



# **Citation Guide for the Courts of Saskatchewan**

**(Fun with  
Citations)**

# Poll Question #1

- Have you used or are you using the *Citation Guide for the Courts of Saskatchewan*?
  - Yes
  - No

# Today we will ...

- Review highlights of the *Guide*, especially
  - the importance of the neutral citation
  - periods, pinpointing, loose-leaf, short titles
- Remind ourselves of the basics of legal citation.

# Case Law

# All Case Law Citations Must Include:

- the year of decision
- where the decision is available (print report or online database)
- the jurisdiction of the court
- the level of court

# Neutral Citation

- Assigned by the court.
- Clearly identify where the decision is from and how old it is.
- Always provide it if it is available.

# Neutral Citation

- Contains three parts:
  - Year of the decision
  - Tribunal identifier
  - Ordinal number of the decision
    - Has no punctuation and no lower case letters
- 2014 SKCA 92

## For example:

- *R v Hart*, 2014 SCC 52
- *Oscienny v Yaciuk*, 2008 SKPC 8
- *Sydor v 629209 Saskatchewan Ltd.*, 2004 SKQB 20



# If the case is also available in a print report ...

- a parallel citation to one print report is required.
- *Gray v Wiegers*, 2008 SKCA 7, 291 DLR (4th) 176

# If the case doesn't have a neutral citation

- cite only to one print report
  - *Coachlight Resources Ltd. v Duce Oil Ltd.* (1999), 181 Sask R 125 (QB)

# Which report to cite to?

- All Supreme Court of Canada to SCR
- Federal Court to the FCR
- Civil: DLR, WWR, Sask R, or other comparable print report (e.g., RFL, CPC, CBR etc.)
- Criminal: CCC, CR, DLR, WWR, Sask R, or other comparable print report

# Frequently cited print reports

- Saskatchewan Reports: Sask R
- Western Weekly Reports: WWR
- Dominion Law Reports: DLR
- Supreme Court Reports: SCR
- Reports of Family Law: RFL
- Canadian Criminal Cases: CCC
- Federal Court Reports: FCR
- All England Law Reports: All ER

## Don't cite to ...

- Summary digests: ACWS, WCB, AWLD, BCWLD
- QL or WL:
  - *R v Otto*, [2005] SJ No 275 (QL)
  - *Heredi v Toth*, 1995 CarswellSask 416 (WL)

# Round brackets

- Used when a law report is numbered in a series and can be located by volume number
- *R v Latimer* (1994), 124 Sask R 180 (QB)

(comma after the year)

# Square brackets

- Used when the reporter is organized by year.
- *Bank of Montreal v Nevin*, [1996] 7 WWR 317 (Sask CA)

(comma before the year)

**Let's put this all together ...**



# Neutral Citation Available

- **Case name**, | **Neutral Citation** | **pinpoint**  
(as needed), | **Print Report Citation** (if available).

*H.E.K. v M.L.K.*, 2013 SKCA 14.

*Gray v Wiegers*, 2008 SKCA 7 at para 4, 291  
DLR (4th) 176.

# No Neutral Citation

- **Case name | (year of decision)** (as needed), | **print report citation | (electronic database where decision obtained)** (as needed) | **(jurisdiction and level of court)** (as needed) | **pinpoint** (as needed).
- *Kieling v Saskatchewan Wheat Pool* (1994), 120 Sask R 239 (CA).
- *Drope & Co. Ltd. v Pantel* (1963), 40 DLR (2d) 455 (QL) (Sask CA) at para 14.

# Remember ...

- Always provide the neutral citation if it is available.
- If the case is available in a print report, a parallel citation to one print report is required.
- If there is no neutral citation, cite only to one print report.

# Periods: Case Law and Legislation, Secondary Sources

# *The Citation Guide for the Courts of Saskatchewan*

- A hybrid approach to the use of periods.
- All periods are removed from citations, except those in proper nouns, including corporate names and individual names.

- *Coachlight Resources Ltd. v Duce Oil Ltd.* (1999), 181 Sask R 125 (QB).
- *H.E.K. v M.L.K.*, 2013 SKCA 14.
- *R v Rees*, 2014 SKPC 142.
- S.M. Waddams, *The Law of Contracts*, 3d ed (Toronto: Canada Law Book, 1993).

# Pinpointing

# Pinpointing to cases with neutral citations ...

- Cases with neutral citations are issued from the Court with paragraph numbers.
- *Gray v Wiegers*, 2008 SKCA 7 at para 4, 291 DLR (4th) 176.
- No need to identify the electronic source.



## Pinpointing to cases without neutral citations ...

- If the print report contains paragraph numbers, cite to the paragraph number.
- *Bank of Montreal v Nevin*, [1996] 7 WWR 317 (Sask CA) at para 14.

- If you are working with the print report, and it doesn't contain paragraph numbers, cite to the page number.
- *Hartel Holdings Co. Ltd. v City of Calgary*, [1984] 1 SCR 337 at 345.

# Pinpointing to a database

- Sometimes – databases vendors add paragraph numbers to older cases that didn't have them in the print.
- And sometimes – paragraph numbers for the same decision will vary between databases.

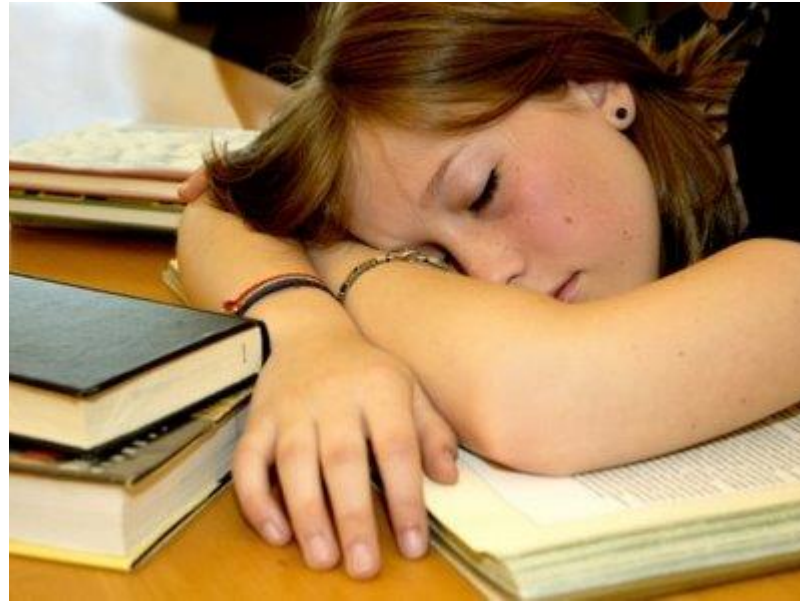
- If the print report is not available, or if it is more convenient to use a database version of the decision, cite to the paragraph number used by the database and indicate the database used.
- *Drope & Co. Ltd. v Pantel* (1963), 40 DLR (2d) 455 (QL) (Sask CA) at para 14.

# Judgments in Electronic Form

- Only cite to the electronic database if there is no neutral citation and if a print report doesn't exist.

- **WestlawNext Canada:**
  - 1989 CarswellMan 386 (WL)(CA)
- **Quicklaw:**
  - [1989] MJ No 160 (QL)(CA)
- **CanLII:**
  - 1997 CanLII 12625 (BCSC)

**Are you still awake? 😊**



# Legislation



# Legislation: General pattern

- **Title, | statute volume (e.g., RSS, SC) | year, | chapter | (session or supplement) (if needed), | pinpoint.**
- *Corrections and Conditional Release Act, SC 1992, c 20, s 64.*
- *The Sale of Goods Act, RSS 1978, c S-1, s 58.*

## Secondary sources ...

- Keep punctuation (periods) in the author's name and in the title.
- Do not include periods in the remainder of the citation.

# Books

- **Author(s), | Title, | edition** (as needed), | **volume number** (as needed) | **(Place of Publication: Publisher, year of publication) | pinpoint** (as needed).
- S.M. Waddams, *The Law of Contracts*, 3d ed (Toronto: Canada Law Book, 1993).
- The Honourable William A. Stevenson & The Honourable Jean E. Côté, *Civil Procedure Encyclopedia*, vol 2 (Edmonton: Juriliber, 2003).

# Loose-leaf

- **Author(s), | title, | loose-leaf (release number) | edition (as needed), | volume number (as needed) | (Place of Publication: Publisher, year of publication) | pinpoint (as needed).**
- Mark M. Orkin, *The Law of Costs*, loose-leaf (Rel 44, June 2014) 2d ed, vol 2 (Toronto: Canada Law Book, 2014) at para 402.

# Journal Articles

- **Author(s), | “Title of Article” | (year) | volume | Journal or Review Name | first page number** (Electronic Service if applicable) | **pinpoint** (as needed).
- Emily Luther, “Justice for All Shapes and Sizes: Combatting Weight Discrimination in Canada” (2010) 48 Alta L Rev 167 (QL) at para 12.

## Short title for case law

*Colledge-Miller v Melvie*, 2014 SKCA 123  
[Melvie] was a decision of ...

In *Melvie*, the Court said ...

- Moving away from the use of *supra*.

# Short title for legislation

- *The Automobile Accident Insurance Act, RSS 1978, c A-35 [AAIA].*

# If you'd like to read more

- Legal Sourcery – Law Society of Saskatchewan Library blog
- <https://lsslib.wordpress.com/2014/09/24/first-ever-citation-guide-for-the-courts-of-saskatchewan-part-1/>



## Today we ...

- Reviewed the highlights of the *Guide*:
  - the importance of the neutral citation
  - the use of periods
  - pinpointing to a particular paragraph
  - loose-leaf materials
- Reminded ourselves of the basics of legal citation