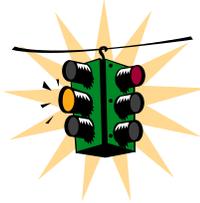


Introductory Signals: ALWD 44*

- Signals indicate the **purpose** for which an authority is cited.
- Signals indicate the **degree of support or contradiction** the authority cited in the endnote gives the proposition in the text.



*Excerpted from www.alwd.org/publications/ppt/TR2_LawReview.ppt

Do Not Use a Signal If:

- The cited authority directly supports the stated proposition.
- The cited authority identifies the source of a quotation.
- The cited authority merely identifies the authority referred to in the text.
- *You'll have very few "see" signals in the paper.*



Types of Signals

- Support
 - Comparison
 - Contradiction
 - Background material
 - *E.g.* (for example)
- Put signals in the order they appear in Rule 44.3.

Punctuation between Signals

- **Separate signals with a semicolon.**
- **ALWD 44.8(c).**

³²*Smith v. Jones*, 438 F. Supp. 90, 96 (S.D. Fla. 1963); *see French v. Williams*, 457 F.2d 27, 32 (2d Cir. 1968) (agreeing with *Jackson*); *but see* . . .

Multiple Cases Within the Same Signal: ALWD 45.7

- You may have more than one case that gives the same type and degree of support.
- If so, do **not** repeat the signal.
- Use Rule 45 to determine the order of cases within a signal.

⁹³*See Jones v. Smith*, 100 F.2d 97, 99 (5th Cir. 1952) (finding the defendant acted in self-defense); *Gordon v. Ball*, 76 P.2d 588, 599 (Mont. 1934) (finding that the plaintiff used the knife in self-defense).

Order of Authorities: ALWD 45

- The authorities within the *same signal* must be in order.
- Start ordering over when you switch signals.
- **45.3:** General principles.
- **45.4:** Specific sources.



Order of Federal Cases: Rule 45.3(f)

- Higher courts come before lower courts.
- Court of Appeals:** 1st, 2d, 3d . . . D.C., Fed. Cir.
- District Courts:**
 - Alphabetical by state, then
 - Alphabetical by district.
- From same court:** Reverse chronological order (newest first).

Examples: Federal

- 1996 case from 11th Circuit comes after 1993 case from 2d Circuit.
- 1927 case from 3d Circuit comes before 1997 case from M.D. Fla.
- 1996 case from D. Wyo. comes after 1985 from N.D. Ala.



Order of State Cases: Rule 45.3(e)

- Alphabetically by state name.
- Then, within each state:
 - Higher courts before lower courts.
 - Then, within each court:
 - Reverse chronological order (newest first).
 - If same volume number, put the higher page number first.

Examples: State Cases

- Cases from Alabama come before cases from Idaho.**
- Regarding Alabama cases, Alabama Supreme Court cases come before cases from the Alabama Court of Appeals.**
- A 1996 Alabama Supreme Court case would come before a 1976 Alabama Supreme Court case.**



Another Rule 45 Tip

- Subsequent and prior histories are IRRELEVANT for purposes of Rule 45.**
 - Go with the court and date of the case you are citing.**
 - The history “tags along.”**
- ⁵⁵*Smith v. Jones*, 43 F.3d 97, 98 (2d Cir. 1999); *Watson v. Johnson*, 40 F.3d 399, 405 (6th Cir. 1999), *cert. denied*, 500 U.S. 16 (2000).

Introductory Signals

-- Sample Video

- GoAnimate.com
 - Free video animation
- Here is the sample video I made based on this PowerPoint:

http://goanimate.com/go/movie/0qPwnSHVxVm4?utm_source=emailshare&uid=0kK47eHqFqdE