# Manual of Judicial Writing

***Foreword***

Substance and form are the basic elements of all human creation. One without the other would be useless. The purpose of the *Manual* is to provide a standardized form for the substance of Supreme Court decisions and resolutions. The aim is to provide tools for clarity while leaving plenty of room for individual style and preference.

This *Manual* is the product of a year of toil that started at the first Technical Working Group (TWG) meeting on November 16, 2004. The TWG is composed of the following:

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From November 2004 to January 2005, the TWG undertook a series of revisions on the initial draft submitted by the project consultants. At its meeting in January 2005, the TWG formed a sub-committee to thoroughly revise and edit the working draft. The members of the sub-committee are Attorneys Edna E. Diflo, Maria Victoria Gleoresty Sp. Guerra, Edna B. Camba of the Office of the Reporter, Annaliza S. Ty-Capacite, Bernadette Ann A. Villa, Asra Pieda Conlu, and Alejandro G Lesaca. From March 2005 to July 2005, the subcommittee thoroughly and extensively went through the draft.

On August 3, 2005, the subcommittee presented the revised working draft to the TWG After further corrections, the proposed *Manual* was presented to the Court on September 13,2005. The Court granted its members time to submit their comments and suggestions. Senior Associate Justice Reynato S. Puno and Associate Justices Artemio V. Panganiban, Consuelo Ynares-Santiago, Angelina Sandoval-Gutierrez, and Antonio T. Carpio submitted their comments and suggestions, which they incorporated into the draft. The TWG submitted alternatives on the items it could not resolve. On November 15,2005, the Court deliberated on the new draft, resolved the remaining issues, and finally approved the *Manual*.

Special thanks for funding assistance to the United States Agency for International Development (USAID) which approved a grant to the Court under the Legal Accountability and Dispute Resolution (LADR) program implemented by the Asia Foundation. I also thank Atty. Ismael G Khan, Jr., Chief of the Public Information Office, and Mr. Jed M. Eva III, also of the PIO, for doing the layout and styling of the *Manual*; and Ms. Milagros S. Ong, Chief, Library Services, and her office, for doing the index. And, of course, I thank Ms. Evelyn Toledo-Dumdum, Program Director, Program Management Office, for her overall coordination and encouragement.

On behalf of the TWG, I am pleased to present the *Manual* with the prayer that it may truly be of use.

Manila, December 15, 2005

Adolfo S. Azcuna
*Associate Justice*

***Introduction***

Words are the lifeblood of judicial decisions or of any other form of writing. When the right words are used, they serve as gems that give luster to a message or idea. On the other hand, gobbledygook, legal jargon, or archaic language is likely to take away the vigor of a message. Thus, the use of plain, concrete words are encouraged, especially in judicial decisions — which are meant to settle, not to further cloud, grey areas in law or in contracts, as well as to end justiciable controversies instead of spawning new ones.

While the Constitution requires that decisions express clearly and distinctly the facts and the law on which they are based, it does not prescribe a specific form or style. Magistrates are free to adopt their own style as long as it catches the real nuances and essence of the principle or message sought to be conveyed to the readers, most especially to the parties concerned. They may use sculptured vibrant language if only to add drama or color to their decision and to make it appealing and convincing to the readers. They may utilize idioms because, as someone has said, "[a] language without idioms is like a man who cannot smile."

What this *Manual* seeks to achieve is uniformity or consistency of style but only with respect to matters of form and citations without necessarily encroaching the personal style of the Supreme Court Justices in drafting opinions or resolutions. Built on the *Report on Uniform Decision-Writing Style*, which was the fruition of the consultations with the lawyers of the Court, this *Manual* draws on a wealth of sources or style books, which are duly acknowledged in the footnotes as a matter of common courtesy and practice. It is designed in a practical and simple fashion so that readers do not have to spend an inordinate amount of time in absorbing its contents. It also provides examples to illustrate the rules.

Part 1 sets out a guide on how a decision or resolution will appear in print; it covers matters of form such as the type and size of font, margins, and spacing. It also includes some basic rules on punctuation, capitalization, italicization, abbreviation, quotations, numbers, and lists. It is not, however, comprehensive; it deals only with important areas of decision-writing. As a guide in the development of one's own style, this *Manual* likewise provides suggestions on the choice of words, length of sentences or paragraphs, and structure of sentences that conform with the tempo of the idea that is to be put across.

Part 2 deals with citations, which include references to records that are unique to the Court, such as *rollos*, transcripts of stenographic notes, and exhibits. It is based on the standards accepted by the Justices, taking into account good practices in citing foreign and local sources and at the same time creating some which are not yet embraced in citation books for being peculiar to court decisions.

I am proud that this *Manual* carries the distinction of being the first of its kind in the Philippines or even in Asia. Even as I will no longer be drafting decisions or opinions for the Court in view of my mandatory retirement at midnight of 19 December 2005, I do hope that the suggested rules in this *Manual* will be observed by those left behind and those who are to come. I shall leave with the expectation that the decisions of the Court will finally have a "style that is distinctively its own."

Hon. Hilario G. Davide, Jr.
*Chief Justice*

## 1. Matters of Style

### 1.1. FORMAT

#### 1.1.1. FONT

Use Times New Roman, which is the font used in this Manual. Times New Roman has been described in Microsoft Publisher '97 Companion as "the workhorse of serif fonts, compact, and reliable at all sizes" and as a "neutral, businesslike font that is readable for long stretches of body text."

To ensure uniformity, use the following sizes:

| Type | Font Size |
|---|---|
| Header | 12 |
| Title | 14 |
| Text | 14 |
| Block Quote | 12 |
| Footnote | 10 |

#### 1.1.2 SPACING

| Type | Space |
|---|---|
| Text | 1.5 |
| Block Qoutes | 1 |
| Between paragraphs | 3 |

#### 1.1.3 MARGINS

| Position | Size |
|---|---|
| Left | 1.5” |
| Right | 1” |
| Top | 1” |
| Bottom | 1” |

### 1.2. TITLE PAGE

The essential parts of a standard title page of a Supreme Court decision or signed resolution are as follows:

#### 1.2.1. TITLE PAGE HEADER

The title page header shows the seal of the Supreme Court in the first line, the name *Republic of the Philippines* in the second line, the name *Supreme Court* in the third line, the place where the Court held session in the fourth line, and, after three spaces from the fourth line, the words *En Banc, First Division, Second Division, or Third Division*.

1.2.2. CASE TITLE

The title of the case consists of the names of the parties and their appropriate designations, such as *complainant, appellant, appellee, petitioner,* and *respondent*.

*Examples*:

People of the Philippines,

Appellee,

-versus-

Juan de la Cruz,

Appellant.

x - - -

Juanita V. Diaz,

Complainant,

-versus-

Atty. Julio H. Dimakuha,

Respondent.

x - - -

x - - -

*Example*:

Marissa L. Reyes,

A.C. No. _____

Complainant,

-versus-

Atty. Soledad M. Dolor,

Respondent.

x - - -

The date of promulgation is placed below the names of the Justices.

1.2.6. PONENTE

Before the body of each decision, the surname of the Justice who penned the decision appears in capital letters. If the decision is per curiam, use "PER CURIAM" in place of the name of the ponente.

*Examples*:

DE LA CRUZ, J.:

*PER CURIAM:*

**Sample of Decision Title Page**

Republic of the Philippines

Supreme Court

Manila

SECOND DIVISION

| | |
|---|---|
| SESENANDO T. SAN PEDRO,<br>Petitioner,<br>- versus - | G.R. No. 987654<br>Present:<br><br>DE LA CRUZ, J,, Chairperson,<br><br>SANTOS,<br>BAYANI,<br>REYES, and<br>SILANG, JJ. |
| PEOPLE OF THE PHILIPPINES,<br>Respondent. | Promulgated:<br><br>January 18, 2005 |

D E C I S I O N

SANTOS, J.:

The same format is used for signed resolutions in judicial matters but with the word *R E S O L U T I O N* written in lieu of the word *D E C I S I O N*.

**Sample of Minute Resolution Title Page**

Republic of the Philippines

Supreme Court

Manila

THIRD DIVISION

**Sirs and Mesdames:**[1]

**Quoted hereunder, for your information, is a resolution of this Court dated MARCH 9, 2001.**

G.R. No. 876543 (Ligaya Santos and Sps. Dakila and Mayumi Bana v. Pautang Savings and Loan Association, Inc.). -

1.3. BODY

1.3.1. HEADER

On the second and subsequent pages of the Decision or Resolution, type the word Decision or Resolution, the page number, and the docket number as header.

*Example*:

Decision 7 G.R. No. 123456

If the cases are consolidated, list the docket numbers in ascending order.

*Example*:

Decision 7 G.R. Nos. 123456 & 134562

If the docket numbers are consecutive, use a hyphen.

*Example*:

Decision 7 G.R. No. 123456-62

## 1.3.2. CAPITALIZATION

### A. Reference to Courts

References to courts other than the Supreme Court should be in lower case.

*Examples*:

This Court is convinced that the court of origin committed grave abuse of discretion.

The anti-graft court arraigned General Santos.

### B. Party Designation

Party designations, such as *petitioner, respondent, appellant,* and *appellee*, are not capitalized even if replacing a proper name.[2]

*Examples*:

(correct) In sum, petitioner spouses contend that the contract is void.

(correct) In sum, petitioners-spouses contend that the contract is void.

(wrong) In sum, Petitioner spouses contend that the contract is void.

### C. Title of Court Documents

1. Capitalize the actual title of documents filed in the courts such as pleadings, motions, and manifestations; or decisions, orders, and resolutions issued by the courts. [3]

*Examples*:

The Petition for Prohibition with Preliminary Injunction or Temporary Restraining Order was filed only on May 16, 2005.

The Velarde decision is about writing decisions.

2. Do not capitalize the generic name or shortened title of a court document.[4]

*Example*:

The petition for prohibition was filed only on May 16,2005.

D. Reference to Specific Laws

1. Capitalize references to constitutions, statutes, rules, administrative issuances, and ordinances.

*Example*:

The constitutionality of the Indigenous Peoples' Rights Act was upheld by the Court. The Act was a long awaited piece of legislation.

2. Capitalize citations of specific parts of laws in textual sentences such as Articles, Sections, and Rules.

*Example*:

Section 5, Article VIII of the Constitution enumerates the powers of the Supreme Court.

E. Government Agencies

Capitalize references derived from proper names of government agencies.

*Examples*:

The Commission (referring to the Insurance Commission)

The Board (referring to the Legal Education Board)

F. Political Subdivisions

Capitalize words designating political subdivisions when they are essential elements of specific names.

*Example*:

Municipality of Santa Cruz, Province of Laguna

1.3.3. ITALICIZATION

A. Non-English Words

Italicize non-English words. Non-English words are those not found in the latest unabridged Webster's dictionary. When necessary, include a parenthetical explanation or translation immediately after the word.

*Example*:

*Jueteng* (illegal numbers game) is a major social ill in this country.

B. Name of Newspapers and Magazines

Italicize the names of newspapers or magazines.

Example:

The notice of auction was published in *The Daily Planet*.

1.3.4. SETTING OFF WORDS

A. Added Emphasis

Use italics or boldface to emphasize specific words or phrases.

Examples:

The question of the *legality of the act of dismissal* is distinct from the issue of the *legality of the manner* by which that act of dismissal was performed.

The question of the **legality of the act of dismissal** is distinct from the issue of the **legality of the manner** by which that act of dismissal was performed.

B. Use of Words as Words

Use quotation marks or italics when (a) referring to a word as a word or a phrase as a phrase or (b) providing a definition.[5]

*Examples*:

The phrase *pay to the order of* on the face of the check indicates that it is negotiable.

Payment means "the delivery of money or the performance, in any other manner, of an obligation."

1.3.5. NUMBERS

1. Spell out numbers zero to nine and use numerals for 10 and above.[6] Use commas for large numbers, i.e., numbers of four digits or more.

*Examples*:

four

40

4,000

2. If the number is significant, write it in both words and figures

and enclose the figures in parentheses.

*Example*:

The accused is found guilty of thirteen (13) counts of malversation of public funds.

A. Numbers Grouped for Comparison

If a sentence or paragraph compares numbers in a particular category, use figures for all numbers in that category.[7]

*Example*:

Exhibitors from five provinces came to the trade exposition: 21 from Laguna, 9 from Batangas, 7 from Sorsogon, 46 from Samar, and 12 from Zambales.

B. Adjacent Numbers

To clarify back-to-back modifiers, spell out the smaller number.[8] If the numbers are the same, spell out one.

*Examples*:

The movie was interrupted by 15 ten-minute commercials.

She bought eighteen 18-wheeler trucks.

C. Numbers that Begin a Sentence

Spell out numbers that begin a sentence.[9]

*Example*:

Two hundred fifty judges attended the seminar, but only 100 stayed for the cocktails.

D. Numbers in Dialogue

Spell out numbers in dialogue, except numbers in large amounts.[10]

*Examples*:

"Meet me under the mango tree in fifteen minutes," he whispered.

"But that costs-P250,000," she interrupted.

## E. Numbers in Common Expressions

Spell out numbers in figures of speech or certain common expressions.[11]

*Examples*:

Ten Commandments

top twenty

roaring twenties

fifty-fifty chance

ten-foot pole

hang ten

## F. Ordinal Numbers[12]

Treat ordinal numbers the same as cardinal numbers. Spell out the first through the ninth, and use figures for the 10th onwards.

*Examples*:

He passed the bar examinations on his fourth attempt.

The 21st century ushered in biogenics.

However, in reference lists, footnotes, and tables, use figures to save space.

*Example*:

2nd [or 2d] ed.

## G. Plural Form of Numbers[13]

1. Plurals of spelled-out numbers are formed by adding s or es.

*Example*:

The winning lottery ticket was two sixes followed by three eights.

2. Plurals of figures are formed by adding s.

*Examples*:

F-15s

100s

H. Age

Age is expressed in figures.[14]

*Examples*:

3-year-old child

9 months old

I. Percentage

1. Figures are used with either the word percent or the percent sign (%). Place the percent sign directly next to the number.[15]

*Examples*:

The Board approved the 1 percent increase in rates.

The margin of error was 0.15%.

2. In pairs of numbers or numbers in a series, repeat the percent sign.

*Examples*:

15% to 20%

20%, 30%, and 40%

3. When a percentage is used as a unit modifier, no hyphen is necessary.

*Example*:,

a 50% drop in price

4. Decimals, not fractions, should be used with the percent sign.

*Example*:

8.50%

J. Fraction[16]

1. Spell out common fractions and mixed numbers and use a hyphen.

*Examples*:

one-half

two and three-fourths

2. When whole numbers, fractions, and mixed numbers appear together, use figures. When expressing mixed numbers as figures, insert a space between the whole number and the fraction. Do not use a hyphen.

*Example*:

The piece of wood measured 2 by ½ by 12 ½ inches.

K. Decimal[17]

1. Use figures for decimals.

*Example*:

The typical Filipino household has 5.9 persons.

2.a In text that mixes decimals and whole numbers, a trailing zero is added to the whole numbers.

*Example*:

2.9, 3.5, 4.0

2.b. If any decimal number is less than one, a leading zero is added. However, if the quantity will never be greater than one, the zero is not added.

*Examples*:

0.2

.45 caliber

L. Voting Results

Use figures and the comparative term to when reporting voting results.[18]

*Example*:

The vote was 19 to 5 in favor of the proposal.

M. Currency

1. Place the currency sign directly before the number.

*Examples*:

P250

$526

2. Repeat the currency sign with each number in a pair or series. Do not use any hyphens when the currency amount is used as a compound modifier.

*Example*:

P700 to P950 price range

3. Use currency abbreviation only when clarity requires it. Leave a space after the foreign currency abbreviation and before the indicated amount.[19]

*Examples*:

PhP250

USD 526

N. Unit of Measure

1. Spell out units of measure when first used.

*Examples*:

Six kilometers

240 square meters

2. Use figures with abbreviations, signs, and symbols.[20]

*Examples*:

6km

240 sq m

9°C

9MHz

3° longitude

3. Use a hyphen to join a number and a unit of measure used as a modifier.

*Examples*:

20-kg sacks

6-cm board

100-m distance

five-kilometer route

O. Period of Time[21]

1. Express time in figures followed by a.m. or p.m.

*Examples*:

7:30 a.m.

1:45 p.m.

2. When referring to 12 a.m. or 12 p.m., eliminate confusion by specifying 12 midnight or 12 noon, respectively.

1.3.6.. DATE

1. Either the American method (month-day-year) or the British method (day-month-year) of writing dates is acceptable. However, for consistency, use only one method throughout the text and footnotes.

*Examples*:

Petitioner filed his complaint on January 30, 2003.

Petitioner filed his complaint on 30 January 2003.

2. When referring to a date by month followed by the day, do not use the ordinal form.

*Examples*:

(correct) The September 19 hearing

(wrong) The September 19th hearing

3. When indicating a date by month and year only, do not place a comma before or after the year unless the sentence structure requires a comma after the year.

*Examples*:

Two lawyers attended the April 2005 deposition.

The trial, which was scheduled for June 2005, was postponed several times.

4. Spell out names of the days and months in the text and footnotes. Abbreviate only in formats such as tables, graphs, and catalogs where space is a consideration.[22]

5. When indicating a period of several years, use to or through, not a hyphen.

*Examples*:

(correct) Judge Santos was on the bench from 1950 to 1971.

(wrong) Judge Santos was on the bench from 1950-1971.

6. Use an apostrophe to indicate a period of time.

*Example*:

24 months' incarceration

7. Do not use an apostrophe to indicate a decade.

*Example*:

1980s

1.3.7. ABBREVIATION

1. On first usage, names customarily abbreviated are spelled out followed by the abbreviation in parentheses.

*Examples*:

The Philippine Judicial Academy (PHILJA) is the education arm of the Supreme Court.

The Department of Education (DepEd) filed a petition for prohibition.

2. After first usage, abbreviate specific parts of laws.

*Example*:

Section 5, Article VIII of the Constitution enumerates the powers of the Supreme Court. Sec. 5 includes the rule-making power of the Court.

3. As a rule, spell out *Constitution*, legislative enactments, treaties, executive and administrative issuances.

In exceptional instances when abbreviations are necessary, spell out the abbreviated words on first usage followed by the abbreviation in parentheses.

## 1.3.8. PUNCTUATION

### A. Period

1. Place the period inside quotation marks. The same rule applies to single quotation marks.

*Example*:

Republic Act No. 6766 is otherwise known as the "Organic Act for the Cordillera Autonomous Region."

2. Place the period outside parentheses or brackets that enclose a phrase or sentence fragment and inside parentheses or brackets that enclose a complete sentence.[23]

*Examples*:

The lifeblood of livestock farms are the by-products of rice (rice-bran), coconut (copra meal), banana (banana pulp meal), and fish (fish meal).

The accused threatened the victim: "Huwag kang papalag." (Don't resist.)

### B. Comma

1. Put a comma before coordinating conjunctions, such as *and, but, or, nor, for, yet,* or *so*, when joining two independent clauses.[24] If two independent clauses are short and there is no danger of misreading, omit the comma.

*Examples*:

(correct) The company was not found liable for illegal dismissal, but it was ordered to pay nominal damages for non-compliance with the due process requirements.

(wrong) The company was not found liable for illegal dismissal but it was ordered to pay nominal damages for non-compliance with the due process requirements.

2. Use a comma after a transitional word or phrase (except *and* or *but*), an introductory phrase (especially a long one), or a subordinate clause that precedes an independent clause.[25]

*Examples*:

Transitional word: Consequently, appellant withdrew his appeal.

Introductory phrase: With respect to the issue of legal standing, the Court rules for petitioner.

Subordinate clause: When the Court determines legislative intent, it looks into the records of the legislative proceedings.

3. In a series of three or more items, place a comma between all items with the final comma before the conjunction *and* or *or* that concludes the series.[26]

*Examples*:

The probate court ordered the administrator to submit the probable value of the decedent's condominiums, houses, townhouses, and buildings.

An employee may be charged with dishonesty, oppression, or grave misconduct.

Defendant moved to strike out the testimony of the witness, requested leave to file a memorandum in support of her motion, and asked the court for continuance.

4. Use a pair of commas to set off a parenthetical element that has a close logical and syntactic relation to the rest of the sentence. Long dashes (em-dashes) and parentheses may also be used. Long dashes indicate a more remote relation, and parentheses still more remote.[27]

*Examples*:

A lawyer, who is an officer of the court, is expected to observe the highest of ethical standards.

The crime allegedly committed, estafa as defined in the Revised Penal Code, is one of the most frequently committed felonies.

5. Use a comma to separate adjectives that each qualify a noun in parallel fashion, *i.e.*, when the word and could appear between the adjectives without changing the meaning of the sentence, or it is possible to reverse the order of adjectives without affecting meaning.[28]

*Example*:

The accused gave an improbable, unconvincing alibi.

6. Do not use a comma between cumulative adjectives, *i.e.*, those that do not modify the noun separately. Adjectives are cumulative if they cannot be connected with the word *and*.[29]

*Example*:

Five burly men barged into the premises.

7. Place a comma before Jr. and Sr. but not before *II* and *III*.[30]

*Examples*:

Juan dela Cruz, Jr.

Juan dela Cruz III

C. Semicolon

1. Use a semicolon to unite two short, closely connected sentences.[31]

*Examples*:

There was no attempt to recognize the child; it would have been fruitless.

It was Christmas; furthermore, it was his birthday.

It was midnight; contrary to testimony, it was a moonlit night.

2. Use a semicolon to substitute for the comma in a complex series when internal commas obscure the main divisions of any series.[32]

*Example*:

The plaintiffs are Juan Santos of Iba, Zambales; Ricardo Castro of Virac, Catanduanes; Miguel Cruz of Makati City; and Maria Cruz of Malolos, Bulacan.

D. Colon

1. Use a colon to link two clauses or phrases when you need to indicate a step forward from the first to the second, as when the second part explains the first part or provides an example.[33]

*Example*:

An accused is presumed innocent: the burden rests on the prosecution to prove otherwise.

2. Use a colon to introduce a wholly self-contained quotation, especially a long one. [34]

*Example*:

In Moya v. Del Fierro, the Supreme Court held:

> As long as popular government is an end to be achieved and safeguarded, suffrage, whatever may be the modality and form devised, must continue to be the means by which the great reservoir of power must be emptied into the receptacular agencies wrought by the people through their constitution in the interest of good government and the common weal. Republicanism, insofar as it implies the adoption of a representative type of government, necessarily points to the enfranchised citizen as a particle of popular sovereignty and as the ultimate source of the established authority. He has a voice in his Government and whenever possible it is the solemn duty of the judiciary, when called upon to act in justifiable cases, to give its efficacy and not to stifle or frustrate it. This, fundamentally, is the reason for the rule that ballots should be read and appreciated, if not with utmost, with reasonable, liberality.[35]

3. Do not put a colon between (a) a verb and its object, (b) a verb and the rest of the sentence, or (c) a preposition and its object.[36]

*Examples*:

(correct) We must subpoena Cruz, Santos, and Reyes.

(wrong) We must subpoena: Cruz, Santos, and Reyes.

(correct) The order of the judge is to subpoena Cruz, Santos, and Reyes.

(wrong) The order of the judge is: to subpoena Cruz, Santos, and Reyes.

(correct) We must serve a subpoena on Cruz, Santos, and Reyes.

(wrong) We must serve a subpoena on: Cruz, Santos, and Reyes.

E. Parentheses

1. Use parentheses sparingly.

2. Use parentheses to enclose explanations, discussions, and other interruptions.[37]

*Example*:

Where the accused killed his spouse under exceptional circumstances (while in the act of sexual intercourse with another man), the penalty is *destierro*.

F. Apostrophe

1. Form the possessive case of nouns by adding an apostrophe and s (*'s*); however, for plural nouns ending in s, simply add an apostrophe.

*Examples*:

woman's

children's

harness's

witnesses'

2. To show joint possession, use s or ' with the last noun only; to show individual possession, make all nouns possessive.

*Examples*:

Juan and Maria's new car bumped into the pink fence.

Juan's and Maria's cars are insured.

3. Use 's to pluralize words used as words and letters used as letters.[38]

*Examples*:

The *no's* have it.

Their seats were marked with large *J's*.

G. Hyphen

1. Use a hyphen with compound words when necessary to prevent ambiguity or to connect the parts of a phrasal adjective, *i.e.*, a phrase which modifies a noun.[39]

*Example*:

(correct) She is a brilliant decision-maker, (compound word)

(wrong) She is a brilliant decision maker.

(correct) The investigator made an up-to-date report on the activities of the common-law husband, (phrasal adjectives)

(wrong) The investigator made an up to date report on the activities of the common law husband.

2. Hyphenate abbreviations used as part of modifiers.[40]

*Example*:

PHILJA-trained judges

3. Hyphenate a suffix or prefix where it joins an abbreviation.[41]

*Examples*:

Anti-SARS measure

MSG-free food

4. Do not use a hyphen after a prefix unless

a. the solid form might be confusing (*e.g.*, anti-immigrant),

b. the primary word is capitalized, as when it is a proper noun (*e.g.*, pro-Filipino), or

c. the unhyphenated form has a different meaning (*e.g.*, prejudicial vs. pre-judicial).[42]

H. Em-dash (or long dash)[43]

1. Use an em-dash to tack on an important afterthought.[44]

*Example*:

The ordinance does not bear the imprimatur of the city mayor — a statutory requirement.

2. Do not use more than two em-dashes in a sentence.

I. En-dash (or short dash)

Use an en-dash as an equivalent of *to* (as when showing a span of pages), to express tension or difference, or to denote a pairing in which the elements carry equal weight. [45]

*Examples*:

101-110

hot-cold treatment

lessor-lessee relationship

1.3.9. QUOTATION

1. Weave quotations deftly into the text. Tailor the lead-in to the quotation and let the quotation support what has been said.[46]

*Example*:

The Civil Code provides when a contract exists:

ART. 1318. There is no contract unless the following requisites concur:

(1)Consent of the contracting parties;

(2)Object certain which is the subject matter of the contract;

(3)Cause of the obligation which is established. (1261)

2. When quoting 49 words or less

a. Keep the quote within the text with the use of quotation marks[47] and do not use a comma or a colon if the quotation blends into the sentence.[48]

*Example*:

According to the complainant, Mario's machinations "had cast dishonor, discredit, and contempt upon his person."

b. Use single quotation marks for quoted words within quotations.[49]

*Example*:

The victim tried to escape, but "the door was 'locked and barred,' trapping him inside."

3. When quoting 50 or more words

a. Separate the quote from the rest of the text in a block without quotation marks. [50]

b. When the beginning of the quotation is also the beginning of the paragraph in the original text, indent the first line of the block quote.

c. When the beginning of the quotation is not the beginning of the paragraph in the original text, do not indent the quote and do not use ellipsis.

d. Indent block quotations equally on both sides. When quoting block quotations within block quotations, indent further equally on both sides. Use font size 12 and single space.

*Examples*:

In Estrada v. Sto. Domingo, the Court highlighted the confidentiality of decisions yet to be promulgated:

> Decisions or orders of courts must be kept inviolate until they shall have been promulgated or released. Officials and employees of the courthouse must be strictly enjoined against giving any information in advance as to what will be done by the judge. No opportunity should be afforded the unscrupulous litigants, their lawyers, friends, relatives, sympathizers or those with power or influence to go to court and employees and by insidious means and even bribery acquire advance information on the desired judgment or order of the court. Employees should be made to understand that they are not to succumb to greed, to temptations for advancement in public service, that cause them to destroy the integrity of court proceedings or court records. A relaxation of this rule would embolden officials and employees of the courts to seek out interested parties in a case, give them the so-called "inside information" on the decision or order, or furnish them with copy of an unreleased decision or order, or hide, destroy or steal court records, or hold unserved a decision or resolution to promote a party's cause - thereby to earn a quick peso. Some such occurrence as has happened in this case should be stamped out.

> A contrary proposition would breed graft and corruption and erode confidence in the administration of justice.[51]

The facts, as found by the trial court, are as follows:

> The plaintiff leased from defendant a parcel of land consisting of 546 square meters for a period of one (1) year.
>
> The lease stipulated that
>
> > [A]fter termination of the lease x x x the lease shall be on a month to month basis in the absence of a written agreement to the contrary.

4. Lines of poetry that are normally set off from the text can be quoted in block regardless of its length.[52]

5. Place periods and commas inside quotation marks; colons and semicolons outside. Question marks and exclamation points maybe inside or outside depending on whether they are part of the quotation.[53]

*Examples*:

> The witness stated that the accused looked "distraught," and that he was "wringing his hands."

> The defendant objected to the presentation of the witness on the grounds that "she is the wife of the victim and therefore biased"; "she was not at the crime scene at the time of the incident"; and "she is mentally unstable."
>
> To clarify the statement of the accused, the judge asked, "Did you really write this letter by yourself?"

6. Use italics or boldface to emphasize specific words or phrases within the quotation. Add in parentheses words indicating that emphasis was supplied.

*Example*:

> Sec. 2. Entry of plaintiff upon depositing value with unauthorized government depository - Upon filing of the complaint or any time thereafter and after due notice to the defendant the plaintiff shall have the right to take or enter upon the possession of the real property involved **if he deposits with the authorized government depository an amount equivalent to the assessed value of the property for purposes of taxation to be held by such bank subject to the orders of the court.** (Emphasis added)

A. Ellipsis

1. Use ellipsis (three x s) with spaces in between to indicate deleted material from within a sentence.[54]

*Example*:

> All persons, whether citizen or alien without regard to any difference of race x x x, are protected under the guarantee of due process.

2. When omitting material at the end of a sentence, put a space followed by ellipsis and the original punctuation mark.

*Example*:

A void marriage is inexistent from the beginning x x x.

3. When omitting material following a sentence and the quotation continues, retain the punctuation mark followed by ellipsis.

*Example*:

Against whom can the Bill of Rights be enforced? x x x only against the state. ;

4. If the beginning of a subsequent paragraph in a block quotation has been omitted, indicate the omission by an indention followed by ellipsis.

*Example*:

On the other hand, if he relied on a legal practitioner, it is quite probable that the one consulted, even if possessed of the requisite skill, did try to lend plausibility to what at bottom are essentially groundless charges by a rather strained reading of legal doctrines. What emerges clearly then is that the failing of inefficiency cannot be imputed to respondent Judge.

x x x As far as the behavior of a trial judge is concerned, however, it is not realistic to assume considering the nature and the burden laid on his shoulders, that he will at all times personify equanimity. It is understandable if there may be occasions when he is visibly annoyed or irked and that he would react accordingly.

5. If a subsequent paragraph or paragraphs in a block quotation are omitted, indicate the omission by inserting and indenting four *x's* on a new line.

*Example*:

> Rule 130 Sec. 21. Disqualification by reason of mental incapacity or immaturity. - The following persons cannot be witnesses:
>
> X X X X
>
> (b) Children whose mental maturity is such as to render them incapable of perceiving the facts respecting which they are examined and of relating them truthfully.

B. Brackets

1. Use a pair of brackets in a quotation to enclose an editorial comment, correction, explanation, substitution, addition, change, or translation that was not in the original text.[55]

*Example*:

> The trial court held that "[s]uch ruling finds no application to the present case because neither respondent Maria Cruz [the applicant in the land registration case] nor petitioner Juan de la Cruz [the oppositor in the cited case] was a holder of any certificate of title over the land intended for registration, x x x"

2. When the quoted material contains mistakes that are not corrected by substituting bracketed language, indicate that the mistake appeared in the original by inserting " [sic]" after the mistaken language.[56]

*Example*:

The Roll of Attorneys are [sic] updated.

3. Use brackets to enclose a parenthetical expression inside parentheses.[57]

*Example*:

Petitioner failed to cite the only relevant section of the Bouncing Checks Law (assuming that the law [section 3] applies).

1.3.10. LIST[58]

A. Run-in List[59]

1. Enclose in parentheses the numbers or letters in run-in lists.

2. The introductory sentence of the list items should end with a colon only when the sentence is complete; the first word of each item is not capitalized. List items are separated by commas or, when a series is lengthy or has internal commas, by semicolons.

*Examples*:

Respondent presented sufficient evidence to prove ownership of the property in question: (1) a certified true copy of the Transfer Certificate of Title in his name, (2) a certified true copy of the latest Tax Declaration, and (3) a notarized copy of the Deed of Sale by virtue of which the property was conveyed to him.

Petitioner raised the disputable presumptions that (1) a negotiable instrument was given or indorsed for a sufficient consideration; (2) an indorsement of a negotiable instrument was made before the instrument was overdue and at the place where the instrument is dated; and (3) a writing is truly dated.

3. When a list runs longer than eight lines of text, consider displaying it.

B. Displayed List[60]

1. Displayed lists may be set off by

a. bullets, dashes, or similar typographical symbols when the items in the list are of equal importance or do not have to be referred to individually later in the text; and

b. numbers or letters, when the introductory text emphasizes the number of items, the order of importance or occurrence, or when any of the items must be referred to later in the text. The numbers or letters should be followed by periods. In lists with 10 or more numbers, the periods should be aligned.

*Example*:

The 10 grounds to dismiss a complaint follow:

1. The court has no jurisdiction over the person of the defending party

2. The court has no jurisdiction over the subject matter of the claim

3. Venue is improperly laid.

4. The plaintiff has no legal capacity to sue.

5. There is another action pending between the same parties for the same cause.

6. The cause of action is barred by a prior judgment or by the statute of limitations.

7. The pleading asserting the claim states no cause of action.

8. The claim or demand set forth in the plaintiff's pleading has been paid, waived, abandoned, or otherwise extinguished.

9. The claim on which the action is founded is unenforceable under the provisions of the statute of frauds.

10. A condition precedent for filing the claim has not been complied with.

2. Complete Introductory Sentence

a. When a displayed list is introduced by a complete sentence, that sentence may end with a period or a colon. When the introductory sentence contains such anticipatory words or phrases as *these, as follows,* and *the following*, a colon may be more appropriate.

b. When the list items that follow a complete introductory sentence are not complete sentences, each item should begin with lowercase letters and end with no punctuation.

*Example*:

When called to testify, a witness undergoes various examinations:

direct examination by the proponent
cross-examination by the opponent
re-direct examination by the proponent
re-cross-examination by the opponent

c. When the list items that follow a complete introductory sentence are complete sentences, each item should begin with an uppercase letter and end with a period.

*Example*:

Witnesses testifying before the court enjoy a number of rights:

- They must be protected from irrelevant, improper, or insulting questions, and from harsh or insulting demeanor.
- They may not be detained longer than the interests of justice require.

- They may not be examined except only as to matters pertinent to the issue.
- They may refuse to give an answer which will tend to subject them to a penalty for an offense unless otherwise provided by law.
- They may refuse to give an answer which will tend to degrade their reputation, unless it be to the very fact at issue or to a fact from which the fact in issue would be presumed.

3. Incomplete Introductory Sentence

a. When a displayed list is introduced by an incomplete sentence, no punctuation is necessary after the incomplete introductory sentence.

b. Each list item must form a grammatically correct sentence when combined with the introductory phrase.

c. The list items can begin with lowercase letters. All items, except the last, end with a comma or semicolon. The second to the last item ends with the appropriate conjunction (*i.e., and* and *or*). The last item ends with a period.

*Example*:

During pre-trial, the court considers

- the possibility of an amicable settlement or of a submission to alternative modes of dispute resolution;
- the simplification of issues;
- the necessity or desirability of amendments to the pleadings;

- the possibility of obtaining stipulations or admissions of facts and of documents;
- the limitation of the number of witnesses;
- the advisability of a preliminary reference of issues to a commissioner;
- the propriety of rendering judgment on the pleadings, or summary judgment, or of dismissing the action on valid ground;
- the advisability or necessity of suspending the proceedings; and
- such other matters as may aid in the prompt disposition of the action.

1.4. DISPOSITION

The disposition states the adjudication of the case. It ends with the words *SO ORDERED*.

1.5. PONENTE

The disposition is followed by the name and signature of the Justice who penned the decision, except when the decision is *per curiam*.

1.6. JUSTICES AND THEIR PARTICIPATION

The name and signature of the *ponente* are followed by the words *WE CONCUR* and the names and signatures of the Justices, which are listed according to seniority. The Justices may qualify their concurrence or indicate their dissent.

1.7. ATTESTATION AND CERTIFICATION

If the case is decided by a Division, the Chairperson of the Division signs an attestation and the Chief Justice or the Acting Chief Justice issues a certification pursuant to Section 13, Article VIE of the Constitution.

When the case is decided by the Court en Banc, the Chief Justice or the Acting Chief Justice issues a certification. No attestation is required.

**Sample of 1.4 to 1.7 for Division Cases**

**WHEREFORE**, the Court GRANTS the petition, **SETS ASIDE** the decision of the Court of Appeals in CA-GR. CR No. 14344, which affirmed the decision of the Regional Trial Court of Calamba, Laguna, Branch 555, and **ACQUITS** petitioner Paquita C. Santos of the crime of attempted parricide on reasonable doubt.

The Court directs the Director of the New Bilibid Prisons to immediately release the petitioner unless she is being held for some other lawful cause.

No costs.

**SO ORDERED**.

JUAN V. CRUZ
Associate Justice

WE CONCUR:

APOLINARIO M. LUNA
Associate Justice
Chairperson

EMILIO S. MAGDANGAL
Associate Justice

LIWAYWAY G REYES
Associate Justice

ANDRES T. SILANG
Associate Justice

**ATTESTATION**

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

APOLINARIO M. LUNA
Associate Justice
Chairperson

**C E R T I F I C A T I O N**

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

BAYANI K. MAGDIWANG
Chief Justice

1.8. PARAGRAPH

A. Introduce each paragraph with a topic sentence.

Although it is possible to put a topic sentence in the middle or at the end of a paragraph, almost always the best approach is to open the paragraph with it. By stating the controlling idea, a topic sentence will lend unity to a paragraph, which typically begins with a shift in focus from the immediately preceding paragraph. The topic sentence will reorient readers to this new focus. Also, with well introduced paragraphs, the writing becomes easier to skim: readers who are in a hurry will get the point efficiently.[61]

B. Use transition words and phrases to bridge between paragraphs.

Every paragraph opener should contain a transitional word or phrase to ease the reader's way from one paragraph to the next. Readers will then immediately see whether the new paragraph amplifies, contrasts, or follows in some other way the preceding paragraph.

There are three possible devices that can be used in bridging between paragraphs:

- Pointing words — words like *this*, *that*, *these*, *those*, and *the*
- Echo links — words or phrases in which a previously mentioned idea reverberates
- Explicit connectives — words whose chief purpose is to supply transitions (*e.g., further, also, therefore*)[62]

Note that selecting a precise transition is entirely a matter of context; some transitions will work well in some contexts but not at all in others.

C. Vary the length of your paragraphs, but generally keep them short.

The mere sight of long paragraphs using long sentences is enough to put off the average reader, even if that average reader happens to be a lawyer who is used to reading long cases. Therefore, strive for an average paragraph of not more than 150 words - preferably far fewer - in three to eight sentences. Of course, vary paragraph length for visual variety and a more relaxed feel, but keep the paragraphs generally to this average.[63]

1.9. SENTENCE

A. Prefer short and medium-length sentences.

Although long sentences have become a hallmark of traditional legal writing, there is nothing in the nature of the law itself that requires that all thoughts be expressed in a single sentence. Your writing can be legally accurate whether you use one sentence or several sentences.

Research in linguistics and psychology has shown that the average reader can hold only a few ideas at a time in short-term memory. After two or three ideas, the reader needs to pause and put together what has been read. The period at the end of a sentence is one signal for such a pause. When there are no periods in long strings of thought, the reader will try to break up the sentence into smaller pieces in order to understand it. However, the reader may not know where to pause or which ideas to group together. Readers often get lost in very long sentences.[64]

In addition to the burden imposed by sheer length, most long sentences violate other guidelines for writing clearly. Structural complexities such as complex conditionals, passives, unclear references, and non-parallel constructions add to the reader's difficulties.[65] Thus, it is better to use short and medium-length sentences than long ones.

B. Use strong verbs instead of abstract nouns (nominalizations).

Avoid using words ending in *ion* to describe what people do. Abstract nouns or nominalizations not only lengthen a sentence but weaken it as well. Nominalizations make sentences difficult to understand because they do not communicate a "scenario," a scene that the reader can picture. They are static, giving the reader little or no feeling that an action is involved. Use strong verbs instead; this will make your sentences more direct and easier to understand.[66]

*Examples*:

(correct) The taxpayer violated the National Internal Revenue Code.

(wrong) The taxpayer was in violation of the National Internal Revenue Code.

(correct) Atty. Cruz decided to represent the defendant.

(wrong) Atty.Cruz made the decision to undertake the representation of the accused.

C. Avoid intrusive phrases and clauses.

Phrases and clauses inserted in the middle of the main clause disrupt the logical flow of the sentence and make it difficult for readers to understand what is meant. Move intrusive clauses so that they do not separate the parts of the main clause (*i.e.*, subject, verb, and object) from each other.[67]

*Examples*:

(correct) Interested attorneys (subject) who want to comment on the proposed change in court procedures may send (verb) comments (object) in writing to the Clerk of Court on or before February 7, 2005.

(wrong) Interested attorneys (subject) may (part of verb phrase), on or before February 7, 2005, submit (part of verb phrase) to the Clerk of Court, written comments (object) regarding the proposed change in court procedures.

D. Put the main subject and verb at the beginning of the sentence.

Related words should go together. Keep the subject and verb at or near the beginning of the sentence. If the sentence has abundant qualifiers or conditions, state those after the subject and verb. Putting the subject and predicate up front and listing the conditions separately make the sentence easier to understand.

*Examples*:

(correct) The partnership may buy any bankrupt partner's interest. To exercise its option to buy, the managing general partner must provide notice to the bankrupt partner not later than 180 days after receiving notice of the event that caused the bankruptcy.[68]

(wrong) If any partner becomes a bankrupt partner, the partnership (subject), at its sole option, exercisable by notice from the managing general partner (including any newly designated managing general partner) to the bankrupt partner (or its duly appointed representative) at any time prior to the 180th day after receipt of notice of the occurrence of the event causing the partner to become a bankrupt partner, may buy (verb), and upon exercise of this option the bankrupt partner or its representative shall sell, the bankrupt partner's partnership interest (object).

E. Opt for the active voice.

Active voice is the term for the grammatical structure indicating that the subject of the sentence performs or causes the action expressed by the verb. It is generally to be preferred over the passive voice. Because the subject does the acting and the verb describes that action, the active voice moves the reader's eye from left to right and prevents the reader from having to go back to understand the point.[69]

*Examples*:

(correct) Defendant argued that the court should suppress the evidence, (active)

(wrong) It was argued by defendant that the evidence should be suppressed by the court, (passive)

The use of the active voice also promotes clarity and precision by clarifying the subject and the action.

*Examples*:

(correct) The court decided that freedom of expression was not an issue, (active)

(wrong) It was decided that freedom of expression was not an issue. (Who decided?) (passive)

Exceptions:

1. Use the passive voice to de-emphasize unfavorable facts or law.[70]

*Example*:

Plaintiff was assaulted by defendant.

2. Use the passive voice to hide the identity of the actor or when the actor is unknown or unimportant.[71]

*Example*:

A decision was made to terminate the employment of the petitioner.

3. Use the passive voice when the subject is very long.[72]

*Examples*:

(correct) This action is required by statutory law, by the common law principle of due care, and by a general sense of justice.

(wrong) Statutory law, the common law principle of due care, and a general sense of justice require this action.

4. Use the passive voice to focus attention on the object of the action instead of the actor.

*Examples*:

(correct) Freedom of speech cannot be encumbered by concerns of propriety.

(wrong) Concerns of propriety cannot encumber freedom of speech.

F. Put modifying words close to what they modify.

A modifier adds information about a noun or verb and can be either a single word or a group of words.[73] Avoid dangling, misplaced, and squinting modifiers.

*Dangling modifier*. — A dangling modifier is a modifying phrase that does not modify any word in the sentence. Dangling modifiers usually occur at the beginning of a sentence and invite ambiguity. Avoid this problem by doing the following: when starting a sentence with an introductory phrase beginning with a verb, e.g., to argue, make sure that the subject of that verb is also the subject of the sentence following the introductory phrase.[74]

*Dangling*: To argue contributory negligence, all elements of negligence must be shown.

*Improved*: To argue contributory negligence, the defense must show all elements of negligence.

*Dangling*: Finding the petition lacking in merit, the same is dismissed.

*Improved*: Finding the petition lacking in merit, the Court dismisses it.

*Misplaced modifiers*. — Sometimes a modifying phrase, because of its position, modifies the wrong phrase in a sentence. To avoid ambiguity, place the modifying

phrase right next to the word being modified.[75]

*Misplaced*: Defendant refused to service the car belonging to the man who insulted him with good reason.

*Improved*: Defendant, with good reason, refused to service the car belonging to the man who had insulted him.

*Squinting modifiers*. — Squinting modifiers create ambiguity because they can modify terms either before or after the modifier. To correct this problem, move the modifier to an unambiguous location in the sentence.[76]

*Squinting*: Mr. Ramos only suggested filing a suit for unlawful detainer.

*Improved*: Only Mr. Ramos suggested filing a suit for unlawful detainer.

G. Use parallel structure for parallel ideas.

State related ideas in similar grammatical form. Parallelism harmonizes one's language with one's thoughts, and at its simplest, is a device for balancing lists.[77] Sentences with parallel structure are much easier to read and remember.[78]

*Adverbs*: The Court weighed the evidence carefully, skillfully, and wisely.

*Adjectives*: The arguments were long, disorganized, and unpersuasive.

*Nouns*: The facilities are available to directors, officers, and corporate counsel.

*Verbs*: The accused drove to Laoag City, changed vehicles, and delivered the package of shabu to Pagudpud.

H. Put the parts of each sentence in a logical order.

Some sentences are ineffective or difficult to read because they lack internal logic. It is very important to put the parts of a sentence in a logical order. Start each sentence with information that is familiar to the audience or that will tell the reader where you are going with the sentence. Do not make the reader read through an entire sentence in order to discover its purpose. If the sentence is the first in your document, begin it with information that will provide a context. If the sentence is in the middle of a document, begin the sentence by tying it to the information in the previous sentences or paragraphs.[79]

*Examples*:

(correct) In response to his request of February 9, 2005, petitioner sent respondent copies of the pleadings and some additional documents.

(wrong) Petitioner sent respondent copies of the pleadings and some additional documents in response to the request of February 9, 2005.

1.10. WORD STYLE

A. Avoid sexist language.[80]

Sexist language fosters gender inequality by discriminating against women while perpetuating notions of male supremacy. Sexist language includes

language that excludes women or renders them invisible (e.g., use of the generic masculine; use of terms ending in man to refer to functions that may be performed by individuals of either sex; use of terms as though they apply to adult males only, or are appropriated to a particular sex);

language that trivializes women or diminishes their stature (*e.g.*, use of feminine suffixes that make unnecessary reference to the person's sex; use of sex-linked modifiers in relation to particular roles or occupations);

language that disparages and marginalizes women;

language that fosters unequal gender relations (*e.g.*, lack of parallelism; use of terms that call attention to a person's sex in designating occupations, positions, roles);

the use of particular adjectives in relation to one gender but not the other;

the use of metaphors which reflect a male-centered view of the world or portray women as objects; and

the use of sex-role stereotypes.

Use acceptable, gender-neutral language:

1. Use inclusive language.

    a. Replace man with specific nouns or verbs that say explicitly what is meant.

    b. Use nouns that encompass both men and women.

*Examples*:

(correct) human resources

(wrong) manpower

2. Avoid sex-role stereotyping. When it comes to profession, employment, or roles, do not represent women or men as occupying only certain jobs or roles: identify both men and women in the same way. Also, avoid using sex-linked modifiers that imply that certain occupations are only for a particular sex or gender.

*Examples*:

(correct) police officer

(wrong) policeman

3. Avoid using language that disparages and marginalizes women or persons of another gender.

*Examples*:

(correct) salesperson

(wrong) salesgirl

4. Avoid using language that fosters unequal gender relations.

*Examples*:

(correct) Former Presidents Ramos and Aquino

(wrong) Former President Ramos and Cory

5. Avoid using he or she as a generic pronoun.

a. Eliminate the pronoun altogether.

*Examples*:

(correct) A court clerk can give an advice on the matter.

(wrong) A court clerk can give her advice on the matter.

b. Replace the sexist pronoun with a neutral pronoun or article such as a, the, this, or one.

*Examples*:

(correct) A judge can always make the ruling orally.

(wrong) A judge can always make his ruling orally.

(correct) One often wonders how one can help in this time of crisis.

(wrong) The individual often wonders how he can help in this time of crisis.

c. Recast the sentence to change the subject.

*Examples*:

(correct) A person who wants an adjournment should ask for it during the calendar call.

(wrong) If someone wants an adjournment, he should ask for it during the calendar call.

d. Replace a sexist pronoun with a gender-neutral noun.

*Examples*:

(correct) A police officer can file a complaint. However, such officer is not the only one authorized to do so under the Rules.

(wrong) A police officer can file a complaint However, he is not the only one authorized to do so under the Rules.

e. Recast the noun and pronoun in the plural.

*Examples*:

(correct) Judges must make their own assessments of the credibility of each witness.

(wrong) A judge must make his own assessment of the , credibility of each witness.

6. Avoid sexist language even in quoted material. If the quoted material contains sexist language, neutralize the language through any of the following methods:

a. Paraphrase the quote, using non-sexist language, and give the original author credit for the idea.

b. Quote directly and add "[sic]" after the sexist part.

c. Partially quote the material, rephrase the sexist part, and name the source.

B. Use concrete language rather than abstract language.

Concrete language relates to actual or specific things that exist in reality; it is particular, not general; clear, not abstruse. By its very nature, concrete language is generally easier to understand than abstract language, and is thus to be preferred in

decision-writing since the Court must ultimately communicate not just with the legal profession but with the public it serves.

*Examples*:

(correct) Plaintiff's argument depends on three Supreme Court decisions.

(wrong) The central thrust of plaintiff's legal position is dependent on matters having to do with three decisions of the Supreme Court.

(correct) To err is human.

(wrong) It is a human attribute to make errors.

C. Omit surplus words.

Three good things happen when one combats verbosity: reading is faster, clarity is enhanced, and writing has greater impact.[81] Therefore, include only those words that will sufficiently get the point across; no more, no less.

*Examples*:

(correct) Although the investment adviser must be paid, the source of the payment does not matter.

(wrong) It is not necessary that an investment adviser's compensation be paid directly by the person receiving investment advisory services, but only that the investment adviser receive compensation from some source for his or her services.

D. Use words in their literal sense.

Use literal language for precision and accuracy. It avoids exaggeration, metaphor, or embellishment, and therefore conveys the explicit meaning of the word used.[82]

*Examples*:

(correct) Four witnesses gave statements after the accident.

(wrong) A handful of witnesses painted a vivid picture of the tragedy.

E. Replace difficult words or legal jargon with plain English that readers would be familiar with. [83]

The purpose of the judicial decision is to communicate to the people who must read it. This includes lawyers as well as non-lawyers. Brevity and precision are both served by the use of specialized language if the reader and the writer give the same interpretation to that language. Even lawyers can have trouble understanding specialized legal terms, particularly those pertaining to a field of law outside their practice.[84]

Therefore, it would be a good rule of thumb to replace difficult words or legal jargon with plain English equivalents that readers, both lawyers and non-lawyers, would most likely be familiar with. Try using the simpler term first to see if it works as well as the more difficult one.[85]

F. Limit the use of Latin words and phrases to only those most commonly used.

In general, limit the use of Latin to those phrases that enjoy widespread usage such as res ipsa loquitur, habeas corpus, prima facie, stare decisis, res judicata, and sui generis. But in almost all other cases, rewrite using the English equivalent; Latin phrases are jarring to the modern reader, even when that reader is a lawyer.

G. Avoid archaic or redundant legalisms.

*Examples*:

- aforesaid
- forthwith
- henceforth
- hereby
- herein
- hereafter
- thereby
- hereinbefore
- hereinafter
- heretofore
- thereto
- thereunto
- for purposes hereof
- notwithstanding anything to the contrary herein
- so made
- by these presents

- verbs ending in -eth (e.g., sayeth)
- one (before a person's name) (e.g., One Pedro Cruz)
- null and void
- convey, transfer, and set over
- give, devise, and bequeath
- rest, residence, and remainder
- free and clear
- each and every
- any and all
- full and complete
- true and correct
- undertake and agree
- good and sufficient
- full and complete
- force and effect
- false and untrue
- final and conclusive
- order and direct

> Not only are these words obstacles to the lay reader, but they are also imprecise and therefore troublesome to the legal reader. The more serious fault of archaic legalisms is that they may create the appearance of precision, thus obscuring ambiguities that might otherwise be recognized. For example, a question that has been frequently litigated is whether herein refers to the paragraph in which it is used, to the section, or to the whole document. Therefore, after removing the archaic language, consider whether to add precise references to time, place, or concept.[86]

H. Use the same" words to refer to the same thing, different words to different things.

This refers to the tendency of some writers to refer by different names to the same referent, or what is known as elegant variation. While variation maybe desirable in ordinary writing, introducing synonyms or other word variations in judicial writing may cause confusion or ambiguity.[87]

*Examples*:

(correct) There are three possibilities for liability arising from this incident, but it does not appear that any of the three will succeed.[88]

(wrong) There are many possibilities for liability arising from this incident, but it does not appear that any of the three options will succeed.

On the other hand, the opposite tendency, that of calling different things by the same name, is known as legerdemain with two senses or ultraquistic subterfuge. The result is confusion for the reader, who assumes that a word retains its original meaning when used again in the same sentence.[89]

Therefore, use the same words to refer to the same thing, and different words to refer to different things.

I. Use compound words with care.

Generally, compound words may be open (separate words, no hyphen), closed (spelled as one word), or hyphenated.[90]

*Examples*:

income tax (open)

backlog (closed)

fact-finding (hyphenated)

Hyphenate an adjectival phrase formed of two or more words preceding the noun modified only where ambiguity might otherwise result (e.g., heavy-vehicle traffic). [91]

## 2. Citations

2.1. CONSTITUTION AND LAWS

2.1.1. CONSTITUTION

A. Constitutional Text

In the footnote, the Constitution is cited by reference to the article, section and paragraph. When the Constitution is no longer in force, enclose the year when it took effect in parentheses.

*Examples*:

Constitution, Art. VII, Sec. 2.

Constitution, (1935), Art. Ill, Sec. 1, par. (3).

B. Constitutional Proceedings

In the footnote, cite the constitutional record and journal by reference to the volume in roman; followed by the words *Record, Constitutional Commission* or *Journal, Constitutional Commission*; the page number; and the date of deliberation in parentheses.

*Examples*:

II Record, Constitutional Commission 24 (June 24, 1986).

II Journal, Constitutional Commission 24 (June 24, 1986).

2.1.2. LEGISLATIVE ENACTMENTS

A. Session Laws

In the footnote, cite session laws by referring to the law followed by the year of effectivity in parentheses, and the specific article or section.

*Examples*:

Republic Acts, 1946-1972, July 27, 1987 to date
Republic Act No. 4723 (1966), Sec. 2.

Batas Pambansa, July 23, 1984 to February 1, 1986
Batas Pambansa Blg. 111 (1981), Sec. 1.

Presidential Decrees, September 21,1972 to February 20,1986

Presidential Decree No. 828 (1975), Sec. 3.

Commonwealth Acts, 1935 to 1945
Commonwealth Act No. 353 (1938), Sec. 2.

Act Numbers, 1900 to 1934
Act No. 2137 (1912), Art. 3.

Executive Orders, February 23, 1986 to July 26, 1987
Executive Order No. 292 (1987).

B. Codes[92]

In the footnote, cite the name of the particular code and either (1) the specific article or section, if the provisions in the-code are numbered continuously; or (2) the headings, from general to specific, followed by the particular article or section, if the provisions are not numbered continuously. When the code is no longer in force or has been subsequently revised, put the year of effectivity in parentheses after the name of the code.

*Examples*:

Civil Code, Art. 297.

Civil Code (1889), Art. 67.

C. Legislative Proceedings

In the footnote, cite the legislative record and journal by reference to the volume in roman numerals; followed by the words Record or Journal, House or Senate; the specific Congress; the session number; the page number; and the date of deliberation in parentheses.

*Examples*:

II Record, House 6th Congress 1st Session 24 (June 24,1966).

II Journal, House 6th Congress 1st Session 24 (June 24,1966).

II Record, Senate 6th Congress 1st Session 24 (June 24,1966).

II Journal, Senate 6th Congress 1st Session 24 (June 24,1966).

2.1.3. TREATIES

A. A citation of a treaty or other international agreement should include the name of the treaty or agreement, the date of signing, the parties, the subdivisions referred to (if applicable), and the source. Other relevant dates and a statement of their significance may be added in parentheses at the end of the citation.[93]

*Examples*:

Treaty of Friendship with India, July 11, 1952 (1953), II-2 DFATS 1, 2 PTS 797, 203 UNTS 73.

International Convention for the Elimination of All Forms of Racial Discrimination, opened for signature December 21,1965, 660 UNTS 195 (effective January 4, 1969).

B. Use a shorter or popular name for subsequent citations.

*Example*:

"Genocide Convention" for the Convention on the Prevention and Punishment of the Crime of Genocide.

### 2.1.4. EXECUTIVE AND ADMINISTRATIVE ISSUANCES

A. In the footnote, cite executive and administrative issuances by referring to the issuance followed by the year of effectivity in parentheses, and the specific article or section.

*Examples*:

*Executive Orders*
Executive Order No. 329 (1950).

*Proclamations*
Proclamation No. 784 (1961).

*Administrative Orders*
Administrative Order No. 21 (1966).

**Presidential Acts under Martial Law**

*General Orders*
General Order No. 39 (1972).

*Letters of Instructions*
Letter of Instruction No. 230 (1972).

*Letters of Implementation*
Letter of Implementation No. 5 (1972).

*Letters of Authority*
Letter of Authority No. 1 (1972).

**Other Executive Issuances**

*Opinions of the Secretary of Justice*
Secretary of Justice Opinion No. 271, s. 1982.

B. Cite Rules and Regulations promulgated by administrative agencies by the abbreviated name of the agency together with the designation employed in the rules (e.g., Administrative Order, Order, Circular, Bulletin, Rules and Regulations), serial number, year of promulgation in parentheses, and the section or paragraph. Where the promulgating agency is a Department, indicate where appropriate, the implementing bureau or office.

*Examples*:

Department of Environment and Natural Resources (Forestry) Administrative Order No. 26 (1976).

Labor Employment Service Regulation No. 3 (1966).

C. Cite provincial, city, and municipal ordinances in the following manner: name of the local government unit, serial number of ordinance, and date of adoption.

*Example*:

Manila Ordinance 6120, January 26, 1967.

## 2.2. DECISIONS & COURT ISSUANCES

### 2.2.1. DECISIONS AND RESOLUTIONS

A. Case Title

1. Cite cases "by giving the surname of the opposing parties first mentioned.

*Exceptions*:

a. Cite Islamic and Chinese names in full.

*Examples*:

(correct) *Lim Sian Tek v. Ladislao*

(wrong) *Lim v. Ladislao*

(correct) *Una Kibad v. COMELEC*

(wrong) *Kibad v. COMELEC*

b. Cite compound names in full.

*Examples*:

(correct) *People v. De Guzman*

(wrong) *People v. Guzman*

2. Cite names of corporations, associations, business firms, and partnerships in full. Words forming part of such names may be abbreviated, except the first word.

*Examples*:

*Mata v. Rita Legarda, Inc.*

*Allied Workers Ass 'n of the Phils, v. Republic Trading Corp.*

3. Cite cases involving the Government of the Philippines and criminal cases as follows:

*Examples*:

*U.S. v. Jaranilla*

*Government v. Abadinas*

*Commonwealth v. Corominas*

*Republic v. Carpin*

*People v. Santos*

4. Cite cases involving public officers as follows:

a. Where the person is named in an official capacity, use the name of the person only.

*Examples*:

(correct) *City of Manila v. Subido*

(wrong) *City of Manila v. Subido, in his capacity as Civil Service Commissioner*

(correct) *Gonzales v. Hechanova*

(wrong) *Gonzales v. Executive Secretary*

b. Where the office is named, use the complete title of the office.

*Examples*:

*Collector of Internal Revenue v. Tan Eng Hong*

*Chief of the Phil. Constabulary v. Sabungan Bagong Silangan*

5. Cite local government units by their level, followed by their official name.

*Examples*:

*Province of Rizal v. RTC*

*City of Cebu v. Ledesma*

6. Cite case names beginning with procedural terms like "In re" as they appear in the decisions. Use "*In re*" instead of In the matter of.

*Example*:

*In re Elpidio Z. Magsaysay*

7. In consolidated cases, cite only the first case.

8. Italicize case titles, whether in the body or in the footnote. For case titles found in the body, place the citation in the footnote. Abbreviate versus as v.

*Example*:

In *Mabuhay Textile Mills Corp. v. Minister Ongpin*,[1] the Court held that x x x

---

[1] 225 Phil. 383 (1986).

B. Case Reports

1. Cite cases in the footnote as follows:

a. for cases published in the *Philippine Reports*: the title of the case; the volume; the short title Phil. for the *Philippine Reports*; the first page of the case; the page where the quoted text, if any, is found; and the year of promulgation in parentheses; or

b. for cases not published in the *Philippine Reports*: the title of the case; the docket number; the date of promulgation; the volume of the *Supreme Court Reports Annotated*; the short title *SCRA* for the *Supreme Court Reports Annotated*; the first page of the case; and the page where the quoted text, if any, is found.

*Examples*:

*Concepcion v. Paredes*, 42 Phil. 599, 607 (1921).

*In re Aguas*, 1 Phil. 1 (1901).

*People v. Suzuki*, GR. No. 120670, October 23,2003, 414SCRA43.

2. If the case is not yet published in the Philippine Reports or SCRA, cite as follows: the title of the case, the docket number, and the date of promulgation.

*Example*:

*Herce v. Municipality of Cabuyao, Laguna*, G.R. No. 166645, November 11, 2005.

C. Multiple Cases

When citing several cases in a footnote, start from the latest to the earliest.

## 2.2.2. RULES OF COURT

In the footnote, the Rules of Court is cited as a code. When the cited rules are no longer in force, add year of effectivity in parentheses.

*Examples*:

Rules of Court, Rule 130, Sec. 2, par. (a).

Rules of Court (1940), Rule 19, Sec. 7, par. (b).

## 2.2.3. *ROLLO* & OTHER COURT RECORDS

A. *Rollo*

1. Capitalize the word "*rollo*" only at the beginning of a citation or a sentence.

2. Cite the *rollo* in the footnote as follows: the word "*rollo* " when referring to the Supreme Court *rollo*, or "*CA rollo*" for the Court of Appeals *rollo*, "Sandiganbayan *rollo*" for the Sandiganbayan rollo, and "*CTA rollo*" for the Court of Tax Appeals *rollo*; followed by the page number.

*Examples*:

*Rollo*, p. 21.

CA *rollo*, pp. 109-122.

Sandiganbayan *rollo*, p. 9.

CTA *rollo*, p. 10.

3. If there are two or more rollo volumes, and the subsequent volumes do not continue the pagination of the previous volume, include the volume number after the word "rollo."

*Example*:

*Rollo*,Vol 3, p. 21.

4. In consolidated cases, the word rollo should be followed by the docket number enclosed in parentheses.

*Example*:

*Rollo* (GR. No. 123456), p. 21.

B. Records

In citing records, follow the rules in 2.2.3.A.

*Examples*:

Records, pp. 210-214.

MTC records, p. 123.

NLRC records, p. 12.

C. References to the TSN

Cite transcripts of stenographic notes as follows: the abbreviation "TSN," the date of hearing, and the page number.

*Example*:

TSN, January 30, 2003, pp. 21-22.

D. Exhibits

Refer to exhibits by their markings in quotation marks, followed by the source (*e.g., rollo* or records).

If exhibits are filed in separate folders, which cannot be considered as part of the *rollo* or records, indicate the precise description of the source.

*Examples*:

Exhibit "A," records, p. 21.

Exhibit "1," folder of exhibits, p. 7.

## 2.3. FOREIGN MATERIALS

### 2.3.1. FOREIGN COURT DECISIONS

A. Case Title

Cite foreign cases as Philippine cases are cited. For extremely long or confusing case names, use the title appearing at the header of the case.

*Examples*:

*Sheppard v. Maxwell*

*Burns v. Graham*

*Roshan Lal v. Union of India*

*Exceptions*:

a. Cite administrative decisions by the reported full name of the first listed private party or by the official subject matter title if no party is named.

*Example*:

*Alabama Intrastate Fares*

b. In American cases where a state is a party, observe the following rules:

i. For state court decisions, omit the state name following the word State, Commonwealth, or People.

ii. For Federal court decisions, retain the state name but omit the words "People of," "State of," or "Commonwealth of."

*Examples*:

State Cases

(correct) State v. Brown
(wrong) *State of Florida v. Brown*

(correct) *People v. Witenski*
(wrong) *People of the State of New York v. Witenski*

(correct) *Commonwealth v. Negri*
(wrong) *Commonwealth of Pennsylvania v. Negri*

US Federal Cases

(correct) *Arizona v. California*
(wrong) *State of Arizona v. State of California*

(correct) *Alaska v. K&L Distributors, Inc.*
(wrong) *State of Alaska v. K&L Distributors, Inc.*

B. Case Report[94]

1. Cite a foreign case as follows: the title of the case, the official report followed by the published source, and the year of promulgation in

parentheses.

*Example*:

*Engel v. Vitale*, 370 US 421, 82 S. Ct. 1261, 8 L Ed. 2d 601, 86 ALR2d 1285 (1962).

2. Whenever a report has been renumbered in conformity with the official named series, cite the official report and indicate the original volume and the name of the reporter in parentheses.

*Example*:

*Marbury v. Madison*, 5 US (I Cranch) 137, 2 L Ed. 60 (1803).

3. If a report uses a bracketed date as part of the volume designation, place it before the title of the case report. When the case report does not indicate the jurisdiction, the country (in abbreviated form) must be cited parenthetically.

*Examples*:

[1926] SCR 412.

[1949] Dalloz Jurisprudence 105.

I Sup. Ct. R. 8 (India).

## 2.3.2. FOREIGN STATUTORY MATERIALS

### A. Foreign Constitutions

Cite foreign constitutions as Philippine constitutions arecited and indicate the name of the country or state.

*Examples*:

United States Constitution amended XX, sec. 3.

Federal Republic of Germany Basic Law, art. 21, par. 2.

### B. Foreign Statutes

1. Cite foreign statutes by their official name followed by their popular name, if any, in parentheses, the published source, and the year of enactment or the date of effectivity, whichever is available.

*Example*:

United States Civil Service Act (O'Mahoney-Ramspeck Act) 52 Stat. 1976 (1938).

2. If the statute has no official and popular names, cite the date of enactment followed by the collections and compilations where the text of the law could be located.

*Example*:

Italian Law of March 20, 1865.

3. Cite statutes of Commonwealth countries by official codifications with the year of effectivity in parentheses.

*Example*:

National Service Act, 11 & 12 George, c. 64 (1947).

C. Foreign Codes

In the footnote, indicate the name of the country, cite the name of the particular code and either (1) the specific article or section, if the provisions in the code are numbered continuously; or (2) the headings, from general to specific, followed by the particular article or section, if the provisions are not numbered continuously. When the code is no longer in force or has been subsequently revised, put the year of effectivity in parentheses after the name of the code.

*Example*:

Germany Burgerliches Gesetbuch, Sec. 324 (10th ed., Palandt. 1952).

## 2.4. INTERNATIONAL SOURCES

### 2.4.1. UNITED NATIONS (U.N.)

#### A. U.N. Charter

Cite the U.N. Charter as constitutions are cited.[95]

*Example*:

U.N. Charter, Art. 2, par. 4.

#### B. Official Records[96]

Every citation to an official record should include the resolution number or author and title, as appropriate; the U.N. organ that published the record and the committee, if any; the session number and the part, if any; the type of record cited, if appropriate; the subdivision; the page or paragraph; the U.N. document number; the provisional status of the record, if appropriate; and the year of publication.

*Example*:

U.N. GAOR Special Political Comm., 27th Sess., 806th mtg. at 5, U.N. Doc. A/SPC/SR.806 (1972)

## C. Sales Documents[97]

Citation to a sales document includes the author, the title, the page or paragraph, the U.N. document number if available, the sales number, and the year of publication.

*Example*:

U.N. Dep't of Int'l Economics & Social Affairs, U.N. Model Double Taxation Convention. Between Developed and Developing Countries at 243, U.N. Doc. St/ESA/102, U.N. Sales No. E.80XVI.3 (1980).

## D. Mimeographed Documents[97]

Cite the mimeographed document only if it is not reprinted as an official record or sales document by the name of the institutional author, the title of the document, the document number, and the year of publication.

*Example*:

U.N. Economics & Social Affairs Council, Committee on Arrangements for Consultation with Non-governmental Organizations, Development of Tourism on the African Continent; Statement Submitted by the International Union of Official Travel Organizations, U.N. Doc. E/C.2/162, (1960).

## E. Yearbooks and Periodicals[98]

1. Cite yearbooks and periodicals by the name of the author, if known; the title of the document or article; the abbreviated name of the yearbook or periodical; and the U.N. document number or, if none, the U.N. sales number.

*Example*:

Summary Records of the 1447th Meeting, [1977] 1 Y.B. Int'l L. Comm'n 175, U.N. Doc. A/CN.4/SER.A/1977.

2. Cite the original source or the official records of a U.N. organ for materials reprinted in yearbooks.

*Example*:

Report of the International Law Commission to the General Assembly, 19 U.N. GAOR Supp. (No. 9) at 1, U.N. Doc. A/5509 (1963), reprinted in [1963] 2 Y.B. Int'l L. Comm'n 187, U.N. Doc. A/CN.4/SER.A/1963/Add.1.

## 2.4.2. INTERNATIONAL COURT OF JUSTICE[100]

Cite a case before the International Court of Justice, the Permanent Court of International Justice, or other international courts by the case name; the names of the parties, if any; the volume and the name of the publication in which the decision is found; the page on which the case begins or the number of the case; and the date.

*Examples*:

*Military and Paramilitary Activities* (Nicaragua v. United States), 1986 I.C.J. 4 (June 27).

*Diversion of Water from the Meuse* (Netherlands v. Belgium), 1937 P.C.I.J. (ser. A/B) No. 70, at 7 (June 28).

*Pajs, Czaky, and Esterhazy Case* (Hungary v. Yugoslavia), 1936 P.C.I. J. (ser A/B) No. 68 (Dec. 16).

## 2.4.3. INTERNATIONAL ARBITRAL BODIES

Cite the name of the case, the international parties in parentheses, the official source of the arbitral award, and the year of arbitration parenthetically. If the tribunal that decided the award is the Permanent Court of Arbitration, indicate at the end of the citation together with the year enclosed in parentheses. Parallel citations may be given but do not give more than three citations.

*Examples*:

*The Island of Palmas Case* (United State v. Netherlands) in 2 J. Scott, HAGUE COURT REPORTS 84 (Perm Ct. Arb. 1928).

*The Tinoco Concessions* (Great Britain v. Costa Rica), 1 U.N. Rep. Int'l Arb. Awards 369 (1923).

## 2.5. INTERNET SOURCES

1. Cite the internet source only if the printed material is not available in the Philippines.

2. Observe the rules on citation and then add the electronic address enclosed in angled brackets followed by the word "visited" and the date the material was last accessed from the internet in parentheses.

*Example*:

*Town of Castle Rock, Colorado v. Gonzalez*, No. 04-278, June 27, 2005 (visited July 26, 2005).

## 2.6. REPEATING CITATIONS

### 2.6.1. Supra

1. Use the word "supra" to identify a material previously cited on the same or preceding page. It should not be used to refer to statutes or constitutions.

*Examples*:

[1] Concepcion v. Paredes, 42 Phil. 599 (1921).

[4] Concepcion v. Paredes, supra at 601.

[7] Concepcion v. Paredes, supra.

2. If the title of the authority is given in the text, the footnote consists of the source. When the same authority is repeated in the text, use "supra."

*Examples*:

Petitioner invoked this Court's ruling in Concepcion v. Paredes[1]

xxx

xxx

Petitioner's reliance on Concepcion[2] is misplaced.

---

[1] 42 Phil. 599 (1921).

[2] Supra.

3. If more than one page intervenes between the citations, use "supra" and indicate the footnote number where the full citation can be found. Specific indications such as volume, paragraph, section, or page numbers maybe added to refer to the specific materials.

*Example*:

[17] Conception v. Paredes, supra note 1, at 601.

2.6.2. Id.

1. Use "Id." when citing the immediately preceding footnote that has only one authority. Indicate any particular such as paragraph, section, or page numbers in which the subsequent citation varies from the former.

*Examples*:

[1] Concepcion v. Paredes, 42 Phil. 599 (1921).

[2] Id.

[3] Id. at 601.

2. If the first citation is only a part of an authority, do not use "Id." for a subsequent citation of the entire authority; instead, give the full citation of the authority.

*Examples*:

[1] Concepcion v. Paredes, 42 Phil. 599, 601 (1921).

[2] Conception v. Paredes, 42 Phil. 599 (1921).

2.6.3. Introductory Signals[101]

1. Signals that indicate support

a. no signal — Cited authority identifies the source of a quotation, or identifies an authority referred to in text.

b. *See*—Cited authority directly states or clearly supports the proposition.

c. *See also* — Cited authority constitutes additional source material that supports the proposition. See also is commonly used to cite an authority supporting a proposition when authorities that state or directly support the proposition already have been cited or discussed. The use of a parenthetical explanation of the source material's relevance following a citation introduced by See also is encouraged.

d. *Cf* — Cited authority supports a proposition different from the main proposition but sufficiently analogous to lend support. Literally, Cf. means "compare." The citation's relevance will usually be clear to the reader only if it is explained. Parenthetical explanations, however brief, are therefore strongly recommended.

2. Signal that suggests a useful comparison

Compare *x x x [and] x x x with x x x [and] x x x* — Comparison of the authorities cited will offer support for or illustrate the proposition. The relevance of the comparison

will usually be clear to the reader only if it is explained. Parenthetical explanations following each authority are therefore strongly recommended.

*Example*:

*Compare Michael H. v. Gerald* D., 491 US 110. 121. (1989), and Catherine A. Mackinnon, Feminism Unmodified 49 (1987), *with Loving v. Virginia*, 388 U.S. 1,12 (1967), *Doe I. v. McConn*. 489 F.Supp. 76, 80 (S.D. Tex.1980), and *Kenneth L. Karst, The Freedom of Intimate Association*, 89 Yale L.J. 624, 631 (1980).

3. Signals that indicate contradiction

a. *But see* — Cited authority directly states or clearly supports a proposition contrary to the main proposition. But see is used where See would be used for support.

b. *But cf*. — Cited authority supports a proposition analogous to the contrary of the main proposition. The use of a parenthetical explanation of the source material's relevance following a citation introduced by But cf. is strongly recommended.

But should be omitted from But cf. whenever it follows But see

*Example*:

*But see Blake v. Kline*, 612 F.2d 718, 723-24 (3d Cir. 1979); cf. Charles Alan Wright, Law of Federal Courts 48 (4th ed. 1983).

4. Signal that indicates background material.

a. *See generally* — Cited authority presents helpful background material related to the proposition. The use of a parenthetical explanation of the source material's relevance following each authority introduced by See generally is encouraged.

5. Order of Signals

When more than one signal is used, the signals (together with the authorities they introduce) should appear in the order in which they are listed. Signal of the same basic type — supportive, comparative, contradictory, or background — must be strung together with a single citation sentence and separated by semicolons. Signals of different types, however, must be grouped in different citation sentences.

## APPENDIX 1

## ALTERNATIVE USE OF WORDS[102]

| Avoid this | If this will work as well |
|---|---|
| Accord | Give |
| Adequate amount | Enough |
| Afford | Give |
| Aggregate | Total |
| Allocate | Give, divide |
| An adequate number of | Enough |
| Anent | About |
| A number of | Many, several |
| Applicable | That applies |
| Apprise | Inform |
| As a consequence of | Because of |
| As to | About, of, by, for, in |
| A sufficient number of | Enough |
| At a later date | Later |

| | |
|---|---|
| Attain | Reach |
| At the present time | Now |
| At the time when | When |
| At this point in time | Now |
| Attributable to | From, by |
| Bears a significant resemblance to | Resembles |
| Bring an action against | Sue |
| By means of | By |
| By reason of | Because of |
| Cease | Stop |
| Commence | Begin |
| Constitute | Makeup |
| Deem | Consider |
| During such time as | While |
| During the course of | During |
| During the month of May | In May |
| Effect settlement | Settle |
| Entered a contract to | Contracted |
| Envisage | Think, see, regard |
| Eventuate | Happen |
| Exclusively | Only |
| Expiration | End |
| Filed a complaint | Complained |
| Filed a counterclaim | Counterclaimed |
| Filed an application | Applied |
| Filed a motion | Moved |
| For the duration of | During |
| For the purpose of | To, for |
| For the reason that | Because |
| Furnish | Give, provide |
| Has the option of | May |
| Herein | In this (agreement, etc.) |
| Indicate | Show |
| Implement, effectuate | Begin, carry out |
| Inasmuch as | Since, because |
| In connection with | With |
| In excess of | More than |
| Initiate | Begin |
| In lieu of | Instead of |
| In order to | To |
| Instant case | Here, this case |
| Institute | Begin |
| Inter sese | Among themselves |
| in the event that | If |
| In the light of the fact | Because |
| In the near future | Soon |
| In violation of | Violates |
| Is able to | Can |
| Is n compliance with | Comply |

| | |
|---|---|
| Is in conformity with | Conforms |
| Is of the opinion that | Believes |
| Is violative of | Violates |
| Made application | Applied |
| Made provision | Provided |
| Maintain | Keep, continue, support |
| Make allegations | Allege |
| Make an examination of | Examine |
| Necessitate | Require |
| Not less than | At least |
| Notwithstanding | Despite |
| Notwithstanding the fact that | Although |
| Offer testimony | Testify |
| On a daily basis | Daily |
| On or before | By |
| On the ground that | Because |
| On the part of | By |
| Originate | Start |
| Make inquiry | Ask, inquire |
| Make mention of | Mention |
| Motion for vacatur | Motion to vacate |
| Per annum | A year |
| Performed a search on | Searched |
| Place a limitation upon | Limit |
| Prior to | Before |
| Procure | Get |
| Provide assistance | Help |
| Provide protection to | Protect |
| Provide responses | Respond |
| Promulgate | Issue |
| Provided that | However if |
| Pursuant to | Under, by, in accordance with |
| Reach a resolution | Resolve |
| Render | Make |
| Retain | Keep |
| Reveal the identity of | Identify |
| Said (adjective) | The, this, that |
| Same (pronoun) | It, them |
| Shall | Must, may, will |
| Solely | Only, alone |
| Submit | Send, give |
| Subsequent to | After |
| Sufficient | Enough |
| Sub suo periculo | At one's own peril |
| Such | That, this, those, the |
| Terminate | End, finish |
| The majority of | Most |
| The means by which | How |
| Thereafter | Later |

| | |
|---|---|
| Therein | In it, in them, inside |
| Transmit | Send |
| Transpire | Happen |
| | |
| Until such time as | Until |
| Unto | To |
| Utilize | Use |
| With regard to | About |
| Without the Philippines | Outside the Philippines |
| Whether or not | Whether |

## APPENDIX 2

## SELECTED PHILIPPINE CODES AND THEIR SUGGESTED CITATIONS[103]

| CODES | CITATIONS |
|---|---|
| Administrative Code, Revised | Revised Administrative Code |
| Breastmilk Substitutes and Supplements, National Code of Marketing for | Milk Code |
| Building Code, National | Building Code |
| Child and Youth Welfare Code | Child & Youth Welfare Code |
| Civil Code | Civil Code |
| Commerce, Code of | Commercial Code |
| Conduct and Ethical Standards of Public Officers, Code of | Public Officers Code |
| Cooperative Code | Cooperative Code |
| Corporation Code | Corporation Code |
| Election Code, Omnibus | Election Code |
| Environment Code, Philippine Environment | Environment Code |
| Family Code | Family Code |
| Fire Code | Fire Code |
| Fisheries Code | Fisheries Code |
| Forestry Code, Revised | Forestry Code |
| Intellectual Property Code | Intellectual Property Code |
| Internal Revenue Code, National | Tax Code |
| Investments Code, Omnibus | Investments Code |
| Labor Code | Labor Code |
| Land Transportation and Traffic Code | Transportation & Traffic Code |
| Local Government Code | Local Gov't Code |
| Muslim Code of Personal Laws | Muslim Code |
| Penal Code, Revised | Revised Penal Code |
| Sanitation Code | Sanitation Code |
| Securities Regulation Code | Securities Code |
| State Auditing Code | Audit Code |
| Tariff and Customs Code | Tariff Code |
| Water Code | Water Code |

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[1] Pursuant to the Memorandum dated March 12,2005 of Chief Justice Hilario G. Davide, Jr. to the Supreme Court Clerk of Court and the Division Clerks of Court requiring that the salutation Gentlemen used in

notices of the resolutions of the Court be amended to Sirs and Mesdames, in line with the Judiciary's move towards gender sensitivity and responsiveness.

[2] The use of the party designations must be consistent throughout the decision, e.g., petitioner must not be referred to as plaintiff in other parts of the decision.

[3] The Bluebook: A Uniform System of Citation 17 (16th ed. 1996) [The Bluebook].

[4] Id. at 17-18.

[5] Bryan A. Garner, Legal Writing in Plain English 156 (2001).

[6] The New York Public Library Writer's Guide to Styles and Usage 427 (1994) [The NY Library Writer's Guide].

[7] Id.

[8] Id.

[9] Id.

[10] Id.

[11] Id.

[12] id.

[13] Id. at 430.

[14] Id. at 433.

[15] Id. at 435.

[16] Id. at 436; Legal Writing in Plain English, 156.

[17] The NY Library Writer's Guide, 436.

[18]Id. At 443.

[19] Id. at 438.

[20] Id. at 433.

[21] Id. at 439.

[22] Id. at 340.

[23] Supra note 17, at 161.

[24] Lynn B. Squires & Marjorie Dick Rombauer, Legal Writing in a Nutshell 201 (1982) [Legal Writing in a Nutshell].

[25] Legal Writing in Plain English, 147.

[26] Bryan A. Garner, The Elements of Legal Style 17 (1991); William Strunk, Jr. & E.B. White, The Elements of Style 2 (2000).

[27] Oregon Appelate Courts Style Manual 79 (2002).

[28] Legal Writing in Plain English, 148.

[29] Diana Hacker, A Pocket Style Manual 50-51 (1993).

[30] The NY Library Writer's Guide, 257.

[31] Supra note 28, at 150.

[32] Legal Writing in a Nutshell, 210.

[33] Legal Writing in Plain English, 151.

[34] Id.

[35] 69 Phil. 199,204(1939).

[36] Richard C. Wydick, Plain English for Lawyers 89 (1994).

[37] Id. at 213.

[38] Legal Writing in a Nutshell, 219

[39] Id. at 214; Legal Writing in Plain English, 155.

[40] The NY Library Writer's Guide, 327.

[41] Id.

[42] Legal Writing in Plain English, 156.

[43] Refer to 1.3.7 B, par. 4 for other uses of the em-dash.

[44] Supra note 42, at 154.

[45] Id. at 155.

[46] Id. at 83.

[47] Supreme Court Report on Uniform Decision-Writing Style 16 (2003) [SC Uniform Decision-Writing Style Report].

[48] Legal Writing in Plain English, 152.

[49] Id. at 157.

[50] SC Uniform Decision-Writing Style Report, 16.

[51] 139 Phil. 158, 174(1969).

[52] SC Uniform Decision-Writing Style Report, 16.

[53] Legal Writing in Plain English, 157-158.

[54] Id. at 158.

[55] Id. at 162.

[56] New York Law Reports Style Manual 63 (2002) [NY Style Manual].

[57] Legal Writing in a Nutshell, 221.

[58] The NY Library Writer's Guide, 315-319.

[59] Run-in lists, sometimes called paragraph lists, are series of short items run into the text.

[60] Displayed lists, sometimes called vertical lists, should have at least three items, each of which is set on a separate line.

[61] Legal Writing in Plain English, 65.

[62] Id. at 67.

[63] Id. at 72-73.

[64] V.R. Charrow & M.K.. Erhardt, Clear and Effective Legal Writing 96 (1986) [Clear and Effective Legal Writing].

[65] Id.

[66] Id. at 110.

[67] Id. at 100.

[68] Legal Writing in Plain English, 23.

[69] Mary Barnard Ray & Jill J. Ramsfield, Legal Writing: Getting It Right and Getting It Written 3-4 (1987).

[70] Id.

[71] Id.

[72] Id. at 211.

[73] Id. at 170.

[74] Id. at 210-211.

[75] Id. at 170.

[76] Id.

[77] Legal Writing in Plain English, 28.

[78] Clear and Effective Legal Writing, supra note 65, at 113.

[79] Id. at 99.

[80] NY Style Manual, 65-66; The NY Library Writer's Guide, 14-19. See University of the Philippines University Center for Women's Studies, Gender-Fair Language: A Primer (1998), 1.-24.

[81] Legal Writing in Plain English, 17.

[82] Legal Writing: Getting it Right and Getting it Written, 103.

[83] See Appendix 1 for alternative use of words.

[84] Clear and Effective Legal Writing, 122.

[85] Id. at 122-123.

[86] Legal Writing in a Nutshell, 103-104.

[87] Gertrude Block, Effective Legal Writing 61-62 (3rd ed.1986).

[88] Id.

[89] Id. at 62.

[90] NY Style Manual, 67.

[91] Id.

[92] See Appendix 3 for a list of selected Philippine Codes and their suggested abbreviations.

[93] The Bluebook, 140-142.

[94] Publications which print only cases are considered Reports.

[95] TheBluebook, 155.

[96] Id. at 150. Official records are published by several of the principal U.N. organs. Each organ's official records ordinarily appear in three parts each session: (1) meeting records, which contain verbatim or summary reports of the body's plenary or committee meetings; (2) annexes, which contain committee reports and other materials gathered for consideration as part of the principal organ's agenda; and (3) supplements, which contain resolutions and other documents. Each part may occupy several volumes.

[97] Id. at 154. Sales documents are unofficial reports, studies, or records of proceedings published by U.N. agencies for sale to the public.

[98] Id.

[99] Id. at 155. U.N. yearbooks and periodicals are summaries of the work of subsidiary organizations and related documents.

[100] Id. at 144.

[101] Id. at 22-24.

[102] Clear and Effective Legal Writing, 124.

[103] M. Feliciano, Philippine Manual of Legal Citations 15-16 (5th ed., 1999)

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