

Reader's Guide

Some readers may be familiar with books published in electronic media. Others may not be. The editors intend this reader's guide to help you understand the conventions used in the Deskbook.

Electronic versions of the chapters. Each chapter has a web-based version, a portable document format (PDF) version, and an eBook (epub) version. The web-based version (in Hyper Text Markup Language) is scalable. The PDF version is intended to be printed as shown. The table of authorities for each chapter appears only in the PDF version. The eBook (epub) version is viewable on devices such as personal digital assistants, iphones, ipads, tablets (Kindle, Nook, Sony, Kobo etc.) and some cell phones. The latest update of each chapter is noted in each version. The deskbook home page contains links that show the revision history of each chapter.

Navigation. Navigation of each chapter uses standard browser commands, with the following caveats:

1. Embedded hyperlinks. Because the Deskbook is designed to be primarily an electronic resource, hyperlinks in the text connect directly to the source. Cases are generally linked to Google Scholar, Michigan statutes are linked to the legislature's website, older cases and Michigan administrative rules are linked through Casemaker, federal statutes are linked through the Legal Information Institute at Cornell University Law School, and federal rules are linked through the U.S. Government Printing Office. Hyperlink addresses are not printed if you print the PDF.

2. Tables of contents. In the PDF version, by clicking on the page number in a table of contents, you can jump directly to the section of the chapter; once you are in a chapter, use the bookmarks side screen to navigate. In the web and e-publish versions, clicking on a section in the table of contents moves to the chapter section; to return to the table of contents, you can (usually) use the "back" button on the browser. In Adobe Reader, you can use alt-left arrow and alt-right arrow to navigate using the keyboard.

3. Cross references. Cross references to other sections of a chapter are hyperlinked. Click on the cross-reference to go to the cited section. If you wish to open a new window to view the new section, use shift-click in the web version.

Printed version of the Deskbook. You can obtain a printed version of the Deskbook at cost from the State Bar of Michigan. Because we intend the Deskbook to be regularly updated, you should always check the electronic version to see if a chapter has been updated.

Unpublished decisions. The court rules declare that unpublished decisions of the court of appeals are "not precedentially binding under the rule of stare decisis." MCR 7.215(C)(1). Yet the bulk of the work of the court of appeals now appears in unpublished decisions. We believe the appropriate method of alerting you to unpublished decisions is to separate them from the text, but link to the unpublished slip opinions. In that way, you will have the benefit of the decisions but with the appropriate caution concerning their use.

Recent decisions. Recent decisions that do not have official citations are linked to slip opinions. This practice is true for decisions of the United States Supreme Court as well as Michigan courts. We recognize that slip opinions are subject to correction (and are often corrected) in advance

sheets and official reports. Nevertheless, the slip opinions from courts provide you with the most authoritative version of recent decisions.

Citation style. Citations in the Deskbook follow the Michigan Uniform System of Citation, Administrative Order No. 2006-3, 474 Mich clviii-cciii (effective May 1, 2006), available [here](#), except as follows:

1. The word *Commission* in a case name is abbreviated *Comm'n* to distinguish it from *Committee*, which is abbreviated *Comm.* Compare AO 2006-3, section I.A.4.c and appendix C, 474 Mich at clxi-clxii, ccii.

2. When a city is a party, the party name always contains “*City of*”. Compare AO 2006-3, section I.A.4.f, 474 Mich at clxiii.

3. The word *County* in a case name is abbreviated *Cty*, to distinguish it from *Company*, which is abbreviated *Co.* Compare AO 2006-3, section I.A.4.h, 474 Mich at clxiv. Note that AO 2006-3, Appendix C, abbreviates *County* as *Cty*, 474 Mich at ccii.

4. Federal court of appeals decisions are cited “*Cir*” rather than “*CA*”. Compare AO 2006-3, section I.A.4.m.2, 474 Mich at clxvii.

5. United States Supreme Court citations do not include parallel citations, except for decisions for which official pagination is not available. Those decisions, however, are linked to Supreme Court slip opinions. Compare AO 2006-3, section I.A.4.n.1, 474 Mich at clxviii.

6. Citation to Michigan administrative rules do not contain “[year] AACS”; the hyperlink to the rule will identify the year of the rule’s publication. Compare AO 2006-3, section I.B.6, 474 Mich at clxxx. Current administrative rules are collected on the [website](#) of the State Office of Administrative Hearings and Rules, and not at www.michigan.gov/orr as stated in AO 2006-3, section I.B.6.b, 474 Mich at clxxx.

7. Citations indicating a source of a block quotation or bulleted list appear in the text following the quotation or list. Compare AO 2006-3, section II.G, 474 Mich at cxcvii.

Acronyms and initialisms. Environmental law is filled with acronyms and initialisms. Well-known acronyms — such as NREPA, DEQ, DNR, (formerly DNRE) EPA and CERCLA (a true acronym) — should require no explanation. Lessor-known acronyms are explained in each chapter. We use DEQ, rather than MDEQ, to refer to the Michigan Department of Environmental Quality, because that is how the agency refers to itself when dealing with Michigan issues.

Citations to CFR. Administrative rules for some environmental programs administered by DEQ incorporate federal rules by reference. The administrative procedures act limits the validity of such incorporation by reference to those existing at the time of rule promulgation and not to future rules. MCL 24.232(4). This matter is discussed more fully in the Administrative Law chapter. Citations to the Code of Federal Regulations (CFR) in the Deskbook may contain the date of adoption consistent with the administrative procedures act, as the context requires.

Tables of cases and other authorities. Because each chapter is searchable, the Deskbook does not contain tables of cases or other authorities in the traditional sense. The PDF version of each chapter contains a table of authorities for use with the printed version.

Index. The Deskbook has no index. Because each chapter is searchable, we believe that an index is unnecessary.

Author biographies. The Deskbook does not contain author biographies in the traditional sense. If you wish to learn more about an author, the author's name on the home page links to his or her State Bar of Michigan profile, which usually contains a link to the author's law firm website.

New cases. Our goal is to give you as much information on the topics as we can consistent with relevance and space limitations. We encourage practitioners to forward to the editors new cases — including trial court decisions — that they have litigated so that authors can discuss them. Although trial court decisions are not precedential, they are often helpful as examples of emerging or important issues, and are therefore useful to practitioners.

Correcting errors. We intend the discussion in the Deskbook to be accurate, both substantively and as a matter of form. Nevertheless, we encourage you to bring to our attention any errors. Because the Deskbook is a collaborative effort, we hope that you see yourself as part of that collaboration.

Disclaimers. In addition to the disclaimer on the home page, we remind you that the Environmental Law Section and the authors are not giving legal advice. You should consult a qualified environmental attorney regarding specific matters. The views of the authors are their own; neither the Environmental Law Section nor the State Bar of Michigan adopt or endorse the views of the authors.

March 2012