

The Case for Official New York Tanbook Citations

By Thomas J.K. Smith and Gerald Lebovits*

A mark of good legal writing is correct citation; a mark of a good citation system is clarity; a mark of clarity is accuracy and uniformity. Judges, academics, and practitioners cite authority to attribute words and ideas, to prove that their arguments are correct, and to help others build upon their work. They should cite when making assertions about the law and when quoting or paraphrasing legal or factual sources. Citing well shows integrity, clarity, and professionalism. But which citation style should legal writers use?

Why cite in Tanbook style?

New York judges drafting decisions and practitioners citing primary and secondary authority to New York courts should consider using the Official New York Law Reports citation style—known as the Tanbook style. The Tanbook is the Official Style Manual of the New York State Law Reporting Bureau. The Tanbook is the official, the most accurate, and the most efficient way to cite New York cases and statutes. Originally published in 1956, the current 2022 edition of the Tanbook, with a 2024 update, is available for free online. It is written by New Yorkers for New Yorkers. New York is one of more than 20 states, including California, Illinois, and Texas, that have their own citation styles. And the Tanbook complies with New York statutory and court rules, which require using official citations (Misc 3d, AD3d, and NY3d—not the unofficial NYS3d or NE3d):

- CPLR 5529 (e): “New York decisions shall be cited from the official reports, if any. All other decisions shall be cited from the official reports, if any, and also from the National Reporter System if they are there reported. Decisions not reported officially or in the National Reporter System shall be cited from the most available source.”
- Rules of Ct of Appeals (22 NYCRR) § 500.1 (g): “Where New York authorities are cited in any submissions, New York Official Law Report citations shall be included, if available.”

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- Rules of Ct of Appeals (22 NYCRR) § 510.1 (a): “All records, briefs, appendices, motion papers and other required submissions, whether printed, typewritten, or reproduced in other form (no carbon copies), shall conform to CPLR 5529 Where New York authorities are cited in any paper, New York Official Law Report citations must be included.”

Practitioners should use official citations because they reflect the final versions of official opinions; the unofficial opinions might be incorrect. And because judges should cite only official opinions (if officially reported), practitioners who use the Bluebook require judges to convert Bluebook citations to official ones.

Should I cite Bluebook-style to New York courts?

No. Now in its twenty-second edition (published in May 2025), the Bluebook is an excellent resource for its intended purposes. But it is not intended for use before New York courts. The Bluebook itself, at Table BT2.2, instructs practitioners to use the 2022 Tanbook when citing to New York State judges. And when it comes to journals that require Bluebook-style, we and the Bluebook itself recommend that academics use the New York Rules of Citation (6th ed 2011), published by the St. John's University Law Review, to improve the Bluebook's New York citations.

For example, in addition to requiring the use of unofficial citations, the Bluebook tells practitioners not to give readers the names and numbers of the Appellate Division departments and court districts and counties unless they are “of particular relevance.” But in New York, those names and numbers are always of particular relevance, for the same reason it is always important to cite federal court names and numbers. And the Tanbook style for citing federal cases includes those names and numbers.

How do I cite a case in Tanbook style?

Tanbook citations are immediately recognizable. They are surrounded by parentheses, periods are omitted in key places (like after the “v” in “versus”), and supporting information is added in brackets, not parentheses. But the form of a case citation in Tanbook style differs depending on whether the citation will appear (1) after a sentence—the basic citation form called “citation within parentheses” or (2) within the text of a sentence—called “citation in running text.”

What are the rules for basic case-citation form?

The easiest way to learn Tanbook case-citation style is to see examples in official opinions:

- (*Zuckerman v City of New York*, 49 NY2d 557, 562 [1980].)
- (*Gottwald v Sebert*, 40 NY3d 240, 258 [2023], quoting *Landgraf v USI Film Products*, 511 US 244, 269 [1994].)
- (*Matter of Guynup v County of Clinton*, 90 AD3d 1390, 1391 [3d Dept 2011].)
- (*People v Apple Health & Sports Clubs*, 174 AD2d 438, 438 [1st Dept 1991], *affd* 80 NY2d 803 [1992].)
- (*Matter of Oneida Pub. Lib. Dist. v Town Bd. of the Town of Verona*, 153 AD3d 127, 130 [3d Dept 2017].)
- (*Gouveneur Gardens Hous. Corp. v Lee*, 2 Misc 3d 525, 528 [Civ Ct, NY County 2003].)
- (*Kattan v 119 Christopher LLC*, 69 Misc 3d 1223[A], 2020 NY Slip Op 51469[U], *2-3 & n 2 [Sup Ct, NY County 2020].)
- (*Providian Natl. Bank v Capolino*, NYLJ, Mar. 2, 2000 at 36, col 3 [White Plains City Ct 2000].)

Those examples demonstrate basic Tanbook citation form:

- *Italicize* a case name.
- Do not put a period in the case name after the “v.”
- Put parentheses around the entire citation.
- Put brackets around the court and year.
- Abbreviate the court name with the Tanbook official abbreviation:
 - Do not put a period after the court name abbreviation.
 - Do not abbreviate the county name (except that New York County may be shortened to NY County).
- Use the Official Reports' abbreviations:
 - Do not put periods in the abbreviated report name.
 - Add a space in the abbreviated name for the Miscellaneous Reports—thus, 34 NY3d 282 and 16 AD3d 890, but 84 Misc 3d 492.

Where do I put the final period in basic citation form?

Where you put the period depends on what the citation relates to. If the citation relates to the preceding sentence only, put the parenthetical citation within that sentence, and put the period after the closing parenthesis. If the parenthetical citation relates to more than one preceding sentence, put one period at the end of the preceding sentence and another before the closing parenthesis.

Examples:

- Such is the law (*People v Moran*, 2 AD3d 216 [1st Dept 2003]).
- Plaintiff's professional-malpractice claim against the architect defendants fails for the same reason as his negligent-misrepresentation claim. This cause of action will lie only if plaintiff and these defendants were in privity or had a privity-like relationship. (See *Board of Mgrs. of the A Bldg. Condominium v 13th & 14th St. Realty, LLC*, 121 AD3d 432, 433 [1st Dept 2014].)
- Even assuming that the Westlaw document itself is not hearsay because it has "independent legal significance" (*Wesco Ins. Co. v Rutgers Cas. Ins. Co.*, 202 AD3d 460, 460 [1st Dept 2022]), that document, without more, cannot establish the existence of the underlying judgment.

How do I cite a case in running text?

The citation form for "in running text"—in the text of a sentence—is the same as for basic citation, except that the opening parenthesis is placed not before the case name but before the reports' volume number, like this:

- Similarly, in *United States v Rowe* (96 F3d 1294, 1296 [9th Cir 1996]), the court rested its ruling about the existence of an attorney-client relationship on the conclusion that the associates in that case were essentially acting as in-house counsel.

How do I cite a case after the first time I cite it?

For subsequent case citations, use a short-form citation or *id.* Shorten the case name using the first nongovernmental party as the case name. Use *id.* to cite immediately preceding authority—*italicize* it and follow it with a period.

Examples:

- (*Inovlotska*, 8 AD3d at 624-625; *Birnbaum*, 96 AD2d at 777.)

- (*Id.* ¶ 4.)
- (*Id.*)

How do I cite a statute in Tanbook style?

As for cases, the Tanbook has two ways to cite statutes—basic form and running-text form. For basic form, enclose the statute citation with parentheses after the sentence. For running-text form, no parentheses.

Examples:

- (CPLR 5602 [b] [2] [iii].)
- Defendants now move for leave to renew and reargue under CPLR 2221 and to compel discovery and impose sanctions under CPLR 3124 and 3126.
- Lien Law § 3 provides for the creation of a mechanic's lien when a contractor “performs labor or furnishes materials for the improvement of real property” at the request of the owner.
- Because the 20th day of the period, August 13, was a Sunday, defendants' deadline was extended to August 14 (see General Construction Law § 25-a).
- A federal court has subject-matter jurisdiction over “all civil actions arising under the Constitution, laws, or treaties of the United States” (28 USC § 1331).

Those examples demonstrate two rules for statute citations:

- Do not italicize the statute name.
- Insert a space after the section symbol and between each subdivision of a statute.

May I abbreviate a statute's name?

Some statute names may be abbreviated. The Tanbook contains all the official New York Consolidated Laws names and authorized abbreviations. But most statutes do not have authorized abbreviations. Common authorized abbreviations are CPLR, CPL, and UCC; not authorized are PL or VTL.

Examples:

- Civil Practice Law and Rules § 3211 (a) or CPLR 3211 (a)
- Criminal Procedure Law § 540.10 or CPL 540.10
- Penal Law § 160.00
- Uniform Commercial Code § 3-305 or UCC 3-305

- Vehicle and Traffic Law § 1146

Those examples demonstrate two rules for statute abbreviations:

- Do not put periods in the abbreviated names.
- Do not put section symbols after names abbreviated with initials.

How do I cite a statute after the first time I cite it?

For subsequent statute citations, *id.* or a short-form citation may be used immediately after or in close proximity to the full citation. If citing the same section and subdivision, omit the statute name or abbreviation. If citing a different section or subdivision, put “*id.*” before the section and subsection.

For example, if the immediately preceding citation is (Judiciary Law § 468-a), the subsequent citations would be (*id.*, § 468-a [1]), or (§ 470). If the immediately preceding citation is (CPL 1.10 [1]), the subsequent citations would be (*id.*) or (*id.* § 1.10 [2]). *Examples:*

- (*id.*)
- (§ 468-a [1])
- (§ 470)
- (*id.* § 1.10 [2])

How do I cite secondary authority?

Generally, set titles of treatises, books, and periodicals in roman type, and set articles in italics; use the author's full name.

Examples:

- (Siegel & Connors, NY Prac § 223 [6th ed, Dec. 2024 update].)
- (Mark C. Dillon, Prac Commentaries, McKinney's Cons Laws of NY, Book 7B, CPLR 3213:20.)
- (Gerald Lebovits, *Judgment Writing in Kenya and the Common-Law World*, 2 Kenya L Rev 218 [2008-2010].)
- (Gerald Lebovits, *New Edition of State's "Tanbook" Implements Extensive Revisions in Quest for Greater Clarity*, 74 NY St BJ 8 [Mar./Apr. 2002].)

How do I use Tanbook introductory signals?

Use introductory signals to show that a cited authority provides a lesser degree of support for a legal proposition. “No signal” means that the cited authority states the proposition directly. Here are the two most common signals and what they mean:

- See. The cited authority states the proposition indirectly—by inference. (No comma after “See.”)
- E.g. The cited authority is one of several that states the proposition directly.

When used as a signal, “see” does not mean “look it up” or “for example.” (No commas after “See e.g.”) Do not confuse the signal “see” with the verb “see.”

Examples:

- A stipulation of discontinuance’s “use of such terms as ‘with prejudice’ or ‘on the merits’ raises a presumption that the stipulation is to be given *res judicata* effect in a subsequent action on the same cause of action” (*Singleton Mgt., Inc. v Compere*, 243 AD2d 213, 216 n 1 [1st Dept 1998]).
- Shares appurtenant to a co-op apartment are personal property, not real property (see *Lombard v Station Sq. Inn Apts. Corp.*, 94 AD3d 717, 718-719 [2d Dept 2012]).
- (See *Hirsch v Lindor Realty Corp.*, 63 NY2d 878, 880 [1984] [holding that when a contract designates a specific date for payment, and that date is a legal holiday, General Construction Law § 25 (1) extends the payment deadline until the following business day].)
- The complaint thus does not satisfy the foundational requirement that it put Kaplan “on notice of the claims against” her (see e.g. *High Definition MRI, P.C. v Travelers Cos., Inc.*, 137 AD3d 602, 602 [1st Dept 2016]).
- Defendant’s cross-motion seeks significantly broader relief than what he requested in his counterclaims. That broader relief is premised on theories and factual allegations that defendant did not plead in the counterclaim section of his answer. (Compare e.g. NYSCEF Doc No. 27 at 21-24 [counterclaims], with NYSCEF Doc No. 64 [notice of cross motion].)

For additional introductory signals and what they mean, see the Tanbook and the Bluebook. (Note the foregoing correct use of “see” as a verb.)

Where can I find more Tanbook rules?

All the rules for Official New York Law Reports citations are in the Tanbook. You can download the most recent edition—for free—from the New York State Law Reporting Bureau's website: (https://www.nycourts.gov/reporter/Styman_Menu.shtml).

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