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## The Law of Citation and Citation of Law

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# Notes and Comments

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Chin-Shih Tang\*

The Law of Citation and Citation  
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Legal citation is based primarily upon the writing habits of a particular profession — lawyers. In all its form, it is mostly a matter of convention, sometimes learned, always untaught. As one of the technical subjects in law, it may well be the most difficult topic in legal research and writing. This is partly because its method tends to concern more with adopted convention than with the abstraction of principles governing the intricacies of citation. Partly it is because there are more precedents for the adoption of a specific convention than there is for the law of citation itself. The trouble with convention lies in the fact that its format is numerous — in varied form it keeps appearing in legal publications. Even if it is a convention adopted by the *Canadian Bar Review*, it is not necessarily the one adopted by the *Chitty's Law Journal*.

Though common in legal publications, most generalization of the rules of citation are difficult — if not impossible — to support. Hence, it is necessary to confront the problem in terms of particulars. Since the method of legal citation is neither homogeneous nor markedly different from that of other disciplines of social science, it does not yield easily to a generic analysis. Yet, to perceive difference, differences must be presented.

The appearance of a recent study prepared under the auspices of the Canadian Law Information Council<sup>1</sup> is an occasion not only to review the work itself but also to examine the law of citation adopted by Canadian legal publications. This rather detailed study so cogently prepared by the author gives the subject matter a greater air of urgency than it is commonly believed by the legal profession.

The study is divided into five parts and contains both a ten-page "Summary of Recommendations" and a five-page Appendix. The first part, which is an introduction, outlines the background of the study and makes a basic, albeit vulnerable, distinction between the identification of style of cause (i.e., case identification) and the citation of style of cause (i.e., case citation). In this part of the work, the readers are told that the study addresses mainly to the problem of identifying cases, which is caused by the different usage of Canadian legal publishers in reporting the

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1. M. Helleiner, *Standards for Headnoting: Case Identification* (1984).

style of cause, court levels and dates, and in preparing the case table, be it a separate cumulative index or a single table offered at the beginning of a law report. This is followed, in the second part, by some expository illustrations on the idiosyncrasies of the style of cause that now take place in the different sources checked (i.e., the *Canadian Abridgment*, the *Dominion Law Reports Annotation Service* and the *All-Canada Weekly Summaries*, etc.) and a detailed description of their discrepancies appearing both at the head of a case report and in a case table. The author examines the sources of difficulties in locating a specific case under different styles of cause and its adverse implication in the complex process of legal research. She wrestles successfully with some serious practical problems of moulding a uniform system of style of cause, i.e., the establishment of a consistent pattern by using the device "Indexed as" and its voluntary acceptance, as a guideline, by legal publishers in a form of a standard practice for easy retrieval, both manual and automated.<sup>2</sup>

Part three is in its entirety devoted to a detailed discussion on the special problem areas resulting from the different procedural routes of actions and from the status of parties involved in a case. This part, constituting in forty-six pages the great bulk of the study, touches the variety of styles of cause by considering the change of a party's status in appeal cases.<sup>3</sup> This is followed by a detailed discussion on the somewhat inconsistent, and always confusing, practice among legal publishers as to the proper style of cause to be used in civil cases involving actions taken against or on behalf of the Crown.<sup>4</sup> It examines the applicable statutory provisions of most jurisdictions in Canada, both federal and provincial, and analyzes in great detail their discrepancies. A three-tier system was suggested: 1) a complete freedom by courts of choosing the desirable style of cause designated in a raw decision, 2) a rational discretion given to the legal publisher in preparing entries in table of cases, and 3) the use of "Indexed as" entry as a standard practice so as to achieve uniformity.<sup>5</sup> This part also includes a useful, though sketchy, discussion on the variety of styles of cause arising from an opinion given under the reference jurisdiction of an appellate court.<sup>6</sup> These pages in total tend to buttress an already heavily illustrated second chapter. The examination of dates and court names begins in part four, which identifies less problem areas than those discussed in previous parts. Finally, chapter five considers a

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2. See Recommendations (1) to (3) on page 7 and Recommendation (5) on page 10.

3. For a detailed discussion on deciding the proper citation format amid a variety of styles of cause, see C. Tang, *Guide to Legal Citation: A Canadian Perspective in Common Law Provinces* (1984), at 4-5.

4. See pp. 16-27

5. *Id.* at 24.

6. *Id.* at 46-47.

“Numbering System for Court Decisions” with emphasis on a proposed uniform numbering system for all Canadian decisions. This study, in essence, is an attempt at the uniformity of style of cause, aspiring to an optimum consistency in practice.

The antithesis of the title of this short comment neither freezes nor sanctifies a particular premise. Nevertheless, I feel constrained to dissent because I cannot agree in differentiating case identification from case citation, which the author has made. She defines case identification as to mean “[w]hat publishers do with the information given at the beginning of the raw decisions when they report . . . these decisions”,<sup>7</sup> and describes without reservation case citation as a step subsequent to case identification, serving as a “method of referring to cases already reported . . . by publishers.”<sup>8</sup> Prescinding, for the moment, from the rather complicated matter with which the study deals, I would invite a moment’s inspection of the author’s premise.

The distinction, unfortunately, presents some difficulties of orientation for the reader. Certainly there can be no disagreement that just as the objective of case citation is to assist the reader to locate a case cited, so is the aim of case identification, which is to ease the retrieval of a case as reported by a publisher. The rules of case identification, once formulated, as the study purports to achieve, should be applied *mutatis mutandis* to case citation. Accordingly, “[w]hat publishers do with the information given at the beginning of the raw decision” should be identical with the “method of referring to cases already reported.” If the recommendations of the study under review appear in the form of rules applicable to case identification alone, it goes without saying that there exists another set of rules governing case citation, each different from one another, or even mutually irreconcilable. But there can be most emphatic disagreement with an implication that, faced with two different regimes of applicable rules, the researcher should first discern the complexity of case identification, and next learn the intricacies of rules applicable to case citation. This view, I should think, would remain objectionable even were case citation a step subsequent to case identification. The plain fact is that the researcher, in the vast majority of his citations, copies down automatically the style of cause in a law report cited. It seems, therefore, incompatible with a common notion of legal research that there should be a particular set of rules governing the identification of style of cause and a different set of rules governing the citation of style of cause. For reasons mentioned above, case identification alone without considering case citation would defeat the purpose of the study, and in so far as easy

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7. *Id.* at 2.

8. *Id.*

retrieval of reported cases is concerned, the question of differentiating case identification from case citation does not arise.

Of the many laws of citation which apply to different types of legal publications, there is none that causes more confusion than the citation of cases. While many of the most striking peculiarities of citation of cases are limited to the selection of its constitutive elements, others extend to the abbreviations of a cited law report, levels of courts, and the history of a decision cited. The arrangement of the constitutive elements is sometimes odd, and repetition of redundant information is more common than in a standard citation of statutes or books. Citation of cases grows to extreme length and often contains hierarchy of many court levels, as well as multiple references to law reports. These seem to be those features that are most commonly pointed to as peculiar, either in form or in degree, to the citation of cases. One of the purposes of this short comment is to suggest yardsticks for achieving, primarily through comparison, certain uniformities in the citation of style of cause that might be useful both to the legal profession and to others who share a keen interest in legal research and writing.

Publishers frequently couch the style of cause at random for no apparent reason. Their choice of style of cause is often arbitrary and predicate upon a variety of factors unknown to the user, some of which are, in turn, dictated by certain presuppositions: the maintenance of consistency by a strict adherence to an in-house citation manual and their reluctance to change because of the prestige involved. The report of the Supreme Court of Canada's decision with respect to the unilateral proposal by the Government of Canada for the patriation of the B.N.A. Act manifests clearly such problems. Its different styles of cause adopted by legal publishers are illustrated in the table below for easy reference.

Court	Style of Cause	Law Report	Publisher
Manitoba Court of Appeal	Reference re Questions concerning the Amendment of the Constitution of Canada	[1981] 2 W.W.R. 193.	Carswell Legal Publications (Western Division)
Manitoba Court of Appeal	Manitoba Constitutional Reference	7 Man. R. (2d) 269	Maritime Law Book Limited
Manitoba Court of Appeal	Reference re Amendment of the Constitution of Canada	117 D.L.R. (3d) 1	Canada Law Book Limited
Newfoundland Court of Appeal	Newfoundland Constitutional Reference	29 Nfld. & P. E.I.R. 503	Maritime Law Book Limited
Newfoundland Court of Appeal	Reference re Amendment of the Constitution of Canada	118 D.L.R. (3d) 1	Canada Law Book Limited
Québec Court of Appeal	Reference re Amendment of the Constitution of Canada	120 D.L.R. (3d) 385	Canada Law Book Limited

Supreme Court of Canada	<i>In the Matter of an Act for expediting the decision of constitutional and other provincial questions . . .</i>	[1981] 1 S.C.R. 753	Queen's Printer
Supreme Court of Canada	Constitutional Amendment References 1981	34 Nfld. & P.E.I. R. 1	Maritime Law Book Limited
Supreme Court of Canada	Constitutional Amendment References 1981	39 N.R. 1	Maritime Law Book Limited
Supreme Court of Canada	Attorney General of Manitoba et al. v. Attorney General of Canada et al.	[1981] 6 W.W R. 1	Carswell Legal Publications (Western division)
Supreme Court of Canada	Constitutional Amendment References 1981	11 Man. R. (2d) 1	Maritime Law Book Limited
Supreme Court of Canada	Reference re Amendment of the Constitution of Canada	125 D.L.R. (3d) 1	Canada Law Book Limited
Supreme Court of Canada	Re Resolution to Amend the Constitution of Canada	1 C.R.R. 59	Butterworths

It is clear from the above that except the Canada Law Book which adopts a consistent style of cause at both court levels, the other three commercial publishers have adopted different styles of cause at each court level. At the provincial Court of Appeal's level, Maritime employed the style of cause "Constitutional Reference" preceded in each case with the jurisdiction concerned. This jurisdiction-oriented style of cause, however, was changed by the same publisher to "Constitutional Amendment References 1981" at the Supreme Court of Canada's level. It is interesting to note that the *Supreme Court Reports* chose an entirely different style of cause (i.e., "In the Matter of an Act for expediting the decision of constitutional and other provincial questions. . ."), though, in its Table of Judgments, a shortened form was found, i.e., *Re Resolution to amend the Constitution*, a similar title of which was also adopted by Butterworths. The most confusing practice is the one adopted by Carswell (Western). At the provincial level, the case was entered under "Reference re Questions concerning the Amendment of the Constitution of Canada" — an indication of an opinion given under a reference jurisdiction of an appellate court, i.e., the Manitoba Court of Appeal. However, for unknown reason, the style of cause at the Supreme Court of Canada's level, as adopted by Carswell (Western), indicates that the case, contrary to the actual court proceedings, went through an action route. This is evidenced by the use of the individual parties involved in the case and the insertion of a "v." between them. There are altogether eight different styles of cause chosen by five different publishers for the same case reported at two different court levels. Each has its own style of cause; each is different from others.

The picture above is undeniably complex. Most readers would say that it is natural because of the different publishers involved; yet any acute

reader would concede that searching for this case at a specific court level — due to the multitude of different styles of cause used — would require, on the part of the researcher, a lot of haphazard research and entail a tremendous effort, if not a formidable research process. In a standard Canadian text book on legal research and writing, professors Yogis and Christie stressed the need for easy location of a cited authority by dwelling upon the importance of accuracy as one of the general rules of style in legal writing.<sup>9</sup> Keys to the observation of this rule are that the law of citation, as adopted by a legal publisher, should be subject to uniformity, and that the citation of law, in this case, the style of cause of a reported case, should adhere to an unambiguous format.

The task of determining the appropriate style of cause of an opinion rendered under a reference jurisdiction, for the purpose of uniformity and consistency, would be a simple one if one could identify two separate and distinct elements, namely, the subject matter in issue and the legislation to be interpreted. In principle, the style of cause should be entered under the specific subject matter involved. Thus, the opinion rendered by the Supreme Court of Canada concerning the proper interpretation of a judge's authorization to intercept private communications should be cited as "Reference re Interception of Private Communications."<sup>10</sup> Following this mode of reasoning, among the eight different styles of cause illustrated above, the one adopted by the Canada Law Book, i.e., "Reference re Amendment of the Constitution of Canada" seems to best identify the case.

Though this may have been possible with reference to cases when the particulars of the subject matter are sufficient for retrieval, it is not such a simple matter when the use of the subject matter does not yield to easy retrieval of the opinion cited. The inclusion of the legislation, the proper interpretation of which is being sought by the Governor-in-Council, would seem necessary for the purpose of identification. Thus, the recent opinion by the Ontario Court of Appeal dealing with the minority

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9. J. Yogis and I. Christie, *Legal Writing and Research Manual* (2nd ed. 1974), at 12. (A new edition is under preparation.)

10. Since the matter of intercepting communications is governed by a well-known part of the *Criminal Code*, i.e., Part IV.I., which deals with invasion of privacy, the inclusion of the *Code* into the style of cause is considered unnecessary. It is interesting to note that among the three publishers that reported the case, two of them, i.e., Maritime and the Canada Law Book, adopted this subject-oriented approach. While Maritime employed the exact style of cause suggested by this short comment (see 56 N.R. 43, 58 A.R. 39), the Canada Law Book adopted a somewhat broader subject indication, i.e., "Reference re an Application for an Authorization" (see 14 D.L.R. (4th) 546, 15 C.C.C. (3d) 466). In the case of Carswell (Western), the style of cause was entered by reference to the act under which the case was referred to the court, i.e., "Reference pursuant to Section 27(1) of the Judicature Act" (see [1985] 2 W.W.R. 193, 35 Alta. L.R. (2d) 97).

language education rights, as provided for in section 23 of the *Charter*, should be entered under “Reference re Education Act of Ontario and the Minority Language Education Rights”.<sup>11</sup>

The divergencies of publishers’ usage dealing with the style of cause in civil litigations taken against or on behalf of the Crown are even more telling on the point. The existing Canadian legislations, both federal and provincial, defy uniformity. At the federal level, according to section 10(2) of the *Crown Liability Act*,<sup>12</sup> proceedings against the Crown or an agency of the Crown may be taken in the name of the “Attorney General of Canada” or in the name of the agency. On the other hand, actions brought by or against a Crown corporation may be taken in the name of the corporation itself.<sup>13</sup> While a similar provision can be found in the Proceedings Against the Crown Act of New Brunswick,<sup>14</sup> a somewhat different designation is used by Nova Scotia and Québec, in which such litigations are designated “The Attorney General of a [province] representing Her Majesty in the right of the [province]”.<sup>15</sup> In Ontario, however, the Crown is designated “Her Majesty the Queen in right of Ontario” for actions taken under the Proceedings Against the Crown Act.<sup>16</sup> The same applies to Alberta,<sup>17</sup> British Columbia,<sup>18</sup> and Newfoundland.<sup>19</sup> In addition, a different designation is used by Manitoba under “The Government of Manitoba”,<sup>20</sup> which is also the designation followed by the Province of Saskatchewan<sup>21</sup> and Prince Edward Island.<sup>22</sup>

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11. While the minority language education rights of the *Charter* is a well known and often contested section, the adding of the “Education Act of Ontario” would assist the reader to know, at a glance, the specific ramification of the Section in Ontario and, thus, to expedite the retrieval process. Major Canadian legal publishers do seem to adopt this mode of citation. See, for example, 10 D.L.R. (4th) 491, 47 O.R. (2d) 1 (Canada Law Book), 11 C.R.R. 17 (Butterworths), and 27 M.P.L.R. 1 (Carswell).

12. R.S.C. 1970, c.C-38.

13. See, for example, *Canadian Film Development Corporation Act*, R.S.C. 1970, c.C-8, s. 17(4); *Canadian Commercial Corporation Act*, R.S.C. 1970, c.C-6, s.10; *Canada Mortgage and Housing Corporation Act*, R.S.C. 1970, c.C-16, s.5(4).

14. See section 11 of the Act, which provides:

“Where proceedings are taken under this Act against the Crown, the Crown shall be designated as the Province of New Brunswick and where proceedings are taken under this Act against a Crown corporation, the Crown corporation shall be designated by its corporation name.

R.S.N.B. 1973, c.P-18.

15. Proceedings against the Crown Act, R.S.N.S. 1967, c.239, s.11; An Act respecting the ministère de la justice, R.S.Q. 1977, c.M-19, s.4(b).

16. R.S.O. 1980, c.393, s.13.

17. Proceedings Against the Crown Act, R.S.A. 1980, c.P-18, s.12.

18. Crown Proceeding Act, R.S.B.C. 1979, c.86, s.7.

19. The Proceedings against the Crown Act, 1973, S.N. 1973, No.59, s.12.

20. “The Proceedings Against the Crown Act”, R.S.M. 1970, c.P140, s.13.

21. *The Proceedings against the Crown Act*, R.S.S. 1978, c.P-27, s.14.

22. *Crown Proceedings Act*, R.S.P.E.I. 1974, c.C-31, s.11.



The above survey on civil actions brought by or against the Crown, to which these provisions apply, reveals that one jurisdiction (i.e., Canada) may begin the style of cause with the “Attorney General of Canada”, two jurisdictions (i.e., Canada and New Brunswick) with the name of a Crown corporation, four provinces (i.e., Alberta, British Columbia, Newfoundland, and Ontario) with “Her Majesty the Queen in right of the [province]”, three provinces (i.e., Manitoba, Prince Edward Island, and Saskatchewan) with “The Government of a [province]”. The remaining two provinces (i.e., Québec and Nova Scotia) seem formally diverse — “The Attorney General of a [province] representing Her Majesty in the right of the [province]”. In fact, such cases may be indexed by a publisher under one of the numerous forms listed above, depending on the jurisdiction. It would demand a formidable memory to retain the statutory requirement while searching for the style of cause of a case originated from a specific jurisdiction. Nowhere the difficulty experienced by a researcher is more frustrating than in the search of such cases.

It is to be noted that the three-tier system suggested by the study under review operates here mainly as a catalyst for achieving uniformity. While such a goal is a one to be achieved primarily by a publisher's strict adherence to the recommendations suggested therein, the need for such a uniformity is no where greater than in legal citation, given its potential, eventual impact upon the research process and the tendency of the legal profession towards an easy access to reported cases. Since the publication of the study under review, the Maritime Law Book Limited is the first publisher that adopts the “Indexed as” philosophy. Analyzing the practice so far adopted by Maritime, while bearing the need for uniformity in mind, will reveal some substantial departures from the recommendations suggested by the study. Let us begin our analysis by offering a few illustrations. Recommendation 19 suggests the use of jurisdiction (i.e., for example, Canada) in lieu of the names of government departments, ministers, the Attorney General and their departments, except in the case of the Minister of National Revenue, which is cited as “M.N.R.”, as suggested by Recommendation 21.<sup>23</sup> For unknown reason, the continuous use by Maritime of the Minister of *Employment and Immigration* — a minister that should be replaced by “Canada” — seems to defy the rationale of the Recommendation. That is, since the study under review makes no exception to the Minister, its continuous use appears to be, at best, misleading and, at worst, confusing.<sup>24</sup> The Government of Manitoba, on the other hand, is still

23. For a detailed discussion, see pp. 22-26.

24. See, for example, *Mavour v. Minister of Employment and Immigration* (1984), 57 N.R. 97 (F.C.A.).

designated by Maritime as “Manitoba, Government of”, instead of “Manitoba”.<sup>25</sup> The same applies to the Solicitor General of Canada which, according to Recommendation 19, should be designated as “Canada”, not the “Solicitor General of Canada”, as Maritime did in *Law v. Solicitor General of Canada and Minister of Employment and Immigration*.<sup>26</sup>

Again, let us look to the peculiarities of a publisher’s usage for another examination of the lack of uniformity. In that light, I would base my observation on the style of cause dealing with government boards and commissions. In the case of government boards and commissions, Recommendation 22 suggests the use of the name of board or commission — not the individual member of the board or commission — together with an indication of jurisdiction.<sup>27</sup> This suggestion does not seem to be strictly followed by Maritime. Thus, in *Kellett v. Licence Suspension Appeal Board*,<sup>28</sup> the jurisdiction (i.e., Manitoba) was strangely omitted. Despite the fact that a Crown corporation should be indexed under its name, as suggested by Recommendation 23, Maritime, in *Aeric Inc. v. Chairman of the Board of Directors, Canada Post Corporation*,<sup>29</sup> indexed the case under the “Chairman” of the Corporation. The task of retrieving this case would therefore be more difficult — if only because the reversed entry of the case published in a table of cases would be listed under the alphabetical order of “Chairman”, not “Canada”.

A more confusing picture may be drawn from cases dealing with wills and estates. Recommendation 39 indicates that when there is a choice between the application form (i.e., “Re”) and the trial form (i.e., “v.”), the latter is to be preferred. On at least two occasions, one can detect departure from such recommendation. Thus, in *Re Purpur Estate; Purpur Estate v. Ash, Webster, Haberstock and an Unknown Infant*, the use of a “Re”, in combination with “Purpur Estate”, anticipates an application form, not a trial form.<sup>30</sup> Likewise, in the case of *Re Pouliot Estate*,<sup>31</sup> the publisher indexed the case under an application form, instead of a trial form (i.e., *National Trust Co. v. Sutton, Pouliot, Pouliot et al.*). Since such cases, due to the departure adopted by the publisher, would be arranged

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25. See, for example, *Apple Meadows Ltd. and Fairweather Properties Ltd. et al. v. Manitoba, Government of, Rent Regulation Bureau, Rent Appeal Panel and Gordon et al.* (1984), 31 Man. R. (2d) 2 (Q.B.).

26. Reported in (1984), 57 N.R. 45 (F.C.A.).

27. See discussion on pages 25-26.

28. (1984), 31 Man. R. (2d) 55 (Q.B.).

29. (1985), 56 N.R. 289 (F.C.A.).

30. (1984), 30 Man. R. (2d) 241 (C.A.).

31. (1984), 30 Man. R. (2d) 178 (Q.B.).

in a table of cases at a location other than in their normal alphabetical order by trial form, this different practice of Maritime is both surprising and a serious impediment to an easy access to such reported cases. Moreover, in the case of a consolidation of actions, Recommendation 49 suggests the use of two separate entries, representing two independent decisions.<sup>32</sup> However, this recommendation seems to be strangely neglected by Maritime. On several occasions, such cases were indexed in such a way that the style of cause conveys one action only.<sup>33</sup> As a result, the form that Maritime adopted varies substantially from that recommended by the study under review. To a researcher unfamiliar with Maritime's practice, the most distressing result of this situation is probably the creation of another different set of rules to follow. Since the use of "Indexed as" entry, as promoted by the study, is a unique mechanism, it is appropriate to anticipate that the application by a publisher of the recommendations offered throughout the study should result in uniformity. It should be emphasized that the adoption of the "Indexed as" philosophy by Maritime does not justify such departures, even though proper discretion as to the style of cause to be indexed be given to each individual publisher.

Given the complexity of the problem with which a researcher may encounter (of differentiating the recommended style of cause from that adopted by a publisher for the purpose of locating such cases), it seems that uniformity by legislation is a necessary step for the maintenance of consistency. Hence, an examination of other related provisions, both at home and abroad, seems necessary in order to satisfy ourselves that the problem of uniformity in such cases, like citing an opinion given under a reference jurisdiction discussed above, may be solved with minimum inconsistencies.

It is interesting to note that the *Uniform Proceedings against the Crown Act*, which the Uniform Law Conference of Canada adopts, is silent in this matter. Section 11 of the Act provides that each province is to decide by itself as to the name in which action against the Crown should be brought. According to the British Crown Proceedings Act, 1947, civil proceedings by and against the Crown may be instituted either by an appropriate authorized department in its own name or by the Attorney General.<sup>34</sup> Only those government departments specified in a list published by the Minister for Civil Service under section 17(1) of the

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32. See discussion on pages 48-49.

33. See, for example, *Johnson & Mutual Life Assurance Company of Canada and London Life Insurance Company* (1982), 57 N.B.R. (2d) 140 (C.A.); *Van Hul and Honkoop at al. v. P.E.I. Tobacco Commodity Marketing Board* (1984), 51 Nfld. & P.E.I.R. 124 (P.E.I.S.C.).

34. See c. 44, s.17(2)(3).

Act can be regarded as an appropriate authorized department. Such list serves as an authority. Canadian legislation should adopt similar provision in order to achieve a greater degree of uniformity among publishers and, thus, an enhanced effect of consistency. These combine to achieve the proper style of cause refined in a well stated formula.<sup>35</sup> The citation of law is thus made possible to coincide with the law of citation.

The true essence of legal citation lies in the communication from the writer to the reader of the supporting authorities cited in footnotes, but no such cited authorities can be meaningfully communicated, except by the aid of the law of citation, to which both parties have agreed to attach an identical format. The law of citation, no matter what, being agreed upon between the two parties as inseparably applied to the cited authorities, comprises the essential of citation format — a mutual covenant that should stand between them invariably for the same authority cited. The format of a citation of law, as exemplified by the numerous cases discussed above, reflects the kind of rule of citation adopted by a specific publisher, but the gist of matter is in the perfect agreement between the two parties as to the meaning to be associated with the law of citation. The citation of law is, to the legal profession, what the law of citation does. When a mutual covenant is present, the citation of law is identical with the law of citation, when it is wanting, the citation of law deviates from, or even contradicts with, the law of citation. If the law of citation were uncertain, what would be the uncertainty in the interpretation of a citation of law!

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35. In adopting this method, however, similar provincial government departments that are authorized should be identified by adding the appropriate jurisdiction to their name. For example, Human Rights Commission (Canada), Workers' Compensation Board (Nfld.), etc.