

String Citations and Explanatory Parentheticals

Lawyers rely on authority to persuade the judge to rule in favor of their client. When you write a brief or memo, you cannot and should not spend time mini-briefing each and every case that supports your interpretation of the law. Instead, you want to select a few of the most relevant cases to discuss in depth. Then, you can string cite to a select other useful cases to enhance your position that a particular rule of law is well established.

When to Use String Citations:

1. To demonstrate that the seminal case establishing a rule is still applied today.
2. To demonstrate that a rule is applied across a variety of jurisdictions.
3. To demonstrate that a rule is applied across a variety of factual scenarios.
4. To distinguish a group of cases.

When using string citations, you should include an explanatory parenthetical to demonstrate why those additional citations are useful to support your position.

How to Write an Effective Explanatory Parenthetical,

Bluebook Rule B11, pg. 26; Rule 1.5, pg 59:

1. Begin your parenthetical with a gerund: holding, finding, determining, upholding.
2. Include a succinct statement of the holding as applied to the facts.
3. Explanatory parentheticals should be no longer than one sentence.
4. In some cases, you do not need the gerund, but rather a brief statement of which types of cases a particular rule applies.

Ex: Where a plea bargain or plea bargain-like agreement has been reached through a fair negotiation, the Ninth Circuit may allow that agreement to be interpreted utilizing contract law principles. See *United States v. Chiu*, 109 F.3d 624 (9th Cir. 1997) (proffer agreements); *United States v. Partida-Parra*, 859 F.3d 629 (9th Cir. 1988) (plea agreements); *United States v. Irvine*, 756 F.2d 708 (9th Cir. 1985) (cooperation-immunity agreements); *United States v. Carillo*, 709 F.3d 624 (9th Cir. 1983) (cooperation agreements).

When String Citations and Explanatory Parentheticals Should NOT Be Used:

1. In replacement for a case brief and analysis of a particularly relevant case.
2. If all of the law stands for the same proposition from the same court. There is no need to string cite to five Ninth Circuit opinions that all stand for the same proposition just to “beef up” your research.
3. If they are distracting to your point. String citations can be used effectively to establish a rule of law; however, they can be distracting and cumbersome in the middle of a paragraph. You will need to use your discretion and determine when you can effectively make a point without a string citation and when it would add, not detract, from your persuasive writing.