overseers of the Bar v. Emerson*, BAR-00-5, 2 *Maine Manual on Professional Responsibility* SJ-499 (Mar. 15, 2001) (Calkins, J.).

Appeals from single justice decisions in attorney admission and discipline matters are heard by the Supreme Judicial Court, sitting as the Law Court, *see In re Feingold*, 296 A.2d 492, 495-97 (Me. 1972), and should be cited in the same manner as Law Court opinions.

d. *Other opinions of the Supreme Judicial Court:*

The Supreme Judicial Court has original jurisdiction to hear and decide some other matters, including original actions reapportioning state legislative and congressional districts and appeals from proceedings where the Maine House of Representatives or the Senate reapportions itself. Decisions in such matters should be cited as follows:

For direct reapportionment:

*In re 2003 Apportionment of the State Senate and United States Congressional Districts*, 2003 ME 86, 827 A.2d 844, *modified*, 2004 ME 55, \_\_A.2d\_\_.

For reapportionment appeals:

*In re 2003 Legislative Apportionment of the House of Representatives*, 2003 ME 81, 827 A.2d 810.

### 3. *Sentence Review*

In 1989, sentence review by the Appellate Division of the Supreme Judicial Court was replaced by a qualified right of appeal to the Law Court. The right of appeal hinges upon the granting of leave to appeal by a three-judge panel of the Supreme Judicial Court, the Sentence Review Panel.

- a. Decisions of the former Appellate Division of the Supreme Judicial Court, which are not reported, should be cited as follows:

*State v. Faulcon*, No. AD-79-44 (Me. App. Div. Jan. 30, 1980).

- b. Decisions of the Sentence Review Panel of the Supreme Judicial Court, which are not reported, should be cited as follows:

*State v. Smith*, No. SRP-91-121 (Me. Sent. Rev. Panel, Jan. 22, 1992).

*State v. Joubert*, No. SRP-91-11 (Me. Sent. Rev. Panel, Mar. 5, 1990) (motion for reconsideration denied Apr. 16, 1991).

### 4. *Superior Court*

Decisions of the Maine Superior Court published only on LEXIS or Westlaw should be cited as follows:

*Borlawsky v. Town of Windham*, 2004 WL 1433634 (Me. Super. March 30, 2004).

*Cliff House & Motels, Inc. v. Commercial Union York Ins.*, 2002 Me. Super. LEXIS 142 (Sept. 16, 2002).

Unreported cases available only in a slip opinion should be cited as follows:

*State v. Metz*, ALFSC-CR-1997-01071 (Me. Super. Ct., Yor. Cty., July 30, 1998) (Brennan, J.).

Note: Letter abbreviations appearing in the docket number may include CV (civil), CR (criminal), RE (real estate), AP (appeal), and FM (family matters).

5. *District Court*

Decisions of the Maine District Court should be cited as follows:

*Hedberg v. Hedberg*, No. 99-FM-97 (Me. Dist. Ct. 4, Machias, June 1, 2001) (Stitham, J.).

### III. STATUTES

#### A. *Maine Revised Statutes Annotated*

Citations to the Maine Revised Statutes Annotated should include reference to the title, section, subsection, and, in parentheses, to the year of copyright of the hardbound volume or supplement in which the statutory provision appears.

1. Sections contained entirely in a hardbound volume should be cited as follows:

1 M.R.S.A. § 401 (1989).

2. Sections contained entirely in a supplement should be cited as follows:

17-A M.R.S.A. § 4-B (Supp. 2001).

3. Sections, the provisions of which are cited in both a hardbound volume and its cumulative pocket supplement or supplementary pamphlet, should be cited as follows:

14 M.R.S.A. § 7552 (1980 & Supp. 2001).

4. Sections contained in a softbound pamphlet that contains an entire title of the revised statutes should be cited as follows:

11 M.R.S.A. § 9-1101 (Pamph. 2001).

5. Subsections of the Maine Revised Statutes Annotated should be cited as follows:

17-A M.R.S.A. § 362(2)(A) & (B) (1983).

6. Statutes no longer in effect should be cited as follows:

17 M.R.S.A. § 2651 (1983), *repealed by* P.L. 1985, ch. 499, § 15 (effective May 1, 1986).

7. A version of a statute no longer in effect because of subsequent amendment should be cited as follows:

11 M.R.S.A. § 8-321 (1995), *amended by* P.L. 1997, ch. 625, § 3.

8. Consecutive sections or subsections should be cited by inclusive section or subsection numbers, not “*et seq.*,” as follows

16 M.R.S.A. §§ 611-622 (1983 & Supp. 2001).

B. *Maine Revised Statutes: 1841 to 1954*

1. Before their last revision in 1964, the Maine Revised Statutes were revised nine times from 1841 to 1954. Statutory provisions appearing in these earlier revisions were not set forth by title and section number, but by chapter and section number. Sections contained in these nine revisions should be cited by reference to chapter and section number and year of the revision as follows:

R.S. ch. 171, § 22 (1841).

R.S. ch. 133, § 14 (1857).

R.S. ch. 133, § 16 (1871).

R.S. ch. 133, § 16 (1883).

R.S. ch. 134, § 18 (1903).

R.S. ch. 135, § 18 (1916).

R.S. ch. 145, § 18 (1930).

R.S. ch. 134, § 18 (1944).

R.S. ch. 147, § 18 (1954).

2. Sections contained in a supplement to the 1954 revision should be cited as follows:

R.S. ch. 146, § 8 (Supp. 1961).

3. If for some reason citation cannot be made to one of these earlier revisions of the revised statutes, the statute should be cited by reference to the session law enacting it.

C. *Commentary*

1. Comments to Maine statutory provisions should be cited as follows:

11 M.R.S.A. § 8-201 comment (1995).

17-A M.R.S.A. § 201 comment to former § 202 (1983).

11 M.R.S.A. § 9-1403 comment (Pamph. 2001).

18-A M.R.S.A. § 3-105 comment (1998).

2. Comments to uniform acts or model codes that appear in the Maine Revised Statutes Annotated should be cited by the uniform act or model code provision and the year of the comment as follows:

U.C.C. § 9-112 comment (1972).

Unif. Probate Code § 3-607 comment (1969).

#### D. *Session Laws*

Maine session laws should be cited by the year, chapter number, and, where applicable, the section number. Enactments passed in even-numbered years since 1920 are cited by reference to the preceding odd-numbered year. When the effective date of an enactment has special significance, it should be included.

1. Public Laws should be cited as follows:

P.L. 2001, ch. 601, § 2842-B.

P.L. 2001, ch. 530, § 1 (effective March 14, 2002).

2. Private and Special Laws should be cited as follows:

P. & S.L. 2001, ch. 3.

3. Resolves should be cited as follows:

Resolves 2001, ch. 117.

4. Constitutional Resolutions should be cited as follows:

Const. Res. 1977, ch. 6, *passed in 1978*.

5. Legislative addresses by the governor and proclamations of constitutional amendments should be cited by the year and page or pages of the Laws of Maine, as follows:

2001 Me. Laws 1061 (State of the State address of Gov. King to first regular sess. of 120th Legis.).

E. *Revisor's Report*

The annual Revisor's Report made by the Revisor of Statutes pursuant to the Maine Revised Statutes, Title 1, section 95, in the course of the update of the statutory database by that office should be cited by the year, chapter number and, the section number, as follows:

R.R. 1999, ch. 2, § 23 explanation.

F. *Bills and Amendments to Bills*

1. *Legislative Documents*

Legislative documents ("bills") should be cited by the legislative document number; where appropriate, the particular section of the bill, the summary, or the statement of fact; the session number of the legislature that considered the bill; and the year. The senate paper or house paper number assigned to the bill is omitted from the citation form both for brevity and because this number is not particularly helpful as a research device. Legislative documents should be cited as follows:

L.D. 576 (120th Legis. 2001).

L.D. 589, § 2 (120th Legis. 2001).

L.D. 717, Summary (120th Legis. 2001).

L.D. 1989, Statement of Fact (110th Legis. 1982).

Include a pinpoint citation as follows:

L.D. 2464, Statement of Fact, § A, at 216 (115th Legis. 1992).

2. *Amendments*



A committee, senate, or house amendment should be cited by the letter assigned the amendment, the legislative document amended (and where appropriate the amendment being amended), the filing number of the amendment, the session number of the legislature that considered the amendment, and the year, as follows:

Comm. Amend. A to L.D. 1837, No. H-703 (119th Legis. 1999).

House Amend. A to L.D. 1887, No. H-683 (119th Legis. 1999).

Sen. Amend. A to Comm. Amend. A to L.D. 1887, No. S-321 (119th Legis. 1999).

### G. *Legislative Debate*

1. Pages of the Maine Legislative Record ordinarily should be cited by reference to the volume number (where appropriate), page, and year. Note that, starting in 1991, the page numbering differentiates between the Legislative Record for the House (H) and the Senate (S).

Legis. Rec. 745 (1943).

1 Legis. Rec. 655 (1979).

7 Legis. Rec. S-2172 (1996).

2 Legis. Rec. House H-1403 (1999).

2. Some volumes of the Legislative Record contain debate for both a regular session and one or more special sessions. In such cases the debate at the special session(s) is repaginated. Citation to debate in these volumes should include reference to the regular or special session during which the debate occurred, as follows:

7 Legis. Rec. S-1880 (2d Reg. Sess. 1996).

7 Legis. Rec. H-2145 (2d Spec. Sess. 1996).

### H. *Journals of the Senate and House*

Pages of the Journal of the Senate of the State of Maine and the Journal of the House of Representatives of the State of Maine should be cited as follows:

Sen. Jour. 1661 (105th Legis. 1971).

House Jour. 2357 (107th Legis. 1976).

Copies of the journals are available at the State Law Library, the Secretary of State (Archives), and the office of the branch of the legislature producing the particular journal.

I. *Reports of Joint Standing Committees of the Legislature*

A study report of a joint standing committee of the legislature should be cited by reference to the title of the report, page, and date of publication (or year if precise date is unavailable).

Long-term Care in Maine: A Progress Report of the Joint Standing Committee on Health and Human Services iii (Jan. 2000).

J. *Reports and Documents of Legislative and Gubernatorial Commissions*

The legislature or governor from time to time will establish special commissions or committees to study an area of law and to issue a report on their findings. Occasionally the legislature will establish, typically by private and special law, the commission but provide for appointment of its members by the governor or other person(s). Citations to reports and other documents of these special commissions should include the name of the commission, the title of the report or document, page, and date of publication (or year if precise date is unavailable).

Commission to Recognize Vietnam Veterans in the State Hall of Flags, Final Report to the 120th Legislature 2 (Dec. 2001).

Committee to Study the Needs of Persons with Mental Illness who are Incarcerated, Final Report to the 120th Legislature iv (Dec. 19, 2001).

#### IV. RULES OF COURT

##### A. *Operating Procedures for Rulemaking*

1. Operating procedures for rulemaking should be cited as follows:

OP 4(a)(3).

##### B. *Maine Rules of Civil Procedure*

1. Maine Rules of Civil Procedure should be cited as follows:

M.R. Civ. P. 26(b)(4)(A)(i).

2. Reporter's notes to the Maine Rules of Civil Procedure should be cited as follows:

M.R. Civ. P. 12 reporter's note.

3. Advisory committee's notes to amendments to the Maine Rules of Civil Procedure up to 1980 appear in both the *Maine Reporter* and in *Maine Civil Practice*. Citation should be made to either of those sources. Some early advisory committee's notes do not appear in the *Maine Reporter* and in such cases citation should be made to the single existing source, *Maine Civil Practice*.

M.R. Civ. P. 68 advisory committee's note to 1966 amend., 2 Field, McKusick & Wroth, *Maine Civil Practice* 121 (2d ed. 1970).

M.R. Civ. P. 64 advisory committee's note to 1973 amend., 2 Field, McKusick & Wroth, *Maine Civil Practice* 381-382 (2d ed. Supp. 1981).

M.R. Civ. P. 33(a) advisory committee's note to 1981 amend., Me. Rptr., 428-433 A.2d LII.

Advisory committee notes for amendments to the Maine Rules of Civil Procedure published since 1980 appear in the *Maine Reporter* and in the Maine Rules of Civil Procedure with Advisory Committee Notes and Commentary that may be found on the Maine Judicial Branch web site.

M.R. Civ. P. 5 advisory committee's note to 2001 amend., Me. Rptr., 770-777 A.2d XXXII.

M.R. Civ. P. 5 advisory committee's note to 2001 amend., M.R. Civ. P. with Advisory Committee Notes and Commentary, [www.courts.state.me.us/rules-forms-fees/rules](http://www.courts.state.me.us/rules-forms-fees/rules).

4. When the Supreme Judicial Court adopts a rule amendment itself, without recommendation of an advisory committee, the explanation of the rule amendment may be characterized as an "Advisory Note." Citation should be made to such a note as follows:

M.R. Civ. P. 32(c) advisory note, January 1, 2003, M.R. Civ. P. Advisory Committee Notes and Commentary, [www.courts.state.me.us/rules-forms-fees/rules](http://www.courts.state.me.us/rules-forms-fees/rules).

### C. *Maine Rules of Criminal Procedure*

1. Maine Rules of Criminal Procedure should be cited as follows:

M.R. Crim. P. 16(b)(2)(A).

2. Reporter's notes to the Maine Rules of Criminal Procedure should be cited as follows:

M.R. Crim. P. 35 reporter's notes.

3. Advisory committee's notes to amendments to the Maine Rules of Criminal Procedure appear in the *Maine Reporter*. Advisory committee's notes up to 1995 appear in *Maine Criminal Practice*. In addition, as of August, 2004, the Judicial Branch web site includes a copy of the Maine Rules of Criminal Procedure with all of the advisory notes to the original rules and amendments to the rules. Citation should be made to one of these sources, as follows:

M.R. Crim. P. 4(a) advisory committee's note to 2000 amend., Me. Rptr., 762-769 A.2d LXIV.

M.R. Crim. P. 5(b) advisory committee's notes to 1994 amend., 1 Cluchey & Seitzinger, *Maine Criminal Practice* II-51 (Gardner ed. 1995).

M.R. Crim. P. 5 advisory committee's note to 2001 amend., M.R. Civ. P. with Advisory Committee Notes and Commentary,

[www.courts.state.me.us/rules-forms-fees/rules](http://www.courts.state.me.us/rules-forms-fees/rules).

4. The Supreme Judicial Court occasionally will adopt rule changes on its own initiative, i.e., not upon a recommendation from the advisory committee. The Supreme Judicial Court normally provides notes to accompany such changes. The Supreme Judicial Court's notes to amendments to the Maine Rules of Criminal Procedure appear in either the *Maine Reporter* or *Maine Criminal Practice*. Citation should be made to either of these sources as follows:

M.R. Crim P. 39D(f) Supreme Judicial Court note to 1987 amend., Me. Rptr., 510-21 A.2d XXXVIII.

M.R. Crim P. 39D(f) Supreme Judicial Court note to 1987 amend., 2 Cluchy & Seitzinger, *Maine Criminal Practice* VII-175 (1992).

#### D. *Maine Rules of Evidence*

1. Maine Rules of Evidence should be cited as follows:

M.R. Evid. 804(b)(3).

2. Advisory committee's notes to the Maine Rules of Evidence as originally promulgated should be cited as follows:

M.R. Evid. 511 advisory committee's note.

3. Advisory committee's notes to amendments to the Maine Rules of Evidence appear with the Rules of Evidence on the Maine Judicial Branch web site. They also appear in either the *Maine Reporter* or *Maine Evidence*. Citation should be made to these sources as follows:

M.R. Evid. 412 advisory committee's notes to 2000 amend., Me. Rptr., 746-754 A.2d LXXIII.

M.R. Evid. 103 advisory committee's note to 1998 amend., Field & Murray, *Maine Evidence* 5 (2000).

M.R. Evid. 502 advisory committee's note to 1983 amend., [www.courts.state.me.us/rules-forms-fees/rules](http://www.courts.state.me.us/rules-forms-fees/rules).

#### E. *Maine Rules of Appellate Procedure*

1. Maine Rules of Appellate Procedure should be cited as follows:

M.R. App. P. 8(g)(2).

2. Advisory notes to the Maine Rules of Appellate Procedure as originally promulgated should be cited as follows:

M.R. App. P. 7(e) advisory notes, January 1, 2001.

Complete, current sets of advisory notes to the Maine Rules of Appellate Procedure may be found, organized by date, under each rule on the Maine Judicial Branch web site.

3. Advisory notes to amendments to the Maine Rules of Appellate Procedure appear in the *Maine Reporter* and *Maine Appellate Practice*. Citation should be made to either of these sources, as follows:

M.R. App. P. 5(b)(2)(A) advisory notes to 2001 amend., Me. Rptr., 762-769 A.2d XCI.

M.R. App. P. 19(d)(2), advisory notes to 2001 amend., Alexander, *Maine Appellate Practice* § 2 at 112 (2003).

F. *Maine Rules of Probate Procedure*

1. Maine Rules of Probate Procedure should be cited as follows:

M.R. Prob. P. 4(b)(1)(A).

2. Forms contained in the Appendix of Forms to the Maine Rules of Probate Procedure should be cited as follows:

M.R. Prob. P. Form DE-404.

3. Advisory committee's notes to the Maine Rules of Probate Procedure as originally promulgated and amendments to the rules appear in both the *Maine Reporter* and the supplement to *Maine Civil Practice*. Citation should be made to either of these sources as follows:

M.R. Prob. P. 65 advisory committee's note, 2 Field, McKusick & Wroth, *Maine Civil Practice* 775 (2d ed. Supp. 1981).

M.R. Prob. P. 62(a) advisory committee's note to 1999 amend., Me. Rptr., 725-735 A.2d XXVII.

G. *Rules for the Family Division of the Maine District Court*

1. Rules for the Family Division of the Maine District Court should be cited as follows:

M.R. Fam. Div. III(A)(5).

2. Amendments to the Rules for the Family Division of the Maine District Court should be cited as follows:

M.R. Fam. Div. III(G)(2)(b) 2000 amend., Me. Rptr., 746-754 A.2d LXXXI.

H. *Rules for Guardians Ad Litem*

1. Rules for Guardians Ad Litem should be cited as follows:

M.R.G.A.L. II(2)(A)(ii).

2. Appendices to the Rules for Guardians Ad Litem should be cited as follows:

M.R.G.A.L. app. A(3.2)(12)(d).

I. *Maine Rules of Small Claims Procedure*

1. Maine Rules of Small Claims Procedure should be cited as follows:

M.R.S.C.P. 6(c)(2).

2. Advisory committee's notes to the Maine Rules of Small Claims Procedure as originally promulgated should be cited as follows:

M.R.S.C.P. 5 original advisory committee's note.

3. Advisory committee's notes to amendments to the Maine Rules of Small Claims Procedure appear in the *Maine Reporter*. Citation should be made to this source as follows:

M.R.S.C.P. 3(d) advisory committee's note to 1999 amend., Me. Rptr., 716-724 A.2d LII.

J. *Maine Administrative Court Rules [Abrogated]*

1. Maine Administrative Court Rules were abrogated by Order of the Supreme Judicial Court, dated February 28, 2001, effective March 15, 2001.
2. Although Maine Administrative Court Rules are no longer in effect, they may still be cited for historical purposes as follows:

M. Admin. C.R. 26(c)(2)(A).

3. Forms contained in the Appendix of Forms to the Maine Administrative Court Rules should be cited as follows:

M. Admin. C.R. Form 1.

4. Advisory committee's notes to the Maine Administrative Court Rules as originally promulgated appear in both volume 385-388 A.2d of the *Maine Reporter* and in the supplement to *Maine Civil Practice*. Citation should be made to either of these sources as follows:

M. Admin. C.R. 26 advisory committee's note, Me. Rptr., 385-388 A.2d XL.

M. Admin. C.R. 12(e) advisory committee's note, 2 Field, McKusick & Wroth, *Maine Civil Practice* 958 (2d ed. Supp. 1981).

5. Advisory committee's notes and explanatory notes to amendments to the Maine Administrative Court Rules appear in the *Maine Reporter* and should be cited as follows:

M. Admin. C.R. 73(b)(1) advisory committee's note, Me. Rptr., 510-521 A.2d XCVI.

M. Admin. C.R. 50 explanatory note, Me. Rptr., 522-536 A.2d CCXLIX.

K. *Administrative Orders of the Maine Supreme Judicial Court*

1. Administrative Orders of the Maine Supreme Judicial Court should be cited as follows:



Fee Schedule for Court-Appointed Counsel in all Courts, Admin. Order M.S.J.C. (adopted effective July 1, 2000).

2. Appendices to Administrative Orders of the Maine Supreme Judicial Court should be cited as follows:

Admin. Order—Cameras in the Courtroom, app. A(Rule 1) (July 11, 1995).

L. *Maine Code of Judicial Conduct*

1. Sections of the Maine Code of Judicial Conduct should be cited as follows:

M. Code Jud. Conduct I(4)(B).

M. *Rules of the Committee on Judicial Responsibility and Disability*

1. Rules of the Committee on Judicial Responsibility and Disability should be cited as follows:

M.R. Comm. Jud. Responsibility & Disability 2(H)(iii).

N. *Maine Bar Rules*

1. Maine Bar Rules should be cited as follows:

M. Bar R. 3.7(e)(1)(ii).

2. Notes and advisory committee's notes to the Maine Bar Rules should be cited as follows:

M. Bar R. 12(a)(1) note.

M. Bar R. 1 advisory committee's notes.

O. *Maine Rules for Lawyers' Fund for Client Protection*

1. Maine Rules for Lawyers' Fund for Client Protection should be cited as follows:

M.R. Lawyers' Fund for Client Protection 10(a)(3).

P. *Maine Bar Admission Rules*

1. Maine Bar Admission Rules should be cited as follows:

M. Bar Admission R. 5(a)(2).

2. Notes and Board notes to the Maine Bar Admission Rules should be cited as follows:

M. Bar Admission R. 6 note.

M. Bar Admission R. 10 Board notes.

## V. TREATISES

### A. *Appellate Procedure*

1. *Maine Appellate Practice* should be cited as follows:

Alexander, *Maine Appellate Practice* § 1.1 at 20 (2004).

### B. *Civil Procedure*

1. *Maine Civil Practice*

- a. The main volume should be cited as follows:

1 [or 2] Field, McKusick & Wroth, *Maine Civil Practice* § 37.5 at 547 (2d ed. 1970).

- b. The supplement should be cited as follows:

1 [or 2] Field, McKusick & Wroth, *Maine Civil Practice* § 37.1 at 270 (Supp. 1981).

- c. References to both the main volume and the supplement should be cited as follows:

1 [or 2] Field, McKusick & Wroth, *Maine Civil Practice* § 16.4 (2d ed. 1970 & Supp. 1981).

2. *The Maine Rules of Civil Procedure with Advisory Committee Notes and Commentary*

This document, appearing on the Maine Judicial Branch web site, should be cited as follows:

Alexander, *The Maine Rules of Civil Procedure with Advisory Committee Notes and Commentary* § 54(b) (2004).

### C. *Constitutional Law*

1. *The Maine State Constitution: A Reference Guide* should be cited as follows:

Tinkle, *The Maine State Constitution: A Reference Guide* at 9 (1992).

D. *Corporations*

1. *Maine Corporation Law and Practice* should be cited as follows:

Zimpritch, *Maine Corporation Law and Practice* § 9.6 at 366 (2004).

E. *Criminal Procedure*

1. *Maine Criminal Practice* should be cited to the most current year of supplementation as follows:

1 [2 or 3] Cluchey & Seitzinger, *Maine Criminal Practice* § 16.1 at IV-86 (Gardner ed. 1995).

2. *Maine Practice: Rules of Criminal Procedure Annotated*

- a. The main volume should be cited as follows:

Glassman, *Maine Practice: Rules of Criminal Procedure Annotated* § 35.3 at 286 (1967).

- b. The supplement, last published in 1975, should be cited as follows:

Glassman, *Maine Practice: Rules of Criminal Procedure Annotated* § 48.1 at 171 (Supp. 1975).

- c. References to both the main volume and the supplement should be cited as follows:

Glassman, *Maine Practice: Rules of Criminal Procedure Annotated* § 16.1 (1967 & Supp. 1975).

F. *Debtor-Creditor Law*

1. *Maine Debtor-Creditor Law*

- a. The main volume should be cited as follows:

Patterson, *Maine Debtor-Creditor Law* § 6.2 at 64 (1988).

- b. The supplement should be cited as follows:

Patterson, *Maine Debtor-Creditor Law* § 5.1 at 15 (Supp. 1991).

- c. References to both the main volume and the supplement should be cited as follows:

Patterson, *Maine Debtor-Creditor Law* § 2.2 (1988 & Supp. 1991).

#### G. *Employment*

##### 1. *Maine Employers' Handbook*

- a. The main volume should be cited as follows:

Winger, *Maine Employers' Handbook* § 2.6 at 7 (3d ed. 1998).

- b. The supplement should be cited as follows:

Winger, *Maine Employers' Handbook* § 3.13 at 9 (Supp. 2001).

- c. References to both the main volume and the supplement should be cited as follows:

Winger, *Maine Employers' Handbook* § 9.4 (3d ed. 1998 & Supp. 2001).

#### H. *Evidence*

- 1. *Maine Evidence* should be cited as follows:

Field & Murray, *Maine Evidence* § 609.3 at 292 (2000 ed. 1999).

#### I. *Family Law*

- 1. *Maine Family Law* should be cited as follows:

Levy, *Maine Family Law: Divorce, Separation and Annulment* § 3.2.2 at 73 (2000 ed. 1999).

- 2. *Maine Family Law Forms: Discovery, Trial and Settlement* should be cited as follows:

Prescott, *Maine Family Law Forms: Discovery, Trial and Settlement* §1.01 (F1.1) at 6 (3d ed. 2001).

J. *Jury Instructions*

1. *Maine Jury Instruction Manual* should be cited as follows:

Alexander, *Maine Jury Instruction Manual* § 2-16 at 2-31 (4th ed. 2004).

K. *Land Use*

1. *Maine Land Use Control Law, Cases, Notes, Comments* should be cited as follows:

Delogu, *Maine Land Use Control Law, Cases, Notes, Comments* § 11.03 at 749 (2d ed. 1997).

L. *Probate*

1. *Maine Probate Law* should be cited as follows:

Hunt, *Maine Probate Law* § 2.902 at 97-1 (1999).

2. *Maine Probate Procedure: Guide to Official and Recommended Forms* should be cited as follows:

Mitchell & Hunt, *Maine Probate Procedure: Guide to Official and Recommended Forms* § 7.25.5 at 7-47(rev. ed. 2000).

M. *Real Estate*

1. *Maine Real Estate Law and Practice*

- a. The main volume should be cited as follows:

Cowan, *Maine Real Estate Law and Practice* § 674 at 542 (1990).

- b. The supplement should be cited as follows:

Cowan, *Maine Practice: Real Estate Law and Practice* § 413 at 124 (Supp. 2001).

- c. References to both the main volume and the supplement should be cited as follows:

Cowan, *Maine Real Estate Law and Practice* § 621 (1990 & Supp. 2001).

## N. *Remedies*

### 1. *Maine Civil Remedies*

- a. The main volume should be cited as follows:

Horton & McGehee, *Maine Civil Remedies* § 16-1(c) at 341 (4th ed. 2004).

- b. The supplement should be cited as follows:

Horton & McGehee, *Maine Civil Remedies* § 7-3 at 17 (Supp. 1999).

- c. References to both the main volume and the supplement should be cited as follows:

Horton & McGehee, *Maine Civil Remedies* § 6-4 (1996 & Supp. 1999).

## O. *Torts*

1. *Maine Tort Law* should be cited as follows:

Simmons, Zillman & Gregory, *Maine Tort Law* § 13.21 at 13-43 (2001 ed.).

## P. *Trial Practice*

1. *Basic Trial Advocacy* should be cited as follows:

Murray, *Basic Trial Advocacy* 37 (1995).

2. *Trial Handbook for Maine Lawyers*

- a. The main volume should be cited as follows:

Stolt, *Trial Handbook for Maine Lawyers* § 9.4 at 117 (1991).

- b. The supplement should be cited as follows:

Stolt, *Trial Handbook for Maine Lawyers* § 36.25 at 224 (Supp. 2000).

- c. References to both the main volume and the supplement should be cited as follows:

Stolt, *Trial Handbook for Maine Lawyers* § 3.4 (1991 & Supp. 2000).

Q. *Workers' Compensation*

1. *Maine Employers' Guide: Workers' Compensation* should be cited as follows:

Gillis, *Maine Employers' Guide: Workers' Compensation* § 620A at 138 (2000).



## VI. PERIODICALS

A. *Maine Law Review*

1. The *Maine Law Review* was published from 1908 to 1920 (vol. 1-13) and from 1962 to the present. Articles in the *Maine Law Review* should be cited as follows:

Richard A. Epstein, *Life in No Trump: Property and Speech Under the Constitution*, 53 Me. L. Rev. 23 (2001).

2. Student-written articles should be cited as follows:

Melissa A. Perry, Student Author, *Fragmented Bodies, Legal Privilege, and Commodification in Science and Medicine*, 51 Me. L. Rev. 169 (1999).

B. *Peabody Law Review* and *Portland University Law Review*

Articles in the *Peabody Law Review* (5 vol.; 1936-1941) and the *Portland University Law Review* (7 vol.; 1949-1961), both of which are no longer published, should be cited as follows:

Matthew Williams, *The Case for Occupational Disease*, 3 Peabody L. Rev. 26, 27 (1938).

Sidney W. Thaxter, *Some Aspects of the Joint Ownership of Property*, 7 Port. U.L. Rev. 57, 61 (1961).

C. *Maine Bar Bulletin* and *Maine Bar Journal*

1. The *Maine Bar Bulletin* was published by the Maine State Bar Association from September 1967 to November 1985. The *Bulletin* was then replaced by the *Maine Bar Journal*.

2. Articles in the *Maine Bar Bulletin*, starting with volume 11, should be cited as follows:

Kermit Lipez, "The Board of Environmental Protection: The Need for Reform," 15 Me. B. Bull. 33 (1981).

3. Because volumes 1-10 of the *Maine Bar Bulletin* are separately paginated within each issue, citations to articles appearing in volumes 1-10 should be cited as follows:

J. Neal Martin, *Attorneys and Corporate Fiduciaries: Servants of the Public*, Me. B. Bull., September 1969, at 1.

4. Articles in the *Maine Bar Journal* should be cited as follows:

John S. Edwards, *The Constitution Sleeps in Child Protective Cases*, 16 Me. Bar J. 46 (2001).

D. *Maine Lawyers Review*

1. Articles in the *Maine Lawyers Review* should be cited as follows:

*Do Ask, Do Tell: WLS Program on Women in the Military*, Me. Lawyers Rev. 1 (May 29, 2002).

John Logan, *Court Security Bond Issue – Opinion*, Me. Lawyers Rev. 12 (May 29, 2002).

E. *The Ethical Lawyer*

1. Articles in *The Ethical Lawyer*, a publication of the Continuing Legal Education Committee of the Maine State Bar Association, should be cited as follows:

Gordon H.S. Scott & Phillip E. Johnson, *Responsibility for the Conduct of Others*, 1 *The Ethical Lawyer* 1 (February 1999).

## VII. MISCELLANEOUS

### A. *Attorney General Opinions*

1. Almost continuously since 1901 the annual reports of the attorney general to the governor, reprinted in hardbound volumes through 1972, include the opinions of the attorney general. No other hardbound source exists. Consequently, citation to attorney general opinions must reflect a parallel citation. The name of the opinion may be included.

Op. Me. Att’y Gen. (1965), *reprinted in* 1965-1966 Me. Att’y Gen. Ann. Rep. 21.

Grants for Water Pollution Control on M.S.B.A. Property, Op. Me. Att’y Gen. (1965), *reprinted in* 1965-1966 Me. Att’y Gen. Ann. Rep. 21.

2. Citation to attorney general opinions from 1973 through 1978, which were neither reprinted in hardbound volumes nor numbered, should be cited to the date of the opinion as follows:

Op. Me. Att’y Gen. (Mar. 16, 1977).

3. In 1979 the attorney general’s office began numbering its opinions consecutively by year and number. Citation to attorney general opinions from 1979 to the present should reflect this numbering system as follows:

Op. Me. Att’y Gen. 00-02.

Copies of attorney general opinions are available at the Department of the Attorney General, the State Law Library, and the Donald L. Garbrecht Library at the University of Maine School of Law.

### B. *Opinions Issued by the Grievance Commission and the Professional Ethics Commission of the Board of Overseers of the Bar*

1. Opinions issued by the Grievance Commission appear in the *Maine Manual on Professional Responsibility* and should be cited as follows:

Me. Grievance Comm’n, Op. No. 45, 1 *Maine Manual on Professional Responsibility* 0-159 (Nov. 22, 1983).

Me. Grievance Comm'n, File No. 00-143, 2 *Maine Manual on Professional Responsibility* GC-481 (Nov. 8, 2001).

2. Opinions issued by the Professional Ethics Commission that appear in the *Maine Manual on Professional Responsibility* should be cited as follows:

Me. Prof. Ethics Comm'n, Op. No. 178, 1 *Maine Manual on Professional Responsibility* 0-641 to 0-642 (Mar. 8, 2002).

3. Opinions issued by the Professional Ethics Commission that have not yet appeared in the *Maine Manual on Professional Responsibility* should be cited as follows:

Me. Prof. Ethics Comm'n, Op. No. 179 at 1 n.1 (July 18, 2002).

#### C. *Executive Orders*

The system used to number Executive Orders changed in January 1974 to reflect the fiscal year in which the order was issued. Executive Orders should be cited to the number and date of the order as follows:

Me. Exec. Order No. 20 (Nov. 7, 1972).

Me. Exec. Order No. 6 FY 01/02 (June 19, 2002).

Copies of recent executive orders are available at the Office of the Governor, the State Law Library, and the University of Maine School of Law Library. Copies of older executive orders are available at the State Law Library and the Maine State Archives.

#### D. *Administrative Regulations*

Rules and regulations adopted by Maine state administrative agencies are published in the *Code of Maine Rules* and should be cited as follows:

Me. Dep't of Agric., 01 001 CMR 031-1.

Me. Dep't of Hum. Serv., 10 144 CMR 101-896.1.

#### E. *Public Utilities Commission Proceedings*

1. Proceedings of the Maine Public Utilities Commission reported in the Public Utilities Reports should be cited as follows:

*Re Bangor Hydro-Electric Co.*, 207 P.U.R. 4th 247 (Me. P.U.C. 2001).

2. Proceedings of the Maine Public Utilities Commission which have not been reported in the Public Utilities Reports should be cited as follows:

*Re Central Maine Power Co.*, Proposed Increase in Rates, No. 90-076 Order – Part 2 at 112 (Me. P.U.C. Mar. 8, 1991).

#### F. *Workers' Compensation Board*

1. The Workers' Compensation Board (W.C.B.) used to be called the Workers' Compensation Commission (W.C.C.). Reported decisions of the Appellate Division should be cited using the appropriate abbreviation as follows:

*Peters v. Hannaford Brothers, Inc.*, Me. W.C.C. App. Div. 3385 (Me. 1989).

*Bourassa v. Town of Farmington*, Me. W.C.B. App. Div. 98-01 (Me. 1998).

2. Slip opinions of the Appellate Division of the Maine Workers' Compensation Commission should be cited by reference to the decision number rather than the docket number, using the appropriate abbreviation (W.C.C. or W.C.B.), as follows:

*Bailey v. International Paper Co.*, No. 91-37 at 2 (Me. W.C.C. App. Div. Mar. 15, 1991).

3. Rules of the Workers' Compensation Commission should be cited, using the appropriate abbreviation (W.C.C. or W.C.B.), as follows:

Me. W.C.C. Rule 18.5.

#### G. *Reports and Studies of State Departments and Agencies*

Reports and studies of state departments and administrative agencies should be cited by reference to the department or agency, title of the report or other document, and page and date of publication (or year if precise date is unavailable).

Me. Dep't of Att'y Gen., Report on the Public Lots 34 (Sept. 12, 1972).

#### H. *Municipal Ordinances*

A municipal ordinance which has been codified should be cited by reference to the municipality, code section or other subdivision, and the year of the code. An ordinance which is uncodified should be cited by reference to the municipality, name of the ordinance, section or other subdivision (if applicable), and the date of adoption, as follows:

Portland, Me., Code § 3-16 (Dec. 1, 2000).

Manchester, Me., Mobile Home Ordinance 3 (Mar. 6, 1982).

#### I. *Proceedings of the Maine State Bar Association*

Articles and discussions contained in the Maine State Bar Association Proceedings, which are no longer published, should be cited to the page and date of proceeding as follows:

Me. S. Bar Ass'n Proc. 24 (Aug. 27, 1968).

#### J. *Court Documents, Transcripts, and Records*

1. When citing to court documents, transcripts, and records in the same case as the cited material, abbreviate the titles of those documents, cite to a paragraph or page, and enclose the entire citation in parentheses. If the citation serves as a citation sentence, place a period after the paragraph or page within the parentheses; if the citation serves as a clause, omit the period and include commas before and after the opening and closing parentheses. If necessary to avoid confusion, include the date that the document was prepared.

- a. Pleadings

Plaintiff's Complaint paragraph 9	(Pl.'s Compl. ¶ 9.)
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Defendant's Answer paragraph 6	(Def.'s Ans. ¶ 6.)
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Defendant's Counterclaim paragraph 13	(Def.'s Countercl. ¶ 13.)
b. Motions	
Motion to Dismiss paragraph 3	(M. Dismiss ¶ 3.)
Defendant's Motion to Suppress page 8	(Def.'s M. Suppress at 8.)
Plaintiff's Motion in Limine page 4	(Pl.'s M. Limine at 4 (Oct. 7, 2001).)
c. Transcripts	
Motion Transcript, page 17	(M. Tr. at 17 (June 6, 2002).)
Motion Transcript, June 23, 1999, page 9	(M. Tr. at 9 (June 23, 1999).)
Sentencing Transcript, page 2	(S. Tr. at 2.)
d. Summary Judgment Documents	
Plaintiff's Opposition to Defendant's Motion for Summary Judgment page 12	(Pl.'s Opp'n to Def's Mot. Summ. J. at 12.)
Supporting Statement of Material Facts paragraph 7	(Supp. S.M.F. ¶ 7.)
Opposing Statement of Material Facts paragraph 12	(Opp. S.M.F. ¶ 12.)
e. Supporting Documents	
Affidavit of James Kane paragraphs 1-3	(Kane Aff. ¶¶ 1-3.)

Deposition of Sheila Dennison (Dennison Dep. at 23.)  
page 23



Defendant's Interrogatory number 2	(Def.'s Interrog. No. 2.)
f. Appellate Documents	
Appellant's Brief page 6	(Blue Br. at 6.)
Appellee's Brief	(Red Br. at 12.)
Appendix page 85	(App. at 85.)
Appendix A, page A-9	(App. A. at A-9.)
Appendix I, page 9	(App. I at 9.)
Record, page 73	(R. at 73.)

2. When citing to court documents in law review articles, or any time the case to which the document relates might be unclear, add a comma followed by a citation to that case, as follows:

Br. of Pet. at 33, *Camps Newfound/Owatonna, Inc. v. Town of Harrison*, 520 U.S. 564 (1997).

Br. of Resp. at 12, *Camps Newfound/Owatonna, Inc. v. Town of Harrison*, 520 U.S. 564 (1997).

#### K. *Uniform Maine Citations*

*Uniform Maine Citations* should be cited as follows:

Unif. M. Cit. § VI(A)(2) (3d ed. 2003).

## VIII. COUNTY ABBREVIATIONS

For purposes of citation, Maine counties should be abbreviated. The abbreviation should use the first three letters of the county's name, as follows:

Androscoggin.....	And.
Aroostook.....	Aro.
Cumberland.....	Cum.
Franklin.....	Fra.
Hancock .....	Han.
Kennebec.....	Ken.
Knox.....	Kno.
Lincoln .....	Lin.
Oxford.....	Oxf.
Penobscot .....	Pen.
Piscataquis.....	Pis.
Sagadahoc .....	Sag.
Somerset.....	Som.
Waldo .....	Wal.
Washington .....	Was.
York .....	Yor.