

Te Mata Koi
Auckland University
LAW REVIEW



Editing Guide 2016

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I EDITING INSTRUCTIONS

Introduction

This section contains editing instructions that describe the jobs of senior and sub-editors in relation to each article. They are by no means comprehensive, giving you guidance only to some common problem-areas. Please use your knowledge and intuition, and **if there is anything about which you are unsure, please get in touch with the Editors-in-Chief.**

When a appears below, it indicates a step in the editing process that can be “ticked off”: the more ticks, the better the editing job.

The New Zealand Law Style Guide

The AULR follows the New Zealand Law Style Guide (NZLSG), available online at www.lawfoundation.org.nz/style-guide/index.html.

The NZLSG is the authoritative style guide for legal writing in New Zealand. It provides you with a comprehensive guide to **writing style** and **citation (i.e. footnoting)**. The second edition was released in late 2011 and it is this edition the AULR will be following in 2016.

This AULR Editing Guide supplements the NZLSG: it sets out additional rules and practices that we use in publishing the AULR. There should be no conflict between the two. However, if there is a conflict, prefer the **AULR Editing Guide** on questions of **format** (fonts, headings etc.), and the **NZLSG** on questions of **style and citation**.

If in doubt, please e-mail the Editors-in-Chief.

Editing Instructions for Senior Editors

Senior editors are responsible for editing the main body of the article and for supervising their sub-editors' editing of the footnotes.

1 Main Text

Senior editors' responsibilities with regard to the main text are to:

- Format** the article by putting all headings, paragraphs, long quotations, etc. in the **AULR house format** (described in Part V below).

You are advised to do this **first** (it is easy, and if you do it well and thoroughly, it can prevent problems later).

- Correct **spelling, grammatical, punctuation and other mistakes** (see Part II below and the NZLSG).
- Make **stylistic changes** where appropriate. The article needs to be **clear, coherent and logical**. **Restructuring** may also be necessary (including adding or rephrasing headings). We would prefer you to be liberal rather than overly cautious with these changes — all changes are tracked and can be removed later if necessary. We want to present the author's argument as effectively as possible.
- Check for **plagiarism and unsupported statements** in the text. **Support ought to be found for any statement that is not the author's opinion or well-known general information.**
 - a. If there is an unsupported statement that you believe needs a reference, highlight it and add the comment, "Reference needed." You may suggest a reference in the comment, but please do not spend too much time looking for one — this is the author's responsibility.
 - b. **If you have any concerns about plagiarism or an article's academic integrity please contact the Editors-in-Chief as soon as possible.** These concerns will be treated confidentially.
- Work with the author to reduce the **word count** if necessary (our optimal length is 12,000 words).

2 Footnotes

Senior editors' responsibilities with regard to the footnotes are to:

- Check all footnotes for **grammar and punctuation** (especially common problems, like the use of the correct variety of dash), **just as you do for the main text.**
- Supervise** the sub-editors when they are doing their work. Spot check footnotes to make sure their **content and style** are correct.
- Check** any issues flagged by the sub-editor.

- ❑ Check that the sub-editor has used **automatic cross-referencing**.
- ❑ Add an initial footnote, asterisked rather than numbered, with the author's qualifications and acknowledgements (liaise with your authors about this).
 - * BA/LLB(Hons). The author would like to thank Professor David Williams of the University of Auckland Faculty of Law for his helpful suggestions and support.

3 Some Final Points to Note

Authors may suggest further changes to their articles, but their alterations must also be edited. Any substantial changes must be approved by the Editors-in-Chief.

Editing is not just mechanical. Try to take a holistic approach to your article. We will endeavour to place senior editors on pieces that might be of interest to them. Feel free to let the Editors-in-Chief know your thoughts on the way a piece is shaping up, how an author is responding, etc.

Keep the most immediate past versions of your article, in case of irreversible errors or crashes, which happen often with large Word documents. You should make use of the "Save As" function regularly.

Senior editors are also personality managers: you need to look after sub-editors and authors. Communication with everyone with whom you are charged is essential. Let us know if anything seems overwhelming or you need help. **The Editors-in-Chief are your friends and here for precisely this purpose.**

Editing Instructions for Sub-Editors

The sub-editor is responsible for checking the article for **plagiarism** and **academic integrity**. Cite-checking is crucial to any academic publication and failure to do so proeprly can have serious consequences.

The sub-editor must ensure that the article is referenced:

1. **Accurately**
 - a. Citations must support the propositions made in the main text.
 - b. Citations must contain the information required by the NZLSG, and this information must be correct (especially pinpoints).
 - c. Automatic cross-referencing must be used.
2. **Thoroughly**
 - a. **Any statement that is not the author's opinion or well-known general information should be referenced.**
 - b. Where a source conflicts with what is said in the main text, this must be acknowledged.
 - c. Citations should be up-to-date (and updated where required).
3. In the correct NZLSG and AULR **format**.

These “limbs” of the sub-editor’s job are discussed in more detail below.

1 Content Editing

- Find and save all authorities cited in the article. Save a copy if an acceptable version of the source can be found online. If not, scan the hard copy (see p 11). We will try to get you as many of the sources from the author in electronic form as we can.
- Check that the content of the article is supported by citations where necessary.
 - Check every footnote and determine that **the source actually supports the claims the author is making**.
 - If you cannot find support for the statement in the source, leave a comment saying so. If you have come across another source that you believe supports the statement, note this in your comment.
 - If the **pinpoint is clearly incorrect**:
 - Alter the pinpoint, where the correct pinpoint is obvious or you can easily search the source for the correct pinpoint; or
 - Leave a comment saying, “Pinpoint incorrect”.
 - If you think the **pinpoint is probably incorrect**:
 - Leave a comment explaining why you think it is incorrect;
 - Where you can, suggest a more appropriate pinpoint (but do not spend time looking for one);
 - Flag the footnote for your senior editor to check.
 - If there is **no pinpoint** and you think **there should be one**:
 - Add a pinpoint, where the correct pinpoint is obvious or you can easily search the source for the correct pinpoint; or
 - Leave a comment saying, “Pinpoint needed”; and
 - *Do not spend too long searching for pinpoints — proper referencing is ultimately the author’s responsibility.*

- If there is an **unsupported statement** that you believe needs a reference, highlight it and add the comment “Reference needed.” You may suggest a reference in the comment, but please do not spend too much time looking for one.
 - **If you have any concerns about plagiarism or an article's academic integrity, please contact your Editors-in-Chief as soon as possible.** These concerns will be treated confidentially.
- ☐ Make sure that **all quotations** are accurate **down to the last word and the last comma**, and that **citations** have the correct content (i.e. they direct you to the right page in the book or paragraph in the law report, etc.).
- **Read around quotations** to ensure they actually mean what they say and **have not been taken out of context.**
 - Record “(emphasis added)”, “(emphasis in original)” and “(footnotes/citations omitted)” as appropriate, after the pinpoint in the footnote (NZLSG, r 1.2.2(b)).
- See r 1.2.2 of the NZLSG for important information regarding quotations. Rule 1.2.2(b) (“General rules”) is particularly relevant.

Any borrowing of ideas or words, however indirect, general or slight, *must* be fully acknowledged and properly referenced. If you notice an unsupported statement in the text, please note this for your senior editor. You will often be familiar enough with the article to tell what the source is.

2 Style Editing

The correct format for citations and quotations in the AULR is governed by the NZLSG.

- ☐ **Please read the NZLSG carefully before starting editing.**
- ☐ Put all citations in **NZLSG format** (as per rr 3–10). Citations should be:
 - Correct;
 - Complete (i.e. all information required by the NZLSG is present: see below Part III “Citation Checking and Style” for tips on common problem areas); and
 - **Up-to-date** (e.g. if an unreported case has been reported since writing).
- ☐ Ensure that all **cross-references** are correct, logical and consistent throughout. You must use Word’s automatic “Cross-reference” feature.
- ☐ Ensure that the use of **reference tags** is correct and consistent (NZLSG, rr 1.1.7(d) (main text) and 2.3 (footnotes)).
- ☐ If citing a **reference to a work in another work**, follow NZLSG r 6.9 (e.g. if the reference is to *C v D* as quoted in *A v B*). Use your common sense here: if Justice X in *A v B* makes a statement with reference to *C v D*, you can cite it as “*A v B* at pinpoint per X J, referring to *C v D* at pinpoint.”
- ☐ Check all text in the footnotes for **grammar, punctuation and stylistic** errors (see below Part II “Language and Style”): you can make a great difference to the quality of the article by providing a “second set of eyes” for your senior in this regard.

- **The key is to include all relevant information in the footnote. NZLSG generally covers how to do this, but you will occasionally have to use your initiative. Keep your citation style as consistent as possible with NZLSG.**

Sub-editors are perhaps in the best position to notice potential plagiarism (intentional or otherwise). The author may make a seemingly unsupported statement that actually comes from a source you visit. If you have concerns about anything in the article please speak to your senior editor or the Editors-in-Chief as soon as possible, even if it seems a minor point.

The Editing Process

There are three rounds of editing. Each pair of editors will receive an article and be required to do a full edit. That will then be sent to the author for his or her comments. The article will then be sent to another pair of editors.

In order for tracked changes to work properly, only one editor can work on the electronic copy at any one time. Once those changes are made, the copy is emailed to the other editor who makes his or her changes. This is not as restrictive as it sounds.

While there are numerous ways to organise this, a good approach is as follows:

1. The senior editor formats the article and sends it to the sub-editor. (This should only take an hour, including time for setting up the style sheet, so do this as soon as possible.)
2. The sub-editor prints the formatted article and starts to check the citations (saving sources along the way). All inaccuracies and comments are recorded on the printed copy.
3. While this is happening, the senior editor does a thorough edit. Once this is completed, the updated document is sent to the sub-editor.
4. The sub-editor then enters any changes necessary into that document (including stylistic changes and cross-referencing). Once this occurs, the document is sent back to the senior editor.
5. The senior editor performs another edit of the main text and checks the work of the sub-editor.
6. The article is then sent to the Editors-in-Chief. The sub-editor must also upload copies of the saved/scanned sources to Dropbox.

Saving Sources

The sub-editor, in the course of the first edit, should save electronic copies of all sources. The only exception to this is legislation available on <www.legislation.govt.nz>.

1 *What Amounts to an Appropriate Copy of the Source*

An appropriate copy is either a scan of the original source or a PDF copy of the original. That is, it should not just read like the original, but look like the original also. To illustrate, sites such as AustLII and NZLII do not provide appropriate copies of cases, whereas Justis and Westlaw often do.

2 *Finding an Appropriate Copy*

For most sources, this is relatively simple. The trick is knowing where to look. Most primary sources (cases and legislation) and law-related books and journal articles will be available through the Davis's physical collections and online database subscriptions.

When trying to find sources online, the key tools are:

- Library Search <www.library.auckland.ac.nz>
- “Resources” on the Davis’s home page <www.library.auckland.ac.nz/subject-guides/law/home.htm>
- The Davis’s staff and the Editors-in-Chief

If a particular source cannot be found by conventional means, search the Interlibrary Loans system **as soon as possible** <www.library.auckland.ac.nz/forms/docdel/interloans>. This system allows access to resources nationally, but can take a significant amount of time. When making requests through the system, mention under the “Urgent” box on the online request form that you are cite-checking for the Auckland University Law Review and that you would appreciate the request being quickly processed without extra cost.

3 *Scanning Physical Sources on University Printer-Scanners*

Where a source is found in hard copy, you should scan the relevant pages. Relevant pages covers everything needed to complete the citation (e.g. title pages, first page of an article/chapter, pinpoints, etc.). We recommend scanning all the relevant pages at the same time where a source is cited multiple times to different pinpoints.

The University’s printer-scanners can be set-up with your details to ease the scanning process. (Note, they only work with university e-mails.) For this:

1. *Choose the printer-scanner you want to set up. Swipe your Student ID.*
2. *Press Scan on the left.*
3. *Select “Prg. Dest.” and enter your university e-mail (e.g. jsmi001@aucklanduni.ac.nz) and select OK.*
4. *Select “Names” and enter your name and select OK.*
5. *Note the number you have been assigned on that printer. Select OK again.*
6. *If the request for the “Scanner Key” shows, swipe your Student ID again.*

If done properly, this will free you from having to enter your e-mail every scan you make.

If the “Detecting Original Size” problem appears, set a particular scan size via “Scan Settings”.

Alternatively, you can photograph the relevant pages with a smart phone with a good quality camera.

4 Naming Saved Sources

To assist your senior, those doing later edits and the Editors-in-Chief, please name the sources with a degree of **consistency**. For example, author + title or case name + court identifier should be enough. Footnote numbers will not suffice, as footnotes will inevitably shift during the editing.

5 Where to Find Common Sources Online

A Official Law Reports

All databases are accessible through the Library website.

New Zealand

- NZLR: LexisNexis NZ

Australia

- CLR: Westlaw NZ
- FCR: Westlaw NZ

UK

- All official UK reports are on the Incorporated Council of Law Reporting for England and Wales (ICLR) database
- As are the WLR

Canada

- SCR: HeinOnline

USA

- US Supreme Court reports (US reports): HeinOnline

B Journal Articles

Most journals are accessible online through the Library catalogue. Search the article title in the “Articles & more” tab. If this does not return any results, try searching for the journal name itself using “The Catalogue” tab. Once you have found a database that contains the journal, you should be able to find the article.

C Dictionaries

The *New Zealand Oxford Dictionary* is the guide for spelling of English words. It can be accessed through the Library website.

D Google

If the Library catalogue is not yielding results, Google the source. You will be surprised at what you can find.

II LANGUAGE AND STYLE

This section is for **both senior editors and sub-editors**, and applies to both the main text and footnotes.

It contains some general rules that are applicable throughout the article. **Each area covered needs to be checked. Tick them as you go.**

These rules **supplement** the NZLSG, which should be your primary resource.

1 Spelling

- See NZLSG, r 1.1.1(b).
- Spelling must be in accordance with *The New Zealand Oxford Dictionary*, **unless the relevant passage is a quotation** (e.g. from the United States). *The New Zealand Oxford Dictionary* is available on the Library website, in the libraries and at the AULR office.
- In order to conform to the s/z rule in the NZLSG (r 1.1.1(b)), you can use “Find” (Ctrl + F) in Microsoft Word to double-check this by searching for “izi”, “ize”, and “iza” BUT be careful not to mistakenly alter correctly spelt words (e.g. those in US-sourced quotations).
- Watch spelling differences between adjectives and nouns: e.g. “dependent” (adjective) and “dependant” (noun).
- Watch spelling differences between nouns and verbs: e.g. “practice” (noun) and “practise” (verb); “effect” (noun or verb) and “affect” (verb); “licence” (noun) and “license” (verb).
- There are also particular rules regarding the use of the following words (which are often not known or are ignored): less/fewer; which/what; may/might; nor; since/because; loose/lose; historic/historical; principal/principle; and their/him/her. Please keep an eye out for these words and look up the rules if necessary.

2 Grammar

Unless otherwise stated in this Editing Guide, grammar and syntax is to be in accordance with *Fowler’s Modern English Usage* (Oxford University Press). This is available in the AULR office and in the libraries.

- Make sure each sentence has a noun, a verb, and, where necessary, a direct object.
- Consider eliminating split infinitives (e.g. “to compensate adequately” **not** “to adequately compensate”), but ensure that the sentence is still elegant. If necessary, you may need to rephrase totally.
- Generally, avoid ending sentences with prepositions: “the plan with which he decided to go along” **not** “the plan he decided to go along with”.

- ❑ Watch for the singular and plural forms of nouns, and check that they correspond to the respective verbs: “Lord Denning’s first criterion was ... ” and “Lord Denning’s criteria were ... ”; “Attorneys-General” **not** “Attorney-Generals”; and “MacArthur’s general headquarters was at Manila” **not** “MacArthur’s general headquarters were at Manila”.
 - Refer to *The New Zealand Oxford Dictionary* or *Fowler’s* if necessary.
 - Make sure pronouns and possessive pronouns correspond to the nouns in question: “Each speaker will spend 30 minutes on his or her topic” **not** “Each speaker will spend 30 minutes on their topic”.
- ❑ Correctly apply “**that**” and “**which**”. In general, “which” should only be used as part of an aside or elaboration, and should almost always follow a comma; otherwise “that” should be used. Compare: “bring me the pencils that are sharpened” and “bring me the pencils, which are sharpened”; “the cars, which are from Nairobi, are on the wharf” and “the cars that are from Nairobi are on the wharf”. Note that these two phrases have slightly different meanings (for example, in the third sentence above, all cars being referred to are from Nairobi and on the wharf, whereas in the last sentence, there could be other cars not from Nairobi, either on the wharf or elsewhere).
- ❑ **First**, secondly, thirdly, etc. **Never** use “firstly”.
- ❑ Remove unnecessary prepositions (particularly “of”). For example, “of” should be removed from the following sentences: “the captain looked out **of** the cabin window”; “as to the question **of** why Britain led the world during the Industrial Revolution ... ”.
- ❑ You may change sentences from a passive to an active voice.

3 Punctuation

- ❑ Unless it is a “quote within a quote” (see NZLSG, r 1.2.2(b)(i)), **single quotation marks** should **never be used**. This also applies to words and phrases that are not quotations but which, nevertheless, appear within quotation marks. This punctuation is often used for slang, technical terms and nicknames. It may also be used to indicate irony or non-standard usage of a word. These should all be used **sparingly**.

Use “Find and Replace” to replace single quotation marks (but be careful not to replace any apostrophes).
- ❑ Make sure all quotation marks are **curved** (and curved in the right direction) **not** straight. To find these, type “^034” (for straight double quotation marks) or “^039” (for straight single quotation marks) into the “Find and Replace” tool.
- ❑ Make sure your use of **dashes** is correct (see below).
- ❑ In accordance with r 1.1.2 of the NZLSG, the **AULR does not use the Oxford comma**, except where it provides clarity.

For example, it should be:

My three favourite judges are Lord Denning, Lord Cooke and Thomas J.
not My three favourite judges are Lord Denning, Lord Cooke, and Thomas J.

But it **should** still be used here, where the last two words are actually one unit:

He was known for conspiring, inciting, and aiding and abetting.
not He was known for conspiring, inciting and aiding and abetting.

- ❑ Watch the use of hyphens: “five-year plan”, “long-term” and “on a day-to-day basis” are **correct**; “five-years on”, “decision-maker” and “day-by-day” are **incorrect**. **Check *The New Zealand Oxford Dictionary* to see whether a word should be hyphenated. If there is no indication either way in the *Dictionary*, refer to *Fowler’s*, at “hyphens”.**
- ❑ Watch the use of the **apostrophe**. If you are at all unsure about this please consult an appropriate text (or the Editors-in-Chief).

Apostrophes may indicate possession: “I am my father’s child”; “each player’s health is her own responsibility”. For plurals that end in “s”, there is no additional “s” after a possessive apostrophe: “the boys’ cars”; “the girls’ dolls”. When a person’s name ends in “s” and possession is indicated by an apostrophe, an additional “s” **should** be added: “Rhodes’s diamond empire”; “Keats’s poems”; “Thomas’s doubt”. There are some exceptions to this for which one will need to consult *Fowler’s*.

Apostrophes may contract two words: “here’s your answer”; “didn’t you win?”. Generally, however, contractions should not be used in the AULR (unless in a quotation).

Apostrophes should **not** be used in plurals of acronyms or decades: “at the many CABs around the country”; “in the 1980s”.

Also, **be careful about the use of “it’s”**. “It’s” is short for “It is”. It is **never possessive**. The possessive “its” (as in “its tail was caught in the door”) never has an apostrophe.

- ❑ Make sure you use **colons** and **semi-colons** correctly.

Semi-colons (“;”) separate two or more clauses that are of equal importance: “Economy is no disgrace; for it is better to live on a little than to outlive a great deal”; “To err is human; to forgive, divine”. They are also used to separate a list of items (as occurred in the previous sentence).

Colons (“:”) are used to indicate the start of a list. They can also be used to separate clauses. While semi-colons are used to link equal or balanced clauses, “the colon generally marks a step forward, from introduction to main theme, from cause to effect, premiss [sic] to conclusion” (*Hart’s Rules* as cited in *Fowler’s Modern English Usage*). For example: “In business there is something more than barter, exchange, price, payment: there is a sacred faith of man in man”; “The remedy is simple: legislative reform”.

4 Dashes and Hyphens

- ❑ **Find and replace** should be used to ensure that all dashes are correct.
- ❑ Use a spaced em-dash (a long dash —) to indicate a break in the sentence or parenthetical remark, or instead of a colon. The keyboard shortcut for this is Ctrl + Alt + NumLock + - (PC) and Shift + Option + - (Mac). It can also be inserted manually from the symbol menu.

Promissory estoppel — indeed estoppel in general — has not so far had the revolutionary effect some had predicted.

- ❑ Use a non-spaced en-dash (a short dash –) to indicate a range of numbers or dates (including in footnotes), or tension or disjunction between two concepts. **Note that this is not a hyphen (-)** and will generally have to be inserted manually from the symbol menu or inserted using the keyboard shortcut Ctrl + NumLock + - (PC) and Option + - (Mac).

At 23–29; 1967–2012; public–private dichotomy.

- ❑ Use a hyphen for hyphenated words.

Attorney-General

5 Quotations

- ❑ See NZLSG, r 1.2.2. This is an important section of the NZLSG. It gives more detail to the rules discussed below and also addresses the following: quotations within quotations, footnotes and citations within quotations, adding emphasis, alterations and omissions.
- ❑ All quotations (including sections of statutes) should be checked against the original source for accuracy, completeness and correct context. **Quotations must reproduce the original exactly, even where this is inconsistent with AULR or NZLSG style** (e.g. by reason of spelling or punctuation).
- ❑ Where the quotation forms part of the main sentence, the quotation should begin with a lower case letter. Where it does not (i.e. is preceded by a full stop or colon) the quotation should begin with a capital letter. **If it is necessary to change the case of a letter in the original, put it in square brackets.**
- ❑ Give the closing double quotation mark after any quoted punctuation. **Only include a full stop, question mark or exclamation mark at the end of a quotation, inside the quotation mark, if the entire sentence is being quoted.** Place non-quoted full stops and commas outside the quotation marks.
- ❑ **Long quotations** (i.e. more than 30 words, which are indented and separate from the main text) should ideally **be able to stand alone as a full sentence.**

His Honour’s well-known statement bears repeating:²³

The path of the law is strewn with examples of open and shut cases which, somehow, were not; of unanswerable changes which, in the event, were completely unanswered; of inexplicable conduct which was fully explained; of fixed and unalterable determination that, by discussion, suffered a change.

If this is not possible, use an ellipsis per NZLSG, r 1.2.2(a)(ii).

An author may have used the long quote format for a quote of fewer than 30 words. It is permissible to keep the long quote format provided it is done for the purposes of emphasis and the rationale for the emphasis is obvious. This may be, for example, where the quote contains a fundamental legal test.

6 *Abbreviations, Acronyms and Reference Tags*

- ❑ See NZLSG, rr 1.1.7 (generally) and 3.2.1 (abbreviations in case names).
- ❑ Never use the ampersand (&) in place of the word “and”, except in case names where it appears in the name of a company or firm.

Hedley Byrne & Co Ltd v Heller & Partners Ltd.

- ❑ Avoid using the forward slash (/) in place of “or”, and never use “and/or”.
- ❑ Replace “e.g.” and “i.e.” with “for example” and “that is”.

7 *Māori*

- ❑ See NZLSG, r 1.1.1(c).
- ❑ Getting macrons in Microsoft Word can be difficult, and the way to do it depends on the sort of computer you are using. Use Google, and failing that, the Editors-in-Chief can e-mail you a macron-ed letter to copy and paste where needed.

8 *Italics*

- ❑ See NZLSG, rr 1.1.3–1.1.4 and 1.2.2(b)(iv).
- ❑ Note that according to r 3.2.1(a) of the NZLSG, the “v” in case names *is* italicised (you may see it not italicised elsewhere — this is wrong).
- ❑ Names of ships should be italicised.
- ❑ The practice of emphasising words by italicising them should be used sparingly. But note that if emphasis is used, the NZLSG requires it to be made using **italics**, **not bold**.

- ❑ Where italicised words appear in a quoted passage, “(emphasis in the original)” should appear in the relevant footnote.
- ❑ Where emphasis is added to a quoted passage by the editor, “(emphasis added)” should appear in the relevant footnote.
- ❑ Words in other foreign languages should be italicised UNLESS they have been adopted into the English language (consult *The New Zealand Oxford Dictionary* if in doubt), or are widely used in legal writing (e.g. well-known Latin and French legal jargon) (see also the NZLSG, rr 1.1.1(d) and (e)).

For example:

ab initio; ad hoc; a fortiori; amicus curiae; bona fide; certiorari; contra proferentem; de facto; de jure; et al; ex parte; ex post facto; habeas corpus; in rem; in personam; inter alia; laissez-faire; lex fori; mens rea; obiter dicta; per se; prima facie; quid pro quo; quantum meruit; raison d’être; ratio decidendi; stare decisis; stare decisis; terra nullius; ultra vires; vice versa; vis-à-vis.

But:

leges vigilantibus; non dormientibus; mentes reae; subveniunt; l’esprit d’escalier.

9 Judges

- ❑ See NZLSG, r 1.1.6(d).
- ❑ Remember to use “his Honour” or “her Honour”, **not** “His Honour” or “Her Honour”.
- ❑ Check the **gender** of the judge — look at the beginning of the law reports to find out the first name if necessary.
- ❑ In circumstances where it would otherwise be unclear, note that a judge is writing extra-judicially by adding “, writing extra-judicially,” after her or his name. This only applies to the main text.
- ❑ Note that, according to r 1.1.6(d)(vi) of the NZLSG, it is no longer proper to note that a judge has been promoted (i.e. you should **not** say “Elias J, as she then was ...”). Just use the title that the judge held at the time of the judgment being cited.

10 Numerals and Dates

- ❑ See NZLSG, r 1.2.3.
- ❑ “1st”, “2nd”, and “3rd”, etc. should **not** be superscripted (e.g. “1st”). Find and replace to eliminate (don’t forget to search for “0th” and “1th” etc. to catch numbers greater than 10). This is especially pernicious in citations to 2nd or subsequent editions of books. Microsoft Word automatically does this, so be extra vigilant.

11 Capitals

- ❑ See NZLSG, r 1.1.5. Be careful with capitalisation “Court(s)” and “Government”.

- ❑ Note that the following should **never** be capitalised: judiciary, legislature, press/media, statute, state (unless referring to a specific state, or discussing the State as a concept in public international law).
- ❑ “Internet” should be capitalised.

12 *Other Important Things*

- ❑ The work should always be referred to as the “**article**”, not “paper”, “discussion”, “work”, “dissertation”, “writing” or “essay”, etc. “Find and Replace” fixes this easily.
- ❑ Avoid **sexist language** by balancing the gender of examples given within the essay as a whole, or using gender-neutral pronouns (so long as they are grammatically correct: “**their**” should **ONLY** be used as a plural).
- ❑ Excessively long sentences should be divided into shorter ones.
- ❑ Colloquial language, stock phrases, clichés and jargon are rarely appropriate.
- ❑ **Sweeping generalisations or assertions are almost always embarrassing.**
- ❑ Sometimes the authors may have been verbose or repeated themselves, and passages could be removed without **changing** the author’s meaning.
- ❑ If the author is quoting over-extensively, try to make such quotations more concise by paraphrasing and then footnoting the changes. If you feel that there are too many quotations and not enough substance, please contact your Editors-in-Chief.

III CITATION CHECKING AND STYLE

This section is mostly for **sub-editors** (but may be useful for senior editors too).

Footnote style is comprehensively covered in r 2 (general and cross-referencing) and rr 3–10 (citation style) of the NZLSG. The remarks below are meant only to be a supplement.

The primary purpose of footnotes is to refer the reader to authorities, which substantiate, contradict or discuss further the statements in the text.

1 *Some General Points*

- ❑ In most instances, the footnote should refer to the specific page or pages of the authority where the reference can be precisely found. In legal writing, the cynical or inquisitive reader needs to be able to find the exact location where the point that is being referred to can be read, checked and assessed. The main exception to this is where a case or text is being referred to generally, for example:

The law of negligence was set upon a new and expansive path of development by Lord Atkin's famous decision in *Donoghue v Stevenson*.²⁷

²⁷ *Donoghue v Stevenson* [1936] AC 149 (HL).

- ❑ Footnote numbers in the main text appear outside punctuation marks and are not italicised (NZLSG, r 2.2.2).
- ❑ Footnote numbers in the main text should appear at the end of the sentence, unless there is more than one footnote in the sentence or clarity is enhanced by having the footnote number elsewhere.
- ❑ Where more than one case, article or book are cited for one proposition, they should be separated by a semi-colon. Use “; and” before the last source of the list (NZLSG, r 2.2.4(a)).
- ❑ Each sentence in a footnote should bear an initial capital letter and end with a full stop.
- ❑ Footnotes should not run onto the next page if possible. A single footnote should not be split over two pages.
- ❑ If referring to a **footnote in another work**, use the word “**note**” (i.e. do **not** abbreviate to “n”, as this is used to refer to footnotes in the article itself, as in “above n x”). For example: “Tolmie, above n 30, at note 45.”
- ❑ Check that any **introductory signals** (such as “see also”, “contrast” etc.) are used in the correct way (see NZLSG, r 2.2.4(b)). It is important to note the subtleties here, especially for sources that contradict rather than support the proposition made.

2 Checking Citations

A crucial part of a sub-editor's job is checking citation accuracy, both in terms of accuracy of a quotation or paraphrase, and the data components of a citation (author name, law report citation etc.). Here are some tips:

- ❑ **Always** check the **original source**. For example, do not rely on the HTML version of the New Zealand Law Reports on LexisNexis: either download the PDF or, if a PDF is not available (for older cases), go to the library and scan the hard copy. The same goes for Westlaw and Lexis.com, and journal articles — always obtain a **PDF or scanned hard copy**. Note that the PDF versions on Westlaw NZ are generally not of the official law reports (though Westlaw NZ does have PDFs of unreported judgments and some PDFs of CRNZ or PRNZ reports), so check LexisNexis to see if a NZLR PDF is available.
- ❑ It is important to use the **correct abbreviation** for journals and law reports.

The best solution is always to check the journal or law reporting series as these will usually state the way in which they should be cited. This usually occurs in the first few pages of each volume/report. If, and only if, the Davis does not have a hard copy for you to check and the introductory pages are not available online, refer to these resources:

For New Zealand materials, use the Law School's own LCA NZ database <www.lcanz.auckland.ac.nz>.

For international materials generally, use the Cardiff Index to Legal Abbreviations <www.legalabbrevs.cardiff.ac.uk>.

There are also jurisdiction-specific resources you may find helpful:

- For American journals/case law refer to *The Bluebook*.
- For Canadian journals/case law refer to the *Canadian Guide to Uniform Legal Citation*.

Note, however, that these citation dictionaries generally provide a variety of permutations for citations, not just the official one, and sometimes not even the official one, e.g. Auckland U L Rev.

- ❑ **Unreported cases:** where an author has cited a case as if it is unreported, **always** check whether a reported version is available. Use LexisNexis, Lexis.com, Westlaw NZ, Westlaw or even Google.
- ❑ **Missing pinpoints:** If there is **no pinpoint** and you think **there should be one**:
 - Add a pinpoint where the correct pinpoint is obvious or you can easily search the source for the correct pinpoint; or
 - Leave a comment saying “Pinpoint needed”.Do not spend too long searching for pinpoints — proper referencing is ultimately the author's responsibility.
- ❑ **Unsupported statements:** If there is an **unsupported statement** that you believe needs a reference, highlight it and add the comment “Reference needed.” You may suggest a reference in the comment, but please do not spend too much time looking for one.

- ❑ **Newer editions of texts:** Update the footnote to the newer edition where possible (mainly because the authors of newer editions should have updated the whole text to reflect the changes in the law). If the newer edition presents a substantively different view of the relevant law, then please make a note of it in a comment for the author.

If it is not possible to update (e.g. if the items from the old edition referenced by your author are simply no longer in the new edition) then leaving the citation to the older edition is fine. However, in some circumstances it may still be helpful to refer the reader to the updated text as well.

3 *New Zealand Law Style Guide*

There are several details in the NZLSG that can be tricky to remember. Some of them are as follows (the list is **not** comprehensive — there is no substitute for reading the NZLSG):

- ❑ Remember always to prefer **official reports** (the NZLRs in New Zealand; those for other countries as set out in **r 8 (cases from specific jurisdictions)** in the NZLSG) to the unofficial reports.
- ❑ Remember that **if a case has a neutral citation, this needs to be included before any reported citation** (see NZLSG, rr 3 (for New Zealand) and 8 (for overseas), and appendices 1–4).
- ❑ Remember that unless it is inherent in the law reporting series used or a neutral citation has been given, you must **always use a court identifier**. (See appendices 1–4 and r 8 of the NZLSG for lists of court identifiers.)

For example, an identifier is unnecessary for the CLR, the SCR and the US Reports, because these **only** report cases from a single court (the High Court of Australia, the Supreme Court of Canada and the United States Supreme Court respectively).

But one IS necessary for **the NZLRs, the QBs, the ACs, and the All ERs (for example)**, as these reports contain cases from more than one court. If you are dealing with a very old report, and are not sure of the correct court identified, ask the Editors-in-Chief.

4 *Style Guides from Other Jurisdictions*

Where the NZLSG does not include a rule for citing a foreign source, the following foreign style guides can be useful:

- **Australia:** see the latest edition of the *Australian Guide to Legal Citation* published by the Melbourne University Law Review Association and available at <www.law.unimelb.edu.au>.
- **UK:** see the *Oxford Standard for the Citation of Legal Authorities* available at <www.law.ox.ac.uk/publications/oscola.php>.
- **Canada:** see *McGill Law Journal's Canadian Guide to Uniform Legal Citation*, published by Carswell, available on Short Loan at the Davis.
- **USA:** see *The Bluebook: A Uniform System of Citation*, published by the Harvard Law Review Association, available on Short Loan at the Davis.
- **International legal sources:** see Fordham International Law Journal's *A Citation Manual for European Union Materials* available at <www.fordhamilj.org/eu-guide/> or New York University School of Law, Journal of International Law and Politics' *Guide to Foreign and*

International Legal Citations. The *Australian Guide to Legal Citation* also contains helpful material on the citation of international materials.

When using a foreign guide, remember to **always** make the citation **consistent** with the format employed in NZLSG (e.g. remove punctuation that is not grammatically necessary).

If a rule in NZLSG conflicts with a rule in a foreign guide, **follow the rule in the NZLSG.**

5 Cross-referencing

Cross-referencing has been changed significantly by the second edition of the NZLSG (r 2.3.1).

- ❑ Make sure you know when you should use a cross-reference. The key principles are as follows:

The first time a source is cited, provide full citation details.

For subsequent references, one either uses the “at [x]” format or the “above n [x]” format.

The “at [x]” format is used if the source is clear from the main text.

The “above n [x]” format is used if the source is not clear from the main text OR if it is removed from the original reference (or another “above n [x]” reference) by more than five pages. Reference tags may be used in this form of footnote.

- ❑ For the “above n [x]” format, use Microsoft Word’s “Cross-Referencing” function. This enables you to link the “[x]” to a specific footnote. This updates even if additional footnotes are added, meaning that cross-referencing need not be left to the very end.

To add a “Cross-Reference” click on “Cross-Reference” in the “Insert” menu. Then click “footnote”. You can then select the appropriate footnote.

If footnotes change, the cross-references do not update immediately. To update the cross-referencing, fake-print the document by printing to PDF (Mac) or publishing as PDF (PC).

- ❑ **Reference tags:** If the reference tag is obvious (for example, one of the parties’ names), it need not be provided after the first citation. If the reference tag is less obvious (for example, a popular name by which the case is known), provide it after the first citation in square brackets. See NZLSG r 2.3.2.
- ❑ Cross-referencing a case where there is no pinpoint needed: Say footnote 23 cites a paragraph from *Penny v Commissioner of Inland Revenue*, a case used for the first time. The footnote would have a full citation (*Penny v Commissioner of Inland Revenue* [2011] NZSC 95, [2012] 1 NZLR 433 at [48].) Then footnote 24 cites *Penny* again but generally. In this case, footnote 24 would read: “*Penny*, above n 23.”

6 *General Comments*

If something is not in the NZLSG, then **try to do whatever seems most consistent with its general rules**. Additionally, you must **e-mail the Editors-in-Chief**, so we can ensure a consistent approach is taken throughout the journal.

There are some **mistakes** in the NZLSG, especially in the examples given of various rules/citations. So **always check the source itself**. That said, the NZLSG is **very comprehensive**. It covers everything from speeches and press releases to GATT documents. So have a careful look before you give up.

A useful trick if you are unsure about something is to do an advanced Google search with “lawfoundation.org.nz/style-guide” entered into the “Search within a site or domain” field (located at the bottom of the advanced search page). Or alternatively, just do a normal search and add “site:lawfoundation.org.nz/style-guide” to it. The book itself also has a very good index.

IV EDITING WITH MICROSOFT WORD

This section is for both **senior editors and sub-editors**. It sets out instructions for using Microsoft Word for editing articles.

You will need to familiarise yourself with the Paragraph, Font and Page Setup functionality in Word before embarking on the editorial process proper. Editing may require a firmer grasp of some of the more advanced functions of Word than you have used in the past in writing opinions and essays. This section is intended as a quick guide to some of its more useful features.

It is impossible to give specific directions to the location of particular functions because of the significant differences in the layout of different versions of Word. However, all of the functions discussed below are present in versions of Word dating back to at least 2007/2008.

If you do not currently have Word, it is essential that you obtain it. Other packages (e.g. Pages or OpenOffice) will not work properly with the AULR style sheet and do not handle tracked changes well. All current students can download Word for free — see www.library.auckland.ac.nz/services/it-essentials/computer-facilities/software-purchase-or-download/office-365.

1 Track Changes

Track Changes is an important part of the editorial process and you must familiarise yourself with its various uses. Track Changes is (unsurprisingly) a way for Word to keep track of all the changes you (or others) have made to a document. You can then choose whether to accept or reject those changes.

This is extremely useful when you are making a huge number of changes to a document over a long period of time, and is vital when exchanging the document between editor and sub-editor.

To turn Track Changes on in Word 2010/2011 and Word 2007/2008 you will need to go to the “**Review**” tab and activate the function the moment you have finished formatting the document. At the outset all of your changes will appear in red or blue, which may be disconcerting if you have never used the function before. To return the document to a “normal” view, click on the drop-down box in the tracking pane that says “Final Showing Markup” and change this to “Final”.

You can then switch between these views to see what changes you have made, and to locate the changes your senior/sub-editor has marked up. Leave these changes tracked in the document so that you have a record of every change you have made. **DO ACCEPT OR REJECT ANY OF THESE CHANGES**. The Editors-in-Chief must be able to see what you have done to the document.

Sub-editors should also familiarise themselves with the track changes system for making edits to the footnotes.

Be liberal with the “Comment” tool when you are editing and think of queries. You are likely to be picking up something important. At the end of your edit, you can delete those problems you have already solved. However, if your concern is of a more serious nature, please *also* e-mail the Editors-in-Chief directly.

When you are unsure about how to cite something, the “Comment” tool is a good way of recording additional information from the source.

2 Find and Replace

This is an extremely useful (but dangerous) tool for an editor to use. It allows you to find all instances of a particular word or phrase and replace them with another. It is particularly useful when you discover a consistent typo that is not picked up by the spell checker — like a misspelled name or title. **Never** use “Replace All”. “Find and Replace” does not differentiate between whole words and parts of words, and you may be creating more mistakes than you solve.

Find and Replace is no substitute for careful editing — **use it carefully**.

3 The AULR Style Sheet

We will email **senior editors** a style sheet with the AULR’s styles pre-loaded after articles have been allocated to you, **together with instructions on how to use it**. Use of the style sheet is mandatory: please do **not** try to format your article manually.

Remember **never** to update a style based on your selection (this is the default option when you are reapplying a style to a selection). This will render inconsistent subsequent applications of that style elsewhere in the piece.

4 Errant Tabs

You may come across tabs (small backwards ‘L’s) in the ruler that will jumble your indents. You can get rid of these by double-clicking on them and selecting “Clear All”. Also, the rulers are not shown by default in Word 2010/2011 and Word 2007/2008; just click on the icon on the right hand side that says “View Ruler”.

5 Automatic Cross-referencing

The sub-editor must use automatic cross-referencing. This is outlined at p 23.

6 Non-breaking Spaces

Non-breaking spaces are used to prevent multiple words from breaking if they fall at the end of a line. To do this, simply replace the [space] with a non-breaking space, which you create by pressing Shift + Option + Space (Mac) or Ctrl + Shift + Space (PC).

The intention is to provide clarity and ease of reading. **They must be used for legislation pinpoints (e.g. s 9, rr 22, schs 18)**. In all other circumstances, editors should use them where they think necessary.

7 Final Notes

This guide has been written in order to provide you with a brief overview of some of the features of Word that you will need to become familiar with when you are editing. You can become proficient with these tools through trial and error, and judicious use of the Undo function.

Word can be a rather frustrating and complicated program to use, but if you master the basics it can make your life a whole lot easier.

Having an eye for detail is perhaps the most important quality of an editor. Hopefully these tools will aid you in the editing process, as it will make the jobs of the Editors-in-Chief **infinitely** easier if you have set up the article in the correct style.

V AULR HOUSE FORMAT

This section is mostly for **senior editors**. It contains instructions on the format into which ALL aspects of an article need to be put.

Headings

1 Format of Headings

Having consistent headings is important, so please read this section carefully. The majority of this can be achieved simply by applying the appropriate style from the AULR Style Sheet. However, please pay particular attention to the correct case and numbering format to use with each heading style. The style sheet will provide you with the necessary line spacing. No manual line spaces need to be entered anywhere in the article.

Article Heading

Article Headings are in 14-point Times New Roman. Words are in lower case (however the initial letter of each important word is in capitals) and in bold italics. The line is centred.

AUTHOR'S NAME

The author's name should be in 12-point Times New Roman. Words are in small caps (select text, Format > Font > check the "Small caps" box) with capital first letters. The line is centred.

I HEADING ONE

Heading One is in 12-point Times New Roman, using upper-case Roman numerals, followed by **two spaces** before the first word. Words are in capitals and in bold. The line is centred.

Heading Two

Heading Two is in 12-point Times New Roman. Words are in lower case (however the initial letter of each important word is in capitals) and in bold. The line is left-aligned.

1 Heading Three

Heading Three is in 12-point Times New Roman, using numerals, followed by **two spaces** before the first word. Words are in lower case (however the initial letter of each important word is in capitals) and in italics, but not bold. The line is left-aligned.

(a) Heading Four

Heading four is in 12-point Times New Roman, using lower case letters within parentheses, followed by two spaces before the first word. Words are in lower case (however, the initial letter of each important word is in capitals) but not bolded and not italicised. The line is left-aligned.

2 Important Words

In four of the six headings discussed above, the initial letter of each “important word” is capitalised. An important word is any word that is not an article, preposition or conjunction. The first word of the heading is always capitalised. Only the first letter of a hyphenated word should be capitalised.

3 Role of Headings

Headings are designed to help the reader readily understand the structure of the article. It also enables him or her to choose the relevant sections to read.

Headings should **not** be used to provide substance to the article. In other words, the first sentence after a heading should be able to stand on its own and not be dependent on the heading above it. This may require you to repeat information in the heading in the first line of the main text.

Authors’ Names

Generally, use the name in the form it is stated on the title page. This may be first name and surname, first name, initial(s) and surname; or initials and surname. However, if the title page states “Charles Phillip Arthur George”, use “Charles PA George”. Full middle names are rare.

Abstract

The authors will provide abstracts to go below their names. Apply the “AULR Abstract” style.

Case Names within Article Titles

Where a case is contained in an article’s title and the case name was italicised, **remove** the italicisation. Remove unnecessary periods per NZLSG r 1.1.2 but do not change “vs” to “v”. You should change en-dashes to em-dashes in titles where appropriate. See NZLSG r 6.3.4.

Typesetting

1 General

- The page margins should be set to 2.54 cm top and bottom, and 3.17 cm left and right.
- The page type should be A4, **not** US Letter, or any other page type. It is very important that you check this, as it will not print correctly if the page type is wrong.
- All text in the main body **must** be justified. The footnotes must also be justified.
- All text **must** be in Times New Roman, regardless of type. Double-check that footnote numbering is in Times New Roman, as this is easy to miss.
- Articles should be single-spaced, not 1.5-spaced or double-spaced.
- Check and double-check that the style of the headings conforms to the guide above.

2 Spacing

- ❑ The AULR does **not** employ double spaces after full stops. At the **end** of the editing process, you should “find” (Ctrl + F) all double spaces in the main text and replace these with a single space (do this three or four times to catch triple or quadruple spaces). You will **not** be able to use “**Replace All**” as the headings **do** use double spaces between the numbers and the heading text.

3 Paragraphs

- ❑ All paragraphs should be in the appropriate AULR style: either “AULR Main Text First Paragraph” or “AULR Main Text Subsequent Paragraph”. The former is used for the first paragraph after a heading or long quotation. The latter is indented by 1.27 cm from the left and is used for all other paragraphs.

There should be **NO manual paragraph spaces** in the article, even after headings or long quotations. Paragraphs do **not** contain a space between them.

- ❑ Remember to follow the paragraph breaks of the original article — this information can get lost once you remove spaces between paragraphs.
- ❑ Please be careful when merging paragraphs. **Always** ensure you indent correctly.

4 Quotations

- ❑ **Long quotations of 30 or more words** must be in the “AULR Long Quote” style. This indents quotations by 1.27 cm from the left- and right-hand margins. It also puts them in 10-point font and inserts 12-point paragraph spaces above and below. There should be **no quotation marks, save where they exist in the original**. (Remember that the footnote number in the main text goes immediately after the colon introducing the quotation (so before the quotation itself).)

5 Footnotes

- ❑ Apply the “AULR Footnotes” style. This puts all the text and numbering in 10-point Times New Roman, as well as setting the hanging indent at 0.75 cm.
- ❑ Each footnote must contain a **tab between the footnote number and the footnote text**.
- ❑ Footnote numbering in the main text should be in 12-point superscripted Times New Roman.
- ❑ Where more than one case, article or book are cited for one proposition, they should be separated by a semi-colon. Use “; and” before the last source of the list (NZLSG, r 2.2.4(a)).

VI EDITING CHECKLISTS

This section is perhaps the most useful in this Editing Guide.

It contains checklists that, if followed rigorously, will go a long way to ensuring your editing job is something of which you can be proud. We encourage you to use them. And it really will make our lives much less miserable if you check off everything before giving us back your article.

The page references below are to this Editing Guide.

Senior Editors

- Read the New Zealand Law Style Guide (*please*)**
- Headings (*pp 28–29*)**
 - Article heading (check style)
 - Author name (check style)
 - Subsequent headings (check style)
 - No typos
- Main text formatting (*pp 29–30*)**
 - Page margins set to 2.54 cm top and bottom, 3.17 cm left and right
 - A4 page-type
 - AULR Main Text styles
 - Times New Roman 12-point
 - Text justified
 - Single-spaced, no spaces between paragraphs
 - Paragraph indents 1.27 cm (but first lines after headings are not indented)
 - No double spaces
 - No pagination
- Footnote formatting (*p 30*)**
 - AULR Footnotes style
 - Times New Roman 10-point
 - Text justified
 - Indentation: Hanging value 0.75 cm (tabbed)
 - Footnote numbering in main body: Times New Roman superscripted 12-point
- Initial footnote (*p 5*)**
 - Asterisked
 - Liaise with authors
- Quotations: >30 words (*p 30 and NZLSG, r 1.2.2(a)(i)*)**
 - AULR Long Quote style
 - Times New Roman 10-point
 - 12-point space above and below
 - Indented 1.27 cm from left and right margins
- Quotations: <30 words (*NZLSG, r 1.2.2 (a)(ii)*)**
 - Punctuation outside quotations marks unless quotation is a full sentence (in which case full stop inside)

- Spelling** (check *The New Zealand Oxford Dictionary*) (p 13 and NZLSG, r 1.1.1(b))
 - Words with a “z”: izi, ize, iza
- Grammar and punctuation** (check *Fowler’s Modern English Usage*) (pp 13–16 and NZLSG, r 1.1.1–1.1.2)
 - Correct use of en (–) and em (—) dashes, and hyphens (find and replace)
 - % and “percent” changed to “per cent”
 - Correct use of punctuation (apostrophes, colons, semi-colons)
 - No Oxford commas
 - No single quotation marks
 - All quotation marks curled not straight
 - No preposition endings
 - No split infinitives
 - Gender-balanced
- Capitalisation** (p 18 and NZLSG, r 1.1.5)
- Italics** (p 17 and NZLSG, rr 1.1.3–1.1.4 and 1.2.2(b)(iv))
- Numerals and dates** (p 18 and NZLSG, r 1.2.3)
 - No superscript
 - Correct use of figures and words
- Check for “this paper” etc. and replace with “this article”** (p 19)
- Abbreviations** (generally avoided in main text) (p 17 and NZLSG, rr 1.1.7 and 3.2.1)
 - Judges (e.g. CJ, J, P, LJ for High Court up, but Judge for lower courts)
 - Acronyms for cumbersome full titles (in brackets)
 - Legislative sections “s” (etc.) unless beginning a sentence
 - Correct use of abbreviations in case names (NZLSG, r 3.2.1) (sub-editor should have done this, but no harm in double-checking)
- Clarity** (pp 5 and 19)
 - Cut down on excessively long sentences, repetition, and verbosity
 - Generally active voice
- Check sub-editor** (do spot checks) (p 5)
 - Verify sources
 - Style consistency
 - Cross-references
 - Quotations
 - Paragraph and page numbers (written out in full, i.e. 197–198 not 197–8)

Sub-editors

- Read the New Zealand Law Style Guide (*please*)**
- Find all sources (*p 11–12*)**
 - All cases/articles saved as PDF
 - Any hardcopies scanned with title pages and all other relevant pages included
 - Historic legislation either saved or scanned
 - All files named correctly (by case or statute name, or author and title)
- Source checks (*p 21*)**
 - Proposition supported by the source cited
 - No plagiarism
- Quotations (*p 16*)**
 - Original source checked (PDF or hard copy)
 - Word-for-word
 - Separate paragraph if more than 30 words
 - Any alteration in square brackets []
 - Omissions are replaced by ellipses with spaces on each side (“ ... ”), including if the passage ends with a full stop (“ ... ”).
- Citation style (*pp 21–22 and NZLSG, rr 2–10*)**
 - NZLSG format
 - Correct abbreviations for journals etc.
 - Checked that unreported cases have not been reported
 - Official report used if available
 - Neutral citation included if available
 - Court identifier included if necessary
 - Correct use of abbreviations in case names (*NZLSG, r 3.2.1(b)*)
 - Paragraph and page numbers (written out in full, i.e. 197–198 not 197–8)
- Cross-referencing (*NZLSG, r 2*)**
 - Correct use of “above”s
 - Internally consistent
- Footnote content**
 - Correct spelling, grammar and punctuation
 - Capital letter at start and full stop at end
 - Introductory signals (*NZLSG, r 2.2.4(b)*)
 - Multiple sources separated by semi-colons (*p 20 and NZLSG, r 2.2.4(a)*)
- Footnote numbering** (consecutive, none missing; watch out for Track Changes mucking them up)
- Footnote reference numbers** (in main body) (*p 20 and NZLSG, r 2.2.2*)
 - Outside punctuation marks
 - Not italicised

VII FURTHER SOURCES

This page serves as a brief bibliography of further sources, which you may like to browse, both for interest and educational purposes. If you would like any assistance with finding them, please let us know (although most of the Law Review articles should be obtainable on HeinOnline).

NB: citations below are not necessarily all complete or correct. If you are bored, you could see how many errors you can spot. Fun!

Law Review Articles

- Althouse and others "Symposium on Law Review Editing: The Struggle Between Author and Editor Over Control of the Text" (1994) 70 Chi-Kent L Rev 71.
- Beazley and Edwards "The Process and the Product: A Bibliography of Scholarship About Legal Scholarship" (1998) 49 Mercer L Rev 741.
- Becker "In Praise of Footnotes" (1996) 74 Wash ULQ 1.
- Closen "A Proposed Code of Professional Responsibility for Law Reviews" (1988) 83 Notre Dame L Rev 55.
- Delgado "Legal Scholarship: Insiders, Outsiders, Editors" (1992) 63 Colo L Rev 717.
- Harper "Why Student-Run Law Reviews?" (1998) 82 Minn L Rev 1261.
- Litowitz "Legal Writing: Its Nature, Limits, and Dangers" (1998) 49 Mercer L Rev 709.
- Posner "The Future of the Student-Edited Law Review" (1995) 47 Stan L Rev 1131.
- Saunders "Student-Edited Law Reviews: Reflections and Responses of an Inmate" (2000) 49 Duke LJ 1633.
- Stein "Law Reviews and Legal Culture" (1996) 70 Tulane L Rev 2675.
- Stier and others "Law Review Usage and Suggestions for Improvement: A Survey of Attorneys, Professors, and Judges" (1992) 44 Stan L Rev 1467.
- Weisberg "Some Ways to Think About Law Reviews" (1995) 47 Stan L Rev 1147.

Books

- Brandt and others *The Craft of Writing* (1969).
- Burchfield *Fowler's Modern English Usage* (3th ed, 1998).
- Garner *A Dictionary of Modern Legal Usage* (1987).
- Strunk and White *The Elements of Style* (4th ed, 2000).
- Truss *Eats, Shoots and Leaves* (2003).