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Basic Citation Forms: Executive Branch Materials

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7.3 RESEARCH MATERIALS: FLORIDA CONSTITUTIONS

Most of the materials used in the 1968 revision of Florida's *Constitution* have not been published and are found either in the State Archives or at the Florida Supreme Court Library. The Legislative Library has copies of the bound proceedings from the 1968 and 1978 Constitution Revision Commissions.

7.4 ANNOTATIONS

When citing an annotation to the *Florida Constitution*, use the following form, with a parenthetical indicating the subject of the annotation.

[volume] FLA. STAT. ANN. [page] (West [year]).

91. See 26A FLA. STAT. ANN. 154 (West Supp. 1989) (annot. to FLA. CONST. art XII, § 10).

7.5 PROPOSED CONSTITUTIONAL AMENDMENTS

Cite to a proposed amendment to the *Florida Constitution* by citing to the legislative resolution number, year, and page number where the proposed amendment may be found. Indicate the section to be amended in a parenthetical.

92. Fla. SJR 341, at 2 (1989) (proposed FLA. CONST. art. III, § 19 (a), (b) and (c)).

8. EXECUTIVE BRANCH MATERIALS

8.1 EXECUTIVE ORDERS

Executive orders issued by Florida governors generally take the form of presidential executive orders. In general, see *Bluebook* Rule 14.7.

8.1.1 In Text

Spell out and use lower case letters if only generally referring to an executive order. If it is the first reference to the executive order, footnote the reference and include the required information.

Governor Chiles, in August of 1991, signed an executive order extending the executive assignment of State Attorney Bruce Colton

regarding the arrest of the defendant for attempted first degree murder.⁹³

93. Fla. Exec. Order No. 91-215 (Aug. 23, 1991).

Specific References: Spell out and capitalize the phrase "Executive Order" when referring to a particular executive order by number.

In 1991, in order to rectify this situation, Governor Lawton Chiles issued Executive Order 91-220.

8.1.2 In Footnotes

Abbreviate a citation sentence in a footnote. If available, include the date issued.

94. Fla. Exec. Order No. 91-215 (Aug. 23, 1991).

8.2 EXECUTIVE DEPARTMENTS

8.2.1 In Text

If completely identifying an agency, start with the department followed by the division, bureau, section, and subsection (as appropriate). Depending upon the context, it is sometimes appropriate for the word "Florida" to appear before the department's name. The names of agencies are spelled out both in text and textual discussions in footnotes. However, if the agency is more frequently known by an acronym, that acronym may be used on subsequent reference. *See* Rule 2.1.1.

Financing statements are filed with the Department of State, Division of Corporations, Bureau of Uniform Commercial Code, Documents Examination Section.

The Department of Health and Rehabilitative Services (HRS) is the largest agency in Florida government.

8.2.2 In Footnotes

Abbreviate the agency's name in a citation sentence in a footnote according to Rule 2.2.4.

95. Interview with Jerome W. Hoffman, Chief, Dep't of Legal Aff., Div. of Economic Crimes, Antitrust Section (Aug. 22, 1989)

(available at Fla. Dep't of State, Div. of Archives, Tallahassee, Fla.).

8.3 FLORIDA ATTORNEY GENERAL OPINIONS

8.3.1 In Text

Do not capitalize "opinion."

In opinion 89-39, the Attorney General concluded that aides of county commissioners are generally not subject to the Sunshine Law

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8.3.2 In Footnotes

(a) *Bound Volumes*

96. 1987 FLA. ATT'Y GEN. ANN. REP. 92.

(b) *Unbound Copies*

97. 89-42 Op. Fla. Att'y Gen. 2 (1989).

8.4 FLORIDA ADMINISTRATIVE CODE

This code is similar to the *Code of Federal Regulations*, so *Bluebook* Rule 14.2 generally applies.

8.4.1 In Text

The title should be spelled out, capitalized, and italicized.

The Department's rules are found in chapter 1C of the *Florida Administrative Code*. The Bureau's rules are found in Rule 1C-6 of the *Code*.

8.4.2 In Footnotes

(a) *General Form*

The form is:

FLA. ADMIN. CODE ANN. r. [number] (date).

Because the code is published in looseleaf form, use the date that appears on the page on which the provision appears, or the date on the first page of the subdivision, if it is more recent than the date the volume was published.

98. FLA. ADMIN. CODE ANN. r. 28-5.604 (1990).

99. FLA. ADMIN. CODE ANN. r. 9J-14.006 (1990).

(b) Short Form: The Use of "Id."

When citing to the exact material as in the preceding footnote, use "*id.*" alone. When the second citation is to the *Code* but to a different rule, use "*id.*" followed by the rule number. Include the year if it is different than the preceding footnote.

100. FLA ADMIN. CODE ANN. r. 28-3.031 (1990).

101. *Id.* at r. 28-3.031(1).

102. *Id.* at r. 28-5.111 (Aug. 1989).

(c) Citing to an Entire Chapter

Cite to an entire chapter of the *Administrative Code* as follows:

FLA. ADMIN. CODE ANN. ch. [number] (date).

103. FLA. ADMIN. CODE ANN. ch. 10-5 (1990).

8.5 FLORIDA ADMINISTRATIVE WEEKLY

This publication serves a purpose similar to the *Federal Register*, so *Bluebook* Rule 14.2 applies.

8.5.1 In Text

The title should be spelled out, capitalized, and italicized.

The Department of Business Regulation published its emergency rule in the June 28, 1991, edition of the *Florida Administrative Weekly*.

8.5.2 In Footnotes

As an unbound publication, the *Florida Administrative Weekly* appears in ordinary roman type.

The form is:

[volume number] Fla. Admin. Weekly [page] (date).

104. The State Touring Program rule published in the *Florida Administrative Weekly* provides for bringing state touring companies to local communities. 17 Fla. Admin. Weekly 2724 (June 21, 1991).

8.6 FLORIDA ADMINISTRATIVE LAW REPORTS

This reporter serves a purpose similar to a court reporter, so *Bluebook* Rule 10.3.2 applies.

8.6.1 In Text

The title should be spelled out, capitalized, and italicized.

The decision was reported in the *Florida Administrative Law Reports*.

8.6.2 In Footnotes

The form is:

[volume number] Fla. Admin. L. Rep. [page] (year).

105. 12 Fla. Admin. L. Rep. 187, 188 (1990).

8.7 FLORIDA PUBLIC SERVICE COMMISSION REPORTER

This reporter serves a purpose similar to a court reporter, so *Bluebook* Rule 10.3.2 applies.

8.7.1 In Text

The title should be spelled out, capitalized, and italicized.

The decision was reported in the *Florida Public Service Commission Reporter*.

8.7.2 In Footnotes

The form is:

[volume number] Fla. Pub. Serv. Comm'n Rep. [page] (year).

If appropriate, the docket number, order number, date of the order, or subject of the order may be included in parentheses.

106. *In re* Application for a rate increase in Lee County by FFEC SIX, Inc., 91 Fla. Pub. Serv. Comm'n Rep. 2:420 (Docket No. 900521-WS, Order No. 24128, Feb. 18, 1991) (Order suspending proposed rate schedules and granting interim rates, subject to refund).

Before November 1977, Florida Public Service Commission orders were not formally published in a reporter. These orders should be cited as follows:

107. *In re*: Application of Florida Power Corporation for approval of territorial agreement with City of Ocala, Docket No. 7061-EU, Order No. 3799, at 3 (Fla. Pub. Serv. Comm'n, Apr. 28, 1965).

8.8 FLORIDA ADMINISTRATIVE PRACTICE MANUAL

8.8.1 In Text

The title should be spelled out, capitalized, and italicized.

The model rule is promulgated in the *Florida Administrative Practice Manual*.

8.8.2 In Footnotes

The form is:

FLA. ADMIN. PRACTICE [section] at [page] (year).

108. FLA. ADMIN. PRACTICE § 3.03, at 3-5 to 3-10 (Supp. 1991).

9. JUDICIAL BRANCH MATERIALS

9.1 RULES

Cite the rules adopted by the Florida Supreme Court and published in *Florida Rules of Court* in the following manner:

109. FLA. R. JUD. ADMIN. 2.030.

Cite the creation of the rule to the published opinion, if available.