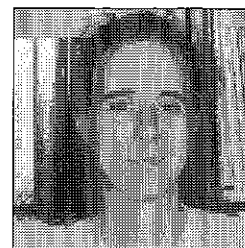# Legal Citation of Electronic Information

Pearl Rozenberg *
Faculty of Law, University of New South Wales

Introduction

The purpose of citation is to enable the reader to identify and find sources relied upon by the writer.[1] This purpose arises from two needs First, citation is used to inform the reader of the sources of evidence and arguments so that the path by which an opinion was reached can be seen. The reader can, if wished, check to see whether they would have drawn the same conclusion from these sources.[2] Second, citation allows the reader to clearly distinguish between the words and ideas which are the writer's and those which are someone else's[3]

Given the purpose and need for accurate citation, it is assumed there are clear guidelines for how to carry out citation of references There are certain well established rules and conventions about the manner in which paper based sources such as cases, legislation and other secondary materials should be cited[4] Another information source has however evolved, that of electronic information such as CD-ROMs, on line sources and the Internet. Indeed "as we move out of the Gutenberg era and into the electronic age, more and more work is being published electronically that may never appear in conventional print medium"[5] As yet, there are no established rules for electronic based sources of information

As more and more researchers begin to use this electronic information there is a need to develop sound citation advice Standards for print materials, such as formats for publication dates, page numbers and even punctuation, become confusing when applied to electronic sources, which may have no publication date or page numbers, and may require unconventional brackets for punctuation[6] This article sets out to establish a set of citation rules for use in legal materials sourced electronically.

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1 Campbell E, Glasson EJ and Lahore A (1979), Legal Research Materials and Methods, 2nd ed, Law Book Co Sydney.

2 Central Queensland University (1995), Guidelines for the Presentation of Assignments, CQU Rockhampton.

3 Ibid

4 While there are established conventions often the minute aspects of actual citation such as full stops, dots and commas have no general agreement Each publisher has their own in house rules and uses them See Campbell et al, above note 1

5 Walker J, 'MLA Style Citations of Electronic Sources' <http //www.cas usf.edu/english/walker/mla html> (10 Oct 1996).

6 Guernsey L, 'Cyberspace Citations' Chronicle of Higher Education 12 Jan 1996; cited in Harnack A and Kleppinger G, 'Beyond the MLA Handbook Documenting Electronic Sources on the Internet' 10 June 1996 <http://falcon eku edu/honors/beyond-mla> (10 Oct 1996).

The aim of this article is to establish a set of citation rules and hopefully generate debate leading to a fully established convention in legal citation of electronic sources Following a brief clarification of principles used, the article will set out a proposal for a citation guide for electronic information The article will conclude with a discussion of this guide, certain problem areas that remain and steps that should be taken by both researchers and publishers to correct these areas.

General principles in developing the guide

Legal research requires primary sources - cases and legislation - to be used where ever possible As such, where electronic information has a primary reference source, the primary source should be consulted and used To this point, there is no diversion from standard practice

For these primary legal research sources, but also for secondary legal information sources such as periodicals and books, whether the source itself must be paper based needs to be considered. Established current practice certainly points to the need to use the paper based version However this convention is based on the premise that the only form of information is itself paper based or that it is the official source. More and more information is appearing for which the electronic version has preceded the paper version Soon legal information will appear which will never have a paper version The convention may well be out of date or soon will be The proposed style guide, recognising the traditional nature of the law and its slowness to change, follows this paper based convention where possible As such, it recommends the conversion to the paper product where possible It does however recognise that the convention may be changing and allows the use of electronic versions where there is a paper product, but with citation of the paper based product included

The style guide itself makes no recommendations as to how to cite paper based sources Where a paper version is required to be cited, the guide refers the writer to give the citation "using rules for hard copy referencing". Any hard copy citation rule can be used, allowing different established hard copy styles to be used with the proposed guide Where examples are given, a stripped down hard copy style is used, but this is merely used to illustrate the point Which ever hard copy reference system is used, it will be concluded with a colon and then the electronic citation is given.

The electronic citation is specific and precise. It has been carefully set up to allow a clear method to reach the same point in an electronic information source that the writer reached. It may be tempting to add extra full stops, commas or spaces, or change upper or lower case characters in order to bring the citation into line with whatever existing citation rules are in use. These changes will significantly alter the ability of the citation to lead the reader to the same point. They may even make the citation unworkable and cause failure in retrieval.[7] No changes should be made to this portion of the citation

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7 *Citations for electronic sources utilise the electronic address to retrieve the document. The convenience of having exact addressing presents writers with the need for absolute precision ' Extraneous spaces, missing spaces, errors in lower / upper case characters, and misleading symbols in addresses will usually cause failure in retrieval" See Walker , above note 5 and Harnack and Kleppinger, above note 6.*

The proposed citation guide, as well as setting out a precise and possibly different style, has introduced some additional symbols These symbols are used to handle typographical formatting effects. As has been stated, "there is no concise and simple way to show in printed text which spaces are significant and which are not. Line breaks and indentations create additional trouble because their 'white space' gives no clue as to whether a 'space' character is implied. File naming conventions prevent the use of hyphens, slashes or other common symbols to indicate continuation without a space "[8] The solution adopted has been to enclose a continuous string with special symbols, in this case angle brackets The reader will know that this is a continuous string and it should be typed exactly as shown. Altering these symbols should be avoided since they serve a purpose and give precise information.[9]

The proposed guide also introduces a new concept - the date of user access - as distinct from the date of publication. "Many on line documents possess an attribute we might call 'invisible revisability', the process by which an electronic document can be altered, moved, or deleted by the author or by computer systems managers, without any publicly-accessible trail of evidence. For example, many World Wide Web authors state candidly that their pages are under constant construction, which means that the information contained there might change frequently and without notice."[10] The presence of 'invisible revisability' requires that the citation refer to the researcher's date of access, as well as any publication date of the material itself.

The proposed guide sets out how to write a footnote to a reference source in an electronic medium. It gives all the bibliographic detail needed to find the document and also the place inside the document that was used The entry in a bibliography of this material would follow the same proposed style, but would omit the reference to the specific page or place in the document [11] The guide therefore covers all areas of citation

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8   Harnack A and Kleppinger G. Beyond the MLA Handbook Documenting Electronic Sources on the Internet" 10 June 1996 <http://falcon.eku.edu/honors/beyond-mla> (10 Oct 1996), at point 1 of heading "Four ambiguities to be clarified".

9   Within the legal area, any change in bracketing should be avoided. Square and round brackets have precise meanings when used for cases and so on. They should not be used here since they would give the reader the wrong information Instead a new form of bracketing is used, with no previous history of meaning

10 Harnack and Kleppinger, above note 8, at point 2 of heading Four ambiguities to be clarified'

11 This assertion leaves aside the question of whether electronic material should appear in a bibliography. Bibliographies are lists of books and articles used - that is, strictly speaking, paper sources. This approach is a literalist approach to the function of the bibliography. If a functional approach is taken, it should record all information sources used - both paper and electronic

The proposed guide

ELECTRONIC SOURCES OF INFORMATION

Introduction to the guide

Portable databases

    CD-ROMs

    Magnetic tapes

    Diskettes

    Multi media

Online databases

Internet sources

    1. FTP (File Transfer Protocol) sites

    2. WWW (World Wide Web) sites

    3 Telnet sites

    4 Synchronous communications

    5 GOPHER sites

    6. Listserv messages

    7. Newsgroup (USENET) messages

    8. E-mail messages

    9. Linkage data

Introduction to the guide

In the legal area, many CD-ROMs and other electronic media are in fact electronic versions of hard copy materials. If this is the case, you can always locate an item on the electronic medium, then locate the hard copy, and use the hard copy. If you have done this, you have used a hard copy and should reference it using the rules for hard copy or print sources.

Only reference the hard copy if you have in fact used it. Often the content of the electronic version may be slightly different from the hard copy and pretending to use the hard copy will result in an incorrect reference. It is also unethical to pretend to have used a source when you have not.

Where the electronic medium covers cases or legislation, the medium will be a secondary source. Correct legal research requires you to use primary materials, and so you should fully convert to hard copy and then use the hard copy.

If you do not convert to hard copy (you choose not to or the hard copy is also a secondary source so there is no difference), or there is no hard copy to convert to (the electronic medium has preceded the hard copy or the materials were only produced in electronic form), the rules for citing CD-ROMs, diskettes, magnetic tapes, online database and the Internet are listed below

This guide sets out how to cite electronic information in a footnote. It gives full bibliographic details to the document and to the place within the document that was referred to. The same citation rules should be used for entries into a bibliography, except that the reference to the specific place within the document should be omitted

PORTABLE DATABASES

Portable databases include CD-ROMs, diskettes and magnetic tape.

Information in this section has been based on the MLA Style Guidelines in Gibaldi J, *MLA Handbook for Writers of Research* (4th ed, Mod. Lang. Ass. of Am., NY). The style has however been simplified by the removal of non-essential punctuation marks and modified so as to give the greater precision that legal citations require. In this respect, it is a version of the MLA guide, but this style guide is not the same as the MLA-style guidelines and all comments should be directed to the author.

CD-ROMS

1. Periodically published CD-ROM

A periodically published CD-ROM is one that is updated at intervals. Updates add information and may correct or otherwise alter the current information As such, it is important to note the version of the CD-ROM being used

a. Materials with a hard copy analogue

Many databases collect and present materials previously or simultaneously made available in print Where there is a print version, the citation should:

1. Give the citation to the hard copy, from information in the CD-ROM, using the rules for hard copy referencing, followed by a colon,

2 Title of the database, in italics

3. Publication medium (CD-ROM)

4. Parentheses enclosing:

  a Name of publisher or vendor, followed by a comma

  b Electronic publication date or version

5 Specific page or CD-ROM location, if there are internal markings or "pages" on the CD-ROM,

6 The citation concludes with a full stop

Examples

Surrey S, *Pathways To Reform. The Concept of Tax Expenditures* (Cambridge: Harvard University Press, 1973) at 59 : Tax Books on Disc CD-ROM (Butterworths, version 1996 / May) at search <Surrey 59>.

Vineberg B, 'The Ethics of Tax Planning', [1969] Br T Rev 31: *Current Tax Issues* CD-ROM (LBC, 1995).

Income Tax Assessment Act 1936 (Cth) s19 : *Australian Taxes with Cases* CD-ROM (CCH, CD No 6 6/96)

AAT Case no 9568 (1994) 29 ATR 1001 : *Tax Partner, Australian Tax Reports* CD-ROM (LBC Australian Tax Practice, (LBC, version 1996) at search <AAT Case 9568> para 6.

b. Materials with no hard copy analogue

If no printed source or hard copy analogue exists at that time, your citation should consist of:

1. Surname of author, followed by initials of the author's given names (no full stops after initials), followed by a comma,

2. Title of the material accessed, in quotation marks

3. Date of the material (if given)

4. If required, a specific page reference or cite locater within the material, followed by a colon,

5. Title of the database, in italics,

6. Publication medium,

7. Parentheses enclosing:

   a. Name of the vendor or publisher,

   b. Electronic publication date

8. If required, specific page or CD-ROM location, if there are internal markings or "pages" on the CD-ROM, alternatively search path to reach the section,

9. The citation concludes with a full stop

Example

United States Department of State, "Industrial Outlook for Petroleum" May 1992, para 5 : *National Trade Databank* CD-ROM (US Dept of Commerce, Dec 1993) at search <industrial and petrol and para 5>.

2. Non periodical publication on CD-ROM

Many CD-ROMs are not published periodically but are issued as most books are - a single time

a. Where a hard copy analogue exists

The same rules as for periodically issued CD-ROMs are used, except that there will be no version number, only the year of publication.

1. Give the citation to the hard copy, from information in the CD-ROM, using the rules for hard copy referencing, followed by a colon,

2. Title of the database, in italics

3. Publication medium (CD-ROM)

4 Parentheses enclosing:

   a. Name of publisher or vendor, followed by a comma,

   b. Electronic publication date,

5. Specific page or CD-ROM location, (if there is one), if there are internal markings or "pages" on the CD-ROM,

6. The citation concludes with a full stop.

   Example

   Coleridge ST, *The Complete Poetical Works of Samuel Taylor Coleridge* (Oxford: Clarendon, 1912) at 362 : English Poetry Full Text Database CD-ROM (Cambridge University Press, 1993) at <The Summer> p 362.

b. Where no hard copy analogue exists

1. If no printed analogue exists:

2. Name of author, if given

3. Title of material accessed in quotation marks

4. If required, a specific page reference or cite locater within the material, followed by a colon

5. Title of the database, in italics

6. Edition, release or version, if relevant

7. Publication medium (CD-ROM)

8. In parenthesis enclosing

   a. Place of publication, followed by a comma

   b. Publisher, followed by a comma

   c. Electronic publication date

9. Specific page or CD-ROM location, if there are internal markings or "pages" on the CD-ROM, alternatively search path to reach the section

10. The citation concludes with a full stop

Example

Where in the World is Carmen Sandiego? Deluxe ed CD-ROM (Novato: Broderbund, 1992).

Magnetic Tapes

Cite these as you do CD-ROMs, but at publication medium use magnetic tape.

Diskettes

Cite these as you would for CD-ROMs, but at publication medium use diskette.

Example

Corporations Act (Cth) s19 : *1996 Corporations Law Kit diskette* (EIS, 1995) Version 1/96, s19

Multi media Publications

Multi-media publications are those which include a number of electronic publications that are issued as a package of materials in different media Cite these as you would a CD-ROM but specify all the media used. If doing a specific citation from within the package, when you do the specific cite, state which medium was accessed and then continue with the specific cite rules

ONLINE DATABASES

Information in this section has been based on the MLA Style Guidelines in Gibaldi J, *MLA Handbook for Writers of Research Papers* (4th ed, Mod. Lang. Ass. of Am., NY). The style has however been simplified by the removal of non-essential punctuation marks and modified so as to give the greater precision that legal citations require. In this respect, it is a version of the MLA guide, but this style guide is not the same as the MLA-style guidelines and all comments should be directed to the author.

Material with a hard copy analogue

1. Give the citation to the hard copy, from information in the CD-ROM, using the rules for hard copy referencing, followed by a colon,

2. Title of the database, in italics

3. Publication medium (Online)

4. Name of the computer service

5. If required, specific source within the service, if possible, or search pattern used to reach that point

6. Date of access in parentheses

7 Conclude with a full stop

Example

Congress, House of Representatives, Rep N Johnson of Connecticut, speaking on the Taxpayer Bill of Rights II, HR 2337, 104th Cong, 2nd sess, *Congressional Record,* (16 April 1996) vol142, no 48, H3407 : *Tax Notes Today* Online LEXIS (April 24 1996)

Material with no hard copy analogue

1 Name of the author (if given)

2 Title of the material accessed, in quotation marks

3 Date of the material (if given) followed by a colon

4 Title of the database, in italics

5. Publication medium (Online)

6 Name of the computer service

7. If required, specific source within the service, if possible, or search pattern used to reach that point

8 Date of access in parentheses

9. The citation concludes with a full stop

Examples

"Time Warner, Inc, Sales Summary, 1988 - 1992" : *Disclosure/Worldscope* Online LEXIS (4 Jan 1994).

INTERNET SOURCES

Information in this section has been based on the Harnack and Kleppinger revisions recommended for Walker J's "MLA-Style Citations of Electronic Sources" (Endorsed by the Alliance for Computers and Writing)," Vers 1.0 [12] as set out in Harnack A and Kleppinger G, 'Beyond the MLA Handbook: Documenting Sources on the Internet'[13] The style has however been simplified by the removal of non-essential punctuation marks and slightly modified so as to give the greater precision that legal citations require. In this respect, this guide is a version of the Harnack Kleppinger guide, but this style guide is not the same as the Harnack Kleppinger guidelines and all comments should be directed to the author.

The Internet is more than just one place, and one method of retrieval There are different sites with different citation requirements These are :

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12 *<http //www cas usf edu/english/walker/mla html> (4 October 1996)*

13 *Version 1 3, last revision 10 June 1996 <http //www csc eku edu/honors/beyond-mla> (4 October 1996)*

1 FTP (File Transfer Protocol) sites

2 WWW (World Wide Web) sites

3. Telnet sites

4. Synchronous communications

5. GOPHER sites

6 Listserv messages

7. Newsgroup (USENET) messages

8. E-mail messages

9 Linkage data

The citation requirements for these sites are described below

1. FTP (File Transfer Protocol) Sites

The Internet is more than a global reference library. One of its distinguishing features is that many of the resources on the network are available for copying onto personal computers free of charge. Files containing information, source codes, and even programs are stored in publicly accessible directories. The contents of these directories are published and anyone with network access can copy the files for their own use. The process, or rather system, that allows the transferring of files between any pair of computers on the Internet is ftp.

To cite files for down loading via ftp, provide the following information:

Hard copy analogue exists

1. Give the citation to the hard copy, from information in the site, using the rules for hard copy referencing, followed by a colon

2. The URL enclosed in angle brackets (this will give you the complete address and search path used to reach the site

3. Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site. (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one)

4. The date of access in parentheses

5 The citation concludes with a full stop.

No hard copy exists

1. The author's name (if known), followed by a comma

2. The full title of the document in quotation marks

3. The date of publication (if available)

4. The URL enclosed in angle brackets (this will give you the complete address and search path used to reach the site

5. Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site.)This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one)

6. The date of access in parentheses

7. The citation concludes with a full stop.

Example

Bruckman A, "Approaches to Managing Deviant Behavior in Virtual Communities" <ftp://ftp.media.mit.edu/pub/asb/papers/deviance-chi-94> (4 Dec 1994)

2. World Wide Web (WWW) Sites

The World Wide Web provides a hypertext interface to many things on the Internet. Hypertext is a system for cross referencing and retrieving related documents Using a special viewer, termed a browser, a hypertext document can be read in the same way as any other The browser will also highlight any elements of the current document that are cross referenced to any other document, so if the cross referenced document is selected, the browser will retrieve the selected document, which may of course lead to other documents.

To cite files available for viewing or down loading via the World Wide Web by means of Lynx, Netscape or other Web browsers, provide the following information:

Hard copy analogue available

1. Give the citation to the hard copy, from information in the CD-ROM, using the rules for hard copy referencing, followed by a colon

2. The full http address (URL) enclosed within angle brackets

3. Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site. (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one. Some sites alter their address depending on where you are within the site If this is the case, the address alone will be sufficient to locate places within the site (see IPA Example below))

4. The date of visit in parentheses

5 Conclude with a full stop.

Example

Trade Practices Act (Cth) 1974 s 52 :
<http://www.austlii.edu.edu.au/legis/cth/consol_act/tpa1974149/s52.html>
(10 Oct 1996).

News Ltd v Australian Rugby Football League et al Unreported Full Federal
Court Decision No. 96000870 :<http://www.austlii.edu.au/cases/cth/federal
_ct/96000870.html> at about 20% through the case (10 Oct 1996)

No hard copy analogue exists

1 The author's name (if known), followed by a comma

2. The full title of the document in quotation marks

3. The title of the complete work if applicable, in italics

4. The date of publication or last revision (if available)

5. The full http address (URL) enclosed within angle brackets

6. Where required, the specific "page" or location within the site, if there are
   internal markings or "pages" on the site. (This may prove difficult but an
   attempt should be made to give a specific 'place' within the site, particularly
   if it is a long one)

7 The date of visit in parentheses

8 Conclude with a full stop.

Example

Burka LP, "A Hypertext History of Multi-User Dimensions" *MUD History* 1993
<http://www.ccs.neu.edu/home/lpb/mud-history.html> (5 Dec 1994).

3. Telnet Sites

Telnet provides a remote log-on capacity which enables users at a terminal to
log on to a remote computer and function as if directly connected to that
computer Telnet is a means of access that allows you to use services and
resources available on the Internet. Telnet is used in three circumstances: when
you need access to a stand alone application that is installed in another
computer, when you want to use one of the Internet's client server applications
but don't have a client program installed on the machine on which you usually
work and when you have a login on a remote computer and want to do some
work on that host. At its simplest, it enables a user to connect to any
appropriately configured computer on the Internet and use it.

To cite telnet sites and files available via the telnet protocol, provide the following information:

1 The author's name (if known), followed by a comma

2. The title of the document (if shown), in quotation marks

3 The title of the full work if applicable, in italics

4. The date of publication (if available), followed by a period

5 The complete telnet address, with no closing punctuation

6. Directions to access the publication

7 Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site. (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one.)

8. The date of visit in parentheses

9 Conclude with a full stop

Example

Gomes L, "Xerox's On-Line Neighborhood: A Great Place to Visit" *Mercury News* 3 May 1992. telnet lamba.parc.xerox com 8888 @go #50827, press 13 (5 Dec 1994).

4. Synchronous Communications

Synchronous communications are real time news groups or bulletin boards. They allow people to 'talk' to each other. To cite synchronous communications such as those posted in M00s, MUDS, IRCS, etc., provide the following information:

1. The name of the speaker(s) (if known), followed by a comma

2 Type of communication (i.e., Group Discussion, Personal Interview)

3. The address, if applicable

4. Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site   (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one)

5 The access date in parentheses

6. Conclude with a full stop.

Examples

Harnack A, Group Discussion telnet moo.du org/port=8888 (4 Apr 1994)

5. GOPHER Sites

The Internet gopher provides menu driven access to many facilities of the Internet. It is a variant to ftp which is more advanced and a bit more user friendly than ftp. To cite information obtained by using gopher search protocols, provide the following information:

1   The author's name, followed by a comma

2   The title of the document in quotation marks

3   Any print publication information, italicised where appropriate, followed by a comma

4   The gopher path followed to access the information, with slashes to indicate menu selections, or full http address (URL) enclosed within angle brackets

5   Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site. (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one.)

6   The date of access in parentheses

7   Conclude with a full stop

Example

Quittner J, "Far Out: Welcome to Their World Built of MUD" Published in Newsday 7 Nov 1993, gopher University of Koeln/About MUDS, M00s, and MUSEs in Education/Selected Papers/newsday (5 Dec 1994).

6. Listserv messages

Listservs are email discussion sites or bulletin boards. To cite information posted on listservs, provide the following information:

1   The author's name (if known), followed by a comma

2   The author's email address, enclosed in angle brackets

3   The subject line from the posting, in quotation marks

4   The date of publication

5   The address of the listserv, enclosed in angle brackets

6   Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site. (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one.)

7   The date of access in parentheses

8   Conclude with a full stop

Example

Seabrook RHC, <seabrook@clark.net> "Community and Progress" 22 Jan 1994 <cybermind@jefferson village virginia.edu> (22 Jan 1994).

To cite a file archived at a listserv or Web address, provide the following information:

1 The author's name (if known), followed by a comma

2. The author's email address, enclosed in angle brackets

3 The subject line from the posting, in quotation marks

4. The date of publication

5 The list address (rather than a particular message-author's address) as the source of a list message, enclosed in angle brackets

6 The appropriate address for the list's archive (indicated by via), enclosed in angle brackets

7 Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site. (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one.)

8 The date of access, in parentheses

9. Conclude with a full stop

Example

Seabrook RHC, <seabrook@clark net> "Community and Progress" 22 Jan 1994 <cybermind@jefferson village virginia.edu>   via   <listserv@jefferson. village edu> (29 Jan 1994).

7. Newsgroup (USENET) messages

To cite information posted by participants in newsgroup discussions, provide the following information:

1 The author's name (if known), followed by a comma

2. The author's email address, enclosed in angle brackets

3. The subject line from the posting, in quotation marks

4 The date of publication

5. The name of the newsgroup, enclosed in angle brackets

6. Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site. (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one)

7 The date of access in parentheses

8 Conclude with a full stop

Example

Slade R, <res@maths bath.ac uk> "UNIX Made Easy" 26 Mar 1996 <alt.books reviews> (31 Mar 1996).

8. Email messages

To cite electronic mail correspondence, provide the following information:

1 The author's name, followed by a comma

2 The author's email address, enclosed in angle brackets

3. The subject line from the posting, in quotation marks

4. The date of publication

5. The kind of communication (i e , personal email, distribution list, office communication)

6. Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one)

7 The date of access in parentheses

8. Conclude with a full stop.

Example

Franke N, <franke1@llnl gov> "SoundApp 2.0.2 " 29 Apr 1996. Personal email. (3 May 1996).

9. Linkage data

The Internet is set up with hypertext linkage capability so that it is possible to link from one document to another indefinitely. The essential openness of hypertext linking means that there is no meaningful distinction between primary and secondary addresses. It also means the whole concept of "whole work" is meaningless for many Internet documents, except as an author groups a set of related files under a single title More importantly for citation purposes is the likelihood that one might prefer to cite a source "indirectly", that is by pointing to a document that contains a link to a relevant document rather than the document itself. For example, if one wanted to cite only one file in a collection, but also make it convenient for users to understand the "context" of the collection and perhaps access similar documents a form of citation similar to indirect legal referencing, such as "cited in" should be used. The analogue for "cited in" or "quoted by" on the Internet is linkage As such the citation should state "linked" or "Lkd" together with the linkage details.

To cite a specific file and provide additional information concerning its contextual linkage, provide the following:

1. The author's name (if known), followed by a comma

2. The title of the document

3. Linkage to linked site by using the abbreviation Lkd. (meaning "linked from")

4. The title of the source document to which it is linked, in italics

5. Additional linkage details, if applicable, prefaced with the word at

6. The URL for the source document, enclosed in angle brackets

7. Where required, the specific "page" or location within the site, if there are internal markings or "pages" on the site. (This may prove difficult but an attempt should be made to give a specific 'place' within the site, particularly if it is a long one.)

8. The date of access in parentheses

9. Conclude with a full stop.

Example

Miller A, "Allison Miller's Home Page" Lkd. EKU Honors Program Home Page, at "Personal Pages" <http://www.cwsc.edu/honors> (11 Nov 1995)

Discussions and future directions

The proposed guide has attempted to give a complete guide to electronic information sources so that a reader can use them and get to the same document or source. There are some problems that still remain.

A legal citation needs to be able to move the reader to the exact point in the document that was referred to. In the paper based version this is accomplished by using the arbitrary divisions inherent in paper publishing - the page. A specific location in a paper based version is given by citing the page number. This precision is currently not possible for most electronic information. There are no internal markings of divisions of the information in electronic documents. Where the electronic information is a replica of a paper product it will often include the page markings so that a precise electronic reference can be given by utilising the copied page numbers. However, for electronic information that has preceded the paper version or for which no paper version is forthcoming there will be no ability to piggy back onto the page numbers. Similarly, not all electronic information that copies paper versions have included the page numbers. All of these electronic sources are just continuous data.

The problem of lack of precision due to no internal markings can be illustrated by some of the examples used in the proposed guide. The example following the use of the World Wide Web, where a case was retrieved from the Internet, could only

refer the reader to "about 20% of the way through". Another example citing from a case drawn from a CD-ROM was able to be slightly more specific but only by telling the reader the exact search request to use in the CD-ROM which would get the reader to roughly the correct point. While these are as precise as possible, given the medium, greater precision is needed before the citation can be universally accepted

This problem will continue as more and more information enters the electronic only realm. Publishers of electronic information will need to be aware of this problem. It can be corrected if they adopt a convention of internal marking of all electronic information. This can be by assigning paragraph numbers to all data, or some other electronic system that a search engine could read and which would allow referencing to a specific place within a document

The "invisible revisablilty"[14] of electronic information through online sources and the Internet raises three problems[15]. Firstly, invisible revisability with its constant changes and updating means that only current information is kept. Old information is deleted and lost for ever. This means that historic research becomes impossible on electronicly sourced information. For instance, discovering the wording of legislation that existed two years ago before it was amended will not be possible since only the current wording will appear. Publishers should attempt some type of archiving of materials so that both the current version and historic versions can be accessed

Secondly, invisible revisibilty means that the information is not static. It is constantly changed without any reference being made to what was changed or indeed whether a change was made. While this ability to easily alter and update the information is a key feature, knowing whether it has been updated is also important. Some electronic information sources list last modified dates but not all. Publishers of such information should establish a protocol of notification within the document of last change or update. Further, where the document is long or contains many parts, only some of which may have been altered, then last modified dates for parts or sections should be given. This protocol would be similar to that currently in use in paper based looseleaf services that give last update dates for sections

The third and last effect of invisible revisibility is that its inherent changeability means that it may often be impossible to see the same information even if the reader goes to the same electronic site. The citation tells where the information was located at the time the citation was made. Unlike printed information, electronic information may have been modified, moved, or deleted by the time the reader tries to verify the citation. Citations, may therefore on occasion appear to be incorrect through no fault of the researcher. A reader would be hard pressed to distinguish between innocent cases and cases where the researcher is careless or even fraudulent in citing.

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14 *See discussion above at text referenced by footnote 10*

15 *CD-ROMs do not have invisible revisabilty. They are updated by a new CD-ROM being issued analogous to a new edition to a book*

This last effect creates a serious problem when citing electronic information. Researchers should be aware of this problem and take steps to minimise its effect Where there is a paper version of the information, it should be cited in addition to the electronic source used. Where there is no paper version, the electronic information may still exist even if not at the same location. "In many cases what might be thought to be ephemeral, ...can be located later in computer archives or logbooks"[16] as shown in the citation example of archived listserv messages discussed above. Many of these archives can be searched through Wide Area Information Service queries [17] As a last resort, a printed version of the entire site should be taken at the time of research and kept for future reference. In this way the message or information can be produced.

This proposed guide and discussion is an attempt to deal with the problem of a lack of knowledge in how to cite electronic sources. The guide is not definitive nor does it solve all the problems. It is true that, "like the Internet itself, the information sources are in a constant state of flux and therefore, [our style] will also need to change as the sites themselves proliferate [as we] adapt to the new era of electronic print." However, it is also incumbent that attempts are made to cite materials as they now are so that researchers are able to use the wealth of information that is appearing electronically.

As the electronic era expands and increasing use is made of the new information, citation styles will continue to develop. In the interim, and right now, we should be encouraging students and researchers to use recognised forms of citation that have been developed to handle this medium which are as accurate as the medium allows. Further, researchers and students should print copies of cited materials so that other readers may confirm the information. Finally, collaboration with scholars and publishers should occur regarding the use of conventions and protocols so that emerging problems can be resolved.

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16 Crouse M   Citing electronic information in history papers 12 April 1996
    <http://www.people.memphis.edu/(crousem/elcite.txt> second last paragraph (3 Oct 1996)

17 Crouse M, Citing electronic information in history papers 12 April 1996
    <http://www.people.memphis.edu/(crousem/elcite.txt> last paragraph (3 Oct 1996)