

APPENDIX A

PRESCRIBED FORMS FOR CITATION OF LEGAL AUTHORITY

The Auditor of State and independent public accountants (IPAs) performing audits of public offices pursuant to Ohio Rev. Code Sections 115.56(B), 117.11, or 117.43, must follow legal authority in determining “whether the laws, ordinances, and orders pertaining to [a public] office have been observed, and whether the requirements and rules of the auditor of state have been complied with” Ohio Rev. Code Section 117.11(A). Legal authorities which may be cited in an audit report may include the Federal and State constitutions, the United States Code, the Ohio Revised Code, the Ohio Administrative Code, Federal and State court decisions, Federal and State regulations, opinions of the Attorney General, opinions of the Ethics Commission, and local ordinances and charters. Also, as described in *Government Auditing Standards*, non-compliance with provisions of contracts or grant agreements should be reported.

You should use the following forms of citation in all reports, letters, memoranda, opinions, and other documents if you are on the professional staff of the Auditor of State or are an IPA acting under contracts pursuant to Ohio Rev. Code Sections 115.56, 117.11(B), or 117.43.

Statutory Citations

Citations to the Ohio Revised Code should be in the following form:

Ohio Rev. Code § 325.19

Ohio Rev. Code Chapter 325

Ohio Rev. Code Title 3

Citations to the United States Code should be in the following form:

26 U.S.C. § 3402(a)

Attorney General Opinions

Opinions should be cited by year and opinion number in the following form:

1993 Op. Atty. Gen. No. 93-004 or 1993 Op. Att’y Gen. No.93-004

Court Cases

All citations to a reported case should use the following form:

Parsons v. Ferguson (1976), 46 Ohio St. 2d 389

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The elements of such a citation include:

1. The title of the case (italicized);
2. The date (in parentheses).

3. The volume number of the reporter in which the case is reported;
4. The abbreviation for the reporter; and
5. The page number at which the case commences

The following abbreviations should be used:

| <u>Reporter</u> | <u>Abbreviation</u> |
|--|-----------------------------|
| Ohio State Reports | Ohio St. |
| Ohio State Reports, Second Series | Ohio St. 2d |
| Ohio State Reports, Third Series | Ohio St. 3d |
| Ohio Reports | Ohio |
| Ohio Appellate Reports | Ohio App. |
| Ohio Appellate Reports, Second Series | Ohio App. 2d |
| Ohio Appellate Reports, Third Series | Ohio App. 3d |
| Ohio Miscellaneous | Ohio Misc. Or Ohio Misc. 2d |
| Ohio Bar Reports | Ohio B. |
| Ohio Opinions | Ohio Op. |
| Ohio Opinions, Second Series | Ohio Op. 2d |
| Ohio Opinions, Third Series | Ohio Op. 3d |
| Ohio Decisions | Ohio Dec. |
| Ohio Decisions, Reprint | Ohio Dec. Reprint |
| Ohio Circuit Court Decisions | Ohio C.C. Dec. |
| Ohio Circuit Court Reports | Ohio C.C. |
| Ohio Circuit Court Reports, New Series | Ohio C.C. (n.s.) |
| Ohio Circuit Decisions | Ohio Cir. Dec. |

If a case has not been reported, it should cite to the case *name*, docket number, court, and the date of the most recent (disposition). For example:

Collins v. Ferguson (July 22, 1980), FRANKLIN App. No. 80-AP-245, unreported.

Ohio Administrative Code

Citations to the Ohio Administrative Code should be by code section and date in the following form:

Ohio Admin. Code § 117-08-01

Federal Regulations

Federal administrative rules and regulations should be cited by title and section number to the Code of Federal Regulations in the following manner:

47 C.F.R. (Part, if known) § 609 (year).

Ohio Ethics Commission Advisory Opinions

Opinions of the Ethics Commission should be cited by year and opinion number in the following form:

1976 O.E.C. No. 76-008 or Ohio Ethics Comm'n, Advisory Op. No. 76-008

Special Legislation

Citations to special (uncodified) legislation enacted prior to January 4, 1971, should be cited by name, year of session, page number, and year of enactment in the following manner:

An Act to establish the Bucyrus, Oceola, and Upper Sandusky Free Turnpike Road, 1845 Ohio Laws 128 (1845)

Citations to such legislation enacted after January 3, 1971, should be cited by name, year of session, page number, and year of enactment as follows:

Am. S. B. No. 96, 1979 Ohio Legis. Bull 5-142 (1979)

Federal and Ohio Constitution

Cite in the following form:

U.S. Const. Art. III, Section 2

Ohio Const. Art. II, Section 20

Municipal Ordinances

In citing municipal ordinances, give the name of the municipality first, followed by the name of the code, section, or subdivision, and the year of publication:

Hilltown, Codified Ordinances, Section 133.05 (1977) Uncodified ordinances should be cited by name of municipality, number or name of the ordinance, and the exact date of adoption:

Middleville, Ordinance to Regulate the Conduct of Scarlet Women (1883)