

Proposal to Adopt a Public Domain Citation Format For Colorado Supreme Court and Court of Appeals Published Opinions

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Given the increasing amount of legal research being conducted via the internet and other electronic resources and the desire to promote equal access to Colorado's system of justice, the Colorado Supreme Court and the Colorado Court of Appeals are proposing to adopt a public domain citation format that will support the use of Colorado case law in both book and electronic formats.

It is proposed that beginning January 1, 2012, the Clerk of the Colorado Supreme Court and the Clerk of the Colorado Court of Appeals shall assign to all opinions announced for publication a citation that shall include:

1. The calendar year in which the opinion is announced;
2. Followed by the Colorado U.S. Postal Code "CO" for opinions issued by the Colorado Supreme Court, or followed by the Colorado U.S. Postal Code "CO" and the abbreviation "App." for published opinions announced by the Court of Appeals; and
3. Followed by a consecutive Arabic numeral, beginning in each new calendar year with the number "1"; for example: "2012 CO 1" for the first opinion announced by the Colorado Supreme Court in 2012, and "2012 CO App. 1" for the first published opinion announced by the Colorado Court of Appeals in 2012.

This public domain citation shall appear on the title page of each published opinion announced by the Court and by the Court of Appeals. All publishers of Colorado Supreme Court and Colorado Court of Appeals materials are requested to include this public domain citation within the heading of each opinion they publish.

In addition:

Numbered paragraphs. Beginning with the first paragraph of text, each paragraph in every opinion shall be numbered consecutively beginning with a "¶" symbol followed by an Arabic numeral—beginning with the number "1"—flush with the left margin, opposite the first word of the paragraph. Paragraph numbers shall continue consecutively throughout the text of the majority opinion and on through any concurrence or dissent. Paragraphs within footnotes shall not be numbered nor shall markers, captions, headings, or Roman numerated titles that merely divide sections of opinions. Block-indented, single-spaced portions of a paragraph shall not be numbered as a separate paragraph. All publishers of Colorado Supreme Court and Colorado Court of Appeals materials are requested to include these paragraph numbers in each opinion they publish.

Unpublished opinions. Opinions that are not designated for official publication by the Court of Appeals pursuant to C.A.R. 35(f) shall not be assigned a public domain citation.

Modification, revision, or other substantive amendment. In the case of opinions that are modified, revised, or otherwise substantively amended by subsequent order of the Court or of the Court of Appeals, the public domain citation of the modifying, revising, or amending order shall be the same as the original public domain citation but followed by the letter “M”; for example, “2012 CO 1M” in the case of a modified Colorado Supreme Court opinion, and “2012 CO App. 1M” in the case of a modified Colorado Court of Appeals opinion. In the event an opinion is modified, revised, or otherwise substantively amended more than once, the public domain citation of any additional modifying, revising, or amending orders shall be the same as the original public domain citation but designated with the letter “M” followed by a hyphen and the appropriate Arabic numeral; for example: “2012 CO 1M-2” in the case of a Colorado Supreme Court opinion modified a second time, and “2012 CO 1M-3” in the case of a Colorado Supreme Court opinion modified a third time, and so on.

Withdrawn, vacated, and reissued opinions. In the case of opinions that are withdrawn or vacated by a subsequent order of the Court or of the Court of Appeals, the public domain citation of the withdrawing or vacating order shall be the same as the original public domain citation but followed by the letter “W”; for example, “2012 CO 1W” in the case of a withdrawn or vacated Colorado Supreme Court opinion, and “2012 CO App. 1W” in the case of a withdrawn or vacated Colorado Court of Appeals opinion. In addition, the withdrawn or vacated opinion shall be removed from the electronic database of opinions maintained by the Court, and all publishers of Colorado Supreme Court and Colorado Court of Appeals materials are requested to remove withdrawn or vacated opinions from their electronic databases. An opinion that is reissued in place of a withdrawn or vacated opinion shall be assigned the next consecutive number appropriate to the date on which the reissued opinion is announced.

Examples of proper public domain citations. As set forth in Rule 10.3.3 of *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass’n et al. eds., 19th ed. 2010), the following are examples of proper public domain citations. In Colorado, the public domain citation format applies to published opinions announced by the Colorado Supreme Court and the Colorado Court of Appeals on or after January 1, 2012:

Colorado Supreme Court:

Primary citation:

Smith v. Jones, 2012 CO 22, 989 P.3d 1312.

Primary citation with pinpoint citation:

Smith v. Jones, 2012 CO 22, ¶¶ 13–14, 989 P.3d 1312, 1314.

Subsequent citation with pinpoint citation:

Smith, ¶¶ 13–14, 989 P.3d at 1314.

Id. citation with pinpoint citation:

Id. at ¶¶ 13–14, 1314.

Colorado Court of Appeals:

Primary citation:

Jones v. Smith, 2012 CO App. 35, 634 P.3d 125.

Primary citation with pinpoint citation:

Jones v. Smith, 2012 CO App. 35, ¶¶ 44–45, 634 P.3d 125, 128.

Subsequent citation with pinpoint citation:

Jones, ¶¶44–45, 634 P.3d at 128.

***Id.* citation with pinpoint citation:**

Id. at ¶¶44–45, 128.